



**Notification of Provisional Refusal based on an Ex Officio Examination (to WIPO)**  
Pursuant to Rule 17(2) of the Common Regulations under the Madrid Agreement concerning the international registration of marks and the Protocol relating to that Agreement.

**I. Name and address of the Office making the notification:**

The Norwegian Patent Office  
P.O. Box 8160 Dep., N-0033 Oslo, NORWAY

Telephone: + 47 22 38 73 00

Telefax: + 47 22 38 73 01

**II. International registration: 666941 HARTMANN H**

**III. Date of Subsequent Designation (if any):** (yyyy.mm.dd)

**IV. Holder of the international registration:**

Paul Hartmann AG, Postfach 1420, 89504, HELDENHEIM, DE

**V. The scope of the refusal:**

☐ Provisional refusal for all goods and/or services

☒ Provisional partial refusal for some of the goods and services - see under X

**VI. Grounds for refusal:**

(i) ☐ Absolute grounds:

(ii) ☒ Relative grounds: Trademark Act Section 14.1.6 and 14.1.8

Likelihood of confusion with:

National registration number(s):

137487 - Hartman

191759 - HARTMANN

National application number(s):

International registration number(s):

826927 - HARTMANN

740563 - GROTE & HARTMANN

**VII. You will find more information about the conflicting mark(s) (if any) enclosed under XIII. The relevant provisions of the Norwegian Trademarks Act and Regulations are under XII.**

**VIII. Date of provisional refusal:** (yyyy.mm.dd) **2005.09.02**

**Response must be received within:** (yyyy.mm.dd) **2005.12.02**

See more information under XI about the time limit and which actions you need to take if you want to request a review of the provisional refusal.

**IX. Signature by Office:**

THE NORWEGIAN PATENT OFFICE

  
Ronny Christjan Håkonsen

X.

**Scope of the provisional refusal in respect of goods and services:**

If the holder does not contest the refusal within 3 months, protection is given for:

*Class 3, 5, 10, 12, 21, 24, 25, 39 and 41 as filed*

*Class 9 limited to: Electrical protection devices for children and the elderly, namely protective devices for electrical outlets, hearths and nightlights; intercoms, filters made of non-woven fabrics for respiratory masks and respiratory apparatus; films*

*Class 16 limited to: Small flannel blankets and napkins for babies, essentially made of paper and/or cellulose; magazines, brochures and printed matter; bibs for babies made of cellulose, disposable wash-cloths made of cellulose; cellulose; paper tissues; fabrics of paper and cellulose for udder care*

The international registration will be published for protection with the above-reduced list of goods.

**Rapid publication of the limited list**

If the holder accepts the proposed limitation of the goods/services, and wishes a publication of the mark for these goods/services as soon as possible, he/she may confirm this in writing to the Norwegian Patent Office. If the Norwegian Patent Office does not receive any such confirmation from the holder, the mark will however be published for protection of the limited list of goods/services, after the expiry of all the time limits.

- XI.** The holder of the registration may request a review of the provisional refusal. The Norwegian Patent Office must receive the request no later than 3 months from the date of this provisional refusal (The time limit is indicated under point VIII). Such request must be filed through the intermediary of a representative domiciled in Norway. Please note that if the Norwegian Patent Office, either subsequent to review or appeal, accept the designation of Norway, a post grant opposition may be filed against the mark within 2 months from the publication of the mark.

If the holder does not respond to this provisional refusal within the time limit, the international registration shall be considered abandoned in Norway for the goods/services that are excluded (Trademark Act Section 50 and 51). The international registration shall be resumed if the holder, through a Norwegian representative, within two months from the expiration of the time limit responds to the provisional refusal and pays the stipulated fee (NOK 650,-). Please note that the Norwegian Patent Office does not send any notifications to the holder that the international registration is abandoned in Norway.

- XII.** The relevant provisions of the Norwegian Trademarks Act and Regulations regarding the grounds of this provisional refusal:

**Section 1**

By registration in accordance with the present Act, the exclusive right to use a trademark as a distinctive sign for goods or services of an industrial or commercial establishment may be acquired. A trademark may consist of any sign which is capable of distinguishing the goods or services of one establishment from those of others, and which is capable of being represented graphically, such as words or combinations of words, including slogans, names, figures and pictures, letters and numerals, and the shape of the goods, their get-up and their packaging. The subsequent provisions of this Act made in respect of goods shall also apply to services provided this is not contrary to the context.

**Section 14**

A trademark may not be registered if:

1. it is contrary to law or public order or is liable to cause offence;
2. it is liable to deceive;
3. without authorisation by the competent authorities, it includes official coats of arms, flags or other official emblems or badges, including official national or foreign certification or hallmarks or stamps required for goods identical with or similar to those for which registration is applied, or coats of arms, flags or other emblems, abbreviations or designations of intergovernmental

organisations, or international marks, seals or signs the unauthorised use of which is forbidden by law. Nor shall the trademark be registered if it includes anything liable to be confused with such emblems or badges, etc. as referred to in this section. Foreign emblems or badges, etc., with the exception of flags of States, shall nevertheless not prevent registration until they have been published in a notice in the publication issued by the Patent Office;

4. it includes anything liable to be understood as another person's business name or as another person's name or portrait and which obviously does not refer to a person long dead;
5. it includes anything liable to be understood as the distinguishing title of the protected artistic, literary or musical work of another person, or infringes the copyright to such a work or the photography or design rights of another person;
6. it is liable to be confused with the name or business name of another person or with a trademark registered for another person in accordance with an application filed earlier, or which was established by use for another person at the time when the application for registration was filed;
7. it is liable to be confused with a trademark which someone else has started to use before the applicant, and the applicant was aware of this use when he filed his application for registration;
8. it is liable to be confused with an international registration of a trademark, provided that this registration is effective in Norway in accordance with section 53 from an earlier date than the date of the filing of the application.

In cases as mentioned in subparagraphs 4 to 8 of the first paragraph, registration may nevertheless take place if the holder of the earlier right consents and there are no other obstacles to registration.

Trademarks which consist of or contain geographical indications with respect to wine or spirits, may not be registered for wine and spirits, unless the product has the geographical origin the indication indicates.

#### Guide to the following INID codes:

(111): National registration number/ International registration number
(151): Date of national registration/Date of international registration
(180): Date of expiry
(210): National application number
(220): National application date /Date of notification
(300): Data relating to priority (if any)
(540): Reproduction of the mark
(541): Indication relating to the nature or kind of mark (in Norwegian)
(546): Indication relating to the nature or kind of mark (in Norwegian)
(571): Description of the mark
(730): Name of the holder
(740): Power of attorney
(511): List of goods and services
(450): Date of publication

**XIII. Prior marks cited ex officio:**

- (111) **Reg.nr.:** 137487  
(151) **Reg.dato.:** 1989.07.13  
(180) **Registreringen utløper:** 2009.07.13  
(210) **Søknadsnr.:** 19880831  
(300) **Søknadsprioritet** 1987.09.04 BX 702213  
(540) **Gjengivelse av merket:**



(546) Merket er et kombinert merke eller et rent figurmerke

(571) **Beskrivelse av merket:**

Hartman

(730) **Innehaver:**

Hartman Groep BV , , Enchede, NL

(740) **Fullmektig:**

Oslo Patentkontor AS , Postboks 7007 Majorstua, 0306 OSLO, NO

(511) **Vare-/ tjenestefortegnelse:**

20 Hagemøbler.

(111) **Reg.nr.:** 191759  
(151) **Reg.dato.:** 1998.07.30  
(180) **Registreringen utløper:** 2008.07.30  
(210) **Søknadsnr.:** 199800207  
(300) **Søknadsprioritet** Ingen  
(540) **Gjengivelse av merket:**



(546) Merket er et kombinert merke eller et rent figurmerke

(571) **Beskrivelse av merket:**  
HARTMANN

(730) **Innehaver:**  
Brødrene Hartmann AS , Klampenborgvej 203-205, DK-2800 Lyngby, DK

(740) **Fullmektig:**  
Zacco Norway AS , Postboks 2003 Vik, 0125 OSLO, NO

(511) **Vare-/ tjenestefortegnelse:**  
7 Industrielle anlegg og maskiner til støping og etterbehandling av brett og kartonger til egg, kirurgiske brett, fruktbrett, kjøttbrett, flaskekartonger, plantepotter, støtsabsorberende pakkematerialer, transportpakkematerialer, fikseringspakkematerialer, displaypakkematerialer samt alle andre slags varer fremstilt helt eller delvis av papirmasse eller av fibermasse, deler og tilbehør (ikke opptatt i andre klasser) til nevnte industrielle anlegg, maskiner og maskinelt utstyr, herunder støpeformer og reservedeler.

16 Emballasje fremstilt helt eller delvis av pappmasse, av papirmasse eller av plastikkmasse i form av brett eller kartonger til egg, i form av kirurgiske brett, fruktbrett, kjøttbrett, flaskekartonger, plantepotter, støtsabsorberende pakkematerialer, transportpakkematerialer, fikseringspakkematerialer og displaypakkematerialer og i form av andre støpepappprodukter fremstilt ved en sugestøpningsteknikk i tredimensjonal form.

42 Formidling av know-how i forbindelse med etablering og drift av nye eller eksisterende industrielle anlegg, maskiner og utstyr til støping og etterbehandling av varer av papirmasse eller av fibermasse, reparasjon og vedlikehold av de forannevnte industrielle anlegg, maskiner og utstyr.

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(111) **Reg.nr.:** 0740563  
 (151) **Reg.dato.:** 2000.05.16  
 (180) **Registreringen utløper:** 2010.05.16  
 (210) **Søknadsnr.:** 200012273  
 (300) **Søknadsprioritet** 1999.11.16 DE 399 71 580.0/09  
 (540) **Gjengivelse av merket:**

## GROTE & HARTMANN

(546) Merket er et kombinert merke eller et rent figurmerke

(571) **Beskrivelse av merket:**

GROTE & HARTMANN

(730) **Innehaver:**

Grote & Hartmann GmbH & Co KG , Am Kraftwerk 13, D-42369 Wuppertal-Ronsdorf, DE

(740) **Fullmektig:**

Patent- u. Rechtsanwälte Dr. Solf & Zapf , 20, Schlossbleiche,, D-42103 WUPPERTAL, DE

(511) **Vare-/ tjenestefortegnelse:**

7 Machines for the semi-automatic and fully automatic manufacture of electrical and optical connections as well as complete harnesses; tools for the semi-automatic and fully automatic manufacture of electrical and optical connections as well as complete harnesses; crimping machines and appliances; stripping devices; transporting strip choppers; contacting, equipping and testing appliances for insulation displacement connectors; seal processing appliances; crimp-quality monitoring appliances; essential parts and accessories for the aforesaid goods (included in this class).

8 Hand-operated presses; tools; tongs; accessories for manufacture and repair of electrical and optical connections (included in this class); unlocking tools.

9 Carbon brush holders; brush holder closures; clips; wire end sleeves; butt and parallel connectors; covers; protective caps; active and passive components for the electrical system in motor vehicles, in particular electrical contact elements with and without steel springs, flat-spring contacts, flat-type plugs, flat-type sockets, plug-in distributors, fork-type contacts, multi-blade contacts, safety contacts, circular sockets and plugs, electrical connections and circuits used in printed circuit board technology, printed circuit boards, spring and edge contacts, foil plug and socket connectors, vibration-resistant contact systems, distributor plugs, spark plug connectors, cable terminals, solder connectors, insulation displacement connectors; plug-in connector housings made of plastic with and without integrated electronics; water spray protected housings; single and multi-pole plug-in connector systems; couplings; igniter plugs; gearbox plugs; power distribution boards; fuse carriers; relay bases; components for electrical connections of domestic appliances, in particular plug-in connector housings with and without integrated electronics, single and multi-pole plug-in connector systems, couplings, relay bases; connection components for electric motors; insulation displacement terminal systems; components for telecommunications and entertainment electronics; contacts; loudspeaker plugs; diode holders; miniature plug-in connector systems for the transmission of signals, control and small-load currents; power distribution boards; fuse carriers; mounting aids for electrical and optical connection systems; essential parts and accessories for the aforesaid goods (included in this class).

11 Components for light fixtures; heating systems; cooking, refrigeration, drying, ventilation and water-conveying appliances, in particular housings and contacts.

12 Plastic frames and panels in motor vehicles.

17 Seals; insulating grommets; blanking plugs.

(111) **Reg.nr.:** 0826927  
(151) **Reg.dato.:** 2004.03.12  
(180) **Registreringen utløper:** 2014.03.12  
(210) **Søknadsnr.:** 200407054  
(300) **Søknadsprioritet** 2003.09.22 DE 303 48 394.6/09  
(540) **Gjengivelse av merket:**

**HARTMANN**

(541) Merket er et ordmerke i standard font

(571) **Beskrivelse av merket:**

HARTMANN

(730) **Innehaver:**

Götz-Udo Hartmann GmbH & Co KG Induktive Bauelemente , Auf der Struth 1, 61279  
GRÄVENWIESBACH, DE

(511) **Vare-/ tjenestefortegnelse:**

9 Electromagnetic compatibility (EMC) components, namely electromagnetic interference (EMI) suppression chokes, EMI suppression capacitors, EMI filters, power line filters, chokes for dimmers, data and signal lines; inductive components, namely transformers, pulse transformers, flyback converter transformers, voltage transformers, instrument and current transformers, power transformers, energy storage chokes, inductors, drum core chokes, rod core chokes, as well as drivers and housings therefor; semi-conductors, namely transistors, thyristors, triacs, diodes, trigger diodes; integrated circuits, namely matrix circuits, electric control devices, electric regulators, soft magnetic cores, electronic ballasts for light sources and electric drives; magnetic materials, namely ferrites, metal powders and cores, toroidal cores and coilformers made from these materials; computer hardware and software, data carriers with stored data.

42 Scientific and technological services, development and research work for customers and users; industrial and customized analysis, consulting and research services; draft and development of computer hardware and software.

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