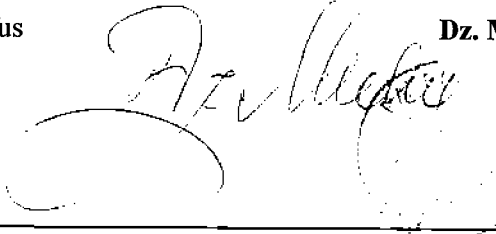


**ARRANGEMENT DE MADRID
CONCERNANT L'ENREGISTREMENT INTERNATIONAL DES MARQUES
ET PROTOCOLE RELATIF À CET ARRANGEMENT**

REFUS PROVISOIRE

notifiée au Bureau international de l'Organisation Mondiale de la Propriété Intellectuelle (OMPI)
selon l'article 5 de l'Arrangement de Madrid et du Protocole de Madrid

I. Office qui notifie le refus OFFICE DES BREVETS DE LA REPUBLIQUE DE LETTONIE Citadeles iela 7/70 LV 1010, Riga LETONIE		Téléphone 371 67099605 Télécopie 371 67099650
II. N° de l'enregistrement international faisant l'objet du refus		1 478 300
III. Nom du titulaire de l'enregistrement international faisant l'objet du refus DAIO PAPER CORPORATION 2-60, Mishima-Kamiya-cho, Shikokuchuo-Shi Ehime-ken 799-0402 (JP)		
IV. Motifs du refus M.A.J. 31 chemin latéral au chemin de fer, F-93500 PANTIN, FR titulaire d'enregistrement européen /fig. MUE 017988306/ s'oppose à l'enregistrement de la marque.		
V. Dispositions de la loi nationale applicables en la matière (voir feuille supplémentaire) ARTICLE 18, 39 ; L'opposition est basée sur l'article 7(1)2		
VI. ☒ Refus pour la totalité des produits et services ☐ Refus pour les produits suivants *		
VII. Possibilités de réclamations et de recours Le titulaire de la marque a le droit de présenter ses objections contre le présent refus auprès de l'Office des brevets de Lettonie dans le délai de 3 mois à compter de la date de la notification de Bureau International. Le recours doit être présenté par l'intermédiaire d'un mandataire local . (Loi sur les marques et les indications géographiques, Article 17. ¹ ; Loi des institutions et procédures de propriété industrielle, Article 58). Après l'expiration du délai imparti, la Commission de recours prendra la décision sur l'acceptation de l'opposition ou de son rejet. L'affaire peut- être réexaminée auprès de Tribunal de Riga-ville (quartier Vidzeme) dans le délai de 3 mois compté de la notification de la décision de Commission de recours.		
VIII. Date à laquelle le refus a été prononcé		28.11.2019
IX. Signature ou sceau officiel de l'Office qui notifie le refus		Dz. Medne 

EUTM file information

elis
017988306

Timeline



Trade mark information

Name	elis	Filing date	20/11/2018
Filing number	017988306	Registration date	
Basis	EUTM	Expiry date	
Date of receipt	20/11/2018	Designation date	
Type	Figurative	Filing language	French
Nature	Individual	Second language	English
Nice classes	1, 3, 5, 6, 7, 9, 10, 11, 16, 20, 21, 22, 24, 25, 27, 35, 37, 39, 40, 42, 43, 44, 45 (Nice Classification)	Application reference	AVM18-5653EM
		Trade mark status	Application opposed
Vienna Classification	24.15.02, 24.15.21 (Vienna Classification)	Acquired distinctiveness	No

Graphic representation



Goods and services

English (en)



- 1** Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; Synthetic resins, unprocessed; Unprocessed plastics; Manures; Fire extinguishing compositions; Tempering and soldering preparations; Chemical substances for preserving foodstuffs; Tanning substances; Adhesives used in industry.
- 3** Bleaching preparations and other substances for laundry use; Cleaning, polishing, scouring and abrasive preparations; Soap, except for shaving preparations and preparations for beard grooming; Perfumery, essential oils, cosmetics, hair lotions, except for shaving preparations and preparations for beard grooming; Dentifrices.
- 5** Veterinary and sanitary preparations; Dietetic substances adapted for medical use; Baby food; Plasters, materials for dressings; Material for stopping teeth, dental wax; Disinfectants; Preparations for destroying noxious animals; Fungicides; Herbicides.
- 6** Common metals and their alloys; Metal building materials; Transportable buildings of metal; Materials of metal for railway tracks; Non-electric cables and wires of common metal; Ironmongery and metal hardware, non-electric; Pipes and tubes of metal; Safes; Ores; Containers of metal, other than for household use; Fixed dispensers of metal for towels, hand towels, household linen and toilet linen.
- 7** Automatic vending machines.
- 9** Scientific (other than for medical purposes), nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; Apparatus for recording, transmission or reproduction of sound or images; Recording substrates (magnetic); Phonograph records; Mechanisms for coin-operated apparatus; Cash registers; Calculators; Data processing equipment and computers; Fire-extinguishing apparatus; Protective clothing, in particular high-visibility clothing.
- 10** Surgical, medical, dental and veterinary apparatus and instruments; Artificial limbs, eyes and teeth; Orthopedic articles; Suture materials; Clothing especially for operating rooms, Operating gloves, Surgical cloths, Surgical drapes, Bed linen for incontinents, including draw-sheets for sick beds.
- 11** Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, Perfume and deodorant diffusers, not for personal use, disinfectant dispensers for toilets, Toilet bowls, Disposable toilet seat covers, Water fountains.
- 16** Paper and cardboard (untreated, semi-finished or for stationery or printing), printed matter; Bookbinding material; Photographs; Stationery; Adhesives for stationery or household purposes; 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); Printers' type; Printing blocks; Sanitary articles of paper; Paper towels; Hygienic paper.
- 20** Furniture, mirrors, frames (except for building); Fixed dispensers, not of metal, for towels, hand towels, household linen and toilet linen.
- 21** Household or kitchen utensils and containers (not of precious metal or coated therewith); Combs and sponges; Brushes (except for paint brushes and shaving brushes); Brush-making materials; Articles for cleaning purposes; Steelwool; Unworked or semi-worked glass (except glass used in building); Tableware, except forks, knives and spoons, of glass, porcelain and earthenware, toilet paper, soap and perfume dispensers for household purposes, soap boxes, dispensing containers for hand towels and towels.
- 22** Ropes (not of rubber and not for rackets or musical instruments), string, fishing nets, nets for camouflage, tents, tarpaulins (neither safety tarpaulins nor pushchair covers), sails; Padding and stuffing materials (except of rubber or plastics); Raw fibrous textile materials, sacks for the packaging, transport and storage of linen.
- 24** Fabrics for textile use, household linen and table linen, not of paper; Bed and table covers, Textile articles, other than clothing, for household and kitchen purposes.
- 25** Clothing, footwear (except orthopaedic) and headgear.
- 27** Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors, except tiling and floor paints; Wall hangings (non-textile).
- 35** Rental of vending machines; Advertising of all kinds; Business management assistance, business management and organisation consultancy, business management consultancy, business expertise, research and planning in the field of advertising, and rental of advertising space and time; Business information and business enquiries; Consultancy in the field of marketing, advertising and communications; Business management; Sales promotion of goods and services; Promotion and publicity; Dissemination of advertising matter; Arranging of subscriptions to all kinds of information media and telecommunications services, for others; Direct marketing, database marketing, telemarketing; Analysis and reports relating to statistics; Computerized file management; Business information; Processing and analysis of statistics; Advertising, sales promotion, marketing and direct marketing on all kinds of carriers and media; Advertising and marketing relating to the development of new products; Business consultancy relating to the development of new products; Organisation of promotional activities, competitions, tombolas, prize draws for commercial or advertising purposes; Management and development of commercial and advertising events; Business consulting services in the field of electronic commerce; Setting up and management of computer files; Organisation of loyalty programmes; Compilation of statistics; Market studies, Opinion polling, Panels, Opinion polling; Collection of data via computer-based forms or questionnaires; Compilation of information into computer databases; Systemization of information into computer databases; Computerised file management and database services; Computerised file management relating to consumer behaviour; Operation of databases and databanks in the field of advertising, sales promotion (for others) and consumer behaviour; Entry, formatting, compilation and processing of data; Indexing of computer data and indexing of databases; Management consultancy services relating to information technology, in particular relating to databases; Administration, invoicing and settlement of accounts for others; Commercial intermediation services; Placement online and management of catalogues of goods and services for consumers, in particular of online catalogues; Accounting; Presentation on all kinds of communications media of goods and services for sale, rental and maintenance in the following sectors: clothing; bed linen, bath linen, table linen, sanitary, hygiene and cleaning services, treatment of materials and services for providing good and drink.
- 37** Building construction; Installation and repair of machinery; Repair of tools; Clothing repair; Installation and repair of electrical apparatus and equipment; Repair of sanitary installations; Installation of sanitary equipment; Installation and repair of industrial machinery; Installation and repair of office machines; Installation and repair of drying and lighting

- 39** Transport, collection, packaging, delivery and storage of goods; Travel arrangement.
- 40** Treatment of toxic material; Treatment [reclamation] of material from waste; Treatment [reclamation] of material from hazardous products; Cloth treating; Cloth treating.
- 42** Scientific and industrial research; Computer programming; Online data storage on the internet; Electronic storage and recovery of data.
- 43** Providing of food and drink and temporary accommodation; Temporary accommodation; Rental of linen and water dispensers.
- 44** Medical, hygienic and beauty care; Veterinary and agricultural services; Rental of sanitary and hygiene articles.
- 45** Legal services; Rental of clothing.

Description

No data

Owners

M.A.J.

ID	115094	Country	FR - France	Correspondence address	
Organisation	M.A.J.	State/county	n/a	M.A.J.	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal entity	Town	PANTIN	31 CHEMIN LATÉRAL AU CHEMIN DE FER	
		Post code	93500	F-93500 PANTIN	
		Address	31 CHEMIN LATÉRAL AU CHEMIN DE FER	FRANCIA	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

CASALONGA ALICANTE, S.L.

ID	10513	Country	ES - Spain	Correspondence address	
Organisation	n/a	State/county	n/a	CASALONGA ALICANTE, S.L.	965131795
Legal status	Legal person	Town	Alicante	Avenida Maisonnave, 41-6C	
Type	Association	Post code	03003	E-03003 Alicante	965131689
		Address	Avenida Maisonnave, 41-6C	ESPAÑA	alicante@casalonga.com

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Opposition	003088509	Letter to the EUIPO	20/11/2019	
	Opposition	003088509	B222B	31/10/2019	
	Opposition	003088509	B222A - Communication to the opponent of a restriction of the opposed trade mark before the commencement of the adversarial part of the proceedings	31/10/2019	
	EUTM	017988306	L167 - Confirmation of a restriction of the list of goods or services in a European Union trade mark application	31/10/2019	
	Opposition	003088509	Letter to the EUIPO	08/10/2019	
	Opposition	003088509		30/09/2019	

From	Procedure	Filing number	Subject	Date	Actions
			B214B - Notification to the applicant/holder of an extension of the period before the commencement of the adversarial part of the opposition proceedings		
	Opposition	003088509	B214A - Notification to the opponent of an extension of the period before the commencement of the adversarial part of the opposition proceedings	30/09/2019	
	Opposition	003088509	Letter to the EUIPO	27/09/2019	
	Opposition	003088509	B212 - Communication to the opponent of the date of the commencement of the adversarial part of the opposition proceedings and invitation to complete the opposition by furnishing facts, evidence and arguments	23/07/2019	
	Opposition	003088509	B211 - Communication to the applicant/holder setting a date for the commencement of the adversarial part of the opposition proceedings	23/07/2019	

Showing 1 to 10 of 21 entries

IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

Country	Filing number	Date	Status
France	4500719	16/11/2018	Claimed

Showing 1 to 1 of 1 entries

Publications

Bulletin number	Date	Section	Description
2019/069	09/04/2019	A.1	Applications published under Article 44 EUTMR

Showing 1 to 1 of 1 entries

Cancellation

No data

Recordals

No data

Oppositions

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
003088509	09/07/2019	Likelihood of confusion	Nuova Lama Bolzano s.r.l.	PATENTSCHUTZENGE	English	AVM18-5653EM	Open	Class 3 Soaps;perfumary;Essential oils;Cosmetics;Hair

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status	Extent of opposition
								lotionClass 21 Brushes (except paintbrushes)

Showing 1 to 1 of 1 entries

Appeals

No data

Decisions

No data

Renewals

No data

Trade mark relations

No data

Extraits de la loi de la République de Lettonie sur les marques et indications géographiques, Loi, 16/06/1999

Article 18. Opposition à un enregistrement de la marque

- (1) Dans les trois mois à compter de la date de la publication de la marque, les personnes intéressées peuvent, moyennant le paiement de la redevance applicable, présenter une opposition à l'enregistrement d'une marque. L'opposition doit être déposée auprès de la chambre de recours écrite, motivée par des arguments et références appropriées aux dispositions de la loi. Après l'expiration de ladite période, l'adversaire n'a pas le droit de modifier (élargir) la base juridique initiale de l'opposition, mais peut, jusqu'à la décision de la chambre de recours est adopté, soumettre des documents et des éléments supplémentaires qui confirmer (préciser) les faits sur lesquels est fondée l'opposition.

Article 39. Validité d'un enregistrement international en Lettonie

- (5) L'opposition à l'entrée en vigueur d'un enregistrement international d'une marque en Lettonie, comme prévu à l'article 18 de la présente loi, doit être déposé dans les quatre mois à compter de la date de publication d'un avis d'enregistrement de la marque à l'égard de la Lettonie (extension territoriale à la Lettonie) dans le journal officiel de l'enregistrement international des marques.

Article 7. Marque antérieure en tant que motif d'invalidation de l'enregistrement

- (1) L'enregistrement d'une marque peut être déclaré nul, en vertu des dispositions de la présente loi dans les cas suivants :
- 1) si elle est identique à une marque antérieure, et les produits ou services pour lesquels la marque a été enregistrée sont identiques à des biens ou des services à l'égard desquels la marque antérieure a été enregistrée ;
 - 2) si, en raison de son identité ou de la similitude avec une marque antérieure appartenant à une autre personne et en raison de l'identité ou de la similitude des produits ou services respectifs, il existe un risque de confusion des marques de commerce ou d'un risque d'association entre les marques au nom des consommateurs concernés.