



OIFIG NA bPAITINNÍ
PATENTS OFFICE

Oifig an Rialtais
Bóthar Hebron
Cill Chainnigh
Éire

Government Buildings
Hebron Road
Kilkenny
Ireland

WORLD INTELLECTUAL PROPERTY ORGANISATION
34, CHEMIN DES COLOMBETTES
PO BOX 18
1211 GENEVA 20
SWITZERLAND

Date of Notification: 25 November 2019

International Registration No: 1485026
Mark: LOVE OUR PLANET by MARCO TOZZI
Holder: MARCO TOZZI Shoes GmbH & Co. KG of Germany

Notification of the Irish Patents Office of Total Provisional Refusal

Dear Sir/Madam,

This notification is issued pursuant to Article 5 of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks and Rule 17(2) of the Common Regulations under the Agreement and Protocol, and is to inform you that protection for this mark is refused for the reasons set out below. Any references to Sections are to Sections of the Trade Marks Act, 1996 and to Rules are to Rules of the Trade Marks Rules, 1996.

1.

Section 10(2)

There exists a likelihood of confusion on the part of the public between the mark and the following earlier mark(s):

Registered European Union Trade Mark No: 222141
Name and address of the Proprietor : WENDEL GMBH SCHUHPRODUKTIONEN
INTERNATIONAL
Sinalcostrasse 1
D-32758 Detmold
Germany
Date of application: 07/08/2001
Date of Registration: 07/08/2001
Class: 25

2. This refusal is in respect of all of the goods/services for which protection is sought.

3. The holder may make representations in writing, or may request an extension of time for doing so, not later than 25/02/2020. A request for an extension of time received after that date may be granted at the discretion of the Controller.
4. If representations or a request for an extension of time are not received by the specified date, protection of the mark will be refused.
5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied by an address for service within the European Economic Area as required by Rule 10(1)(a) as amended by Statutory Instrument No. 410 of 2010; failure to furnish such address will result in the holder being deemed to have abandoned his request for protection.
6. If, following the receipt of representations, it is considered that the requirements for protection are met, the mark will be published in the Official Journal and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.
7. Date of refusal: **25 November 2019**

Yours faithfully



Frank Jordan
Trade Mark and Design Examination Division
Direct Line: (056) 7720145
Ext: 4161
tmexam@patentsoffice.ie

*From the 2nd December 2019, the Patents Office will be called the **Intellectual Property Office of Ireland (IPOI)**.*

Please update your contacts and bookmarks. Our new web address will be www.ipoi.gov.ie and our email addresses will change to name.surname@ipoi.gov.ie. Our email address for general enquiries will also change to ipinfo@ipoi.gov.ie.

Learn more about these changes at <https://www.patentsoffice.ie/en/news-events/news-categories-/announcements/office-change-of-name.html>