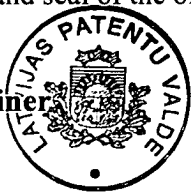



**MADRID AGREEMENT CONCERNING
THE INTERNATIONAL REGISTRATION OF MARKS
AND PROTOCOL RELATING TO THAT AGREEMENT**

PROVISIONAL REFUSAL OF PROTECTION

notified to the World Intellectual Property Organisation (WIPO)
according to Article 5 of the Madrid Agreement and Madrid Protocol

| | | |
|--|--|---|
| I. Office making the notification of refusal PATENT OFFICE OF THE REPUBLIC OF LATVIA 7/70, Citadeles iela LV 1010, Riga LATVIA | | Phone 371 67099602 Fax 371 67099650 |
| II. Number of the international registration which is the subject of refusal | | WO 1 231 046 |
| III. Name of the holder of the international registration concerning the subject of refusal Obshchestvo s Ogranichennoy Otvetstvennost'yu "EVROTORG", k. 22, d. 52a, ul Kazintsa, 220099 Minsk (BY) /СТАНИЧНАЯ ciril./ | | |
| IV. The grounds of refusal: Opposition submitted by: Spirits International B.V. 3, rue du Fort Rheinsheim, L-2419 Luxembourg (LU), holder of national registrations: M 35840 /STOLICHNAYA RUSSIAN VODKA fig./; M 50309 /STOLICHNAYA verb./; M50971 /STOLIČNAJA ciril./ and international registrations: WO 788522G /STOLICHNAYA ELIT verb./; WO 1096274 /STOLICHNAYA Gold fig./; WO 1183172 /Stoli COLD STOLICHNAYA fig./ | | |
| V. Reference to the corresponding essential provisions of the law (see materials attached) Grounds of refusal: Latvian Law on trademarks and indications of geographical origin Section 18, 39, opposition has based on Section 7.(1)2); 8.(1), 8.(2). | | |
| VI. <input checked="" type="checkbox"/> Refusal for all goods and services <input type="checkbox"/> Refusal for the following goods and services | | |
| VII. Possibilities to review or appeal The holder of the mark has the right, within 3 months from the date of reception of present decision, to submit his objections to the Patent Office of the Republic of Latvia through a professional local patent attorney. After expiration of the said period the Patent Office shall take a final decision. | | |
| VIII. Date on which the present decision was pronounced | | 12.05.2015 |
| IX. Signature and seal of the office making the notification of refusal | | |
| <div style="display: flex; justify-content: space-between; align-items: center;"><div style="text-align: center;"><p>Senior Examiner</p></div><div style="text-align: right;"><p>Maira Egle</p></div></div> | | |

LAW ON TRADEMARKS AND INDICATIONS OF GEOGRAPHICAL ORIGIN

Has been adopted:

Come into force:

Published:

16.06.1999

15.07.1999

Vēstnesis, 01.07.1999, Nr. 216

Section 7. An Earlier Trademark as Grounds for Invalidation of a Registration

(1) A trademark registration may be declared invalid pursuant to the provisions of this Law in the following cases:

- 1) if it is identical to an earlier trademark, and the goods or services for which the trademark was registered are identical to the goods or services with respect to which the earlier trademark was registered;
- 2) if because of its identity or similarity to an earlier trademark belonging to another person and because of the identity or similarity of the respective goods or services, there exists a likelihood of confusion of the trademarks or a likelihood of association between the trademarks on behalf of the relevant consumers.

(2) "Earlier trademarks" within the meaning of Paragraph 1 of this Section means:

- 1) trademarks valid in Latvia, which have been registered under national or international registration procedures, with a date of application for registration which is earlier than the date of application for registration of the opposed trademark, also taking into account the priorities accorded to those trademarks;
- 2) applications for the registration of trademarks referred to in the previous Sub-paragraph, provided that they are registered.

Section 8. Well-known Trade Marks as Grounds for Refusal or Invalidation of Trade Mark Registration

(1) Notwithstanding the provisions of Section 7, a trade mark registration may be refused or, if registered, the registration may be invalidated under the provisions of this Law, if the trade mark constitutes a reproduction, an imitation, a translation or a transliteration, liable to create confusion, of another trade mark, which, even though unregistered, was well-known in Latvia with respect to identical or similar goods or services, on the date of filing of application of the applied for (opposed) registration of trade mark (or the date of priority if priority has been granted).

(2) In addition to the provisions of Paragraph one of this Section, the registration of a trade mark may be refused or invalidated also if the goods or services regarding which trade mark registration has been applied for are not similar to the goods or services covered by a well-known trade mark in Latvia, provided that the use of the trade mark applied for (opposed) in relation to such goods or services may be perceived by consumers as an indication of a connection between such goods and services, and the owner of the well-known trade mark, and that such use may be detrimental to the interests of the owner of the well-known trade mark.

(3) In determining whether a trade mark is well-known, the knowledge of this trade mark in the relevant group of consumers, including such knowledge in Latvia that has been obtained as a result of the advertising of this mark or any other circumstances that have contributed to its fame shall be taken into account.

(4) In determining in which cases the provisions of Paragraphs one and two of this Section are to be applied to a sign regarding which registration has been applied for or to a registered trade mark, the provisions of Article 6-bis of the Paris Convention regarding a well-known trade mark shall be taken into account, including the provision which provides for the prohibition of the reproduction or the imitation of a well-known trade mark in an essential part of another trade mark; these provisions shall also apply, mutatis mutandis, to service marks.

(5) The provisions of Paragraphs one and two of this Section regarding refusal of registration during the examination procedure shall not apply if the application for trade mark registration has been filed with the consent of the owner of the well-known trade mark.

Section 18. Opposition to a Trademark Registration

(1) Within three months from the date of the publication of a trademark, interested persons may, upon payment of the applicable fee, submit an opposition to the registration of a trademark. The opposition shall be filed with the Board of Appeal in writing, substantiated by appropriate arguments and references to the provisions of law. After the expiration of the said term, the opponent does not have the right to change (expand) the initial legal basis of the opposition, but may, up until the decision of the Board of Appeal is adopted, submit additional documents and materials, that confirm (specify) the facts on which the opposition is based.

(2) Any person may file an opposition, if the registered trademark does not comply with the provisions of Article 3 of this Law, or if the registration would be invalidated pursuant to the provisions of Article 6, or if the provisions of Article 9, Paragraph 3, Sub-paragraph 1 are applicable.

(3) An opposition based upon the provisions of Articles 7 or 8 of this Law, or Article 9, Paragraph 1, Paragraph 2, Paragraph 3, Sub-paragraph 2, 3 or 4, or Paragraph 4 may be filed by persons who are the owners of earlier trademarks, well-known trademarks, or have other earlier rights, specified in the applicable provisions, or their successors in title, or their representatives.

(4) An opposition based upon the provisions of Article 8 or Article 9, Paragraph 1, Paragraph 2, Paragraph 3, Sub-paragraph 2, 3 or 4, in addition to the persons referred to in the previous Paragraph of this Article, may also be filed by professional associations and associations of manufacturers, traders and providers of services, whose articles of association provide for the protection of the economic interests of their associates (members), as well as by organisations and authorities, whose purpose, under their articles of association, is consumer protection.

(5) The Board of Appeal shall inform the owner of the opposed trademark of the opposition and set a term of three months for the submission of a reply.

(6) If an opposition is not submitted within the term set by the Law, the trademark registration may be contested only in a court.

Section 39. Validity of an International Registration in Latvia

- (1) An international registration of a trade mark that has, pursuant to the prescribed procedure, entered into effect in Latvia, shall have the same effect as trade marks that have been entered into the Register pursuant to the procedures specified in this Law (registered with the Patent Office pursuant to national procedures).
- (2) An international registration of a trade mark shall be deemed not to have entered into effect at all or insofar as the trade mark in question has been refused protection pursuant to prescribed procedures in Latvia.
- (3) The priority of an internationally registered trade mark in Latvia shall be determined by the date when the mark was internationally registered with respect to Latvia, but in cases where the mark, pursuant to the international procedure of registration, has been granted right of priority from its earlier filing date, by such earlier filing date. If the international registration of a trade mark has been extended to Latvia subsequent to the date of its international registration, the priority shall be determined by the date on which it was extended to Latvia. If an international registration has entered into effect in Latvia and replaces, pursuant to the request of the owner and in accordance with the rules on the international registration of trade marks, an earlier registration of the same trade mark effected at the Patent Office, the filing date and the priority date of that earlier registration, effected pursuant to the national procedure, shall be attributed to the internationally registered trade mark in determining its priority.
- (4) The Patent Office shall examine internationally registered trade marks to ascertain their compliance with the requirements of Sections 6 and 8 of this Law. In the case of registration of a collective mark it shall also be ascertained whether the by-laws on the use of the collective mark have been included in the registration, in compliance with the provisions of Section 35, Paragraph four of this Law.
- (5) Opposition to the entry into effect of an international registration of a trade mark in Latvia, as provided for in Section 18 of this Law, shall be filed within four months from the date of publication of a notice of trade mark registration with respect to Latvia (territorial extension to Latvia) in the official gazette of international registration of trade marks.
- (6) If, as a result of an examination, it is determined that an international trade mark does not comply with the requirements of Paragraph four of this Section, or if an opposition has been filed to such registration, the Patent Office shall, within the terms and pursuant to the procedures specified by the rules on the international registration of trade marks, notify the International Bureau of the refusal of the particular international registration (initial refusal). Within three months from the date of receipt of such a refusal, the owner of the international registration is entitled to submit an appeal (a reply to the opposition) as provided for in Section 17.¹, Paragraph one of this Law.
- (7) The progress of an appeal (reply to an opposition) in the Patent Office shall be carried out pursuant to the provisions of Section 17.¹, Paragraphs two, three, four, five and six of this Law. The Board of Appeals shall examine the appeals and oppositions submitted in connection with internationally registered trade marks, insofar as the rules on the international registration of trade marks do not have differing provisions, pursuant to the provisions of Sections 18 and 19 of this Law and, in the case of collective marks, also taking into account the provisions of Section 36, Paragraph one.
- (8) The Patent Office shall, pursuant to the prescribed procedures, notify the International Bureau of all the decisions of the Board of Appeals and court judgments which have entered into effect, pursuant to which international registration of a trade mark in Latvia has been invalidated or revoked, in full or in part, or pursuant to which the initial refusal of international registration has been cancelled (changed).

[21 October 2004]

Community Trade Mark

Section 39.¹ Activities of the Patent Office in Connection with the Registration Procedure of the Community Trade Mark

- (1) The functions of the central industrial property office of a Member State, prescribed by Council Regulation No 207/2009 shall be executed in Latvia by the Patent Office. Registration of the Community trade mark may be applied for through the intermediary of the Patent Office.

- (2) The Patent Office shall perform the verification of the authenticity of the decision of the Office for Harmonisation in the Internal Market (trade marks and designs) provided for in Article 86 (2) of Council Regulation No 207/2009 for the enforcement thereof in Latvia.

[21 October 2004; 14 October 2010]

Section 39.² Legal Effect of the Community Trade Mark Registration in Latvia

- (1) Exclusive rights to a trade mark in Latvia shall also be ensured by the Community trade mark registration. The scope of protection of the Community trade mark shall be determined by Council Regulation No 207/2009.
- (2) If seniority (special type of priority) is granted to a Community trade mark in accordance with Articles 34 or 35 of Council Regulation No 207/2009, based on the respective earlier trade mark, registered in Latvia or registered internationally and extended to Latvia, then the filing date and priority date of the trade mark registered in Latvia or the priority of the respective trade mark registered internationally (Section 39, Paragraph three) shall be applied to such Community trade mark, determining the priority thereof in Latvia. The seniority granted to the Community trade mark shall be retained if the registration of the respective trade mark of Latvia or the international registration of the trade mark, which is extended to Latvia is cancelled on the initiative of the owner of the trade mark (surrender of registration) or in connection with the expiry of the term of validity thereof (exclusion from the Register).
- (3) Registration of a trade mark which has been the basis for the seniority of the Community trade mark, may be invalidated or revoked even following the expiry of the term of validity of this registration or if the registration is cancelled on the initiative of the owner of the trade mark, on condition that the respective grounds for invalidation of the registration of the trade mark or the revocation were present during the validity of the registration.

[21 October 2004; 14 October 2010]

Section 39.³ Additional Provisions for the Protection of the Community Trade Mark

(1) An opposition to the registration of a trade mark (Section 18) and the claim for invalidation of the registration of a trade mark (Section 31) apart from the earlier rights provided for in Sections 7, 8 and 9 of this Law may also be justified with an earlier identical or similar Community trade mark, which has a good reputation in the European Community and which is registered for goods or services which are not similar to those goods and services, which have a trade mark registered later (contested), but on condition that the use of the later trade mark without due cause takes unfair advantage of, or is detrimental to the distinctive character or the reputation of the Community trade mark or that such use of the later trade mark may be seen by consumers as a sign of connection between these goods and services and the owner of the referred to Community trade mark and such use may be detrimental to the interests of the owner of the Community trade mark. Such opposition and such claim may be submitted by the owner of the Community trade mark (or his or her successor in title) or his or her representative.

(2) In case of the illegal use of the Community Trade mark, the provisions of Sections 27 and 28 of this Law, the Civil Procedure Law and the provisions of other regulatory enactments shall be applicable, unless otherwise specified by Council Regulation No 207/2009.

(3) If, based on the rights arising from the registration of the Community trade mark, the registration of a later trade mark is contested, which is performed observing the procedures for the registration of trade marks specified by this Law, or in accordance with the rules on the international registration and is extended to Latvia, or if the use of such later trade mark is contested, the provisions of Section 29 of this Law regarding the restrictions of rights as a result of acquiescence shall be observed.

[21 October 2004; 14 October 2010]

Section 39.⁴ Additional Provisions for the Use of the Community Trade Mark

(1) If, based on an earlier Community trade mark, an opposition is submitted against the registration of a trade mark (Section 18) and the owner of the contested trade mark uses the rights to request evidence of the use of the earlier trade mark (Section 19, Paragraph seven), the provisions of Article 15 of Council Regulation No 207/2009 shall be observed.

(2) Pursuant to the provisions of Article 165 (5) and Article 110 (1) of Council Regulation No 207/2009, the owner of the earlier rights obtained in good faith in Latvia may prohibit the use of the Community trade mark which has been registered or submitted for registration prior to 1 May 2004.

(3) If the Community trade mark is involved in a process of the legal protection of a commercial company or the process of insolvency in Latvia, pursuant to the provisions of Article 21 of Council Regulation No 207/2009, the necessary entries to be made by the Office for Harmonisation in the Internal Market (trade marks and designs) in the Community Trade Mark Register or, if the Community trade mark has not yet been registered, in the application materials, may be requested on the basis of a court decision.



**LATVIJAS REPUBLIKAS
PATENTU VALDE**

Valsts preču zīmju reģistrs

IZRAKSTS NO REĢISTRA, 11.05.2015

(111) Reģ. nr. M 35 840

(151) Reģ. dat. 20.02.1997

(156) Atjaunoš. dat. 14.01.2014

(210) Pieteik. M-94-96

(220) Pieteik. dat. 14.01.1994

(531) CFE ind. 7.1.10; 25.1.17; 24.1.15; 24.5.7; 27.5.1; 29.1.15

(591) Krāsu sal. melns, balts, sarkans, pelēks, zelta

(732) Īpašnieks SPIRITS INTERNATIONAL B.V., 3, rue du Fort Rheinsheim, L-2419 Luxembourg, LU

(740) Pārstāvis Nina DOLGICERE, Patentu aģentūra "KDK", Dzērbenes iela 27, Rīga LV-1006, LV

(540) Stoličnaja vodka STOLICHNAYA RUSSIAN VODKA /fig./

(511)

33 degvīns

Statuss: Zīme reģistrēta 20.02.1997





**LATVIJAS REPUBLIKAS
PATENTU VALDE**

Valsts preču zīmju reģistrs

IZRAKSTS NO REĢISTRA, 11.05.2015

(111) Reģ. nr. M 50 309

(151) Reģ. dat. 20.12.2002

(156) Atjaunoš. dat. 14.03.2012

(210) Pieteik. M-02-433

(220) Pieteik. dat. 14.03.2002

(732) Īpašnieks SPIRITS INTERNATIONAL B.V., 7, rue Nicolas Bové, L-1253 Luxembourg, LU

(740) Pārstāvis Nīna DOLGICERE, Patentu aģentūra "KDK", Dzērbenes iela 27, Rīga LV-1006, LV

(540) STOLICHNAYA /verb./

(511)

33 alkoholiskie dzērieni (izņemot alu)

Statuss: Zīme reģistrēta 20.12.2002



**LATVIJAS REPUBLIKAS
PATENTU VALDE**

Valsts preču zīmju reģistrs
IZRAKSTS NO REĢISTRA, 11.05.2015

(111) Reģ. nr. M 50 971

(151) Reģ. dat. 20.03.2003

(156) Atjaunoš. dat. 14.03.2012

(210) Pieteik. M-02-432

(220) Pieteik. dat. 14.03.2002

(732) Īpašnieks SPIRITS INTERNATIONAL B.V., 7, rue Nicolas Bové, L-1253 Luxembourg, LU

(740) Pārstāvis Nina DOLGICERE, Patentu aģentūra "KDK", Dzērbenes iela 27, Rīga LV-1006, LV

(540) STOLIČNAJA /kiril./

(511)

33 alkoholiskie dzērieni (izņemot alu)

Statuss: Zīme reģistrēta 20.03.2003

788522G

11.5.2015

| | |
|------------|---|
| 151 | Date of the registration 07.08.2002 |
| 180 | Expected expiration date of the registration/renewal 07.08.2022 |
| 270 | Language of the application English |

Current Status

| | |
|------------|--|
| 732 | Name and address of the holder of the registration Spirits International B.V. 3, rue du Fort Rheinsheim L-2419 Luxembourg Luxembourg |
| 811 | Contracting State of which the holder is a national BX (Benelux) |
| 740 | Name and address of the representative Spirits International B.V. Nyon branch Avenue Reverdil 14 CH-1260 Nyon Switzerland |
| 770 | Name and address of the previous holder Spirits International B.V. 7, rue Nicolas Bové Luxembourg Luxembourg |
| 540 | Mark STOLICHNAYA ELIT |
| 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) 32 Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages. 33 Alcoholic beverages (except beers); vodka; spirits. 35 Advertising and sales promotion; commercial assistance in the sales of goods, within the framework of a franchise contract; business management; import-export agencies. |
| 822 | Basic registration BX (Benelux), 01.03.2002, 705485 |
| 300 | Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin BX (Benelux), 01.03.2002, 705485 |
| 831 | Designation(s) under the Madrid Agreement DZ (Algeria) |
| 832 | Designation(s) under the Madrid Protocol AG (Antigua and Barbuda), DK (Denmark), EE (Estonia), FI (Finland), GB (United Kingdom), GE (Georgia), GR (Greece), IE (Ireland), IS (Iceland), LT (Lithuania), NO (Norway), SE (Sweden), SG (Singapore), TM (Turkmenistan), UZ (Uzbekistan) |
| 834 | Designation(s) under the Madrid Protocol by virtue of Article 9sexies AL (Albania), AT (Austria), AZ (Azerbaijan), BA (Bosnia and Herzegovina), BG (Bulgaria), BT (Bhutan), BY (Belarus), CH (Switzerland), CN (China), EG (Egypt), ES (Spain), FR (France), HR (Croatia), HU (Hungary), IT (Italy), KG (Kyrgyzstan), KP (Democratic People's Republic of Korea), KZ (Kazakhstan), LI (Liechtenstein), LR (Liberia), LS (Lesotho), LV (Latvia), MA (Morocco), MC (Monaco), MK (The former Yugoslav Republic of Macedonia), MN (Mongolia), MZ (Mozambique), PT (Portugal), SD (Sudan), SI (Slovenia), SK (Slovakia), SL (Sierra Leone), SM (San Marino), SZ (Swaziland), TJ (Tajikistan), UA (Ukraine), VN (Viet Nam) |

527 **Indications regarding use requirements**
GB (United Kingdom), IE (Ireland), SG (Singapore)

Partial assignment

450 **Publication number and date**
2007/7 Gaz, 22.03.2007

833 **Interested Contracting Party(ies)**
AG (Antigua and Barbuda), AL (Albania), AT (Austria), AZ (Azerbaijan), BA (Bosnia and Herzegovina), BG (Bulgaria), BT (Bhutan), BY (Belarus), CH (Switzerland), CN (China), DK (Denmark), DZ (Algeria), EE (Estonia), EG (Egypt), ES (Spain), FI (Finland), FR (France), GB (United Kingdom), GE (Georgia), GR (Greece), HR (Croatia), HU (Hungary), IE (Ireland), IS (Iceland), IT (Italy), KG (Kyrgyzstan), KP (Democratic People's Republic of Korea), KZ (Kazakhstan), LI (Liechtenstein), LR (Liberia), LS (Lesotho), LT (Lithuania), LV (Latvia), MA (Morocco), MC (Monaco), MK (The former Yugoslav Republic of Macedonia), MN (Mongolia), MZ (Mozambique), NO (Norway), PT (Portugal), SD (Sudan), SE (Sweden), SG (Singapore), SI (Slovenia), SK (Slovakia), SL (Sierra Leone), SM (San Marino), SZ (Swaziland), TJ (Tajikistan), TM (Turkmenistan), TR (Turkey), UA (Ukraine), UZ (Uzbekistan), VN (Viet Nam)

871 **Number of the assigned part of the international registration**
788522G

580 **Date of recording**
16.01.2007

Declaration that a change in ownership has no effect

TR (Turkey)

450 **Publication number and date**
2008/8 Gaz, 27.03.2008

Renewal

450 **Publication number and date**
2012/38 Gaz, 11.10.2012

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

832 **Designation(s) under the Madrid Protocol**
AG (Antigua and Barbuda), DK (Denmark), EE (Estonia), FI (Finland), GB (United Kingdom), GE (Georgia), GR (Greece), IE (Ireland), IS (Iceland), LT (Lithuania), NO (Norway), SE (Sweden), SG (Singapore), TM (Turkmenistan), UZ (Uzbekistan)

834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
AL (Albania), AT (Austria), AZ (Azerbaijan), BA (Bosnia and Herzegovina), BG (Bulgaria), BT (Bhutan), BY (Belarus), CH (Switzerland), CN (China), EG (Egypt), ES (Spain), FR (France), HR (Croatia), HU (Hungary), IT (Italy), KG (Kyrgyzstan), KP (Democratic People's Republic of Korea), KZ (Kazakhstan), LI (Liechtenstein), LR (Liberia), LS (Lesotho), LV (Latvia), MA (Morocco), MC (Monaco), MK (The former Yugoslav Republic of Macedonia), MN (Mongolia), MZ (Mozambique), PT (Portugal), SD (Sudan), SI (Slovenia), SK (Slovakia), SL (Sierra Leone), SM (San Marino), SZ (Swaziland), TJ (Tajikistan), UA (Ukraine), VN (Viet Nam)

527 **Indications regarding use requirements**
GB (United Kingdom), IE (Ireland), SG (Singapore)

Further statement under Rule 18ter(4) indicating that protection of the mark is granted for all the goods and services requested

CN (China)

450

Publication number and date

2014/30 Gaz, 07.08.2014

861

Total provisional refusal of protection

AZ (Azerbaijan)

450

Publication number and date

2003/16 Gaz, 18.09.2003

580

Date of notification

12.08.2003

Date of receipt by the International Bureau

25.07.2003

897

Statement indicating that protection of the mark is protected for some of the goods and services requested

AZ (Azerbaijan)

450

Publication number and date

2006/30 Gaz, 31.08.2006

Accepted for all goods and services in classes 32 and 35.

List limited to:

33 Alcoholic beverages (except beers), except vodka.

580

Date of notification

25.07.2006

Date of receipt by the International Bureau

14.06.2006

862

Partial provisional refusal of protection

CN (China)

450

Publication number and date

2003/12 Gaz, 24.07.2003

Refused for all the goods in class 33.

580

Date of notification

17.06.2003

Date of receipt by the International Bureau

31.05.2003

862

Partial provisional refusal of protection

CN (China)

450

Publication number and date

2003/18 Gaz, 16.10.2003

Delete from list:

35 Advertising.

Refused for all the goods in classes 32 and 33.

580

Date of notification

04.09.2003

Date of receipt by the International Bureau

18.08.2003

Registration

450

Publication number and date

2002/21 Gaz, 28.11.2002

851

Limitation of the list of goods and services

AU (Australia), EE (Estonia), GB (United Kingdom), GE (Georgia), GR (Greece), IE (Ireland), IS (Iceland), JP (Japan), NO (Norway), SE (Sweden), SG (Singapore), TM (Turkmenistan)

List limited to:

- 33 Alcoholic beverages (except beers); vodka; spirits.

580

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

31.10.2002

861

Total provisional refusal of protection

EE (Estonia)

450

Publication number and date

2003/17 Gaz, 02.10.2003

580

Date of notification

20.08.2003

Date of receipt by the International Bureau

05.08.2003

897

Statement indicating that protection of the mark is protected for some of the goods and services requested

EE (Estonia)

450

Publication number and date

2004/34 Gaz, 18.11.2004

The mark is protected with the following disclaimer: the registration does not establish the exclusive right to the word "ELIT".

580

Date of notification

13.10.2004

Date of receipt by the International Bureau

28.09.2004

862

Partial provisional refusal of protection

GE (Georgia)

450

Publication number and date

2003/17 Gaz, 02.10.2003

Delete from list:

- 33 Alcoholic beverages (except beers); vodka; spirits (except all these goods of Russian origin).

580

Date of notification

19.08.2003

Date of receipt by the International Bureau

04.08.2003

897

Statement indicating that protection of the mark is protected for some

of the goods and services requested

GE (Georgia)

450

Publication number and date

2003/25 Gaz, 05.02.2004

List limited to:

- 33 Alcoholic beverages (except beers); vodka; spirits (all these goods of Russian origin).

580

Date of notification

16.12.2003

Date of receipt by the International Bureau

01.12.2003

861

Total provisional refusal of protection

HU (Hungary)

450

Publication number and date

2003/22 Gaz, 11.12.2003

580

Date of notification

03.11.2003

Date of receipt by the International Bureau

23.10.2003

897

Statement indicating that protection of the mark is protected for some of the goods and services requested

HU (Hungary)

450

Publication number and date

2004/24 Gaz, 09.09.2004

List limited to:

- 32 Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages, originating from Russia.
- 33 Alcoholic beverages (except beers); vodka; spirits; originating from Russia.
Accepted for all services in class 35.

580

Date of notification

06.08.2004

Date of receipt by the International Bureau

16.07.2004

869

Disclaimer

KZ (Kazakhstan)

450

Publication number and date

2003/20 Gaz, 13.11.2003

861

Total provisional refusal of protection

NO (Norway)

450

Publication number and date

2003/23 Gaz, 25.12.2003

580

Date of notification

14.11.2003

Date of receipt by the International Bureau

10.11.2003

861 Total provisional refusal of protection

SE (Sweden)

450 Publication number and date

2004/2 Gaz, 04.03.2004

580 Date of notification

30.01.2004

Date of receipt by the International Bureau

20.01.2004

895 Statement indicating that the mark is protected for all the goods and services requested

SE (Sweden)

450 Publication number and date

2004/32 Gaz, 04.11.2004

580 Date of notification

01.10.2004

Date of receipt by the International Bureau

20.09.2004

861 Total provisional refusal of protection

SG (Singapore)

450 Publication number and date

2003/1 Gaz, 20.02.2003

580 Date of notification

13.01.2003

Date of receipt by the International Bureau

03.01.2003

895 Statement indicating that the mark is protected for all the goods and services requested

SG (Singapore)

450 Publication number and date

2005/24 Gaz, 21.07.2005

580 Date of notification

16.06.2005

Date of receipt by the International Bureau

31.05.2005

869 Disclaimer

TM (Turkmenistan)

450 Publication number and date

2003/1 Gaz, 20.02.2003

892 Final decision confirming the disclaimer

TM (Turkmenistan)

450 **Publication number and date**
2003/10 Gaz, 26.06.2003

862 **Partial provisional refusal of protection**
UZ (Uzbekistan)

450 **Publication number and date**
2003/22 Gaz, 11.12.2003
Refusal for all goods in class 33.

580 **Date of notification**
27.11.2003
Date of receipt by the International Bureau
15.10.2003

895 **Statement indicating that the mark is protected for all the goods and services requested**
UZ (Uzbekistan)

450 **Publication number and date**
2004/36 Gaz, 02.12.2004

580 **Date of notification**
28.10.2004
Date of receipt by the International Bureau
21.10.2004

1096274

11.5.2015

151 **Date of the registration**
12.10.2011

180 **Expected expiration date of the registration/renewal**
12.10.2021

270 **Language of the application**
French

Current Status

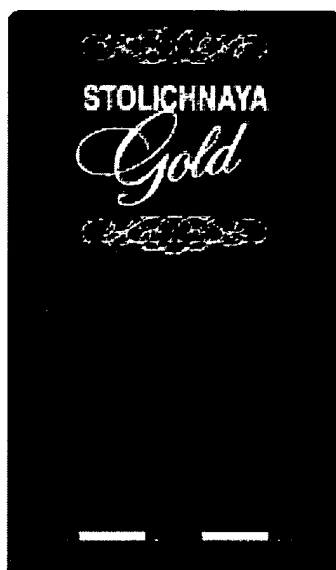
732 **Name and address of the holder of the registration**
Spirits International B.V. 3, rue du Fort Rheinsheim L-2419 Luxembourg Luxembourg

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**
Spirits International B.V. Nyon branch Avenue Reverdil 14 CH-1260 Nyon Switzerland

770 **Name and address of the previous holder**
Spirits International B.V. 7, rue Nicolas Bové Luxembourg Luxembourg

540 **Mark**



531 **International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(6)**
25.01.15 ; 25.07.07 ; 29.01.15

591 **Information concerning colors claimed**
Golden, red, white, black.
Doré, rouge, blanc, noir.
Dorado, rojo, blanco, negro.

511 **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(9)**

32 Beer; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

33 Alcoholic beverages (except beer).

822 **Basic registration**
CH (Switzerland), 12.04.2011, 618693

- 300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin**
CH (Switzerland), 12.04.2011, 618693
- 832 Designation(s) under the Madrid Protocol**
DK (Denmark), FI (Finland), GB (United Kingdom), IL (Israel), KR (Republic of Korea), NO (Norway), SE (Sweden), SG (Singapore), SY (Syria), US (United States of America)
- 834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
AM (Armenia), AT (Austria), BX (Benelux), CN (China), CY (Cyprus), CZ (Czech Republic), EG (Egypt), ES (Spain), FR (France), IT (Italy), KZ (Kazakhstan), LV (Latvia), MA (Morocco), PT (Portugal)
- 527 Indications regarding use requirements**
GB (United Kingdom), SG (Singapore), US (United States of America)

Registration

- 450 Publication number and date**
2011/45 Gaz, 01.12.2011
- 832 Designation(s) under the Madrid Protocol**
DK (Denmark), FI (Finland), GB (United Kingdom), IL (Israel), KR (Republic of Korea), NO (Norway), SE (Sweden), SG (Singapore), US (United States of America)
- 834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies**
AM (Armenia), AT (Austria), BX (Benelux), CN (China), CY (Cyprus), CZ (Czech Republic), EG (Egypt), ES (Spain), FR (France), IT (Italy), KZ (Kazakhstan), LV (Latvia), MA (Morocco), PT (Portugal), SY (Syria)
- 527 Indications regarding use requirements**
GB (United Kingdom), SG (Singapore), US (United States of America)
- 580 Date of recording (date of notification from which the time limit to notify the refusal starts)**
24.11.2011
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**
EG (Egypt)
- The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)**
FR (France)

Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)

- SG (Singapore)
- 450 Publication number and date**
2012/7 Gaz, 08.03.2012
- Opposition end date**
13.03.2012
- 861 Total provisional refusal of protection**
US (United States of America)
- 450 Publication number and date**
2012/6 Gaz, 01.03.2012
- 580 Date of notification**

23.02.2012

Date of receipt by the International Bureau

08.02.2012

861 Total provisional refusal of protection

CY (Cyprus)

450 Publication number and date

2012/11 Gaz, 05.04.2012

580 Date of notification

15.03.2012

Date of receipt by the International Bureau

08.03.2012

Statement of grant of protection made under Rule 18ter(1)

BX (Benelux)

450 Publication number and date

2012/11 Gaz, 05.04.2012

Statement of grant of protection made under Rule 18ter(1)

GB (United Kingdom)

450 Publication number and date

2012/11 Gaz, 05.04.2012

Statement of grant of protection made under Rule 18ter(1)

PT (Portugal)

450 Publication number and date

2012/13 Gaz, 19.04.2012

Statement of grant of protection made under Rule 18ter(1)

SG (Singapore)

450 Publication number and date

2012/18 Gaz, 24.05.2012

Statement of grant of protection made under Rule 18ter(1)

CZ (Czech Republic)

450 Publication number and date

2012/21 Gaz, 14.06.2012

861 Total provisional refusal of protection

NO (Norway)

450 Publication number and date

2012/23 Gaz, 28.06.2012

580 Date of notification

07.06.2012

Date of receipt by the International Bureau

09.05.2012

861 Total provisional refusal of protection

KR (Republic of Korea)

450 Publication number and date

2012/21 Gaz, 14.06.2012

580 Date of notification

28.05.2012

Date of receipt by the International Bureau

15.05.2012

Statement of grant of protection made under Rule 18ter(1)

AT (Austria)

450 Publication number and date

2012/38 Gaz, 11.10.2012

Statement of grant of protection made under Rule 18ter(1)

ES (Spain)

450 Publication number and date

2012/38 Gaz, 11.10.2012

Statement of grant of protection made under Rule 18ter(1)

LV (Latvia)

450 Publication number and date

2012/31 Gaz, 23.08.2012

Statement of grant of protection made under Rule 18ter(1)

IT (Italy)

450 Publication number and date

2012/33 Gaz, 06.09.2012

Statement of grant of protection made under Rule 18ter(1)

CN (China)

450 Publication number and date

2012/34 Gaz, 13.09.2012

Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)

US (United States of America)

450 Publication number and date

2012/40 Gaz, 25.10.2012

Statement of grant of protection made under Rule 18ter(1)

DK (Denmark)

450 Publication number and date

2012/37 Gaz, 04.10.2012

861 Total provisional refusal of protection

AM (Armenia)

450 **Publication number and date**
2012/48 Gaz, 20.12.2012

580 **Date of notification**
28.11.2012

Date of receipt by the International Bureau
16.11.2012

861 **Total provisional refusal of protection**
SY (Syria)

450 **Publication number and date**
2012/48 Gaz, 20.12.2012

580 **Date of notification**
28.11.2012

Date of receipt by the International Bureau
22.11.2012

Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i)

NO (Norway)

450 **Publication number and date**
2012/48 Gaz, 20.12.2012

580 **Date of notification**
13.12.2012

Date of receipt by the International Bureau
23.11.2012

Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii)

KR (Republic of Korea)

450 **Publication number and date**
2013/1 Gaz, 24.01.2013

Goods and services for which protection of the mark is granted

- 32 Beer; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; fruit syrups for beverages; fruit powders (for beverages); fruit extracts (for beverages).
- 33 Alcoholic beverages (except beer).

580 **Date of notification**
17.01.2013

Date of receipt by the International Bureau
27.11.2012

861 **Total provisional refusal of protection**
KZ (Kazakhstan)

450 **Publication number and date**
2012/49 Gaz, 27.12.2012

580 **Date of notification**
04.12.2012

Date of receipt by the International Bureau

28.11.2012

Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)

IL (Israel)

450 Publication number and date

2013/4 Gaz, 14.02.2013

Opposition end date

30.04.2013

Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i)

AM (Armenia)

450 Publication number and date

2013/4 Gaz, 14.02.2013

580 Date of notification

28.01.2013

Date of receipt by the International Bureau

28.12.2012

Statement of grant of protection made under Rule 18ter(1)

SE (Sweden)

450 Publication number and date

2013/16 Gaz, 09.05.2013

Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i)

KZ (Kazakhstan)

450 Publication number and date

2013/17 Gaz, 16.05.2013

580 Date of notification

24.04.2013

Date of receipt by the International Bureau

15.04.2013

Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii)

US (United States of America)

450 Publication number and date

2013/17 Gaz, 16.05.2013

Goods and services for which protection of the mark is granted

33 Alcoholic beverages except beer, namely, distilled spirits; vodka.

580 Date of notification

09.05.2013

Date of receipt by the International Bureau

19.04.2013

Statement of grant of protection made under Rule 18ter(1)

FI (Finland)

450

Publication number and date

2013/17 Gaz, 16.05.2013

Statement of grant of protection made under Rule 18ter(1)

MA (Morocco)

450

Publication number and date

2013/19 Gaz, 30.05.2013

Statement of grant of protection made under Rule 18ter(1)

IL (Israel)

450

Publication number and date

2013/21 Gaz, 13.06.2013

Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i)

CY (Cyprus)

450

Publication number and date

2015/9 Gaz, 12.03.2015

580

Date of notification

02.03.2015

Date of receipt by the International Bureau

16.02.2015

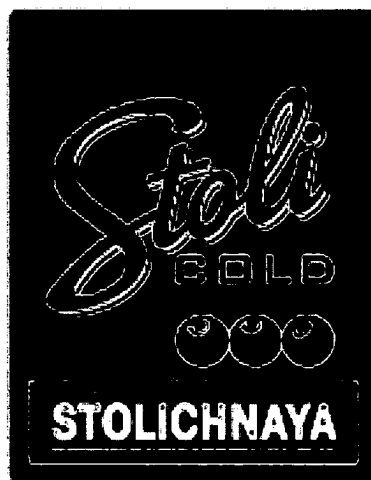
1183172

11.5.2015

- 151** **Date of the registration**
11.09.2013
- 180** **Expected expiration date of the registration/renewal**
11.09.2023
- 270** **Language of the application**
French

Current Status

- 732** **Name and address of the holder of the registration**
Spirits International B.V. 3, rue du Fort Rheinsheim L-2419 Luxembourg Luxembourg
- 812** **Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment**
CH (Switzerland)
- 750** **Address for correspondence**
SPIRITS INTERNATIONAL B.V. succursale de Genève Chemin Louis-Dunant 17 CH-1202 Genève Switzerland
- 740** **Name and address of the representative**
SPIRITS INTERNATIONAL B.V. Nyon branch Avenue Reverdil 14 CH-1260 Nyon Switzerland
- 540** **Mark**



- 531** **International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(7)**
05.07.09 ; 05.07.14 ; 25.01.15 ; 27.05.03 ; 29.01.13
- 591** **Information concerning colors claimed**
Light gray, dark gray, white, fuchsia pink and light pink.
Gris clair, gris foncé, blanc, rose fuchsia et rose pâle.
Gris claro, gris oscuro, blanco, rosado fucsia y rosado pálido.
- 511** **International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(10-2013)**
- 32 Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages.
- 33 Alcoholic beverages (except beers); spirit-based beverages; vodka; beverages and cocktails containing vodka.
- 822** **Basic registration**

CH (Switzerland), 13.03.2013, 648232

300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin

CH (Switzerland), 13.03.2013, 648232

832 Designation(s) under the Madrid Protocol

AU (Australia), EE (Estonia), GB (United Kingdom), KR (Republic of Korea), LT (Lithuania)

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

AT (Austria), BX (Benelux), CN (China), LV (Latvia)

527 Indications regarding use requirements

GB (United Kingdom)

Registration

450 Publication number and date

2013/46 Gaz, 05.12.2013

832 Designation(s) under the Madrid Protocol

AU (Australia), EE (Estonia), GB (United Kingdom), KR (Republic of Korea), LT (Lithuania)

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

AT (Austria), BX (Benelux), CN (China), LV (Latvia)

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)

28.11.2013

Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1)

AU (Australia)

450 Publication number and date

2014/6 Gaz, 20.02.2014

Opposition end date

06.04.2014

Statement of grant of protection made under Rule 18ter(1)

GB (United Kingdom)

450 Publication number and date

2014/7 Gaz, 27.02.2014

Statement of grant of protection made under Rule 18ter(1)

BX (Benelux)

450 Publication number and date

2014/8 Gaz, 06.03.2014

Statement of grant of protection made under Rule 18ter(1)

AU (Australia)

450 Publication number and date

2014/16 Gaz, 01.05.2014

Statement of grant of protection made under Rule 18ter(1)

AT (Austria)

450 **Publication number and date**
2014/20 Gaz, 29.05.2014

Statement of grant of protection made under Rule 18ter(1)

LV (Latvia)

450 **Publication number and date**
2014/20 Gaz, 29.05.2014

861 Total provisional refusal of protection

KR (Republic of Korea)

450 **Publication number and date**
2014/24 Gaz, 26.06.2014

580 **Date of notification**
26.06.2014

Date of receipt by the International Bureau
11.06.2014

Statement of grant of protection made under Rule 18ter(1)

LT (Lithuania)

450 **Publication number and date**
2014/28 Gaz, 24.07.2014

862 Partial provisional refusal of protection

EE (Estonia)

450 **Publication number and date**
2014/31 Gaz, 14.08.2014

862 Partial provisional refusal of protection

As from November 14, 2005, provisional refusals indicate only whether they are total or partial, without listing the goods and services, or the classes, affected or not affected.

580 **Date of notification**
31.07.2014

Date of receipt by the International Bureau
22.07.2014

Statement of grant of protection made under Rule 18ter(1)

CN (China)

450 **Publication number and date**
2014/33 Gaz, 28.08.2014

Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii)

KR (Republic of Korea)

450 **Publication number and date**
2015/1 Gaz, 15.01.2015

Goods and services for which protection of the mark is granted

32 Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit

juices; syrups and other preparations for making beverages.

- 33 Alcoholic beverages (except beers); spirit-based beverages; vodka; beverages and cocktails containing vodka.

580

Date of notification

15.01.2015

Date of receipt by the International Bureau

24.12.2014

Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i)

EE (Estonia)

450

Publication number and date

2015/11 Gaz, 26.03.2015

580

Date of notification

11.03.2015

Date of receipt by the International Bureau

24.02.2015