HELLENIC REPUBLIC
MINISTRY OF DEVELOPMENT
GENERAL SECRETARIAT OF COMMERCE
DIRECTORATE OF COMMERCIAL & INDUSTRIAL PROPERTY

PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS
Notification of a provisional refusal based to an opposition according to rule 17.3 of Common Regulation

Competent Authority, which notifies: **HELLENIC REPUBLIC**
MINISTRY OF DEVELOPMENT
GENERAL SECRETERIAT OF COMMERCE
DIRECTION OF COMMERCIAL & INDUSTRIAL PROPERTY

KANINGOS SQUARE
GR - 10181 ATHENS
TEL:0030-210-3803187
FAX 0030-210-3821717
e-mail : e-koumari@gge.gr

Number of International Registration that has been accepted: 820397
Greek Number of International Registration : 16738
Mark : "FRESHWAY" (FIGURATIVE)

Name of opponent: "JULIUS SAMANN LTD"
Address: WEIDSTRASSE 14, CH-6300 ZUG, SWITZERLAND

Applied articles of Greek trademark law in case of notice of opposition (Article 10 of law 2239/1994):

1. a third party may oppose the decision taken by the administrative Trade Marks Committee, wholly or in part accepting registration of the trademark in question, before the Committee, provided that the party has legal interest, even not financial not intervened in the hearing of the application. The same right is also granted to the Chambers but only in accordance with article 3 of the present Law.
2. The opposition against decisions of the Administrative Committee of Trademarks is drafted in the form of a legal deed which is filed with the competent department, recorded in a special book and a registration report is made.
3. The opposition may also be made with service of the legal deed to the competent department in compliance with the relevant provisions of the Civil Procedure Code and within one day following service of the deed, it is recorded in the special book of trademarks.
4. The opposition filed against a decision of the Administrative Trademarks Committee and of the courts against a decision accepting the Trademark, is made within four months, starting from the 16th of the month following publication of the judgment in the Commercial and Industrial Property Column of the Official Bulletin

The third party may appeal against the decision made by the Administrative trade Marks Committee.

Opposition is based on Trademarks:
Earlier Foreign Trademark:
-No 34252 "CAR FRESHNER" (FIGURATIVE), Filing Date 11/10/1965, Registration Date 17/08/1966, Class 30, Owner CAR-FRESHNER CORPORATION, 203 NORTH HAMILTON STREET, WATERTOWN, NEW YORK, USA (The opponent states that the company "CAR FRESHNER CORPORATION" has a licence to register the above-mentioned trademark given by the company "JULIUS SAMMANN LTD" as they belong in the same group of companies).
Earlier Community Trademark:

- No 3222163 (FIGURATIVE), Filing Date 11/06/2003, Registration Date 24/09/2004, Class 3
- No 3071305 (FIGURATIVE), Filing Date 25/02/2003,PRIORITY 18/09/2002 Class 5

Owner: "JULIUS SAMANN LTD"
Address: WEIDSTRASSE 14, CH-6300 ZOUG, SWITZERLAND
- No 91991 (FIGURATIVE), Filing Date 01/04/1996, Registration Date 01/12/1998, Class 5, Owner: "JULIUS SAMANN LTD, BAHNHOFSTRASSE 17 CH-6300,ZUG,SWITZERLAND

GROUNDS OF OPPOSITION: (see the attached appendix)

-No 34252 "CAR FRESHNER" (FIGURATIVE), Class 5 (see the attached appendix).
-No 3222163 (FIGURATIVE), Class 3 (see the attached appendix).

-No 3071305 (FIGURATIVE), Class 5 (see the attached appendix).

- No 91991 (FIGURATIVE), Class 5 (see the attached appendix).

International Trademark No 820397:
Class 3: Perfumery, tissues impregnated with cosmetic lotions, aromatics.
Class 5: Deodorants, other than for personal use, deodorants for automobile

Opposition concerns all the goods of the international registration. The opponent considers his trademarks as well known (Article 6 bis of the Paris Convention for the Protection of Industrial Property).

Note: The date of discussion of the opposition (No: 18/7-2-05) in front of The Administrative Trade Marks Committee is **4-10-05** , when a Greek lawyer is needed to be appointed for attending in order to answer to the opposition.

Signature and official seal of competent authority which notifies the opposition.

No: K4- 3007

The Director

Date 15-02-2005

MICHAIL DIMOGERONTAS

ΕΛΛΗΝΙΚΗ ΔΗΜΟΚΡΑΤΙΑ
ΥΠΟΥΡΓΕΙΟ ΑΝΑΠΤΥΞΗΣ
ΓΕΝ. ΓΡΑΜΜ. ΕΜΠΟΡΙΟΥ

ΚΑΤΑΘΕΣΙΣ ΑΛΛΟΔΑΠΟΥ ΣΗΜΑΤΟΣ

Ἀριθμὸς Σήματος 34252

Χρονολογία 11 Οκτωβρίου 1965 Ὥρα 12.25 μμ

Χώρα Ἑλβετία

Συμβατικὴ προτεραιότης

Δικαιοῦχος Ιούλιος Σάμαρν
κάτοικος Ζυρίχης

Πληρεξούσιος Δικηγόρος Ἀλεξανδρος Π. Λάδας Πανεπιστημίου 42

Ἀντίκλητος

Προϊόντα πρὸς διάκρισιν Παρασκευάσματα διὰ τὸν καθαρισμὸν καὶ τὸν δρόσον τῶν ἀέρος καὶ ἀποφυγὴν

Κλάσεις √

Ἀριθμὸς διπλοτύπου εἰσπράξεως Δημοσίου Ταμείου 54857/11.10.65

Ἀριθμὸς Ἀποφάσεως Πρωτοβαθμίου Δικαστηρίου 2913/65

Ὁ καταθέσας

Ὁ Τμηματάρχης

ΙΜΟΣΙΕΥΣΙΣ 31 Ιανουαρίου 1966 Δ.Ε.Β.Ι

ΠΑΡΕΜΒΑΣΕΙΣ, ΕΝΔΙΚΑ ΜΕΣΑ

ΑΠΟΦΑΣΕΙΣ

ΚΑΤΑ ΚΟΙΝΟΝ ΕΝΙΚΟΝ ΜΕΣΟΝ

ΤΕΧΩΡΗΘΗ τῇ 17 ΑΥΓ. 1966

Ο Τμηματάρχης

Ανακλήθη η προστασία του χρόνου δημοσιευθέντος από 22 Οκτωβρίου 1985 με Πρωτ. 2646/2-4-85 (Ε.Π. Τμ. Η. Υ/χου)

ξις προστασίας 11 ΟΚΤ. 1975

ΜΕΤΑΒΟΛΑΙ ΚΑΙ ΠΑΡΑΤΑΣΕΙΣ ΠΡΟΣΤΑΣΙΑΣ

Αλλαγή: Μετονομασία, τὸ ὑφιστάμενον ἐμπόριον, ἐκ τοῦ ἐν 938, WATERSTREET, WATERTOWN, Πολιτείας Νέας Υόρκης Η.Π.Α., εἰς τὸν αὐτὸν τόπον, τῆς Πολιτείας Νέας Υόρκης, ὑπὸ τὴν ἐπωνυμίαν CAR-FRESHNER CORPORATION

Ημερομηνία: 920/13-6-73 - Αθήναι 19-6-73. Ο Τμηματάρχης

Ημερομηνία: Ο ὑφιστάμενος ἐμπορικὸς οἶκος, εἰς τὴν ἐπωνυμίαν ... ἐκλείσθη ἀπὸ τῆς 11ης Ὀκτωβρίου 1975. Ηριθμ. πρωτ. 25604/16-1-75 Δελτίον ... Ο Τμηματάρχης

Λήξις: Η ἀπόφασις διευκόλυνσις ἐταιρίας, ἐδρεύουσα ἐπίσης, καὶ εἰς τὴν 203 NORTH HAMILTON STREET, WATERTOWN, NEW YORK, τῶν Η.Π.Α. Πρ. 71819/31-8-78 (Πρακ. Ε.Π. Πάτρας, Β' Αγρ.) Ο Τμηματάρχης

Τροποποίησις: Η διευκόλυνσις τοῦ ἐμπορικοῦ ἐταιρίας ἀπορρίφθη λόγῳ ... καὶ ἀνακλήσεως τῆς διευκόλυνσεως τοῦ Θεοδωρίδου - Ε. Παπαδόπουλος Ο Τμηματάρχης

ΑΙΤΗΣΕΙΣ

Ἐγγραφὴ ὑπ' ἀριθ. 4527/17-10-79 διαγραφῆς.

ΑΠΟΦΑΣΕΙΣ

Διὰ τῆς ὑπ' ἀριθμ. 1756/... ἀποφ. ... ἀνακλήσεις διαγραφῆς ἀπερρίφθη.

Δημοσιεύθη τῇ 14/11/79

Overview
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CTM-ONLINE - Detailed trade mark information

List of results

Trade mark name :	Not a word mark
Trade mark No :	003222163
Trade mark basis:	CTM
Number of results:	1 of 1

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Trade mark

Filing date:	11/06/2003
Date of registration:	24/09/2004
Expiry Date:	11/06/2013
Nice Classification:	3 (Nice classification)
Trade mark:	Individual
Type of mark:	Figurative
Vienna Classification:	5.1.1, 5.1.5, 5.1.16 (Vienna Classification)
Acquired distinctiveness:	No
Date of last status:	08/11/2004
Status of trade mark:	Registration published (Glossary) (History of statuses)
Filing language:	English
Second language:	German

Graphic representation

⊞ List of goods and services

Nice Classification:	3
List of goods and services	Bleaching substances and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; dashboard cleaners; glass cleaners, carpet cleaners and upholstery cleaners for automobiles.

⊞ Description

Description of the mark:	Description is not available in this language

Owner

Name:	JULIUS SÄMANN LTD.
ID No:	140447
Natural or legal person:	Legal entity
Address:	Weidstr. 14
Post code:	6300
Town:	Zoug
Country:	SWITZERLAND
Correspondence address:	JULIUS SÄMANN LTD. Weidstr. 14 CH-6300 Zoug SUIZA

Representative

Name:	ELZABURU
ID No:	11849
Address:	Miguel Angel, 21
Post code:	28010
Town:	Madrid
Country:	SPAIN
Correspondence address:	ELZABURU Miguel Angel, 21 28010 Madrid ESPAÑ/

Telephone: 917009400
Fax: 913193810
E-mail: elzaburu@elzaburu.es

Seniority

No entry for application number: 003222163.

Exhibition priority

No entry for application number: 003222163

Priority

No entry for application number: 003222163.

Publication

Bulletin no.: **008/2004**
Date of publication: 23/02/2004
Part: A
Page: 1018

Bulletin no.: **046/2004**
Date of publication: 15/11/2004
Part: B
Page: 2424

Opposition

No entry for application number: 003222163.

Cancellation

No entry for application number: 003222163

Appeals

No entry for application number: 003222163

Recordals

No entry for application number: 003222163

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CTM-ONLINE - Detailed trade mark information

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Trade mark name :	Not a word mark
Trade mark No :	003071305
Trade mark basis:	CTM
Number of results:	1 of 1

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Trade mark

Filing date:	25/02/2003
Nice Classification:	5 (Nice classification)
Trade mark:	Individual
Type of mark:	3D
Vienna Classification:	5.1.10 (Vienna Classification)
Acquired distinctiveness:	No
Date of last status:	30/09/2004
Status of trade mark:	Application published (Glossary) (History of statuses)
Filing language:	English
Second language:	German

Graphic representation

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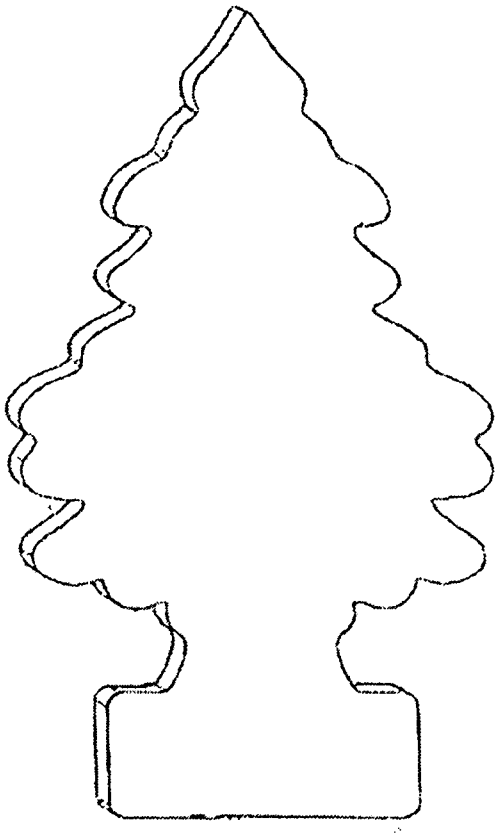

List of goods and services

Nice Classification:	5
List of goods and services	Air fresheners.

Description

Description of the mark:	Description is not available in this language

Owner

Name:	JULIUS SÄMANN LTD.
ID No:	140447
Natural or legal person:	Legal entity
Address:	Weidstr. 14
Post code:	6300
Town:	Zoug
Country:	SWITZERLAND
Correspondence address:	JULIUS SÄMANN LTD. Weidstr. 14 CH-6300 Zoug SUIZA

Representative

Name:	ELZABURU
ID No:	11849
Address:	Miguel Angel, 21
Post code:	28010
Town:	Madrid
Country:	SPAIN
Correspondence address:	ELZABURU Miguel Angel, 21 28010 Madrid ESPAÑ/
Telephone:	917009400
Fax:	913193810
E-mail:	**elzaburu@elzaburu.es**

Seniority

No entry for application number: 003071305.

Exhibition priority

No entry for application number: 003071305

Priority

Country:	SWITZERLAND
Number of basic application:	08078/2002
Filing date of basic application:	18/09/2002
Trade mark status:	Accepted

Publication

Bulletin no.:	**042/2004**
Date of publication:	18/10/2004
Part:	A
Page:	258

Opposition

No entry for application number: 003071305.

Cancellation

No entry for application number: 003071305

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No entry for application number: 003071305

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No entry for application number: 003071305

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CTM-ONLINE - Detailed trade mark information

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Trade mark name :	Not a word mark
Trade mark No :	000091991
Trade mark basis:	CTM
Number of results:	1 of 1

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Trade mark

Filing date:	01/04/1996
Date of registration:	01/12/1998
Expiry Date:	01/04/2006
Nice Classification:	5 (Nice classification)
Trade mark:	Individual
Type of mark:	Figurative
Vienna Classification:	5.1.5, 5.1.10 (Vienna Classification)
Acquired distinctiveness:	No
Date of last status:	19/02/1999
Status of trade mark:	Registration published (Glossary) (History of statuses)
Filing language:	German
Second language:	English

Graphic representation

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List of goods and services

Nice Classification:	5
List of goods and services	Air-fresheners.

Description

Description of the mark:	Description is not available in this language

Owner

Name:	Julius Sämann Ltd.
ID No:	44714
Natural or legal person:	Legal entity
Address:	Bahnhofstrasse 17
Post code:	6300
Town:	Zug
Country:	SWITZERLAND
Correspondence address:	Julius Sämann Ltd. Bahnhofstrasse 17 CH-6300 Z SUIZA

Representative

Name:	LOVELLS
ID No:	10014
Address:	Bilbao, 1 - 5º Piso
Post code:	03001
Town:	Alicante
Country:	SPAIN
Correspondence address:	LOVELLS Bilbao, 1 - 5º Piso E-03001 Alicante ESP
Telephone:	965144105
Fax:	965144303
E-mail:	**alicante@lovells.com**

Seniority

Country:	GERMANY
Registration number:	612 525
Status:	Accepted
Country:	AUSTRIA
Registration number:	612 525
Status:	Accepted
Country:	BENELUX
Registration number:	612 525
Status:	Accepted
Country:	SPAIN
Registration number:	612 525
Status:	Accepted
Country:	FRANCE
Registration number:	612 525
Status:	Accepted
Country:	ITALY
Registration number:	612 525
Status:	Accepted
Country:	PORTUGAL
Registration number:	612 525
Status:	Accepted

Exhibition priority

No entry for application number: 000091991

Priority

No entry for application number: 000091991.

Publication

Bulletin no.:	021/1997
Date of publication:	29/09/1997
Part:	A
Page:	163
Bulletin no.:	013/1999
Date of publication:	01/03/1999
Part:	B
Page:	602

⊞ Opposition

Opposition No:	000008146
Reception date:	29/12/1997
Opponent name:	Deutsche SPAR Handelsgesellschaft mbH & Co.
Opponent ID No:	29157

Cancellation

No entry for application number: 000091991

Appeals

No entry for application number: 000091991

Recordals

Title:	Representative
Sub-title:	Change of name and professional address
ID No:	000181019
Title:	Representative
Sub-title:	Change of name and professional address
ID No:	000396716

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