



ESTONIAN PATENT OFFICE
TRADEMARK DEPARTMENT

THE PROTOCOL RELATING TO THE MADRID AGREEMENT
CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

NOTIFICATION OF PROVISIONAL REFUSAL BASED ON AN OPPOSITION

notified to the International Bureau of the World Intellectual Property Organization (WIPO)
according to Article 5 of the Madrid Protocol

I. Name and address of the office refusing protection: 1 (2)

The Estonian Patent Office
Trademark Department
Toompuiestee 7
15041 Tallinn
ESTONIA
Telephone: + 372 627 7927

II. Number of the international registration which is the subject of the provisional refusal:

1433787

III. Other information concerning the international registration which is the subject of the provisional refusal
verbal elements of the mark: **Mi Cloud**

IV. The grounds for this provisional refusal are the following:

Opposition filed 29.10.2019 by Apple Inc. on the grounds that:

1. the International registration no. 1433787 is identical or similar to an earlier trade mark which has been afforded legal protection with regard to identical goods or services or goods or services of a similar kind designated by the trade mark, if there exists a likelihood of confusion on the part of the consumers, which includes association of the trade mark with the earlier trade mark.
2. the International registration no. 1433787 is identical or similar to an earlier registered trade mark, regardless of whether the earlier trade mark has been afforded legal protection for identical, similar types of or different types of goods or services, if the earlier Estonian trade mark has a reputation in Estonia or if the earlier EU trade mark has a reputation in the European Union and the use without due cause of the later trade mark would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark.

The earlier trademarks in question are (enclosed):

ICLOUD, EU trademark no. 011571866, belonging to Apple, Inc.

ICLOUD, EU trademark no. 014067755, belonging to Apple, Inc.

ICLOUD, EU trademark no. 013002928, belonging to Apple, Inc.

ICLOUD, EU trademark no. 014597736, belonging to Apple, Inc.

V. Provisions of the Estonian Trademark Act applicable on the subject (enclosed):
Section 10 subsection 1(2) and subsection 2.

Section 10 subsection 1(3) and subsection 2.

VI. The grounds referred to in item IV affects **all goods and services**.

VII. The holder of the registration has right to participate in the procedure at the Board of Appeal of Intellectual Property of Estonia.

The request has to be filed through the patent attorney of the Republic of Estonia (section 13 subsection 2 of the Estonian Trademark Act). List of patent attorneys is available at <http://www.epa.ee/>

The request for participation in the procedure must be received by the Board of Appeal no later than within two months from the date of the acceptance of the opposition for processing.

The time limit expires 05/02/2020 (dd/mm/yyyy). The extension of the time limit is not possible.

Please note that the matter will be examined by the Board of Appeal even if the holder of the registration does not request participation in the procedure at the Board of Appeal.

VIII. Date on which the provisional refusal was pronounced: 04/11/2019 (dd/mm/yyyy).

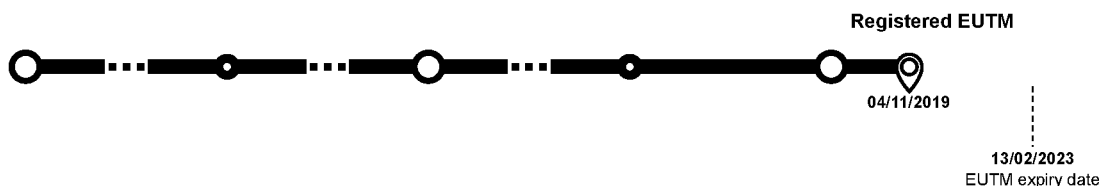
IX. Signature of the Office:

Ekke-Kristian Erilaid
Senior Examiner

EUTM file information

ICLOUD
011571866

Timeline



Trade mark information

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

Goods and services

English (en) ▼

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

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

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

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

Description

No data

Owners

Apple Inc.

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

Representatives

LOCKE LORD LLP

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

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	014477999	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	27/06/2018	
	Recordal	014477999	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	27/06/2018	
	EUTM	011571866	L304 – Cover letter for registration certificate	17/10/2017	
	EUTM	011571866	Certificate	17/10/2017	
	EUTM	011571866	LSU01 - Information to proprietors of earlier trade mark registrations or applications	19/04/2017	

From	Procedure	Filing number	Subject	Date	Actions
	Appeal	R0057/2016-2	R420A – Notification of a decision of the Boards of Appeal to the appellant	19/12/2016	
	Appeal	R0057/2016-2	catintdoc_1	05/12/2016	
	EUTM	011571866	LSU01 - Information to proprietors of earlier trade mark registrations or applications	21/06/2016	
	Appeal	R0057/2016-2	R409A – Notification of remittal to the Boards of Appeal	17/03/2016	
	Appeal	R0057/2016-2	R405 – Acknowledgement of receipt of statement of grounds (<i>ex parte</i>)	16/03/2016	

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IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

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

Showing 1 to 4 of 4 entries

Cancellation

No data

Recordals

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

Showing 1 to 3 of 3 entries

Oppositions

No data

Appeals

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

Showing 1 to 3 of 3 entries

Decisions

	Case number	Type	Case	Legal status	Keywords	Status	Decision date
+	Appeal R0057/2016-2	Appeal		Article 7(3) EUTMR	Declaration,Distinctiveness acquired by use,Evidence of use,Nature of the goods and services,Purpose of the goods and services,Sales figures,Scope of proceedings	Application allowed	05/12/2016
+	Appeal R0955/2014-2	Appeal		Article 7 CTMR,Article 7(1)(c) CTMR,Article 7(2) CTMR,Article 7(3) CTMR,Article 64 CTMR	Competence of the Boards,Distinctiveness acquired by use,Evidence of use,Specialised public	Remitted on Article 7(3) EUTMR	18/05/2015
+	Refusal 011571866	Refusal		Article 7(1)(b) CTMR,Article 7(1)(c) CTMR,Article 7(2) CTMR		Partially rejected	20/09/2013
+	Refusal 011571866	Refusal		Article 7(1)(c) CTMR		Partially rejected	13/11/2015

Showing 1 to 4 of 4 entries

Renewals

No data

Trade mark relations

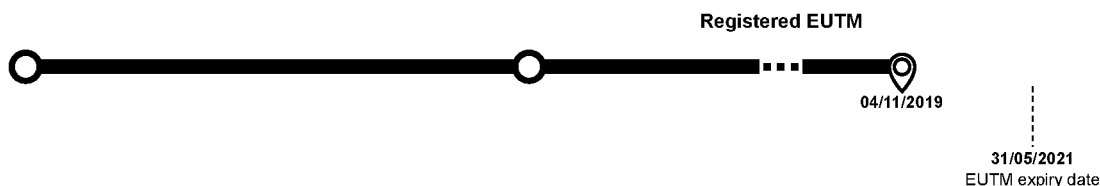
Type	Filing number
Parent Division	013002928

Showing 1 to 1 of 1 entries

EUTM file information

ICLOUD
014067755

Timeline



Trade mark information

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

Goods and services

English (en) ▼

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

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

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

25 Clothing, footwear, headgear.

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

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

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

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

Description

No data

Owners

Apple Inc.

ID	839	Country	US - United States	Correspondence address
Organisation	Apple Inc.	State/county	California	Apple Inc.
Legal status	Legal entity	Town	Cupertino	One Apple Park Way
State, district or t...	California			Cupertino, California 95014



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

Post code

95014

Address

**One Apple
Park Way**ESTADOS UNIDOS (DE
AMÉRICA)Hidden. You can set your
contact details to be publicly
available via the User Area.Hidden. You can set your
contact details to be publicly
available via the User Area.

Representatives

LOCKE LORD LLP

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

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	014477999	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	27/06/2018	
	Recordal	014477999	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	27/06/2018	
	EUTM	014067755	L304 – Cover letter for registration certificate	26/11/2015	
	EUTM	014067755	Certificate	25/11/2015	
	Recordal	010195371	Correction of errors - notification of entry	23/11/2015	
	Recordal	010195371	T5EM – Communication – waiting for translations	02/11/2015	
	EUTM	014067755	L329C - Decision on revocation of an EUTM registration issued in error	20/10/2015	
	Recordal	010195371	Letter to the EUIPO	18/08/2015	
	EUTM	014067755	L329A - Information that the Office intends to issue a decision on <i>ex officio</i> revocation of an EUTM registration that was issued in error	13/08/2015	
	EUTM	014067755	L304 – Cover letter for registration certificate	22/05/2015	

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IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

Country	Filing number	Date	Status
Jamaica	058091	09/05/2011	Claimed
Jamaica	057024	07/12/2010	Claimed

Showing 1 to 2 of 2 entries

Publications

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

Showing 1 to 4 of 4 entries

Cancellation

No data

Recordals

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

Showing 1 to 3 of 3 entries

Oppositions

No data

Appeals

No data

Decisions

No data

Renewals

No data

Trade mark relations

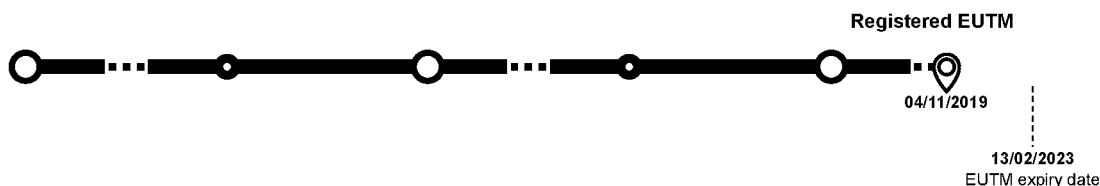
Type	Filing number
Child Division	010011484

Showing 1 to 1 of 1 entries

EUTM file information

ICLOUD
013002928

Timeline



Trade mark information

Name	ICLOUD	Filing date	13/02/2013
Filing number	013002928	Registration date	29/06/2015
Basis	EUTM	Expiry date	13/02/2023
Date of receipt	13/02/2013	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	Italian
Nice classes	9, 16, 25, 28, 35, 37, 42 (Nice Classification)	Application reference	306187-7294/PFA
Vienna Classification		Trade mark status	Registered 
		Acquired distinctiveness	No

Goods and services

English (en) ▼

9 Mouse pads; batteries; rechargeable batteries; chargers; chargers for electric batteries; headphones; stereo headphones; in-ear headphones; stereo speakers; audio speakers; audio speakers for home; monitor speakers; speakers for computers; personal stereo speaker apparatus; loudspeakers, multiple speaker units, microphones; covers, bags and cases adapted or shaped to contain all of the aforesaid goods, made of leather, imitations of leather, cloth, or textile materials.

16 Paper, cardboard and goods made from these materials, not included in other classes; book binding material; photographs; stationery; stickers; artists' materials; paint brushes; typewriters and office requisites (except furniture); plastic materials for packaging (not included in other classes); advertising materials; printers' type; printing blocks; greeting cards; advertising and promotional material; catalogues relating to musical apparatus and instruments; music books; music instruction manuals; music magazines \ \ \ \.

25 Clothing, footwear, headgear.

28 Toys; games and playthings; playing cards; musical toys, games and playthings; toy audio apparatus; toy musical boxes; toy musical instruments; toy record players for playing tunes and cassettes; musical games; battery operated toys; automatic and coin-operated amusement machines; musical toys and games; stand alone video game machines incorporating a means of display; toy handheld electronic devices; toy computers (not working); toy mobile telephones (not working); parts and fittings for all the aforesaid goods.

35 Advertising agency services; advertising, marketing, and promotion services; advertising and marketing consultation; sales promotion services; promoting the goods and services of others; conducting market research; analysis of advertising response and market research; preparation, production, and dissemination of advertisements and advertising material for

others; media planning services; administration of consumer loyalty programs; arranging and conducting incentive rewards programs to promote the sale of goods and services; retail store and online retail store services in the fields of computer hardware, computer software, consumer electronics, telecommunications and multimedia goods, mobile phones, handheld digital electronic devices, and other consumer electronics and accessories, peripherals, and carrying cases for such products; retail store services provided via the Internet and other computer, electronic and communications networks in the field of computer hardware, computer software, consumer electronics, telecommunications and multimedia goods and accessories, mobile phones, handheld digital electronic devices, and other consumer electronics and accessories, peripherals, and carrying cases for such products; retail store services in the field of books, magazines, periodicals, newsletters, journals and other publications on a wide range of topics of general interest, provided via the Internet and other computer, electronic and communications networks; retail store services in the field of entertainment featuring movies, television programs, sporting events, musical works, and audio and audiovisual works, via the Internet and other computer, electronic and communications networks; retail store services featuring computer, electronic and entertainment products, telecommunications apparatus, mobile phones, handheld mobile digital electronic devices, and other consumer electronics, computer software, and accessories, peripherals, and carrying cases for such products, via the Internet and other computer, electronic and communications networks; product demonstrations provided in-store and via global communications networks and other electronic and communications networks.

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

42 Design and creation of advertisements and advertising material for others.

Description

No data

Owners

Apple Inc.

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

Representatives

LOCKE LORD LLP

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

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	014477999	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	27/06/2018	
	Recordal	014477999	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	27/06/2018	
	EUTM	013002928	L304 – Cover letter for registration certificate	21/07/2016	
	EUTM	013002928	Certificate	20/07/2016	
	EUTM	013002928	L304 – Cover letter for registration certificate	01/07/2015	
	EUTM	013002928	Certificate	01/07/2015	
	Recordal	009158026	T72RR - Change in the name and/or business address of a representative - notification of entry in the Register	13/01/2015	
	EUTM	013002928	Miscellaneous	05/12/2014	
	EUTM	013002928	L123 - EUTM application: Refusal of application / Decision on the inherent distinctiveness of an application	03/12/2014	
	EUTM	013002928	L110 - Notice of grounds for refusal of application for a European Union trade mark	13/08/2014	

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IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2015/009	15/01/2015	C.2.1	Representative - Change of name and professional address
2015/054	20/03/2015	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2015/120	01/07/2015	B.1	Registrations with no amendments since the application was published
2016/134	20/07/2016	B.4.2	Correction of errors - Relative errors
2018/120	28/06/2018	C.1.3	Proprietor - Change of name and address

Showing 1 to 5 of 5 entries

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
			007977294	Trade mark	Divisions of EUTM registrations
2015/009	15/01/2015	C.2.1	009158026	Representative	Change of name and professional address
2016/134	20/07/2016	B.4.2	011147439	Correction of errors	Relative errors
2018/120	28/06/2018	C.1.3	014477999	Proprietor	Change of name and address

Showing 1 to 4 of 4 entries

Oppositions

No data

Appeals

No data

Decisions

Case number	Type	Case	Legal status	Keywords	Status	Decision date
+ Refusal 013002928	Refusal		Article 7(1)(c) CTMR		Partially rejected	03/12/2014

Showing 1 to 1 of 1 entries

Renewals

No data

Trade mark relations

Type	Filing number
Child Division	011571866

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EUTM file information

ICLOUD
014597736

Timeline



Trade mark information

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

Goods and services

English (en) ▼

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

information retrieval software and hardware; electronic handheld units for the wireless receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of recorded data; chips, discs and tapes bearing or for recording computer programs and software; random access memory, read only memory; solid state memory apparatus; computer games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; computer equipment for use with all of the aforesaid goods; electronic communications apparatus with multimedia functions for use with the aforesaid goods; electronic communications apparatus with interactive functions for use with the aforesaid goods; accessories, parts, fittings, and testing apparatus for all of the aforesaid goods; parts and fittings for all the aforesaid goods.

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

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

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

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

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

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

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


- 42** Application service provider (ASP) services featuring computer software; application service provider (ASP) services featuring software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; scientific and technological services and research and design relating thereto; design and development of computer hardware and software; computer hardware and software consulting services; rental of computer hardware and software apparatus and equipment; multimedia and audio-visual software consulting services; computer programming; support and consultation services for developing computer systems, databases and applications; information relating to computer hardware or software provided on-line from a global computer network or the Internet; creating and maintaining web-sites; hosting the web-sites of others; providing search engines for obtaining data via communications networks; application service provider (ASP) services featuring software for use in connection with online music subscription service, software that enables users to play and program music and entertainment-related audio, video, text and multimedia content, and software featuring musical sound recordings, entertainment-related audio, video, text and multimedia content; providing search engines for obtaining data on a global computer network; information, advisory and consultancy services relating to all the aforesaid; operating search engines; computer consulting and support services for scanning information into computer discs.
- 45** Online social networking services; providing a social networking website.

Description

No data

Owners

Apple Inc.

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

Representatives

LOCKE LORD LLP

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

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
Opposition	002737461	B227B - Notification to the applicant/holder of suspension of the opposition proceedings		30/05/2019	

From	Procedure	Filing number	Subject	Date	Actions
	Opposition	002737461	B227A - Notification to the opponent of suspension of the opposition proceedings	30/05/2019	
	Opposition	002737461	Letter to the EUIPO	28/05/2019	
	Opposition	002737461	Letter to the EUIPO	27/05/2019	
	Opposition	002737461	B224B	16/04/2019	
	Opposition	002737461	B224A - Notification to the opponent of extension of a time limit	16/04/2019	
	Opposition	002737461	Letter to the EUIPO	11/04/2019	
	Opposition	002737461	B227B - Notification to the applicant/holder of suspension of the opposition proceedings	16/08/2018	
	Opposition	002737461	B227A - Notification to the opponent of suspension of the opposition proceedings	16/08/2018	
	Opposition	002737461	Letter to the EUIPO	16/08/2018	

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IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

Country	Filing number	Date	Status
Jamaica	066842	27/03/2015	Claimed
Jamaica	068019	01/09/2015	Claimed
Jamaica	068020	01/09/2015	Claimed
Jamaica	068018	01/09/2015	Claimed

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Publications

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

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Cancellation

No data

Records

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Oppositions

5/7

Filing number	Date	Likelihood of grounds of confusion	Opponent	Representative	Language	Reference	Status	Extent of opposition
002737461	19/07/2016		Bayerische Motoren Werke Aktiengesellschaft		English	1476466-03879/PFA/TG	Suspended	Class 12 Vehicles; apparatus for locomotion by land, air, water or rail; consoles being parts of vehicle interiors; dashboards; automotive interior trim and interior trim parts of automobiles; anti-theft devices for vehicles; anti-theft alarms for vehicles; bicycles; golf carts; wheel chairs; air pumps being vehicle accessories; motor cycles; vehicles for locomotion by land, air, water or rail; motor cars; pumps for bicycles, cycles; cable transport apparatus and installations; baby carriages; sleighs [vehicles]; vehicle wheel tires [tyres]; repair outfits for inner tubes; aeronautical apparatus, machines and appliances; steering gears for ships / ships' steering gears; seat covers for vehicles; parts for all the aforesaid goods.

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Appeals

No data

Decisions

No data

Renewals

No data

Trade mark relations

No data

Extract from the Estonian Trademark Act

§ 10. Relative circumstances which preclude legal protection

(1) Legal protection shall not be granted to the following trade marks:

2) trade marks which are identical or similar to an earlier trade mark which has been afforded legal protection with regard to identical goods or services or goods or services of a similar kind designated by the trade mark, if there exists a likelihood of confusion on the part of the consumers, which includes association of the trade mark with the earlier trade mark;

3) trade marks which are identical or similar to an earlier registered trade mark, regardless of whether the earlier trade mark has been afforded legal protection for identical, similar types of or different types of goods or services, if the earlier Estonian trade mark has a reputation in Estonia or if the earlier EU trade mark has a reputation in the European Union and the use without due cause of the later trade mark would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark;

(2) The circumstances specified in clauses (1) 1)–8) of this section which preclude legal protection are not taken into account if the proprietor of the earlier trade mark or another earlier right consents to the grant of legal protection in writing.

§ 13. Representative for performing acts related to legal protection of trade marks

(2) A person with no residence, seat or commercial or industrial enterprise operating in Estonia shall authorise a patent attorney as the person's representative to perform procedures related to trade marks at the Patent Office and at the Board of Appeal, except the filing of an application.

§ 41. Adjudication of appeals and revocation applications

(2) An interested person may contest an applicant's right to a trade mark at the Board of Appeal if any circumstances specified in subsection § 10 of this Act which preclude legal protection exist. The term for filing a revocation application is two months from the publication of the notice of the decision to register a trade mark.

§ 47. Withdrawal of applications, termination and resumption of processing

(2) If an application is withdrawn in the manner specified in subsection (1) of this section or deemed to be partially or fully withdrawn in the cases specified in subsections 37 (3) and 38 (2) of this Act, processing of the respective part is terminated and the applicant is notified thereof. If processing is terminated, the application documents are not returned and the state fee is not refunded.