



REPUBLIC OF CYPRUS
MINISTRY OF ENERGY
COMMERCE AND
INDUSTRY



DEPARTMENT OF REGISTRAR OF COMPANIES
AND OFFICIAL RECEIVER
INTELLECTUAL AND INDUSTRIAL PROPERTY SECTION
TRADE MARKS
1427 NICOSIA CYPRUS

Model Form 3A: Total Provisional Refusal of Protection (Rule 17(1) of the Common Regulations) BASED ON AN OPPOSITION

I. Office making the notification:

**MINISTRY OF ENERGY, COMMERCE AND INDUSTRY,
THE DEPARTMENT OF REGISTRAR OF COMPANIES AND OFFICIAL RECEIVER,
KARPENISIOU & MAKARIOU STR., XENIOS BLDG., 1427 NICOSIA, CYPRUS**

II. Number of the international registration: **1 259 963**

III. Name of the holder: **MLADEGS PAK d.o.o.**

IV. Information concerning the type of provisional refusal:

Please indicate the type of refusal by checking only one of the following options:

- ☐ Total provisional refusal based on an *ex officio* examination
- ☒ Total provisional refusal based on an opposition
- ☐ Total provisional refusal based on both an *ex officio* examination and an opposition

Where the refusal is based on an opposition, please indicate the name and address of the opponent:

- (i) Name of the opponent: **Fruit Shippers Limited.**
- (ii) Address of the opponent: **Third Floor, Charlotte House, Charlotte Street
Nassau 10051, Bahamas.**

V. Information concerning the scope of the provisional refusal:

Total provisional refusal affects all the goods and/or services indicated in the Notification of the International Registration under Classes 29 and 30.

VI. Grounds for refusal [(where applicable, see item VII)]:

- (a) **Section 20(2) of the National Trade Marks Law.**
- (b) **Section 14(1) (b) and 14A of the National Trade Marks Law, Cap 268, as amended by Section 10 of the Law 176 (I)/2000.**
- (c) **Section 14(1) (c) and 14A of the National Trade Marks Law, Cap 268, as amended by Section 10 of the Law 176 (I)/2000.**
- (d) **Section 11(1) (g) of the National Trade Marks Law Cap. 268 as amended by Section 7 of the Law 176 (I)/2000.**
- (e) **Section 11(1) (i) of the National Trade Marks Law Cap. 268.**

VII. Information relating to an earlier mark:

- a) (1) Filing date and number, and, if any, priority date:
Filing Date: 14/08/2014
Number: 013175278
Priority: -----
- b) Registration date and number (if available):
Registration date: 25/03/2016
Number: -----
- c) Name and address of the owner:
Name: Fruit Shippers Limited
Address: Third Floor, Charlotte House, Charlotte Street, Nassau 10051, Bahamas.
- d) Reproduction of the mark:

PLEASE REFER TO THE ATTACHED COPIES
- e) List of the relevant goods and/or services (this list may be in the language of the earlier application or registration):

PLEASE REFER TO THE ATTACHED COPIES

VIII. Corresponding essential provisions of the applicable law:

Section 20(2) Cap .268 – Third Party Opposition proceeding

IX. Information relating to the possibility to request a review or file an appeal:

- (i) Time limit for requesting review or appeal:
Within two (2) months from the date mentioned in Part XI
- (ii) Authority to which such request for review or appeal should be made:
**MINISTRY OF ENERGY, COMMERCE AND INDUSTRY,
 THE DEPARTMENT OF REGISTRAR OF COMPANIES AND OFFICIAL
 RECEIVER, KARPENISIOU & MAKARIOU STR., XENIOS BLDG., 1427
 NICOSIA, CYPRUS**

- (iii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party:

Filled in: Greek Language

Filed through: An advocate – practicing Law in Cyprus – needs to be appointed, who will act as the applicant's representative before our Office.

Since we do not keep or issue any lists of lawyers, we give you below details of the CYPRUS Bar Association, who you may contact for further Information and a list of advocates:

Cyprus Bar Association

11, Florinis Street,

1st Floor, Office 101

1065 Nicosia-Cyprus

P.O. Box 21446, 1508 Nicosia

Tel. No.:+357 22873300

Fax No.:+357 22873013

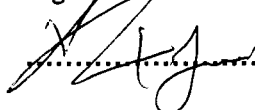
Email: cybar@cytanet.com.cy / cybar2@cytanet.com.cy

Website: www.cyprusbarassociation.org

However, in case you are an advocate practicing Law overseas, you are required to obtain a license for practicing Law in Cyprus, by applying to the LAW COUNCIL OF THE CYPRUS REPUBLIC (fax no. +22665080), who will certify that you comply with the Cyprus Advocates Law CAP.2.

- (iv) Other requirements, if any:

X. Signature or official seal of the Office making the notification:



XI. Date of the notification to the International Bureau:

14 February 2020

[End of Model Form 3A]

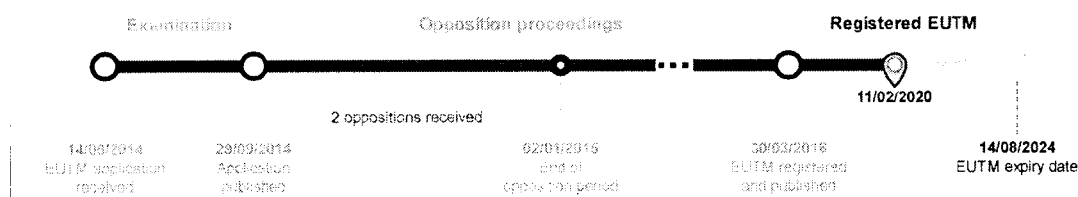


Protect your intellectual property in the European Union

EUTM file information

BONITA
013175278

Timeline



Trade mark information

Name	BONITA	Filing date	14/08/2014
Filing number	013175278	Registration date	25/03/2016
Basis	EUTM	Expiry date	14/08/2024
Date of receipt	14/08/2014	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	Italian
Nice classes	29, 30, 31, 32 (Nice Classification)	Application reference	306254-5279/IRO/FB
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)

29 Meat, fish, poultry and game except in frozen form; meat extracts except in frozen form; milk and milk products except in frozen form; eggs except in frozen form; preserved, dried, baked, cooked and preserved fruits and vegetables; jellies, jams, compotes; Fruit salads; Fruit-based snack food.

30 Sugar except in frozen form; natural sweeteners except in frozen form; bakery products, bread, yeast except in frozen form; pasta, baking-powder, flour, spices, and flavourings except in frozen form; honey and honey substitutes except in frozen form; food products based on rice, flour or cereals, also in the form of cooked dishes except in frozen form; Coffee; coffee extracts and coffee-based preparations; coffee substitutes and extracts of coffee substitutes; coffee beans; unroasted coffee; ground coffee; decaffeinated coffee; instant coffee; coffee drinks; coffee beverages; coffee mixtures; flavoured coffee; roasted coffee beans; ground coffee beans; prepared coffee and coffee-based beverages; coffee based drinks; coffee in brewed; coffee in ground form; coffee beverages with milk; ice beverages with a coffee base; filters in the form of paper bags filled with coffee, tea, tea extracts and tea-based preparations; cocoa and preparations having a base of cocoa, chocolate, chocolate products; puddings; breakfast cereals, rice, pasta, also in the form of cooked dishes; fruit sauces; none of the aforementioned goods being confectionery, ice, ice cream, ice cream confections, chocolate spread, cakes, biscuits or mousses.

31 Fresh fruits and vegetables live animals; seeds; foodstuffs for animals, malt; agricultural, horticultural and forestry products and grains not included in other classes and excluding natural plants and flowers.

32 Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages; fruit extracts; fruit nectars, non-alcoholic; smoothies.

Description

No data

Owners

FRUIT SHIPPERS LIMITED

ID	50464	Country	BS - Bahamas	Correspondence address	
Organisation	FRUIT SHIPPERS LIMITED	State/county	n/a	FRUIT SHIPPERS LIMITED Third Floor, Charlotte House, Charlotte Street Nassau 10051 BAHAMAS	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal entity	Town	Nassau		
		Post code	10051		Hidden. You can set your contact details to be publicly available via the User Area.
		Address	Third Floor, Charlotte House, Charlotte Street		Hidden. You can set your contact details to be publicly available via the User Area.

Representatives

PONS CONSULTORES DE PROPIEDAD INDUSTRIAL, S.A.

ID	36405	Country	ES - Spain	Correspondence address	
Organisation	n/a	State/county	n/a	PONS CONSULTORES DE PROPIEDAD INDUSTRIAL, S.A. Glorieta Rubén Darío, 4 E-28010 Madrid ESPAÑA	917007600
Legal status	Legal person	Town	Madrid		913086103
Type	Association	Post code	28010		
		Address	Glorieta Rubén Darío, 4		comunicacioneseuipo@pons.es

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	015331500	T65XA	26/02/2019	
	Recordal	015331500	Application form and attachment	22/02/2019	
	Recordal	015331500	Letter to the EUIPO	22/02/2019	
	Recordal	015331500	Total/Partial surrender - deficiency/rejection	07/02/2019	
	EUTM	013175278	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	01/02/2019	
	Recordal	015331500	Letter to the EUIPO	23/01/2019	
	Recordal	015331500	Total/Partial surrender - deficiency/rejection	22/01/2019	
	Recordal	015331500	Application form and attachment	02/01/2019	
	Recordal	015283735	H726A - Notification of entry of a change of representative in the Office - Register and database	21/12/2018	
	Recordal	015283735	H726A - Notification of entry of a change of representative in the Office - Register and database	21/12/2018	

Showing 1 to 10 of 65 entries

IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2014/182	29/09/2014	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2015/009	15/01/2015	C.2.1	Representative - Change of name and professional address
2016/059	30/03/2016	B.2	Registrations with amendments since the application was published
2019/002	04/01/2019	C.2.2	Representative - Appointment / Replacement of representative
2019/041	28/02/2019	C.3.2	Partial surrender / Declaration under Art.33(8) EUTMR

Showing 1 to 5 of 5 entries

Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2015/009	15/01/2015	C.2.1	009158026	Representative	Change of name and professional address
2019/002	04/01/2019	C.2.2	015283735	Representative	Appointment / Replacement of representative
2019/041	28/02/2019	C.3.2	015331500	Trade mark	Partial Surrender

Showing 1 to 3 of 3 entries

Oppositions

Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status
002454984	30/12/2014	Identity of marks and G&S Likelihood of confusion	ANDRES LOPEZ E HIJO, S.A.	DAMASO GESTIÓN ASOCIADOS	English	306254-5279/JRO/FB	Closed


Filing number	Date	Grounds	Opponent	Representative	Language	Reference	Status
002453762	18/12/2014	Likelihood of confusion	Boquoi Handels oHG	ORTH KLUTH RECHTSANWÄLTE PARTNERSCHAFTSGESELLSCHAFT MBB	English	306254-5279/JRO/FB	Withdrawn

Showing 1 to 2 of 2 entries

Appeals

No data

Decisions

Case number	Type	Case	Legal status	Keywords	Status	Decision date
 Opposition 002454984	Opposition		Article 8(1)(a) CTMR, Article 8(1)(b) CTMR		Reject opposition	15/06/2015

Renewals

No data

Trade mark relations

No data

International Applications

No data