

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

PROVISIONAL REFUSAL BASED ON AN OPPOSITION

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

I. Office refusing protection:

Finnish Patent and Registration Office
Trademarks
FI-00091 PRH
Telephone: +358-29-509 5000
Telefax: +358-29-509 5328

II. Number of the international registration which is the subject of the refusal: 1433787

III. Other information concerning the international registration which is subject of the refusal:

Mi Cloud

IV. The grounds for this refusal are the following:

An opposition to the mark has been made by Apple Inc.

According to the opponent the mark is in respect of all of the goods in class 9 and all of the services in classes 38 and 42 liable to be confused with the following EU trademark: ICLOUD; registered under number 11571866 for identical and similar kinds of goods and services in classes 9, 35, 39 and 42. (The enclosed information of the EU trademark is a printout from eSearch plus (EUIPO's Database)).

According to the opponent the mark is in respect of all of the goods in class 9 and all of the services in classes 38 and 42 liable to be confused with the following EU trademark: ICLOUD; registered under number 14067755 for identical and similar kinds of goods and services in classes 9, 35 and 38. (The enclosed information of the EU trademark is a printout from eSearch plus (EUIPO's Database)).

According to the opponent the mark is in respect of all of the goods in class 9 and all of the services in classes 38 and 42 liable to be confused with the following EU trademark: ICLOUD; registered under number 13002928 for identical and similar kinds of goods and services in classes 9, 35 and 42. (The enclosed information of the EU trademark is a printout from eSearch plus (EUIPO's Database)).

According to the opponent the mark is in respect of all of the goods in class 9 and all of the services in classes

38 and 42 liable to be confused with the following EU trademark application: ICLOUD; application number 14597736, applied for identical and similar kinds of goods and services in classes 9, 38 and 42. (The enclosed information of the EU trademark application is a printout from eSearch plus (EUIPO's Database)).

The name and address of the opponent:

Apple Inc.
One Apple Park Way, Cupertino CA 95014
US

The name and address of the representative of the opponent:

Kolster Oy Ab
Salmisaarenaukio 1
00180 HELSINKI FI

V. Provisions of the Finnish Trademarks Act (7/1964) applicable on the subject (enclosed):

Art. 6 paragraph 1, Art. 14 paragraph 1 item 7
Art. 107 paragraph 1 (Trademarks Act 544/2019)

VI. Total refusal.

VII. The holder of the registration is invited to comment the opposition. The statement shall be received by the Finnish Patent and Registration Office no later than within 12 weeks from the date of the refusal.
The time limit expires 15.07.2020 (dd.mm.yyyy).

Please use the following reference number when submitting the statement: V202000021

The statement, which is to be drawn up in Finnish or Swedish, has to be filed through the intermediary of a representative resident in the European Economic Area (Art. 56 f).

VIII. Opposition period began 14.02.2020 (dd.mm.yyyy), ended 14.04.2020 (dd.mm.yyyy)

IX. Date on which the refusal was pronounced: 22.04.2020 (dd.mm.yyyy)

X. Signature of the Office: 22.04.2020

Finnish Patent and Registration Office

Sara Henriksson
Senior Legal Officer
+358295095523

This document has been electronically signed.

EUTM file information

ICLOUD

011571866

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.

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)	
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	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	
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.

Priority

No data

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	011571866	LSU02 — Information to proprietors of earlier trade mark registrations or applications (Article 195(4) EUTMR)	31/01/2020	
	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 (Article 43(7) EUTMR)	19/04/2017	
	Appeal	R0057/2016-2	R420A — Notification of decision to 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 (Article 43(7) EUTMR)	21/06/2016	
	Appeal	R0057/2016-2	R409A — Notification of remittal to Boards of Appeal to appellant (<i>ex parte</i>)	17/03/2016	

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EUTM file information

ICLOUD

014067755

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.

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

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

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			

EUTM file information

ICLOUD

013002928

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.

Owners

Apple Inc.

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Organisation	Apple Inc.	State/county	California	Apple Inc. One Apple Park Way Cupertino, California 95014 ESTADOS UNIDOS (DE AMÉRICA)	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal entity	Town	Cupertino		
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 REINO UNIDO	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal person	Town	London		
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.

Priority

No data

EUTM file information

ICLOUD

014597736

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, teletext, 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.

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 ESTADOS UNIDOS (DE AMÉRICA)	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal entity	Town	Cupertino		
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 REINO UNIDO	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal person	Town	London		
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.

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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Extract from the Finnish Trademarks Act
No. 7 of January 10, 1964, as amended
(Unofficial translation)

Article 1

This act lays down provisions on an exclusive right to a trademark used in the course of trade for goods and services. This act also lays down provisions on the Community trademark and the international registration of trademarks.

The provisions on goods laid down in this act also apply to services.

Article 2

A trademark can be any distinctive mark that is used in the course of trade and can be represented graphically.

Article 3

A mark is deemed to be distinctive if it can be used to distinguish goods from those of others in the course of trade. A mark denoting the kind, quality, quantity, purpose, price, or place or time of manufacture either exclusively or with only minor modifications or additions cannot as such be deemed to be distinctive. When evaluating the distinctiveness of a mark, attention must be paid to all circumstances, particularly to how long and how broadly the mark has been used.

Article 5

An exclusive right cannot be obtained to a mark that is solely formed by the characteristic shape of the goods, the shape of the goods necessary for achieving a technical result, or a shape that has essential effect on the value of the goods.

Article 5a

The name or company name of another party may not be included in a trademark. Nor may the auxiliary company name or secondary symbol of another party be included in a trademark, unless they are devoid of distinctive character or are from different lines of business or of a different type of goods.

Article 6

With the exceptions laid down later, the exclusive right to a trademark includes that no-one other than the proprietor of the trademark may use the following as a mark of their goods in the course of trade without the proprietor's consent:

- 1) a mark that is identical with the protected trademark for identical goods;
- 2) a mark that, due to its identicalness with or similarity to the protected trademark for identical or similar goods causes a risk of confusion among the public, which also includes a risk of association between the mark and the trademark.

If the trademark has a reputation in Finland, and the use of the mark without due cause would take unfair advantage of the distinctive character or the repute of the trademark, or be detrimental to the distinctive character or the repute of the trademark, no-one other than the proprietor of the exclusive right to the trademark may in the course of trade use a mark that is identical with or similar to the trademark with a reputation without the consent of the proprietor, even if the goods for which the mark is used are not identical or similar to those for which the trademark with a reputation is protected.

The following are deemed to be usage in the course of trade:

- 1) affixing the mark to the goods or to the packaging thereof;
- 2) offering the goods or putting them on the market, or stocking them for those purposes, under the mark;
- 3) importing or exporting the goods under the mark, or importing the goods for transport to a third country;
- 4) using the mark on business papers in marketing; and
- 5) other corresponding use of the mark.

Verbal usage is also deemed to be the usage of the mark in the course of trade referred to in subsection 3 above.

Article 7

An exclusive right to a trademark does not prevent another party from using any of the following in the course of trade in accordance with good business practices:

- 1) one's own name, company name, auxiliary company name, secondary symbol or address;
- 2) markings indicating the kind, quality, quantity, purpose, value, geographical origin, manufacturing time or other characteristics of the goods; and
- 3) the trademark, if its use is necessary for indicating the purpose of the goods.

Article 13

A mark that is not distinctive in accordance with section 3 or for which an exclusive right cannot be obtained under section 5 does not meet the conditions of registration.

A trademark may not however be refused registration on the grounds of lack of distinctive character, if the trademark has become distinctive through use prior to the date on which the application for registration was filed.

Article 14

A trademark is not registered, if:

- 1) it is contrary to law and order or morality;
- 2) it is liable to mislead the public;
- 3) without proper permission, it includes state armorial bearings, a state flag or other state emblem; an official sign or hallmark, indicating control and warranty, for goods for which the mark is to be registered or for goods similar to them; the armorial bearings of a Finnish municipality, or the flag, armorial bearings or other emblem, name or abbreviation of an international intergovernmental organisation; or some other device, name or abbreviation, if its inclusion in the trademark can cause a risk of the public confusing the trademark with said emblem, sign, hallmark, name or abbreviation;
- 4) it is formed of something, or includes something, that is likely to give the impression that it is another party's protected company name or another party's auxiliary company name or secondary symbol of the kind referred to in section 5a, or the name or likeness of another person, unless the name or likeness is evidently that of someone deceased a long time ago;
- 5) it is formed of something, or includes something, that is likely to give the impression that it is the name of another's protected literary or artistic work, if the name is of a special nature, or if it infringes another's copyright in a work or another's rights in a photograph or a protected design;
- 6) it causes a risk that the public confuses it with the name, protected company name or auxiliary company name of another trader in such a manner that the confusion could be invoked under section 5 of the Trade Names Act (128/1979);
- 7) the proprietor of an earlier trademark possesses the exclusive right to using the mark as a sign of the goods in the course of trade;
- 8) the trademark applicant has made the application for registration in bad faith;
- 9) it causes a risk of confusion with the name of a plant variety protected in Finland or in the European Union;
- 10) there is an obstacle to the registration as referred to in Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs; Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007; Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89; or Regulation (EU) No 251/2014 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91.

An earlier trademark referred to above in paragraph 7 of subsection 1 means:

- 1) a national trademark that was registered based on an earlier application, or that otherwise has earlier priority than the trademark applicant;
- 2) a trademark that is protected by an international registration and is valid in Finland or in the European Union, and that based on this registration has an earlier right in Finland or the European Union than the trademark applicant;
- 3) a Community trademark referred to in section 57, registered based on an earlier application than the trademark application, or that has seniority from Finland under Article 34 or 35 of the Council Regulation mentioned in section 57;
- 4) a trademark that is established when the registration is applied for.

In cases referred to in paragraphs 4—8 of subsection 1, the trademark can be registered with the consent of the party whose right is in question, and there is, according to subsection 1, otherwise no obstacle to registration.

Article 15

The exclusive rights in a trademark acquired by registration do not cover any part of the mark that cannot be registered as such.

If the trademark contains any such part and there are special reasons to believe that its registration may cause uncertainty regarding the extent of the exclusive rights granted, protection of the part may be specifically disclaimed when the registration is made.

If a part of a trademark excluded from protection later becomes registrable, a new registration may be made to cover that part or the entire trademark without the exclusion of the part from protection.

Article 17

The application for registration of a trademark shall be filed in writing with the registering authority. The application shall indicate the name or trade name of the applicant and the goods and classes of goods for which the mark is intended. The mark shall be clearly shown in the application.

A filing fee shall be paid on the filing of the application. The application shall not be considered filed until the fee has been paid.

Article 51a

Provisions on appeals against a decision of the Finnish Patent and Registration Office in a trademark matter are laid down in section 6 of the Act on the Finnish Patent and Registration Office (578/2013).

Article 56a

When the registration authority receives a notification of an international registration having effect in Finland from the International Bureau, it shall examine whether there is any obstacle to the registration.

Article 56b

If the registration authority finds that a trademark filed for international registration does not comply with the conditions of registration laid down in this Act, it shall notify the International Bureau that the international registration has no effect in Finland. The registration authority shall notify its refusal, together with a statement of all grounds, to the International Bureau before the expiry of a period of 18 months from the date of the International Bureau notification referred to in Article 56a.

If the statement issued by the proprietor of an international registration commenting on the notification by the registration authority referred to in the foregoing paragraph does not present any grounds on which the trademark could be deemed to comply with the conditions of registration laid down in this Act, the registration authority shall rule that the international registration has no or only a partial effect in Finland.

If the proprietor of an international registration has not within the given time limit submitted his statement commenting on the registration authority's notification referred to in paragraph 1, the international registration shall not take effect in Finland. If the said notification only concerned some of the goods in the international registration, the international registration shall take effect in Finland in respect of those of the goods that the notification did not concern.

Article 56c

If no obstacle to registration is found, the registration authority shall give public notice of the International Bureau notification referred to in Article 56a as laid down in the first paragraph of Article 20. The public notice shall specify the date accorded to the international registration by the International Bureau.

Any opposition to an international registration in Finland shall be filed in writing with the registration authority within two months of the date of the public notice.

Article 56d

The Finnish Patent and Registration Office sends a notification of an opposition referred to in section 56c, and grounds of it, to the International Bureau referred to in section 53. Regardless of whether the proprietor of the international registration has given a statement due to the notification, the Finnish Patent and Registration Office must examine the opposition.

Due to the opposition, the Finnish Patent and Registration Office must make a decision that the international registration has no effect in Finland, if the registration does not meet the conditions of registration under this act. If the registration meets the conditions of registration under this act only in part, the Finnish Patent and Registration Office must make a decision that the registration has effect only in part. The Finnish Patent and Registration Office must reject the opposition, if there is no obstacle to the international registration in Finland.

If the Finnish Patent and Registration Office decides that the international registration has no effect in Finland or has effect only in part, it makes an entry of this in the record referred to in section 53(2) and gives public notice of the decision once it has become final.

Article 56f

If the proprietor of an international registration who is not domiciled in Finland wishes to submit a statement to the Finnish Patent and Registration Office, the proprietor must appoint a representative resident in the European Economic Area. A corporate body domiciled in the European Economic Area may also act as a representative.

Article 56l

An appeal against a decision by the registration authority may be lodged by the applicant for or proprietor of an international registration who has sought such registration in Finland if the decision has been unfavorable to him or if the case has been dismissed.

An appeal against a decision taken by the registration authority declaring an international registration effective in Finland despite an opposition filed may be lodged by the person who filed the opposition. Even if the person who filed the opposition withdraws his appeal, the case may be examined if there are special reasons for doing so.

Article 51a shall apply as appropriate to appeals under the foregoing two paragraphs.

Article 57a

A request which concerns the conversion of a Community trade mark, an application therefor or an international registration designating the European Community into an application for a national trademark and which the Community Trade Mark Office has forwarded to the office, shall be treated as a national application provided that the applicant:

pays the prescribed fees; (2) submits the registering authority a translation in Finnish or Swedish of the conversion request and the accompanying annex filed in a foreign language; (3) gives the address at which the applicant can be reached in Finland; and (4) provides a representation of the trademark.

An application based on conversion of a Community trade mark or an application therefor is considered to have the same filing date, priority and seniority from Finland as the Community trade mark or the application therefor. An application based on conversion of an international registration designating the European Community has as its filing date the date of the international registration or that of a subsequent designation of the European Community, and it enjoys the priorities and seniorities of the international registration.

Finnish Trademarks Act (544/2019)**Article 107 paragraph 1**

The provisions of law in force at the time of the entry into force of this Act apply to the processing of administrative matters or administrative judicial matters and civil matters that are pending at the time of the entry into force of this Act. The provisions of law in force at the time of the entry into force of this Act apply to the processing of a matter also when appealing against a decision of the Finnish Patent and Registration Office or the Market Court in a matter, to which the provisions of law in force at the time of the entry into force of this Act apply.