


# Notification of Partial Provisional Refusal based on an Ex Officio Examination (to WIPO)

Pursuant to Rule 17(2) of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement.

I.	Office making the notification:	patent trademark design <b>Norwegian Industrial Property Office</b> 
II.	Number of the international registration: <b>0363419</b> (National application no.: <b>202000976</b> ) Date of subsequent designation (if any): (yyyy.mm.dd) <b>2019.12.23</b>	
III.	Name of the holder: <b>CHANEL</b>  Representation of the mark: <b>COCO</b>	
IV.	Partial provisional refusal based on an <i>ex officio</i> examination	
V.	Scope of the provisional refusal in respect of goods and/or services  If the holder does not contest the refusal within 3 months from the date of this notification, protection is given for:  Class 1: Chemicals used in industry, science, photography, agriculture, horticulture, forestry, soil fertilizers (natural and artificial), fire-extinguishing compositions, metal tempering and chemical soldering preparations, chemical substances for preserving foodstuffs, tanning substances, adhesives used in industry, unprocessed plastics, artificial and synthetic resins. Class 2: Paints, colorants, preservatives against rust and deterioration of wood, dyestuffs, mordants, natural resins, metals in leaf and powder form for painters and decorators. Class 4: Industrial oils and greases, lubricants, dust-binding compositions, fuel (including motor gasoline) and lighting fuel. Class 5: Pharmaceutical, veterinary and sanitary products, dietetic substances for children and the sick, plasters, materials for dressings, material for stopping teeth and dental wax, disinfectants, preparations for weed and pest control. Class 6: Common metals, unwrought and semi-wrought, and their alloys, anchors, anvils, bells, rolled and cast construction materials, metallic rails and other metallic materials for railway tracks, chains, non-electrical metallic cables and wires, locksmithing, metal pipes, safety boxes and chests, steel balls, horseshoes, nails and screws, ores. Class 7: Machine tools, motors and engines (other than for land vehicles), transmission couplings and belts (other than for land vehicles), large agricultural implements, egg incubators. Class 8: Hand tools and implements, cutlery, forks and spoons, side arms, other than firearms. Class 9: Scientific, nautical, surveying, electric (including wireless apparatus), photographic, cinematographic, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments, coin or token-operated automatic apparatus, talking machines, cash registers, calculating machines, fire extinguishers. Class 10: Surgical, medical, dental and veterinary apparatus and instruments (including artificial limbs, eyes and teeth).	

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

Class 13: Firearms, ammunition and projectiles, explosive substances, fireworks.

Class 15: Musical instruments (excluding talking machines and wireless apparatus).

Class 16: Paper, cardboard, bookbinding material, photographs, stationery, adhesive materials for stationery, artists' supplies, paintbrushes, typewriters and office requisites (except furniture), playing cards, printing type, printing blocks.

Class 17: Gutta-percha, elastic gum, balata and substitutes, sheets, plates and rods of plastic (semi-finished goods), packing, stopping and insulating materials, asbestos, mica, nonmetallic flexible pipes.

Class 19: Building materials, natural and artificial stones, cement, lime, mortar, plaster and gravel, sandstone or cement tubes, products for road building, asphalt, pitch and bitumen, mobile homes, stone monuments, chimneys.

Class 20: Furniture, mirrors, picture frames.

Class 21: Small utensils and portable containers for household and kitchen use (neither of precious metals, nor coated therewith), combs and sponges, brushes (except paintbrushes), brush-making materials, cleaning implements and material, steel wool, glassware, porcelain and earthenware not included in other classes.

Class 22: Ropes, strings, nets, tents, tarpaulins, sails, bags, padding and stuffing materials (animal hair, kapok, feathers, seaweed), raw fibrous textile materials.

Class 23: Thread and yarn.

Class 24: Woven fabrics, bed and table covers, textile articles not included in other classes.

Class 26: Lace and embroidery, ribbons and braids, buttons, snap fasteners, hooks and eyelets, pins and needles, artificial flowers.

Class 27: Mats and matting, linoleum and other products for covering floors, tapestries and draperies (other than of fabric).

Class 28: Games, toys, gymnastics and sporting articles (except clothing), Christmas tree ornaments and decorations.

Class 34: Raw or manufactured tobacco, smokers' articles, matches.

Class 35: Advertising and business service.

Class 36: Insurance underwriting and financial services.

Class 37: Construction services.

Class 38: Communications.

Class 39: Transportation and storage.

Class 41: Education and entertainment.

## VI. Grounds for refusal:

### *Absolute grounds:*

Trademark Act Section 14 - The trademark is considered to be devoid of any distinctive character and/or it can be used in trade to designate the goods in question. It consists of signs or indications, which may serve to describe significant characteristics of the goods claimed in the international registration. The mark consists of the word COCO. COCO is short for coconut or coconut palm. When applied to «Bleaching preparations and other substances for laundry use, perfumery products, beauty products, soap products, make-up, essential oils, hair products, dentifrices» in class 3 and «tallow candles, candles, nightlights and wicks» it indicates a characteristic of the goods, namely that they contain or have a smell of coconuts. Consequently the mark needs to be kept free for commercial use for others, and must be refused for these goods.

Trademark Act Section 18 - The terms «other products of metal (non precious, not included in other classes)» in class 6, «machines» in class 7, «objects made thereof or coated therewith (excluding cutlery, forks and spoons) in class 14», «paper articles, cardboard articles» in class 16, «objects made thereof not included in other classes, and their products» in class

17, «goods made thereof not included in other classes» in class 18, «articles (not included in other classes) of wood, cork, reed, rush, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid and substitutes of all these materials or of plastic materials» in class 20, «repair services» in class 37, «treatment of materials» in class 40, and the term «all miscellaneous services» in class 42 are considered too vague and / or are not sufficiently specified with regards to the goods or types of goods to which those goods and services relate. As the subject matter of the protection conferred is not adequately precise, the mark must be refused.

*Relative grounds:*

Trademark Act Section 16.a

Likelihood of confusion with:

International registration number(s):

0699469	COCO
0363419A	COCO
1385915	COCO CHANEL
1265202	COCO CRUSH
1407464	Coco
1480475	COCO NEIGE

You will find more information about the conflicting mark(s) (if any) enclosed under VIII. The relevant provisions of the Norwegian Trademarks Act are under VII.

VII. Prior marks cited ex officio

**Guide to the following INID codes:**

(111): National registration number / International registration number
(151): Date of national registration / Date of international registration
(180): Date of expiry
(210): National application number
(220): National application date / Date of notification
(300): Data relating to priority (if any)
(450): Date of publication
(511): List of goods and/or services
(540): Reproduction of the mark
(541): Indication relating to the nature or kind of mark (in Norwegian)
(546): Indication relating to the nature or kind of mark (in Norwegian)
(551): Collective mark (regulations)
(571): Description of the mark
(731): Name of the applicant
(732): Name of the proprietor
(740): Power of attorney

(111) **Reg.nr.:** 0699469  
(151) **Reg.dato.:** 1998.08.04  
(180) **Registreringen utløper:** 2028.08.04  
(210) **Søknadsnr.:** 199809860  
(220) **Inndato:** 1998.10.29  
(450) **Kunngjøringsdato:** 2001.03.19

Status:

Detaljstatus:

(540) **Gjengivelse av merket:**  
COCO

(541) **Merketype:**  
Merket er et ordmerke i standard font

(731) **Søker:**  
Chanel SarL, Burgstrasse 26, 8750 GLARUS, Sveits

(732) **Innehaver:**  
Chanel SARL, Quai du Général-Guisan 24, 1204 GENÈVE, Sveits

(511) **Vare-/ tjenestefortegnelse:**  
Klasse 25 Clothing, footwear, headgear.

(111) **Reg.nr.:** 0363419A  
(151) **Reg.dato.:** 1969.11.13  
(180) **Registreringen utløper:** 2029.11.13  
(210) **Søknadsnr.:** 201300182  
(220) **Inndato:** 2013.01.03  
(450) **Kunngjøringsdato:** 2014.06.10

Status:

Detaljstatus:

(540) **Gjengivelse av merket:**  
COCO

(541) **Merketype:**  
Merket er et ordmerke i standard font

(731) **Søker:**  
Chanel SarL, Burgstrasse 26, 8750 GLARUS, Sveits

(732) **Innehaver:**  
Chanel SARL, Quai du Général-Guisan 24, 1204 GENÈVE, Sveits

(740) **Fullmektig:**  
ZACCO NORWAY AS, Postboks 2003 Vika, 0125 OSLO, Norge

(511) **Vare-/ tjenestefortegnelse:**  
Klasse 14 Precious metals and their alloys and objects made thereof or coated therewith (excluding cutlery, forks and spoons), jewelry, precious stones; timepieces and other chronometric instruments.  
Klasse 18 Leather and imitation leather, goods made thereof not included in other classes, animal skins and hides, trunks and suitcases, umbrellas, parasols and walking sticks, whips, harness and saddlery.  
Klasse 25 All types of clothing, including boots, shoes and slippers.

(111) **Reg.nr.:** 1385915  
(151) **Reg.dato.:** 2017.10.19  
(180) **Registreringen utløper:** 2027.10.19  
(210) **Søknadsnr.:** 201801047

(220) **Inndato:** 2018.01.25  
(300) **Søknadsprioritet:** 2017.07.14, CH, 705468  
(450) **Kunngjøringsdato:** 2018.12.27  
Status:

Detaljstatus:

(540) **Gjengivelse av merket:**  
COCO CHANEL

(541) **Merketype:**  
Merket er et ordmerke i standard font

(731) **Søker:**  
Chanel SARL, Burgstrasse 26, 8750 GLARUS, Sveits

(732) **Innehaver:**  
Chanel SARL, Quai du Général-Guisan 24, 1204 GENÈVE, Sveits

(740) **Fullmektig:**  
ZACCO NORWAY AS, Postboks 2003 Vika, 0125 OSLO, Norge

(511) **Vare-/ tjenestefortegnelse:**  
Klasse 9 Optical apparatus and instruments; glasses such as eyeglasses, sunglasses, sports glasses, 3D glasses; binoculars; cases and cords for eyeglasses, sunglasses, sports glasses, 3D glasses and for binoculars; frames and lenses for eyeglasses, sunglasses, sports glasses, 3D glasses; shells, cases, covers and carrying bags for mobile telephones, apparatus and for telecommunication instruments; shells, cases, covers and carrying bags for tablet computers and computer apparatus and instruments; shells, cases, covers and carrying bags for electronic apparatus; cards for mobile telephones; electronic publications relating to fashion and beauty; loyalty cards, debit cards, credit cards; encoded magnetic cards; encoded key cards; mechanism for coin-operated apparatus for dispensing perfumes and cosmetics; mouse pads; CDs, CD-ROMs, DVDs and Blu-ray disks; USB flash drives; headphones; decorative magnets; downloadable graphic elements; downloadable ringtones; accessories for mobile telephones, tablet computers and portable computers; selfie sticks; personal digital assistants; software; software applications for personal computers, portable computers, portable telephones and tablet computers; battery chargers; chargers for mobile telephones and for telecommunication apparatus and instruments; chargers for computer apparatus and instruments; chargers for electronic apparatus; luminous signboards; mechanical signboards; luminous or mechanical signals; digital signs; smartwatches; smartphones; sound transmitting apparatus; telescopes.

(111) **Reg.nr.:** 1265202  
(151) **Reg.dato.:** 2015.07.14  
(180) **Registreringen utløper:** 2025.07.14  
(210) **Søknadsnr.:** 201807451  
(220) **Inndato:** 2018.06.07  
(450) **Kunngjøringsdato:** 2019.11.18  
Status:

Detaljstatus:

(540) **Gjengivelse av merket:**  
COCO CRUSH

(541) **Merketype:**  
Merket er et ordmerke i standard font

(731) **Søker:**  
Chanel SARL, Quai du Général-Guisan 24, 1204 GENÈVE, Sveits

(732) **Innehaver:**  
Chanel SARL, Quai du Général-Guisan 24, 1204 GENÈVE, Sveits

(511) **Vare-/ tjenestefortegnelse:**  
Klasse 14 Jewelry; jewelry products; rings (jewelry), earrings, bracelets (jewelry), necklaces (jewelry),

pendants, brooches (jewelry), cuff links, precious stones; charms; decorative charms for mobile telephones; key rings; timepieces and chronometric instruments, watches, watch bands, clocks.

(111) **Reg.nr.:** 1407464  
(151) **Reg.dato.:** 2018.02.09  
(180) **Registreringen utløper:** 2028.02.09  
(210) **Søknadsnr.:** 201807831  
(220) **Inndato:** 2018.06.14  
(300) **Søknadsprioritet:** 2017.08.11, EM, 017093477  
(450) **Kunngjøringsdato:** 2019.02.11  
Status:

Detaljstatus:

(540) **Gjengivelse av merket:**  
Coco

(541) **Merketype:**  
Merket er et ordmerke i standard font

(731) **Søker:**  
Dethleffs GmbH & Co. KG, Arist-Dethleffs-Strasse 12, 88316 ISNY, Tyskland

(732) **Innehaver:**  
Dethleffs GmbH & Co. KG, Arist-Dethleffs-Strasse 12, 88316 ISNY, Tyskland

(511) **Vare-/ tjenestefortegnelse:**  
Klasse 12 Vehicles, apparatus for locomotion by land, area or water; motor homes; caravans; mobile offices; mobile sales vehicles and mobile advice centres; cars, in particular motor homes; caravans being trailers for motor vehicles and structural parts therefor, included in this class; parts for vehicles (included in this class); vehicle accessories, namely roof racks, ladders adapted for vehicles, motorcycle racks, bicycle carriers, roof boxes, undercarriage storage boxes and stowage boxes, awnings of synthetic materials or of textiles as parts of vehicles, included in this class, canopies as parts as vehicles, included in this class; estate cars; polyester moulded parts for motorhomes.

(111) **Reg.nr.:** 1480475  
(151) **Reg.dato.:** 2019.01.11  
(180) **Registreringen utløper:** 2029.01.11  
(210) **Søknadsnr.:** 201910224  
(220) **Inndato:** 2019.08.01  
(300) **Søknadsprioritet:** 2018.07.12, CH, 719184  
Status:

Detaljstatus:

(540) **Gjengivelse av merket:**  
COCO NEIGE

(541) **Merketype:**  
Merket er et ordmerke i standard font

(731) **Søker:**  
Chanel SARL, Quai du Général-Guisan 24, 1204 GENÈVE, Sveits

(732) **Innehaver:**  
Chanel SARL, Quai du Général-Guisan 24, 1204 GENÈVE, Sveits

(511) **Vare-/ tjenestefortegnelse:**  
Klasse 9 Optical apparatus and instruments; optical goods; eyeglasses, sunglasses, sports glasses, 3D glasses; binoculars; cases and cords for eyeglasses, sunglasses, sports glasses, 3D glasses and for binoculars; frames and lenses for eyeglasses, sunglasses, sports glasses, 3D glasses; spectacle chains; shells, cases, covers and carrying bags for mobile telephones,

telecommunication apparatus and instruments; hard cases, cases, covers and bags for transport for tablet computers and for computer apparatus and instruments; hard cases, cases, covers and bags for transport for electronic apparatus; cards for mobile telephones; electronic publications relating to fashion and beauty; encoded loyalty cards, encoded debit cards, encoded credit cards; encoded magnetic cards; encoded key cards; mechanism for coin-operated apparatus for dispensing perfumes and cosmetics; mouse pads; compact disks, CD-ROMs, DVDs and Blu-ray disks; USB flash drives; headphones; decorative magnets; downloadable graphic elements; downloadable ringtones; accessories for mobile telephones, tablet computers and portable computers; hands-free kits for telephones; selfie sticks; personal digital assistants [PDAs]; electronic agendas; software [recorded programs]; software applications for personal computers, portable computers, portable telephones and tablet computers; battery chargers; chargers for mobile telephones and for telecommunication apparatus and instruments; chargers for computer apparatus and instruments; chargers for electronic apparatus; loudspeakers; luminous signboards; mechanical signboards; luminous or mechanical signals; digital signs; smartwatches; smartphones; apparatus for sound transmission; telescopes; altimeters; global positioning system gps apparatus; protective helmets for sports; virtual reality headsets; life belts; tooth protectors for sports; head protectors for sports; sports whistles.

- Klasse 14 Alarm clocks; boxes of precious metals; jewelry cases [caskets]; busts of precious metal; key rings; clocks; clock cases; chronometers; dials [timepieces]; movements for timepieces; unwrought or semi-wrought precious metals; watches; watch bands; presentation cases for timepieces; watch chains, watch glasses, wristwatch; jewelry articles, bracelets, brooches, chains, charms [jewelry], earrings; hat ornaments [jewelry], pins [jewelry], medals, necklaces, rings; tie pins, ornamental pins, paste jewelry, jewelry; metal key holders; fobs of metal.
- Klasse 18 Leather and imitations of leather; animal skins; trunks, carrying cases, suitcases and traveling sets [leatherware]; umbrellas, parasols and walking sticks; whips, harness and saddlery; wallets; purses (coin purses); garment bags for travel; bags; card holders; business card cases; music cases; vanity cases, not fitted; briefcases; handbags, backpacks, wheeled bags; bags for climbers, for campers, for travel, beach bags, school bags, sports bags; collars or clothing for animals; shopping bags; bags or small bags (envelopes, pouches) of leather for packaging; key cases; attaché cases; luggage tags of leather; hat boxes of leather; leather laces; mountaineering sticks; hiking sticks.
- Klasse 25 Clothing, footwear, headgear; shirts; clothing of leather or imitation of leather; belts (clothing); furs (clothing); gloves (clothing); scarves; shawls; neckties; hosiery; socks; bedroom slippers; stockings; tights; beach, ski or sports footwear; underwear; sleep masks; uniforms; money belts [clothing]; bandanas [neckerchiefs]; headbands [clothing]; ski caps, bathing caps; shower caps; boots; half-boots; suspenders; neck scarves [mufflers]; boxer shorts; bathing trunks; hoods [clothing]; sweaters / pullovers; combinations [clothing]; sports tank tops; sashes for wear; ski gloves; vests; gaiters; skorts; leggings [trousers]; sports jerseys; coats; mittens / mitts; parkas; cap peaks; cap peaks; waterproof clothing; sweat-absorbent underclothing; ear muffs; mittens.

#### VIII. Corresponding essential provisions of the applicable law

See the relevant provisions of the Norwegian Trademarks Act regarding the grounds of this provisional refusal on our home page:

<https://www.patentstyret.no/en/services/trademarks/rules-and-regulations-trademarks/trademarks-act/>

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

- (i) Time limit for requesting review or appeal: **2020.12.10**
- (ii) Authority to which such request for review or appeal should be made:

The Norwegian Industrial Property Office

PO Box 4863 Nydalen, NO-0422 Oslo, Norway

Telephone: +47 22 38 73 00

Telefax: +47 22 38 73 01

E-mail: [post@patentstyret.no](mailto:post@patentstyret.no)

How to proceed:

The holder of the registration may request a review of the provisional refusal. The Norwegian Industrial Property Office must receive the request no later than 3 months from the date of this provisional refusal (The time limit is indicated under point VIII). Such request must provide an address of correspondence and be filed in Norwegian, Danish, Swedish or English. The Norwegian Industrial Property Office will respond in Norwegian. Please note that if The Norwegian Industrial Property Office, either subsequent to review or appeal, accept the designation of Norway, a post grant opposition may be filed against the mark within 3 months from the publication of the mark.

If the holder does not respond to this provisional refusal within the time limit, the international registration shall be considered abandoned in Norway for the goods/services that are excluded (Trademark Act Section 70 and 23). The international registration shall be resumed if the holder, within two months from the expiration of the time limit responds to the provisional refusal and pays the stipulated fee (NOK 550,-). Please note that The Norwegian Industrial Property Office does not send any notifications to the holder that the international registration is abandoned in Norway.

X. Signature by the office:

**THE NORWEGIAN INDUSTRIAL PROPERTY OFFICE**

Hilde Zander

XI. Date of provisional refusal: (yyyy.mm.dd) **2020.09.10**