



World Intellectual Property
Organisation (WIPO)
International Bureau
34, Chemin des Colombettes
1211 Geneva 20
Switzerland

Your Reference:
International Registration No:
WO0000001579492
Examiner: Adam Pike
Direct Telephone: +44(0)1633814210
Date: 08 December 2021

Please reply by quoting the International Registration number

Intl Reg No: WO0000001579492
Mark: FIRE & ICE (3D)
Holder: F&I Beverages AG
Class(es): 33

**Notification Of A Provisional Total Refusal Of Protection Based On An
Opposition By The United Kingdom Intellectual Property Office In
Accordance With Article 5 Of The Madrid Protocol**

I am writing to inform you that following receipt of an opposition to the above trade mark, it is necessary to issue this formal provisional refusal letter. This provisional refusal covers all of the goods and services of the International Registration.

Please find attached a copy of the TM7 'Notice of Opposition', which includes details of any marks referred to in the statement of case, which was received by the United Kingdom Trade Mark Registry. Copies of these documents have been sent to the holder informing them of this provisional refusal.

If the holder of the International Registration wishes to file a counterstatement, they must complete the form TM8 'Notice of defence and counterstatement', which is available at ipo.gov.uk/tmforms and **return it to this office** within **two months** of the date of this letter. This period cannot be extended, except in the circumstances described below. The holder should note that failure to file a TM8 will result in the provisional refusal being upheld.

If both parties to this dispute wish to negotiate and want to enter a 'cooling off period' then the time for filing the TM8 can be extended for a further seven months by the filing the form TM9c 'Request for a cooling off period, which is available at ipo.gov.uk/tmforms

The TM8 should be received on or before the date requested above unless a cooling off period is entered into by the parties.

The holder of the International Registration must provide us with an address for correspondence in the United Kingdom (which for the purpose of the Act includes the Isle of Man, the Channel Islands and Gibraltar) on a form TM33 'Appointment

or change of agent or contact address', which is available at ipo.gov.uk/tmforms within this two month period. If one is not provided within this time, the international registration will be treated as withdrawn in whole or part.

If one is not provided within this time the refusal will be made final.

Adam Pike

Trade Marks Registry