

REFUS PROVISOIRE DE PROTECTION

I. Office qui notifie le refus : **Office National de la Propriété Intellectuelle (NOIP)**
384-386 Nguyen Trai, Hanoi, VIETNAM

III. Nom et adresse du titulaire de l'enregistrement international faisant l'objet du refus :
Dochirnie pidpriemstvo "Kondyterska korporatsiia "Roshen"
 Elektrykiv vul., 26/9 Kyiv 04176, Ukraine

VI. ☒ Refus pour la totalité des produits et services

☐ Refus pour les produits et/ou services suivants :

VIII. Date à laquelle le refus a été prononcé : **23 Novembre 2012** **2011/46 NHT17**

[Signature]

Tran Huu Nam

671167

24.11.2012

151 **Date of the registration**
20.02.1997

180 **Expected expiration date of the registration/renewal**
20.02.2017

270 **Language of the application**
French

Current Status

732 **Name and address of the holder of the registration**
Chocoladefabriken Lindt & Sprüngli AG Seestrasse 204 CH-8802 Kilchberg ZH Switzerland

812 **Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment**
CH (Switzerland)

740 **Name and address of the representative**
Rentsch Partner AG Fraumünsterstrasse 9, Postfach 2441 CH-8022 Zürich Switzerland

540 **Mark**
Elégance

541 **Reproduction of the mark where the mark is represented in standard characters**

511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(7)**

30 Cocoa, oats cocoa, cocoa extracts for consumption, chocolate mass and chocolate coatings, confectionery, marzipan, marzipan substitutes, masses for filling for pastry and confectionery, chocolate and confectionery as Christmas-tree decorations, praline sweets, also filled with liquids, especially with wines and spirits; pastry and confectionery, baking-powder, pudding mix, edible ices made of cream, edible ices with fruit, yeast extracts for consumption, powders for ice-creams.

822 **Basic registration**
CH (Switzerland), 31.01.1995, 427 594

834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
AT (Austria), BA (Bosnia and Herzegovina), BX (Benelux), CN (China), FR (France), HR (Croatia), HU (Hungary), IT (Italy), KP (Democratic People's Republic of Korea), LI (Liechtenstein), MC (Monaco), PT (Portugal), SM (San Marino), VN (Viet Nam)

Registration

450 **Publication number and date**
1997/8 Gaz, 04.06.1997

831 **Designation(s) under the Madrid Agreement**
AT (Austria), BA (Bosnia and Herzegovina), BX (Benelux), CN (China), DE (Germany), ES (Spain), FR (France), HR (Croatia), HU (Hungary), IT (Italy), KP (Democratic People's Republic of Korea), LI (Liechtenstein), MC (Monaco), PT (Portugal), SM (San Marino), VN (Viet Nam)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**
08.05.1997

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)
AT (Austria)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
BA (Bosnia and Herzegovina)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
BX (Benelux)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
FR (France)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
HR (Croatia)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
HU (Hungary)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
IT (Italy)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
KP (Democratic People's Republic of Korea)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
LI (Liechtenstein)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
MC (Monaco)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
PT (Portugal)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
SM (San Marino)

The refusal period has expired and no notification of provisional refusal has been recorded
(application of Rule 5 preserved)
VN (Viet Nam)

Subsequent designation

450	Publication number and date 1997/11 Gaz, 17.07.1997
832	Designation(s) under the Madrid Protocol GB (United Kingdom)
527	Indications regarding use requirements GB (United Kingdom)
580	Date of recording (date of notification from which the time limit to notify the refusal starts) 19.06.1997
891	Date of subsequent designation (Rule 24(6) of the Common Regulations)

01.05.1997

862 Partial provisional refusal of protection

GB (United Kingdom)

450 Publication number and date

1997/18 Gaz, 23.10.1997

List limited to:

- 30 Marzipan, marzipan substitutes, pastry, baking-powder, pudding mix, edible ices made of cream, edible ices with fruit, yeast extracts for consumption, powders for ice-creams; but not including and of the aforesaid goods containing or flavoured with chocolate.

Date of notification

10.09.1997

Date of receipt by the International Bureau

04.09.1997

861 Total provisional refusal of protection

DE (Germany)

450 Publication number and date

1997/22 Gaz, 18.12.1997

Date of notification

17.11.1997

Date of receipt by the International Bureau

12.11.1997

861 Total provisional refusal of protection

ES (Spain)

450 Publication number and date

1998/3 Gaz, 26.03.1998

Date of notification

20.02.1998

Date of receipt by the International Bureau

18.02.1998

862 Partial provisional refusal of protection

CN (China)

450 Publication number and date

1998/4 Gaz, 08.04.1998

Delete from list:

- 30 Chocolate masses and toppings, confectionery; chocolate and sweetmeats as Christmas-tree decorations, praline sweets, also filled with liquids, especially with wines and spirits; sugar confectionery.

Date of notification

25.02.1998

Date of receipt by the International Bureau

23.02.1998

894 Final decision confirming the refusal of protection

CN (China)

450 **Publication number and date**

2003/7 Gaz, 15.05.2003

Date of notification

11.04.2003

Date of receipt by the International Bureau

24.03.2003

844 **A request for review or an appeal has been lodged**

GB (United Kingdom)

450 **Publication number and date**

1998/8 Gaz, 04.06.1998

Opposition possible after the 18 months time limit

GB (United Kingdom)

450 **Publication number and date**

1998/19 Gaz, 05.11.1998

Renunciation

DE (Germany)

450 **Publication number and date**

1998/20 Gaz, 19.11.1998

580 **Date of recording**

14.10.1998

Renunciation

GB (United Kingdom)

450 **Publication number and date**

1999/1 Gaz, 18.02.1999

580 **Date of recording**

29.12.1998

894 **Final decision confirming the refusal of protection**

ES (Spain)

450 **Publication number and date**

1999/4 Gaz, 01.04.1999

Date of notification

24.02.1999

Date of receipt by the International Bureau

22.02.1999

Renewal

WO (International Bureau of the World Intellectual Property Organization (WIPO))

450 **Publication number and date**

2007/8 Gaz, 29.03.2007

831 **Designation(s) under the Madrid Agreement**

AT (Austria), BA (Bosnia and Herzegovina), BX (Benelux), CN (China), FR (France), HR

(Croatia), HU (Hungary), IT (Italy), KP (Democratic People's Republic of Korea), LI (Liechtenstein), MC (Monaco), PT (Portugal), SM (San Marino), VN (Viet Nam)

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

ES (Spain), GB (United Kingdom)