

Trade Marks Registry

Cardiff Road
Newport
South Wales
NP10 8QQ

Switchboard: 01633 814000
Direct Line: 01633 814386
Fax: 01633 811175
Minicom: 0645 222250
Website: www.ipo.gov.uk

World Intellectual Property Organisation (WIPO)

International Bureau

34, chemin des Colombettes

1211 Geneva 20

Switzerland

Our Ref: OPP 71761/LAW/EC

Date: 11 August 2008

Please quote our complete reference on all correspondence

Dear Sirs

**NOTIFICATION OF A TOTAL REFUSAL OF PROTECTION BASED ON AN
OPPOSITION BY THE UNITED KINGDOM PATENT OFFICE IN ACCORDANCE
WITH ARTICLE 5 OF THE MADRID PROTOCOL**

RE: International Registration number : 951788
For the mark : GUECCA
Holder of the International Registration : Mehmet Gedikli
Opposition number : 71761

I must advise you that following receipt of an opposition to the above Trade Mark, it is necessary to issue this formal provisional refusal letter in accordance with article 10 of the Trade Marks International Registration Order 1996 (as amended). This provisional refusal covers all of the goods and services of the International Registration.

Please find attached a copy of the Form TM7 (Notice of Opposition) that was received by the United Kingdom Trade Mark Registry.

We also attach:

Copies of the marks referred to in the statement of case.
Form TM8, for any reply to this opposition to be filed.
Form TM33 (form to appoint an United Kingdom address for service)

If the holder of the International Registration wishes to file a counterstatement, they must complete the attached Form TM8 and **return it to this office** together with the counterstatement

within **3 months** of the date of this letter. This period cannot be extended, except in the circumstances described below. The holder should note that failure to file a Form TM8 and counterstatement will result in the provisional refusal being upheld.

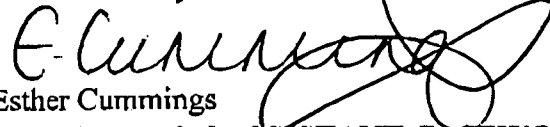
If both parties to this dispute wish to negotiate and want to enter a 'cooling off period' then the time for filing the Form TM8 can be extended for a further nine months by the filing of a Form TM9c.

The Form TM8 and counterstatement should be received on or before **11 November 2008** unless a cooling off period is entered into by the parties.

The holder of the International Registration must provide us with an address for correspondence in the United Kingdom on the attached TM33 within this 3 month period. If one is not provided within this time the refusal will be made final.

The Office actively encourages parties to mediate as a swifter and less costly alternative to litigation. If you feel that this option is of interest, the Office can either provide a member of its own team of accredited mediators, each with extensive experience of dealing with intellectual property disputes, or can provide a list of other mediation providers. The Office (London and Newport) can be used as a venue in either case. For more information, please visit the website, or contact mediation@ipo.gov.uk, telephone 01633 811010.

Yours faithfully


Esther Cummings

LAW SECTION ASSISTANT CASEWORK EXAMINER

Form TM7
UK - IPO
Official fee £200 due with this form
- 1 AUG 2008
NEWPORT

J394384/ 001 D10195 TM07.....
04AUG08 200.00 CHEQUE M951788

LAW SECTION
04 AUG 2008
Trade Marks Registry
Concept House
Cardiff Road, Newport
South Wales NP10 8QQ

**Notice of opposition
and statement of grounds**

Please read the notes below before completing this form

1. Trade mark number.	M951788
2. Full name of the applicant, International registration holder, or registered proprietor.	MEHMET GEDIKLI
3. Full name and address (including postcode) of the opponent.	GUCCIO GUCCI S.P.A. VIA TORNABUONI 73/R 50123 FIRENZE ITALY
4. Name and address (including postcode) of the opponent's representative (if any).	ADDLESHAW GODDARD LLP 100 BARBIROLLI SQUARE MANCHESTER M2 3AB
5. Are there any related proceedings currently with the Registry or the courts? If so, give application, registration or opposition number.	NO
6. State the date that you notified the applicant, International registration holder, or registered proprietor that you intend to oppose the trade mark application, International designation or amendment. (Please see note below)	-
7. Declaration. Your signature.	I believe that the facts stated in this notice and in the attached statement of grounds are true. <i>Addleshaw Goddard LLP</i>
Your name in BLOCK CAPITALS.	ADDLESHAW GODDARD LLP
Date.	31 JULY 2008
8. Name and daytime phone number of the person we should contact in case of query.	TIM CARTER 0161 934 6197
9. Your reference.	TDAC/11904-113
10. Number of sheets attached to this form.	This is sheet 1 of 20

Notes Number every extra sheet and say in question 10 above how many you have used.

An opposition launched without giving the applicant, international registration holder or the registered proprietor a reasonable opportunity to withdraw the application, international designation or amendment, may result in the opponent being ineligible for an award of costs.

Before completing this form you should read the explanatory notes available.

Use this sheet if you are basing your opposition on section 3 of the Trade Marks Act.

☐ 3(1)(a) It is a sign which does not satisfy the requirements of section 1(1) because:

☐ 3(1)(b) It is a trade mark which is devoid of any distinctive character because:

☐ 3(1)(c) It is a trade mark which consists exclusively of signs or indications which may serve, in trade, to designate the kind, quality, quantity, intended purpose, value, geographical origin, the time of production of goods or rendering of services, or other characteristics of goods or services because:

☐ 3(1)(d) It is a trade mark which consists exclusively of signs or indications which have become customary in the current language or in the bona fide and established practices of the trade because:

☐ 3(6) It is a trade mark which should not be registered for some or all of the goods and services in the application as the application was made in bad faith because:

☐ other State any other part of section 3 you rely on and give your grounds:

☐ State which of the applicant's goods or services you oppose under Section 3 grounds:

☐ All

☐ Some (please specify)

Use this sheet if you are basing your opposition on sections 5(1) or 5(2) of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

- ☐ 5(1) It is identical with an earlier mark and for identical goods or services as the earlier mark.
- ☐ 5(2)(a) It is identical with an earlier mark and for similar goods or services as the earlier mark.
- ☒ 5(2)(b) It is similar to an earlier mark and for identical or similar goods or services as the earlier mark.

Details of the earlier trade mark

Number: 1108184

Is it a UK, Community or International mark? UNITED KINGDOM

Representation of the mark:

GUCCI

1. What goods or services covered by the earlier trade mark are relied upon for the grounds stated above?

- ☒ All
- ☐ Some (please specify)

2. **Statement of use provision–** Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication date of the opposed application?

☒ Yes ☐ No

- 3(a). If yes, and the mark has been used, for which of the goods and services listed at question 1 is use claimed?

☒ All
☐ Some (please specify)

Or,

- 3(b). If yes and the mark has not been used, please state any proper reasons for non use.

Details of the mark you are opposing

4. Which goods or services in the application do you claim are identical or similar to those covered by the earlier mark and listed at question 3 (or at question 1 if the statement of use does not apply)?

☒ All
☐ Some (please specify)

Use this space to give any further information to explain why you consider that there is a likelihood of confusion e.g, why you consider the respective marks or goods and/or services to be similar?

THE TRADE MARK GUECCA LOGO IS VISUALLY AND PHONETICALLY SIMILAR TO THE EARLIER GUCCI TRADE MARK OF THE OPPONENT. THE OPPONENT BELIEVES THAT THERE IS A GENUINE RISK OF CONFUSION AND/OR ASSOCIATION WITH ITS EARLIER TRADE MARK ON THE PART OF THE RELEVANT PUBLIC.

Use this sheet if you are basing your opposition on sections 5(1) or 5(2) of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

- ☐ 5(1) It is identical with an earlier mark and for identical goods or services as the earlier mark.
- ☐ 5(2)(a) It is identical with an earlier mark and for similar goods or services as the earlier mark.
- ☒ 5(2)(b) It is similar to an earlier mark and for identical or similar goods or services as the earlier mark.

Details of the earlier trade mark

Number: 1268972

Is it a UK, Community or International mark? UNITED KINGDOM

Representation of the mark:

GUCCI

1. What goods or services covered by the earlier trade mark are relied upon for the grounds stated above?

- ☒ All
- ☐ Some (please specify)

2. **Statement of use provision**– Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication date of the opposed application?

☒ Yes ☐ No

- 3(a). If yes, and the mark has been used, for which of the goods and services listed at question 1 is use claimed?

☒ All
☐ Some (please specify)

Or,

- 3(b). If yes and the mark has not been used, please state any proper reasons for non use.

Details of the mark you are opposing

4. Which goods or services in the application do you claim are identical or similar to those covered by the earlier mark and listed at question 3 (or at question 1 if the statement of use does not apply)?

☒ All
☐ Some (please specify)

Use this space to give any further information to explain why you consider that there is a likelihood of confusion e.g. why you consider the respective marks or goods and/or services to be similar?

THE TRADE MARK GUECCA LOGO IS VISUALLY AND PHONETICALLY SIMILAR TO THE EARLIER GUCCI TRADE MARK OF THE OPPONENT. THE OPPONENT BELIEVES THAT THERE IS A GENUINE RISK OF CONFUSION AND/OR ASSOCIATION WITH ITS EARLIER TRADE MARK ON THE PART OF THE RELEVANT PUBLIC.

Use this sheet if you are basing your opposition on sections 5(1) or 5(2) of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

- ☐ 5(1) It is identical with an earlier mark and for identical goods or services as the earlier mark.
- ☐ 5(2)(a) It is identical with an earlier mark and for similar goods or services as the earlier mark.
- ☒ 5(2)(b) It is similar to an earlier mark and for identical or similar goods or services as the earlier mark.

Details of the earlier trade mark

Number: 1328849

Is it a UK, Community or International mark? UNITED KINGDOM

Representation of the mark:

GUCCI

1. What goods or services covered by the earlier trade mark are relied upon for the grounds stated above?

- ☒ All
- ☐ Some (please specify)

2. **Statement of use provision—** Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication date of the opposed application?

☒ Yes ☐ No

- 3(a). If yes, and the mark has been used, for which of the goods and services listed at question 1 is use claimed?

☒ All
☐ Some (please specify)

Or,

- 3(b). If yes and the mark has not been used, please state any proper reasons for non use.

Details of the mark you are opposing

4. Which goods or services in the application do you claim are identical or similar to those covered by the earlier mark and listed at question 3 (or at question 1 if the statement of use does not apply)?

☒ All
☐ Some (please specify)

Use this space to give any further information to explain why you consider that there is a likelihood of confusion e.g, why you consider the respective marks or goods and/or services to be similar?

THE TRADE MARK GUECCA LOGO IS VISUALLY AND PHONETICALLY SIMILAR TO THE EARLIER GUCCI TRADE MARK OF THE OPPONENT. THE OPPONENT BELIEVES THAT THERE IS A GENUINE RISK OF CONFUSION AND/OR ASSOCIATION WITH ITS EARLIER TRADE MARK ON THE PART OF THE RELEVANT PUBLIC.

Use this sheet if you are basing your opposition on sections 5(1) or 5(2) of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

- ☐ 5(1) It is identical with an earlier mark and for identical goods or services as the earlier mark.
- ☐ 5(2)(a) It is identical with an earlier mark and for similar goods or services as the earlier mark.
- ☒ 5(2)(b) It is similar to an earlier mark and for identical or similar goods or services as the earlier mark.

Details of the earlier trade mark

Number: 000121988

Is it a UK, Community or International mark? COMMUNITY

Representation of the mark:

GUCCI

1. What goods or services covered by the earlier trade mark are relied upon for the grounds stated above?

- ☐ All
- ☒ Some (please specify)

THE GOODS COVERED BY THE CLASS 25 SPECIFICATION OF THE EARLIER COMMUNITY TRADE MARK REGISTRATION, NAMELY "CLOTHING, FOOTWEAR, HEADGEAR".

2. **Statement of use provision**— Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication date of the opposed application?

☒ Yes ☐ No

- 3(a). If yes, and the mark has been used, for which of the goods and services listed at question 1 is use claimed?

☒ All
☐ Some (please specify)

Or,

- 3(b). If yes and the mark has not been used, please state any proper reasons for non use.

Details of the mark you are opposing

4. Which goods or services in the application do you claim are identical or similar to those covered by the earlier mark and listed at question 3 (or at question 1 if the statement of use does not apply)?

☒ All
☐ Some (please specify)

Use this space to give any further information to explain why you consider that there is a likelihood of confusion e.g, why you consider the respective marks or goods and/or services to be similar?

THE TRADE MARK GUECCA LOGO IS VISUALLY AND PHONETICALLY SIMILAR TO THE EARLIER GUCCI TRADE MARK OF THE OPPONENT. THE OPPONENT BELIEVES THAT THERE IS A GENUINE RISK OF CONFUSION AND/OR ASSOCIATION WITH ITS EARLIER TRADE MARK ON THE PART OF THE RELEVANT PUBLIC.

Use this sheet if you are basing your opposition on section 5(3) of the Trade Marks Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

☒ 5(3) It is identical with or similar to an earlier mark which has a reputation.

Details of the earlier trade mark

Number: 1108184

Is it a UK, Community or International mark? UNITED KINGDOM

Representation of the mark:

GUCCI

1. For which goods or services covered by the earlier mark does it have a reputation?

- ☒ All
☐ Some (please specify)

2. State the goods or services in the application for which you say that use of the applicant's mark would take unfair advantage of, or be detrimental to, the distinctive character or reputation of the earlier mark.

- ☒ All
☐ Some (please specify)

3. What do you say the unfair advantage or detriment would be?

USE OF THE TRADE MARK APPLIED FOR IN RELATION TO INFERIOR QUALITY PRODUCTS WILL RESULT IN DAMAGE TO THE OPPONENT'S SUBSTANTIAL REPUTATION FOR LUXURY CLOTHING, FOOTWEAR AND HEADGEAR PRODUCTS. THIS DAMAGE COULD MEAN THAT CONSUMERS ARE UNLIKELY TO MAKE REPEAT PURCHASES. THE OPPONENT COULD ALSO SUFFER DIRECT LOSS OF SALES FROM MEMBERS OF THE PUBLIC PURCHASING GOODS FROM THE APPLICANT, BY VIRTUE OF SUCH MEMBERS OF THE PUBLIC PERCEIVING A LINK BETWEEN THE OPPONENT AND THE APPLICANT. THE OPPONENT WILL ALSO SUFFER DILUTION OF THE DISTINCTIVENESS OF ITS TRADE MARK DUE TO BLURRING.

4. **Statement of use provision—** Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication of the opposed application?

☒ Yes ☐ No

- 5(a). If yes, for which goods and services listed at question 1 is use claimed?

☒ All
☐ Some (please specify)

Or,

- 5(b). If yes and the mark has not been used, please state any proper reasons for non use.

Use this space to give any further information to explain why you are opposing the application on this ground.

Use this sheet if you are basing your opposition on section 5(3) of the Trade Marks Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

☒ 5(3) It is identical with or similar to an earlier mark which has a reputation.

Details of the earlier trade mark

Number: 1268972

Is it a UK, Community or International mark? UNITED KINGDOM

Representation of the mark:

GUCCI

1. For which goods or services covered by the earlier mark does it have a reputation?

☒ All

☐ Some (please specify)

2. State the goods or services in the application for which you say that use of the applicant's mark would take unfair advantage of, or be detrimental to, the distinctive character or reputation of the earlier mark.

☒ All

☐ Some (please specify)

3. What do you say the unfair advantage or detriment would be?

USE OF THE TRADE MARK APPLIED FOR IN RELATION TO INFERIOR QUALITY PRODUCTS WILL RESULT IN DAMAGE TO THE OPPONENT'S SUBSTANTIAL REPUTATION FOR LUXURY CLOTHING, FOOTWEAR AND HEADGEAR PRODUCTS. THIS DAMAGE COULD MEAN THAT CONSUMERS ARE UNLIKELY TO MAKE REPEAT PURCHASES. THE OPPONENT COULD ALSO SUFFER DIRECT LOSS OF SALES FROM MEMBERS OF THE PUBLIC PURCHASING GOODS FROM THE APPLICANT, BY VIRTUE OF SUCH MEMBERS OF THE PUBLIC PERCEIVING A LINK BETWEEN THE OPPONENT AND THE APPLICANT. THE OPPONENT WILL ALSO SUFFER DILUTION OF THE DISTINCTIVENESS OF ITS TRADE MARK DUE TO BLURRING.

4. **Statement of use provision—** Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication of the opposed application?

☒ Yes ☐ No

- 5(a). If yes, for which goods and services listed at question 1 is use claimed?

☒ All
☐ Some (please specify)

Or,

- 5(b). If yes and the mark has not been used, please state any proper reasons for non use.

Use this space to give any further information to explain why you are opposing the application on this ground.

Use this sheet if you are basing your opposition on section 5(3) of the Trade Marks Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

☒ 5(3) It is identical with or similar to an earlier mark which has a reputation.

Details of the earlier trade mark

Number: 1328849

Is it a UK, Community or International mark? UNITED KINGDOM

Representation of the mark:

GUCCI

1. For which goods or services covered by the earlier mark does it have a reputation?

☒ All

☐ Some (please specify)

2. State the goods or services in the application for which you say that use of the applicant's mark would take unfair advantage of, or be detrimental to, the distinctive character or reputation of the earlier mark.

☒ All

☐ Some (please specify)

3. What do you say the unfair advantage or detriment would be?

USE OF THE TRADE MARK APPLIED FOR IN RELATION TO INFERIOR QUALITY PRODUCTS WILL RESULT IN DAMAGE TO THE OPPONENT'S SUBSTANTIAL REPUTATION FOR LUXURY CLOTHING, FOOTWEAR AND HEADGEAR PRODUCTS. THIS DAMAGE COULD MEAN THAT CONSUMERS ARE UNLIKELY TO MAKE REPEAT PURCHASES. THE OPPONENT COULD ALSO SUFFER DIRECT LOSS OF SALES FROM MEMBERS OF THE PUBLIC PURCHASING GOODS FROM THE APPLICANT, BY VIRTUE OF SUCH MEMBERS OF THE PUBLIC PERCEIVING A LINK BETWEEN THE OPPONENT AND THE APPLICANT. THE OPPONENT WILL ALSO SUFFER DILUTION OF THE DISTINCTIVENESS OF ITS TRADE MARK DUE TO BLURRING.

4. **Statement of use provision**— Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication of the opposed application?

☒ Yes ☐ No

5(a). If yes, for which goods and services listed at question 1 is use claimed?

☒ All
☐ Some (please specify)

Or,

5(b). If yes and the mark has not been used, please state any proper reasons for non use.

Use this space to give any further information to explain why you are opposing the application on this ground.

Use this sheet if you are basing your opposition on section 5(3) of the Trade Marks Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

☒ 5(3) It is identical with or similar to an earlier mark which has a reputation.

Details of the earlier trade mark

Number: 000121988

Is it a UK, Community or International mark? COMMUNITY

Representation of the mark:

GUCCI

1. For which goods or services covered by the earlier mark does it have a reputation?

☐ All

☒ Some (please specify)

THE GOODS COVERED BY THE CLASS 3, 18 AND 25 SPECIFICATIONS OF THE EARLIER COMMUNITY TRADE MARK REGISTRATION.

2. State the goods or services in the application for which you say that use of the applicant's mark would take unfair advantage of, or be detrimental to, the distinctive character or reputation of the earlier mark.

☒ All

☐ Some (please specify)

3. What do you say the unfair advantage or detriment would be?

USE OF THE TRADE MARK APPLIED FOR IN RELATION TO INFERIOR QUALITY PRODUCTS WILL RESULT IN DAMAGE TO THE OPPONENT'S SUBSTANTIAL REPUTATION FOR LUXURY CLOTHING, FOOTWEAR AND HEADGEAR PRODUCTS. THIS DAMAGE COULD MEAN THAT CONSUMERS ARE UNLIKELY TO MAKE REPEAT PURCHASES. THE OPPONENT COULD ALSO SUFFER DIRECT LOSS OF SALES FROM MEMBERS OF THE PUBLIC PURCHASING GOODS FROM THE APPLICANT, BY VIRTUE OF SUCH MEMBERS OF THE PUBLIC PERCEIVING A LINK BETWEEN THE OPPONENT AND THE APPLICANT. THE OPPONENT WILL ALSO SUFFER DILUTION OF THE DISTINCTIVENESS OF ITS TRADE MARK DUE TO BLURRING.

4. **Statement of use provision—** Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication of the opposed application?

☒ Yes ☐ No

- 5(a). If yes, for which goods and services listed at question 1 is use claimed?

☒ All
☐ Some (please specify)

Or,

- 5(b). If yes and the mark has not been used, please state any proper reasons for non use.

Use this space to give any further information to explain why you are opposing the application on this ground.

Use this sheet if you are basing your opposition on section 5(4)(a) of the Trade Marks Act.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier right.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

- ☒ 5(4)(a) by virtue of any rule of law (in particular, the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade.

Representation or details of the earlier mark, sign or right.

GUCCI

If the opposition is under Section 5(4)(a), please answer the following questions.

1. When and where was the earlier right first used in the UK?

THE GUCCI TRADE MARK HAS BEEN USED IN THE UK SINCE THE 1960S.

2. State in relation to which goods and services the earlier right has been used.

CLOTHING, FOOTWEAR, HEADGEAR

3. State which goods or services of the application you oppose under Section 5(4)(a).

☒ All

☐ Some (please specify)

4. Now state why you consider use of the applicant's mark would be contrary to law, particularly the law of passing off.

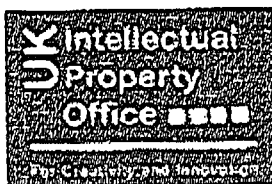
THE USAGE OF THE GUECCA LOGO TRADE MARK IS USAGE OF A CONFUSINGLY SIMILAR SIGN TO THE GUCCI TRADE MARK OF THE OPPONENT. THE USAGE OF THIS TRADE MARK IN THE COURSE OF TRADE WOULD BE LIKELY TO AMOUNT TO A MISREPRESENTATION AS TO ORIGIN OF THE PRODUCTS SOLD UNDER THE MARK, SUCH THAT CONSUMERS WOULD BE LIKELY TO BE DECEIVED.

Use this sheet if you are basing your opposition on any other grounds and tick the appropriate box.

Statement of other grounds of opposition.

- | | | |
|--------------------------|-----------------------|---|
| <input type="checkbox"/> | Section 5(1),(2), (3) | If the opponent is claiming protection for an earlier trade mark under Section 6(1)(c) which is a well known trade mark as defined in Section 56(1) |
| <input type="checkbox"/> | Section 5(4)(b) | An earlier right by virtue of the law of copyright, design right or registered designs |
| <input type="checkbox"/> | Section 60 | Acts of agent or representative. |
| <input type="checkbox"/> | Rule 18(2) | Applications amended after publication. |
| <input type="checkbox"/> | Rule 22 | Regulations for collective or certification marks. |
| <input type="checkbox"/> | Rule 23(4) | Amendment of regulations for collective or certification marks. |
| <input type="checkbox"/> | Rule 25(3) | Alteration of registered mark. |
| <input type="checkbox"/> | Rule 45(2) | Removal of matter from the register. |
| <input type="checkbox"/> | Rule 47(1) | Reclassification of specification. |
| <input type="checkbox"/> | Others | |

Give details to support your opposition under these grounds:



Case details for Community Trade Mark E121988

Explanation of terms used on this page

Mark

Mark text:
GUCCI

Status

UK case status:
Registered
Original language:
Italian
Second language:
English
Classes:
01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24,
25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42

Relevant dates

Filing date:
01 April 1996
Publication date:
22 February 1999
Registration date:
24 November 1998

List of goods or services

Class 01:

Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

Class 02:

Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

Class 03:

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

Class 04:

Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks.

Class 05:

Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth,

dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

Class 06:

Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.

Class 07:

Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements; incubators for eggs.

Class 08:

Hand tools and implements (hand operated); cutlery; side arms; razors.

Class 09:

Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.

Class 10:

Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.

Class 11:

Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

Class 12:

Vehicles; apparatus for locomotion by land, air or water.

Class 13:

Firearms; ammunition and projectiles; explosives; fireworks.

Class 14:

Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

Class 15:

Musical instruments.

Class 16:

Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks.

Class 17:

Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.

Class 18:

Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

Class 19:

Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.

Class 20:

Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork,

reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

Class 21:

Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

Class 22:

Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

Class 23:

Yarns and threads, for textile use.

Class 24:

Textiles and textile goods, not included in other classes; bed and table covers.

Class 25:

Clothing, footwear, headgear.

Class 26:

Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.

Class 27:

Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).

Class 28:

Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

Class 29:

Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats.

Class 30:

Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.

Class 31:

Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt.

Class 32:

Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

Class 33:

Alcoholic beverages (except beers).

Class 34:

Tobacco; smokers' articles; matches.

Class 35:

Advertising; business management; business administration; office functions.

Class 36:

Insurance; financial affairs; monetary affairs; real estate affairs.

Class 37:

Building construction; repair; installation services.

Class 38:

Telecommunications.

Class 39:

Transport; packaging and storage of goods; travel arrangement.

Class 40:

Treatment of materials.

Class 41:

Education; providing of training; entertainment; sporting and cultural activities.

Class 42:

Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; computer programming.

Names and addresses

Applicant:

GUCCIO GUCCI S.p.A.

Via Tornabuoni, 73/R, Firenze, Italy, 50123

Representative:

JACOBACCI & PARTNERS S.P.A.

Corso Emilia, 8, Torino, Italy, 10152

Earlier rights notification

Not opted in

Explanation of terms used on this page

The "E" prefix is used purely within the UK and is not part of the Community Trade Mark Number.

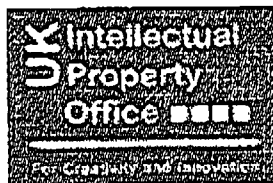
This enquiry shows Community Trade Mark information held by us. If you want to see details of the definitive Community Trade Mark, please visit the **Office for Harmonization in the Internal Market**.



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Case details for Trade Mark 1108184

Explanation of terms used on this page

Case history including, where available, licensee details

Mark

Mark text:
GUCCI

Status

Status:
Registered
Class:
25

Relevant dates

Filing date:
24 January 1979
Next renewal date:
24 January 2010

Publication in Trade Marks Journal

First advert:
Journal:
5364
Page:
1561
Publication date:
01 July 1981
Renewal:
Journal:
6314
Publication date:
09 February 2000
Assignment:
Journal:
6138
Publication date:
14 August 1996

List of goods or services

Class 25:
Articles of outer-clothing for men and women.

Names and addresses

Proprietor:

Guccio Gucci S.p.A.

Via Tornabuoni 73/R, 50123 Firenze, Italy

Incorporated country:

Italy

Residence country:

Italy

Customer's ref:

JPJ/GUCCI

Effective assignment date:

02 January 1996

ADP number:

0730498001

Other cases owned by this proprietor**Agent:**

Addleshaw Goddard LLP

100 Barbirolli Square, Manchester, M2 3AB

ADP number:

0592892001

Service:

Addleshaw Goddard LLP

100 Barbirolli Square, Manchester, M2 3AB

ADP number:

0592892001

Other particulars**Special circumstances:**

Advertised before acceptance by reason of special circumstances. Section 18(1) (proviso).

Earlier rights notification

Opted in for notifications

Explanation of terms used on this page

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Case details for Trade Mark 1268972

Explanation of terms used on this page

Case history including, where available, licensee details

Mark

Mark text:
GUCCI

Status

Status:
Registered
Class:
25

Relevant dates

Filing date:
11 June 1986
Next renewal date:
11 June 2017

Publication in Trade Marks Journal

First advert:
Journal:
5671
Page:
1033
Publication date:
20 May 1987

Renewal:
Journal:
6690
Publication date:
29 June 2007

Assignment:
Journal:
6138
Publication date:
14 August 1996

List of goods or services

Class 25:
Shoes, boots and slippers.

Names and addresses

Proprietor:

Guccio Gucci S.p.A.
Via Tornabuoni 73/R, 50123 Firenze, Italy

Incorporated country:

Italy

Residence country:

Italy

Customer's ref:

JPJ/GUCCI

Effective assignment date:

02 January 1996

ADP number:

0730498001

Other cases owned by this proprietor**Agent:**

Addleshaw Goddard LLP
100 Barbirolli Square, Manchester, M2 3AB

ADP number:

0592892001

Service:

Addleshaw Goddard LLP
100 Barbirolli Square, Manchester, M2 3AB

ADP number:

0592892001

Other particulars**Special circumstances:**

Advertised before acceptance by reason of special circumstances. Section 18(1) (proviso).

Earlier rights notification

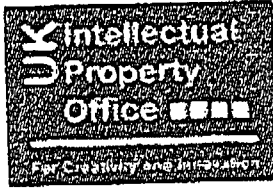
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Explanation of terms used on this page

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Case details for Trade Mark 1328849

Explanation of terms used on this page

Case history including, where available, licensee details

Mark

Mark text:
GUCCI

Status

Status:
Registered
Class:
25

Relevant dates

Filing date:
04 December 1987
Next renewal date:
04 December 2014
Registration date:
23 August 1991

Publication in Trade Marks Journal

First advert:
Journal:
5879
Page:
3796
Publication date:
26 June 1991
Registration:
Journal:
5897
Publication date:
30 October 1991
Renewal:
Journal:
6558
Publication date:
26 November 2004
Assignment:
Journal:
6138
Publication date:
14 August 1996

List of goods or services

Class 25:

Articles of outerclothing; knitted articles of clothing; shirts; T-shirts, skirts, blouses, scarves, cravats, hats; ties, socks, belts; boots, shoes and slippers; all included in Class 25.

Names and addresses

Proprietor:

Guccio Gucci S.p.A.
Via Tornabuoni 73/R, 50123 Firenze, Italy

Incorporated country:

Italy

Residence country:

Italy

Customer's ref:

JPJ/GUCCI

Effective assignment date:

02 January 1996

ADP number:

0730498001

Other cases owned by this proprietor

Agent:

Addleshaw Goddard LLP
100 Barbirolli Square, Manchester, M2 3AB

ADP number:

0592892001

Service:

Addleshaw Goddard LLP
100 Barbirolli Square, Manchester, M2 3AB

ADP number:

0592892001

Earlier rights notification

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Explanation of terms used on this page

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Notice of defence and counterstatement

Trade Marks Registry
Concept House
Cardiff Road, Newport
South Wales NP10 8QQ

Please read the guidance notes on the next page before filling in this form.

1. Trade mark number.	(Lowest) Class
2. Full name of the applicant or registered proprietor.	
3. Opposition, invalidation, revocation, or rectification number.	
4. Name and address (including postcode) of the agent (if any).	
5. Do you want the opponent to provide proof of use? (see note)	
6. If you answered 'Yes' to question five, please state for which goods and services you require proof.	
7. Counterstatement	

8.	Declaration	I believe that the facts stated in this notice of defence and counterstatement are true.
	Your signature.	
	Your name in BLOCK CAPITALS.	
	Date.	
9.	Name and daytime phone number of the person we should contact in case of query.	
	Your reference.	
	Number of sheets attached to this form.	This is sheet 1 of

Notes If you need more space for your counterstatement you may attach separate sheets. Number each one and say in question 9 how many sheets you have used.

Boxes 2 and 4: At least one of these should be located in the UK.

Box 5: Only applies in opposition, or similarly in the case of invalidation proceedings, where the person opposing or invalidating your mark may have provided a statement of use and only applies to grounds of opposition or invalidation raised under sections 5(1) and 5(2) and 5(3) of the Trade Marks Act.

Appointment or change of agent or contact address

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Please read the note below before filling in this form.

<p>1. Trade mark numbers affected. (Please put an 'M' in front of Madrid marks). (List on a separate sheet if there is not enough space on this form).</p>	<p>(Lowest) Class</p>
<p>2. Full name of the proprietor as now shown on our records.</p>	
<p>3. Name and address (including postcode) of the new agent or contact address</p>	
<p>Trade Marks ADP number (If you know it).</p> <p>4. Declaration.</p> <p>Signature.</p> <p>Name in BLOCK CAPITALS.</p> <p>Date.</p>	<p>We have been appointed by the above proprietor.</p>
<p>5. Name and daytime phone number of the person we should contact in case of query.</p> <p>Your reference.</p> <p>Number of sheets attached to this form.</p>	<p>This is sheet 1 of</p>

Note We suggest you check the proprietor's name and the marks they own by doing a proprietor search on our website www.lpo.gov.uk before you fill in the form.