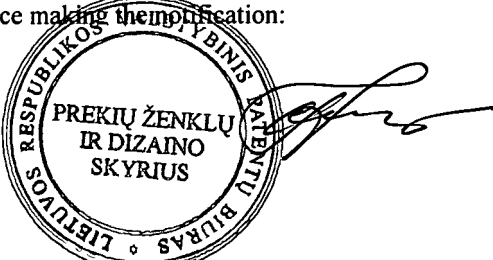


**THE PROTOCOL
RELATING TO THE MADRID AGREEMENT
CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS**

PROVISIONAL REFUSAL OF PROTECTION

Rule 17(1)

| | | |
|---|--|--|
| I. Office making the notification: STATE PATENT BUREAU OF THE REPUBLIC OF LITHUANIA Kalvarijų g. 3, LT-09310 Vilnius LITHUANIA | | Tel.: (370-5) 27 80 267 Fax.: (370-5) 27 50 723 |
| II. Number of the international registration: | 872 616 | |
| III. Name of the holder and other indications of the international registration: | | |
| Name of the holder: | Ferro S.A. | |
| Verbal elements of the Mark: | FERRO, fig | |
| Basic registration: | PL, 23.09.2004, 158031 | |
| IV. Provisional refusal based on an opposition | | |
| <u>Name and address of the opponent:</u> | FERROLI S.P.A. Via Ritonda, 78/A I-37047, San Bonifacio (VR), (IT) | |
| <u>Name and address of the representative:</u> | Marija Lenkutienė Patentinių paslaugų centras, UAB J.Basanavičiaus g. 11/1 LT-03108 Vilnius Tel. +370 5 212 3558, Fax. +370 5 212 3557 | |
| V. <input checked="" type="checkbox"/> Provisional refusal for all the goods and services. <input type="checkbox"/> Provisional refusal for some of the goods: [followed by an indication of the goods and/or services which are affected or are not affected] | | |
| X. Date of the notification of provisional refusal | 03.06.2010 | |
| XI. Signature or official seal of the Office making the notification: | | |
| Deputy Head of the Trademark and Designs Division |  | Stela Ivanova |

* - if the space available is insufficient, see a continuation sheet

CONTINUATION SHEET

No: 1 of IV

VI. Grounds for refusal [(where applicable, see item VII)]:

- The mark would infringe rights acquired by third parties resulting from an earlier registration(s)
- Other grounds.

Opposition filed with the Division of Appeals of the State Patent Bureau on:

10.04.2010 No. 2534

VII. Information relating to an earlier mark:*Community Trade Marks (copy enclosed):No 003285145No 003743044No 004798708No 006915607National registration (extract enclosed):International registration (copy enclosed):No 537633No 585672No 773699**VIII. Corresponding essential provisions of the Lithuanian Law on Trade Marks [(see text under XII):***

Article 7 (1)(2) and 7 (3)

IX. Information relating to subsequent procedure:

The proprietor of a mark of international registration against which an opposition has been filed must within a five months period from the date of this notification present a justified reply to opposition. The justified reply should be addressed to the Appeals Division of the State Patent Bureau. It should be presented in Lithuanian language and an address for the correspondence in the territory of the Republic of Lithuania should be indicated. Where the trademark owner is not a resident of the Republic of Lithuania or another member state of the European Union, neither he has subsidiary or representation registered in the Republic of Lithuania or another member state of the European Union, the justified reply should be presented through a patent attorney of the Republic of Lithuania. The list of patent attorneys is available on <http://www.vpb.gov.lt/eng/>. The time limit expires on **03.11.2010**.

XII. Corresponding essential provisions of the Lithuanian Law on Trade Marks:

Article 5. Signs of Which a Mark May Consist

Marks, with respect to which legal protection under this Law is applicable, may consist of signs, in particular:

- 1) words, personal surnames, names, artistic pseudonyms, names of the legal entities, slogans;
- 2) letters, numerals;
- 3) drawings, emblems;
- 4) three-dimensional forms (the shape of goods, their packaging or containers);
- 5) colours or combinations of colours, their compositions;
- 6) any combination of signs specified in subparagraphs 1-5 of this Article.

Article 6. Absolute Grounds for Refusal of Registration or Invalidation of a Mark

1. A sign shall not be recognised as a mark and shall be refused registration or the registration of a registered mark shall be declared invalid if:

- 1) the sign cannot constitute a mark under the requirements of Article 5;
- 2) the sign is devoid of any distinctive character;
- 3) it has become customary in the current language or in the *bona fide* and established practices of the trade;
- 4) it consists exclusively of signs or indications which may serve, in trade, to designate the kind, quality, quantity, intended purpose, value, geographical origin or the time of production of the goods or of rendering of the service, the mode of production or other characteristics of the goods and/or services;
- 5) the sign is of such a nature as to mislead the public, for instance as to the nature, quality or geographical origin of the goods and/or services;
- 6) the sign is contrary to accepted principles of morality or public policy, including ethics of society and humanitarian principles;
- 7) the sign consists exclusively of the shape which results from the nature of the goods themselves or the shape of goods which is necessary to obtain a technical result or the shape which gives substantial value to the goods;
- 8) the sign consists of the official or traditional (abbreviated) state name of the Republic of Lithuania, or armorial bearings, flag or other state heraldic objects or any imitation from a heraldic point of view, also official signs and hallmarks indicating control and warranty, stamps, medals or marks of distinction, unless the permission for their use in a mark has been issued according to the established procedure by the institution authorised by the Government of the Republic of Lithuania;
- 9) it consists of the signs the registration of which has not been authorised by the competent authorities of other states or international organisations and the registration of which is to be refused or invalidated pursuant to Article 6ter of the Paris Convention;
- 10) it is a sign of high symbolic value, in particular a religious symbol;
- 11) it contains or consists of a geographical indication with respect to goods not originating in the territory indicated, if use of the indication in the mark for such goods in the Republic of Lithuania is of such a nature as to mislead the public as to the true place of origin of the goods. The above provision shall also be applicable against a geographical indication which, although literally true as to the place of origin of the goods, falsely represent to the public that the goods originate in another territory;
- 12) it contains or consists of a geographical indication identifying wines for wines or spirits for spirits not originating in the place indicated by the geographical indication in question, even where the true origin of the goods is indicated or the geographical indication is used in translation or accompanied by expressions such as "kind", "type", "style", "imitation" or the like.

2. In the cases provided for in subparagraphs 2, 3 or 4 of paragraph 1 of this Article, a sign may be recognised as a mark and its registration may not be invalidated if, before the date of application for registration, after the date of filing of the application or registration of the mark and following the use which has been made of it, it has acquired distinctive character.

Article 7. Other Grounds for the Invalidation of Registration

1. Registration of a mark shall be declared invalid if the mark is:

- 1) identical with an earlier mark, and the goods and/or services for which the mark is registered are identical with the goods and/or services for which the earlier mark is applied for or is registered;
- 2) identical with or similar to the earlier mark and because of the identity or similarity of the goods and/or services covered by the marks there exists a likelihood of confusion on the part of the public; the likelihood of confusion includes the likelihood of association with the earlier mark;
- 3) identical with the mark recognised as well-known in the Republic of Lithuania in the manner prescribed by Article 9 of this Law, the proprietor of which is another person, or because of its similarity to the mark it is liable to mislead the public;
- 4) identical with the name of the legal entity or processing a misleading likelihood to the name of the legal entity, whose proprietor is another person who acquired the right to the name of the legal entity in the Republic of Lithuania before the date of filing of the application for the registration of the mark or the date of the priority, if on the specified date the firm had a right to engage in identical or similar trade to which the goods and/or services covered by the registered mark may be attributed;

5) identical with the geographical indication protected in the Republic of Lithuania or possessing a misleading likelihood thereto, except for the indication incorporated in the mark as the disclaimer, for which registration is applied for by a person entitled to use the geographical indication;

6) identical with the protected industrial design or any other object of industrial property, literary, scientific or artistic work protected under the copyright, the name or surname or artistic pseudonym of a famous person, or the portrait of another person or its likelihood to the above is misleading, except in cases where consent has been granted by the owner of the rights or the successor to them.

7) identical with, or similar to, an earlier Community trade mark and where the later mark is to be, or has been registered for goods and (or) services which are not similar to those for which the earlier Community trade mark is registered, where the earlier Community trade mark has a reputation in the European Community and where the use of the later mark without due cause would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier Community trade mark (...)

3. Registration of the mark may be declared invalid where it becomes evident that the application for the registration of a mark was made in bad faith by the applicant.

Article 11. Filing of an Application

(...) Foreign nationals who are not permanent residents of the Republic of Lithuania or another member state of the European Union, and legal persons of foreign states who do not have a subsidiary or representation registered in the Republic of Lithuania or another member state of the European Union, shall file applications to the State Patent Bureau and perform all actions relating to the registration of the mark with the State Patent Bureau, including also representation at the Appeals Division, through the patent attorney of the Republic of Lithuania (...)

Article 18. Opposition

1. Within a period of three months following the publication of the registered Mark in the Official Bulletin of the State Patent Bureau, the interested person may give to the Appeals Division a justified written opposition to registration of the mark on the grounds that it may not be registered under Articles 6 and 7 of this Law (...)

7. The decision made by the Appeals Division may be appealed against to the Vilnius County Court within six months from the day of adoption thereof.

8. Decisions made by the Appeals Division shall be published in the Official Bulletin of the State Patent Bureau.

Article 19. Appeal and Opposition Examination at the State Patent Bureau

(...)

2. The applicant, the interested person, the proprietor of the mark against which opposition has been filed or the representatives of the above persons shall have the right to take part in the appeal or opposition proceedings at the Appeal Division (...)

Article 34. Special Provisions Applicable to International Registration of a Mark

(...)

4. The proprietor of a mark of international registration against which an opposition has been filed must within a five months period from the date of Notification of Refusal to the International Bureau appoint his representative in the manner laid down in paragraph 2 of Article 11 of this Law and present a justified reply to opposition. Failure to present a justified reply to the opposition shall be considered as a refusal to take part in the examination of the opposition and shall not prevent the Appeals Division from examining the opposition in the absence of the proprietor of the mark of international registration or his representative. If the proprietor of the mark of international registration to which the opposition is filed fails to appoint his representative, the decision made by the Appeals Division shall not be communicated to the proprietor of the mark of international registration (...)

Article 49. Institutions Having Jurisdiction in Disputes Relating to Marks

1. The Appeals Division of the State Patent Bureau shall deal with disputes provided for in Article 18 of this Law.

2. The Vilnius County Court shall deal with disputes relating to:

1) decisions of the Appeals Division of the State Patent Bureau;

2) invalidation of registration of a mark;

3) revocation of registration of a mark;

4) enforcement of the proprietor's rights;

5) recognition of the mark as well-known in the Republic of Lithuania;

6) Community trade marks as defined in Articles 90-101 of the Council Regulation on Community trade mark.

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CTM-ONLINE - Detailed trade mark information



Trade mark name : FER
Trade mark No : 003285145
Trade mark basis: CTM
Number of results: 1 of 1

Online Inspection Request form (for MyPage users with current account only)



Trade mark

Filing date: 21/07/2003
Date of registration: 15/12/2005
Expiry Date: 21/07/2013
Nice Classification: 11 ([↔](#) Nice classification)
Trade mark: Individual
Type of mark: Figurative
Vienna Classification: 26.7.9 ([↔](#) Vienna Classification)
Acquired distinctiveness: No
Applicant's reference: SD2003/146/COM
Status of trade mark: CTM registered ([↔](#) Glossary)
 CTM registration published (B1)
 ([↔](#) Publication B1 or Publication B2)
 ([↔](#) History of statuses)
Filing language: Italian
Second language: French

Graphic representation

Ⓢ



List of goods and services

Nice Classification: 11
List of goods and services: Heating installations; boilers for heating installations; burners for heating installations; steam generating installations; apparatus for cooking; installations and apparatus for refrigerating and air conditioning; drying installations; ventilation installations; water distribution installations; sanitary installations.

Description

Description of the mark: -

Owner

Name: FERROLI S.P.A.
ID No: 28228
Natural or legal person: Legal entity
Address: Via Ritonda, 78/A
Post code: 37047
Town: San Bonifacio (VR)
Country: ITALY
Correspondence address: FERROLI S.P.A. Via Ritonda, 78/A I-37047 San Bonifacio (VR) ITALIA
Telephone: 00 39-0456139411
Fax: 00 39-0456100331

Representative

Name: DOTT. PROF. FRANCO CICOGNA
ID No: 14838
Address: Via Visconti di Modrone, 14/A
Post code: 20122

Town: Milano
Country: ITALY
Correspondence address: DOTT. PROF. FRANCO CICOGNA Via Visconti di
 Modrone, 14/A I-20122 Milano ITALIA
Telephone: 00 39-0276000209
Fax: 00 39-0276021470
E-mail: cicognaf@tiscalinet.it

Seniority

No entry for application number: 003285145.

Exhibition priority

No entry for application number: 003285145

Priority

No entry for application number: 003285145.

Publication

Bulletin no.: 2004/037
Date of publication: 13/09/2004
Part: A.1

Bulletin no.: 2006/007
Date of publication: 13/02/2006
Part: B.2

Opposition

Opposition No: 000757502
Reception date: 22/11/2004
Opponent name: FER Fahrzeugelektrik GmbH
Opponent ID No: 19686

Cancellation

No entry for application number: 003285145

Appeals

No entry for application number: 003285145.

Recordals

No entry for application number: 003285145.

Renewals

No entry for application number: 003285145.



Version: 9.2.2

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 Avenida de Europa 4, E-03008 Alicante, Spain - Tel: +34 96 513 9400 - e-mail:

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CTM-ONLINE - Detailed trade mark information



Trade mark name : Ferroli
Trade mark No : 003743044
Trade mark basis: CTM
Number of results: 1 of 1

Online Inspection Request form (for MyPage users with current account only)



Trade mark

Filing date: 01/04/2004
Date of registration: 14/06/2005
Expiry Date: 01/04/2014
Nice Classification: 11 ([↔](#) Nice classification)
Trade mark: Individual
Type of mark: Figurative
Vienna Classification: 26.11.1, 26.11.6, 26.11.12 ([↔](#) Vienna Classification)
Acquired distinctiveness: No
Applicant's reference: AT2004/65/COM
Status of trade mark: CTM registered ([↔](#) Glossary)
 CTM registration published (B1)
 ([↔](#) Publication B1 or Publication B2)
 ([↔](#) History of statuses)
Filing language: Italian
Second language: French

Graphic representation



List of goods and services

Nice Classification: 11
List of goods and services Hot water boilers, operating with gas or gasoil burners; heating boilers; feeding apparatus for heating boilers; flues and pipes for heating boilers; water heater boilers; extractor hoods for kitchens; boilers for central heating installations, and parts therefor; boilers for the production of water and steam, and parts therefor; refrigeration and air-conditioning apparatus, and parts therefor; Air conditioning apparatus; ventilation installations; heating apparatus for solid, liquid or gaseous fuels; immersion heater apparatus; central heating radiators; heating apparatus; heaters for baths; autoclaves; air-conditioning apparatus and installations, and parts therefor; heat accumulators; heat regenerators.


Description

Description of the mark: -

Owner

Name: FERROLI S.P.A.
ID No: 28228
Natural or legal person: Legal entity
Address: Via Ritonda, 78/A
Post code: 37047
Town: San Bonifacio (VR)
Country: ITALY
Correspondence address: FERROLI S.P.A. Via Ritonda, 78/A I-37047 San Bonifacio (VR) ITALIA
Telephone: 00 39-0456139411
Fax: 00 39-0456100331

Representative

Name: DOTT. PROF. FRANCO CICOGNA
ID No: 14838
Address: Via Visconti di Modrone, 14/A
Post code: 20122
Town: Milano
Country: ITALY
Correspondence address: DOTT. PROF. FRANCO CICOGNA Via Visconti di Modrone, 14/A I-20122 Milano ITALIA
Telephone: 00 39-0276000209
Fax: 00 39-0276021470
E-mail:  cicognaf@tiscalinet.it

Seniority

No entry for application number: 003743044.

Exhibition priority

No entry for application number: 003743044

Priority

No entry for application number: 003743044.

Publication

Bulletin no.:  **2005/003**
Date of publication: 17/01/2005
Part: A.1

Bulletin no.:  **2005/039**
Date of publication: 26/09/2005
Part: B.1

Opposition

No entry for application number: 003743044.

Cancellation

No entry for application number: 003743044

Appeals

No entry for application number: 003743044.

Recordals

No entry for application number: 003743044.

Renewals

No entry for application number: 003743044.



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CTM-ONLINE - Detailed trade mark information


Trade mark name : fer
Trade mark No : 004798708
Trade mark basis: CTM
Number of results: 1 of 1

Online Inspection Request form (for MyPage users with current account only)



| | | |
|----------------------------------|---|---|
| | Trade mark | ? |
| Filing date: | 22/12/2005 | |
| Date of registration: | 15/01/2007 | |
| Expiry Date: | 22/12/2015 | |
| Nice Classification: | 11 (↔ Nice classification) | |
| Trade mark: | Individual | |
| Type of mark: | Figurative | |
| Vienna Classification: | 27.5.1 (↔ Vienna Classification) | |
| Acquired distinctiveness: | No | |
| Applicant's reference: | CA2005/203/COM | |
| Status of trade mark: | CTM registered (↔ Glossary) | |
| | CTM registration published (B1) <input checked="" type="checkbox"/> | |
| | (↔ Publication B1 or Publication B2) | |
| | (↔ History of statuses) | |
| Filing language: | Italian | |
| Second language: | French | |

Graphic representation

List of goods and services

| | |
|-----------------------------------|--|
| Nice Classification: | 11 |
| List of goods and services | Heating installations; boilers for heating installations; burners for heating installations; steam generating installations; apparatus for cooking; installations and apparatus for refrigerating and air conditioning; drying installations; ventilation installations; water distribution installations; sanitary installations. |

Description

| | |
|---------------------------------|--|
| Description of the mark: | The trade mark consists of the word "Fer" in special lettering.. |
|---------------------------------|--|

Owner

| | |
|---------------------------------|--|
| Name: | FERROLI S.P.A. |
| ID No: | 28228 |
| Natural or legal person: | Legal entity |
| Address: | Via Ritonda, 78/A |
| Post code: | 37047 |
| Town: | San Bonifacio (VR) |
| Country: | ITALY |
| Correspondence address: | FERROLI S.P.A. Via Ritonda, 78/A I-37047 San Bonifacio (VR) ITALIA |
| Telephone: | 00 39-0456139411 |
| Fax: | 00 39-0456100331 |

Representative

Name: DOTT. PROF. FRANCO CICOGNA
ID No: 14838
Address: Via Visconti di Modrone, 14/A
Post code: 20122
Town: Milano
Country: ITALY
Correspondence address: DOTT. PROF. FRANCO CICOGNA Via Visconti di Modrone, 14/A I-20122 Milano ITALIA
Telephone: 00 39-0276000209
Fax: 00 39-0276021470
E-mail: cicognaf@tiscalinet.it

Seniority

No entry for application number: 004798708.

Exhibition priority

No entry for application number: 004798708

Priority

No entry for application number: 004798708.

Publication

Bulletin no.: **2006/030**
Date of publication: 24/07/2006
Part: A.1

Bulletin no.: **2007/003**
Date of publication: 22/01/2007
Part: B.1

Opposition

No entry for application number: 004798708.

Cancellation

No entry for application number: 004798708

Appeals

No entry for application number: 004798708.

Recordals

No entry for application number: 004798708.

Renewals

No entry for application number: 004798708.



Version: 9.2.2

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 Avenida de Europa 4, E-03008 Alicante, Spain - Tel: +34 96 513 9400 - e-mail:

production of water and steam, and parts thereof; refrigeration and air-conditioning apparatus, and parts thereof; air conditioning apparatus; ventilation installations; heating apparatus for solid, liquid or gaseous fuels; immersion heater apparatus; central heating radiators; heating apparatus; heaters for baths; autoclaves; air-conditioning apparatus and installations, and parts thereof; heat accumulators; heat regenerators; lighting installations; chandeliers; lamps; light bulbs and lights, electric; water distribution installations; sanitary installations.

Description

Description of the mark: Below, there are the words "GRUPPO FERROLI" in distinctive characters arranged on two lines..

Owner

Name: FERROLI S.P.A.
ID No: 28228
Natural or legal person: Legal entity
Address: Via Ritonda, 78/A
Post code: 37047
Town: San Bonifacio (VR)
Country: ITALY
Correspondence address: FERROLI S.P.A. Via Ritonda, 78/A I-37047 San Bonifacio (VR) ITALIA
Telephone: 00 39-0456139411
Fax: 00 39-0456100331

Representative

Name: DOTT. PROF. FRANCO CICOGNA
ID No: 14838
Address: Via Visconti di Modrone, 14/A
Post code: 20122
Town: Milano
Country: ITALY
Correspondence address: DOTT. PROF. FRANCO CICOGNA Via Visconti di Modrone, 14/A I-20122 Milano ITALIA
Telephone: 00 39-0276000209
Fax: 00 39-0276021470
E-mail: cicognaf@tiscalinet.it

Seniority

No entry for application number: 006915607.

Exhibition priority

No entry for application number: 006915607

Priority

No entry for application number: 006915607.

Publication

Bulletin no.: 2008/030
Date of publication: 28/07/2008
Part: A.1
Bulletin no.: 2009/002
Date of publication: 19/01/2009
Part: B.1

Opposition

No entry for application number: 006915607.

Cancellation

No entry for application number: 006915607

Appeals

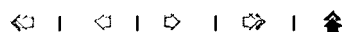
No entry for application number: 006915607.

Records

No entry for application number: 006915607.

Renewals

No entry for application number: 006915607.



537633

- 151 **Date of the registration**
12.06.1989
- 180 **Expected expiration date of the registration/renewal**
12.06.2019
- 270 **Language of the application**
French

Current Status

- 732 **Name and address of the holder of the registration**
FERROLI S.P.A.
Via Ritonda, 78/A
I-37047 SAN BONIFACIO (VR) (IT)
- 811 **Contracting State of which the holder is a national**
IT
- 740 **Name and address of the representative**
Dr. Franco Cicogna & C.
Via Visconti di Modrone, 14/A
I-20122 MILANO (IT)
- 770 **Name and address of the previous holder**
FERROLI INDUSTRIE RISCALDAMENTO S.P.A.
Casella postale 33,
SAN BONIFACIO (IT)

- 540 **Mark**



- 531 **International Classification of the Figurative Elements of Marks (Vienna Classification)**
26.04.02 ; 26.04.07 ; 27.01.07 ; 27.05.01
- 511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)**
11 Chaudières de chauffage, radiateurs en fonte et aluminium, plaques radiantes en acier et panneaux solaires.
- 821 **Basic application**
IT, 22.05.1981, 19 251 C/81
- 822 **Basic registration**
IT, 03.02.1986, 399 060
- 834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
AT - BX - CH - DE - FR - PT
- ☒ **Registration : 1989/6 LMi, 15.08.1989, AT, BX, CH, DE, DT, ES, FR, PT**
- ☒ **Total provisional refusal of protection : ES**
- ☒ **Total provisional refusal of protection : CH**
- ☒ **Statement indicating that the mark is protected for all the goods and services requested : 1991/2 LMi, 15.04.1991, CH**
- ☒ **Statement indicating that protection of the mark is refused for all the goods and services requested : 1992/6 LMi, 14.08.1992, ES**

- Renewal : 1999/12 Gaz, 22.07.1999**
- Designated contracting party(ies) which has not been the subject of a renewal (Rule 31(4)(b))**
- Renewal : 2009/32 Gaz, 27.08.2009**

585672

- 151 **Date of the registration**
21.04.1992
- 180 **Expected expiration date of the registration/renewal**
21.04.2012
- 270 **Language of the application**
French

Current Status

- 732 **Name and address of the holder of the registration**
FERROLI S.P.A.
Via Ritonda, 78/A
I-37047 SAN BONIFACIO (VR) (IT)
- 811 **Contracting State of which the holder is a national**
IT
- 740 **Name and address of the representative**
DR. FRANCO CICOGNA
Via Visconti di Modrone, 14/A
I-20122 MILANO (IT)

- 540 **Mark**



- 531 **International Classification of the Figurative Elements of Marks (Vienna Classification)**
26.03.01 ; 26.04.02 ; 26.04.05 ; 26.04.22 ; 27.05.01 ; 27.05.11 ; 27.05.17
- 511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(6)**
- 07 Machine boilers and their parts; flues for engine boilers; machine boiler scale collectors; installations for supplying machine boilers; heat exchangers (machine parts).
Chaudières de machines et leur parties; carneaux de chaudières de machines; collecteurs d'incrustations pour chaudières de machines; installations pour l'alimentation des chaudières de machines; échangeurs de chaleur (parties de machines).
- 11 Heating boilers, feeding apparatus for heating boilers, flues and boiler pipes for heating installations, boilers for water heaters, boilers for laundries, boilers for central heating installations and their parts; boilers for generating hot water and steam and their parts; refrigerating and air-conditioning apparatus and their parts; solid, liquid and gas fuel heating appliances; water heaters and their parts; air reheaters; installations for heating; immersion heaters; central heating radiators; radiators; heaters for baths; autoclaves; air-conditioning appliances and installations and their parts; heat accumulators; heat recovery systems.
Chaudières de chauffage, alimentateurs de chaudières de chauffage, carneaux et tubes de chaudières de chauffage, chaudières pour chauffe-eau, chaudières pour blanchisseries, chaudières pour les installations centrales de chauffage et leurs parties; chaudières pour la production d'eau chaude et de vapeur et leurs parties; appareils de réfrigération et de climatisation et leurs parties; appareils de chauffage par combustible solide, liquide et gazeux; réchauffeurs d'eau et leurs parties; réchauffeurs d'air; installations de chauffage; chauffe-liquides plongeurs; radiateurs de chauffage central; calorifères; chauffe-bains; autoclaves; appareils et installations de conditionnement d'air et leurs parties; accumulateurs de chaleur; récupérateurs de chaleur.
- 821 **Basic application**
IT, 02.03.1992, MI 1489 C/92
- 822 **Basic registration**
IT, 21.04.1992, 566 950
- 300 **Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin**
IT, 02.03.1992, MI 1489 C/92
- 831 **Designation(s) under the Madrid Agreement**
DZ - KZ

832 Designation(s) under the Madrid Protocol

AU - DK - EE - FI - GB - GE - GR - IE - LT - NO - SE - TR

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexiesAL - AM - AT - AZ - BA - BG - BX - BY - CH - CZ - DE - ES - FR - HR - HU - KP - LV - MA - MC - MD - ME - MK
- MN - PL - PT - RO - RS - RU - SI - SK - UA**527 Indications regarding use requirements**

GB - IE

⊕ Registration : 1992/5 LMi, 15.07.1992, CN, DZ, HU, KP, MC, MN, PL, RU

⊕ Total provisional refusal of protection : CN

⊕ Subsequent designation : 1999/17 Gaz, 30.09.1999, CN

⊕ Renewal : 2002/8 Gaz, 30.05.2002

⊕ Designated contracting party(ies) which has not been the subject of a renewal (Rule 31(4)(b))

⊕ Subsequent designation : 2003/6 Gaz, 01.05.2003, AL, AM, AT, AU, AZ, BA, BG, BX, BY, CH, CZ, DE, DK, EE, ES, FI, FR, GB, GE, GR, HR, IE, KZ, LT, LV, MA, MD, MK, NO, PT, RO, SE, SI, SK, TR, UA, YU

⊕ Grant of protection subject to opposition : 2003/11 Gaz, 10.07.2003, IE

⊕ Grant of protection : 2003/19 Gaz, 30.10.2003, AU

⊕ Grant of protection : 2003/21 Gaz, 27.11.2003, IE

⊕ Grant of protection : 2003/21 Gaz, 27.11.2003, GB

⊕ Grant of protection subject to opposition : 2003/23 Gaz, 25.12.2003, TR

⊕ Grant of protection subject to opposition : 2004/6 Gaz, 29.04.2004, GE


⊕ Grant of protection : 2004/20 Gaz, 12.08.2004, GE

⊕ Opposition possible after the 18 months time limit : 2004/21 Gaz, 19.08.2004, NO

⊕ Opposition possible after the 18 months time limit : 2005/32 Gaz, 15.09.2005, NO

⊕ Continuation of effect : 2007/36 Gaz, 11.10.2007, ME

773699

- 151 **Date of the registration**
20.12.2001
- 180 **Expected expiration date of the registration/renewal**
20.12.2011
- 270 **Language of the application**
French
- Current Status**
- 732 **Name and address of the holder of the registration**
FERROLI S.p.A.
Via Ritonda, 78/A
I-37047 SAN BONIFACIO (VR) (IT)
- 812 **Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment**
IT
- 842 **Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**
Société par actions, Italie
- 740 **Name and address of the representative**
DR. PROF. FRANCO CICOGNA
Via Visconti di Modrone, 14/A
I-20122 MILANO (IT)
- 540 **Mark**
- 
- 531 **International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(4)**
25.01.25 ; 27.05.01
- 571 **Description of the mark**
The mark is of composite nature; it specifically consists of the denomination FER, preceded by a stylised graphic symbol.
La marque est de nature composée; en particulier, elle est constituée par la dénomination FER, précédée d'un symbole graphique stylisé.
- 511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(7)**
- 11 Light installations; standard lamps; electric lamps and headlights; installations for heating; reheaters for heating installations; burners for heating installations; steam generating installations; cooking systems; refrigerating and air conditioning installations and appliances; drying equipment; ventilating installations, water supply installations; sanitary installations.
Installations d'éclairage; lampadaires; lampes et phares électriques; installations de chauffage; réchauffeurs pour installations de chauffage; brûleurs pour installations de chauffage; installations pour la production de vapeur; installations de cuisson; installations et appareils de réfrigération et de climatisation; installations de séchage; installations de ventilation, installations de distribution d'eau; installations sanitaires.
- 822 **Basic registration**
IT, 20.12.2001, 857900
- 300 **Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin**
IT, 06.11.2001, MI2001C 0011246
- 831 **Designation(s) under the Madrid Agreement**
DZ - KZ
- 832 **Designation(s) under the Madrid Protocol**

AU - DK - EE - FI - GB - GE - GR - IE - LT - NO - SE - TR

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

AL - AM - AT - AZ - BA - BG - BX - BY - CH - CN - CZ - DE - ES - FR - HR - HU - LV - MA - MD - ME - MK - PL
- PT - RO - RS - RU - SI - SK - UA

527 Indications regarding use requirements

GB - IE

⊕ Registration : 2002/3 Gaz, 21.03.2002, AL, AM, AT, AU, AZ, BA, BG, BX, BY, CH, CN, CZ, DE, DK, DZ, EE, ES, FI, FR, GB, GE, GR, HR, HU, IE, KZ, LT, LV, MA, MD, MK, NO, PL, PT, RO, RU, SE, SI, SK, TR, UA, YU

⊕ Total provisional refusal of protection : 2002/8 Gaz, 30.05.2002, IE

⊕ Total provisional refusal of protection : 2002/8 Gaz, 30.05.2002, GB

⊕ Grant of protection : 2002/18 Gaz, 17.10.2002, AU

⊕ Partial provisional refusal of protection : 2002/23 Gaz, 26.12.2002, BG

⊕ Partial provisional refusal of protection : 2002/23 Gaz, 26.12.2002, CN

⊕ Total provisional refusal of protection : 2002/24 Gaz, 09.01.2003, ES

⊕ Partial provisional refusal of protection : 2002/25 Gaz, 06.02.2003, RU

⊕ Partial provisional refusal of protection : 2002/25 Gaz, 06.02.2003, NO

⊕ Total provisional refusal of protection : 2002/25 Gaz, 06.02.2003, FI

⊕ Partial provisional refusal of protection : 2003/1 Gaz, 20.02.2003, UA

⊕ Partial provisional refusal of protection : 2003/2 Gaz, 06.03.2003, CZ

⊕ Grant of protection subject to opposition : 2003/2 Gaz, 06.03.2003, GE

⊕ Total provisional refusal of protection : 2003/3 Gaz, 20.03.2003, YU

⊕ Partial provisional refusal of protection : 2003/3 Gaz, 20.03.2003, RO

⊕ Partial provisional refusal of protection : 2003/25 Gaz, 05.02.2004, PL

⊕ Statement indicating that protection of the mark is protected for some of the goods and services requested : 2003/5 Gaz, 17.04.2003, IE

⊕ Statement indicating that protection of the mark is protected for some of the goods and services requested : 2003/6 Gaz, 01.05.2003, GB

⊕ Grant of protection : 2003/10 Gaz, 26.06.2003, GE

⊕ Opposition possible after the 18 months time limit : 2003/11 Gaz, 10.07.2003, SE

⊕ Opposition possible after the 18 months time limit : 2003/12 Gaz, 24.07.2003, NO

⊕ Statement indicating that protection of the mark is refused for all the goods and services requested : 2003/13 Gaz, 07.08.2003, ES

⊕ Partial provisional refusal of protection : 2003/13 Gaz, 07.08.2003, TR

⊕ Total provisional refusal of protection : 2003/14 Gaz, 21.08.2003, SE

- ⊕ **Opposition possible after the 18 months time limit : 2003/15 Gaz, 04.09.2003, FI**
- ⊕ **Statement indicating that protection of the mark is protected for some of the goods and services requested : 2003/16 Gaz, 18.09.2003, BG**
- ⊕ **Statement indicating that protection of the mark is protected for some of the goods and services requested : 2003/21 Gaz, 27.11.2003, FI**
- ⊕ **Opposition possible after the 18 months time limit : 2003/20 Gaz, 13.11.2003, NO**
- ⊕ **Statement indicating that protection of the mark is protected for some of the goods and services requested : 2003/25 Gaz, 05.02.2004, PL**
- ⊕ **Statement indicating that protection of the mark is protected for some of the goods and services requested : 2004/1 Gaz, 19.02.2004, RO**
- ⊕ **Statement indicating that protection of the mark is protected for some of the goods and services requested : 2004/1 Gaz, 19.02.2004, NO**
- ⊕ **Statement indicating that the mark is protected for all the goods and services requested : 2004/3 Gaz, 18.03.2004, SE**
- ⊕ **Statement indicating that protection of the mark is protected for some of the goods and services requested : 2004/24 Gaz, 09.09.2004, CZ**
- ⊕ **Statement indicating that the mark is protected for all the goods and services requested : 2005/1 Gaz, 10.02.2005, TR**
- ⊕ **Statement indicating that protection of the mark is protected for some of the goods and services requested : 2005/18 Gaz, 09.06.2005, RU**
- ⊕ **Statement indicating that protection of the mark is protected for some of the goods and services requested : 2005/45 Gaz, 15.12.2005, UA**
- ⊕ **Statement indicating that protection of the mark is refused for all the goods and services requested : 2007/23 Gaz, 12.07.2007, RS**
- ⊕ **Continuation of effect : 2007/36 Gaz, 11.10.2007, ME**
- ⊕ **Other final decision - Awaiting translation before publication : CN**