

**ARRANGEMENT DE MADRID
CONCERNANT L'ENREGISTREMENT INTERNATIONAL DES MARQUES
ET PROTOCOLE RELATIF À CET ARRANGEMENT**

REFUS PROVISOIRE

notifiée au Bureau international de l'Organisation Mondiale de la Propriété Intellectuelle (OMPI)
selon l'article 5 de l'Arrangement de Madrid et du Protocole de Madrid

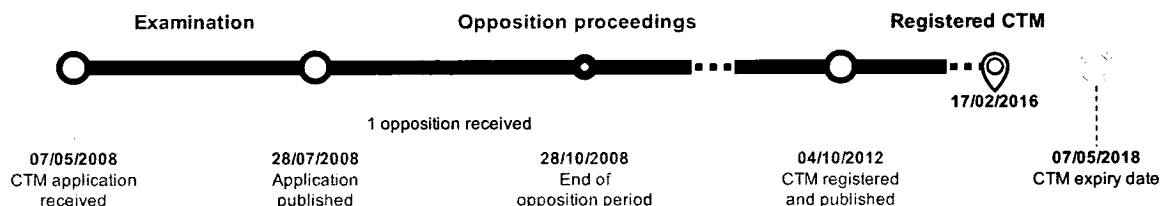
I. Office qui notifie le refus OFFICE DES BREVETS DE LA REPUBLIQUE DE LETTONIE Citadeles iela 7/70 LV 1010, Rīga LETONIE		Téléphone 371 67099605 Télécopie 371 67099650
II. N° de l'enregistrement international faisant l'objet du refus		1268103
III. Nom du titulaire de l'enregistrement international faisant l'objet du refus SALOMON SAS Les Croiselets F-74370 METZ-TESSY (France)		
IV. Motifs du refus QS, s.Oliver Bernd Freier GmbH & Co.KG s. Oliver-Str.1 D-97228 Rotterdam Germany titulaire d'enregistrement européen EM 006893598 s'oppose à l'enregistrement de la marque.		
V. Dispositions de la loi nationale applicables en la matière (voir feuille supplémentaire) ARTICLE 18, 39, l'opposition est basée sur l'article 7(1)2		
VI. ☒ Refus pour la totalité des produits et services ☐ Refus pour les produits suivants *		
VII. Possibilités de réclamations et de recours Le titulaire de la marque a le droit de présenter ses objections contre le présent refus auprès de l'Office des brevets de Lettonie dans le délai de 3 mois à compter de la date de la notification de Bureau International. Le recours doit être présenté par l'intermédiaire d'un mandataire local . (Loi sur les marques et les indications géographiques, Article 17. ¹ ; Loi des institutions et procédures de propriété industrielle, Article 58). Après l'expiration du délai imparti, la Commission de recours prendra la décision sur l'acceptation de l'opposition ou de son rejet. L'affaire peut- être réexaminée auprès de Tribunal de Riga-ville (quartier Vidzeme) dans le délai de 3 mois compté de la notification de la décision de Commission de recours.		
VIII. Date à laquelle le refus a été prononcé		19.02.2016
IX. Signature ou sceau officiel de l'Office qui notifie le refus		
		Dz. Medne 



CTM file information

QS
006893598

Timeline



Trade mark information

Name	QS	Filing date	07/05/2008
Filing number	006893598	Registration date	01/10/2012
Basis	CTM	Expiry date	07/05/2018
Date of receipt	07/05/2008	Designation date	
Type	Word	Filing language	German
Nature	Individual	Second language	English
Nice classes	3, 9, 14, 18, 20, 24, 25, 28, 35 (Nice Classification)	Application reference	
Vienna Classification		Trade mark status	Registered
		Acquired distinctiveness	No

Goods and services

English (en)

3 Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

9 Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.

14 Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

18 Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

20 Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

24 Textiles and textile goods, not included in other classes; bed and table covers.

25 Clothing, footwear, headgear.

28 Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

35 Retailing of fashion articles of all kinds, in particular perfumery, cosmetic products, spectacles, sunglasses and spectacle cases, jewellery, clocks and watches, bags, umbrellas, parasols, furniture, mirrors and picture frames, clothing,

footwear and headgear, games and playthings, gymnastic and sporting equipment and decorations for Christmas trees.

Description

No entry

Owners

s.Oliver Bernd Freier GmbH & Co. KG

ID	365434	Country	DE - Germany	Correspondence address	
Organisation	s.Oliver Bernd Freier GmbH & Co. KG	State/county	n/a	s.Oliver Bernd Freier GmbH & Co. KG	Can be accessed and changed by authorised user via the User Area
		Town	Rottendorf	s.Oliver-Str. 1	
		Post code	97228	D-97228 Rottendorf	
Legal status	Legal entity	Address	s.Oliver-Str. 1	ALEMANIA	Can be accessed and changed by authorised user via the User Area
					Can be accessed and changed by authorised user via the User Area

Representatives

WEBER & SAUBERSCHWARZ

ID	11502	Country	DE - Germany	Correspondence address	
Organisation	n/a	State/county	n/a	WEBER & SAUBERSCHWARZ	00 49-2114403930
Legal status	Legal person	Town	Düsseldorf	Postfach 20 08 48	
Type	Association	Post code	40212	D-40105 Düsseldorf	00 49-21144039399
		Address	Königsallee 1	ALEMANIA	mail@weber-sauberschwarz.de

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
	CTM	006893598	Surveillance letter	16/02/2016	
	CTM	006893598	Surveillance letter	16/02/2016	
	CTM	006893598	Surveillance letter	13/08/2015	
	CTM	006893598	Surveillance letter	28/07/2014	
	CTM	006893598	Surveillance letter	21/02/2014	
	CTM	006893598	Surveillance letter	22/01/2014	
	CTM	006893598	Surveillance letter	20/01/2013	
	CTM	006893598	Surveillance letter	18/01/2013	
	CTM	006893598	Cover letter for registration certificate.	08/10/2012	
	CTM	006893598	Certificate of Registration	05/10/2012	

Showing 1 to 10 of 70 entries

IR transformation

No entry

Seniority

No entry

Exhibition priority

No entry

Priority

No entry

Publications

Bulletin number	Date	Section	Description
2008/030	28/07/2008	A.1	Applications published under article 40 CTMR
2010/044	08/03/2010	C.1.3	Proprietor - Change of name and address
2012/190	04/10/2012	B.2	Registrations with amendments since the application was published

Showing 1 to 3 of 3 entries

Cancellation

No entry

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
			004527563	Proprietor	Change of name and address
2010/044	08/03/2010	C.1.3	004593888	Proprietor	Change of name and address

Showing 1 to 2 of 2 entries

Appeals

No entry

Decisions

No entry

Renewals

No entry

Trade mark relations

No entry

Section 18. Opposition to the Registration of a Trade Mark

(1) Within three months from the date of the publication of a trade mark, interested persons may file with the Patent Office an application for opposition to the registration of a trade mark. The filing of the application for opposition, the progress and examination of it shall be executed/carried out according to the provisions of the Law on Industrial Property Institutions and Procedures.

[21 October 2004][19 November 2015]

Section 39. Validity of an International Registration in Latvia

[..]

(5) An application for 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 in accordance with the procedures laid down in the rules on the international registration of trade marks, notify the International Bureau of the refusal of the particular international registration (provisional refusal). Within three months from the date on which the International Bureau has notified of the refusal, the owner of the international registration is entitled to submit a notice of appeal (a reply to the application for opposition) as provided for in Section 17.¹ of this Law.

[21 October 2004][19 November 2015]

Section 7. Earlier Trade Marks as Grounds for Invalidation of Trade Mark Registration

(1) A trade mark registration may be declared invalid in accordance with the provisions of this Law in the following cases:

1) it is identical to an earlier trade mark, and the goods or services in respect of which the trade mark was registered are identical to the goods or services in respect of which the earlier trade mark was registered;

2) in connection with its identity or similarity to, an earlier trade mark belonging to another person and the identity or similarity of the respective goods or services, there exists a likelihood of confusion of the trade marks or a likelihood of association between the trade marks on behalf of the relevant consumers.

(2) Earlier trade marks, within the meaning of Paragraph one of this Section are:

1) trade marks valid in Latvia, which have been registered under national or international registration procedures, or as European Community trade marks (hereinafter – Community trade mark) in accordance with Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (codified version) (Text with EEA relevance) (hereinafter – Council Regulation No 207/2009) if the date of application for registration thereof is earlier than the date of application for registration of the contested trade mark, also taking into account the priority accorded to those trade marks;

2) applications for the registration of trade marks referred to in the previous Clause, provided that they are registered.

[21 October 2004; 14 October 2010]