



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: 08 November 2010
(By registered Mail)

International Registration No: 0947196
Mark: Life Savers
Holder: Candy Team GmbH of Germany,

Notification of the Irish Patents Office of Refusal of Protection

Dear Sir/Madam,

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

1. Section 10(2)

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

Registered Mark No: 98188
Mark: LIFESAVERS BUBBLEYUM
Proprietor: NABISCO INC
7 Campus Drive
Parsippany
New Jersey 07054
United States of America
Date of Application: 20/12/1979
Date of Registration: 20/12/1979
Class 30: Bubble-gum.
Address for Service: FRKelly
27 Clyde Road
Ballsbridge
Dublin 4
Ireland

Registered Mark No: 59773
Mark: LIFE SAVERS

Proprietor: WM. Wrigley JR. Company
410 North Michigan Avenue
Chicago
Illinois 60611
United States of America
a corporation organised and existing under the laws of the State of Delaware, United States of America
Date of Application: 14/11/1955
Date of Registration: 14/11/1955
Class 30: Confectionery.
Address for Service: FRKelly
27 Clyde Road
Ballsbridge
Dublin 4
Ireland

Registered Mark No: 99881
Mark: BUBBLE YUM LIFE SAVERS
Proprietor: NABISCO INC.
625 Madison Avenue
New York
N.Y. 10022
Date of Application: 19/04/1978
Date of Registration: 19/04/1978
Class 30: Non-medicated bubble gum.
Address for Service: FRKelly
27 Clyde Road
Ballsbridge
Dublin 4
Ireland

Registered Mark No: 58004
Mark: LIFE SAVERS THE CANDY WITH THE HOLE
Proprietor: KRAFT FOODS HOLDINGS, INC.
Three Lakes Drive
Northfield
Illinois 60093-2753
United States of America
Date of Application: 08/02/1955
Date of Registration: 08/02/1955
Class 30: Sugar confectionery.
Address for Service: FRKelly
27 Clyde Road
Ballsbridge
Dublin 4
Ireland

Registered Mark No: 45302
Mark: LIFE SAVERS
Proprietor: WM. Wrigley JR. Company
410 North Michigan Avenue
Chicago
Illinois 60611
United States of America

a corporation organised and existing under the laws of the State of Delaware, United States of America

Date of Application: 11/08/1920

Date of Registration: 11/08/1920

Class 30: Candy.

Address for Service: FRKelly

27 Clyde Road

Ballsbridge

Dublin 4

Ireland

Registered Community Trade Mark No:000129494

Mark: LIFE SAVERS

Proprietor: KRAFT FOODS HOLDINGS, INC.

Three Lakes Drive

60093-2753 60093-2753 Northfield, (ILLINOIS)

United States of America

Date of Application:01/04/1996

Date of Registration: 10/08/1998

Class 30: Rice, pasta; cereals, cereal preparations, preparations made from wheat, cereal breakfast foods, confectionery, frozen confectionery, non-medicated confectionery having breath freshening properties; candy, chewing gum and bubble gum; syrups, honey, sauces, chocolate, imitation chocolate, cakes, sponges, pastries, biscuits, cookies, crackers, pancakes and waffles, scones, pastry and puddings, flans; coffee, tea and cocoa, bread, sugar and natural sweeteners; foodstuffs prepared in the form of snack foods, fillings, sandwiches, meals and constituents therefor, mixes for making bakery products; preparations consisting wholly or principally of nuts, all included in Class 30.

Registered Community Trade Mark No:006782817

Mark: LIFESAVERS

Proprietor: WM. WRIGLEY JR. COMPANY

Wrigley Building410 North Michigan Avenue

60611 60611 Chicago, (ILLINOIS)

United States of America

Date of Application: 27/03/2008

Date of Registration: 21/01/2009

Class 30: Confectionery, namely chewing gum, candy, chocolate and mints.

Pending Community Trade Mark Application No: :006782701

Mark: LIFE SAVERS

Applicant: WM. WRIGLEY JR. COMPANY

Wrigley Building410 North Michigan Avenue

60611 60611 Chicago, (ILLINOIS)

United States of America

Date of Application: 27/03/2008

Class 30: Confectionery, namely chewing gum, candy, chocolate and mints.

2. This refusal is in respect of all of the goods for which protection is sought.
3. The holder may make representations in writing, or may request an extension of time for doing so, not later than **7 February 2011** A request for an extension of time received after that date may be granted at the discretion of the Controller.

4. If representations or a request for an extension of time are not received by the **specified date**, protection of the mark will be refused.
5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied **by an address for service within the 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. Date of refusal: 8 November 2010

Yours faithfully

Clare Moloney
Clare Moloney
Trade Marks Examiner
Ext.: 4136
Direct Line:(056) 7720136