



Oifig Na bPaitinní

Patents Office

Oifigí an Rialtais
Bóthar Hebron
Cill Chainnigh
Éireann

Government Buildings
Hebron Road
Kilkenny
Ireland

Tel: (00-353-56) 7720111
Lo-Call: 1890-220223

Fax: (00-353-56) 7720100
Lo-Call Fax: 1890-220120

E-mail: patlib@entemp.ie
Website: www.patentsoffice.ie

WORLD INTELLECTUAL PROPERTY ORGANISATION
34, CHEMIN DES COLOMBETTES
PO BOX 18
1211 GENEVA 20
SWITZERLAND

Date of Notification: 05 October 2006
(By registered Mail)

International Registration No: 0891039
Mark: OE organicelements
Holder: LABORATORI ROYAL S.r.l. of Italy

Notification of the Irish Patents Office of Refusal of Protection

Dear Sir/Madam,

This notification is issued pursuant to Article 5 of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks and Rule 17(2) of the Common Regulations under the Agreement and Protocol, and is to inform you that protection for this mark is refused for the reasons set out below. Any references to Sections are to Sections of the Trade Marks Act, 1996 and to Rules are to Rules of the Trade Marks Rules, 1996.

1. Section 10(2)

There exists a likelihood of confusion on the part of the public between the mark and the following earlier mark(s):

Registered Mark No:132561

Mark:OE

Proprietor:PATSEM INVESTMENTS CORPORATION

Akara Building

24 De Castro Street

Wickhams Cay 1, Road Town, Tortola

Virgin Islands (British)

Date of Application:19/01/1989

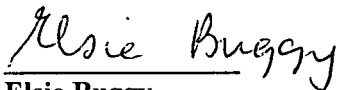
Date of Registration:19/01/1989

Class 3 :Non-medicated toilet preparations; anti-perspirants and personal deodorants.

2. This refusal is in respect of all of the goods for which protection is sought.
3. The holder may make representations in writing, or may request an extension of time for doing so, not later than **4 January 2007**. A request for an extension of time received after that date may be granted at the discretion of the Controller.

4. If representations or a request for an extension of time are not received by the specified date, protection of the mark will be refused.
5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied by an address for service within the State as required by Rule 10; failure to furnish such address will result in the holder being deemed to have abandoned his request for protection.
6. If, following the receipt of representations, it is considered that the requirements for protection are met, the mark will be published in the Official Journal and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.
7. Date of refusal: 5 October, 2006

Yours faithfully



Elsie Buggy
Trade Marks Examiner
Ext.: 4197
Direct Line: (056) 7720197