

In reply please quote our reference

Your reference : N.A.  
Our reference : 2016/2070937824W  
Date : 24 May 2016  
Writer's direct number : +65 6330 2703

WORLD INTELLECTUAL PROPERTY ORGANIZATION  
INTERNATIONAL REGISTRATIONS DEPARTMENT  
34, CHEMIN DES COLOMBETTES, 1211 GENEVA 20  
SWITZERLAND

Dear Sir/Madam

**NOTIFICATION OF PROVISIONAL REFUSAL OF PROTECTION TO THE INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION ACCORDING TO ARTICLE 5 OF THE PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS**

**1. Office making the notification:**

Intellectual Property Office of Singapore (IPOS)

**2. International Registration Number:**

1290408

**3. Trade Mark Number(s) issued by the IPOS for this International Registration:**

Trade Mark Number : 40201604044R

Class Number(s) : 06, 09, 11, 19, 20, 35 AND 42

**4. Name of holder of the International Registration:**

VITRA PATENTE AG

**5. Ground(s) of the Provisional Refusal:**

**5.1 Specification of goods and/or services**

We note that you have applied for protection of the mark for goods and/or services in various classes. However, we have raised objections under rule 19(2)(b)(ii)(A) of the Trade Marks Rules as the following goods and/or services do not follow the guidelines provided under the International Classification of Goods and Services (ICGS):

Class 9

“starter motors for fluorescent tubes” – please clarify how the item is proper to Class 9.

Class 11



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“beacons” – please delete/clarify as “beacons, luminous” is proper to Class 9.

“mobile projector installations consisting of beacons and electronic voltage transformers” – please clarify how the item is proper to Class 11 as it appears to be proper to Class 9.

#### Class 20

“tray holders and bars for clothing” – please clarify.

“panels for indicating price and size, included in this class”- please clarify how the item is proper to Class 20. You may consider amending to “panels for indicating price and size (parts of furniture), included in this class”.

“lower tray parts and separating walls not of metal, in particular for shop fittings” – please clarify as the description is vague. Please note that “non-metallic walls” is proper to Class 19.

“tray holders and bars of metal for clothing” – please clarify.

“lower tray parts of metal, in particular for shop fittings and parts for shop fittings” – please clarify.

#### Class 35

“consultancy in shops and shop window dressing”- please consider amending to “business consultancy in shops and shop window dressing” for clarity.

#### Class 42

“drafting of lighting installations” – please consider amending to “drafting of lighting installations plans” for clarity.

Please note that no form or fee is required for an amendment to the specification of goods or services of an international registration designating Singapore.

### 6. Goods and/or services affected by the refusal:

This refusal applies to “starter motors for fluorescent tubes” in Class 09, “beacons”, “mobile projector installations consisting of beacons and electronic voltage transformers” in Class 11, “tray holders and bars for clothing”, “panels for indicating price and size, included in this class”, lower tray parts and separating walls not of metal, in particular for shop fittings”, “tray holders and bars of metal for clothing, “lower tray parts of metal, in particular for shop fittings and parts for shop fittings” in Class 20, “consultancy in shops and shop window dressing” in Class 35, “drafting of lighting installations” in Class 42 of the international registration.

### 7. Request for review:

The holder of the international registration may file a request for a review of this refusal with IPOS.

The request for review must comply with the following:

- (a) quote the International Registration number, relevant trade mark number(s), corresponding class number(s) and Singapore reference number(s).



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- (b) furnish an address for service in Singapore. The holder may appoint an agent by filing Form CM1.

Please note that any form(s) filed with the International Bureau of the World Intellectual Property Organization in response to this refusal, will not be treated as a request for a review of this refusal unless the above has been complied with.

**8. Extension of time:**

The holder may seek an extension of time to request for a review of this refusal by filing Form CM5.

**9. Deadline to observe:**

If the holder does not file a request for review or apply for an extension of time to do so by **24 September 2016**, the application for the refused goods and/or services indicated in paragraph 6 of this refusal will be treated as withdrawn (reinstatable).

**10. Reinstatement of an application that is treated as withdrawn (reinstatable):**

If the application becomes treated as withdrawn (reinstatable), the holder may request to reinstate the application by filing Form CM13 together with the request for review within six months from the deadline in paragraph 9.

Please note that reinstatement is not automatic. Reinstatement will be allowed only after we have conducted a new conflicting mark search and are satisfied that the mark to be reinstated does not conflict with any trade mark applications filed with IPOS prior to the filing of the required documents.

If the holder also does not request to reinstate the application in time, the application for goods and/or services that are not refused will proceed to publication.

**11. Forms and fees:**

The forms referred to in this provisional refusal and the relevant fees may be found at <http://www.ipos.gov.sg/Services/FilingandRegistration/FormsandFees/TradeMarks.aspx>

**12. Further refusal of protection:**

Please note that a further refusal of protection may result from an opposition, which may be filed after the expiry of 18 months from the date on which the Intellectual Property Office of Singapore was notified of the international registration. This applies to all goods and/or services claimed in the international registration.

This refusal is issued by:

Ms Khong Hui Mian  
Assistant Registrar  
for Registrar of Trade Marks



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Singapore

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## PROVISIONS OF SINGAPORE LAW

### TRADE MARKS RULES

#### **Rule 19 Specification**

(2) Every application form shall contain, for each class of goods or services to which the application relates

(a) the class number as set out in the Nice Classification as in force on the date of that application; and

(b) a specification of those goods or services which

(i) is appropriate to that class;

(ii) is described in such a manner as to

(A) indicate clearly the nature of those goods or services; and

(B) allow those goods or services to be classified in accordance with the Nice Classification as in force on the date of that application; and

(iii) complies with any other requirement of the Registrar.



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