



Ministero dello Sviluppo Economico

DIREZIONE GENERALE PER LA TUTELA DELLA PROPRIETÀ INDUSTRIALE
Ufficio Italiano Brevetti e Marchi

**MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION
Rule 17(1)**

I. Office making the notification:

MINISTERO DELLO SVILUPPO ECONOMICO

Direzione Generale per la Lotta alla Contraffazione - Ufficio Italiano Brevetti e Marchi

Via Molise, 19 - 00187 ROMA

e-mail : dglcuibm.div02@pec.mise.gov.it

II. Number of the international registration: **1 428 386**

Trademark: **SKYLAWFIRM**

III. Name of the holder: **Chensheng**

Rm. 1201, Unit 2, Bldg 11,

Zone A Oujinghuayuan, Choujiang St.,

Yiwu Zhejiang (CN)

IV. Information concerning the type of provisional refusal:

- ☐ Provisional refusal based on an *ex officio* examination
- ☒ Provisional refusal based on an opposition (**opposition n°652019000009235**)
- ☐ Provisional refusal based on both an *ex officio* examination and an opposition

V. Information concerning the scope of the provisional refusal:

- ☒ Provisional refusal for all the goods and/or services
- ☐ Provisional refusal for some of the goods/services

VI. Grounds for refusal : Identity or similarity between the marks and identity or similarity between the goods/services.

VII. Opponent rights:

1) Registration number: 14893176 (EUTM)

i) Filing date: **09/12/2015**

ii) Registration date: **09/11/2018**

iii) Name and address of the opponent: **Sky International AG**

Stockerhof, Dreikönigstrasse 31a

CH-8002 Zurich SWITZERLAND

iv) Reproduction of the mark: **SKY**

v) List of some of the goods/services:

CL. 35: Advertising; business management; business administration; office functions; accounting; administrative processing of purchase orders; advertising by mail order; advisory services for business management; arranging newspaper subscriptions for others; arranging subscriptions to telecommunication services for others; auctioneering; bill-posting; business appraisals; business auditing; business efficiency expert services; business information; business inquiries; business investigations; business management and organization consultancy; business management assistance; business management consultancy; business management of hotels; business management of performing artists; business management of sports people; business organization consultancy; business research; commercial administration of the licensing of the goods and services of others; commercial information agencies; commercial information and advice for consumers [consumer advice shop]; commercial or industrial management assistance; compilation of information into computer databases; compilation of statistics; computerized file management; cost price analysis; data search in computer files for others; demonstration of goods; direct mail advertising; dissemination of advertising matter; distribution of samples; document reproduction; drawing up of statements of accounts; economic forecasting; employment agencies; import-export agencies; invoicing; layout services for advertising purposes; marketing; marketing research; marketing studies; modelling for advertising or sales promotion; news clipping services; office machines and equipment rental; on-line advertising on a computer network; opinion polling; organization of exhibitions for commercial or advertising purposes; organization of fashion shows for promotional purposes; organization of trade fairs for commercial or advertising purposes; outsourcing services [business assistance]; payroll preparation; personnel management consultancy; personnel recruitment; photocopying services; presentation of goods on communication media, for retail purposes; price comparison services; procurement services for others [purchasing goods and services for other businesses]; production of advertising films; professional business consultancy; psychological testing for the selection of personnel; public relations; publication of publicity texts; publicity; publicity agencies; publicity columns preparation; publicity material rental; radio advertising; relocation services for businesses; rental of advertising space; rental of advertising time on communication media; rental of photocopying machines; rental of vending machines; retail or wholesale services connected with the sale of pharmaceutical, veterinary and sanitary preparations and medical supplies; sales promotion for others; secretarial services; shop window dressing; shorthand; sponsorship search; systemization of information into computer databases; tax preparation; telemarketing services; telephone answering for unavailable subscribers; television advertising; transcription; typing; updating of advertising material; word processing; writing of publicity texts; administration services for businesses; accounting services; customer relationship management; organisation, operation and supervision of sales and promotional incentive schemes; provision of product information and advice to prospective purchasers of home entertainment equipment, multi-media apparatus and instruments, television and radio equipment, audio visual equipment, set-top boxes, personal video recorders, video recorders, computer games software, hardware and peripheral devices; rental of advertising space; television advertising commercials; preparation and presentation of audio visual displays for advertising purposes; dissemination of advertising matter; arranging and conducting of trade shows and exhibitions; arranging and conducting trade show exhibitions in the field of electronic, computer and video games for the computer and video game industry; advertisement and promotion of television services; compilation of business statistics and commercial information; loyalty card services; marketing studies; marketing of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-recorded video discs; monitoring and analysis of call information (office services); business planning, inspection, survey and appraisal services; receipt, storage and provision of computerised business information data; compilation of business statistics and commercial information, all relating

to television, radio, satellite broadcasting and video games; magazine and newspaper subscriptions; the bringing together, for the benefit of others of a variety of goods namely bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, cleaning, bleaching and abrasive preparations and substances, all for laundry use, anti-perspirants, perfumes, nonmedicated toilet preparations, cosmetic preparations, dentifrices, toilet articles, hair preparations, shampoos, soaps, essential oils, beauty products, toiletries, personal care products, cosmetics, perfumery, candles including all the aforesaid made from unbleached and/or organic and/or biodegradable ingredients, pharmaceutical and veterinary goods, industrial oils and greases, lubricants, fuels (including motor spirit) and illuminants, fuel additives and preparations for enhancing combustion of fuels, machine tools, motors and engines, turbines for power generation, control panels for turbines for power generation, machines for household use, building, home improvement and gardening goods, home decorating equipment, paints and varnishes, hand tools, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, radio, television, sound recording, sound reproducing, telecommunications, signalling, checking (supervision) and teaching apparatus and instruments, apparatus for recording television programmes, apparatus for recording, transmission, reproduction or reception of sound, images or audio visual content, electrical and electronic apparatus for use in the reception of satellite, terrestrial or cable broadcasts, televisions, lcd and plasma screens, home cinema systems, amplifiers, speakers, radios, wireless audio and/or audio visual devices, portable wireless audio and/or audio visual devices, remote controls, games controllers, wireless gaming controllers, wireless keypads, television receivers including a decoder, set-top boxes, digital set-top boxes, high definition set-top boxes, personal video recorder, set-top boxes for use in decoding and reception of satellite, terrestrial and cable broadcasts, apparatus for decoding encoded signals including set-top boxes for television reception, set-top box apparatus including a decoder and an interactive viewing guide, set-top box apparatus including a decoder and a recorder for recording television and audio programmes, set-top box apparatus including a decoder and a recorder programmable to transfer stored recordings to storage and also to delete the older recordings, satellite dishes, low noise blocks, satellite meters, computer software to enable searching of data, encoded programs for computers and for data processing and telecommunications, telephones, mobile telephones, PDAs, telephone and radio modems, television receivers including a decoder, set-top boxes for use in decoding and reception of satellite, terrestrial cable and digital subscriber line (DSL), internet or other electronic broadcasts, apparatus for decoding encoded signals, recorded television and radio programmes, recorded programmes for broadcasting or other transmission on television, radio, mobile telephones, PDAs and on PCs, video recordings, multimedia apparatus and instruments, portable or hand-held computers, DVD players, computers, computer hardware and peripheral devices, computer hardware, apparatus and instruments all for transmitting, displaying, receiving, storing and searching electronic information, computer programs, electronic computer games, electronic interactive computer games, computer software, computer software and telecommunications apparatus to enable connection to databases and the internet, computer software supplied from the internet, network termination equipment, wired and/or wireless computer network routers, modems, firewalls and/or bridges, computer software and computer programs for distribution to, and for use by, viewers of a digital television channel for the viewing and purchase of goods and services, computer games software and computer quiz software, computer video games and/or quizzes adapted for use with television receivers and screens or with video monitors or with computer screens, computer programs for interactive television and for interactive games and/or quizzes, electronic apparatus adapted for use with television receivers in playing games, games consoles, interactive video game devices comprised of computer hardware and software and accessories, namely game consoles, game controllers and software for operating game controllers, portable and/or hand-held electronic devices for interactive computer and video games, portable and/or hand-held electronic devices for receiving, playing and transmitting music, sounds, images, text, signals, information and code, portable wireless

audio devices, virtual reality systems, home entertainment systems, multi-media equipment, audio visual equipment, video and television equipment, electronic publications, computer games, computer video games, video screens, video projectors, tapes, discs and wires, all being magnetic, cassettes and cartridges, all adapted for use with the aforesaid tapes, blank and pre-recorded audio and video cassettes, tapes and cartridges, compact discs, DVD discs, phonographic records, laser readable discs for recording sound or video, rom cartridges, CD ROMs, cards and discs, integrated circuit cards, memory carriers, recording media, all pre-recorded with computer video games and/or quizzes, encoded cards, radio and television signal antennae, music, sounds, videos, images, text and information provided by a telecommunications network, by online delivery and by way of the internet and/or the world-wide web or other communications network, interactive sound and/or audio recordings, music, video, sound and/or audio recordings (downloadable) provided from MP3 internet websites, MP3 players, MP3 readers, audio and/or video file recorders and/or players, portable audio and/or video file recorders and/or players, personal video recorders, telephone ring tones (downloadable), apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus and instruments for the reception of radio and television broadcasts including the reception of cable, satellite and digital broadcasts, smart cards, credit cards, loyalty cards, acoustic apparatus or instruments, adaptors, aerials, antennae, amplifiers, amusement apparatus and instruments adapted for use with an external display screen or monitor, communication apparatus and instruments, encoded or magnetic banking or credit cards, cinematographic film, cinematographic instruments and apparatus, data carriers, data storage, electrical telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, electronic telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, film reproducing instruments and apparatus, hand held electrical telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, hand held electronic telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, interactive educational or entertainment games for use with television receivers and video apparatus, mobile telephones, motion pictures, telephone apparatus and equipment, parts and fittings for all the aforesaid goods, sunglasses, leather cases for holding mobile phones, e-sell through products, namely downloadable media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless transmission, satellite or terrestrial broadcast service, cases, containers, protective coverings and parts and fittings therefor, all for use with MP3 players, music storage devices, media storage devices and other consumer electronic devices, electrical, electronic and computer equipment for machinery for use in conservation, generation and efficient use of heat, light and water, including thermostatic controls, solar panels for electricity generation, photovoltaic devices, solar cells, turbines and motion detectors, electrical, electronic and computer equipment for use in the generation of alternative energy including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, control and monitoring equipment for use in the generation of alternative energy including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, electronic publications (downloadable), including electronic publications, magazines and newsletters regarding environmental protection, energy conservation and ecology, animal welfare and renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, apparatus and instruments for closed circuit television and surveillance systems, apparatus and instruments for personal security monitoring, apparatus and instruments for home security monitoring and control, home and personal security apparatus, home and personal security devices, home and personal security alarms, electronic protection equipment, including fire detecting and alarm equipment,

intruder and burglar alarm equipment and motion detecting equipment, radio, telephonic, television and signalling apparatus and instruments, cameras, sound and video monitoring and recording and sound and video reproducing apparatus and instruments, all for control and telemetry purposes for the home and personal security, closed-circuit television systems (CCTV), monitors; cameras, optical lenses, camera casings, prepackaged cameras, infrared illuminators, videocassette recorders (VCRs), system controlling software, video monitoring apparatus, detectors, access control apparatus, readers, magnetic or encoded access control cards, monitoring apparatus, electronic panels for alarm management and monitoring, alarm panels, glass breakage detectors, smoke detectors, carbon monoxide detectors, digital audio recorders, digital video recorders, digital audio servers, digital video servers, electrical communication equipment, message programming equipment, radio paging equipment, electronic locking systems, life-saving apparatus and equipment, electric alarms, electronic devices for opening doors, electronic devices for protection, intruder alarms and anti-theft equipment, intruder detection apparatus, motion detecting equipment, electronic control apparatus, electronic apparatus for controlling operation of machines, remote apparatus for controlling operation of machines, computer apparatus for controlling operation of machines, electronic network equipment, electronic communication equipment, message programming devices, electronic locking apparatus, computer software, operating system software, devices, and hardware for transmitting, receiving, synchronizing, displaying, backing-up, monitoring, controlling, sharing, coding, decoding, encrypting, accessing, remotely accessing, creating, collecting, storing, securing, removing, transferring, disseminating, locating, organizing or otherwise utilizing data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data, including over a global communications network, computer software, operating system software, devices, and hardware for synchronizing data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other information between computers and hand-held or other devices, and vice versa, communications platforms for enabling instantaneous, continuous, scheduled and perpetual synchronization of data between computers and hand-held or other devices, and vice versa, multimedia cards, memory cards, flash memory cards, memory chips, data storage media devices, plugs, plug-in cards, magnetic cards, SIM cards, telephone calling cards, headphones, headsets, portable and/or hand held electronic devices for receiving, storing, playing and transmitting data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data, online dictionaries, encyclopaedias, and reference texts (downloadable), online publications, including newspapers, magazines (periodicals), comics, journals (publications), books, user manuals, instructional and teaching materials (downloadable), online posters, photographs, pictures, articles, vouchers and tickets (downloadable), online electronic dictionaries, encyclopaedias and reference texts, computer software for processing electronic payments and transferring funds to and from others, online and downloadable authentication software, online conversion software and databases, including currency conversion and measurement conversion, computer software for the purpose of monitoring online communications and chat room conversations and alerting third parties to the contents, computer software for monitoring the use of computers and the internet by children, computer software relating to online protection and online security, spectacles, contact lenses, agricultural and horticultural goods, musical instruments, medical equipment, domestic electrical and electronic equipment including white goods, jewellery, clocks, watches, stationery, apparatus for controlling temperature including remote and computer apparatus and instruments, apparatus for controlling water supply, apparatus for controlling lighting including remote and computer apparatus and instruments, apparatus for energy efficient lighting, heating and water supply purposes, in particular, light bulbs, apparatus for water conservation and use minimization, automated control apparatus for local management of lighting, heating and water supplies, vehicles, apparatus for locomotion by land, air or water, vehicles adapted for use with renewable energy sources including wind power, hydroelectric power, tidal power, geothermal power, solar power,

biomass, and biofuels, paper, Paper and Cardboard articles namely, albums, boxes, archive boxes, tubes, mailing tubes, office paper stationery, pads, notemakers, note pads, jotters, journals, refill pads, notebooks, business books, message pads, graph pads, tracing pads, flipchart pads, business card books, telephone/address books, files, folders, suspension files, pocket files, flap wallets, portfolio wallets, slip files, gusset files, box files, lever arch files, magazine file, ring binders, dividers, paper sorter, repositionable note, page markers, envelopes, labels, string tags, CD/DVD sleeves, raffle tickets, business cards, filing modules, year planners, bookmark, cardboard packaging, advertisement boards of paper or cardboard, advertising signs of paper or cardboard, banners of paper or cardboard, placards of paper or cardboard, signboards of paper or cardboard, packaging bags of paper or cardboard, packaging boxes of paper or cardboard, packaging container of paper or cardboard, paper bags, disposable paper products, paper napkins, paper hand towels, drying towels of paper, tissues, handkerchiefs of paper, paper cups, paper plates, dinner mats of paper, coasters, paper place mats, cocktail mats, coffee filters, paper table covers, paper table runners, containers for ice made of paper or cardboard, bibs of paper, fly catching paper, portable/standing paper lanterns, decorative paper centrepieces, adhesive wall decorations of paper, wrapping paper, gift paper, paper party decorations, paper party bags, cake decorations, drawer liners, dust bags of paper for cleaning apparatus, flags of paper or cardboard, flower-pot covers of paper or cardboard, lining paper, make-up pads of paper, paper badges, name badges, picture mounts, paper shopping bags, paper tissues, works of art and figurines of paper or cardboard, architect models, paper party hats, paper party favours, paper trumpets, paper face masks, wall paper, artificial flowers of paper, paper hats (clothing), paper clothing, bed linen of paper, bed covers of paper, paper toys, absorbent paper, account books, cheque book holders, adhesive paper, almanacs, baking paper, baking parchment, dressmaking patterns, hat boxes of cardboard, lithographs, maps, menus, name cards, paper doilies, paper toilet seat covers, toilet tissue, postage stamps, scented paper, sandwich bags, stencils, printed matter, publications, newspapers, magazines (periodicals), comics, journals (publications) and books, publications including strategy guides, user manuals, books and magazines all in the field of computer games, science fiction, games and entertainment, quiz books, shopping guides listing products for purchase, promotional literature relating to the promotion of goods for sale via digital television, the internet or other telecommunication channels, photographs, instructional and teaching materials (other than apparatus), posters, postcards and greeting cards, calendars, diaries, cards and stickers for collecting and collating in albums, writing requisites, rulers, erasers, writing paper, writing sets, catalogues and vouchers for holidays and for travel to and from the destination, adhesive stickers, advertising material, advertisements, bags, credit cards, instructional manuals, newsletters, pens, pencils, writing instruments, pen and pencil holders, programme guides, stationery, user guides or manuals, printed matter, bookbinding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, plastic materials for packaging, publications, magazines, including all the aforesaid made from recycled and/or unbleached materials and/or from organic matter, insulation materials, in particular, for the conservation of heat within residential and commercial buildings, leather, animal skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery, handbags, backpacks, school bags, beach bags, travelling bags, suitcases, trunks, haversacks, bags for campers, furskins, collars for animals, covers for animals, boxes of leather or leather board, attaché cases, pocket wallets, school satchels and briefcases, key cases (leatherwear) attaché cases, backpacks, beach bags, briefcases, canes, card cases, key cases, leather shoulder belts, net bags, parasols, pocket wallets, purses, pouches, rucksacks, school bags, school satchels, sling bags, shopping bags, suitcases, garment bags, tote bags, travelling trunks, valises, vanity cases, umbrella covers, and wallets, clothing, footwear, headgear, underclothing, clothing for men, women, children and infants, jeans, slacks, trousers, skirts, shorts, wraps, jerseys, sweaters, waistcoats, dresses, jumpers, sleepwear, robes, warm-up suits, rainwear, sweaters, scarves, hats, caps, mittens, snow suits, belts, smocks, swimwear, playsuits, bibs, stockings, socks, waterproof clothing, underwear, footwear for men, women, children,

and infants shoes, sneakers, sandals, slippers, boots, headgear for men, women, children, and infants hats, headbands, earmuffs, caps, sweaters, dress shirts, blouses, jackets, ties, suits, bathing suits, belts, skirts, dresses, coats, hats, caps, tuxedos, pants, vests, hosiery, scarves, pyjamas, underwear, kilts, mufflers, shawls, footwear, shoes, boots, slippers, and athletic shoes, blazers, headbands, wristbands, coveralls, overalls, sweat pants, and sleepwear, hair accessories, lighting, kitchenware, glassware, china, porcelain, ornaments, furniture, kitchens, sanitary ware, art, paintings, posters, postcards, prints, photographs, household containers and utensils, crockery, cutlery, furnishings, carpets, textiles, table linen, bed linen, haberdashery, sewing machines and equipment, toys, games and playthings, electronic games, hand-held devices for playing electronic, computer or video games, video games apparatus, playing cards, card games, sporting articles, games involving gambling, amusement machines, amusement apparatus and instruments, interactive educational or entertainment games, playing cards, sports equipment, fitness equipment, camping equipment, pets goods, food and drink, apparatus for use in relaxation, motor vehicles and their parts, protective clothing for cycling, locks for bicycles, lights for bicycles, cycling shoes, cycling clothing, cycling headwear including helmets, protective clothing for cycling, cycling products, including but not limited to bicycles, bicycle parts, helmets and water bottles, mudguards, bicycle seats, repair kits for cycling, including puncture repair kits, satellite navigational system for bicycles, global positioning systems for use with bicycles, computers for use with bicycles, ergometers, computer apparatus for remote meter reading, bicycle meters, distance meters, power meters, speed meters, eyewear, sports eyewear, sun visors, protective eyewear, sunglasses, cases for eyewear, cases for sunglasses, frames for eyewear, lenses for eyewear, straps for sunglasses and eyewear, helmets, cyclists helmets, crash helmets, protective sports helmets, sports bags for protective helmets, sporting articles for protective purposes, visors, radios, communicators, aerials for radios, parts for radios, carrying cases for radios, electronic radio apparatus, mobile radios, mounting fittings for radios, radio receivers and transmitters, radio transceivers, radios for vehicles, solar powered radios, parts and fittings for all of the above, heart monitors, heart monitors to be worn during exercise, parts and fittings for all of the above, bicycle lights, parts and fittings therefor, bicycles, track bicycles, velodrome bicycles, mountain bicycles, racing bicycles, cross country bicycles, cyclo-cross bicycles, BMX bicycles, indoor bicycles, all terrain bicycles, parts fittings and accessories for all the aforementioned goods, bicycle frames, handlebars and handlebar stems for bicycles, handlebar tape, handlebar grips, saddles, saddle posts, bicycle seat posts, bicycle rims, bicycle gears, group sets of gears, chains for bicycles, bicycle bells, baskets for bicycles, brakes for bicycles, spokes for bicycles, dress guards for bicycles, pedals for bicycles, bicycle pumps, wheels and tyres for bicycles, inner tubes for bicycles, mudguards for bicycles, bicycle stands (supports), bicycle bags, bicycle stabilisers, luggage bags for bicycles, panniers for bicycles, bicycle carriers and racks, auxiliary child seats for bicycles and parts and fittings therefor, covers for bicycles and bicycle saddles, direction indicators and signals for bicycles, fittings for bicycles for carrying beverages and food, bidons, bottle cages for bicycles, fittings for bicycles for carrying luggage and panniers, puncture repair outfits and kits for bicycle tyres, toe straps and toe clips for use on bicycles, twist grips for bicycles, trailers for use with bicycles, roof racks, roof racks for vehicles, roof rack and storage containers for land vehicles, cranks for bicycles, power meters for bicycles, parts and fittings for all of the above, horological and chronometric instruments, watches, clocks, bands for watches, bracelets for watches, straps for watches of any material, cases for watches and clocks, watch chains, clock and watch hands, dials for watches, faces for watches, electric watches, mechanical and automatic watches, movements for watches and clocks, parts for clocks and watches, pendant watches, sports watches, watch and clock springs, watch clasps, watches for outdoor use, watches for sporting use, watches incorporating a memory function, time keeping devices, stop watches parts and fittings for all of the above, sportswear, sports clothing, sports footwear, sports headwear, caps, hats, sports uniforms, sun visors, parts and fittings for all of the above, rollers for bicycles, trainers for bicycles, turbo trainers for bicycles, rollers for stationary bicycles, computer controlled exercise apparatus, parts and fittings for all of the

above, meat, fish, poultry and game, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and edible fats, dairy products, butter, margarine and other butter substitutes, preserves, pickles, edible nuts and seeds and products prepared there from, shellfish, snacks, prepared meals and prepared dishes, soups, gravy and preparations for making gravy or soup, products made from any of the aforesaid goods, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals or from flour, bread, pastry and confectionery, ices, honey, treacle, yeast, baking powder, salt, mustard, pepper, vinegar, sauces (condiments), ice, spices, biscuits (other than biscuits for animals), cakes, pasta, pasta products and pastry products, chocolate, chocolates non-medicated confectionery, ice-cream, water ices and frozen confections, coffee substitutes, coffee essences and coffee extracts, beverages and preparations therefor, puddings, desserts, prepared meals and prepared snacks and fillings, products made from any of the aforesaid goods, fresh fruit and fresh vegetables, shellfish, beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices, syrups and other preparations for making beverages, alcoholic beverages other than beer, energy drinks, aftersun, body lotion, shower gel, conditioner, sun tan lotion, bath bombs, bath preparations, premoistened cosmetic tissues, tissues impregnated with cleaning preparations, incense, hand cleansers, lip balm, candles, tealights, tealight holders, air fresheners, medicated hand sanitizers, action figures (decorative -) of common metal, address holders (metal -) for animals, adhesive wall decorations of common metal, badges of metal, bag hangers, bins of metal, boxes, buckles, containers, figurines of common metal, key boards, key holders, key rings of metal, keys, metal containers and holders for personal property storage and keeping articles safe and secure, name plates, number plates, signs, trophies of common metal, trolley coins, nail files, emery boards, bottle opener fridge magnets, calculators, car window shades, coins, cards for token operated amusement apparatus, devices and rides, digital photo frames, decorative magnets, earphones, egg timers, eyeshades, flash drives, flashing safety badges, floats for bathing and swimming, fridge magnets, goggles for sports, glasses, cases, chains, cords and frames for sunglasses and spectacles, glasses cases, straps for sunglasses, sunglasses, holders adapted for mobile phones, identity cards, interactive products for computers, kaleidoscopes, magnetic badges, magnetic pads, magnetic sticky note pad, magnets, measuring cups, measuring spoons, megaphone, memo clip magnets, mouse mats, MP3 players, MP4 players, novelty USB flash drives, pedometer, power bank, radios, reflective arm & leg bands, safety arm and wrist bands, safety vests, shopping list magnets, smart phone apparatus, tape measure, tape rulers, thermometers (room), USB flash drives, walkie-talkies, WAP phone apparatus, wrist rests for use with computer, computer mice, body massagers, foot massagers, bike lights, hand warmers, rechargeable torches, reflectors, torches, key ring torch, self-heating pads, alarm clocks, amulets, articles of jewellery, badges, bracelets, busts of precious metal, chains of precious metal, charms, clips of silver [jewellery], clocks, costume jewellery, cufflinks, decorative brooches (jewellery), earrings, embellishments for clothing in precious metals, figurines, horological and chronometric instruments, jewellery, jewellery cases of precious metal, key fobs, key rings, lapel pins, medals, mobile phone charms, non-monetary coins, novelty key rings, ornamental pins, pendants, pins being jewellery, plastic jewellery, precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, tie clips, tie pins, tie tacks, watch bands, watch cases, watch straps, watches, activity books, address books, albums, badges made of paper or cardboard, bibs of paper, beer mats, book markers, bookends, boxes of cardboard or paper, block pads, calendars, car stickers, cards, carriers for food and beverages, catalogues, certificates, cheque book holders, colouring books, crayons, decalcomanias, desk tidys, document wallets, drawer liners of paper, drawing instruments, drawing materials, drawing sets, envelopes, figurines of paper mache, folders, gift bags, gift tags, gift wrapping paper, globes, golf scorecards, height charts, highlighter pens, jotter pads, letter openers, maps, mats, memo holder, modelling materials, money clips, monographs, mounted photographs, mounts for photographs, musical greeting cards, notepads, organisers, page markers, painting materials, paper

baking cups, paper banners, paper boards, paper boxes, paper clips, paper coasters, paper containers, paper cups, paper emblems, paper flags, paper mats, paper napkins, paper party decorations, paper party goods, paper puzzles, paper ribbons, paper tissues, paper towels, paperweights, party invitations, pass holders, passport covers, pens, pencils, pen pots, pencil cases, pencil sharpeners, pencil toppers, photograph albums, photograph frames, photographic prints, photographs [printed], prints, removable self-stick notes, ring binders, rulers, rubbers, score books, score card holders, scrapbook albums, ski pass holder, stamp pads, stamps, staplers, stencil sets, stencils, stickers, sticky note pads, table cloths, tags, temporary tattoos, tickets, tissues, trading cards, transfers, travel wallets, wall planner, wrapping paper, writing sets, wristbands, silicon wristbands, agendas, all-purpose sports bags, backpacks, bottle bags, business card cases/wallets, canvas bags, carrier bags, carry-on bags and bags for merchandise packing, city bag, coin purse, conference bags, conference folders, covers and sleeves for portable electronic devices, computers, tablet computers, telephones and smart phones, credit card wallets, diaries, document bags, document wallets, drawstring bags, fold up bag, jute shopping bags, key cases, key chain, key fobs, laptop bags, luggage tags, messenger bag, parasols, passport cases, personal organizers, pocket calendars, pouches, purses, rucksacks, shoe bag, shopping bags, shopper bags, souvenir bags, sports and travel bag, tote bag, trolley cases, umbrellas, utility bags, wallets, bath, bed and home accessories, beach mats, boxes made of plastic, cocktail shakers, cushions, decorative pillows, fans, flashing led fans, hand held fans, key rings (non-metallic), neck pillows, pet cushions, plastic name bags, photoframes, badges, banners, throws, blankets, bottle openers, bottles, brushes, candle holders, champagne flutes, chinaware, coasters (tableware), can coolers, cooler bags, corkscrews, decanters, flasks, glassware, incense burners, jugs, lint rollers, lunch boxes, money boxes, plastic coasters, plastic cups, shoe horns, snack boxes, swizzle sticks, tankards, thermal travel mugs, thermal flasks, water bottles, wine coolers, wine decanters, comforters, earthenware, flags, glassware, golf towels, gym towels, half pint glasses, handkerchiefs, household or kitchen utensils and containers, ice cube trays, money boxes, mugs, pennants, pint glasses, plaques, porcelain, shot glasses, shower curtains, tankards, textile coasters, textiles and textile goods, towels, whisky tumblers, wine glasses, travel mugs, thermal mugs, fabrics and composite materials, coated, calendered, impregnated or lined fabrics, anoraks, aprons, athletic footwear, athletic shoes, athletic uniforms, baby bibs not of paper, ball ponchos, bandana, baseball caps, bathing caps, bathing suits, bathing trunks, bathrobes, beach shoes, beach wear, beanies, belts, bib overalls, bicycle gloves, bikinis, body warmer, bow ties, boxer shorts, briefs, caps, clothing, costumes, ear muffs, espadrilles, fleece, flip flops, football shoes, footwear, gloves, golf shirts, golf shoes, gym shorts, gym suits, gymnastic shoes, halloween costumes, hats, headband, headgear, hoddies, jogging suits, money belts, neck wear, night gowns, night shirts, onesis, paper clothing, paper hats, polo shirts, ponchos, rainwear, sashes, scarves, sewing kits, shower caps, slap wraps, sleep masks, sleep wear, slippers, sneakers, sweat bands, swim caps, swimwear, ties, t-shirts, touch screen gloves, visors, wristbands, adhesive patches, badges for wear, not of precious metal, belt buckles and clasps, brooches, buckles, buttons, competitors' numbers, decorative patches, embroidered badges, embroidered patches, lanyards, novelty buttons [badges] for wear, ornamental novelty badges [buttons], ornaments, patches for clothing, printed campaign ribbons, rosettes, shoe laces, tie pins, wall hangings, action toys, aero-dynamic disks for use in playing catching games, articles for playing golf, baby rattles incorporating teething rings, baby rattles, badminton shuttlecocks, balloons, baseball bats, baseball gloves, baseballs, basket balls, bathtub toys, bat & ball, beach balls, bean bags, bendable toys, bicycle tags, boomerangs, bubble making wand and solution sets, cases for toy vehicles, cat toys, cheerleading pom-poms, christmas decorations, collectable toy figures, construction toys, crib toys, cube puzzles, disc toss toys, dog toys, dolls, dominoes, drawing toys, electric actions toys, fan hands, fantasy character toys, flying saucers [toys], flying discs, footballs, golf equipment, namely, bag covers, bag pegs, bag tags, ball markers, ball retrievers, ball sleeves, balls, tees, glow sticks, hand clappers, hand puppets, head covers for golf clubs, horns, infant action crib toys, inflatable balls, inflatable bath

toys, inflatable ride on toys, inflatable toys showing decorative pictures, inflatable toys, jigsaw puzzles, juggling equipment, kites and accessories therefor, lottery scratch cards, mechanical action toys, modelled plastic toy figurines, music box toys, musical toys, paper dolls, paper face masks, paper streamers, party favors in the nature of small toys, plastic character toys, playing cards, plush toys, positionable toy figures, promotional game cards, promotional game materials, pull toys, pumps for inflating balls, punching toys, puppets, push toys, puzzles, rattles, rubber action balls, rubber character toys, score-cards, skipping robes, snow globes, soccer balls, snow globe, soft-sculpture toys, sport bats, sport rackets, sports balls, spinning top, squeezable figures used to relieve stress, squeezable squeaking toys, stress release balls, stuffed toy animals, swim floats for recreational use, talking toys, teddy bears, tee markers, three dimensional models for educational purposes, tooters, toys incorporating money boxes, toy action figures and accessories therefor, toy airplanes, toy animals and accessories therefor, toy armour, toy boxes, toy building blocks, toy gliders, toy mobiles, toy model cars, toy model hobby craft kits, toy model kit car, toy model vehicles and related accessories sold as units, toy noisemakers, toy putty, toy rockets, toy snow globes, toy torches, toy watches, toys incorporating money boxes, water squirting toys, whistles, wind socks for toy purposes, wind-up toys, wind-up walking toys, toy windmills, yo-yos, vuvuzela, mints, peanuts, sweets, biscuits, chocolate, cakes, cookies, cupcakes, chewing gum, jelly beans, lollipops, rock, sugar sachets, seed and flower sticks, bottle water, fruit juice, smoothies, non-alcoholic beverages, enabling customers to conveniently view and purchase those goods including via an internet website, an interactive television shopping channel, a digital television shopping channel, an internet walled garden or by means of interactive television and/or telecommunications (including voice, telephony and/or transfer of digital information or data) and/or interactive digital media; business customer information and consultancy services for promotional, advertising and marketing purposes in relation to broadcast reception apparatus and instruments and parts and fittings therefor including cable, satellite and terrestrial, analogue or digital reception; advertising and promotional services in relation to lifestyle, ecological and environmental issues; collection and processing of operational data in connection with renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, including compilation of statistics relating to operation and production; the bringing together for the benefits of others, of a variety of retail stores and applications providers, and other services, enabling customers to conveniently view and choose those services and make use of such facilities or down load applications, including over a global communications network; The bringing together, for the benefit of others, of a variety of advertising agency services, advertising services, aerial photography services, alarm monitoring services, alternative energy products installation, maintenance and repair services, anti-spamming services, archive library services, arranging and conducting of seminars, conferences, arranging and conducting workshops, audio and video recording services, audio, film, video and television recording facilities, banking services, bar services, beauty salon services, beauty therapy services, betting services and electronic betting services, bicycle rental services, booking of seats for entertainment, sporting and cultural events, bookmaking services, box office services in relation to booking of tickets for entertainment, educational, sporting and cultural activities, box office information services in relation to booking of tickets for entertainment, educational, sporting and cultural activities, brand creation services, brand design services, broadband services, broadcasting services, business consultancy services, business data analysis services, business management advisory services, business management services, cable and satellite broadcasting and transmission services, call recording services, card services, career advisory services, casino services, catering services, charitable fundraising services, mentoring (personal) services, education and training services, education, training and entertainment services in the form of skills studios for children and young people in the field of media, television and news reporting, education, training, entertainment and sporting activities involving athletes and celebrities in the form of initiatives to promote confidence, sports skills and life skills in children and young people,

education, training and entertainment services related to the promotion of creative skills in children and young people, including creative studios, financial services relating to scholarships and bursary schemes for children and young people in the fields of sport, the arts, media and television, promotional services relating to work experience and employment opportunities for young people, promotional services relating to apprenticeships and graduate employment, education, training and entertainment services in the field of initiatives to inspire young people and to provide them with life skills, business skills, opportunities for development and self-confidence, administration services relating to the organising and conducting of volunteer programmes and community service projects, chat room services, cholesterol testing services, cinema services, cloud computing/storage services, coaching services, coffee shops, communication services, computer advisory services, computer and information technology consultancy services, computer firewall services, computer installation, maintenance, repair and updating services, computer programming services, computer services, computer software advisory services, computer support services, computer system analysis services, concert ticket booking services, conference services, consumer advisory services, consumer market information services, educational course services, correspondence course services, sports coaching services, training course services, professional workshop and training course services, commercial, trade and business workshops and training course services, problem solving, think-tank and brainstorming workshops, seminars and training courses services, technical studies course services, credit betting services, credit card services, cycling event services, cycling training services, data broadcasting services, data communication services, data encryption services, data recovery services, data security services, data storage services, data streaming services, data transmission services, database services, debit card services, delicatessen restaurant services, retail delicatessen services connected with the sale of food and drink, design services, scientific development services, technical development services, development services of new products for others, development services in the field of environmental protection, energy conservation and alternative energy sources, and ecology, development services in relation to computer hardware and software, technology development services, diet advisory services, dietary education services, television programme directing services, radio programme directing services, film, music, plays, theatrical production, musical shows, concerts, exhibitions, sporting events and road show directing services, directory enquiry services, discussion group and chat room services, education services, electricity distribution services, electricity generating services, electricity supply services, electronic bulletin board services, electronic conferencing services, e-mail services, employment agency/bureau services, entertainment agency services, entertainment services, environmental conservation services, environmental consultancy services, online market place services in relation to streamable and downloadable media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless transmission, satellite or terrestrial broadcast, exercise class services, fan club services, fast food/takeaway services, financial services, fitness club services, fitness testing services, fixed and mobile telephone services, flower delivery services, food development services, food nutrition services, gambling services, gaming services, gas services, gift selection/delivery services, greeting cards custom manufacture service, delivery services relating to greeting cards, gym services, hairdressing salon services, health advice and information services, health club services, health farm/spa services, hiring, leasing or rental services in relation to radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, dvds or pre-recorded video discs, hiring, rental and leasing service in relation to entertainment , holiday accommodation services, horoscope services, website hosting services, computer hosting services, hotel reservation services, hotel services, instant messaging services, instruction services, insurance services, intellectual property advisory and consultancy services, interactive entertainment services, interactive games services, interactive news services, interactive services, interactive sport services, interactive television services, internet

access services, internet portal services, ISP services, IT services, leisure services, lottery services, loyalty, incentive and bonus program services, magazine and newspaper subscription services, maintenance services, gaming apparatus, equipment and instrument installation and repair services, broadcasting apparatus, equipment and instrument installation and repair services, telecommunication and/or communications apparatus equipment and instrument installation and repair services, domestic electronic equipment installation and repair services, electronic business equipment installation and repair services, alarm, lock and safe installation and repair services, computer software installation and repair services, electric and/or electrical appliance installation and repair services, market analysis studies, market assessment services, market forecasting services, marketing advisory services, marketing agency services, marketing information services, marketing research services, marketing services, music broadcasting services, on demand entertainment services, streaming, downloading and transmission services relating to entertainment, educational, sporting and cultural activities, night club services, nutrition services, online auction services, online distance learning services, online fraud protection services, online gaming services, online internet security services, online magazine and book services, online reward and incentive program services, online security services, pay to play games services, peer to peer interactive gaming services, personal training services, photographic services, photography services, podcasting services, price comparison services, product information services, product launch services, audio, visual and video production services relating to entertainment, education, training, sport and/or culture, business management services relating to cyclists, cycling teams and/or cycling events, sports promotional services, sports financial sponsorship services, administration services relating to the arranging, organising and running and/or conducting of cyclists, cycling teams and/or cycling events, rental services relating to telecommunication facilities and equipment, pub services, real estate services, recreation services, recycling services, scientific research services, technical research services, research services of new products for others, research services in the field of environmental protection, energy conservation and alternative energy sources, ecology, business research services, research services in relation to computer hardware and software, technology research services, reservation services, restaurant reservation services, restaurant services, sales promotion services, satellite services, security services, server hosting services, short message services (sms), slimming club services, social networking services, special events planning services, sponsorship services, sporting services, sporting tuition course services, storage services, taxi services, teaching services, team building services, telecommunication services, telephone marketing services, therapy services, ticket agency services (entertainment), ticket booking services, ticket reservation services, tour reservation services, tourist information services, training services, transport services, travel agency services, travel guide services, travel services, tuition services, university services, utility distribution services, utility services, utility supply services, video messaging services, video on demand services, video-conferencing services, videotext services, voicemail services, WAP services, warranty services, web portal services, webcasting services, website design/maintenance services enabling customers to conveniently view and purchase those services, including over a global computer network; online auction services; provision of an online database of advertisements including personal advertisements, employment and placement opportunities advertisements and real estate advertisements; provision of online financial services comparisons; provision of online price comparison services; provision of online word processing, spreadsheet, calendar, presentation and database management services; provision of virtual online office support staff services; on-line ordering/purchase of gift items; online posting of loyalty rewards information; provision of online reward and incentive programs; advertising and promotion analysis; advertising, marketing and promotion consultancy; advertising services for the promotion of radio programmes, television programmes, films and motion pictures; advertising services relating to radio programmes, television programmes, films and motion pictures; advertising services for the promotion of radio programmes, television programmes, films

and motion pictures based on the customers viewing habits/preferences; promotion of radio programmes, television programmes, films and motion pictures; promotion of radio programmes, television programmes, films and motion pictures based on the customers viewing habits/preferences; market research for compiling information on viewers of television; advertising and commercial information services via audio, video, digital, and online media; advertising by transmission of on-line publicity for third parties through electronic communications networks; advertising, including promotion relating to the sale of articles and services for third parties by the transmission of advertising material and the dissemination of advertising messages on computer networks; electronic commerce services, namely, providing information about products and services via audio, video, digital, and online media for advertising and sales purposes; advertising services in the nature of matching and connecting advertisers and video content publishers for the purpose of advertising, marketing and promotional services; advertising and publicity services, namely, promoting the goods, services, brand identity and commercial information and news of third parties through audio, video, digital, and online media; demonstration services for advertising, business, commercial & trade purposes; information relating to job and career opportunities; management of amusement parks and theme parks; promotional sponsorship of individual cyclists and/or cycling teams and/or cycling events; provision of online reward and incentive programs relating to fitness tracking, health tracking, personal tracking, lifestyle tracking and emotional tracking; provision of business information and advice; economic forecasting analysis for business purposes; planning and conducting trade fairs, exhibitions, and presentations for economic or advertising purposes; endorsement and publicity services; distribution of samples; Business administration and office functions including online storage of files, data, photographs, graphics, documents, videos, images, audio files, audio-visual files, visual files, computer files, computer applications and information for others; Business management of renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels and projects in connection with other renewable energy sources; Business administration and office functions including electronic and online storage service; Business administration and office functions including electronic and online retrieval of data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other data or information; Business administration and office functions including data storage services (other than physical storage); Business administration and office functions including computerised data storage services; provision of business information and advice; distribution of samples; endorsement and publicity services; consultancy, information and advisory services relating to all the aforesaid services; professional consultancy, information and advisory services relating to all the aforesaid services; consultancy, information and advisory services relating to all the aforesaid services provided online from a computer database or via a helpline or the internet.

2) Registration number: 149903173(EUTM)

- i) Filing date: **11/12/2015**
- ii) Registration date: **13/11/2018**
- iii) Name and address of the opponent: **Sky International AG**
 Stockerhof, Dreikönigstrasse 31a
 CH-8002 Zurich SWITZERLAND
- iv) Reproduction of the mark:



v) List of some of the goods/services:

Cl. 35: Advertising; business management; business administration; office functions; Accounting; Administrative processing of purchase orders; Advertising by mail order; Advisory services for business management; Arranging newspaper subscriptions for others; Arranging subscriptions to telecommunication services for others; Auctioneering; Bill-posting; Business appraisals; Business auditing; Business efficiency expert services; Business information; Business inquiries; Business investigations; Business management and organization consultancy; Business management assistance; Business management consultancy; Business management of hotels; Business management of performing artists; Business management of sports people; Business organization consultancy; Business research; Commercial administration of the licensing of the goods and services of others; Commercial information agencies; Commercial information and advice for consumers [consumer advice shop]; Commercial or industrial management assistance; Compilation of information into computer databases; Compilation of statistics; Computerized file management; Cost price analysis; Data search in computer files for others; Demonstration of goods; Direct mail advertising; Dissemination of advertising matter; Distribution of samples; Document reproduction; Drawing up of statements of accounts; Economic forecasting; Employment agencies; Import-export agencies; Invoicing; Layout services for advertising purposes; Marketing; Marketing research; Marketing studies; Modelling for advertising or sales promotion; News clipping services; Office machines and equipment rental; On-line advertising on a computer network; Opinion polling; Organization of exhibitions for commercial or advertising purposes; Organization of fashion shows for promotional purposes; Organization of trade fairs for commercial or advertising purposes; Outsourcing services [business assistance]; Payroll preparation; Personnel management consultancy; Personnel recruitment; Photocopying services; Presentation of goods on communication media, for retail purposes; Price comparison services; Procurement services for others [purchasing goods and services for other businesses]; Production of advertising films; Professional business consultancy; Psychological testing for the selection of personnel; Public relations; Publication of publicity texts; Publicity; Publicity agencies; Publicity columns preparation; Publicity material rental; Radio advertising; Relocation services for businesses; Rental of advertising space; Rental of advertising time on communication media; Rental of photocopying machines; Rental of vending machines; Retail or wholesale services connected with the sale of pharmaceutical, veterinary and sanitary preparations and medical supplies; Sales promotion for others; Secretarial services; Shop window dressing; Shorthand; Sponsorship search; Systemization of information into computer databases; Tax preparation; Telemarketing services; Telephone answering for unavailable subscribers; Television advertising; Transcription; Typing; Updating of advertising material; Word processing; Writing of publicity texts; Business administration and office functions including online storage of files, data, photographs, graphics, documents, videos, images, audio files, audio-visual files, visual files, computer files, computer applications and information for others; administration services for businesses; accounting services; customer relationship management; organisation, operation and supervision of sales and promotional incentive schemes; provision of product information and advice to prospective purchasers of home entertainment equipment, multi-media apparatus and instruments, television and radio equipment, audio visual equipment, set-top boxes, personal video recorders, video recorders, computer games software, hardware and peripheral devices; rental of advertising space; television advertising commercials; preparation and presentation of audio visual displays for advertising purposes; dissemination of advertising matter; arranging and conducting of trade shows and exhibitions; arranging and conducting trade show exhibitions in the field of electronic, computer and video games for the computer and video game industry; advertisement and promotion of television services; compilation of business statistics and commercial information; loyalty card services; marketing studies; marketing of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-recorded video discs; monitoring and analysis of call information (office services); business planning, inspection, survey and appraisal services; receipt, storage and provision of computerised

business information data; compilation of business statistics and commercial information, all relating to television, radio, satellite broadcasting and video games; magazine and newspaper subscriptions; the bringing together, for the benefit of others of a variety of goods namely bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, cleaning, bleaching and abrasive preparations and substances, all for laundry use, anti-perspirants, perfumes, nonmedicated toilet preparations, cosmetic preparations, dentifrices, toilet articles, hair preparations, shampoos, soaps, essential oils, beauty products, toiletries, personal care products, cosmetics, perfumery, candles including all the aforesaid made from unbleached and/or organic and/or biodegradable ingredients, pharmaceutical and veterinary goods, industrial oils and greases, lubricants, fuels (including motor spirit) and illuminants, fuel additives and preparations for enhancing combustion of fuels, machine tools, motors and engines, turbines for power generation, control panels for turbines for power generation, machines for household use, building, home improvement and gardening goods, home decorating equipment, paints and varnishes, hand tools, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, radio, television, sound recording, sound reproducing, telecommunications, signalling, checking (supervision) and teaching apparatus and instruments, apparatus for recording television programmes, apparatus for recording, transmission, reproduction or reception of sound, images or audio visual content, electrical and electronic apparatus for use in the reception of satellite, terrestrial or cable broadcasts, televisions, LCD and plasma screens, home cinema systems, amplifiers, speakers, radios, wireless audio and/or audio visual devices, portable wireless audio and/or audio visual devices, remote controls, games controllers, wireless gaming controllers, wireless keypads, television receivers including a decoder, set-top boxes, digital set-top boxes, high definition set-top boxes, personal video recorder, set-top boxes for use in decoding and reception of satellite, terrestrial and cable broadcasts, apparatus for decoding encoded signals including set-top boxes for television reception, set-top box apparatus including a decoder and an interactive viewing guide, set-top box apparatus including a decoder and a recorder for recording television and audio programmes, set-top box apparatus including a decoder and a recorder programmable to transfer stored recordings to storage and also to delete the older recordings, satellite dishes, low noise blocks, satellite meters, computer software to enable searching of data, encoded programs for computers and for data processing and telecommunications, telephones, mobile telephones, PDAs, telephone and radio modems, television receivers including a decoder, set-top boxes for use in decoding and reception of satellite, terrestrial cable and digital subscriber line (DSL), Internet or other electronic broadcasts, apparatus for decoding encoded signals, recorded television and radio programmes, recorded programmes for broadcasting or other transmission on television, radio, mobile telephones, PDAs and on PCs, video recordings, multimedia apparatus and instruments, portable or hand-held computers, DVD players, computers, computer hardware and peripheral devices, computer hardware, apparatus and instruments all for transmitting, displaying, receiving, storing and searching electronic information, computer programs, electronic computer games, electronic interactive computer games, computer software, computer software and telecommunications apparatus to enable connection to databases and the Internet, computer software supplied from the Internet, network termination equipment, wired and/or wireless computer network routers, modems, firewalls and/or bridges, computer software and computer programs for distribution to, and for use by, viewers of a digital television channel for the viewing and purchase of goods and services, computer games software and computer quiz software, computer video games and/or quizzes adapted for use with television receivers and screens or with video monitors or with computer screens, computer programs for interactive television and for interactive games and/or quizzes, electronic apparatus adapted for use with television receivers in playing games, games consoles, interactive video game devices comprised of computer hardware and software and accessories, namely game consoles, game controllers and software for operating game controllers, portable and/or hand-held electronic devices for interactive computer and video games, portable and/or hand-held electronic devices for receiving, playing and transmitting music, sounds, images, text, signals, information and code,

Portable Wireless Audio Devices, virtual reality systems, home entertainment systems, multi-media equipment, audio visual equipment, video and television equipment, electronic publications, computer games, computer video games, video screens, video projectors, tapes, discs and wires, all being magnetic, cassettes and cartridges, all adapted for use with the aforesaid tapes, blank and pre-recorded audio and video cassettes, tapes and cartridges, compact discs, DVD discs, phonographic records, laser readable discs for recording sound or video, ROM cartridges, CD ROMs, cards and discs, integrated circuit cards, memory carriers, recording media, all pre-recorded with computer video games and/or quizzes, encoded cards, radio and television signal antennae, music, sounds, videos, images, text and information provided by a telecommunications network, by online delivery and by way of the Internet and/or the world-wide web or other communications network, interactive sound and/or audio recordings, music, video, sound and/or audio recordings (downloadable) provided from MP3 Internet websites, MP3 players, MP3 readers, audio and/or video file recorders and/or players, portable audio and/or video file recorders and/or players, personal video recorders, telephone ring tones (downloadable), apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus and instruments for the reception of radio and television broadcasts including the reception of cable, satellite and digital broadcasts, smart cards, credit cards, loyalty cards, acoustic apparatus or instruments, adaptors, aerials, antennae, amplifiers, amusement apparatus and instruments adapted for use with an external display screen or monitor, communication apparatus and instruments, encoded or magnetic banking or credit cards, cinematographic film, cinematographic instruments and apparatus, data carriers, data storage, electrical telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, electronic telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, film reproducing instruments and apparatus, hand held electrical telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, hand held electronic telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, interactive educational or entertainment games for use with television receivers and video apparatus, mobile telephones, motion pictures, telephone apparatus and equipment, parts and fittings for all the aforesaid goods, sunglasses, leather cases for holding mobile phones, e-sell through products, namely downloadable media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless transmission, satellite or terrestrial broadcast service, cases, containers, protective coverings and parts and fittings therefor, all for use with MP3 players, music storage devices, media storage devices and other consumer electronic devices, electrical, electronic and computer equipment for machinery for use in conservation, generation and efficient use of heat, light and water, including thermostatic controls, solar panels for electricity generation, photovoltaic devices, solar cells, turbines and motion detectors, electrical, electronic and computer equipment for use in the generation of alternative energy including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, control and monitoring equipment for use in the generation of alternative energy including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, electronic publications (downloadable), including electronic publications, magazines and newsletters regarding environmental protection, energy conservation and ecology, animal welfare and renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, apparatus and instruments for closed circuit television and surveillance systems, apparatus and instruments for personal security monitoring, apparatus and instruments for home security monitoring and control, home and personal security apparatus, home and personal security devices, home and personal security alarms, electronic protection equipment, including fire detecting and alarm equipment, intruder and burglar alarm equipment and motion detecting equipment, radio, telephonic,

television and signalling apparatus and instruments, cameras, sound and video monitoring and recording and sound and video reproducing apparatus and instruments, all for control and telemetry purposes for the home and personal security, closed-circuit television systems (CCTV), monitors; cameras, optical lenses, camera casings, prepackaged cameras, infrared illuminators, videocassette recorders (VCRs), system controlling software, video monitoring apparatus, detectors, access control apparatus, readers, magnetic or encoded access control cards, monitoring apparatus, electronic panels for alarm management and monitoring, alarm panels, glass breakage detectors, smoke detectors, carbon monoxide detectors, digital audio recorders, digital video recorders, digital audio servers, digital video servers, electrical communication equipment, message programming equipment, radio paging equipment, electronic locking systems, life-saving apparatus and equipment, electric alarms, electronic devices for opening doors, electronic devices for protection, intruder alarms and anti-theft equipment, intruder detection apparatus, motion detecting equipment, electronic control apparatus, electronic apparatus for controlling operation of machines, remote apparatus for controlling operation of machines, computer apparatus for controlling operation of machines, electronic network equipment, electronic communication equipment, message programming devices, electronic locking apparatus, computer software, operating system software, devices, and hardware for transmitting, receiving, synchronizing, displaying, backing-up, monitoring, controlling, sharing, coding, decoding, encrypting, accessing, remotely accessing, creating, collecting, storing, securing, removing, transferring, disseminating, locating, organizing or otherwise utilizing data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data, including over a global communications network, computer software, operating system software, devices, and hardware for synchronizing data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other information between computers and hand-held or other devices, and vice versa, communications platforms for enabling instantaneous, continuous, scheduled and perpetual synchronization of data between computers and hand-held or other devices, and vice versa, multimedia cards, memory cards, flash memory cards, memory chips, data storage media devices, plugs, plug-in cards, magnetic cards, SIM cards, telephone calling cards, headphones, headsets, portable and/or hand held electronic devices for receiving, storing, playing and transmitting data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data, online dictionaries, encyclopaedias, and reference texts (downloadable), online publications, including newspapers, magazines (periodicals), comics, journals (publications), books, user manuals, instructional and teaching materials (downloadable), online posters, photographs, pictures, articles, vouchers and tickets (downloadable), online electronic dictionaries, encyclopaedias and reference texts, computer software for processing electronic payments and transferring funds to and from others, online and downloadable authentication software, online conversion software and databases, including currency conversion and measurement conversion, computer software for the purpose of monitoring online communications and chat room conversations and alerting third parties to the contents, computer software for monitoring the use of computers and the Internet by children, computer software relating to online protection and online security, spectacles, contact lenses, agricultural and horticultural goods, musical instruments, medical equipment, domestic electrical and electronic equipment including white goods, jewellery, clocks, watches, stationery, apparatus for controlling temperature including remote and computer apparatus and instruments, apparatus for controlling water supply, apparatus for controlling lighting including remote and computer apparatus and instruments, apparatus for energy efficient lighting, heating and water supply purposes, in particular, light bulbs, apparatus for water conservation and use minimization, automated control apparatus for local management of lighting, heating and water supplies, vehicles, apparatus for locomotion by land, air or water, vehicles adapted for use with renewable energy sources including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, paper, paper articles, cardboard and cardboard articles, printed matter, publications, newspapers, magazines (periodicals), comics, journals (publications) and books, publications including strategy guides, user

manuals, books and magazines all in the field of computer games, science fiction, games and entertainment, quiz books, shopping guides listing products for purchase, promotional literature relating to the promotion of goods for sale via digital television, the Internet or other telecommunication channels, photographs, instructional and teaching materials (other than apparatus), posters, postcards and greeting cards, calendars, diaries, cards and stickers for collecting and collating in albums, writing requisites, rulers, erasers, writing paper, writing sets, catalogues and vouchers for holidays and for travel to and from the destination, adhesive stickers, advertising material, advertisements, bags, credit cards, instructional manuals, newsletters, pens, pencils, writing instruments, pen and pencil holders, programme guides, stationery, user guides or manuals, paper, cardboard and goods made from these materials, printed matter, bookbinding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, plastic materials for packaging, publications, magazines, including all the aforesaid made from recycled and/or unbleached materials and/or from organic matter, insulation materials, in particular, for the conservation of heat within residential and commercial buildings, leather and goods made of leather and not included in other classes, animal skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery, handbags, backpacks, school bags, beach bags, travelling bags, suitcases, trunks, haversacks, bags for campers, furskins, collars for animals, covers for animals, boxes of leather or leather board, attaché cases, pocket wallets, school satchels and briefcases, key cases (leatherwear) attaché cases, backpacks, beach bags, briefcases, canes, card cases, key cases, leather shoulder belts, net bags, parasols, pocket wallets, purses, pouches, rucksacks, school bags, school satchels, sling bags, shopping bags, suitcases, garment bags, tote bags, travelling trunks, valises, vanity cases, umbrella covers, and wallets, clothing, footwear, headgear, underclothing, clothing for men, women, children and infants, jeans, slacks, trousers, skirts, shorts, wraps, jerseys, sweaters, waistcoats, dresses, jumpers, sleepwear, robes, warm-up suits, rainwear, sweaters, scarves, hats, caps, mittens, snow suits, belts, smocks, swimwear, playsuits, bibs, stockings, socks, waterproof clothing, underwear, footwear for men, women, children, and infants shoes, sneakers, sandals, slippers, boots, headgear for men, women, children, and infants hats, headbands, earmuffs, caps, sweaters, dress shirts, blouses, jackets, ties, suits, bathing suits, belts, skirts, dresses, coats, hats, caps, tuxedos, pants, vests, hosiery, scarves, pyjamas, underwear, kilts, mufflers, shawls, footwear, shoes, boots, slippers, and athletic shoes, blazers, headbands, wristbands, coveralls, overalls, sweat pants, and sleepwear, hair accessories, lighting, kitchenware, glassware, china, porcelain, ornaments, furniture, kitchens, sanitary ware, art, paintings, posters, postcards, prints, photographs, household containers and utensils, crockery, cutlery, furnishings, carpets, textiles, table linen, bed linen, haberdashery, sewing machines and equipment, toys, games and playthings, electronic games, hand-held devices for playing electronic, computer or video games, video games apparatus, playing cards, card games, sporting articles, games involving gambling, amusement machines, amusement apparatus and instruments, interactive educational or entertainment games, playing cards, sports equipment, fitness equipment, camping equipment, pets goods, food and drink, apparatus for use in relaxation, motor vehicles and their parts, protective clothing for cycling, locks for bicycles, lights for bicycles, cycling shoes, cycling clothing, cycling headwear including helmets, protective clothing for cycling, cycling products, including but not limited to bicycles, bicycle parts, helmets and water bottles, mudguards, bicycle seats, repair kits for cycling, including puncture repair kits, Satellite navigational system for bicycles, global positioning systems for use with bicycles, computers for use with bicycles, ergometers, computer apparatus for remote meter reading, bicycle meters, distance meters, power meters, speed meters, eyewear, sports eyewear, sun visors, protective eyewear, sunglasses, cases for eyewear, cases for sunglasses, frames for eyewear, lenses for eyewear, straps for sunglasses and eyewear, helmets, cyclists helmets, crash helmets, protective sports helmets, sports bags for protective helmets, sporting articles for protective purposes, visors, radios, communicators, aerials for radios, parts for radios, carrying cases for radios, electronic radio apparatus, mobile radios, mounting fittings for radios, radio receivers and transmitters, radio transceivers, radios for vehicles, solar powered radios, parts and fittings

for all of the above, heart monitors, heart monitors to be worn during exercise, parts and fittings for all of the above, bicycle lights, parts and fittings therefor, bicycles, track bicycles, velodrome bicycles, mountain bicycles, racing bicycles, cross country bicycles, cyclo-cross bicycles, bmx bicycles, indoor bicycles, all terrain bicycles, parts fittings and accessories for all the aforementioned goods, bicycle frames, handlebars and handlebar stems for bicycles, handlebar tape, handlebar grips, saddles, saddle posts, bicycle seat posts, bicycle rims, bicycle gears, group sets of gears, chains for bicycles, bicycle bells, baskets for bicycles, brakes for bicycles, spokes for bicycles, dress guards for bicycles, pedals for bicycles, bicycle pumps, wheels and tyres for bicycles, inner tubes for bicycles, mudguards for bicycles, bicycle stands (supports), bicycle bags, bicycle stabilisers, luggage bags for bicycles, panniers for bicycles, bicycle carriers and racks, auxiliary child seats for bicycles and parts and fittings therefor, covers for bicycles and bicycle saddles, direction indicators and signals for bicycles, fittings for bicycles for carrying beverages and food, bidons, bottle cages for bicycles, fittings for bicycles for carrying luggage and panniers, puncture repair outfits and kits for bicycle tyres, toe straps and toe clips for use on bicycles, twist grips for bicycles, trailers for use with bicycles, roof racks, roof racks for vehicles, roof rack and storage containers for land vehicles, cranks for bicycles, power meters for bicycles, parts and fittings for all of the above, horological and chronometric instruments, watches, clocks, bands for watches, bracelets for watches, straps for watches of any material, cases for watches and clocks, watch chains, clock and watch hands, dials for watches, faces for watches, electric watches, mechanical and automatic watches, movements for watches and clocks, parts for clocks and watches, pendant watches, sports watches, watch and clock springs, watch clasps, watches for outdoor use, watches for sporting use, watches incorporating a memory function, time keeping devices, stop watches parts and fittings for all of the above, sportswear, sports clothing, sports footwear, sports headwear, caps, hats, sports uniforms, sun visors, parts and fittings for all of the above, rollers for bicycles, trainers for bicycles, turbo trainers for bicycles, rollers for stationary bicycles, computer controlled exercise apparatus, parts and fittings for all of the above, meat, fish, poultry and game, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and edible fats, dairy products, butter, margarine and other butter substitutes, preserves, pickles, edible nuts and seeds and products prepared there from, shellfish, snacks, prepared meals and prepared dishes, soups, gravy and preparations for making gravy or soup, products made from any of the aforesaid goods, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals or from flour, bread, pastry and confectionery, ices, honey, treacle, yeast, baking powder, salt, mustard, pepper, vinegar, sauces (condiments), ice, spices, biscuits (other than biscuits for animals), cakes, pasta, pasta products and pastry products, chocolate, chocolates non-medicated confectionery, ice-cream, water ices and frozen confections, coffee substitutes, coffee essences and coffee extracts, beverages and preparations therefor, puddings, desserts, prepared meals and prepared snacks and fillings, products made from any of the aforesaid goods, fresh fruit and fresh vegetables, shellfish, beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices, syrups and other preparations for making beverages, alcoholic beverages other than beer, energy drinks, aftersun, body lotion, shower gel, conditioner, sun tan lotion, bath bombs, bath preparations, premoistened cosmetic tissues, tissues impregnated with cleaning preparations, incense, hand cleansers, lip balm, candles, tealights, tealight holders, air fresheners, medicated hand sanitizers, action figures (decorative -) of common metal, address holders (metal -) for animals, adhesive wall decorations of common metal, badges of metal, bag hangers, bins of metal, boxes, buckles, containers, figurines of common metal, key boards, key holders, key rings of metal, keys, metal containers and holders for personal property storage and keeping articles safe and secure, name plates, number plates, signs, trophies of common metal, trolley coins, nail files, emery boards, bottle opener fridge magnets, calculators, car window shades, coins, cards for token operated amusement apparatus, devices and rides, digital photo frames, decorative magnets, earphones, egg timers, eyeshades, flash drives, flashing safety badges, floats for bathing and swimming, fridge magnets, goggles for sports, glasses, cases, chains, cords and frames for sunglasses

and spectacles, glasses cases, straps for sunglasses, sunglasses, holders adapted for mobile phones, identity cards, interactive products for computers, kaleidoscopes, magnetic badges, magnetic pads, magnetic sticky note pad, magnets, measuring cups, measuring spoons, megaphone, memo clip magnets, mouse mats, MP3 players, MP4 players, novelty USB flash drives, pedometer, power bank, radios, reflective arm & leg bands, safety arm and wrist bands, safety vests, shopping list magnets, smart phone apparatus, tape measure, tape rulers, thermometers (room), USB flash drives, walkie talkies, WAP phone apparatus, wrist rests for use with computer, computer mouses, body massagers, foot massagers, bike lights, hand warmers, rechargeable torches, reflectors, torches, key ring torch, self heating pads, alarm clocks, amulets, articles of jewellery, badges, bracelets, busts of precious metal, chains of precious metal, charms, clips of silver [jewellery], clocks, costume jewellery, cufflinks, decorative brooches (jewellery), earrings, embellishments for clothing in precious metals, figurines, horological and chronometric instruments, jewellery, jewellery cases of precious metal, key fobs, key rings, lapel pins, medals, mobile phone charms, non-monetary coins, novelty key rings, ornamental pins, pendants, pins being jewellery, plastic jewellery, precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, tie clips, tie pins, tie tacks, watch bands, watch cases, watch straps, watches, activity books, address books, albums, badges made of paper or cardboard, bibs of paper, beer mats, book markers, bookends, boxes of cardboard or paper, block pads, calendars, car stickers, cards, carriers for food and beverages, catalogues, certificates, cheque book holders, colouring books, crayons, decalcomanias, desk tidys, document wallets, drawer liners of paper, drawing instruments, drawing materials, drawing sets, envelopes, figurines of paper mache, folders, gift bags, gift tags, gift wrapping paper, globes, golf scorecards, height charts, highlighter pens, jotter pads, letter openers, maps, mats, memo holder, modelling materials, money clips, monographs, mounted photographs, mounts for photographs, musical greeting cards, notepads, organisers, page markers, painting materials, paper baking cups, paper banners, paper boards, paper boxes, paper clips, paper coasters, paper containers, paper cups, paper emblems, paper flags, paper mats, paper napkins, paper party decorations, paper party goods, paper puzzles, paper ribbons, paper tissues, paper towels, paperweights, party invitations, pass holders, passport covers, pens, pencils, pen pots, pencil cases, pencil sharpeners, pencil toppers, photograph albums, photograph frames, photographic prints, photographs [printed], prints, removable self-stick notes, ring binders, rulers, rubbers, score books, score card holders, scrapbook albums, ski pass holder, stamp pads, stamps, staplers, stencil sets, stencils, stickers, sticky note pads, table cloths, tags, temporary tattoos, tickets, tissues, trading cards, transfers, travel wallets, wall planner, wrapping paper, writing sets, wristbands, silicon wristbands, agendas, all-purpose sports bags, Backpacks, bottle bags, business card cases/wallets, canvas bags, carrier bags, carry-on bags and bags for merchandise packing, city bag, coin purse, conference bags, conference folders, covers and sleeves for portable electronic devices, computers, tablet computers, telephones and smart phones, credit card wallets, diaries, document bags, document wallets, drawstring bags, fold up bag, jute shopping bags, key cases, key chain, key fobs, laptop bags, luggage tags, messenger bag, parasols, passport cases, personal organizers, pocket calendars, pouches, purses, rucksacks, shoe bag, shopping bags, shopper bags, souvenir bags, sports and travel bag, tote bag, trolley cases, umbrellas, utility bags, wallets, bath, bed and home accessories, beach mats, boxes made of plastic, cocktail shakers, cushions, decorative pillows, fans, flashing led fans, hand held fans, key rings (non-metallic), neck pillows, pet cushions, plastic name bags, photoframes, badges, banners, throws, blankets, bottle openers, bottles, brushes, candle holders, champagne flutes, chinaware, coasters (tableware), can coolers, cooler bags, corkscrews, decanters, flasks, glassware, incense burners, jugs, lint rollers, lunch boxes, money boxes, plastic coasters, plastic cups, shoe horns, snack boxes, swizzle sticks, tankards, thermal travel mugs, thermal flasks, water bottles, wine coolers, wine decanters, comforters, earthenware, flags, glassware, golf towels, gym towels, half pint glasses, handkerchiefs, household or kitchen utensils and containers, ice cube trays, money boxes, mugs, pennants, pint glasses, plaques, porcelain, shot glasses, shower curtains, tankards, textile coasters, textiles and textile goods, towels, whisky tumblers, wine glasses, travel

mugs, thermal mugs, fabrics and composite materials, coated, calendered, impregnated or lined fabrics, anoraks, aprons, athletic footwear, athletic shoes, athletic uniforms, baby bibs not of paper, ball ponchos, bandana, baseball caps, bathing caps, bathing suits, bathing trunks, bathrobes, beach shoes, beach wear, beanies, belts, bib overalls, bicycle gloves, bikinis, body warmer, bow ties, boxer shorts, briefs, caps, clothing, costumes, ear muffs, espadrilles, fleece, flip flops, football shoes, footwear, gloves, golf shirts, golf shoes, gym shorts, gym suits, gymnastic shoes, halloween costumes, hats, headband, headgear, hoddies, jogging suits, money belts, neck wear, night gowns, night shirts, onesis, paper clothing, paper hats, polo shirts, ponchos, rainwear, sashes, scarves, sewing kits, shower caps, slap wraps, sleep masks, sleep wear, slippers, sneakers, sweat bands, swim caps, swimwear, ties, t-shirts, touch screen gloves, visors, wristbands, adhesive patches, badges for wear, not of precious metal, belt buckles and clasps, brooches, buckles, buttons, competitors' numbers, decorative patches, embroidered badges, embroidered patches, lanyards, novelty buttons [badges] for wear, ornamental novelty badges [buttons], ornaments, patches for clothing, printed campaign ribbons, rosettes, shoe laces, tie pins, wall hangings, action toys, aero-dynamic disks for use in playing catching games, articles for playing golf, baby rattles incorporating teething rings, baby rattles, badminton shuttlecocks, balloons, baseball bats, baseball gloves, baseballs, basket balls, bathtub toys, bat & ball, beach balls, bean bags, bendable toys, bicycle tags, boomerangs, bubble making wand and solution sets, cases for toy vehicles, cat toys, cheerleading pom-poms, christmas decorations, collectable toy figures, construction toys, crib toys, cube puzzles, disc toss toys, dog toys, dolls, dominoes, drawing toys, electric actions toys, fan hands, fantasy character toys, flying saucers [toys], flying discs, footballs, golf equipment, namely, bag covers, bag pegs, bag tags, ball markers, ball retrievers, ball sleeves, balls, tees, glow sticks, hand clappers, hand puppets, head covers for golf clubs, horns, infant action crib toys, inflatable balls, inflatable bath toys, inflatable ride on toys, inflatable toys showing decorative pictures, inflatable toys, jigsaw puzzles, juggling equipment, kites and accessories therefor, lottery scratch cards, mechanical action toys, modelled plastic toy figurines, music box toys, musical toys, paper dolls, paper face masks, paper streamers, party favors in the nature of small toys, plastic character toys, playing cards, plush toys, positionable toy figures, promotional game cards, promotional game materials, pull toys, pumps for inflating balls, punching toys, puppets, push toys, puzzles, rattles, rubber action balls, rubber character toys, score-cards, skipping robes, snow globes, soccer balls, snow globe, soft-sculpture toys, sport bats, sport rackets, sports balls, spinning top, squeezable figures used to relieve stress, squeezable squeaking toys, stress release balls, stuffed toy animals, swim floats for recreational use, talking toys, teddy bears, tee markers, three dimensional models for educational purposes, tooters, toys incorporating money boxes, toy action figures and accessories therefor, toy airplanes, toy animals and accessories therefor, toy armour, toy boxes, toy building blocks, toy gliders, toy mobiles, toy model cars, toy model hobby craft kits, toy model kit car, toy model vehicles and related accessories sold as units, toy noisemakers, toy putty, toy rockets, toy snow globes, toy torches, toy watches, toys incorporating money boxes, water squirting toys, whistles, wind socks for toy purposes, wind-up toys, wind-up walking toys, toy windmills, yo-yos, vuvuzela, mints, peanuts, sweets, biscuits, chocolate, cakes, cookies, cupcakes, chewing gum, jelly beans, lollipops, rock, sugar sachets, seed and flower sticks, bottle water, fruit juice, smoothies, non-alcoholic beverages, enabling customers to conveniently view and purchase those goods including via an Internet website, an interactive television shopping channel, a digital television shopping channel, an Internet walled garden or by means of interactive television and/or telecommunications (including voice, telephony and/or transfer of digital information or data) and/or interactive digital media; business customer information and consultancy services for promotional, advertising and marketing purposes in relation to broadcast reception apparatus and instruments and parts and fittings therefor including cable, satellite and terrestrial, analogue or digital reception; advertising and promotional services in relation to lifestyle, ecological and environmental issues; business management of renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels and projects in connection with other renewable energy

sources; collection and processing of operational data in connection with renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, including compilation of statistics relating to operation and production; the bringing together, for the benefit of others, of a variety of advertising agency services, advertising services, aerial photography services, alarm monitoring services, alternative energy products installation, maintenance and repair services, anti-spamming services, archive library services, arranging and conducting of seminars, conferences, arranging and conducting workshops, audio and video recording services, audio, film, video and television recording facilities, banking services, bar services, beauty salon services, beauty therapy services, betting services and electronic betting services, bicycle rental services, booking of seats for entertainment, sporting and cultural events, bookmaking services, box office services in relation to booking of tickets for entertainment, educational, sporting and cultural activities, box office information services in relation to booking of tickets for entertainment, educational, sporting and cultural activities, brand creation services, brand design services, broadband services, broadcasting services, business consultancy services, business data analysis services, business management advisory services, business management services, cable and satellite broadcasting and transmission services, call recording services, card services, career advisory services, casino services, catering services, charitable fundraising services, mentoring (personal) services, education and training services, education, training and entertainment services in the form of skills studios for children and young people in the field of media, television and news reporting, education, training, entertainment and sporting activities involving athletes and celebrities in the form of initiatives to promote confidence, sports skills and life skills in children and young people, education, training and entertainment services related to the promotion of creative skills in children and young people, including creative studios, financial services relating to scholarships and bursary schemes for children and young people in the fields of sport, the arts, media and television, promotional services relating to work experience and employment opportunities for young people, promotional services relating to apprenticeships and graduate employment, education, training and entertainment services in the field of initiatives to inspire young people and to provide them with life skills, business skills, opportunities for development and self-confidence, administration services relating to the organising and conducting of volunteer programmes and community service projects, chat room services, cholesterol testing services, cinema services, cloud computing/storage services, coaching services, coffee shops, communication services, computer advisory services, computer and information technology consultancy services, computer firewall services, computer installation, maintenance, repair and updating services, computer programming services, computer services, computer software advisory services, computer support services, computer system analysis services, concert ticket booking services, conference services, consumer advisory services, consumer market information services, educational course services, correspondence course services, sports coaching services, training course services, professional workshop and training course services, commercial, trade and business workshops and training course services, problem solving, think-tank and brainstorming workshops, seminars and training courses services, technical studies course services, credit betting services, credit card services, cycling event services, cycling training services, data broadcasting services, data communication services, data encryption services, data recovery services, data security services, data storage services, data streaming services, data transmission services, database services, debit card services, delicatessen restaurant services, retail delicatessen services connected with the sale of food and drink, design services, scientific development services, technical development services, development services of new products for others, development services in the field of environmental protection, energy conservation and alternative energy sources, and ecology, development services in relation to computer hardware and software, technology development services, diet advisory services, dietary education services, television programme directing services, radio programme directing services, film, music, plays, theatrical production, musical shows, concerts, exhibitions, sporting events and road show directing services, directory enquiry services, discussion group and chat room services,

distance learning services, distribution services, domain name services, editing services, education services, electricity distribution services, electricity generating services, electricity supply services, electronic bulletin board services, electronic conferencing services, e-mail services, employment agency/bureau services, entertainment agency services, entertainment services, environmental conservation services, environmental consultancy services, online market place services in relation to streamable and downloadable media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless transmission, satellite or terrestrial broadcast, exercise class services, fan club services, fast food/takeaway services, financial services, fitness club services, fitness testing services, fixed and mobile telephone services, flower delivery services, food development services, food nutrition services, gambling services, gaming services, gas services, gift selection/delivery services, greeting cards custom manufacture service, delivery services relating to greeting cards, gym services, hairdressing salon services, health advice and information services, health club services, health farm/spa services, hiring, leasing or rental services in relation to radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, dvds or pre-recorded video discs, hiring, rental and leasing service in relation to entertainment, holiday accommodation services, horoscope services, website hosting services, computer hosting services, hotel reservation services, hotel services, instant messaging services, instruction services, insurance services, intellectual property advisory and consultancy services, interactive entertainment services, interactive games services, interactive news services, interactive services, interactive sport services, interactive television services, internet access services, internet portal services, ISP services, IT services, leisure services, lottery services, loyalty, incentive and bonus program services, magazine and newspaper subscription services, maintenance services, gaming apparatus, equipment and instrument installation and repair services, broadcasting apparatus, equipment and instrument installation and repair services, telecommunication and/or communications apparatus equipment and instrument installation and repair services, domestic electronic equipment installation and repair services, electronic business equipment installation and repair services, alarm, lock and safe installation and repair services, computer software installation and repair services, electric and/or electrical appliance installation and repair services, market analysis studies, market assessment services, market forecasting services, marketing advisory services, marketing agency services, marketing information services, marketing research services, marketing services, music broadcasting services, on demand entertainment services, streaming, downloading and transmission services relating to entertainment, educational, sporting and cultural activities, night club services, nutrition services, online auction services, online distance learning services, online fraud protection services, online gaming services, online internet security services, online magazine and book services, online reward and incentive program services, online security services, pay to play games services, peer to peer interactive gaming services, personal training services, photographic services, photography services, podcasting services, price comparison services, product information services, product launch services, audio, visual and video production services relating to entertainment, education, training, sport and/or culture, business management services relating to cyclists, cycling teams and/or cycling events, sports promotional services, sports financial sponsorship services, administration services relating to the arranging, organising and running and/or conducting of cyclists, cycling teams and/or cycling events, rental services relating to telecommunication facilities and equipment, pub services, real estate services, recreation services, recycling services, scientific research services, technical research services, research services of new products for others, research services in the field of environmental protection, energy conservation and alternative energy sources, ecology, business research services, research services in relation to computer hardware and software, technology research services, reservation services, restaurant reservation services, restaurant services, sales promotion services, satellite services, security services, server hosting services, short message services (sms), slimming club services, social networking services, special events planning services, sponsorship services, sporting

services, sporting tuition course services, storage services , taxi services, teaching services, team building services, telecommunication services, telephone marketing services, therapy services, ticket agency services (entertainment), ticket booking services, ticket reservation services, tour reservation services, tourist information services, training services, transport services, travel agency services, travel guide services, travel services, tuition services, university services, utility distribution services, utility services, utility supply services, video messaging services, video on demand services, video-conferencing services, videotext services, voicemail services, WAP services, warranty services, web portal services, webcasting services, website design/maintenance services enabling customers to conveniently view and purchase those services, including over a global computer network; the bringing together of a variety of service providers enabling customers to conveniently view and choose these services; electronic and online storage service; electronic and online retrieval of data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other data or information; online auction services; provision of an online database of advertisements including personal advertisements, employment and placement opportunities advertisements and real estate advertisements; provision of online financial services comparisons; provision of online price comparison services; provision of online word processing, spreadsheet, calendar, presentation and database management services; provision of virtual online office support staff services; on-line ordering/purchase of gift items; online posting of loyalty rewards information; provision of online reward and incentive programs; advertising and promotion analysis; advertising, marketing and promotion consultancy; advertising services for the promotion of radio programmes, television programmes, films and motion pictures; advertising services relating to radio programmes, television programmes, films and motion pictures; advertising services for the promotion of radio programmes, television programmes, films and motion pictures based on the customers viewing habits/preferences; promotion of radio programmes, television programmes, films and motion pictures; promotion of radio programmes, television programmes, films and motion pictures based on the customers viewing habits/preferences; market research for compiling information on viewers of television; advertising and commercial information services via audio, video, digital, and online media; advertising by transmission of on-line publicity for third parties through electronic communications networks; advertising, including promotion relating to the sale of articles and services for third parties by the transmission of advertising material and the dissemination of advertising messages on computer networks; electronic commerce services, namely, providing information about products and services via audio, video, digital, and online media for advertising and sales purposes; advertising services in the nature of matching and connecting advertisers and video content publishers for the purpose of advertising, marketing and promotional services; advertising and publicity services, namely, promoting the goods, services, brand identity and commercial information and news of third parties through audio, video, digital, and online media; demonstration services for advertising, business, commercial & trade purposes; information relating to job and career opportunities; management of amusement parks and theme parks; promotional sponsorship of individual cyclists and/or cycling teams and/or cycling events; provision of online reward and incentive programs relating to fitness tracking, health tracking, personal tracking, lifestyle tracking and emotional tracking; provision of business information and advice; economic forecasting analysis for business purposes; planning and conducting trade fairs, exhibitions, and presentations for economic or advertising purposes; endorsement and publicity services; distribution of samples; provision of business information and advice; endorsement and publicity services; promotional sponsorship of individual cyclists and/or cycling teams and/or cycling events; business management services relating to cyclists, cycling teams and/or cycling events; administration services relating to the arranging, organising and running and/or conducting of cyclists, cycling teams and/or cycling events; career counselling (other than education and training advice); provision of online reward and incentive programs; provision of online reward and incentive programs relating to fitness tracking, health tracking, personal tracking, lifestyle tracking and emotional tracking; consultancy, information and advisory services relating to all the aforesaid services;

professional consultancy, information and advisory services relating to all the aforesaid services; consultancy, information and advisory services relating to all the aforesaid services provided online from a computer database or via a helpline or the Internet.

VIII. Corresponding essential provisions of the applicable law (see text under XII): Art.12 1), c) and d) of the Italian Industrial Property Rights Code.

IX. Information relating to subsequent procedure:

(i) Time limit for requesting review or appeal:

The holder of the registration may, through a representative appointed according to article 201, request copy of the opposition notice within a period of three months from the date on which he received the notification of this provisional refusal by the International Bureau of WIPO. Furthermore, copy of the notification received by WIPO must be attached to the abovementioned request to the Italian Patent and Trademark Office.

(ii) Authority to which such request for review or appeal should be made:

The holder of the registration may, through a representative appointed according to article 201, submit his objections to the present refusal to *Ufficio Italiano Brevetti e Marchi – Divisione II Affari Giuridici e Normativi - Via Molise, 19 – 00187 ROMA - ITALY*.

(iii) Indications concerning the appointment of a representative:

Where the applicant is not established or domiciled in a Member State of the European Union or in the European Economic Area, he may submit his objections through a registered agent in the roll kept for this purpose by the Italian Patent and Trademark Office (see: www.ordine-brevetti.it) or a lawyer registered in the appropriate professional role (see: www.ordineavvocati.it) – (art. 201-203 Code of Industrial Property Rights).

X. Date of the notification of provisional refusal: 08/10/2019

Prot. N.: 287687

XI. Signature or official seal of the Office making the notification:



XII. Corresponding essential provisions of the applicable law:

Extract from the Code of Industrial Property Rights

(Legislative Decree of February 10th 2005, n.30)

Art. 17 - International Registration

1. For the registration of trademarks with the World Intellectual Property Organization (WIPO), the provisions in force pursuant to international conventions shall remain valid.

2. International trademarks registered with the World Intellectual Property Organization (WIPO) of Geneva, based on the Madrid Agreement concerning the International Registration of Marks, Stockholm text of 14 July 1967, ratified by law no.424 of 28 April 1976, and the respective Protocol, adopted in Madrid on 27 June 1989, ratified by law no.169 of 12 March 1996, containing the designation of Italy as the country in which protection is requested, must meet the requirements set for national trademarks by this Code.

3. The Italian Patent and Trademark Office carries out the examination of the international trademarks that designate Italy in compliance with the applicable provisions of the applications for national trademarks.

Art. 7 – Subject Matter of Registration

1. A trademark consist of any sign which capable of being represented graphically, and in particular words, including personal names, designs, letters, numerals, sounds, the shape of a goods or of their packaging, the color combinations or tones, provided that such signs are capable of distinguishing the goods or services of one undertaking from those of other undertaking.

Art. 8 - Portraits of person, names and well known signs

1. Portraits of person shall not be registered as trademarks without the persons' consent, and after their death, without the consent of the spouse and children; if there are no such relatives or after their death, of the parents and other ancestors, and if there are no such ancestors or after their death, of the relatives up and including the fourth degree.

2. The names of persons other than those who apply for registration may be registered as trademarks, provided that their use is not such as to harm the reputation, creditworthiness or dignity of those who have the right to bear those names. The Italian Patents and Trademarks Office shall however have the right to make the registration conditional upon the consent as set forth in paragraph 1. In any event, the registration shall not prevent persons having the right to the name to use in the business chosen by them, if the requirements are met as set forth in Article 21(1).

3. If well known, the following may be registered or used as trademarks only by the qualified person, or with the consent of the same, or of the persons indicated in paragraph 1: names of persons, signs used in the fields of art, literature, science, politics or sports, the designations and abbreviations of events and those of entities and associations without economic purposes, as well as the characteristic emblems of the same.

Art. 9 – Shape trademarks

1. Signs shall not be registered as trademarks if they consist solely of the shape dictated by the nature of the product, the shape of the product necessary to obtain a technical result, or of the shape that gives substantial value to the product.

Art. 10 – Coats of arms

1. Coats of arms and other signs considered in existing international conventions on the subject matter, in the cases and the conditions mentioned therein, as well as the signs containing symbols, emblems and coats of arms which are in the public interest shall not be registered as trademarks, unless the consent of the appropriate authorities to their registration has been given.

2. If a trademark contains words, figures or signs with political meaning or a highly symbolic value, or containing heraldic elements, before registration, the Italian Patents and Trademarks Office shall send the copy of the trademarks and whatever else may be necessary to the relevant or appropriate public agencies, to receive their opinion, in accordance with the provisions of paragraph 4.

3. The Italian Patents and Trademarks Office may act in accordance with provisions of paragraph 2 in all cases where there is a doubt that trademark could be contrary to the law, the public policy or accepted principles of morality.

4. If the relevant or appropriate agency, as per paragraphs 2 and 3, expresses an opinion against the registration of the trademark, the Italian Patents and Trademarks Office shall reject the application.

Art.12 – Novelty

1. Signs shall not be registered as trademarks if as of the date of filing of the application any of the following applies:

a) (omissis);

b) (omissis);

c) They are identical to a trademark already registered by others in the Country or having effect in the Country following an application filed on an earlier date or having effect from an earlier date due to a right of a priority or a valid claim of seniority for identical goods or services;

d) They are identical or similar to a trademark that has already registered by others in the Country or having effect in the Country following an application filed on an earlier date or having effect as from an earlier date due to a right of priority or a valid claim of seniority for goods and services that are identical or similar, if due to the identity or similarity between the signs and the identity or similarity between the goods or services there exists a likelihood of confusion on the part of the public, than can also consist of a likelihood of association between the two signs:[...]

e);f); 2. 3. (omissis)

Art. 13 – Distinctive character

1. Signs lacking a distinctive character shall not be registered as trademarks. These include:

a) those consisting only of signs that have become commonly used in current language or in the common practices of the trade;

b) those consisting of general designations of goods or services or descriptive indications that refer to them, such as signs that may serve, in trade, to designate the kind, quality, quantity, intended purpose, value, geographical origin or the time of production of the good or of the rendering of the service or other characteristics of the good or service.

2. Notwithstanding paragraph 1, signs that have acquired a distinctive character prior to application for registration, due to the use that has been made of them, may be registered as trademarks.

3. (omissis)

4. (omissis)

Art. 14 – Lawfulness and third- party rights

1.The following shall not be registered as trademarks:

- a) signs that are contrary to the law, public policy or accepted principles of public morality;
- b) signs that can mislead the public, in particular as to the geographical origin, nature or quality of the goods or services.

c) (omissis)

Art. 135 – Board of Appeal

1.An appeal may be filed with the Board of Appeal against decisions of the Italian Patent and Trademark Office that totally or partially reject an application or request, refuse registration or prevent the recognition of a right, and in the other cases provided for by this Code, within the mandatory term of 60 days from the date of receipt of the notification of the decision.

(omissis)

Art. 170 – Examination of applications

1.The examination of applications which have been found to meet the formal requirements, is aimed at determining:

- a) for trademarks: if Article 11 may be applied when collective marks are involved; if the word, design or sign can be registered as a trademark pursuant to Articles 7, 8, 9, 10, 13, paragraph 1 and 14, paragraph 1, letters a) and b); if the conditions indicated in Article 3 are met.

b) (omissis)

Art. 171 - Examination of the International trademarks

1.(omissis)

2. If the Italian Patent and Trademark Office deems that the trademark shall not be registered in full or in part, or if an opposition has been filed by third parties pursuant to Article 176, the Office shall proceed pursuant to Article 5 of the Madrid Agreement for the International Registration of Marks, Stockholm text of 14 July 1967, ratified by Law no. 424 of 28 April 1976 or the respective Protocol of 27 June 1989, ratified by Law No. 169 of 12 March 1996, to issue a provisional refusal of the international registration and gives notice to the World Intellectual Property Organization.

3.The provisional refusal under paragraph 2 is issued within one year for international registrations based on the Madrid Agreement for the International Registration of Marks, and within eighteen months for those based on the respective Protocol. The terms start on the dates respectively indicated in the cited International Conventions.

4.In the case of provisional refusal, the protection of the trademark shall be that of a trademark application filed with the Italian Patent and Trademark Office.

5.Within the mandatory term set out by the Italian Patent and Trademark Office, the owner of an international registration, for which a provisional refusal has been communicated to the World Intellectual Property Organization, through an attorney appointed in accordance with Article 201, may submit his own arguments, or request a copy of the opposition paper based on which the provisional refusal was issued. In the latter case, if the owner of the international registration requests a copy within the required period, the Office shall send the notice to the parties as Article 178, paragraph 1, and apply the other rules on the opposition proceeding set forth by Articles 178 et seq.

6.If within the term indicated in paragraph 5, the owner of the international registration does not submit his arguments, or does not request a copy of the opposition paper in accordance with the rules indicated above, the Italian Patent and Trademark Office shall issue the final refusal.

7.The Italian Patent and Trademark Office shall notify the World Intellectual Property Organization of the final decisions relating to international trademarks designating Italy.

Art. 201 – Representation

1.2.3.(omissis)

4. The appointment may be granted only to attorneys registered in a specific Register established for that purpose at the Board of the Industrial Property Consultants Institute.

5. (omissis)

6.The appointment may also be granted to a lawyer admitted to the Bar.