

OIFIG NA bPAITINNÍ
PATENTS OFFICE

Oifig an Rialtais
Bóthar Hebron
Cill Chainnigh
Éire

Government Buildings
Hebron Road
Kilkenny
Ireland

WORLD INTELLECTUAL PROPERTY ORGANISATION
34, CHEMIN DES COLOMBETTES
PO BOX 18
1211 GENEVA 20
SWITZERLAND

Date of Notification: 05 July 2019
(By registered Mail)

International Registration No: 1457098
Mark: ProSystem
Holder: Bosch Thermotechnik GmbH of Germany

Notification of the Irish Patents Office of Total Provisional Refusal

Dear Sir/Madam,

This notification is issued pursuant to Article 5 of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks and Rule 17(2) of the Common Regulations under the Agreement and Protocol, and is to inform you that protection for this mark is refused for the reasons set out below. Any references to Sections are to Sections of the Trade Marks Act, 1996 and to Rules are to Rules of the Trade Marks Rules, 1996.

1.

Section 10(2)

There exists a likelihood of confusion on the part of the public between the mark and the following earlier mark(s):

Registered European Union Trade Mark No:011631521

Mark:PRO SYSTEMS GROUP PSG

Proprietor:Pro Systems Group GmbH

Am Vorderfloess 4-6

33175 Bad Lippspringe

Germany

Date of Application:06/03/2013

Date of Registration:09/01/2014

Class 9 : Apparatus for recording, transmission or reproduction of sound or images; Compact discs, DVDs and other digital recording media; Computers; Computer software; Mixing consoles (signals); Lighting control panels.

Class 35 : Retailing of technical apparatus in connection with stage technology, lighting technology, sound technology.

Class 41 : Rental of technical equipment for events, in particular video, sound and lighting equipment; Rental of show scenery; Rental of sound systems and

lighting systems, stage equipment, projection equipment, namely rental of audio apparatus, lighting apparatus and apparatus for recording, transmission or reproduction of sound or images, not included in other classes; Rental of apparatus in the field of multimedia technology (entertainment), in particular for presentations; Rental of stage lighting systems; Rental of control equipment for stage lighting systems.

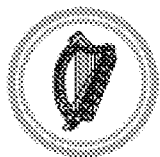
Class 42 : Professional consultancy with regard to technology; Technical planning and consultancy in the field of lighting, sound and stage technology, media technology, audio and event technology; Technical project planning, in particular for presentation events; Technical project planning of lighting systems, apparatus and installations, and special lighting and control systems therefor; Technical project planning of media technology, projection technology and video technology; Development and design of lighting installations; Design of media content, interactive content and films; Media design.

2. This refusal is in respect of all of the goods/services for which protection is sought.
3. The holder may make representations in writing, or may request an extension of time for doing so, not later than 05/10/2019. A request for an extension of time received after that date may be granted at the discretion of the Controller.
4. If representations or a request for an extension of time are not received by the specified date, protection of the mark will be refused.
5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied by an address for service within the European Economic Area as required by Rule 10(1)(a) as amended by Statutory Instrument No. 410 of 2010; failure to furnish such address will result in the holder being deemed to have abandoned his request for protection.
6. If, following the receipt of representations, it is considered that the requirements for protection are met, the mark will be published in the Official Journal and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.
7. Date of refusal: **05 July 2019**

Yours faithfully



Frank Jordan
Trade Mark and Design Examination Division
Direct Line: (056) 7720145
Ext: 4161
tmexam@patentsoffice.ie



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