

**MADRID AGREEMENT AND PROTOCOL  
FINAL DISPOSITION OF STATUS OF A MARK**

**STATEMENT OF GRANT OF PROTECTION  
FOLLOWING A PROVISIONAL REFUSAL  
Rule 18ter(2)**

I. Office sending the statement:

**INTELLECTUAL PROPERTY OFFICE OF VIETNAM (IP VIETNAM)**

384 - 386 Nguyen Trai St., Thanh Xuan Dist., Hanoi, Vietnam

II. Number of international registration: **1392686**

III. Name and address of the holder:

**TUI AG**

Karl-Wiechert-Allee 4, 30625 Hannover, Germany

IV. The Office has completed all its procedures and this is the decision by the Office:

Total protection is granted for all goods and/ or services (Rule 18ter(2)(i)).

Partial protection is granted to the following goods and/ or services (Rule 18ter(2)(ii)):

-Cl. 03, 05, 06, 08, 09, 11, 12, 14, 16, 18, 21, 22, 24, 25, 26, 27, 28, 29, 30, 32, 33, 36, 37, 38, 39, 41, 42, 43, 44, 45: All the claimed goods;

-Cl. 35: Advertising, including advertising on the internet; marketing; marketing in digital networks; telemarketing; public relations; advertising and promotional services (for third parties); rental of advertising material; rental and provision of advertising space, including of advertising space on the internet; providing of commercial and business contacts, including on the internet; rental and provision of advertising time on communication media; direct mail advertising; distribution of samples for advertising purposes; dissemination of advertising matter; duplication of documents; publication of publicity texts; writing of publicity texts; publication of printed matter for publicity, in particular for tour operator catalogues, also in electronic form and on the internet; market research including public opinion polling and market analysis; organization of fairs and exhibitions for commercial and advertising purposes; commercial advisory services for consumer; direct mail advertising to attract new customers and to maintain the existing customer base; on-line advertising on computer networks; layout services for advertising purposes; updating, maintenance, systemization and compilation of data in computer databases, in particular for measures of customer retention; organizational consulting regarding measures of customer retention including the awarding of premiums and similar non-cash benefits [development of marketing measures for bonus programs]; developing of marketing activities relating to awarding of premiums and similar non-cash benefits (developing marketing activities for bonus schemes); business and

organizational consultancy, including for customer loyalty programs; business consultancy; business management; business administration; office functions; business organization and management advisory services; bookkeeping; hotel management for others; business consulting services relating to the building projects; organizational and business advice for franchise concepts; business consultancy for franchise transaction; sponsorship, namely providing of advertising and promotional contracts for third parties; rental of office equipment; recruitment of office staff; providing of business addresses for advertising purposes; auctioneering services, in particular on the internet; provision of contracts on the purchase and sale of goods (for third parties) and on the rendering of services via a teleshopping channel; procurement of contracts for provision of services for third parties by teleshopping channel; employment of staff for hotlines and call centres; administrative order processing; retail services in relation to the following goods, namely soaps, perfumery, perfumes, scented water, eau de cologne, deodorants for human beings, potpourris [fragrances], essential oils, cosmetics, cosmetic preparations for bath, skin care (cosmetic preparations for -), lotions for cosmetic purposes, creams (cosmetic), beauty masks, make-up preparations, lipsticks, cosmetic kits, shampoos, hair lotions, dentifrices, mouth washes, not for medical purposes, sun-tanning preparations [cosmetics], shaving preparations, after-shave lotions, boot cream, joss sticks, candles (for lighting), christmas tree candles, scented candles, sanitary preparations for medical purposes, dietetic substances adapted for medical use, food for babies, diapers [babies' napkins], plasters, materials for dressings, disinfectants, sun care preparations for pharmaceutical purposes, sunburn ointments, pharmaceutical products, pharmaceutical and veterinary preparations, medicine cases, portable, filled, emergency boxes, pockets and bags (filled), bath preparations, medicated, therapeutic preparations for the bath, goods of metal, hooks of metal for clothes and bags, locks of metal, boxes of common metal, identity plates of metal, luggage tags of metal, boarding stairs of metal, towel dispensers (fixed) of metal, letter boxes of metal, machines for agricultural purposes, machines for making pasta, cleaning (machines and apparatus for -), electric, ironing machines, cleaning appliances utilizing steam, labellers [machines], bottle washing machines, dishwashers, die-cutting and tapping machines, electric hand drills, hand-held tools, other than hand-operated, high pressure washers, electric glue guns, handling apparatus for loading and unloading, harvesting machines, fruit presses (electric) for household purposes, electric knives, electric blenders for household purposes, electric tin openers, beaters (electric), whisks (electric) for household purposes, bread cutting machines, grating machines for vegetables, coffee grinders (other than hand-operated), kneading machines, kitchen machines (electric), food processors (electric), mills for household purposes (other than hand-operated), pepper mills (other than hand-operated), beer pumps, dynamos, motors for boats, sewing machines, lawnmowers [machines], electric shears, truing machines, electric shoe polishers, automatic vending machines, hand-operated tools, cutlery, forks and spoons, table cutlery [knives, forks and spoons] and silver plate, vegetable slicers, can openers (non-electric), egg slicers (non-electric), nutcrackers, oyster openers, non-electric cheese slicers, foundry ladles [hand tools], mortars for pounding, sugar tongs, garden tools (hand-operated), ice scrapers, side arms, scissors, borers, ratchets [hand tools], crow bars, files [tools], spades [hand tools], blade sharpening instruments, screwdrivers, polishing irons

[glazing tools], razors, razor cases, shaving cases, manicure and pedicure sets, depilation appliances (electric and non-electric), pincers, eyelash curlers, fireplace bellows [hand tools], lawn clippers [hand instruments], sand trap rakes, flat irons, scientific, nautical, surveying, photographic, optical, measuring, signalling, checking and teaching apparatus and instruments, digital thermometers, not for medical purposes, barometers, temperature indicators, wireless meteorological station, in essence composed of a temperature indicator, a barometer, a hygrometer as well as an indicator of date and time, data carriers, in particular magnetic data carriers, cd-roms, dvds, magnetic cards, smart cards, phonograph records and other digital recording media, exchangeable digital data storage mediums, exchangeable electronic data storage mediums, usb flash drives, data-processing apparatus and computers, hardware for data processing, computer software, apparatus for recording, transmission and reproduction of sound, images or data, digital cameras, cameras [photography], camcorders, telephone apparatus in particular, mobile telephones and accessories for the above goods, calculating machines, magnetic data carriers, magnetic and video tapes, exposed films, computer software, mechanisms for coin-operated apparatus, binoculars, magnifying glasses, spectacle cases, spectacles, spectacle lenses, spectacle frames and sunglasses, optical goods, diving suits and masks, breathing apparatus for underwater swimming, magnets (decorative), helmets (protective) for sports, tachometers, mouse pads, scales, test tubes, navigation apparatus for vehicles (on-board computer), navigational instruments, satellite navigational apparatus, downloadable music files, condoms, gloves for massages, massage devices (including for beauty care), massage devices in the form of balls, baby bottles, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, hair dryers, cookware (electric), ovens, toasters, sandwich toasters, grills, roasting spits, barbecues, electric raclette sets, electric fondue sets, electric coffee makers, water boilers, water heaters, electric apparatus for preparing yoghurt, electric waffle irons, warmers (stoves), electric pressure cooking saucepans, warming trays, apparatus for drawing up beer under pressure, automatic bread making machines, electric deep-fat fryers, microwave ovens, ice-cream making machines and apparatus, freezers, refrigerating containers, air cooling apparatus, refrigeration cabinets, steam facial apparatus, electric lamps, book lights, chandeliers, electric christmas tree lighting, fairy lights for festive decoration (paper lanterns), lanterns, torches, bicycle lights, lighting apparatus for vehicles, flaming torches and torches for lighting, lampshade holders, lampshades, lanterns, oil lamps, light bulbs (for lighting), pocket warmers, fans (air conditioning), hot-water bottles, electric bottle warmers, foot warmers (electric or non-electric), radiators (heating), electric blankets, not for medical purposes, hot air apparatus, fan heaters, heat accumulators, friction lighters for igniting gas, gas lighters, petrol burners, air conditioning installations, air conditioning apparatus, water filtering apparatus, ornamental fountains, fountains, water intake apparatus, taps, in particular water taps, bath tub linings, vehicles, apparatus for locomotion by land, air or water, vehicle accessories, air pumps, rear view mirrors, sun-blinds adapted for automobiles, bicycle baskets, bells for bicycles, pedals for bicycles, bicycle seats, dress guards for bicycles, spoke clips for wheels, luggage bags for two-wheeled vehicles, pumps for bicycles, handlebars for bicycles, mudguards, snow chains and anti-skid chains, barrows, tilting carts, golf carts

[vehicles], prams, parachutes, vehicle covers, fireworks, sparklers [fireworks], firecrackers, precious metals and their alloys and goods in precious metal or coated therewith, jewellery, precious stones, jewellery, in particular bracelets, brooches, rings and earrings, horological and chronometric instruments, alarm clocks, watches and watch straps, pins [jewellery], boxes and figurines (statuettes), all of precious metal, jewellery chains, tie-pins and clips, cufflinks, key rings, jewellery boxes, paper, cardboard and goods made from these materials, in particular nameplates, luggage labels, transfers [decalcomanias], stickers [stationery], containers for stationery, beer mats, paper and plastic packing bags, conical paper bags, pads of paper and writing paper, printed matter, books, leaflets, brochures, newspapers, magazines, photographs, postcards, tickets, entry tickets, calendars, cards, catalogues, writing instruments, in particular pens, pencils and fountain pens, artists' materials, paint brushes, office requisites (other than furniture), drawing pins, sealing stamps and inking pads, boxes for notepads, instructional and teaching material (except apparatus), cardboard, paper and plastic materials for packaging, printers' type, paper flags and pennants made of paper, adhesives for stationery purposes, table mats of paper for glasses, mugs, cups, coffee and tea pots, document holders [stationery], leather and imitations of leather and goods made from these materials, trunks, briefcases and travelling bags, document wallets, rucksacks, bags, in particular shoulder bags, bottle bags, bags for camping, belt bags, beach bags, bags for sports, wallets, purses, shopping bags and net bags for shopping, travel kits (leather goods), key cases, toilet bags, suitcase straps, saddlery, horse blankets and halters, umbrellas and parasols, walking sticks, luggage tags of leather or artificial leather, boxes of leather or leather board, luggage tags (nameplates) (not of metal), shopping trolley tokens (not of metal), household or kitchen utensils and containers, in particular boxes, soap boxes, food storage jars and insulated containers, salt cellars and pepper pots, non-electric beaters, pots, frying pans, woks, non-electric fondue sets, non-electric appliances for making yogurt, soap dispensers, soap holders, combs and sponges, brushes (except paint brushes), brushes for footwear, brush-making materials, toothbrushes, including electric toothbrushes, articles for cleaning purposes, deodorizing apparatus for personal use, unworked or semi-worked glass (except glass used in building), glassware, porcelain and earthenware, in particular vases, decanters, flasks and glasses [receptacles], works of art made of porcelain, clay or glass, fruit bowls, napkin rings, cosmetic utensils, perfume vaporizers, shaving brushes, spectacle cleaning cloths, bottles, in particular insulating flasks, refrigerating bottles, demijohns and drinking flasks for travellers, non-electric fruit presses for household purposes, corkscrews, bottle openers, fitted picnic baskets (including dishes), non-electric cold boxes (portable), isothermic bags, services [dishes], coffee services, tea services, chopsticks, shoe horns, shoe trees [stretchers], coasters (not of paper and other than table linen), trivets [table utensils], table mats, not of paper for glasses, mugs, cups, coffee and tea pots [table utensils], toothpicks, toothpicks holders, disposable table plates, flower-pot covers, watering cans, ice buckets, garden, polishing and cooking gloves, gloves for household purposes, portable baby baths, baby potties for sanitary purposes, non-electric heaters for feedings bottles, bread and cutting boards, piggy banks, waste paper baskets, ropes, string, nets, tents, tarpaulins, sails, sacks, padding and stuffing materials (except of rubber or plastics), raw fibrous textile materials, braces, not of

metal, for handling loads, packing rope, packing string, plastic fibres for textile use, beach shelters, bags for washing hosiery, yarns and threads for textile purposes, sewing threads and yarn, textiles and textile goods, bed covers, bedspreads and table covers and cloths, bath towels and hand towels, napkins and handkerchiefs of textile, curtains and drapes of textile, pennants and flags (not of paper), printers' blankets of textile, bedding (bed linen), labels of textile, coasters (table linen) of textile, for jugs, bottles, glasses, mugs, cups, coffee pots and tea pots, shower curtains of textile or of plastic, clothing, in particular tee-shirts, trousers, gloves, shirts and blouses, money belts (clothing), belts, headgear, in particular hats, caps and shower caps, scarves, ties, combinations [clothing], raincoats, neck scarves [mufflers], socks, headbands and sweaters, swimsuits, bathing trunks, bathrobes, footwear, in particular sandals, bath slippers and sports shoes, pockets for clothing, wet suits for water skiing, aprons (clothing), carnival costumes, ski gloves, lace and embroidery, ribbons and braid, buttons, hook and eyes, needles, artificial flowers and fruits, lanyards, badges, trouser clips for cyclists, hair bands, hair clips, bows for the hair, decorative articles for the hair, hair barrettes, needle cases, sewing boxes, brassards, mats, floor mats, gymnastic mats, bath mats, linoleum, oilcloth, carpets, toilet mats, reed mats, floor coverings (top floors), wall hangings (non-textile), games, playthings, parlour games, inflatable playthings of plastic, in particular in the form of planes and animals, gymnastic and sporting articles, playing cards, model toys and their parts, scale models, in particular of vehicles, air planes, railways and ships as well as accessories therefor, scale model kits [toys], golf bags (with or without wheels), golf clubs, golf gloves, divot repair tools [golf accessories], pitch forks [golf accessories], landing nets for anglers, ornaments for christmas trees, (except illumination articles and confectionery), candle holders for christmas trees, confetti, puppets, plush toys, rattles, scooters [toys], roller skates, balls for games, play balloons, jigsaw puzzles, video game machines, portable games with liquid crystal displays, apparatus for games, water wings, meat, fish, poultry and game, meat extracts, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milks and milk products, edible oils and fats, meat, fish, vegetable and fruit preserves, crystallised fruit, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, edible ices, honey, treacle, yeast, baking powder, salt, mustard, vinegar, sauces (including salad dressings), spices, ice for refreshment, candy, in particular fruit gums and wine gums, sweets, lozenges [confectionery] and lollipops, chocolate, advent calendars, christmas sweets or gift bags (filled or decked with candy, chocolate goods and/or pastries), ice cream, agricultural, horticultural and forestry products and grains, live animals, fresh fruits and vegetables, seeds, natural plants and flowers, animal foodstuffs, beers, mineral and aerated waters and other non-alcoholic beverages, fruit drinks and fruit juices, syrups and other preparations for making beverages, alcoholic beverages (except beers), tobacco, smokers' articles, in particular ashtrays, tobacco pouches, tobacco jars, cigarette cases and tins, cigarillos, cigar cases and boxes, cigar boxes (with humidor), cigarettes, tobacco pipes, snuff boxes, pipe racks for tobacco pipes, matches, match boxes, match holders and lighters for smokers; compilation of different services for third parties for the following services of class 35, namely advertising, of class 36, namely issuance of vouchers, insurance brokerage, health and travel insurance, real estate management as well as providing,

leasing and renting of real estate, of class 38, namely telecommunications, providing access to databases, rental of access time for global computer networks, of class 39, namely organization, booking and arrangement of travels, excursions and cruises, travel reservation, of class 41, namely organisation of seminars and language courses, entertainment, physical education services, fitness club services, organization of sports competitions, organization of cultural and sporting events, arranging of cultural and sporting events, reservation services for sporting, scientific and cultural events, game services provided on-line, organization of exhibitions for cultural and teaching purposes, radio entertainment, television entertainment, of class 42, namely creation, installation, updating, care and maintenance of computer software, computer programming for data processing and communication, rental of computers and software, computer programming services for constructing and maintaining of internet portals, chat rooms, chat lines and internet forums, design and construction of homepages and websites, creating and maintaining websites for others, updating of websites, creating of websites for the internet, of class 43, namely providing temporary accommodation, providing of food and drinks for guests, providing hotel reservation services, providing hotel and motel services, catering, services of boarding houses, bar services, of class 44, namely medical services, hygienic and beauty care for human beings; arranging of commercial transactions for third parties, including in the context of e-commerce; commercial administration of the licensing of the goods and services of others.

Granted by Decision No. **2642/QĐ-SHTT** of 08-07-2021

V. Information relating to subsequent procedure:

- a) Time limit for appeal: 90 days from the receiving or knowing date of this decision by the applicant
- b) Authority to which appeal should be made:  
Intellectual Property Office of Vietnam (IP VIETNAM)  
384 - 386 Nguyen Trai St., Thanh Xuan Dist., Hanoi, Vietnam
- c) The application for appeal shall be filed through an authorized representative in Vietnam

VI. Signature or official seal by the Office:

Deputy Director General *e*

*TLH*

**Tran Le Hong**

VII. Date: 08-07-2021

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