



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: 30 June 2010
(By registered Mail)

International Registration No: 1033667
Mark: 28BLACK
Holder: Calidris 28 AG (SA) of Luxembourg,

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 Community Trade Mark No:008492861

Mark:BLACK

Proprietor:Enayet Patel

25 Neapsands Close, Fulwood

PR2 5GN Preston

United Kingdom

Date of Application:15/08/2009

Date of Registration:16/03/2010

Class 6 : Locks, chain locks, cable locks, disc brake locks for motor cycles, locks with anti-theft alarms, ground anchors, and parts and fittings therefore, eye bolts, anchor brackets and parts and fittings therefore, stands for cycles and motor cycles, Loading ramps, number plate holders. Parts and fittings for aforesaid, exclusively for motorcycle use.

Class 9 : Protective helmets for use in motorcycling, Protective wear, Protective Jackets, Protective Gloves, Protective Trousers, Protective Suits, Protective Footwear, Protective Goggles, rider to passenger communication systems for motor cycles,

visors for protective helmets, reflective clothing, Impact protectors for protection of parts of the body, Parts and fittings for aforesaid, exclusively for motorcycle use.

Class 18 : Bags and panniers adapted for use on motorcycles. Parts and fittings for aforesaid exclusively for motorcycle use

Class 25 : Clothing adapted for motorcyclists, safety clothing for use by motor cyclists, motor cycle gloves, motor cycle muffs, motor cycle jackets, motor cycle trousers, and braces for use with motor cycle trousers; waterproof clothing adapted for motorcyclists, Headgear & Footwear for use on motorcycles. Parts and fittings for aforesaid exclusively for motorcycle use

Registered Community Trade Mark No:008643959

Mark:BLACK2

Proprietor:Parade of stars, Limited liability company

office 207, house 46, 5th Parkovaya street

105264 Moscow

Russian Federation

Date of Application:27/10/2009

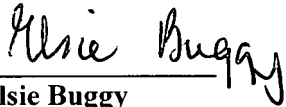
Date of Registration:01/03/2010

Class 3 : Deodorant soap; toilet soap; perfumery; deodorants for personal use; perfumes; eyebrow pencils; cosmetic pencils; cosmetic dyes; cosmetic creams; hair spray; nail polish; after-shave lotions; lotions for cosmetic purposes; beauty masks; oils for cosmetic purposes; oils for toilet purposes; cosmetic kits; eau de cologne; lipsticks; sun-tanning preparations; hair colorants; cosmetic preparations for skin care; shampoos.

2. This refusal is in respect of the following goods for which protection is sought in Classes 3 and 25.
3. The holder may make representations in writing, or may request an extension of time for doing so, not later than **29 September 2010**. 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 in respect of the goods listed in paragraph 2.
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 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.
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. In the absence of any representations, the mark will be published in the Official Journal in respect of the remaining goods, i.e. other than those listed in paragraph 2, 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.

8. Date of refusal: 30 June 2010

Yours faithfully

A handwritten signature in cursive script that reads "Elsie Buggy". The signature is written in black ink and is positioned above a horizontal line.

Elsie Buggy

Trade Marks Examiner

Ext.: 4140

Direct Line: (056) 7720140