



OIFIG NA bPAITINNÍ
PATENTS OFFICE

Oifigí 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: 19 September 2019
(By registered Mail)

Our Ref No: TMOPP3203

International Registration No: 1433787
Mark: Mi Cloud
Holder: Xiaomi Inc. of China

Notification of the Irish Patents Office of refusal of protection based on an opposition

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(3) 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.

Opposition to the granting of protection to the mark has been filed under Section 43 and Rule 18. A copy of the Notice of Opposition is enclosed.

It should be noted that pursuant to Section 43(2) of the Trade Marks Act 1996, as amended by S.I. No. 561 of 2018 European Union (Trade Marks) Regulations 2018, the Controller may only proceed with an opposition based on the grounds provided for in Section 10 of the Act.

The following are the Opponent's details:

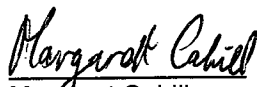
Name and Address: Apple, Inc, One Apple Park Way Cupertino, California 95014-2084,
United States of America

Address for Service: NIAL TIERNEY
TIERNEY IP
Galway Technology Centre
Mervue Business Park
Galway City
County Galway
H91 D932
Ireland
office@tierneyip.com

1. Where the Opponent has cited an earlier registration or pending application as grounds for the opposition, the details of the relevant marks are as outlined in the enclosed printouts. Please see attached printouts in respect of European Union Trade Mark Registration Numbers: 011571866, 014067755 and 014597736.
2. The refusal is in respect of all services for which protection is sought.
3. The Holder may file a counter-statement, under Rule 19(1), in duplicate, not later than 18 December 2019.
4. If a counter-statement is not received within the time allowed, the Holder will be deemed to have withdrawn his request for protection of the mark. Under Rule 63(2) an extension of time for the purpose of filing a counter-statement is not allowed.
5. A counter-statement must be accompanied by an address for service within the European Economic Area as required by Rule 10 as amended by Statutory Instrument No. 410 of 2010; Trade Marks (Amendment) Rules 2010; failure to furnish such address will result in the Holder being deemed to have abandoned his request for protection.

All future correspondence relating to the Opposition should quote the Reference:
TMOPP3203

Yours faithfully



Margaret Cahill

Trade Mark Opposition Section

Direct Line No: 00 353 56 7720185

tmopp@patentsoffice.ie

TRADE MARKS ACT, 1996

NOTICE OF OPPOSITION BY

Apple Inc against designation in
Ireland of International Trade Mark
No.1433787 'Mi Cloud' in the name
of Xiaomi Inc.

STATEMENT OF GROUNDS

1. Apple, Inc of One Apple Park Way Cupertino, California 95014-2084, United States of America ("**the Opponent**") is the owner of the famous sign, ' iCloud' ("**the Earlier Right**") and the proprietor of European Union Trade Mark Nos.011571866, 014067755 and 014597736 ("**the Earlier Trade Marks**"), particulars of which are set out in the table below:

Number	Trade Mark	Filing Date	Classes	Goods/Services
011571866	ICLOUD	13/02/2013	9, 35, 39 & 42	Class 9 Computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device.</p> <p>Class 35</p> <p>Computerized database and file management; data processing services; computerized data storage and retrieval services; computerized data storage and retrieval services for text, data, image, audio, video, and multimedia content; creating indexes of information, sites and other resources available on global computer networks and other electronic and communications networks for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks and other electronic and communications networks for others; organizing content of information provided over a global computer network and other electronic and communications networks according to user preferences; providing an online searchable database of text, data, image, audio, video, and multimedia content in the fields of computer hardware, computer software, consumer electronics,</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>telecommunications and multimedia goods, mobile phones, handheld digital electronic devices, and other consumer electronics and accessories, peripherals, and carrying cases for such products</p> <p>Class 39</p> <p>Physical storage of electronically stored data, text, images, audio and video; physical storage services for archiving electronic data.</p> <p>Class 42</p> <p>Application service provider (ASP) services featuring software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; providing search engines for obtaining data on a global computer network.</p>
014067755	ICLOUD	31/05/2011	9, 16, 25, 35, 37, 38, 41	<p>Class 9</p> <p>Accessories, parts, fittings, and testing apparatus for all of the following goods: Computer hardware; microprocessors, memory boards, monitors, displays, keyboards, cables, modems, printers, disk drives, adapters, adapter cards, connectors and drivers; blank computer storage media; magnetic data carriers; computer software; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>organizing text, graphics, images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; computer hardware and software for providing integrated telephone communication with computerized global information networks; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; downloadable electronic publications in the nature of books, plays, pamphlets, brochures, newsletters, journals, magazines, and periodicals on a wide range of topics of general interest; handheld digital electronic devices and software related thereto; MP3 and other digital format audio players; hand held computers, tablet computers,</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				personal digital assistants, electronic organizers, electronic notepads; mobile digital electronic devices, global positioning system (GPS) devices, telephones; handheld and mobile digital electronic devices for the sending and receiving of telephone calls, faxes, electronic mail, and other digital data; cordless telephones; mobile telephones; parts and accessories for mobile telephones; facsimile machines, answering machines, cameras, videophones, telephone-based information retrieval software and hardware; electronic handheld units for the wireless receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of recorded data; chips, discs and tapes bearing or for recording computer programs and software; random access memory, read only memory; solid state memory apparatus; computer and electronic games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; mouse pads; batteries; rechargeable batteries; chargers; chargers for electric

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>batteries; headphones; stereo headphones; in-ear headphones; stereo speakers; audio speakers; audio speakers for home; monitor speakers; speakers for computers; personal stereo speaker apparatus; radio receivers, amplifiers, sound recording and reproducing apparatus, electric phonographs, record players, high fidelity stereo apparatus, tape recorders and reproducing apparatus, loudspeakers, multiple speaker units, microphones; digital audio and video devices; audio cassette recorders and players, video cassette recorders and players, compact disc players, digital versatile disc recorders and players, digital audio tape recorders and players; digital music and/or video players; radios; video cameras; audio, video, and digital mixers; radio transmitters; car audio apparatus; computer equipment for use with all of the aforesaid goods; electronic apparatus with multimedia functions for use with all of the aforesaid goods; electronic apparatus with interactive functions for use with all of the aforesaid goods Parts and fittings for all the aforesaid goods Covers, bags and cases adapted or shaped to contain all of the aforesaid goods, made of leather, imitations of leather, cloth, or textile materials.</p> <p>Class 16</p> <p>Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; stickers; artists' materials; paint brushes;</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); advertising materials; printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; catalogues relating to computer software; computer brochures; computer handbooks; computer hardware publications; computer hardware reference manuals; computer hardware users guide; computer instruction manuals; computer manuals; publications relating to technology, digital technology and gadgets; catalogues relating to musical apparatus and instruments; music books; music instruction manuals; music magazines; excluding adhesives, adhesive tape and sheets.</p> <p>Class 25</p> <p>Clothing, footwear, headgear.</p> <p>Class 35</p> <p>Advertising agency services; advertising, marketing, and promotion services; advertising and marketing consultation; sales promotion services; promoting the goods and services of others; conducting market research; analysis of advertising response and market research; preparation, production, and dissemination of advertisements and advertising material for others; media planning services; administration</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				of consumer loyalty programs; arranging and conducting incentive rewards programs to promote the sale of goods and services; business services, namely, dissemination of advertising for others via computer networks and global communication networks; compilations of directories for publishing on the Internet and other electronic, computer and communications networks; retail store and online retail store services in the fields of computer hardware, computer software, consumer electronics, telecommunications and multimedia goods, mobile phones, handheld digital electronic devices, and other consumer electronics and accessories, peripherals , and carrying cases for such products; retail store services provided via the Internet and other computer, electronic and communications networks in the field of computer hardware, computer software, consumer electronics, telecommunications and multimedia goods and accessories, mobile phones, handheld digital electronic devices, and other consumer electronics and accessories, peripherals, and carrying cases for such products; retail store services in the field of books, magazines, periodicals, newsletters, journals and other publications on a wide range of topics of general interest, provided via the Internet and other computer, electronic and communications networks; retail store services in the field of entertainment featuring movies,

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>television programs, sporting events, musical works, and audio and audiovisual works, via the Internet and other computer, electronic and communications networks; retail store services featuring computer, electronic and entertainment products, telecommunications apparatus, mobile phones, handheld mobile digital electronic devices, and other consumer electronics, computer software, and accessories, peripherals, and carrying cases for such products, via the Internet and other computer, electronic and communications networks; product demonstrations provided in-store and via global communications networks and other electronic and communications networks; information, advisory and consultancy services relating to all the aforesaid.</p> <p>Class 37</p> <p>Repair and installation services; maintenance, installation and repair of computer hardware, computer peripherals and consumer electronic devices; consulting services in the field of maintenance of computer hardware, computer peripherals, and consumer electronic devices.</p> <p>Class 38</p> <p>Providing user access to the Internet (service providers).</p> <p>Class 41</p> <p>Providing an online searchable database of text, data, image,</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				audio, video, and multimedia content in the field of entertainment featuring music, video, film, books, periodicals, television, games and sports; information, advisory and consultancy services relating to all the aforesaid.
014597736	ICLOUD	25/09/2015	9, 10, 12, 14, 18, 34, 36, 38, 42 & 45.	<p>Class 9</p> <p>Computers, computer peripheral devices, computer terminals; computer hardware; microprocessors, memory boards, monitors, displays, keyboards, cables, modems, printers, disk drives, adapters, adapter cards, connectors and drivers; blank computer storage media; magnetic data carriers; computer software; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; computer hardware and software for providing integrated telephone communication with computerized global information networks; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; downloadable electronic publications in the nature of books, plays, pamphlets, brochures, newsletters, journals, magazines, and periodicals on a wide range of topics of general interest; handheld digital electronic devices for data processing, information processing, storing and displaying data, transmitting and receiving data, transmission of data between computers and software related thereto; MP3 and other digital format audio players; hand held computers, tablet computers, personal digital assistants, electronic organizers, electronic notepads; mobile digital electronic devices, global positioning system (GPS) devices, telephones; handheld and mobile digital electronic devices for the sending and receiving of telephone calls, faxes, electronic mail, and other digital data; cordless telephones; mobile telephones; parts and accessories for mobile telephones; facsimile machines, answering machines, cameras, videophones, telephone-based information retrieval software and hardware; electronic handheld units for the wireless</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of recorded data; chips, discs and tapes bearing or for recording computer programs and software; random access memory, read only memory; solid state memory apparatus; computer games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; computer equipment for use with all of the aforesaid goods; electronic communications apparatus with multimedia functions for use with the aforesaid goods; electronic communications apparatus with interactive functions for use with the aforesaid goods; accessories, parts, fittings, and testing apparatus for all of the aforesaid goods; parts and fittings for all the aforesaid goods.</p> <p>Class 10</p> <p>Health, fitness, exercise, and wellness sensors, monitors and displays.</p> <p>Class 12</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>Vehicles; apparatus for locomotion by land, air, water or rail; consoles being parts of vehicle interiors; dashboards; automotive interior trim and interior trim parts of automobiles; anti-theft devices for vehicles; anti-theft alarms for vehicles; bicycles; golf carts; wheel chairs; air pumps being vehicle accessories; motor cycles; vehicles for locomotion by land, air, water or rail; motor cars; pumps for bicycles, cycles; cable transport apparatus and installations; baby carriages; sleighs [vehicles]; vehicle wheel tires [tyres]; repair outfits for inner tubes; aeronautical apparatus, machines and appliances; steering gears for ships / ships' steering gears; seat covers for vehicles; parts for all the aforesaid goods.</p> <p>Class 14</p> <p>Horological and chronometric instruments; watches; clocks; timepieces; chronographs for use as timepieces; chronometers; watchstraps; watch bands; cases for watches, clocks, and horological and chronometric instruments; parts for watches, clocks, and horological and chronometric instruments; jewelry.</p> <p>Class 18</p> <p>Leather and imitations of leather; goods made of leather and imitations of leather namely trunks and travelling bags, umbrellas and parasols, walking sticks, ships, harness, saddlery, bags, beach bags, school bags,</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>shoe bags, waist bags, backpacks, waist packs, wallets, purses, cases, attaché cases, business card cases, business cases, calling card cases, catalog cases, credit card cases, document cases, key cases, train cases, overnight cases, cases namely vanity, toiletry, cosmetic and lipstick cases sold empty, book bags, carry-on bags cosmetic bags sold empty, duffel bags, garment bags for travel, shopping bags, overnight bags, all-purpose sports and athletic bags, school book bags, shoulder bags, souvenir bags, suit bags, tote bags, credit card holders; animal skins, hides; trunks and travelling bags; umbrellas and parasols; walking sticks; whips, harness and saddlery; bags; beach bags; leather bags; school bags; shoe bags; waist bags; backpacks; waist packs; wallets; purses; cases; attache cases; business card cases; business cases; calling card cases; catalog cases; credit card cases; document cases; key cases; train cases; overnight cases; cases, namely, vanity, toiletry, cosmetic and lipstick cases sold empty; book bags; carry-on bags; cosmetic bags sold empty; duffel bags; garment bags for travel; leather and mesh shopping bags; overnight bags; all-purpose sports and athletic bags; school book bags; shoulder bags; souvenir bags; suit bags; tote bags; credit card holders; parts and accessories for all the aforesaid goods.</p> <p>Class 34</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>Tobacco; smokers' articles; matches; ashtrays; lighters for smokers; electronic cigarettes.</p> <p>Class 36</p> <p>Financial services; financial transaction services; bill payment services; providing secure commercial transactions; credit and debit card services; payment authorization, verification, and transaction processing services; electronic payment and funds transfer services.</p> <p>Class 38</p> <p>Telecommunications; communication and telecommunication services; telecommunication access services; communications by computer; communication between computers; electronic sending of data and documentation via the Internet or other databases; supply of data and news by electronic transmission; providing telecommunication access to websites and electronic news services online allowing the download of information and data; providing telecommunication access to web sites on the Internet; delivery of digital music by telecommunications; providing wireless telecommunications via electronic communications networks; wireless digital messaging, paging services, and electronic mail services, including services that enable a user to send and/or receive messages through a wireless data network; one-way and two-way</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p> paging services; communication by computer, computer intercommunication; telex, telegram and telephone services; broadcasting or transmission of radio and television programs; time sharing services for communication apparatus; provision of telecommunications access and links to computer databases and the Internet; electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; webcasting services (transmission); delivery of messages by electronic transmission; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video or multimedia content; provision of telecommunications connections to electronic communication networks, for transmission or reception of audio, video or multimedia content; providing telecommunication access to digital music web sites on the Internet; providing telecommunication access to MP3 web sites on the Internet; delivery of digital music by telecommunications; provision of telecommunications connections to the Internet or computer databases; electronic mail services; telecommunication of information (including web pages); video broadcasting, broadcasting pre-recorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, </p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>and entertainment-related programs of all kinds, via a global computer network; streaming of video content via a global computer network; subscription audio broadcasting via a global computer network; audio broadcasting; audio broadcasting of spoken word, music, concerts, and radio programs, broadcasting pre-recorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs of all kinds, via computer and other communications networks; streaming of audio content via a global computer network; electronic transmission of audio and video files via communications networks; communication services, namely, matching users for the transfer of music, video and audio recordings via communication networks; providing on-line bulletin boards for the transmission of messages among computer users concerning entertainment, music, concerts, videos, radio, television, film, news, sports, games and cultural events; rental and hire of communication apparatus and electronic mail-boxes; electronic communications consultancy; facsimile, message collection and transmission services; transmission of data and of information by electronic means, computer, cable, radio, teleprinter, teletetter, electronic mail, telecopier, television, microwave, laser beam, communications satellite or</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>electronic communication means; transmission of data by audio-visual apparatus controlled by data processing apparatus or computers; information, advisory and consultancy services relating to all the aforesaid; provision of telecommunication access time to web-sites featuring multimedia materials; providing telecommunication access to databases and directories via communications networks for obtaining data in the fields of music, video, film, books, television, games and sports; providing users with telecommunication access time to electronic communications networks with means of identifying, locating, grouping, distributing, and managing data and links to third-party computer servers, computer processors and computer users; providing user access to the Internet (service providers); providing temporary internet access to use on-line non-downloadable software to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs.</p> <p>Class 42</p> <p>Application service provider (ASP) services featuring computer software; application service provider (ASP) services featuring software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text,</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				<p>graphics, images, and electronic publications; scientific and technological services and research and design relating thereto; design and development of computer hardware and software; computer hardware and software consulting services; rental of computer hardware and software apparatus and equipment; multimedia and audio-visual software consulting services; computer programming; support and consultation services for developing computer systems, databases and applications; information relating to computer hardware or software provided on-line from a global computer network or the Internet; creating and maintaining web-sites; hosting the web-sites of others; providing search engines for obtaining data via communications networks; application service provider (ASP) services featuring software for use in connection with online music subscription service, software that enables users to play and program music and entertainment-related audio, video, text and multimedia content, and software featuring musical sound recordings, entertainment-related audio, video, text and multimedia content; providing search engines for obtaining data on a global computer network; information, advisory and consultancy services relating to all the aforesaid; operating search engines; computer consulting and support services for scanning information into computer discs.</p> <p>Class 45</p>

Number	Trade Mark	Filing Date	Classes	Goods/Services
				Online social networking services; providing a social networking website.

2. The mark applied for (“**the Sign**”) by Xiaomi Inc (“**the Applicant**”) offends against Section 10(1) of the Trade Marks Act, 1996 (“**the Act**”) in that it is identical to the Earlier Trade Marks and covers identical services. While it is observed that the Sign is comprised of the letter ‘M’ before the letter ‘i’ in the first part of the Sign, it is submitted that this difference with the Opponent’s Earlier Trade Marks is insignificant and would go unnoticed by an average consumer.
3. The Sign offends against Section 10(2)(a) of the Act in that it is identical to the Earlier Trade Marks and covers services which are similar to the goods and services of the Earlier Trade Marks. The nature, end users and method of use of the services for which registration of the Sign is being sought are the same as the goods and services of the Earlier Trade Marks. Furthermore, the services for which registration of the Sign is being sought are in competition with the goods and services of the Earlier Trade Marks and/or would be complementary. Consequently, there exists a likelihood of confusion, including the likelihood of association with the Earlier Trade Marks.
4. The Sign offends against Section 10(2)(b) of the Act in that it is similar to the Earlier Trade Marks and covers identical services. It will be observed the Sign includes the element ‘Cloud’ which also forms part of the Earlier Trade Marks and is therefore visually, phonetically and conceptually similar in this respect. The first word of the Sign is also visually and phonetically very close to the “I” element of the Earlier Trade Marks. It will be observed that the first word of the word of the Earlier Trade Marks only differs from the first word of the Sign by not including the consonant ‘M’. When considered as a whole, the phonetic similarity between the Sign and the Earlier Trade Marks is even more pronounced. The Sign also covers services which are identical to the Class 35 service of the Opponent’s Earlier Trade Mark No.014067755. Consequently, there exists a likelihood of confusion, including the likelihood of association with the Earlier Trade Marks.

5. Further, or in the alternative, the Sign offends against Section 10(2)(b) of the Act in that it is similar to the Earlier Trade Marks and covers similar services. For the reasons set out in paragraph 2 above, the Sign is similar to the Earlier Trade Marks. It will be further observed that the services for which registration of the Sign is being sought are similar to those of the Earlier Trade Marks. The nature, end users and method of use of the services for which registration of the Sign is being sought are the same as the Earlier Trade Marks. Furthermore, the services for which registration of the Sign is being sought are in competition with the goods of the Earlier Trade Marks and/or would be complementary. Consequently, there exists a likelihood of confusion, including the likelihood of association with the Earlier Trade Marks.
6. Further, or in the alternative, the Sign offends against Section 10(3) of the Act in that it is identical with or similar to the Earlier Trade Marks which have a reputation in Ireland (“the State”) and the European Union. The Opponent will submit evidence in these proceedings to show that the Earlier Trade Marks have been used in the State and the European Union as far back as 2011 and have gained worldwide recognition and exposure through all types of media. The use of the Sign, without due cause, would take unfair advantage of, or be detrimental to, the distinctive character or reputation of the Earlier Trade Marks.
7. Further, or in the alternative, the Sign offends against Section 10(4)(a) of the Act. The Opponent has used the Earlier Right within the State as far back as 2011 and has since created a protectable goodwill and reputation under the Earlier Right. The Opponent is therefore entitled to prohibit the use of the Sign pursuant to the law of passing off.
8. Further, or in the alternative, the Sign offends against Section 8(4)(e) in that it has been applied for by the Applicant in bad faith. The Opponent will submit evidence in these proceedings to show that the Applicant had constructive knowledge of the Opponent’s Earlier Right and Earlier Trade Marks and that the Applicant’s course of conduct has fallen short of the standards of honest commercial practice.
9. The Opponent is entitled to protect its Earlier Trade Mark as a Well Known trade mark under the Paris Convention and/or the Agreement establishing the World Trade Organisation.

10. The Opponent requests that the Sign be refused registration in its entirety and that costs be awarded in the Opponent's favour.

Niall Tierney

Niall Tierney
Agent for the Opponent

Date: 10 September 2019

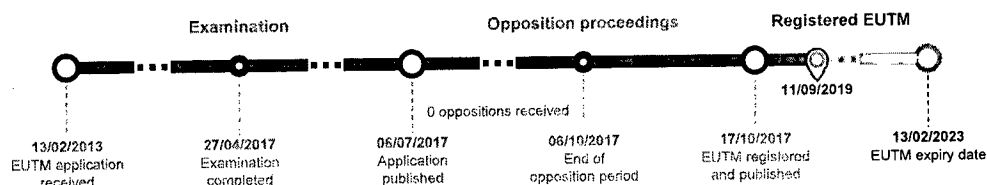


Protect your intellectual property in the European Union

EUTM file information

ICLOUD
011571866

Timeline



Trade mark information

Name	ICLOUD	Filing date	13/02/2013
Filing number	011571866	Registration date	13/10/2017
Basis	EUTM	Expiry date	13/02/2023
Date of receipt	13/02/2013	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	Italian
Nice classes	9, 35, 39, 42 (Nice Classification)	Application reference	306187-6917/PFA/RRW
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	Yes

Goods and services

English (en) ☒

9 Computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device.

35 Computerized database and file management; data processing services; computerized data storage and retrieval services; computerized data storage and retrieval services for text, data, image, audio, video, and multimedia content; creating indexes of information, sites and other resources available on global computer networks and other electronic and communications networks for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks and other electronic and communications networks for others; organizing content of information provided over a global computer network and other electronic and communications networks according to user preferences; providing an online searchable database of text, data, image, audio, video, and multimedia content in the fields of computer hardware, computer software, consumer electronics, telecommunications and multimedia goods, mobile phones, handheld digital electronic devices, and other consumer electronics and accessories, peripherals, and carrying cases for such products.

39 Physical storage of electronically stored data, text, images, audio and video; physical storage services for archiving electronic data.

42 Application service provider (ASP) services featuring software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; providing search engines for obtaining data on a global computer network.

Description

No data

Owners

Apple Inc.

ID	839	Country	US - United States	Correspondence address	Hidden. You can set your contact details to be publicly available via the User Area.
Organisation	Apple Inc.	State/county	California	Apple Inc. One Apple Park Way Cupertino, California 95014	
Legal status	Legal entity	Town	Cupertino	ESTADOS UNIDOS (DE AMÉRICA)	
State, district or ter...	California	Post code	95014		Hidden. You can set your contact details to be publicly available via the User Area.
		Address	One Apple Park Way		Hidden. You can set your contact details to be publicly available via the User Area.

Representatives

LOCKE LORD LLP

ID	41701	Country	GB - United Kingdom	Correspondence address	Hidden. You can set your contact details to be publicly available via the User Area.
Organisation	n/a	State/county	n/a	Locke Lord (UK) LLP 201 Bishopsgate London EC2M 3AB	
Legal status	Legal person	Town	London	REINO UNIDO	
Type	Association	Post code	EC2M 3AB		Hidden. You can set your contact details to be publicly available via the User Area.
		Address	201 Bishopsgate		Hidden. You can set your contact details to be publicly available via the User Area.

Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
	Recordal		014477999	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	27/06/2018	
	Recordal		014477999	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	27/06/2018	
	EUTM		011571866	L304 - Cover letter for registration certificate	17/10/2017	
	EUTM		011571866	Certificate	17/10/2017	
	EUTM		011571866	LSU01 - Information to proprietors of earlier trade mark registrations or applications	19/04/2017	
	Appeal		R0057/2016-2	R420A - Notification of a decision of the Boards of Appeal to the appellant	19/12/2016	
	Appeal		R0057/2016-2	catintdoc_1	05/12/2016	
	EUTM		011571866	LSU01 - Information to proprietors of earlier trade mark registrations or applications	21/06/2016	
	Appeal		R0057/2016-2	R409A - Notification of remittal to the Boards of Appeal	17/03/2016	
	Appeal		R0057/2016-2	R405 - Acknowledgement of receipt of statement of grounds (<i>ex parte</i>)	16/03/2016	
Showing 1 to 10 of 133 entries						

IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2015/009	15/01/2015	C.2.1	Representative - Change of name and professional address
2017/126	06/07/2017	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2017/197	17/10/2017	B.1	Registrations with no amendments since the application was published
2018/120	28/06/2018	C.1.3	Proprietor - Change of name and address
Showing 1 to 4 of 4 entries			

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
			007977294	Trade mark	Divisions of EUTM registrations
2015/009	15/01/2015	C.2.1	009158026	Representative	Change of name and professional address
2018/120	28/06/2018	C.1.3	014477999	Proprietor	Change of name and address
Showing 1 to 3 of 3 entries					

Oppositions

No data

Appeals

	Filing number	Contested decision	Type	Date of receipt	Status date	Language
+	R2284/2013-2	Trade mark 011571866	Trade mark	20/11/2013	31/01/2014	English
+	R0955/2014-2	Trade mark 011571866	Trade mark	03/04/2014	16/10/2015	English
+	R0057/2016-2	Trade mark 011571866	Trade mark	11/01/2016	20/04/2017	English
Showing 1 to 3 of 3 entries						

Decisions

	Case number	Type	Case	Legal status	Keywords	Status	Decision date
+	Appeal R0057/2016-2	Appeal		Article 7(3) EUTMR	Declaration, Distinctiveness acquired by use, Evidence of use, Nature of the goods and services, Purpose of the goods and	Application allowed	05/12/2016

	Case number	Type	Case	Legal status	Keywords	Status	Decision date
					services,Sales figures,Scope of proceedings		
+	Appeal R0955/2014-2	Appeal		Article 7 CTMR,Article 7(1)(c) CTMR,Article 7(2) CTMR,Article 7(3) CTMR,Article 64 CTMR	Competence of the Boards,Distinctiveness acquired by use,Evidence of use,Specialised public	Remitted on Article 7(3) EUTMR	18/05/2015
+	Refusal 011571866	Refusal		Article 7(1)(b) CTMR,Article 7(1)(c) CTMR,Article 7(2) CTMR		Partially rejected	20/09/2013
+	Refusal 011571866	Refusal		Article 7(1)(c) CTMR		Partially rejected	13/11/2015
Showing 1 to 4 of 4 entries							

Renewals

No data

Trade mark relations

Type	Filing number
Parent Division	013002928
Showing 1 to 1 of 1 entries	

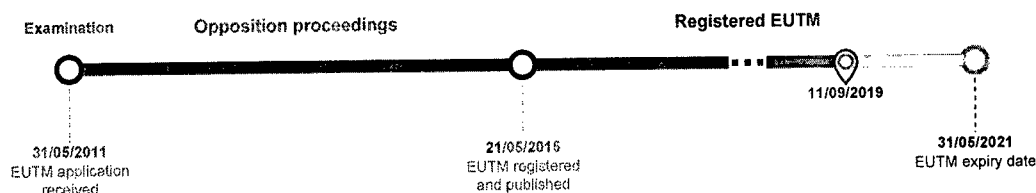


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EUTM file information

ICLOUD
014067755

Timeline



Trade mark information

Name	ICLOUD	Filing date	31/05/2011
Filing number	014067755	Registration date	15/05/2015
Basis	EUTM	Expiry date	31/05/2021
Date of receipt	31/05/2011	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	Italian
Nice classes	9, 16, 25, 35, 37, 38, 41 (Nice Classification)	Application reference	306187-6406/PFA/TG1
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)



9 Accessories, parts, fittings, and testing apparatus for all of the following goods: Computer hardware; microprocessors, memory boards, monitors, displays, keyboards, cables, modems, printers, disk drives, adapters, adapter cards, connectors and drivers; blank computer storage media; magnetic data carriers; computer software; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; computer hardware and software for providing integrated telephone communication with computerized global information networks; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; downloadable electronic publications in the nature of books, plays, pamphlets, brochures, newsletters, journals, magazines, and periodicals on a wide range of topics of general interest; handheld digital electronic devices and software related thereto; MP3 and other digital format audio players; hand held computers, tablet computers, personal digital assistants, electronic organizers, electronic notepads; mobile digital electronic devices, global positioning system (GPS) devices, telephones; handheld and mobile digital electronic devices for the sending and receiving of telephone calls, faxes, electronic mail, and other digital data; cordless telephones; mobile telephones; parts and accessories for mobile telephones; facsimile machines, answering machines, cameras, videophones, telephone-based information retrieval software and hardware; electronic handheld units for the wireless receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of recorded data; chips, discs and tapes bearing or for recording computer programs and software; random access memory,

read only memory; solid state memory apparatus; computer and electronic games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; mouse pads; batteries; rechargeable batteries; chargers; chargers for electric batteries; headphones; stereo headphones; in-ear headphones; stereo speakers; audio speakers; audio speakers for home; monitor speakers; speakers for computers; personal stereo speaker apparatus; radio receivers, amplifiers, sound recording and reproducing apparatus, electric phonographs, record players, high fidelity stereo apparatus, tape recorders and reproducing apparatus, loudspeakers, multiple speaker units, microphones; digital audio and video devices; audio cassette recorders and players, video cassette recorders and players, compact disc players, digital versatile disc recorders and players, digital audio tape recorders and players; digital music and/or video players; radios; video cameras; audio, video, and digital mixers; radio transmitters; car audio apparatus; computer equipment for use with all of the aforesaid goods; electronic apparatus with multimedia functions for use with all of the aforesaid goods; electronic apparatus with interactive functions for use with all of the aforesaid goods Parts and fittings for all the aforesaid goods Covers, bags and cases adapted or shaped to contain all of the aforesaid goods, made of leather, imitations of leather, cloth, or textile materials.

16 Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; stickers; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); advertising materials; printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; catalogues relating to computer software; computer brochures; computer handbooks; computer hardware publications; computer hardware reference manuals; computer hardware users guide; computer instruction manuals; computer manuals; publications relating to technology, digital technology and gadgets; catalogues relating to musical apparatus and instruments; music books; music instruction manuals; music magazines; excluding adhesives, adhesive tape and sheets.

25 Clothing, footwear, headgear.

35 Advertising agency services; advertising, marketing, and promotion services; advertising and marketing consultation; sales promotion services; promoting the goods and services of others; conducting market research; analysis of advertising response and market research; preparation, production, and dissemination of advertisements and advertising material for others; media planning services; administration of consumer loyalty programs; arranging and conducting incentive rewards programs to promote the sale of goods and services; business services, namely, dissemination of advertising for others via computer networks and global communication networks; compilations of directories for publishing on the Internet and other electronic, computer and communications networks; retail store and online retail store services in the fields of computer hardware, computer software, consumer electronics, telecommunications and multimedia goods, mobile phones, handheld digital electronic devices, and other consumer electronics and accessories, peripherals, and carrying cases for such products; retail store services provided via the Internet and other computer, electronic and communications networks in the field of computer hardware, computer software, consumer electronics, telecommunications and multimedia goods and accessories, mobile phones, handheld digital electronic devices, and other consumer electronics and accessories, peripherals, and carrying cases for such products; retail store services in the field of books, magazines, periodicals, newsletters, journals and other publications on a wide range of topics of general interest, provided via the Internet and other computer, electronic and communications networks; retail store services in the field of entertainment featuring movies, television programs, sporting events, musical works, and audio and audiovisual works, via the Internet and other computer, electronic and communications networks; retail store services featuring computer, electronic and entertainment products, telecommunications apparatus, mobile phones, handheld mobile digital electronic devices, and other consumer electronics, computer software, and accessories, peripherals, and carrying cases for such products, via the Internet and other computer, electronic and communications networks; product demonstrations provided in-store and via global communications networks and other electronic and communications networks; information, advisory and consultancy services relating to all the aforesaid.

37 Repair and installation services; maintenance, installation and repair of computer hardware, computer peripherals and consumer electronic devices; consulting services in the field of maintenance of computer hardware, computer peripherals, and consumer electronic devices.

38 Providing user access to the Internet (service providers).

41 Providing an online searchable database of text, data, image, audio, video, and multimedia content in the field of entertainment featuring music, video, film, books, periodicals, television, games and sports; information, advisory and consultancy services relating to all the aforesaid.

Description

No data

Owners

Apple Inc.

ID	839	Country	US - United States	Correspondence address	
Organisation	Apple Inc.	State/county	California	Apple Inc. One Apple Park Way Cupertino, California 95014	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal entity	Town	Cupertino	ESTADOS UNIDOS (DE AMÉRICA)	
State, district or t...	California	Post code	95014		Hidden. You can set your contact details to be publicly available via the User Area.
		Address	One Apple Park Way		

Hidden. You can set your contact details to be publicly available via the User Area.

Representatives

LOCKE LORD LLP

ID	41701	Country	GB - United Kingdom	Correspondence address	Hidden. You can set your contact details to be publicly available via the User Area.
Organisation	n/a	State/country	n/a	Locke Lord (UK) LLP	
Legal status	Legal person	Town	London	201 Bishopsgate	
Type	Association	Post code	EC2M 3AB	London EC2M 3AB	Hidden. You can set your contact details to be publicly available via the User Area.
		Address	201 Bishopsgate	REINO UNIDO	Hidden. You can set your contact details to be publicly available via the User Area.

Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
Processing...						

IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

Country	Filing number	Date	Status
Jamaica	058091	09/05/2011	Claimed
Jamaica	057024	07/12/2010	Claimed
Showing 1 to 2 of 2 entries			

Publications

Bulletin number	Date	Section	Description
2015/091	19/05/2015	A.2.5.2	Resulting divisional applications
2015/093	21/05/2015	B.2	Registrations with amendments since the application was published
2015/224	25/11/2015	B.4.2	Correction of errors - Relative errors
2018/120	28/06/2018	C.1.3	Proprietor - Change of name and address
Showing 1 to 4 of 4 entries			

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
			009301238	Trade mark	Divisions of EUTM registrations
2015/224	25/11/2015	B.4.2	010195371	Correction of errors	Relative errors
2018/120	28/06/2018	C.1.3	014477999	Proprietor	Change of name and address
Showing 1 to 3 of 3 entries					

Oppositions

No data

Appeals

No data

Decisions

No data

Renewals

No data

Trade mark relations

Type	Filing number
Child Division	010011484
Showing 1 to 1 of 1 entries	

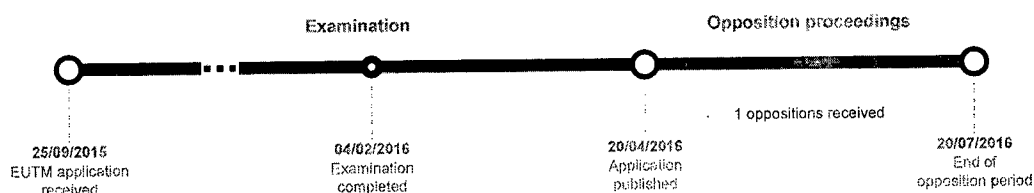


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EUTM file information

ICLOUD
014597736

Timeline



Trade mark information

Name	ICLOUD	Filing date	25/09/2015
Filing number	014597736	Registration date	
Basis	EUTM	Expiry date	
Date of receipt	25/09/2015	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	Italian
Nice classes	9, 10, 12, 14, 18, 34, 36, 38, 42, 45 (Nice Classification)	Application reference	1476466-03879/PFA/TG
Vienna Classification		Trade mark status	Application opposed
		Acquired distinctiveness	Yes

Goods and services

English (en)



9 Computers, computer peripheral devices, computer terminals; computer hardware; microprocessors, memory boards, monitors, displays, keyboards, cables, modems, printers, disk drives, adapters, adapter cards, connectors and drivers; blank computer storage media; magnetic data carriers; computer software; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; computer hardware and software for providing integrated telephone communication with computerized global information networks; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet e-mail, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; downloadable electronic publications in the nature of books, plays, pamphlets, brochures, newsletters, journals, magazines, and periodicals on a wide range of topics of general interest; handheld digital electronic devices for data processing, information processing, storing and displaying data, transmitting and receiving data, transmission of data between computers and software related thereto; MP3 and other digital format audio players; hand held computers, tablet computers, personal digital assistants, electronic organizers, electronic notepads; mobile digital electronic devices, global positioning system (GPS) devices, telephones; handheld and mobile digital electronic devices for the sending and receiving of telephone calls, faxes, electronic mail, and other digital data; cordless telephones; mobile telephones; parts and accessories for mobile telephones; facsimile machines, answering machines, cameras, videophones, telephone-based information retrieval software and hardware; electronic handheld units for the wireless receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of

read only memory; solid state memory apparatus; computer games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; computer equipment for use with all of the aforesaid goods; electronic communications apparatus with multimedia functions for use with the aforesaid goods; electronic communications apparatus with interactive functions for use with the aforesaid goods; accessories, parts, fittings, and testing apparatus for all of the aforesaid goods; parts and fittings for all the aforesaid goods.

10 Health, fitness, exercise, and wellness sensors, monitors and displays.

12 Vehicles; apparatus for locomotion by land, air, water or rail; consoles being parts of vehicle interiors; dashboards; automotive interior trim and interior trim parts of automobiles; anti-theft devices for vehicles; anti-theft alarms for vehicles; bicycles; golf carts; wheel chairs; air pumps being vehicle accessories; motor cycles; vehicles for locomotion by land, air, water or rail; motor cars; pumps for bicycles, cycles; cable transport apparatus and installations; baby carriages; sleighs [vehicles]; vehicle wheel tires [tyres]; repair outfits for inner tubes; aeronautical apparatus, machines and appliances; steering gears for ships / ships' steering gears; seat covers for vehicles; parts for all the aforesaid goods.

14 Horological and chronometric instruments; watches; clocks; timepieces; chronographs for use as timepieces; chronometers; watchstraps; watch bands; cases for watches, clocks, and horological and chronometric instruments; parts for watches, clocks, and horological and chronometric instruments; jewelry.

18 Leather and imitations of leather; goods made of leather and imitations of leather namely trunks and travelling bags, umbrellas and parasols, walking sticks, ships, harness, saddlery, bags, beach bags, school bags, shoe bags, waist bags, backpacks, waist packs, wallets, purses, cases, attaché cases, business card cases, business cases, calling card cases, catalog cases, credit card cases, document cases, key cases, train cases, overnight cases, cases namely vanity, toiletry, cosmetic and lipstick cases sold empty, book bags, carry-on bags cosmetic bags sold empty, duffel bags, garment bags for travel, shopping bags, overnight bags, all-purpose sports and athletic bags, school book bags, shoulder bags, souvenir bags, suit bags, tote bags, credit card holders; animal skins, hides; trunks and travelling bags; umbrellas and parasols; walking sticks; whips, harness and saddlery; bags; beach bags; leather bags; school bags; shoe bags; waist bags; backpacks; waist packs; wallets; purses; cases; attache cases; business card cases; business cases; calling card cases; catalog cases; credit card cases; document cases; key cases; train cases; overnight cases; cases, namely, vanity, toiletry, cosmetic and lipstick cases sold empty; book bags; carry-on bags; cosmetic bags sold empty; duffel bags; garment bags for travel; leather and mesh shopping bags; overnight bags; all-purpose sports and athletic bags; school book bags; shoulder bags; souvenir bags; suit bags; tote bags; credit card holders; parts and accessories for all the aforesaid goods.

34 Tobacco; smokers' articles; matches; ashtrays; lighters for smokers; electronic cigarettes.

36 Financial services; financial transaction services; bill payment services; providing secure commercial transactions; credit and debit card services; payment authorization, verification, and transaction processing services; electronic payment and funds transfer services.

38 Telecommunications; communication and telecommunication services; telecommunication access services; communications by computer; communication between computers; electronic sending of data and documentation via the Internet or other databases; supply of data and news by electronic transmission; providing telecommunication access to websites and electronic news services online allowing the download of information and data; providing telecommunication access to web sites on the Internet; delivery of digital music by telecommunications; providing wireless telecommunications via electronic communications networks; wireless digital messaging, paging services, and electronic mail services, including services that enable a user to send and/or receive messages through a wireless data network; one-way and two-way paging services; communication by computer, computer intercommunication; telex, telegram and telephone services; broadcasting or transmission of radio and television programs; time sharing services for communication apparatus; provision of telecommunications access and links to computer databases and the Internet; electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; webcasting services (transmission); delivery of messages by electronic transmission; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video or multimedia content; provision of telecommunications connections to electronic communication networks, for transmission or reception of audio, video or multimedia content; providing telecommunication access to digital music web sites on the Internet; providing telecommunication access to MP3 web sites on the Internet; delivery of digital music by telecommunications; provision of telecommunications connections to the Internet or computer databases; electronic mail services; telecommunication of information (including web pages); video broadcasting, broadcasting pre-recorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs of all kinds, via a global computer network; streaming of video content via a global computer network; subscription audio broadcasting via a global computer network; audio broadcasting; audio broadcasting of spoken word, music, concerts, and radio programs, broadcasting pre-recorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs of all kinds, via computer and other communications networks; streaming of audio content via a global computer network; electronic transmission of audio and video files via communications networks; communication services, namely, matching users for the transfer of music, video and audio recordings via communication networks; providing on-line bulletin boards for the transmission of messages among computer users concerning entertainment, music, concerts, videos, radio, television, film, news, sports, games and cultural events; rental and hire of communication apparatus and electronic mail-boxes; electronic communications consultancy; facsimile, message collection and transmission services; transmission of data and of information by electronic means, computer, cable, radio, teleprinter, teletype, electronic mail, telecopier, television, microwave, laser beam, communications satellite or electronic communication means; transmission of data by audio-visual apparatus controlled by data processing apparatus or computers; information, advisory and consultancy services relating to all the aforesaid; provision of telecommunication access time to web-sites featuring multimedia materials; providing telecommunication access to databases and directories via communications networks for obtaining data in the fields of music, video, film, books, television, games and sports; providing users with telecommunication access time to electronic communications networks with means of identifying, locating, grouping, distributing, and managing data and links to third-party computer servers, computer processors and computer users; providing user access to the Internet (service providers); providing temporary internet access to use on-line non-downloadable software to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs.

42 Application service provider (ASP) services featuring computer software; application service provider (ASP) services featuring software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; scientific and technological services and research and design relating thereto; design and development of computer hardware and software; computer hardware and software consulting services; rental of computer hardware and software apparatus and equipment; multimedia and audio-visual software consulting services; computer programming; support and consultation services for developing computer systems, databases and applications; information relating to computer hardware or software provided on-line from a global computer network or the Internet; creating and maintaining web-sites; hosting the web-sites of others; providing search

engines for obtaining data via communications networks; application service provider (ASP) services featuring software for use in connection with online music subscription service, software that enables users to play and program music and entertainment-related audio, video, text and multimedia content, and software featuring musical sound recordings, entertainment-related audio, video, text and multimedia content; providing search engines for obtaining data on a global computer network; information, advisory and consultancy services relating to all the aforesaid; operating search engines; computer consulting and support services for scanning information into computer discs.

45 Online social networking services; providing a social networking website.

Description

No data

Owners

Apple Inc.

ID	839	Country	US - United States	Correspondence address	Hidden. You can set your contact details to be publicly available via the User Area.
Organisation	Apple Inc.	State/county	California	Apple Inc. One Apple Park Way Cupertino, California 95014	
Legal status	Legal entity	Town	Cupertino	ESTADOS UNIDOS (DE AMÉRICA)	Hidden. You can set your contact details to be publicly available via the User Area.
State, district or t...	California	Post code	95014		
		Address	One Apple Park Way		Hidden. You can set your contact details to be publicly available via the User Area.

Representatives

LOCKE LORD LLP

ID	41701	Country	GB - United Kingdom	Correspondence address	Hidden. You can set your contact details to be publicly available via the User Area.
Organisation	n/a	State/county	n/a	Locke Lord (UK) LLP 201 Bishopsgate London EC2M 3AB	
Legal status	Legal person	Town	London	REINO UNIDO	Hidden. You can set your contact details to be publicly available via the User Area.
Type	Association	Post code	EC2M 3AB		
		Address	201 Bishopsgate		Hidden. You can set your contact details to be publicly available via the User Area.

Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
		Opposition	002737461	B227B - Notification to the applicant/holder of suspension of the opposition proceedings	30/05/2019	
		Opposition	002737461	B227A - Notification to the opponent of suspension of the opposition proceedings	30/05/2019	
		Opposition	002737461	Letter to the EUIPO	28/05/2019	
		Opposition	002737461	Letter to the EUIPO	27/05/2019	
		Opposition	002737461	B224B	16/04/2019	
		Opposition	002737461	B224A - Notification to the opponent of extension of a time limit	16/04/2019	

	From	Procedure	Filing number	Subject	Date	Actions
		Opposition	002737461	B227B - Notification to the applicant/holder of suspension of the opposition proceedings	16/08/2018	
		Opposition	002737461	B227A - Notification to the opponent of suspension of the opposition proceedings	16/08/2018	
		Opposition	002737461	Letter to the EUIPO	16/08/2018	
Showing 1 to 10 of 174 entries						

IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

Country	Filing number	Date	Status
Jamaica	066842	27/03/2015	Claimed
Jamaica	068019	01/09/2015	Claimed
Jamaica	068020	01/09/2015	Claimed
Jamaica	068018	01/09/2015	Claimed
Showing 1 to 4 of 4 entries			

Publications

Bulletin number	Date	Section	Description
2016/073	20/04/2016	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
Showing 1 to 1 of 1 entries			

Cancellation

No data

Records

Bulletin number	Date	Section	Filing number	Title	Subtitle
			014477999	Proprietor	Change of name and address
Showing 1 to 1 of 1 entries					

Oppositions

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
002737461	19/07/2016				English	1476466-03879/PFA/TG	Suspended	Class 12 Vehicles;

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
		Likelihood of confusion	Bayerische Motoren Werke Aktiengesellschaft					apparatus for locomotion by land, air, water or rail; consoles being parts of vehicle interiors; dashboards; automotive interior trim and interior trim parts of automobiles; anti-theft devices for vehicles; anti-theft alarms for vehicles; bicycles; golf carts; wheel chairs; air pumps being vehicle accessories; motor cycles; vehicles for locomotion by land, air, water or rail; motor cars; pumps for bicycles, cycles; cable transport apparatus and installations; baby carriages; sleighs [vehicles]; vehicle wheel tires [tyres]; repair outfits for inner tubes; aeronautical apparatus, machines and appliances; steering gears for ships / ships' steering gears; seat covers for vehicles; parts for all the aforesaid goods.
Showing 1 to 1 of 1 entries								

Appeals

No data

Decisions

No data

Renewals

No data

Trade mark relations

No data