

**ARRANGEMENT DE MADRID
CONCERNANT L'ENREGISTREMENT INTERNATIONAL DES MARQUES
REFUS DE PROTECTION PROVISOIRE**

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

I. Administration qui a prononcé le refus: **Office de la propriété industrielle de la République tchèque
Antonína Čermáka 2a, 160 00 Praha 6
République tchèque**

II. No de l'enregistrement international faisant l'objet du refus: **1196024**
No de l'enregistrement national de base: **2013/73112**

III. Nom du titulaire de l'enregistrement international faisant l'objet du refus:
BOSSA TİCARET VE SANAYİ İŞLETMELERİ TÜRK ANONİM ŞİRKETİ, Girne Bulvari, 7. Km., No: 236 Yüreğir/ADANA, TR

IV. Motifs du refus:

Sur opposition déposée par HUGO BOSS Trade Mark Management GmbH & Co. KG, Dieselstr. 12, 72555 Metzingen, DE en sa qualité du titulaire des marques antérieures similaires „BOSS“ suivantes enregistrées pour les produits et services identiques et similaires des classes mentionnées:

Marques européennes:

- No 2342038, enregistrée le 8.6.2006 avec la priorité en République tchèque à partir du 1.5.2004, classes 23, 24, 26,
- No 49221, enregistrée le 29.1.2009 avec la priorité en République tchèque à partir du 1.5.2004. classes 24, 25, etc.

Marques internationales:

- No 776444, priorité à partir du 30.1.2002, classes 23, 24, 26,
- No 483341, priorité à partir du 8.2.1984, classes 18, 24, 25, etc.

En raison de la similitude de la marque demandée avec les marques antérieures et en raison de l'identité et de la similitude des produits et services que les marques désignent, il existe, dans l'esprit du public, un risque de confusion.

/article 7 alinéa 1 lettre b)/

V. Articles de la loi nationale applicables en la matière (Loi No 441/2003 du Journal Officiel sur les marques, modifiée par la Loi No 286/2018 du Journal Officiel, en vigueur le 1^{er} janvier 2019) sont disponibles à l'adresse: <http://www.upv.cz>.

VI. ☒ Refus pour la totalité des produits et/ou services
☐ Refus pour les produits et/ou services suivants:

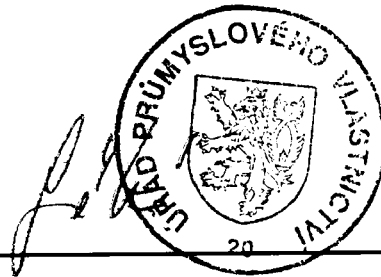
VII. Pendant six mois qui suivent la date du refus le titulaire pourra remplir les conditions de l'avis ou il a le droit de faire valoir ses objections contre cet avis en s'adressant à l'Office de la propriété industrielle de la République tchèque uniquement par l'intermédiaire d'un mandataire – membre des agences mentionnées en annexe. Faute des objections, une décision finale sera prononcée en considérant les changements éventuels dans les registres pertinents.

Expiration du délai pour présenter la requête en réexamen: 30.12.2020

VIII. Date à laquelle le refus a été prononcé: **30.06.2020**

Référence de l'Office No: **252949**

Pour le Président:



EUTM file information

BOSS
002342038

Trade mark information

Name	BOSS	Filing date	16/08/2001
Filing number	002342038	Registration date	08/06/2006
Basis	EUTM	Expiry date	16/08/2021
Date of receipt	16/08/2001	Designation date	
Type	Word	Filing language	German
Nature	Individual	Second language	English
Nice classes	23, 24, 26 (Nice Classification)	Application reference	A 10421 u
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)



23 Yarns and threads, for textile use.

24 Textile goods, namely fabric, curtains; blinds, household linen, table and bed linen, bath linen, travelling rugs, handkerchiefs.

26 Haberdashery, included in class 26; lace and embroidery, ribbons and braid; velcro; buttons, hooks and eyelets, snap buttons, belt clasps, fastenings for clothing; zips and buckles; needles; collar supports, shoulder pads, pins, brooches being clothing accessories.

Description

No data

Owners

HUGO BOSS Trade Mark Management GmbH & Co. KG

ID	207792	Country	DE - Germany	Correspondence address	
Organisation	HUGO BOSS Trade Mark Management GmbH & Co. KG	State/county	n/a	HUGO BOSS Trade Mark Management GmbH & Co. KG	Hidden. You can set your contact details to be publicly available via the User Area.
		Town	Metzingen	Dieselstr. 12	
		Post code	72555	D-72555 Metzingen	
Legal status	Legal entity	Address	Dieselstr. 12	ALEMANIA	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

DENNEMEYER & ASSOCIATES

ID	10666	Country	LU - Luxembourg	Correspondence address	Hidden. You can set your contact details to be publicly available via the User Area.
Organisation	n/a	State/country	n/a	DENNEMEYER & ASSOCIATES	
Legal status	Legal person	Town	Howald	P.O. Box 1502	Hidden. You can set your contact details to be publicly available via the User Area.
Type	Association	Post code	1274	1015 Luxembourg	
		Address	55, rue des Bruyères	LUXEMBURGO	Hidden. You can set your contact details to be publicly available via the User Area.

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	002342038	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	01/07/2020	
	EUTM	002342038	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	23/06/2020	
	EUTM	002342038	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	16/06/2020	
	EUTM	002342038	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	20/11/2019	
	EUTM	002342038	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	20/11/2019	
	EUTM	002342038	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	04/09/2015	
	EUTM	002342038	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	04/09/2015	
	Recordal	008231345	Empty letter for Technical Service	22/08/2014	
	Recordal	008231345	Application form and attachment	22/08/2014	
	Recordal	008231345	T725M - Registration of recordal C.2.2 / B.9.2	18/02/2014	

Showing 1 to 10 of 118 entries

IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

EUTM file information

BOSS
000049221

Trade mark information

Name	BOSS	Filing date	01/04/1996
Filing number	000049221	Registration date	29/01/2009
Basis	EUTM	Expiry date	01/04/2026
Date of receipt	22/03/1996	Designation date	
Type	Word	Filing language	German
Nature	Individual	Second language	English
Nice classes	3, 9, 10, 12, 14, 16, 18, 20, 24, 25, 27, 28, 29, 30, 31, 32, 35, 42 (Nice Classification)	Application reference	HGBTM-056/EM
		Trade mark status	Registered
Vienna Classification		Acquired distinctiveness	No

Goods and services

English (en)



- 3** Essential oils, bleaching preparations and other substances for laundry use; fragrant sprays; Perfumery, deodorising preparations for personal use; soaps; cosmetics; hair care preparations including hair lotions; dentifrices; oral hygiene preparations, not for medical purposes.
- 9** Spectacles and parts therefor.
- 10** Condoms.
- 12** Bicycles.
- 14** Precious metals and their alloys and goods of precious metals or coated therewith (included in class 14); jewellery; clocks and watches.
- 16** Paper, cardboard and goods made from these materials (included in class 16); printed matter; containers of plastic, paper or cardboard for packaging; stickers; playing cards.
- 18** Leather and imitations of leather, and goods made of these materials (included in class 18), in particular small leather goods; trunks and travelling bags; bags; umbrellas and parasols.
- 20** Furniture, mirrors, picture frames; clothes hangers; protective covers of plastic for clothing.
- 24** Woven fabrics and textile goods, included in class 24, in particular handkerchiefs and hand towels; Bed and table linen, wall hangings of textile.
- 25** Clothing for men, women and children; stockings; headgear; underwear; nightwear; swimwear; bathrobes; belts; belts of leather; shawls; accessories, namely headscarves, neck scarves, shawls, dress handkerchiefs; ties; gloves; shoes.
- 27** Carpets; non-textile wall hangings.
- 28** Gymnastic and sporting articles, namely skis, snow boards, surf boards, golf clubs and tennis rackets.
- 29** Jams, fruit sauces; eggs, milk; edible oils and fats.
- 30** Coffee, tea, cocoa, sugar, tapioca, sago, artificial coffee; flour, bread, pastry and confectionery; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments), spices, chocolate and chocolate goods, sugar confectionary.
- 31** Agricultural, horticultural and forestry products as well as grains (as far as contained in class 31); fresh fruits and vegetables; natural plants and flowers.
- 32** Mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
- 35** Advertising, business management, business administration, sales consultancy.
- 42** Planning of offices.

Description

No data

Owners

HUGO BOSS Trade Mark Management GmbH & Co. KG

ID	207792	Country	DE - Germany	Correspondence address	
Organisation	HUGO BOSS Trade Mark Management GmbH & Co. KG	State/country	n/a	HUGO BOSS Trade Mark Management GmbH & Co. KG Dieselstr. 12 D-72555 Metzingen ALEMANIA	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal entity	Town	Metzingen		
		Post code	72555		Hidden. You can set your contact details to be publicly available via the User Area.
		Address	Dieselstr. 12		
					Hidden. You can set your contact details to be publicly available via the User Area.

Representatives

DENNEMEYER & ASSOCIATES

ID	10666	Country	LU - Luxembourg	Correspondence address	
Organisation	n/a	State/country	n/a	DENNEMEYER & ASSOCIATES P.O. Box 1502 1015 Luxembourg LUXEMBURGO	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal person	Town	Howald		
Type	Association	Post code	1274		Hidden. You can set your contact details to be publicly available via the User Area.
		Address	55, rue des Bruyères		
					Hidden. You can set your contact details to be publicly available via the User Area.

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	EUTM	000049221	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	01/07/2020	
	EUTM	000049221	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	23/06/2020	
	EUTM	000049221	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	16/06/2020	
	EUTM	000049221	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	02/04/2020	
	EUTM	000049221	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	13/02/2020	
	Recordal	015875498	Application form and attachment	04/12/2019	
	Recordal	015875498	Letter to the EUIPO	04/12/2019	
	EUTM	000049221	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	20/11/2019	

WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION	Madrid Monitor	International Trademark
776444- BOSS		Printed: 2020-07-02 10:23

776444- BOSS

Full details / English

Current Status

- 180** Expected expiration date of the registration/renewal
30.01.2022
- 151** Date of the registration
30.01.2002
- 270** Language of the application
English
- 732** Name and address of the holder of the registration

HUGO BOSS Trade Mark Management GmbH & Co. KG

Dieselstrasse 12

72555 Metzingen (DE)
- 811** Contracting State of which the holder is a national
DE
- 812** Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment
DE
- 740** Name and address of the representative

Denнемeyer & Associates S.A.

55, rue des Bruyères

L-1274 Howald (LU)
- 540** Mark
BOSS
- 541** Reproduction of the mark where the mark is represented in standard characters
- 511** International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(8)
23 Yarns and threads for textile use.
24 Textile goods, namely textile fabric, curtains; blinds, household linen, table and bed linen, bath linen, travelling rugs, handkerchiefs.
26 Haberdashery, included in this class; lace and embroidery, ribbons and braid; hook and pile fastening tapes; buttons, hooks and eyes, snap fasteners, belt clasps, fastenings for clothings; zip fasteners and buckles; pins and needles; collar ribs, shoulder pads, badges, brooches as clothing accessories.
- 822** Basic registration
DE, 17.09.2001, 301 49 064.3/23
- 300** Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin
DE, 16.08.2001, 301 49 064.3/23
- 832** Designation(s) under the Madrid Protocol
AU - EE - IS - JP - LT - NO - SG - TR
- 834** Designation(s) under the Madrid Protocol by virtue of Article 9sexies
BG - CH - CN - CZ - HR - HU - LI - LV - MC - PL - RU - SI - SK - SM
- 527** Indications regarding use requirements

WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION	Madrid Monitor	International Trademark
483341- BOSS		Printed: 2020-07-02 10:22

483341- BOSS

Full details / English

Current Status

180 Expected expiration date of the registration/renewal

08.02.2024

151 Date of the registration

08.02.1984

270 Language of the application

French

732 Name and address of the holder of the registration

HUGO BOSS Trade Mark Management GmbH & Co. KG

Dieselstrasse 12

72555 Metzingen (DE)

811 Contracting State of which the holder is a national

DE

812 Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment

DE

740 Name and address of the representative

Dennemeyer & Associates S.A.

55, rue des Bruyères

L-1274 Howald (LU)

540 Mark

BOSS

511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)

03 Perfumery products, soaps, body and beauty care products, hair care products, including hair lotions, dentifrices and mouthwash.

09 Spectacles and parts thereof.

14 Watches, jewelry articles.

18 Goods of leather as well as of imitation leather (not included in other classes); suitcases and bags, umbrellas and parasols.

24 Table linen, bed linen, textile material, curtains, bath linen, namely hand towels, handkerchiefs of textile.

25 Clothing for women, men and children, in particular dress suits, coats, jackets, trousers, shirts, bath robes, waterproof coats, underclothing and outerclothing, socks, stockings, knitwear, pullovers, knitted shirts, shoes and headgear, neckties, gloves, belts (of textile or plastic), suspenders.

821 Basic application

DT, 07.10.1983

822 Basic registration

DT, 21.11.1983, 1 056 140

300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin

DT, 07.10.1983, 1 056 140

WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION	Madrid Monitor	International Trademark
483341- BOSS		Printed: 2020-07-02 10:22

- 832 Designation(s) under the Madrid Protocol
 SY - UZ
- 834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies
 AL - AM - AT - BA - BX - BY - CH - CZ - DZ - EG - ES - FR - HR - HU - IT - KG - KP - KZ - LI - MA - MC - MD - ME - MK - PT
 - RO - RS - RU - SI - SK - SM - TJ - UA - VN

Transaction History

expand none

LA REPRESENTATION DES ETRANGERS

DEVANT L'OFFICE DE LA PROPRIETE INDUSTRIELLE

Des personnes n'ayant pas leur siège ou domicile permanent sur le territoire de la République tchèque sont obligées d'être représentées au cours d'une procédure sur les marques par un avocat ou bien par un ingénieur de brevets et de marques (article 46 alinéa 2 et 3 de la loi 441/2003 du Journal officiel).

Les avocats sont enregistrés au registre tenu par:

Le Barreau tchèque

(Česká advokátní komora)

Národní třída 16

110 00 Praha 1

République tchèque

tel.: +420 221 729 011

fax: +420 224 932 989

e-mail: sekr@cak.cz

<http://www.cak.cz>

<http://www.advokatni-komora.cz>

Les ingénieurs de brevets et de marques sont enregistrés au registre tenu par:

Chambre des ingénieurs de brevets et de marques

(Komora patentových zástupců)

Gorkého 12

602 00 Brno

République tchèque

tel.: +420 541 248 246

fax: +420 541 219 469

e-mail: kpz@patentovizastupci.cz

chamber@czechpatentattorneys.info

<http://www.patzastupci.cz>