



**ESTONIAN PATENT OFFICE  
TRADEMARK DEPARTMENT**

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

**NOTIFICATION OF PROVISIONAL REFUSAL BASED ON AN OPPOSITION**

notified to the International Bureau of the World Intellectual Property Organization (WIPO)  
according to Article 5 of the Madrid Protocol

I. Name and address of the office refusing protection:

**The Estonian Patent Office  
Trademark Department  
Toompuiestee 7  
15041 Tallinn  
ESTONIA  
Telephone: + 372 62 77 931  
Telefax: + 372 62 77 912**

II. Number of the international registration which is the subject of the provisional refusal:

1076327

III. Other information concerning the international registration which is the subject of the provisional refusal:

Verbal elements of the mark: CHEMPIOIL

IV. The grounds for this provisional refusal are the following:

Opposition made 02.11.2015 by "WOLF OIL CORPORATION" N. V. on the grounds that the company has earlier registrations International Registration No 0744686 CHAMPION, Date of the registration: 05.09.2000, Subsequent designation: 09.05.2001, International Registration valid in the European Union No 1059799 CHAMPION, Date of the registration 12.10.2010, Priority: 24/06/2010, Community Trademark No 000171843 CHAMPION, Filing date: 09/05/1996, Registration date: 17/08/1999

The name and the address of the opponent are:

Name: WOLF OIL CORPORATION N.V.  
Address: Georges Gilliotstraat 52, B-2620 Hemiksem (BE)

V. Provision of the Estonian Trademark Act applicable on the subject (enclosed):  
Section 9 subsection 1 (10), Section 10 subsection 1(2), Section 11 subsections 1(4), 1(6),  
Section 41 subsections 2 and 3.

VI. The ground referred to in item IV affects all the goods.

VII. The holder of the registration has right to participate in the procedure at the Board of Appeal of Intellectual Property of Estonia.

The request has to be filed through the patent agent of the Republic of Estonia (section 13 subsection 2 of the Estonian Trademark Act). List of patent agents is available at  
<http://www.epa.ee/>

The request for participation in the procedure and the power of attorney must be received by the Board of Appeal no later than within 3 months from the date of the acceptance of the opposition for processing.

Name and address of the Board of Appeal:  
**Board of Appeal of Intellectual Property**  
**Ministry of Justice**  
**Tõnismägi str. 5A**  
**15191 Tallinn**  
**ESTONIA**

**The time limit expires 15/02/2016 (dd/mm/yyyy). The extension of the time limit is not possible.**

**Please note** that the matter will be examined by the Board of Appeal even if the holder of the registration does not request participation in the procedure at the Board of Appeal.

VIII. Date on which the refusal was pronounced: 18/11/2015 (dd/mm/yyyy).

IX. Signature of the Office:



Signe Holm  
Senior Examiner of the Second International Trademark Examination Division

Number of continuation sheets: 5



13/11/2015

## Estonian Patent Office

(210) Application No: R200103066

(220) Application Date: 13.08.2001

(111) Registration No: 0744686

(151) Registration Date: 05.09.2000

(300) Priority:

(551) Ordinary

(891) Subsequent Designation: 09.05.2001

(566) Combined

(732) Owner:

"WOLF OIL CORPORATION" NAAMLOZE  
VENNOOTSCHAP  
52, Georges Gilliotstraat, HEMIKSEM  
B-2620 BE

(526) Disclaimer:

(740) Agent:

(591) Colour Claim:

punane, valge

**Legal Status:** ITM - registreeritud

(511) Classes and List of Goods and Services:

(540) CHAMPION

- 1 Antifreeze products and compositions.
- 3 Cleaning preparations for vehicles and bicycles.
- 4 Industrial oils and greases (other than edible and essential oils and fats), lubricants, petroleum products, dust binding compositions, fuels (including petrols for engines) in their solid, liquid and gaseous forms and illuminants.

**CHAMPION**



printed: 13.11.2015

**1059799 - CHAMPION**

AG	AL	AM	AZ	BA	BH	BQ	BW	BY	CH	CN	CO	CU	CW	DZ	EG	EM
FR	GE	GH	HR	IL	IR	IS	KE	KG	KR	KZ	LR	MA	MD	ME	MG	MK
MN	MX	MZ	NA	NO	OM	RS	RU	SD	SL	SX	SY	TJ	TM	TR	UA	UZ
ZM																

**151 Date of the registration**

12.10.2010

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

12.10.2020

**270 Language of the application**

French

**Current Status****732 Name and address of the holder of the registration**

WOLF OIL CORPORATION N.V.

Georges Gilliotstraat 52

B-2620 Hemiksem

(BE)

**842 Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**

Naamloze vennootschap, Belgium

**740 Name and address of the representative**

Novagraaf Belgium S.A./N.V.

Chaussée de la Hulpe 187,

Terhulpensesteenweg 187

B-1170 BRUXELLES/BRUSSEL

(BE)

**540 Mark****531 International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(6)**

26.04.18; 27.05.24; 29.01.12

**591 Information concerning colors claimed**

Red and white.

**566 Translation of the mark or of words contained in the mark**

CHAMPION

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

01 Antifreeze and antifreeze compositions.

03 Cleaning, polishing, scouring and abrasive preparations; soaps, rinsing oils; stain removers; polishing paper; cleaning fluids for car windows.

04 Industrial oils and greases; lubricants; dust laying compositions; fuels, including motor spirit, and illuminants.

**821 Basic application**

BX, 24.06.2010, 1205355

**882 Basic registration**

BX, 11.10.2010, 886176

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

BX, 24.06.2010, 1205355

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

DZ

**832 Designation(s) under the Madrid Protocol**

AG - BH - BQ - BW - CO - CW - EM - GE - GH - IL - IS - KR - MG - MX - NO - OM - SX - SY - TM - TR - UZ - ZM

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

AL - AM - AZ - BA - BY - CH - CN - CU - EG - FR - HR - IR - KE - KG - KZ - LR - MA - MD - ME - MK - MN - MZ - NA - RS - RU - SD - SL - TJ - UA

**Registration : 2010/50 Gaz, 06.01.2011, AL, AM, AZ, BA, BW, BY, CH, CN, DZ, EG, EM, FR, GE, GH, HR, IL, IR, IS, KE, KG, KR, KZ, LR, MA, MD, ME, MG, MK, MN, MZ, NA, NO, RS, RU, SD, SL, SY, TJ, TM, TR, UA, UZ, ZM**

**Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1) : 2011/2 Gaz, 03.02.2011, EM**

**Total provisional refusal of protection : 2011/15 Gaz, 05.05.2011, NO**

**Partial provisional refusal of protection : 2011/18 Gaz, 26.05.2011, IR**

**Partial provisional refusal of protection : 2011/23 Gaz, 30.06.2011, DZ**

**Total provisional refusal of protection : 2011/26 Gaz, 21.07.2011, TR**

**Statement of grant of protection made under Rule 18ter(1) : 2011/27 Gaz, 28.07.2011, MN**

**Total provisional refusal of protection : 2011/28 Gaz, 04.08.2011, KR**

Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1) : 2011/37 Gaz, 06.10.2011, IL
Partial provisional refusal of protection : 2011/37 Gaz, 06.10.2011, CN
Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1) : 2011/33 Gaz, 08.09.2011, UA
Total provisional refusal of protection : 2011/36 Gaz, 29.09.2011, MN
Partial provisional refusal of protection : 2011/41 Gaz, 03.11.2011, MD
Partial provisional refusal of protection : 2011/45 Gaz, 01.12.2011, TR
Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i) : 2011/45 Gaz, 01.12.2011, MN
Statement of grant of protection made under Rule 18ter(1) : 2011/44 Gaz, 24.11.2011, RU
Statement of grant of protection made under Rule 18ter(1) : 2012/1 Gaz, 26.01.2012, IL
Statement of grant of protection made under Rule 18ter(1) : 2011/45 Gaz, 01.12.2011, EM
Partial provisional refusal of protection : 2011/48 Gaz, 22.12.2011, TR
Statement of grant of protection made under Rule 18ter(1) : 2011/46 Gaz, 08.12.2011, KG
Statement of grant of protection made under Rule 18ter(1) : 2011/47 Gaz, 15.12.2011, UA
Total provisional refusal of protection : 2011/48 Gaz, 22.12.2011, RS
Partial provisional refusal of protection : 2011/52 Gaz, 19.01.2012, MG
Statement of grant of protection made under Rule 18ter(1) : 2011/49 Gaz, 29.12.2011, HR
Limitation : 2012/39 Gaz, 18.10.2012
Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1) : 2012/3 Gaz, 09.02.2012, GE
Total provisional refusal of protection : 2011/51 Gaz, 12.01.2012, KZ
Statement of grant of protection made under Rule 18ter(1) : 2011/51 Gaz, 12.01.2012, AM
Statement of grant of protection made under Rule 18ter(1) : 2011/51 Gaz, 12.01.2012, BA
Total provisional refusal of protection : 2012/3 Gaz, 09.02.2012, EG
Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i) : 2012/2 Gaz, 02.02.2012, NO
Total provisional refusal of protection : 2012/4 Gaz, 16.02.2012, CH
Total provisional refusal of protection : 2012/3 Gaz, 09.02.2012, SY
Statement of grant of protection made under Rule 18ter(1) : 2012/2 Gaz, 02.02.2012, ME
Statement of grant of protection made under Rule 18ter(1) : 2012/4 Gaz, 16.02.2012, TJ
Statement of grant of protection made under Rule 18ter(1) : 2012/3 Gaz, 09.02.2012, BY
Confirmation of total provisional refusal under Rule 18ter(3) : 2012/10 Gaz, 29.03.2012, KR

Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii) : 2012/14 Gaz, 26.04.2012, DZ
Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii) : 2012/13 Gaz, 19.04.2012, MD
Statement of grant of protection made under Rule 18ter(1) : 2012/13 Gaz, 19.04.2012, GE
Opposition possible after the 18 months time limit : 2012/18 Gaz, 24.05.2012, KR
Confirmation of total provisional refusal under Rule 18ter(3) : 2012/27 Gaz, 26.07.2012, CH
Statement of grant of protection made under Rule 18ter(1) : 2012/27 Gaz, 26.07.2012, TM
Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii) : 2012/48 Gaz, 20.12.2012, RS
Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i) : 2012/46 Gaz, 06.12.2012, EG
Subsequent designation : 2013/2 Gaz, 31.01.2013, OM
Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(ii) : 2013/3 Gaz, 07.02.2013, TR
Subsequent designation : 2013/44 Gaz, 21.11.2013, AG, BQ, CO, CU, CW, MX, SX
Further statement under Rule 18ter(4) indicating the goods and services for which the mark is protected : 2013/49 Gaz, 26.12.2013, KR
Confirmation of total provisional refusal under Rule 18ter(3) : 2013/47 Gaz, 12.12.2013, SY
Renunciation : 2014/14 Gaz, 17.04.2014, CN
Subsequent designation : 2014/35 Gaz, 11.09.2014, BH
Total provisional refusal of protection : 2014/15 Gaz, 24.04.2014, CO
Subsequent designation : 2014/45 Gaz, 20.11.2014, CN
Statement of grant of protection made under Rule 18ter(1) : 2014/26 Gaz, 10.07.2014, CW
Statement of grant of protection made under Rule 18ter(1) : 2014/20 Gaz, 29.05.2014, CW
Statement of grant of protection made under Rule 18ter(1) : 2014/20 Gaz, 29.05.2014, SX
Total provisional refusal of protection : 2014/36 Gaz, 18.09.2014, AG
Total provisional refusal of protection : 2014/39 Gaz, 09.10.2014, CU
Total provisional refusal of protection : 2014/40 Gaz, 16.10.2014, MX
Statement of grant of protection following a provisional refusal under Rule 18ter(2)(i) : 2014/41 Gaz, 23.10.2014, KZ
Partial provisional refusal of protection : 2015/5 Gaz, 12.02.2015, CN

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CTM file information

CHAMPION  
000171843

Trade mark information

Name	CHAMPION	Filing date	09/05/1996
Filing number	000171843	Registration date	17/08/1999
Basis	CTM	Expiry date	09/05/2016
Date of receipt	30/03/1996	Designation date	
Type	Word	Filing language	Dutch
Nature	Individual	Second language	French
Nice classes	4 ( Nice Classification )	Application reference	BMK 200909
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)

4 Petroleum products, principally oils, greases and lubricants for motors and engines, for industry and for shipping.

Description

No entry

Owners

Wolf Oil Corporation N.V.



ID	<b>2354</b>	Country	<b>BE - Belgium</b>	Correspondence address	
Organisation	<b>Wolf Oil Corporation N.V.</b>	State/county	<b>n/a</b>	Wolf Oil Corporation N.V. Georges Gilliotstraat 52 Hemiksem 2620 BELGICA	Can be accessed and changed by authorised user via the User Area
Legal status	<b>Legal entity</b>	Town	<b>Hemiksem</b>		
		Post code	<b>2620</b>		Can be accessed and changed by authorised user via the User Area
		Address	<b>Georges Gilliotstraat 52</b>		
					Can be accessed and changed by authorised user via the User Area

## Representatives

### NOVAGRAAF BELGIUM S.A./N.V.

ID	<b>10901</b>	Country	<b>BE - Belgium</b>	Correspondence address	
Organisation	<b>n/a</b>	State/county	<b>n/a</b>	NOVAGRAAF BELGIUM S.A./N.V. Chaussée de la Hulpe 187 B-1170 Bruxelles / Brussel BÉLGICA	00 32-26755707
Legal status	<b>Legal person</b>	Town	<b>Bruxelles / Brussel</b>		00 32-26750622
Type	<b>Association</b>	Post code	<b>1170</b>		tm@novagraaf.be
		Address	<b>Chaussée de la Hulpe 187</b>		

## IR transformation

No entry

## Seniority

Filing number	Registration number	Country	Priority date	Filing date	Registration date	International code	Status
	43906	Benelux			17/06/1971	EU	ACCEPTED
Showing 1 to 1 of 1 entries							

## Exhibition priority

No entry

## Priority

No entry

## Publications

Bulletin number	Date	Section	Description
1998/088	16/11/1998	A.1	Applications published under article 40 CTMR
1999/078	04/10/1999	B.2	Registrations with amendments since the application was published
2006/026	26/06/2006	D.1	Renewals

**§ 9. Absolute circumstances which preclude legal protection**

(1) Legal protection is not granted to the following signs:

10) signs the application for the registration of which was filed in bad faith by the person applying for registration (hereinafter applicant) or the use of which has commenced in bad faith

**§ 10. Relative circumstances which preclude legal protection**

(1) Legal protection is not granted to the following trade marks:

2) trade marks which are identical or similar to an earlier trade mark which has been granted legal protection with regard to identical goods or services or goods or services of a similar kind designated by the trade mark, if there exists a likelihood of confusion on the part of the consumers, which includes association of the trade mark with the earlier trade mark.

(2) Circumstances specified in clauses (1) 2)–6) of this section which preclude legal protection are not taken into account if the proprietor of the earlier trade mark or another earlier right consents to the grant of legal protection in writing.

**§ 11. Earlier trade mark and other earlier rights**

(1) An “earlier trade mark” means the following:

4) a trade mark which is valid in Estonia on the basis of the Madrid Protocol if the date of international registration or date of priority is earlier;

6) a Community trade mark registered on the basis of the Community Trade Mark Regulation if the filing date of the application, date of priority or the seniority date granted on the basis of the Estonian registration is earlier.

**§ 13. Representative for performing acts related to legal protection of trade marks**

(2) A person with no residence, seat or commercial or industrial enterprise operating in Estonia shall authorise a patent attorney as the person’s representative to perform procedures related to trade marks at the Patent Office and at the Board of Appeal, except the filing of an application.

**§ 41. Adjudication of appeals and revocation applications**

(2) An interested person may contest an applicant’s right to a trade mark at the Industrial Property Board of Appeal if circumstances specified in subsection 9 (1) or § 10 of this Act which preclude legal protection exist. The term for filing a revocation application is two months from the publication of the notice of the decision to register a trade mark.

(3) In case an appeal or revocation application is granted in whole or in part, the Board of Appeal shall annul the decision of the Patent Office and require the Patent Office to continue the processing taking into account the facts set out in the decision of the Board of Appeal.

**§ 70. Processing of international registration**

(7) Decisions on international registrations made by the Patent Office and the rights of applicants can be contested pursuant to the provisions of this Act, taking account of the specifications arising from the Madrid Protocol and its Common Regulations. The Bureau shall be notified of a contestation and the decision made in the matter.