



OIFIG NA bPAITINNÍ
PATENTS OFFICE

Oifigí an Rialtais
Bóthar Hebron
Cill Chainnigh
Éire

Government Buildings
Hebron Road
Kilkenny
Ireland

World Intellectual Property Organisation
34, Chemin des Colombettes
PO Box 18
1211 Geneva 20
Switzerland

Date of Notification: 24 June 2010
Our Reference: TMOPP 2508

International Registration No: 1004208
Mark: Wannabesociety.com
Holder: ARIH oglaševalska agencija, d.o.o.

**Notification of the Irish Patents Office of refusal of protection
based on opposition**

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(3) 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.]*

Opposition to the granting of protection to the mark has been filed under Section 43 and Rule 18. A copy of the Notice of Opposition is enclosed.

The following are the Opponent's details:

Name: Groupe Go Sport

Address: 17 avenue de la Falaise
38360
Sassenage
France

Address for Service: FRKelly
27 Clyde Road
Dublin 4
Ireland

1. Where the Opponent has cited an earlier registration or pending application as grounds for the opposition, the details of the relevant mark(s) are as outlined in the enclosed printout(s). ***Please see attached printout in respect of Community Trade Mark Registration Number 004404737.***
2. The refusal is in respect of all goods and services in classes 25 and 35 for which protection is sought.
3. The Holder may file a counter-statement, under Rule 19(1), in duplicate, not later than 23 September 2010.
4. If a counter-statement is not received within the time allowed, the Holder will be deemed to have withdrawn his request for protection of the mark. Under Rule 63(2) an extension of time for the purpose of filing a counter-statement is not allowed.
5. A counter-statement must be accompanied by an address for service within the European Community as required by Rule 10 as amended by Statutory Instrument 621 of 2007; failure to furnish such address will result in the Holder being deemed to have abandoned his request for protection.

Please quote our reference in all future correspondence.

Yours faithfully,



Margaret Cahill

Trade Marks Opposition Section
Direct Line (00 353 56) 7720185

TRADE MARKS ACT, 1996

**IN THE MATTER OF International Trade
Mark No. 1004208 wannabesociety.com
in Class(es) 16, 25, 35, 38 in the name of
ARIH oglaševalska agencija, d.o.o.
Opposition by Groupe Go Sport**

NOTICE OF OPPOSITION

Groupe Go Sport of 17 avenue de la Falaise, 38360 Sassenage, France, (hereinafter referred to as "the opponents") hereby give notice of intention to oppose the conferring of protection in the State of the Trade Mark **wannabesociety.com** (hereinafter referred to as "the said Mark"), insofar as it relates to goods in Class 25 and services in Class 35 the subject of International Trade Mark No. 1004208, which was advertised in the Trade Marks Journal of the 16th day of March, 2010, No. 2146 at Pages 5828-30 in the name of ARIH oglaševalska agencija, d.o.o.

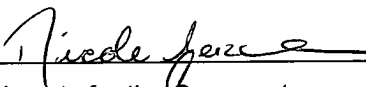
The Grounds of Opposition are as follows:-

1. The opponents are the proprietors of the Trade Mark **Wanabee**, the subject of Community Registration No. 4404737 dated March 21, 2005 in Classes 22, 25 and 28 (hereinafter referred to as "the said earlier Trade Mark"). Full particulars of the said earlier Trade Mark is attached in the schedule of this Notice of Opposition.
2. The opponents have extensively used the said earlier Trade Mark in connection with the goods for which it is registered and the said earlier Trade Mark denotes and has long denoted both to the trade and the public the opponents' goods, either provided by the opponents or with their consent, and distinguish such goods from the like goods of other undertakings. As a consequence of that use, the opponents' said earlier Trade Mark has acquired a reputation.
3. The said Mark offends against the provisions of the Trade Mark Act, 1996 and in particular offends against the provisions of Sections 10, 37 and 42.
4. The said Mark is highly similar to the said earlier Trade Mark and the goods/services for which registration is sought in Classes 25 and 35 are identical and/or similar to those for which the said earlier Trade Mark is protected to the extent that there exists a likelihood of confusion on the part of the public which includes the likelihood of association. Consequently, the extension of protection in the State of the said Mark would be contrary to Section 10(2)(a) and/or 10(2)(b) of the Trade Marks Act 1996.

5. The said Mark is highly similar to the opponents' said earlier Trade Mark and registration should be refused to the extent that the opponents' said earlier Trade Mark has a reputation in the Community and the use of the Mark applied for without due cause would take unfair advantage of, or be detrimental to, the distinctive character or reputation of the opponents' said earlier Trade Mark. Consequently, the extension of protection in the State of the said Mark would offend against the provisions of Section 10(3) of the Trade Marks Act, 1996 (as amended by Section 38 of the Patents (Amendments) Act, 2006).
6. The said Mark should be refused registration if, or to the extent that, its use in the State is liable to be prevented by virtue of the law of passing off having regard to the opponents' reputation/goodwill in the said earlier Trade Mark acquired as a consequence of use in the course of trade. Consequently, the said Mark offends against the provisions of Section 10(4) of the Trade Marks Act, 1996.
7. The said Mark is not used or proposed to be used by the holder or with its consent in relation to goods in Class 25 and/or services in Class 35 and registration of the said Mark would therefore offend against the provisions of Section 37(2) and 42(3) of the Trade Marks Act, 1996.
8. The Opponents accordingly request that the extension of protection in the State of the holder's said Mark insofar as it pertains to Classes 25 and 35 ought in the discretion of the Controller to be refused and costs awarded to the opponents.

Dated this 14th day of June 2010

FRKelly.

BY: 
Agents for the Opponents.

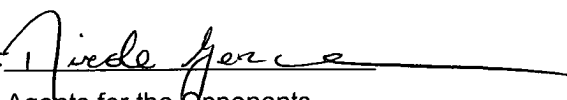
TRADE MARKS ACT, 1996

**IN THE MATTER OF International Trade
Mark No. 1004208 wannabesociety.com
in Class(es) 16, 25, 35, 38 in the name of
ARIH oglaševalska agencija, d.o.o.
Opposition by Groupe Go Sport**

Schedule hereinbefore referred to

Dated this 14th day of June 2010

FRKelly.

BY: 
Agents for the Opponents.

You are here: [Home](#) > [Quality plus](#) > [Databases](#)

CTM-ONLINE - Detailed trade mark information



Trade mark name : Wanabee
Trade mark No : 004404737
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: 21/03/2005
Date of registration: 04/05/2006
Expiry Date: 21/03/2015
Nice Classification: 22, 25, 28 ([↗](#) Nice classification)
Trade mark: Individual
Type of mark: Figurative
Vienna Classification: 27.5.1 ([↗](#) Vienna Classification)
Acquired distinctiveness: No
Applicant's reference: LR/EB/MA079642
Status of trade mark: CTM registered ([↗](#) Glossary)
 CTM registration published (B1) ☒
 ([↗](#) Publication B1 or Publication B2)
 ([↗](#) History of statuses)
Filing language: French
Second language: English

Graphic representation



Wanabee

List of goods and services

Nice Classification: 22
List of goods and services: Cords (not of rubber or for rackets or musical instruments), string, fishing nets, nets for camouflage, tents, awnings (except safety awnings and pushchair covers), sails (rigging), padding and stuffing materials (except of rubber and plastic); raw fibrous textile materials.

Nice Classification: 25
List of goods and services: Clothing, footwear (except orthopaedic footwear), headgear, in particular for sports, ski boots, football boots, rugby boots, dance shoes, beach shoes, apres-ski boots.

Nice Classification: 28
List of goods and services: Games, except the game of "GO", playthings, gymnastic and sporting articles (except clothing, footwear and mats); decorations for Christmas trees.

Description

Description of the mark: -

Owner

Name: GROUPE GO SPORT (Société Anonyme)
ID No: 130028
Natural or legal person: Legal entity
Address: 17, avenue de la Falaise
Post code: 38360
Town: Sassenage
Country: FRANCE
Correspondence address: GROUPE GO SPORT (Société Anonyme) 17, avenue de la Falaise F-38360 Sassenage FRANCIA

Representative

Name: CABINET GERMAIN & MAUREAU
ID No: 12455
Address: 12, rue Boileau
Post code: 69006
Town: Lyon
Country: FRANCE
Correspondence address: CABINET GERMAIN & MAUREAU BP 6153 F-69466
Lyon Cedex 06 FRANCIA
Telephone: 00 33-472698430
Fax: 00 33-472698431
E-mail: gm@germainmaureau.com

Seniority

No entry for application number: 004404737.

Exhibition priority

No entry for application number: 004404737

Priority

Country: FRANCE
Number of basic application: 043314044
Filing date of basic application: 22/09/2004
Trade mark status: Accepted

Publication

Bulletin no.: **2005/050**
Date of publication: 12/12/2005
Part: A.1

Bulletin no.: **2006/021**
Date of publication: 22/05/2006
Part: B.2

Opposition

No entry for application number: 004404737.

Cancellation

No entry for application number: 004404737

Appeals

No entry for application number: 004404737.

Recordals

Title: Owners
Sub-title: Change of name and adress of owner
ID No: 001988271
Bulletin no.: **2007/037**
Date of publication: 30/07/2007
Part: C.1.3

Title: Owners
Sub-title: Change of name and adress of owner
ID No: 001986325
Bulletin no.: **2007/041**
Date of publication: 13/08/2007
Part: C.1.3

Renewals

No entry for application number: 004404737.

