



World Intellectual Property
Organisation (WIPO)
International Bureau
34, Chemin des Colombettes
1211 Geneva 20
Switzerland

Your Reference:
International Registration No:
WO0000001477157
Examiner: Sarah Campeel
Direct Telephone: +44(0)1633814049
Date: 22 July 2019

Please reply by **22 September 2019** quoting the International Registration number

Dear Sirs,

Intl Reg No: WO0000001477157
Mark: LED LIGHT DESIGN
Holder: RENAULT s.a.s
Class: 11

Notification of a Provisional Total Refusal of Protection (not based on an opposition) by the Intellectual Property Office

I have examined your designation under the Trade Marks Act 1994 and carried out a search of the relevant trade mark registers. Your designation does not appear to meet the requirements for Protection for the following reasons.

Absolute grounds for refusal

Section 3(1)(b) and (c)

The designation is not acceptable in Class 11. There is an objection under Section 3(1)(b) and (c) of the Act. This is because the mark "LED LIGHT DESIGN" consists exclusively of a sign which may serve in trade to designate the kind and characteristic of the goods, for example, lighting apparatus and installations for vehicles, anti-glare devices for vehicle, pockets lamps and refrigerating apparatus all being or incorporating led light designs.

It is felt that the relevant consumer would not give the mark as a whole any trademark significance and would perceive the mark as a description of the goods on offer i.e. LED light designs and ancillary goods which incorporate LED light designs rather than indicating brand origin.

It is for these reasons the mark is felt to fail under Section 3.

Search for earlier trademarks – for your information only

I have searched the relevant trade mark registers and found earlier trade marks that I think you should be aware of. My initial view is that your trade mark and your goods are similar to the earlier trade marks and their goods. Therefore, the public are likely to confuse your trade mark with the earlier trade marks.

The earlier trade marks I found are listed at the end of this report.

I am not refusing to accept your designation because of the earlier trade marks. Should you decide to proceed with your designation I am obliged to inform the owners of the marks listed below, that your designation will be published in our online journal. I will only notify UK trade marks and International Registrations (UK). UK trade marks begin with the prefix 'UK'. International UK trade marks begin with the prefix 'WO'.

We do not notify holders of European Union Trade Marks (EUTM) or International Registrations (EU), which also have protection in the UK; these are for your information only

If you proceed your designation will be published in the online Trade Marks Journal and anyone can oppose your designation should they have grounds to do so. If such action were to be successful, this would result in costs award against you. Further information can be found on our website:

ipo.gov.uk/tmoppose

Next step

If you disagree with my assessment of your designation, you can write or telephone me. My contact details are shown at the top of this letter.

If following this discussion, you still disagree with my findings you have the right to request a hearing with a senior officer to argue against the absolute grounds issues raised. You cannot request a hearing in respect of the earlier trademarks as these are not formal objections.

If your address is outside of the European Community, the Isle of Man or the European Economic Area you must provide us with a contact address in one of the above areas. This can be done by filling in and returning a Form TM33 (Request to appoint an agent or address for service). This form is available at:

ipo.gov.uk/tmforms

If the issues raised in the examination report are not resolved by the date shown above, the designation will be refused under the provisions of Section 37(4) of the Trade marks Act 1994.

Yours faithfully

Sarah Campeel

Trade Marks Registry

Earlier Marks

1) Earlier Mark:

Trade Mark ID: UK0002009625B

Domain: Domestic Trade Mark

Mark Representation

LED

Filing Date/Date of Designation: 02/02/1995

Goods & Services

Class: 11

Lighting installations and apparatus; electric light fittings; parts and fittings for all the aforesaid goods; but not including any such goods incorporating, or for use with, light emitting diodes.

Owner/Holder Details

Name: Feilo Sylvania Fixtures UK Limited

Address: Avis Way, Newhaven, East Sussex

Postcode: BN9 OED

Country: GB

Representative Details

Name: Osborne Clarke LLP

Address: One London Wall

Town: London

Postcode: EC2Y 5EB

Country: GB

2) Earlier Mark:

Trade Mark ID: EU010308468

Domain: EUTM

Mark Representation

LED Lighting

Filing Date/Date of Designation: 03/10/2011

Priority Dates

26/08/2011

Goods & Services

Class: 11

Reflectors for automobile; anti-glare device for automobile; branching pipes for air cooling apparatus; branching pipes for air conditioners; flexible hoses for air cooling apparatus; flexible hoses for air conditioners.

Owner/Holder Details

Name: LG ELECTRONICS INC.

Address: 128, Yeoui-daero,
Yeongdeungpo-gu

Town: Seoul

Postcode: 150-721

Country: KR

Representative Details

Name: NOVAGRAAF FRANCE

Address: Bâtiment O2 - 2, rue Sarah Bernhardt
CS 90017

Town: Asnières-sur -Seine

Postcode: 92665

Country: FR