

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

Date of Notification: 03 December 2019

**International Registration No:** 1489626  
**Mark:** STOP  
**Holder:** TTS Tooltechnic Systems AG & Co. KG of Germany

**Notification of the Intellectual Property Office of Ireland 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:001018597

Mark:STOP

Proprietor:BRICO BELGIUM, en abrégé BRICO

Zelliksesteenweg 65

1082 Sint-Agatha-Berchem

Belgium

Date of Application:14/12/1998

Date of Registration:11/01/2001

Class 1 : Chemicals used in industry, expressly excluding the industry manufacturing domestic cleansing, hygienic and deodorant products and insecticides; chemicals used in science and photography; chemicals used in agriculture, horticulture and forestry expressly excluding insecticides and excepting fungicides, herbicides and pesticides; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

Class 2 : Paints, varnishes, lacquers, preservatives against rust and against deterioration of wood, colourants, expressly excluding those incorporating insecticide or insect-repellents; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

Class 6 : Common metals and their alloys; metal building materials; transportable buildings of metal (except transportable buildings of metal with door closers, floor springs, strap hinges, doorstops and door fixers); materials of metal for railway tracks; non-electric cables and wires of common metal; locksmith's work and ironmongery, small items of metal hardware (except door closers, floor springs, strap hinges, doorstops and door fixers); pipes and tubes of metal; safes; goods of common metal not included in other classes used in do-it-yourself work, building, installing, fitting-out, furnishing, decorating, housekeeping, gardening, both for professionals and for amateurs (all these goods excepting door closers, floor springs, strap hinges, doorstops and door fixers); ores; metal latticework, fences and posts for gardens; non-mechanical reels and winding spools of metal for flexible hoses.

Class 7 : Machines not included in other classes; electric machines, namely; drills, screwdrivers, thermal scouring machines, sanders, jigsaws, right angle grinders, high-pressure cleaning machines, grinders; machine tools, motors and engines (except for land vehicles); including those for DIY, building, installation, fitting out, furnishing, decoration, household and gardening purposes, for use by professionals and amateurs; machine coupling and transmission components (except for land vehicles); agricultural implements; incubators for eggs; weeding machines; power shears; lawnmowers [machines]; leaf blowers (machines); power scarifiers; cultivators; reels, mechanical, for watering hose.

Class 8 : Hand tools and instruments (manually operated) for DIY, building, installation, fitting out, furnishing, decoration, household and gardening purposes, for use by professionals and amateurs; cutlery; side arms; razors.

Class 9 : Scientific, nautical, surveying, electrical and electronic apparatus and instruments not included in other classes, 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; magnetic data-carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.

Class 11 : Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

Class 17 : Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials not included in other classes for DIY, building, installation, fitting out, furnishing, decoration, household and gardening purposes, for use by professionals and amateurs; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal, watering hoses.

Class 19 : Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings (except non-metallic transportable buildings with door closers, floor springs, strap hinges, doorstops and door fixers); monuments, not of metal.

Class 20 : Furniture (except such goods with door closers, floor springs, strap hinges, doorstops and door fixers); mirrors, picture frames (except such goods with door closers, floor springs, strap hinges, doorstops and door fixers); goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics used in do-it-yourself work, building, installation, fitting-out, furnishing, decorating,

housekeeping, gardening, both for professionals and for amateurs (all these goods excepting door closers, floor springs, strap hinges, doorstops and door fixers).

Class 22 : Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

Class 27 : Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).

Class 31 : Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt.

2. This refusal is in respect of all of the goods 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 **02 March 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: **03 December 2019**

Yours faithfully

*Paula Murphy*

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**Paula Murphy**  
**Trade Mark and Design Examination Division**  
**Direct Line: (056) 7720135**  
**Ext: 4135**  
**tmexam@IPOI.gov.ie**

*As of 2<sup>nd</sup> December 2019, the Patents Office changed its name to the **Intellectual Property Office of Ireland (IPOI)**.*

*Our email addresses have changed to [name.surname@ipoi.gov.ie](mailto:name.surname@ipoi.gov.ie) and our email address for general enquiries has also changed to [ipinfo@ipoi.gov.ie](mailto:ipinfo@ipoi.gov.ie)*