



**Notification of *ex officio* provisional partial refusal of protection
(Article 5 of the Madrid Protocol, Rule 17(1) and (2) of the Common Regulations
under the Madrid Agreement and Protocol, Articles 36 and 145 CTMR and
Rule 2(2), Rule 9(3)(a) and Rule 113 CTMIR)**

Alicante, 26/11/2015

International registration number: **1274024**
Name of the holder: **Volvo Trademark Holding Aktiebolag**
Trade Mark: **VOLVO**

Protection of the abovementioned mark is provisionally refused for the European Union for the following goods and services:

Class 14: goods made from these materials

Class 16: goods made from these materials,

Class 17: goods made of these materials

Class 18: and goods made of these materials

Class 35: merchandise products

I. Grounds

The list of goods and services does not entirely comply with Rule 2(2) CTMIR.

Class 14

The term “goods made from these materials ” in Class “ 14” is imprecise and must be further clarified.

In light of the need for clarity and precision, the term “goods made from these materials” does not provide a clear indication of what goods are covered, as it simply states what the goods are made of or coated with, and not what the goods are. It covers a wide range of goods that may have very different characteristics, that may require very different levels of technical capabilities and know-how to be produced, could be targeting different consumers, be sold through different sales channels, and therefore relate to different market sectors.

Class 16

The term “goods made from these materials ” in Class “ 16” is imprecise and must be further clarified.

In light of the need for clarity and precision, the term “goods made from these materials [paper and cardboard]” does not provide a clear indication of what goods

are covered, as it simply states what the goods are made of, and not what the goods are. It covers a wide range of goods that may have very different characteristics and / or purposes, that may require very different levels of technical capabilities and know-how to be produced and / or used, could be targeting different consumers, be sold through different sales channels, and therefore relate to different market sectors.

Class 17

The term “merchandise products” in Class “ 35” is imprecise and must be further clarified.

In light of the need for clarity and precision, the term “goods made from these materials [rubber, gutta-percha, gum, asbestos and mica” does not provide a clear indication of what goods are covered as it simply states what the goods are made of, and not what the goods are. It covers a wide range of goods that may have very different characteristics and / or purposes, that may require very different levels of technical capabilities and know-how to be produced and / or used, could be targeting different consumers, be sold through different sales channels, and therefore relate to different market sectors.

Class 18

The term “goods made of these materials” in Class “18” is imprecise and must be further clarified.

In light of the need for clarity and precision, the term “goods made of these materials [leather and imitations of leather]” does not provide a clear indication of what goods are covered, as it simply states what the goods are made of, and not what the goods are. It covers a wide range of goods that may have very different characteristics and / or purposes, that may require very different levels of technical capabilities and know-how to be produced and / or used, could be targeting different consumers, be sold through different sales channels, and therefore relate to different market sectors.

Class 35

The term “merchandise products ” in Class “ 35” is imprecise and must be further clarified.

Please note that the proposed clarified terms should always fall within the same class as the original wording of the International Register.

In order to remedy this deficiency, the Office recommends that you consult the Harmonised Database (HDB) at <http://tmclass.tmdn.org> . The HDB brings together a list of acceptable terms from every IP Office of the EU and ensures that the goods and services you choose will be immediately accepted.

II. Time Limit

The holder of the international registration is hereby given a time limit of two months to overcome the ground for refusing protection indicated and to comply with the requirements indicated above. Failure to do so will mean that after expiry of the time limit, the OHIM will render a decision in which it refuses the protection in whole or in part. Said decision may be appealed. The time limit of two months to reply to the present refusal shall start on the day the present notification was issued by the OHIM (Rule 112(1) CTMIR). Any such reply of the holder of the international registration

shall be addressed to the OHIM only

NUTI,Stefania