

Notification of Provisional Refusal based on an Ex Officio Examination (to WIPO)

Pursuant to Rule 17(2) of the Common Regulations under the Madrid Agreement concerning the international registration of marks and the Protocol relating to that Agreement.

I. Name and address of the Office making the notification:

Norwegian Industrial Property Office	Telephone:	+47 22 38 73 00
P.O.Box 8160 Dep., N-0033 OSLO, NORWAY	Telefax:	+47 22 38 73 01
	E-mail:	post@patentstyret.no

II. International registration: 1449106 PRESTIGE

III. Date of Subsequent Designation (if any):(yyyy.mm.dd)

IV. Holder of the international registration:

"ALUTECH DOORS SYSTEMS" Limited Liability Company, Selitskogo st.10-508, Minsk area, Minsk region, 220075 FEZ "MINSK", Hviterussland

V. The scope of the refusal:

☐ Provisional refusal for all goods and/or services

☒ Provisional partial refusal for some of the goods - see under X

VI. Grounds for refusal:

☐ Absolute grounds:

☒ Relative grounds: **Trademark Act Section 16. a**
Likelihood of confusion with:

- National registration number:	
206847	PRESTIGE BY AUDIOVOX
233825	Prestige

VII. You will find more information about the conflicting mark(s) (if any) enclosed under XIII. The relevant provisions of the Norwegian Trademarks Act are under XII.

VIII. Date of provisional refusal: (yyyy.mm.dd) **2019.10.04**
Response must be received within: (yyyy.mm.dd) **2020.01.04**

See more information under XI about the time limit and which actions you need to take if you want to request a review of the provisional refusal.

IX. Signature by the Office:

THE NORWEGIAN INDUSTRIAL PROPERTY OFFICE

Elisa Bischoff

(National reference no.: 201901795)

Number of continuation sheets: 4

X. Scope of the provisional refusal in respect of goods and/or services:

If the holder does not contest the refusal within 3 months, protection is given for:

Class 6 and 7 as filed

Class 9 *limited to*: Electric; electro-dynamic apparatus for the remote control of signals; infrared detectors; locks, electric; switches, electric; printed circuit boards; fuses; circuit breakers; electric; processors [central processing units]; control panels [electricity]; traffic-light apparatus [signalling devices]; signal lanterns; revolution counters.

The international registration will be published for protection with the above-reduced list of goods/services.

Rapid publication of the limited list

If the holder accepts the proposed limitation of the goods/services, and wishes a publication of the mark for these goods/services as soon as possible, he/she may confirm this in writing to The Norwegian Industrial Property Office. If The Norwegian Industrial Property Office does not receive any such confirmation from the holder, the mark will however be published for protection of the limited list of goods/services, after the expiry of all the time limits.

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- XI.** The holder of the registration may request a review of the provisional refusal. The Norwegian Industrial Property Office must receive the request no later than 3 months from the date of this provisional refusal (The time limit is indicated under point VIII). Such request must provide an address of correspondence and be filed in Norwegian, Danish, Swedish or English. The Norwegian Industrial Property Office will respond in Norwegian. Please note that if The Norwegian Industrial Property Office, either subsequent to review or appeal, accept the designation of Norway, a post grant opposition may be filed against the mark within 3 months from the publication of the mark.

If the holder does not respond to this provisional refusal within the time limit, the international registration shall be considered abandoned in Norway for the goods/services that are excluded (Trademark Act Section 70 and 23). The international registration shall be resumed if the holder, within two months from the expiration of the time limit responds to the provisional refusal and pays the stipulated fee (NOK 550,-). Please note that The Norwegian Industrial Property Office does not send any notifications to the holder that the international registration is abandoned in Norway.

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- XII.** See the relevant provisions of the Norwegian Trademarks Act regarding the grounds of this provisional refusal on our home page:
<https://www.patentstyret.no/en/services/trademarks/rules-and-regulations-trademarks/trademarks-act/>

Continuation sheet no: 2

Int. reg. number: 1449106

Guide to the following INID codes:

(111): National registration number/ International registration number
(151): Date of national registration/Date of international registration
(180): Date of expiry
(210): National application number
(220): National application date /Date of notification
(300): Data relating to priority (if any)
(450): Date of publication
(511): List of goods and services
(540): Reproduction of the mark
(541): Indication relating to the nature or kind of mark (in Norwegian)
(546): Indication relating to the nature or kind of mark (in Norwegian)
(551): Collective mark (regulations)
(571): Description of the mark
(731): Name of the applicant
(732): Name of the proprietor
(740): Power of attorney

XIII. Prior marks cited ex officio

(111) **Reg.nr.:** 206847
(151) **Reg.dato.:** 2001.02.08
(180) **Registreringen utløper:** **2021.02.08**
(210) **Søknadsnr.:** 200005935
(220) **Inndato:** 2000.05.23
(450) **Kunngjøringsdato:** 2001.03.05
Status: Registrert
Detaljstatus: Fornyet
(540) **Gjengivelse av merket:**

PRESTIGE BY AUDIOVOX

(541) **Merketype:**
Merket er et ordmerke i standard font

(731) **Søker:**
Audiovox Corp, 150 Marcus Boulevard, NY11788 HAUPPAUGE, USA

(732) **Innehaver:**
Audiovox Corp, 150 Marcus Boulevard, NY11788 HAUPPAUGE, USA

(740) **Fullmektig:**
BRYN AARFLOT AS, Stortingsgata 8, 0161 OSLO, Norge

(511) **Vare-/ tjenestefortegnelse:**

Klasse 9 Radioapparater, båndspillere, privatradio sendere og mottagere, forsterkere, grafiske frekvenskorreksjonsledd, antenner, antenneforsterkere, høyttalere, radio-omformere og montasjeanordninger; koblinger, ledninger, adaptere, reléer og tilbehør herfor; motorer og drivremmer for båndspillere; kraftforsyninger, strømomformere; tomme lydbåndkassetter og kassetthus; sikkerhetssystem for kjøretøyer omfattende radiofrekvens fjernkontroll enheter, elektrisk strøm sensorer, alarmer og høyttalere; telefoner, mobiltelefoner og trådløse telefoner, faksimilemaskiner, videoopptakere og -avspillere.

Klasse 12 Sikkerhets- og tyverianordninger, alarmer og innretninger for kjøretøy.

(111) **Reg.nr.:** 233825
(151) **Reg.dato.:** 2006.07.07
(180) **Registreringen utløper:** **2026.07.07**
(210) **Søknadsnr.:** 200306870
(220) **Inndato:** 2003.07.22
(450) **Kunngjøringsdato:** 2006.07.17
Status: Registrert
Detaljstatus: Fornytt
(540) **Gjengivelse av merket:**



- (546) **Merketype:**
Merket er et kombinert merke eller et rent figurmerke
- (591) **Informasjon om farger som merket kreves vernet for:**
Merket er i farger: nei
- (731) **Søker:**
Fantasy Inc, Berkeley, CA, USA
- (732) **Innehaver:**
Concord Music Group Inc, CA BERKELEY, USA
- (740) **Fullmektig:**
BRYN AARFLOT AS, Stortingsgata 8, 0161 OSLO, Norge
- (511) **Vare- / tjenestefortegnelse:**
Klasse 9 Apparater for lyd og videoopptak.