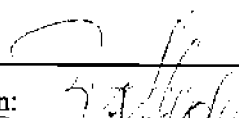


**MADRID AGREEMENT CONCERNING
THE INTERNATIONAL REGISTRATION OF MARKS
AND PROTOCOL RELATING TO THAT AGREEMENT**

PROVISIONAL REFUSAL OF PROTECTION

Notified to the World Intellectual Property Organisation (WIPO)
according to Article 5 of the Madrid Agreement and Madrid Protocol

I.	Office making the notification: PATENT OFFICE OF THE REPUBLIC OF LATVIA Citadeles iela 7/70 LV 1010, Riga LATVIA Phone: +371 67099605 Fax: +371 67099650 e-mail: dzintra.medne@lrpv.gov.lv
II.	Number of the international registration: 1547225
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed): HISPALCO, S.A. C/ Barranco Pascual, 45, Pol. Ind. Campo Aníbal E-46530 Puzol (Valencia) ES
IV.	The grounds of refusal: Provisional refusal based on an opposition: Opposition submitted by GODIVA BELGIUM B.V./S. R. L. Veeartsenstraat 42 D, B-1070 Anderlecht BELGICA holder of EUTM 010925303 /GODIVA/ and EUTM 000184622 /GODIVA/ Information about earlier rights (if any) is enclosed.
V.	Reference to the corresponding essential provisions of the Trade Mark Law (PZL) and/or any other applicable laws or regulations: Section PZL 7.(1)2; PZL 9.
VI.	Provisional refusal for all the goods and/or services
VII.	Possibilities to review or appeal The holder is entitled, within three months from the date on which the International Bureau has notified of the Provisional Refusal, to submit a substantiated appeal to the Patent Office through a professional local patent attorney (Trade Mark Law, Section 81; Law on Industrial Property Institutions and Procedures, Section 58). After expiration of the said period the Board of Appeal shall take a decision to satisfy the opposition, fully or in part, or to dismiss it. The Case can be reviewed, within three months from the date of notification of the Board of Appeal's decision, by a civil action initiated before the Riga City Vidzeme Suburb Court.
VIII.	Date of the notification of provisional refusal: 10.12.2020
IX.	Signature or official seal of the Office making the notification:  Dzintra Medne

X. Corresponding essential provisions of the applicable law:

Section 7. Earlier Trade Mark as a Relative Ground for Invalidation of Trade Mark Registration

(1) A trade mark registration may be declared invalid if:

1) it is identical with an earlier trade mark, and the goods or services for which the trade mark is registered are identical to the goods or services for which the earlier trade mark is registered;

2) due to its identity with, or similarity to, the earlier trade mark belonging to another person and the identity or similarity of the respective goods or services, there exists a likelihood of confusion of the trade marks or a likelihood of association between the trade marks on behalf of the relevant consumers.

(2) Earlier trade marks within the meaning of the Paragraph one of this Section is:

1) trade mark registered in Latvia under national or international registration procedures, or as European Union trade marks if the date of application for registration thereof is earlier than the date of application for registration of the contested trade mark, also taking into account the priority accorded to those trade marks;

2) The European Union trade mark with a later filing date, but with a seniority date which is earlier than the date of application for registration of the contested mark, if the seniority of a trade mark registered in Latvia or registered internationally and extended to Latvia is validly claimed, even when the latter trade mark has been surrendered or allowed to lapse;

3) applications for the registration of trade marks referred to in the Paragraph 1 and 2 of this Section, provided that they are registered.

Section 9. Trade Mark which has a Reputation as a Relative Ground for Refusal or Invalidation of Trade Mark Registration

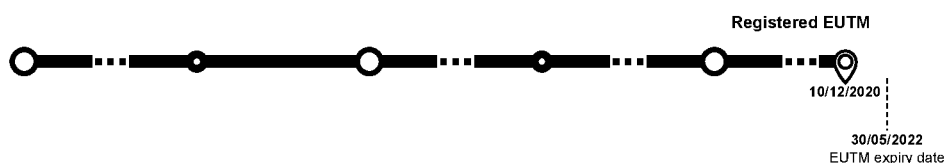
A trade mark registration may be invalidated, if the trade mark is identical with or similar to an earlier trade mark within the meaning of the Paragraph two of the Section 7 of this Law irrespective of whether the goods or services for which it is registered are identical with, similar to or not similar to those for which the earlier trade mark is registered, where the earlier trade mark prior to the date of filing of the contested trade mark or the date of priority, if priority has been validly claimed, has a reputation in Latvia or, in the case of the European Union trade mark, has a reputation in the European Union and the use of the later trade mark without due cause would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark.

EUTM file information

GODIVA

010925303

Timeline



Trade mark information

Name	GODIVA	Filing date	30/05/2012
Filing number	010925303	Registration date	30/10/2012
Basis	EUTM	Expiry date	30/05/2022
Date of receipt	30/05/2012	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	French
Nice classes	35, 43 (Nice Classification)	Application reference	LAB/CTM12-0742
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)



35 Retail services related to food, confectionery and beverage products; advertising and publicity services in relation to gifts; advertising, promotional and publicity services, all employing gifts.

43 Restaurant, bar, coffee shop, café, catering and snack bar services; services for providing food and drink.

Description

No data

Owners

GODIVA BELGIUM B.V./S.R.L.

ID	516752	Country	BE - Belgium	Correspondence address	
Organisation	GODIVA BELGIUM B.V./S.R.L.	State/county	n/a	GODIVA BELGIUM B.V./S.R.L.	Hidden. You can set your contact details to be publicly available via the User Area.
		Town	Anderlecht	Veeartsenstraat 42 D	
		Post code	1070	B-1070 Anderlecht	
Legal status	Legal entity	Address	Veeartsenstra: 42 D	BÉLGICA	

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

Württembergischer Rechtsanwälte

ID	95623	Country	DE - Germany	Correspondence address	
Organisation	n/a	State/county	n/a	Württembergischer Rechtsanwälte	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal person	Town	München	Maximiliansplatz 12b	
Type	Association	Post code	80333	D-80333 München	
		Address	Maximiliansplatz 12b	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.

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	018112493	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	09/07/2020	
	Recordal	018112493	Application form and attachment	02/07/2020	
	Recordal	017697668	H726A - Notification of entry of a change of representative in the Office - Register and database	10/04/2020	
	Recordal	017697668	H726A - Notification of entry of a change of representative in the Office - Register and database	10/04/2020	
	Recordal	017697668	Application form and attachment	09/04/2020	
	Recordal	010860800	T725M - Registration of recordal C.2.2 / B.9.2	22/04/2016	
	Recordal	010860800	Application form and attachment	22/04/2016	
	EUTM	010925303	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	04/03/2014	
	EUTM	010925303	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	04/03/2014	
	Recordal	008064456	T724M - Registration of recordal (change of name and/or professional address of a representative)	17/12/2013	

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IR transformation

No data

Seniority

No data

Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
2012/138	23/07/2012	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
2012/162	27/08/2012	C.2.1	Representative - Change of name and professional address
2012/209	02/11/2012	B.2	Registrations with amendments since the application was published
2013/240	18/12/2013	C.2.1	Representative - Change of name and professional address
2013/240	18/12/2013	C.2.1	Representative - Change of name and professional address
2016/077	26/04/2016	C.2.2	Representative - Appointment / Replacement of representative
2020/071	15/04/2020	C.2.2	Representative - Appointment / Replacement of representative
2020/129	10/07/2020	C.1.3	Proprietor - Change of name and address

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Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2012/162	27/08/2012	C.2.1	006734233	Representative	Change of name and professional address
2013/240	18/12/2013	C.2.1	008063276	Representative	Change of name and professional address
2013/240	18/12/2013	C.2.1	008064456	Representative	Change of name and professional address
2016/077	26/04/2016	C.2.2	010860800	Representative	Appointment / Replacement of representative
2020/071	15/04/2020	C.2.2	017697668	Representative	Appointment / Replacement of representative
2020/129	10/07/2020	C.1.3	018112493	Proprietor	Change of name and address

Showing 1 to 6 of 6 entries

Oppositions

No data

Appeals

No data

Decisions

No data

Renewals

No data

Trade mark relations

No data

InternationalApplications

No data

EUTM file information

GODIVA
000184622

Timeline



Trade mark information

Name	GODIVA	Filing date	01/04/1996
Filing number	000184622	Registration date	25/09/1998
Basis	EUTM	Expiry date	01/04/2026
Date of receipt	01/04/1996	Designation date	
Type	Word	Filing language	Dutch
Nature	Individual	Second language	English
Nice classes	29, 30, 33 (Nice Classification)	Application reference	292340
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)



29 Preserved, dried and cooked fruits; jellies, jams, milk products.

30 Coffee, tea, cocoa, sugar; chocolate products, biscuits, cakes, pastry and confectionery, ice; honey, treacle, sauces (except salad dressings).

33 Alcoholic beverages (except beer).

Description

No data

Owners

GODIVA BELGIUM B.V./S.R.L.

ID	516752	Country	BE - Belgium	Correspondence address	
Organisation	GODIVA BELGIUM B.V./S.R.L.	State/country	n/a	GODIVA BELGIUM B.V./S.R.L. Veeartsenstraat 42 D B-1070 Anderlecht BÉLGICA	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal entity	Town	Anderlecht		
		Post code	1070		

Address

**Veeartsenstrai
42 D**

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**Württembergischer Rechtsanwälte**

ID	95623	Country	DE - Germany	Correspondence address	
Organisation	n/a	State/county	n/a	Württembergischer Rechtsanwälte	Hidden. You can set your contact details to be publicly available via the User Area.
Legal status	Legal person	Town	München	Maximiliansplatz 12b	
Type	Association	Post code	80333	D-80333 München	
		Address	Maximilianspl: 12b	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.

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	Recordal	018331226	T72RW - Change in the name and/or address of the applicant/proprietor - notification of entry in the Register	14/08/2020	
	Recordal	018331226	Application form and attachment	11/08/2020	
	Recordal	018331226	Letter to the EUIPO	11/08/2020	
	Recordal	017697668	H726A - Notification of entry of a change of representative in the Office - Register and database	10/04/2020	
	Recordal	017697668	H726A - Notification of entry of a change of representative in the Office - Register and database	10/04/2020	
	Recordal	017697668	Application form and attachment	09/04/2020	
	EUTM	000184622	LSU02 — Information to proprietors of earlier trade mark registrations or applications (Article 195(4) EUTMR)	24/01/2018	
	EUTM	000184622	LSU01 — Information to proprietors of earlier trade mark registrations or applications (Article 43(7) EUTMR)	09/01/2018	
	EUTM	000184622	LSU02 — Information to proprietors of earlier trade mark registrations or applications (Article 195(4) EUTMR)	11/10/2016	
	EUTM	000184622	LSU02 — Information to proprietors of earlier trade mark registrations or applications (Article 195(4) EUTMR)	11/10/2016	

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IR transformation

No data

Seniority

Country	Filing number	Registration number	Priority date	Filing date	Registration date	International code	Status
Benelux		516642			26/05/1992	EU	ACCEPTED

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Exhibition priority

No data

Priority

No data

Publications

Bulletin number	Date	Section	Description
1998/004	12/01/1998	A.1	Applications published under Article 44 EUTMR (Article 39 EUTMR before 01/10/2017)
1998/085	09/11/1998	B.2	Registrations with amendments since the application was published
2006/024	12/06/2006	D.1	Renewals
2007/043	20/08/2007	C.2.2	Representative - Appointment / Replacement of representative
2007/043	20/08/2007	C.2.1	Representative - Change of name and professional address
2007/045	27/08/2007	C.2.1	Representative - Change of name and professional address
2007/047	03/09/2007	C.2.2	Representative - Appointment / Replacement of representative
2008/045	10/11/2008	C.2.2	Representative - Appointment / Replacement of representative
2008/045	10/11/2008	C.2.2	Representative - Appointment / Replacement of representative
2009/004	02/02/2009	C.1.3	Proprietor - Change of name and address

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Cancellation

No data

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
2006/024	12/06/2006	D.1	001441701	Renewal	Total Renewal
2007/043	20/08/2007	C.2.2	000723067	Representative	Appointment / Replacement of representative
2007/043	20/08/2007	C.2.1	001706756	Representative	Change of name and professional address
2007/045	27/08/2007	C.2.1	002285206	Representative	Change of name and professional address
2007/047	03/09/2007	C.2.2	001001026	Representative	Appointment / Replacement of representative
2008/045	10/11/2008	C.2.2	003478669	Representative	Appointment / Replacement of representative
2008/045	10/11/2008	C.2.2	003478933	Representative	Appointment / Replacement of representative
2009/004	02/02/2009	C.1.3	003640722	Proprietor	Change of name and address
2009/005	09/02/2009	C.2.2	003657551	Representative	Appointment / Replacement of representative
2012/007	11/01/2012	C.2.2	006192671	Representative	Appointment / Replacement of representative

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Oppositions

No data

Appeals

No data

Decisions

No data

Renewals

Title	Filing number	Status	Status date
Renewal	001441701	Trade mark renewed	12/06/2006
Renewal	010039603	Trade mark renewed	11/05/2016

Showing 1 to 2 of 2 entries

Trade mark relations

No data

InternationalApplications

No data