

**Notification of provisional refusal of protection based on an opposition
(Article 5 of the Madrid Protocol and Rule 17(1) and (2) of the Regulations under the
Protocol relating to the Madrid Agreement and Article 78 EUTMDR)**

Alicante, 23/08/2024

International registration No: **1783263**

Date of notification to EUIPO: **04/04/2024**

Trade mark: **HNDRD**

Holder: **HYAKU SPORTS PTE. LTD.
20 CECIL STREET,
#05-03 PLUS
SINGAPORE 049705
Singapore**

Opposition number: **B 003221601**

Protection of the abovementioned mark is provisionally refused for the European Union.

The provisional refusal is based on the fact that an opposition has been filed against the international registration.

The Office has notified the opposition separately to the holder of the international registration, including all evidence on which it is based, pursuant to Article 6(1) EUTMDR.

The notification sets a time limit of two months (including relevant notification offset) starting on the day the Office issues the notification, that is until **02/11/2024** for the holder to appoint a representative within the meaning of Article 120(1) EUTMR. Protection of the international registration designating the European Union will be refused in its entirety if the holder fails to appoint a representative within the time limit. In addition, the notification opens an (extendable) cooling-off period, a further period for the opponent to substantiate the opposition and a period for the holder of the international registration to submit observations.

I. The grounds for opposition are as follows.

Conflict with an earlier non-registered trade mark or other sign used in the course of trade of more than mere local significance protected under the law of a Member State of the European Union (Article 8(4) EUTMR).

II. Name and address of the opposing party:

**ENGLAND AND WALES CRICKET BOARD LIMITED
Lord's Cricket Ground
London NW8 8Q2**

United Kingdom

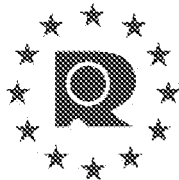
Name and address of the representative:

Stobbs Ireland Limited
Suite 308, The Merrion Buildings, 18-20 Merrion Street Upper
Dublin 2 D02 XH98
Ireland

III. The opposition is based on a mark which was the subject of an application or registration.

- type of mark : **Non-registered Trade Mark**
- filing date, registration date and, if applicable, priority date: **NOT AVAILABLE**
- filing number and, if different, registration number: **IT licationNumberIA - IT iryDate**
- reproduction of the mark: (see annex)
- list of goods on which the opposition is based: (see annex)

IV. The provisional refusal relates to all the goods covered by the designation of the European Union.



Brigitte MARTIN

Enclosures

Date of receipt (DD/MM/YYYY) 08/08/2024	Number of pages (including this one) 4
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Acknowledgement of receipt of a Notice of opposition

Your notice of opposition has been submitted successfully.
We thank you for choosing to use the online OPPOSITION form.

Opposition number:	003221601
Date of submission:	08/08/2024
Time of submission:	11:31
Number of attached files:	0
Payment method:	Current account with EUIPO
Payment ID number:	24EQDQY1

Please indicate the opposition number in any further communication with the EUIPO.

NOTICE OF OPPOSITION

Your reference: 3792/30072

Opponent(s)	Opponent EUIPO ID: 178922
Name of legal entity or first name and surname:	ENGLAND AND WALES CRICKET BOARD LIMITED
Type:	Legal Entity
Street address:	Lord's Cricket Ground
City:	London
Postal Code:	NW8 8Q2
Country:	United Kingdom
Postal address (if different):	ENGLAND AND WALES CRICKET BOARD LIMITED Lord's Cricket Ground London NW8 8Q2 United Kingdom
Telephone number:	
E-mail address:	
Website:	

Representative(s)	EUIPO representative ID: 90552
Name or legal name:	Stobbs Ireland Limited
Type:	Association
Street address:	Suite 308, The Merrion Buildings, 18-20 Merrion Street Upper,
City:	Dublin 2
Postal Code:	D02 XH98
Country:	Ireland
Postal address (if different):	Stobbs Ireland Limited Suite 308, The Merrion Buildings, 18-20 Merrion Street Upper, Dublin 2 D02 XH98 Ireland
Telephone number:	
E-mail address:	
Website:	

Challenged entity	Challenged registration ID: W01783263
Type of entity:	IR
Name of the owner/holder:	HYAKU SPORTS PTE. LTD.
Designation date:	16/02/2024
Representation of the trade mark:	HNDRD
Trade mark type:	Figurative
Representation of mark:	

NOTICE OF OPPOSITION



Language of proceedings First language: EN (English) Second language: IT (Italian)

Extent of the application Against all the goods and services
 Against some of the goods and services

Class	Goods and services
25 (EN)	Clothes; work clothes; clothes for sport; swimwear; footwear; footwear for sports; insoles; headwear; undergarments; gloves [clothing].
Class	Goods and services
28 (EN)	Sports equipment; rackets; sports bats; balls for sports; exercise equipment, other than for medical rehabilitative purposes; strings for rackets; shuttlecocks; grips for rackets; athletic supporters [sports articles]; body-training apparatus; sports training apparatus; tables for table tennis; nets for sports; yoga blocks; bags adapted for sporting articles.

Grounds for opposition

Selected ground number 1

Article 8(4) EUTMR - The earlier non-registered trade mark or other sign is used in the course of trade of more than mere local significance and, pursuant to the law governing it, confers on the opponent the right to prohibit the use of a subsequent trade mark

Basis of opposition

Type of basis	Non-registered trade mark
Territory(ies)	Ireland ; Slovenia ; Portugal ; Malta ; Latvia ; Hungary ; France ; Denmark ; Croatia ; Austria ; Belgium ; Cyprus ; Estonia ; Germany ; Lithuania ; Netherlands ; Romania ; Spain ; Sweden ; Slovakia ; Poland ; Luxembourg ; Italy ; Greece ; Finland ; Czech Republic ; Bulgaria
Trade mark type	Word
Verbal elements	THE HUNDRED
Goods and services/Business activities	Clothing, headgear, sporting equipment, sporting and cultural activities, entertainment

Entitlement Owner/Co-owner Authorised licensee
 Person authorised under the applicable law

Evidence in support and Attached To follow

Fees

Current account

NOTICE OF OPPOSITION

Payment method		
Opposition of EUTM fee		320.00 €
Total amount		320.00 €
Current account with EUIPO		
Signature		
First name and Surname	Capacity of the signatory	
Mary White	Professional representative	

Annexes:

Selected ground number 1
No attachments
Arguments
No attachments
Annexes to Arguments (Evidence)
No attachments