FINNISH PATENT AND REGISTRATION OFFICE

THE PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

EX OFFICIO PROVISIONAL TOTAL REFUSAL

notified to the International Bureau of the World Intellectual Property Organization (WIPO) according to Art. 5 of the Madrid Protocol

I. Office issuing the decision:

Finnish Patent and Registration Office
Trademarks
FI-00091 PRH
Telephone: +358-29-509 5000
Telefax: +358-29-509 5328

II. Number of the international registration which is the subject of the decision: 1839619

III. Other information concerning the international registration which is subject of the refusal:



(Figurative mark)

IV. The grounds for this refusal are the following:

Ground for refusal:
EU trademark number 005704481 NELLY (word mark) (The enclosed information of the EU trademark is a printout from eSearch plus (EUIPO's Database))

Reasoning: The mark liable to be confused with the above-mentioned earlier trademark which is protected for identical and similar goods. (Section 13(1)(2) of the Finnish

	Trademarks Act) Due to this ground international registration is refused for the following goods: Class 3: All the goods
V.	Provisions of the Finnish Trademarks Act applicable on the subject (enclosed): Section 13
VI.	Total refusal.
VII.	The holder of the registration may request a review of the refusal. The request shall be received by the Finnish Patent and Registration Office no later than within 2 months from the date of the refusal. **The time limit expires 11.05.2026 (dd.mm.yyyy).** **Please use the following reference number when submitting the request: W202600086** The request can be submitted through our electronic service at https://asiointi.prh.fi/tmposti/en The request is to be drawn up in Finnish or Swedish. If the holder of the international registration is not a resident of the European Economic Area, the request has to be filed through the intermediary of a representative resident in the European Economic Area (Section 28, subsection 6). The identification details of the holder and representative have to be provided in the request (Section 16). If the holder or representative is a foreign company, provide the register number. If the holder or representative is a private person, indicate the date of birth or Finnish personal identity code. If the holder of the registration has not within the time limit given above requested for the review, the registration shall not take effect in Finland for the goods/services which are affected by the refusal (Section 92, subsection 4). If the holder of the international registration has failed to submit a response to the refusal by the time limit, the holder may ask for a continued processing of the registration. The request for continued processing has to be filed within two months from the time limit. Within those 2 months the holder must also pay a fee of 100 € and submit arguments for overcoming the obstacles reported in the refusal (Section 22). If the grounds for this refusal include EU trademarks, EU trademark applications or international registrations designating Finland or the European Union, they can remain as grounds for refusal also in cases where they are transformed into national applications or, specifically in the case of designations concerning the European Union, the designations are transformed either into designations concerning Finland or into EU trademark applications, and the said applications or designations are ultimately

accepted.

Please note that if the designation is accepted subsequent to reviewal or appeal an opposition may be filed against the mark within 2 months of the publication of the mark (Section 32). **Oppositions may be filed after the end of the 18-month period** (Art. 5 (2)(c)(i) of the Madrid Protocol, Rule 16(1) of the Common Regulations).

VIII. Date on which the decision was pronounced: 11.03.2026 (dd.mm.yyyy)

Signature of the Office:
Finnish Patent and Registration Office
11.03.2026 (dd.mm.yyyy)

Heini Papinsaari
Legal Officer
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This document has been electronically signed.

Extract from the Finnish Trademarks Act (544/2019)
(Unofficial translation)

Section 11
Signs of which a trade mark may consist
Any sign may be registered as a trade mark when:

1) it is capable in trade of distinguishing the goods or services of the proprietor of the trade mark from those of other parties; and
2) it is capable of being represented on the Register of Trademarks in a manner which enables the authorities and the public to determine the clear and precise subject matter of the protection afforded to its proprietor.

The following shall be considered to be devoid of distinctive character:

1) trade marks that may describe the kind, quality, quantity, intended purpose, value or geographical origin of goods or services, or the time of production of the goods or of rendering of the service, or other characteristics of the goods or services;
2) trade marks which have become a generic name in trade for the good or service; or
3) trade marks which cannot in other respects be used to distinguish the goods or services of the proprietor of the trade mark from those of another party.

Exclusive rights also to a sign other than referred to in paragraph 1 may be obtained through establishment.
Even on the basis of establishment, a trade mark may not consist of a sign which consists exclusively of a shape or another characteristic that:

1) results from the nature of the good or service;
2) is necessary to obtain a technical result; or
3) gives substantial value to the good or service.

Section 12
Absolute grounds for refusal and invalidity
A trade mark may not be registered or, if registered, shall be invalidated if:

1) trade mark which is not capable of being represented on the Register of Trademarks in the manner laid down in section 11, subsection 1, paragraph 2;
2) trade mark which cannot constitute a trade mark under section 11, subsection 4;
3) trade mark which are devoid of any distinctive character as provided in section 11, subsection 1, paragraph 1, and seciton 11, subsection 2;
4) trade mark which is contrary to law, public policy or accepted principles of morality;
5) trade mark which is of such a nature as to deceive the public;
6) trade mark which, without proper consent, include a state escutcheon, state flag or other state emblem, the escutcheon of a Finnish municipality, or the flag, escutcheon or other badge or emblem of an international intergovernmental organisation, or some other protected badge based on an international treaty that is binding on Finland;
7) trade mark which, without the proper consent, includes an official certification or guarantee mark, or official sign or hallmark, for goods for which the mark is to be registered or for goods similar to them;
8) trade mark which, without the proper consent, includes something, the inclusion of which in the mark may cause a risk of the public confusing the trade mark with the sign, flag, escutcheon, badge, emblem or hallmark referred to in paragraphs 6 or 7;
9) trade mark which is excluded from registration in Finland or in the European Union pursuant to a provision concerning protection of designations of origin and geographical indications, traditional terms for wine, or traditional specialities guaranteed;
10) trade mark which consists of, or reproduces in its essential elements, an earlier plant variety denomination protected in Finland or in the European Union, and the goods or services covered by the trade mark application or trade mark registration are of the same or closely related species with the plant variety;

11) trade mark for which an earlier collective mark application or collective mark registration concerning the identical sign already exists in the Register of Trademarks for identical goods or services;
12) trade mark for which an earlier certification mark application or certification mark registration concerning the identical sign already exists in the Register of Trademarks for identical goods or services or such a certification mark registration, the validity of which has expired due to lack of renewal, has existed in the Register of Trademarks.

A trade mark shall also be invalidated when the application for registration of the trade mark was filed in bad faith by the proprietor of the trade mark.

The registration of a trade mark may not be refused pursuant to subsection 1, paragraph 3 when the trade mark, prior to the date of filing, has acquired a distinctive character in use among its relevant public as the sign of the goods or services of the applicant for the trade mark. A trade mark may not be invalidated pursuant to subsection 1, paragraph 3 when the trade mark, prior to the date of filing of an application or action for invalidation, has acquired a distinctive character in use in a corresponding manner.

Section 13
Relative grounds for refusal and invalidation

A trade mark may not be registered or, if registered, shall be invalidated if:
1) the trade mark is identical with an earlier trade mark that has been registered or become established for identical goods or services;
2) the trade mark causes a likelihood of confusion on the part of the public because of its identity with, or similarity to, the earlier trade mark that has been registered or become established for identical or similar goods or services;
3) the trade mark is identical with or similar to an earlier trade mark that has a reputation in Finland or in the European Union regardless of whether used for identical or similar goods or services if:
a) the use of the trade mark without due cause would take unfair advantage of the distinctive character or the repute of the trade mark that has a reputation; or
b) the use of the trade mark without due cause would be detrimental to the distinctive character or the repute of the trade mark that has a reputation;
4) the trade mark creates a likelihood of confusion on the part of the public with an earlier protected company name, auxiliary company name, translation of company name or secondary symbol of another trader:
a) whose line of business is identical with or similar to the goods or services included in the list of goods or services;
b) who is very well established and well-known, and the use of a similar trade mark would constitute improper exploitation of the goodwill associated with the company name; or
c) who is established and, relative to the particular nature of the activities, the use of a similar trade mark would be liable to diminish the goodwill associated with the company name;
5) the use of the trademark would infringe an earlier copyright as referred to in section 1 of the Copyright Act (404/1961) or an earlier right to control a photographic picture as referred to in section 49a of the Copyright Act;
6) the use of the trade mark would infringe the earlier design right of another;
7) the trade mark is likely to give the impression that it is the name or likeness of another person, unless the name or likeness is evidently that of someone deceased a long time ago;
8) the representative of the proprietor of the trade mark applies for registration of the trade mark in its own name without the consent of the proprietor, unless there is a proper reason for the registration;
9) an application for a designation of origin or a geographical indication under the legislation of Finland or the European Union has been submitted prior to the date of filing or the date of priority of the trade mark, provided that the said designation or indication is subsequently registered and the registration confers the right to prohibit the use of the later trade mark.

A trade mark shall also not be registered when the trade mark is liable to be confused with an earlier trade mark protected abroad, provided that the application for registration was submitted in bad faith by the applicant.

Earlier trade mark within the meaning of subsection 1, paragraphs 1–2 means:

1) a national trade mark or application for a trade mark with an earlier date of filing or otherwise with an earlier priority;
2) a trade mark that has become established at the date of filing or date of priority;
3) an EU trade mark or application for an EU trade mark with an earlier date of filing or otherwise with an earlier priority;
4) an EU trade mark that has the seniority provided in Article 39 or 40 of the EU Trade Mark Regulation over a national trademark or over an international registration designating Finland; or
5) an international registration designating Finland or the European Union with a prior date of registration or date of filing of extension request or otherwise with an earlier priority.

Notwithstanding the provisions of subsection 1, paragraphs 1–8 and subsection 2, a trade mark may be registered with the consent of the person whose right is concerned. A trade mark shall not be invalidated pursuant to subsection 1, paragraphs 1–9 when the person whose right is concerned has given consent.

Section 16
Applying for registration

The application for the registration of a trade mark shall be filed electronically with the Finnish Patent and Registration Office. For a particular reason, the Finnish Patent and Registration Office may accept the filing of an application on paper.

The application for registration shall include:

1) the identification details of the applicant;
2) a list of the goods or services for which the registration is sought; and
3) a representation of the trade mark that satisfies the requirements laid down in section 11, subsection 1, paragraph 2.

The date of filing of the trade mark is the date on which the applicant submits to the Finnish Patent and Registration Office an application that satisfies the requirements laid down in subsection 2 and pays the application fee.

The trade mark application may also be filed in English, in which the case the applicant shall choose either Finnish or Swedish as the processing language for the application.

Section 17
Classification of goods and services

The system of classification established by the edition and version valid at the date of filing of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of 15 June 1957 (‘the Nice Classification’) shall be applied to the classification of the goods and services.

The applicant shall classify and group the goods and services for which registration is sought in accordance with the Nice Classification and with sufficient clarity and precision to enable the extent of the protection sought to be determined.

The use of general terms, including the general indications of the class headings of the Nice Classification, shall be interpreted as including all the goods or services clearly covered by the literal meaning of the indication or term.

Section 22
Continued processing of an application

If an applicant within the time period imposed for remedying a deficiency, submitting a statement and providing information fails to submit a statement, provide the information or remedy the deficiency, the processing of the application shall nonetheless be continued when the applicant, within two months of the expiry of the time period imposed:

1) requests continued processing of the application;
2) in the context of the request submits the statement, provides the information or remedies the deficiencies; and

3) in the context of the request pays the fee imposed for continued processing of application.

Section 28 subsection 6
Representatives
The proprietor of an international registration who is not domiciled in the European Economic Area who wishes to submit a statement to the Finnish Patent and Registration Office shall use for this purpose a representative who is domiciled in the European Economic Area.

Section 32
Filing of opposition
Opposition shall be filed within two months of the publication of the registration by notifying the Finnish Patent and Registration Office in writing of the identification information of the opponent, details of the registration and the goods or services covered by the registration against which the opposition is directed, and the grounds for the opposition, and by paying the opposition fee.
Opposition may be directed at all or some of the goods or services for which the trade mark has been registered. When the opposition is based on a prior right, the opponent shall be the proprietor of that right.

Section 80
Collective mark and certification mark
This Act and the provisions issued pursuant to it shall apply to collective marks and certification marks, subject to the provisions laid down in this chapter.
Exclusive rights to a collective mark may only be obtained by a legal person that has members.
Exclusive rights to a certification mark may only be obtained by registration. The applicant for or proprietor of a certification mark shall inspect or supervise the goods or services specified in the application for the certification mark or issue regulations concerning these, and the applicant or proprietor may not carry on a business involving the supply of goods or services of the kind certified.

Section 81
Application for a collective or certification mark
Information about the nature of the applicant's activities shall accompany the application for a collective mark or certification mark. The application shall also be accompanied by the articles of association of the legal person. No explanation or articles of association need be submitted when the Finnish Patent and Registration Office can access the said information from the registers available to it.
The application for a collective or certification mark shall be accompanied by the regulations governing the use of the mark which indicate the parties authorised to use the mark as well as the other conditions of the use of the mark, including the sanctions for use in violation of the regulations. The regulations governing the use of collective marks shall furthermore indicate the requirements for becoming a member in the legal person.
The regulations governing use shall comply with law, public policy and accepted principles of morality.

Section 83
Supplementary grounds for refusal and invalidation
In addition to the provisions laid down in this Act concerning the grounds for the refusal and invalidation of a trade mark, the application for a collective or certification mark shall be refused or its registration shall be invalidated if:

1) the application or the registration does not satisfy the requirements laid down in section 80, subsections 2 or 3, or in section 81;
2) the collective mark is liable to mislead the public in respect of its nature or significance, in particular if it is liable to appear to be a mark other than a collective mark; or
3) there is already in the Register of Trademarks an earlier application for or registration of the identical trade mark for the identical goods or services.

Section 92 subsection 4
Examination of an international registration
If the proprietor of the international registration fails to submit a response within the deadline imposed, the international registration shall not take effect in Finland in respect of the parts pointed out in the notification.

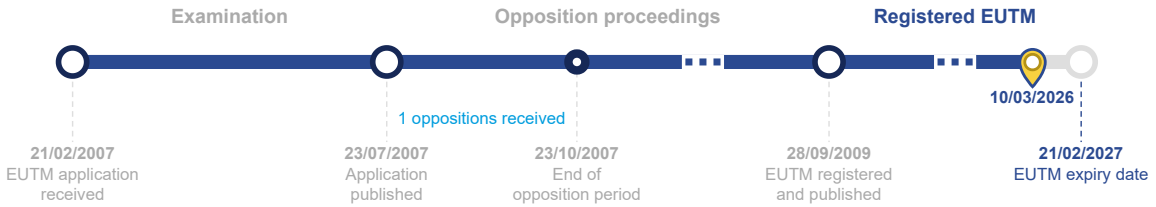
EUIPO EUROPEAN UNION INTELLECTUAL PROPERTY OFFICE

Protect your intellectual property in the European Union

EUTM file information

NELLY
005704481

Timeline



Trade mark information

Name	**NELLY**	Filing date	**21/02/2007**
Filing number	**005704481**	Registration date	**16/09/2009**
Basis	**EUTM**	Expiry date	**21/02/2027**
Date of receipt	**21/02/2007**	Designation date	
Type	**Word**	Filing language	**Spanish**
Nature	**Individual**	Second language	**English**
Nice classes	**3 (Nice Classification)**	Application reference	**A-29648MSB/mib**
Vienna Classification		Trade mark status	**Registered**
		Acquired distinctiveness	**No**

Goods and services

English (en)

3 Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; (abrasive preparations) soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Owners

Ramon Ros, Maria José, Jose

ID	**48751**	Country	**ES - Spain**	**Correspondence address**	Hidden. You can set your contact details to be publicly available via the User Area.
Organisation	**Maria José Jose Ramon Ros**	State/county	**n/a**	Maria José Ramon Ros Cdad. de Sevilla, 5 y 7 Fte. Jarro E-46988 Paterna (Valencia) ESPAÑA	
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Ramon Ros, Juan Enrique

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Legal status	**Physical person**	Town	**Paterna (Valencia)**		Hidden. You can set your contact details to be publicly available via the User Area.
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Ramon Ros, Carmen Consuelo

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		Post code	**46988**		Hidden. You can set your contact details to be publicly available via the User Area.
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Representatives

Sanz-Bermell Martínez, Alejandro

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Legal status	**Individual**	Town	**Valencia**		963528907
Type	**Professional representativ**	Post code	**46002**		sanzbermell@sanzbermell.es
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