



**BY HAND & EMAIL**

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11 February 2015

Intellectual Property Department  
25/F, Wu Chung House,  
213 Queen's Road East,  
Wanchai,  
**HONG KONG**

**Attn: Director of Intellectual Property**

Dear Sirs,

**Proposed Application of the Protocol Relating to  
the Madrid Agreement Concerning the International  
Registration of Marks to the Hong Kong Special Administrative Region**

This submission is made by The Hong Kong Institute of Trade Mark Practitioners Limited (“HKITMP”), the membership of which consists of trade mark practitioners which includes solicitors and barristers who are principally engaged in trade mark and other Intellectual property practice. The HKITMP’s aim is to protect the interests of trade mark owners and owners of other Intellectual property rights, for which purpose we are active in regular liaison with the Hong Kong Intellectual Property Department (“HKIPD”) and other relevant industry bodies.

The HKITMP acts as a conduit and forum for discussion, and promotes the views of the professionals who engage in intellectual property work. The views expressed are from a legal and policy perspective in our capacity as intellectual property law practitioners, acting independently without regard to the views of any particular body or organization.

This submission is made in response to the Consultation Paper entitled “Proposed Application of the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks to the Hong Kong Special Administrative Region” released by the Intellectual Property Department of the Commerce and Economic Development Bureau on 11 November 2014 (“**the Consultation Paper**”):

The Consultation Paper calls for views on the following:

- A. The proposed application of the Madrid Protocol to Hong Kong, in particular:
- (a) the benefits and implications;

- (b) practical arrangements;
- (c) steps for implementation;
- (d) tentative timing.

B. The need for and the desirable features of a possible special arrangement between Hong Kong and mainland China to facilitate the reciprocal filing of trade mark applications.

HKITMP thanks the HKIPD for giving it the opportunity to express its views.

## A. GENERAL COMMENTS

It is the strong belief of the HKITMP that the protocol relating to the Madrid Agreement concerning the International Registration of trade marks (“MP”) as a trade mark registration system **has little to benefit the businesses, taxpayers and trade mark profession of Hong Kong** and could be detrimental to all these sectors. Significant government resources will be required to introduce a system which cannot be utilized by many of Hong Kong’s SMEs and which adds another layer of administration to the attainment of trade mark registration without any practical benefit to the stakeholders of Hong Kong.

It is the view of HKITMP that MP:

- is of no practical benefit to Hong Kong businesses. Many SMEs would be excluded from using the system as they do not use their trade marks in Hong Kong;
- is unhelpful to trade mark owners, being confusing, inefficient, cumbersome and often inaccurate;
- will require significant additional resources to introduce and maintain for no practical benefit;
- the introduction of the MP into Hong Kong will require significant amendment to the MP and special arrangements with China;
- even if adopted in Hong Kong, it does not allow extension to China. Further arrangements are required to address this omission, thereby introducing another administrative tier to the trade mark registration system;
- undermines the long established profession in Hong Kong for registering and maintaining trade marks.

Accordingly, HKITMP does not believe it is in the interest of the Hong Kong Government to use its resources to implement a system which is not beneficial to nor compatible with the business environment of Hong Kong.

## B. OF NO PRACTICAL BENEFIT TO HONG KONG BUSINESSES

Hong Kong has a unique business environment. In most countries in the world, businesses develop first and foremost for the production of goods for their local markets. Local consumers provide impetus for those businesses and the export of their product to overseas markets is secondary. This is different to Hong Kong where the consuming market is relatively small and most Hong Kong SMEs design and develop product in Hong Kong for



manufacture in mainland China for sale in overseas markets. Their aim is not to sell to the Hong Kong public and most do not.

As the Consultation Paper correctly points out, in order to apply for an International Registration under the MP, the applicant must first own a Hong Kong trade mark application or registration which is known as the “basic application” or “basic registration”. If the SME cannot apply to register its trade mark in Hong Kong or, within 5 years of the date of the International Registration, its application or registration is withdrawn, revoked, invalidated or fails for any reason, under Article 6 of the MP (**Appendix “A”**), the International Registration will be cancelled. While the applicant has the option to convert the International Registration to national registrations, cost and time would have been saved if the applicant had first proceeded to file national applications in the countries in which it uses or intends to use its trade mark.

If an SME does not intend to sell product under its trade marks in Hong Kong, which is most often the case, it is not useful or appropriate for it to apply for registration of its trade marks in Hong Kong. Indeed, to do so is in violation of section 38(3) of the Trade Marks Ordinance Cap. 559 (“**TMO**”). The trade mark application form T2 requires confirmation from the applicant that *“The trade mark is being used by the applicant or with his consent in relation to the goods or services indicated in Part 05, or the applicant **honestly intends** to use the trade mark, or allows it to be used, in relation to those goods or services”*. Emphasis added. It is fraudulent for many SMEs to give this assurance.

Further, if the SME does apply and registers its trade mark, but does not use the registered trade mark on the registered goods/services in Hong Kong within 3 years of the grant of registration, the registration is vulnerable to revocation. Many Hong Kong applications issue to registration within 12 to 24 months of filing. Therefore if the registered mark is not used in Hong Kong, the registration would be revoked and the registration removed from the Register, the SME being responsible for paying the costs of the petitioner in the revocation action. Consequently, as the Hong Kong base registration no longer exists, in accordance with Article 6 of the MP, the International Registration will be cancelled.

Appendix 8 of the Consultation Paper provides the number of applications filed by Hong Kong applicants in Australia, Japan, the EU, Singapore, the UK and the US. However, as it does not advise whether the Hong Kong applicants own a corresponding Hong Kong application or registration and whether they are using the marks in Hong Kong, no conclusions can be drawn as to whether the Hong Kong applicants could have taken advantage of the MP.

Even so, many Hong Kong businesses use BVIs and other offshore companies to hold their trade mark rights and therefore fall outside the system.

### **C. INADEQUACIES OF THE INTERNATIONAL REGISTRATION SYSTEM**

**The MP system is confusing, inefficient, cumbersome and often inaccurate.** On the face of it, it appears to be a simple, user-friendly system. However, anyone with experience of the system knows that this is not the case.



It is a three tiered system, adding another level of administration. World Intellectual Property Organization (“**WIPO**”) takes on the role of an intermediary between the national office of the country of extension and the trade mark owner, increasing the possibility for correspondence to be lost or mislaid. Information has to be continually relayed back and forth between WIPO and the national office in the country of extension or from WIPO to the trade mark owner. This interaction invariably leads to delays and the inaccurate recordal of rights.

Under the system, it is difficult for trade mark owners and their agents to accurately know the scope of protection which has been given to a mark. Soon after applying for the International Registration, the trade mark owner is presented with an International Registration certificate (**Appendix “B”**). The owner could easily mistakenly think that on receipt of this certificate it has the exclusive right in the countries listed on the certificate to use its mark for the goods or services specified. This is not correct. The International Registration certificate is a misleading document. In fact, it confers no rights and cannot be used before any court or tribunal as evidence of a trade mark owner’s rights.

A review of the details of an International Registration on WIPO’s trade mark database provides additional information but it is still confusing and inaccurate, even for experienced practitioners (**Appendix “C”**). The information entered on the database is often out of date and inaccurate. The information must be corroborated with searches of the national registers concerned. Even so, the particulars entered on to WIPO’s register and the national registers of the countries of extension are often contradictory due to failures or delays in communication between WIPO and the country of extension.

One of the supposed advantages of MP is that an International Registration can be renewed or the owner’s details updated in all the countries of extension simply by filing one application with WIPO. In our experience, the changes are often not recorded in the country of extension. It is the heavy responsibility of the trade mark owner to ensure that changes have been recorded correctly in each relevant jurisdiction.

Attached as **Appendix “D”** are examples of data inaccurately and inconsistently recorded on the WIPO register and in the register of the country of extension.

Another supposed advantage of the MP is the saving on costs. In relation to the filing costs, this is only true if 5 or more countries are nominated in the International Registration for extension. Further, any cost benefit is quickly eroded by other costs which are incurred due to the need to appoint local agents to deal with objections and undertake reviews of particulars entered in the local register.

Further, additional costs and delays are likely to be incurred when enforcing the trade mark rights in particular jurisdictions. Depending on the country of extension e.g. China, the trade mark owner will not be issued with a further certificate to confirm that the International Registration has been extended to that country. In order to take any legal action, it is essential for the trade mark owner to apply for a local certificate at additional expense and incurring significant delays which can be crucial to the success of the action required.



## **D. DRAIN ON GOVERNMENT RESOURCES**

The Consultation Paper notes that:

- a. special arrangements need to be worked out with the Central People's Government in relation to the Contracting Party, the office and the register in order to allow communication between WIPO and HKIPD. See comments at E;
- b. special arrangements need to be put in place to address the fact that China cannot be incorporated in an International Registration based on a Hong Kong application or registration and vice versa. See comments at F;
- c. amendments must be made to the existing TMO and Trade Marks Rules (Cap. 559A) to accommodate the requirements of the MP.

Significant resources will be required to discuss and amend legislation. Staffing levels will need to be significantly increased to meet demands and further resources will be required to train staff in the new practices and to meet the time constraints of the MP.

This involves significant expenditure of taxpayers' money with doubtful benefits to Hong Kong as a whole. It also diverts resources from the existing national registration system. HKIPD could already use additional staff to effectively handle national applications and registrations. However, even if extra positions are created, HKITMP understands HKIPD has difficulties filling the positions with suitable candidates.

It will also divert resources from tasks arising from the patent reform which is scheduled to take place in the next 3 to 4 years in relation to the amendments to Patents Ordinance such as training of new examiners and the implementation of OGP.

## **E. TECHNICAL ISSUES TO BE ADDRESSED**

Hong Kong can be neither a "Contracting State" nor a "Contracting Organization" as required for membership of the MP under Article 1 (**Appendix "A"**). The Consultation suggests no means of overcoming this crucial dilemma. We are not aware of any means of doing so. We would be grateful to know how the government proposes to overcome this legality.

Assuming that this hurdle can be addressed, there is the further issue that under Article 2 of the MP (**Appendix "A"**) each Contracting Party may have only one office and one trade mark register. Currently, China holds the office and register. It is neither feasible nor desirable to combine the Hong Kong office and register with that of China in view of their vastly different laws and practices.

While the Consultation Paper envisages maintaining separate offices and separate registers, in order for WIPO to communicate with HKIPD, it will need to transfer communication through the office of China. It is not known whether or how this can be done. The introduction of another diversion in the channel of communication further increases the possibility of delayed or lost notifications.

## **F. NO EXTENSION OF INTERNATIONAL REGISTRATION TO CHINA**

An International Registration based on a Hong Kong application or registration cannot be extended to China and vice versa under Article 3bis of MP (**Appendix “A”**). Unlike every other Contracting Party of the MP, for International Registration based on a Hong Kong application/registration it would not be possible to nominate to extend protection to China.

We assume that this is the reason Chapter 5 of the Consultation Paper proposes a special arrangement to allow applicant of a Hong Kong application to nominate extension to China and vice versa. No details of the proposal are provided. This adds yet another administrative layer to the Hong Kong trade mark system absorbing further resources.

## **G. POTENTIAL DAMAGE TO THE TRADE MARK PROFESSION IN HONG KONG**

The Consultation Paper acknowledges that the Hong Kong profession is likely to suffer from the adoption of MP but takes the view that the profession's needs are secondary to the needs of Hong Kong's businesses. We emphasize that the Hong Kong trade mark profession is a well established component of the Hong Kong business environment. Further, as mentioned, Hong Kong businesses will not benefit from the introduction of MP.

This attitude toward the trade mark profession in Hong Kong is disappointingly contrary to the government's attitude to the development of the patent profession in Hong Kong. We find it perplexing that the government is keen to support the development of the local patent profession while at the same time undermining the trade mark profession for a system which is not compatible with nor advantageous to Hong Kong businesses.

As the vast majority of applications filed in Hong Kong are not by Hong Kong applicants but foreign applicants, there will be a marked decrease in the number of applications filed by local practitioners in Hong Kong. The profession will suffer greatly from this as the decrease in filings by foreign applicants will not be replaced by applications filed by Hong Kong applicants. As previously explained, the business environment in Hong Kong is not conducive to local filings. Hong Kong companies generally do not develop product for sale to the local market.

Depending on what is proposed in relation to the special arrangement to extend Hong Kong filings to China and vice versa, Hong Kong trade mark practitioners are likely to be further disadvantaged by losing filings into and from China.

Yours faithfully,



Justin Davidson  
President of HKITMP



## **APPENDIX A**

### **Relevant Articles of the Madrid Protocol**

#### **Article 1**

##### **Membership in the Madrid Union**

The States party to this Protocol (hereinafter referred to as “the Contracting States”), even where they are not party to the Madrid Agreement Concerning the International Registration of Marks as revised at Stockholm in 1967 and as amended in 1979 (hereinafter referred to as “the Madrid (Stockholm) Agreement”), and the organizations referred to in Article 14(1)(b) which are party to this Protocol (hereinafter referred to as “the Contracting Organizations”) shall be members of the same Union of which countries party to the Madrid (Stockholm) Agreement are members. Any reference in this Protocol to “Contracting Parties” shall be construed as a reference to both Contracting States and Contracting Organizations.

#### **Article 2**

##### **Securing Protection through International Registration**

- (1) Where an application for the registration of a mark has been filed with **the Office of a Contracting Party**, or where a mark has been registered in **the register of the Office of a Contracting Party**, the person in whose name that application (hereinafter referred to as “the basic application”) or that registration (hereinafter referred to as “the basic registration”) stands may, subject to the provisions of this Protocol, secure protection for his mark in the territory of the Contracting Parties, by obtaining the registration of that mark in the register of the International Bureau of the World Intellectual Property Organization (hereinafter referred to as “the international registration,” “the International Register,” “the International Bureau” and “the Organization,” respectively), provided that,
  - (i) where the basic application has been filed with **the Office of a Contracting State** or where the basic registration has been made by such an Office, **the person in whose name that application or registration stands is a national of that Contracting State, or is domiciled, or has a real and effective industrial or commercial establishment, in the said Contracting State,**

#### **Article 3bis**

##### **Territorial Effect**

The protection resulting from the international registration shall extend to any Contracting Party only at the request of the person who files the international application or who is the holder of the international registration. However, no such request can be made with respect to the Contracting Party whose Office is the Office of origin.

## **Article 6**

### **Period of Validity of International Registration; Dependence and Independence of International Registration**

- (1) Registration of a mark at the International Bureau is effected for ten years, with the possibility of renewal under the conditions specified in Article 7.
- (2) Upon expiry of a period of five years from the date of the international registration, such registration shall become independent of the basic application or the registration resulting therefrom, or of the basic registration, as the case may be, subject to the following provisions.
- (3) **The protection resulting from the international registration, whether or not it has been the subject of a transfer, may no longer be invoked if, before the expiry of five years from the date of the international registration, the basic application or the registration resulting therefrom, or the basic registration, as the case may be, has been withdrawn, has lapsed, has been renounced or has been the subject of a final decision of rejection, revocation, cancellation or invalidation, in respect of all or some of the goods and services listed in the international registration. The same applies if**
  - (i) **an appeal against a decision refusing the effects of the basic application,**
  - (ii) **an action requesting the withdrawal of the basic application or the revocation, cancellation or invalidation of the registration resulting from the basic application or of the basic registration, or**
  - (iii) **an opposition to the basic application results, after the expiry of the five-year period, in a final decision of rejection, revocation, cancellation or invalidation, or ordering the withdrawal, of the basic application, or the registration resulting therefrom, or the basic registration, as the case may be, provided that such appeal, action or opposition had begun before the expiry of the said period. The same also applies if the basic application is withdrawn, or the registration resulting from the basic application or the basic registration is renounced, after the expiry of the five-year period, provided that, at the time of the withdrawal or renunciation, the said application or registration was the subject of a proceeding referred to in (i), (ii) or (iii) and that such proceeding had begun before the expiry of the said period.**
- (4) **The Office of origin shall, as prescribed in the Regulations, notify the International Bureau of the facts and decisions relevant under paragraph (3), and the International Bureau shall, as prescribed in the Regulations, notify the interested parties and effect any publication accordingly. The Office of origin shall, where applicable, request the International Bureau to cancel, to the extent applicable, the international registration, and the International Bureau shall proceed accordingly.**



## **APPENDIX B**

**IR1214123**

**Certificate of Registration – China and European Union**

**Chinese Register – not registered**

**OHIM – not registered**

## CERTIFICATE OF REGISTRATION

The International Bureau of the World Intellectual Property Organization (WIPO) certifies that the indications appearing in the present certificate conform to the recording made in the International Register of Marks maintained under the Madrid Agreement and Protocol.

*Reproduction of the mark*

**Vidēre**

*Registration number* **1 214 123**

*Registration date* **March 28, 2014**

*Date next payment due* **March 28, 2024**

*Name and address of holder* **So Mi Han  
Flat 3, The Galleries, 9 Abbey Road, London NW8 9AQ (United Kingdom)**

*Name and address of the representative* **Marks & Clerk LLP, 1 New York Street, Manchester M1 4HD (United Kingdom)**

*List of goods and services* **3** Cosmetics; toiletries; soaps; perfumery; essential oils; toilet preparations; cosmetic kits; make-up; false eye lashes; preparations for the care of hair, skin and body; shampoos; hair conditioner; hair lotions, hair dyes and hair sprays; preparations for the bath and shower; depilatories; sun care preparations; after sun care preparations.  
**18** Leather and imitations of leather; trunks and travelling bags; bags; backpacks; briefcases; sports bags; garment bags; handbags; key cases; coin purses; purses; umbrellas, parasols, walking sticks, walking stick seats.  
**25** Clothing, footwear, headgear; swimwear, lingerie, underwear; belts.

*Basic registration* **United Kingdom, 02.10.2013, UK00003024516**


*Data relating to priority under the Paris Convention* **United Kingdom, 02.10.2013, UK00003024516**

*Designations under the Madrid Protocol* **China, European Union**

*Date of notification* **28.08.2014**

*Language of the international application* **English**

Geneva, August 28, 2014



Ásta Valdimarsdóttir  
Director, Operations Service  
Madrid Registry  
Brands and Designs Sector



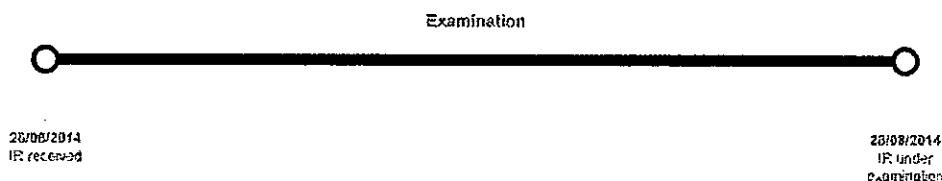


OFFICE FOR HARMONIZATION  
IN THE INTERNAL MARKET  
(TRADE MARKS AND DESIGNS)

## CTM file information

**Videre**  
**1214123**

## Timeline



## Graphic representation

**Vidēre**

## Trade mark information

Name	Videre	Filing date	
Filing number	1214123	Registration date	28/03/2014
Basis	IR ( Search on WIPO database )	Expiry date	28/03/2024
Date of receipt	28/08/2014	Designation date	28/03/2014
Type	Figurative	Filing language	English
Nature	INDIVIDUAL	Second language	French
Nice classes	3, 18, 25 ( Nice Classification )	Application reference	
Vienna Classification	27.05.01 ( Vienna Classification )	Trade mark status	IR under examination
		Acquired distinctiveness	No

## Goods and services

English (en)



**3** Cosmetics; toiletries; soaps; perfumery; essential oils; toilet preparations; cosmetic kits; make-up; false eye lashes; preparations for the care of hair, skin and body; shampoos; hair conditioner; hair lotions, hair dyes and hair sprays; preparations for the bath and shower; depilatories; sun care preparations; after sun care preparations.

**18** Leather and imitations of leather; trunks and travelling bags; bags; backpacks; briefcases; sports bags; garment bags; handbags; key cases; coin purses; purses; umbrellas, parasols, walking sticks, walking stick seats.

**25** Clothing, footwear, headgear; swimwear, lingerie, underwear; belts.

## Description

No entry

## Owners

## So Mi Han

ID	n/a	Country	GB - United Kingdom	Can be accessed and changed by authorised user via the User Area
Organisation	n/a	State/county	n/a	
Legal status	n/a	Town	n/a	
		Post code	n/a	Can be accessed and changed by authorised user via the User Area
		Address	Flat 3, The Galleries, 9 Abbey Road London NW8 9AQ	Can be accessed and changed by authorised user via the User Area

## Representatives

No entry

## Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
		IR	1214123	Search Report (Community)	16/10/2014	
		IR	1214123	Processed	25/09/2014	
		IR	1214123	TRANGP	08/09/2014	
		IR	1214123	WIPO attachments	08/09/2014	
		IR	1214123	Birth	28/08/2014	
		IR	1214123	WIPO attachments	28/08/2014	

Showing 1 to 6 of 6 entries

## IR transformation

No entry

## Seniority

No entry

## Exhibition priority

No entry

## Priority

Country	Filing number	Date	Status
United Kingdom	UK00003024516	02/10/2013	ACCEPTED

Showing 1 to 1 of 1 entries

## Publications

Bulletin number	Date	Section	Description
2014/161	29/08/2014	M.1	IR_M_1



Showing 1 to 1 of 1 entries

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## Cancellation

No entry

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## Recordals

No entry

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## Oppositions

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## Appeals

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## Decisions

No entry

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## Renewals

No entry


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## Trade mark relations

No entry

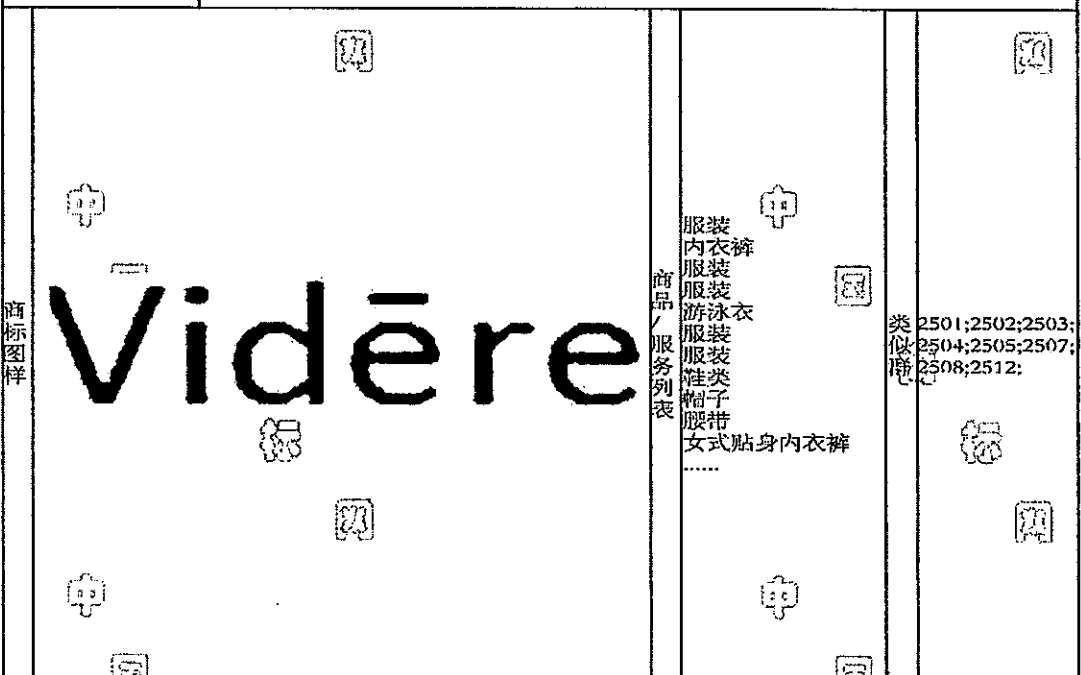
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国际分类号	3	颜色组合					
申请人名称(中文)							
申请人名称(英文)	SO MI HAN						
申请人地址(中文)							
申请人地址(英文)	Flat 3, The Galleries, 9 Abbey Road London NW8 9AQ						
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专用期限	0年						
后期指定日期	2014年03月28日	国际注册日期					
优先权日期	2013年10月02日	商标类型	一般				
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商标的详细信息			
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国际分类号	18	颜色组合	
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申请人名称(英文)	SO MI HAN		
申请人地址(中文)			
申请人地址(英文)	Flat 3, The Galleries, 9 Abbey Road London NW8 9AQ		
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申请人名称(英文)	SO MI HAN		
申请人地址(中文)	商		
申请人地址(英文)	Flat 3, The Galleries, 9 Abbey Road London NW8 9AQ		
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## APPENDIX C

IR1164415



## WIPO - ROMARIN - International Registration Details

**1164415**

10.2.2015

- 151 **Date of the registration**  
17.05.2013
- 180 **Expected expiration date of the registration/renewal**  
17.05.2023
- 270 **Language of the application**  
English

### **Current Status**

- 732 **Name and address of the holder of the registration**  
Nicipure Labs, LLC 5909 NW 18th Dr. Gainesville FL 32653 United States of America
- 811 **Contracting State of which the holder is a national**  
US (United States of America)
- 842 **Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**  
Limited Liability Company, Florida
- 740 **Name and address of the representative**  
Mark J. Ingber 374 Millburn Avenue, Suite 301 Millburn NJ 07041 United States of America
- 540 **Mark**  
HALO
- 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) - NCL(10-2013)**
- 01 Cartridges sold filled with propylene glycol for electronic cigarettes.
- 34 Electronic cigarettes.
- 821 **Basic application**  
US (United States of America), 05.02.2013, 85840964
- 832 **Designation(s) under the Madrid Protocol**  
AU (Australia), BX (Benelux), CH (Switzerland), IL (Israel), JP (Japan), KR (Republic of Korea), MX (Mexico), PH (Philippines), RU (Russian Federation), SG (Singapore)
- 527 **Indications regarding use requirements**  
SG (Singapore)

### **Registration**

- 450 **Publication number and date**  
2013/25 Gaz, 11.07.2013
- 832 **Designation(s) under the Madrid Protocol**  
AU (Australia), CH (Switzerland), EM (European Community), GB (United Kingdom), IL (Israel), KR (Republic of Korea), PH (Philippines), RU (Russian Federation), SG (Singapore)
- 527 **Indications regarding use requirements**  
GB (United Kingdom), SG (Singapore)
- 580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**  
04.07.2013

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

EM (European Community)

450 Publication number and date  
2013/28 Gaz, 01.08.2013  
Opposition end date  
05.04.2014

862 **Partial provisional refusal of protection**

AU (Australia)

450 Publication number and date  
2013/36 Gaz, 26.09.2013

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  
19.09.2013  
Date of receipt by the International Bureau  
02.09.2013

**Renunciation**

GB (United Kingdom)

450 Publication number and date  
2014/9 Gaz, 13.03.2014

580 Date of recording  
02.10.2013

**Renunciation**

GB (United Kingdom)

450 Publication number and date  
2013/49 Gaz, 26.12.2013

580 Date of recording  
15.11.2013

**Subsequent designation**

450 Publication number and date  
2013/52 Gaz, 16.01.2014

832 Designation(s) under the Madrid Protocol  
AU (Australia), KR (Republic of Korea), MX (Mexico)

580 Date of recording (date of notification from which the time limit to notify the refusal starts)  
09.01.2014

891 Date of subsequent designation (Rule 24(6) of the Common Regulations)  
13.12.2013

**Renunciation**

EM (European Community)

450 Publication number and date  
2014/6 Gaz, 20.02.2014

580 Date of recording

31.12.2013

### **Subsequent designation**

450 **Publication number and date**  
2014/6 Gaz, 20.02.2014

832 **Designation(s) under the Madrid Protocol**  
JP (Japan), MX (Mexico)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**  
20.02.2014

891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**  
22.01.2014

### **Total provisional refusal of protection**

861 **KR (Republic of Korea)**

450 **Publication number and date**  
2014/5 Gaz, 13.02.2014

580 **Date of notification**  
28.01.2014

**Date of receipt by the International Bureau**  
23.01.2014

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

AU (Australia)

450 **Publication number and date**  
2014/14 Gaz, 17.04.2014

**Opposition end date**  
13.04.2014

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

SG (Singapore)

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

**Opposition end date**  
26.04.2014

### **Partial provisional refusal of protection**

AU (Australia)

450 **Publication number and date**  
2014/11 Gaz, 27.03.2014

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**  
13.03.2014

**Date of receipt by the International Bureau**

07.03.2014

**861 Total provisional refusal of protection**

PH (Philippines)

**450 Publication number and date**

2014/19 Gaz, 22.05.2014

**580 Date of notification**

12.05.2014

**Date of receipt by the International Bureau**

16.04.2014

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

AU (Australia)

**450 Publication number and date**

2014/20 Gaz, 29.05.2014

Accepted as is for class(es) 34.

**580 Date of notification**

16.05.2014

**Date of receipt by the International Bureau**

22.04.2014

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

SG (Singapore)

**450 Publication number and date**

2014/25 Gaz, 03.07.2014

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

RU (Russian Federation)

**450 Publication number and date**

2014/23 Gaz, 19.06.2014

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

CH (Switzerland)

**450 Publication number and date**

2014/30 Gaz, 07.08.2014

**861 Total provisional refusal of protection**

KR (Republic of Korea)

**450 Publication number and date**

2014/30 Gaz, 07.08.2014

**580 Date of notification**

23.07.2014

**Date of receipt by the International Bureau**

17.07.2014

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



JP (Japan)

450 Publication number and date  
2014/36 Gaz, 18.09.2014

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

KR (Republic of Korea)

450 Publication number and date  
2014/42 Gaz, 30.10.2014

580 Date of notification  
16.10.2014

Date of receipt by the International Bureau  
26.09.2014

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

IL (Israel)

450 Publication number and date  
2014/40 Gaz, 16.10.2014  
Opposition end date  
30.12.2014

**861 Total provisional refusal of protection**

MX (Mexico)

450 Publication number and date  
2014/44 Gaz, 13.11.2014

580 Date of notification  
03.11.2014

Date of receipt by the International Bureau  
15.10.2014

**Confirmation of total provisional refusal under Rule 18ter(3)**

PH (Philippines)

450 Publication number and date  
2014/46 Gaz, 27.11.2014

**Subsequent designation**

450 Publication number and date  
2015/4 Gaz, 05.02.2015

832 Designation(s) under the Madrid Protocol  
BX (Benelux)

580 Date of recording (date of notification from which the time limit to notify the refusal starts)  
05.02.2015

891 Date of subsequent designation (Rule 24(6) of the Common Regulations)  
28.11.2014

**Confirmation of total provisional refusal under Rule 18ter(3)**

KR (Republic of Korea)

450 Publication number and date  
2015/2 Gaz, 22.01.2015

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

IL (Israel)

450 Publication number and date  
2015/4 Gaz, 05.02.2015

## **APPENDIX D**

**IR1118820**

**Class 25 deleted from the basic registration**

**German and OHIM registers show only classes 13 and 28**

**WIPO shows classes 13, 25 and 28. Must look to last page to find reference to cancellation of class 25**

## WIPO - ROMARIN - International Registration Details

**1118820**

5.2.2015

- 151 **Date of the registration**  
24.04.2012
- 180 **Expected expiration date of the registration/renewal**  
24.04.2022
- 270 **Language of the application**  
English

### **Current Status**

- 732 **Name and address of the holder of the registration**  
L&O Hunting Group GmbH Ziegelstadel 1 88316 Isny Germany
- 812 **Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment**  
DE (Germany)
- 740 **Name and address of the representative**  
GÖRG Partnerschaft von Rechtsanwälten, Dr. Katja Kuck Kennedyplatz 2 50679 Köln Germany
- 770 **Name and address of the previous holder**  
Blaser Finanzholding GmbH Ziegelstadel 1 Isny Germany
- 540 **Mark**  
M12
- 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) - NCL(10)**
- 13 Firearms; ammunition and projectiles; explosives; accessories for the aforesaid goods (included in this class), in particular gun bags, gun cases, cartridge belts, gun slings, cartridge cases.
- 25 Clothing; footwear; headgear.
- 28 Model and replica guns; bullets and ammunition for model and replica weapons; model and replica guns for virtual shooting; model and replica guns for use with electronic targets and/or electronic displays; games apparatus, adapted for use with replica guns for virtual shooting; parts for the aforesaid goods (included in this class).
- 822 **Basic registration**  
DE (Germany), 03.04.2012, 30 2012 016 785.3/13
- 300 **Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin**  
DE (Germany), 24.02.2012, 30 2012 016 785.3/13
- 350 **Seniority**  
DE (Germany), 24.02.2012, 302012016785
- 832 **Designation(s) under the Madrid Protocol**  
EM (European Community), GE (Georgia), IS (Iceland)
- 834 **Designation(s) under the Madrid Protocol by virtue of Article 9sexies**  
BA (Bosnia and Herzegovina), BY (Belarus), CH (Switzerland), RS (Serbia), UA (Ukraine)

### **Registration**

- 450 **Publication number and date**  
2012/25 Gaz, 12.07.2012
- 832 **Designation(s) under the Madrid Protocol**



EM (European Community), GE (Georgia), IS (Iceland)

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

BA (Bosnia and Herzegovina), BY (Belarus), CH (Switzerland), RS (Serbia), UA (Ukraine)

580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**  
05.07.2012

The refusal period has expired and no notification of provisional refusal has been recorded  
(application of Rule 5 preserved)

GE (Georgia)

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

EM (European Community)

450 **Publication number and date**

2012/28 Gaz, 02.08.2012

**Opposition end date**

06.04.2013

823 **Cancellation effected for some of the goods and services at the request of an Office of origin in accordance with Article 6(4) of the Agreement or Article 6(4) of the Protocol**

450 **Publication number and date**

2013/2 Gaz, 31.01.2013

**List limited to:**

- 25 Clothing; footwear; headgear, all aforementioned goods limited to hunting clothes.  
Classes 13 and 28 remain unchanged.

**Facts and decisions**

The basic registration No. 30 2012 016 785.3/13 has been the subject of a renunciation in respect of certain goods. The renunciation takes effect from 04/10/2012.

L'enregistrement de base numéro 30 2012 016 785.3/13 a fait l'objet d'une renonciation, entrée en application le 04/10/2012, à l'égard de certains produits.

El registro de base nº 30 2012 016 785.3/13 ha sido objeto de renuncia respecto de determinados productos. La renuncia surte efecto a partir del 04/10/2012.

862 **Partial provisional refusal of protection**

IS (Iceland)

450 **Publication number and date**

2012/51 Gaz, 10.01.2013

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**

18.12.2012

**Date of receipt by the International Bureau**

10.12.2012

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

UA (Ukraine)

450 Publication number and date  
2013/23 Gaz, 27.06.2013  
Opposition end date  
03.07.2013

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

RS (Serbia)

450 Publication number and date  
2013/18 Gaz, 23.05.2013

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

EM (European Community)

450 Publication number and date  
2013/19 Gaz, 30.05.2013

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

BY (Belarus)

450 Publication number and date  
2013/23 Gaz, 27.06.2013

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

UA (Ukraine)

450 Publication number and date  
2013/28 Gaz, 01.08.2013

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

CH (Switzerland)

450 Publication number and date  
2013/29 Gaz, 08.08.2013

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

BA (Bosnia and Herzegovina)

450 Publication number and date  
2013/31 Gaz, 22.08.2013

**Opposition possible after the 18 months time limit**

IS (Iceland)

450 Publication number and date  
2014/8 Gaz, 06.03.2014

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

GE (Georgia)

450 Publication number and date  
2014/12 Gaz, 03.04.2014  
Opposition end date

25.09.2013

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

IS (Iceland)

450

**Publication number and date**

2014/33 Gaz, 28.08.2014

**Goods and services for which protection of the mark is granted**

13 Explosives.

25 Clothing; footwear; headgear, all aforementioned goods limited to hunting clothes.

580

**Date of notification**

18.08.2014

**Date of receipt by the International Bureau**

28.07.2014

823

**Cancellation effected for some of the goods and services at the request of an Office of origin in accordance with Article 6(4) of the Agreement or Article 6(4) of the Protocol**

450

**Publication number and date**

2014/40 Gaz, 16.10.2014

Class 25 is canceled.

Classes 13 and 28 remain unchanged.

**Facts and decisions**

The basic registration No. 30 2012 016 785.3/13 has been the subject of a final decision of cancellation in respect of certain goods. The final decision of cancellation takes effect from 25/04/2014.

L'enregistrement de base No. 30 2012 016 785.3/13 a fait l'objet d'une décision finale de radiation à l'égard de certains produits. La date d'effet de ladite décision finale est le 25/04/2014.

El registro de base n.º 30 2012 016 785.3/13 ha sido objeto de una decisión final de cancelación respecto de determinados productos, con fecha efectiva de 25/04/2014.



Deutsches  
Patent- und Markenamt

# Informationen

zur Marke 302012016785, Stand 05.02.2015

Die Marke mit der Registernummer **302012016785** ist mit den folgenden Angaben in das Register des Deutschen Patent- und Markenamts eingetragen.

Die Schutzdauer der Marke beginnt mit dem Anmeldetag und endet am 28.02.2022. Eine Verlängerung um jeweils 10 Jahre ist gemäß § 47 Markengesetz möglich.

## Informationen zur Marke 302012016785, Stand: 05.02.2015

[----] **Datenbestand:** DE

[111] **Registernummer:** 302012016785

[210] **Aktenzeichen:** 3020120167853

[540] **Wiedergabe der Marke:** M12

[550] **Markenform:** Wortmarke

[220] **Anmeldetag:** 24.02.2012

[151] **Tag der Eintragung im Register:** 03.04.2012

[730] **Inhaber:** L&O Hunting Group GmbH, 88316 Isny, DE

[740] **Vertreter:** GÖRG Partnerschaft von Rechtsanwälten, 50679 Köln, DE

[750] **Zustellanschrift:** GÖRG Partnerschaft von Rechtsanwälten Rechtsanwältin Dr. Katja Kuck, Kennedyplatz 2, 50679 Köln

[-----] **Version der Nizza-Klassifikation:** NCL10

[511] **Klasse(n) Nizza:** 13, 28

[-----] **Aktenzustand:** Marke eingetragen

[180] **Schutzendedatum:** 28.02.2022

[-----] **Internationale Registrierungen:**

Datum	Aktenzeichen
24.04.2012	IR1118820

[450] **Tag der Veröffentlichung:** 04.05.2012

[-----] **Beginn Widerspruchsfrist:** 04.05.2012

[-----] **Ablauf Widerspruchsfrist:** 06.08.2012

[510] **Waren- / Dienstleistungsverzeichnis:**

Klasse	Begriffe
13	Schusswaffen; Munition und Geschosse; Sprengstoff; Zubehör für die vorgenannten Waren (soweit in Klasse 13 enthalten), insbesondere Waffenkoffer, Waffenfutterale; Patronengürtel, Gewehrriemen, Patronenetuis
28	Modell- und Replica-Waffen; Geschosse und Munition für Modell- und Replica-Waffen; Modell- und Replica-Waffen für virtuelles Schießen; Modell- und Replica-Waffen zum Gebrauch mit elektronischen





Klasse	Begriffe
	Zielen und/oder elektronischer Anzeige; Spielapparate, geeignet für den Gebrauch mit Replica-Waffen für virtuelles Schießen; Einzelteil für die vorgenannten Waren (soweit in Klasse 28 enthalten)

## Verfahrensdaten

### Anmeldeverfahren

- [-----] **Verfahrensart:** Anmeldeverfahren  
[-----] **Verfahrensstand:** Marke eingetragen  
[-----] **EDV-Erfassungstag :** 03.04.2012  
[-----] **Markenblatt:** 18/2012  
[-----] **Veröffentlicht in Teil :** 1aaa  
[540] **Wiedergabe der Marke:** M12  
[550] **Markenform:** Wortmarke  
[220] **Anmeldetag:** 24.02.2012  
[151] **Tag der Eintragung im Register:** 03.04.2012  
[-----] **Veröffentlichungsdatum:** 04.05.2012  
[730] **Anmelder:** Blaser Finanzholding GmbH, 88316 Isny, DE  
[740] **Vertreter:** GÖRG Partnerschaft von Rechtsanwälten, 50677 Köln, DE  
[750] **Zustellanschrift:** GÖRG Partnerschaft von Rechtsanwälten Rechtsanwältin Dr. Katja Kuck, Sachsenring 81, 50677 Köln  
[-----] **Version der Nizza-Klassifikation:** NCL10  
[511] **Klasse(n) Nizza:** 13, 25, 28  
[510] **Waren- / Dienstleistungsverzeichnis:**

Klasse	Begriffe
13	Schusswaffen; Munition und Geschosse; Sprengstoff; Zubehör für die vorgenannten Waren (soweit in Klasse 13 enthalten), insbesondere Waffenkoffer, Waffenfutterale; Patronengürtel, Gewehrriemen, Patronenetuis
25	Bekleidungsstücke, Schuhwaren, Kopfbedeckungen
28	Modell- und Replica-Waffen; Geschosse und Munition für Modell- und Replica-Waffen; Modell- und Replica-Waffen für virtuelles Schießen; Modell- und Replica-Waffen zum Gebrauch mit elektronischen Zielen und/oder elektronischer Anzeige; Spielapparate, geeignet für den Gebrauch mit Replica-Waffen für virtuelles Schießen; Einzelteil für die vorgenannten Waren (soweit in Klasse 28 enthalten)

### Widerspruchsverfahren

- [-----] **Verfahrensart:** Widerspruchsverfahren  
[-----] **Verfahrensstand:** Widerspruch erhoben



Deutsches  
Patent- und Markenamt

[-----] **EDV-Erfassungstag** : 28.08.2012  
[-----] **Markenblatt**: 39/2012  
[-----] **Veröffentlicht in Teil** : 2b  
[-----] **Publikationstext** : Widerspruchsverfahren läuft / Widerspruch erhoben  
[-----] **Veröffentlichungsdatum**: 28.09.2012

#### Löschung Antrag Inhaber

[-----] **Verfahrensart**: Löschung Antrag Inhaber  
[-----] **Verfahrensstand**: Marke teilweise gelöscht  
[-----] **EDV-Erfassungstag** : 09.10.2012  
[-----] **Markenblatt**: 45/2012  
[-----] **Veröffentlicht in Teil** : 5g  
[-----] **Rechtsgrund**: Löschung nach § 48  
[-----] **Wirkungsdatum** : 04.10.2012  
[-----] **Veröffentlichungsdatum**: 09.11.2012  
[510] **Waren- / Dienstleistungsverzeichnis**:

Klasse	Begriffe
13	Schusswaffen; Munition und Geschosse; Sprengstoff; Zubehör für die vorgenannten Waren (soweit in Klasse 13 enthalten), insbesondere Waffenkoffer, Waffenfutterale; Patronengürtel, Gewehrriemen, Patronenetuis
25	Bekleidungsstücke, Schuhwaren, Kopfbedeckungen, sämtliche vorstehenden Waren beschränkt auf Jagdbekleidung
28	Modell- und Replica-Waffen; Geschosse und Munition für Modell- und Replica-Waffen; Modell- und Replica-Waffen für virtuelles Schießen; Modell- und Replica-Waffen zum Gebrauch mit elektronischen Zielen und/oder elektronischer Anzeige; Spielapparate, geeignet für den Gebrauch mit Replica-Waffen für virtuelles Schießen; Einzelteil für die vorgenannten Waren (soweit in Klasse 28 enthalten)

#### Umschreibung - Änderung Name/Rechtsform/Anschrift

[-----] **Verfahrensart**: Umschreibung - Änderung Name/Rechtsform/Anschrift  
[-----] **Verfahrensstand**: Umschreibung abgeschlossen  
[-----] **EDV-Erfassungstag** : 28.08.2013  
[-----] **Markenblatt**: 39/2013  
[-----] **Veröffentlicht in Teil** : 8a  
[-----] **Veröffentlichungsdatum**: 27.09.2013  
[730] **Inhaber**: L&O Hunting Group GmbH, 88316 Isny, DE  
[771] **Früherer Inhaber**: Blaser Finanzholding GmbH, 88316 Isny, DE  
[740] **Vertreter**: GÖRG Partnerschaft von Rechtsanwälten, 50679 Köln, DE  
[-----] **Früherer Vertreter**: GÖRG Partnerschaft von Rechtsanwälten, 50677 Köln, DE



Deutsches  
Patent- und Markenamt

**[750] Zustellanschrift:** GÖRG Partnerschaft von Rechtsanwälten Rechtsanwältin Dr. Katja Kuck, Kennedyplatz 2, 50679 Köln

**[-----] Frühere Zustellanschrift:** GÖRG Partnerschaft von Rechtsanwälten Rechtsanwältin Dr. Katja Kuck, Sachsenring 81, 50677 Köln

#### Widerspruchsverfahren

**[-----] Verfahrensart:** Widerspruchsverfahren

**[-----] Verfahrensstand:** Marke teilweise gelöscht

**[-----] EDV-Erfassungstag :** 23.05.2014

**[-----] Markenblatt:** 26/2014

**[-----] Veröffentlicht in Teil :** 2e

**[-----] Publikationstext :** teilweise Löschung aufgrund Widerspruchs

**[-----] Datum des Abschlusses:** 25.04.2014

**[-----] Veröffentlichungsdatum:** 27.06.2014

**[-----] TEILLOESCHUNGSART:**

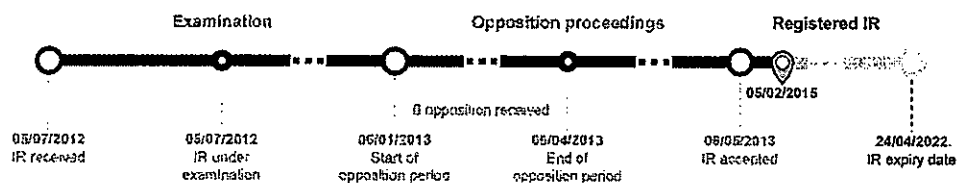
Art	Schutzhindernis	Wirksamkeitsdatum	Gelöschtes WDVZ
			25 Bekleidungsstücke, Schuhwaren, Kopfbedeckungen, sämtliche vorstehenden Waren beschränkt auf Jagdbekleidung



## CTM file information

**M12**  
**1118820**

## Timeline



## Trade mark information

Name	M12	Filing date	
Filing number	1118820	Registration date	24/04/2012
Basis	IR ( Search on WIPO database )	Expiry date	24/04/2022
Date of receipt	05/07/2012	Designation date	24/04/2012
Type	Word	Filing language	English
Nature	INDIVIDUAL	Second language	German
Nice classes	13, 28 ( Nice Classification )	Application reference	
Vienna Classification		Trade mark status	IR accepted
		Acquired distinctiveness	No

## Goods and services

English (en)



- 13** Firearms; ammunition and projectiles; explosives; accessories for the aforesaid goods (included in this class), in particular gun bags, gun cases, cartridge belts, gun slings, cartridge cases.
- 28** Model and replica guns; bullets and ammunition for model and replica weapons; model and replica guns for virtual shooting; model and replica guns for use with electronic targets and/or electronic displays; games apparatus, adapted for use with replica guns for virtual shooting; parts for the aforesaid goods (included in this class).

## Description

No entry

## Owners

L&amp;O Hunting Group GmbH

ID	n/a	Country	DE - Germany	Can be accessed and changed by authorised user via the User Area
Organisation	n/a	State/country	n/a	
Legal status	n/a	Town	n/a	
		Post code	n/a	

Address      **Ziegelstadel 1**      Can be accessed and changed by  
**88316 Isny**      authorised user via the User Area

Can be accessed and changed by  
authorised user via the User Area

## Representatives

No entry

## Correspondence

	From	Procedure	Filing number	Subject	Date	Actions
		IR	1118820	Restrict	16/10/2014	
		IR	1118820	New name	10/10/2013	
		IR	1118820	Processed	23/05/2013	
		IR	1118820	Processed	23/05/2013	
		IR	1118820	TRANSN	07/05/2013	
		IR	1118820	TRANGP	07/05/2013	
		IR	1118820	WIPO attachments	07/05/2013	
		IR	1118820	New name	25/04/2013	
		IR	1118820	Restrict	24/01/2013	
		IR	1118820	Processed	26/07/2012	
Showing 1 to 10 of 15 entries						

## IR transformation

No entry

## Seniority

Filing number	Registration number	Country	Priority date	Filing date	Registration date	International code	Status
302012016785		Germany		24/02/2012		UE	ACCEPTED
Showing 1 to 1 of 1 entries							

## Exhibition priority

No entry

## Priority

Country	Filing number	Date	Status
Germany	30 2012 016 785	24/02/2012	ACCEPTED
Showing 1 to 1 of 1 entries			

## Publications

Bulletin number	Date	Section	Description
-----------------	------	---------	-------------



Bulletin number	Date	Section	Description
2012/127	06/07/2012	M.1	IR_M_1
2013/085	07/05/2013	M.3.1	IR_M_3_1
Showing 1 to 2 of 2 entries			

## Cancellation

No entry

## Recordals

No entry

## Oppositions

No entry

## Appeals

No entry

## Decisions

No entry

## Renewals

No entry

## Trade mark relations

No entry

IR1206352

Ownership transfer recorded in WIPO register but not Chinese register

## WIPO - ROMARIN - International Registration Details

**1206352**

5.2.2015

- 151 **Date of the registration**  
19.05.2014
- 180 **Expected expiration date of the registration/renewal**  
19.05.2024
- 270 **Language of the application**  
English

### **Current Status**

- 732 **Name and address of the holder of the registration**  
Nicopure Labs, LLC 5909 NW 18th Dr. Gainesville FL 32653 United States of America
- 811 **Contracting State of which the holder is a national**  
US (United States of America)
- 842 **Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized**  
Limited Liability Company, Florida
- 740 **Name and address of the representative**  
Mark J. Ingber 374 Millburn Avenue, Suite 301 Millburn NJ 07041 United States of America
- 770 **Name and address of the previous holder**  
Trident Group, LLC P.O. Box 406 Pompton Plains NJ 07444 United States of America
- 540 **Mark**  
HX3
- 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) - NCL(10-2014)**
- 01 Cartridges sold filled with propylene glycol for electronic cigarettes.
- 821 **Basic application**  
US (United States of America), 02.10.2013, 86080789
- 832 **Designation(s) under the Madrid Protocol**  
AU (Australia), BX (Benelux), CH (Switzerland), CN (China), EM (European Community), IL (Israel), IN (India), JP (Japan), KR (Republic of Korea), MX (Mexico), PH (Philippines), RU (Russian Federation), SG (Singapore)
- 527 **Indications regarding use requirements**  
IN (India), SG (Singapore)

### **Registration**

- 450 **Publication number and date**  
2014/23 Gaz, 19.06.2014
- 832 **Designation(s) under the Madrid Protocol**  
AU (Australia), BX (Benelux), CH (Switzerland), CN (China), EM (European Community), IL (Israel), IN (India), JP (Japan), KR (Republic of Korea), MX (Mexico), PH (Philippines), RU (Russian Federation), SG (Singapore)
- 527 **Indications regarding use requirements**  
IN (India), SG (Singapore)
- 580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**  
19.06.2014

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

EM (European Community)

450 **Publication number and date**

2014/26 Gaz, 10.07.2014

**Opposition end date**

20.03.2015

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

BX (Benelux)

450 **Publication number and date**

2014/36 Gaz, 18.09.2014

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

AU (Australia)

450 **Publication number and date**

2014/40 Gaz, 16.10.2014

**Opposition end date**

09.12.2014

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

SG (Singapore)

450 **Publication number and date**

2014/50 Gaz, 25.12.2014

**Opposition end date**

05.01.2015

**861 Total provisional refusal of protection**

JP (Japan)

450 **Publication number and date**

2014/49 Gaz, 18.12.2014

580 **Date of notification**

03.12.2014

**Date of receipt by the International Bureau**

27.11.2014

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

PH (Philippines)

450 **Publication number and date**

2014/48 Gaz, 11.12.2014

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

AU (Australia)

450 **Publication number and date**

2014/52 Gaz, 08.01.2015

**861 Total provisional refusal of protection**

CN (China)

**450 Publication number and date**

2015/5 Gaz, 12.02.2015

**861 Total provisional refusal of protection**

This provisional refusal is not subject to review or appeal before this Office. It is deemed to include a declaration of confirmation of total provisional refusal under Rule 18ter(3).

**580 Date of notification**

29.01.2015

**Date of receipt by the International Bureau**

16.01.2015

商标的详细信息			
<a href="#">打印</a>		<a href="#">关闭</a>	
注册号/申请号	G1206352	申请日期	2014年06月19日
国际分类号	1	颜色组合	
申请人名称(中文)			
申请人名称(英文)	TRIDENT GROUP, LLC		
申请人地址(中文)			
申请人地址(英文)	P.O. Box 406 Pompton Plains NJ 07444		
商标图样			
代理组织名称			
初审公告期号		注册公告期号	
初审公告日期		注册公告日期	
专用期限	0年		
后期指定日期	2014年05月19日	国际注册日期	
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商标流程	业务状态 领土延伸中		时间 2014年06月19日
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IR1173444

US basic application shows classes 1 and 30

WIPO shows classes 30 and 34

US basic application shows owner incorporated in New Jersey

WIPO shows classes owner incorporated in Florida



## WIPO - ROMARIN - International Registration Details

**1173444**

5.2.2015

- 151 **Date of the registration**  
17.05.2013
- 180 **Expected expiration date of the registration/renewal**  
17.05.2023
- 270 **Language of the application**  
English

### Current Status

- 732 **Name and address of the holder of the registration**  
Nicopure Labs, LLC 5909 NW 18th Dr. Gainesville FL 32653 United States of America
- 811 **Contracting State of which the holder is a national**  
US (United States of America)
- 740 **Name and address of the representative**  
Mark J. Ingber 374 Millburn Avenue, Suite 301 Millburn NJ 07041 United States of America
- 770 **Name and address of the previous holder**  
Nicopure Labs, LLC Unit 123, 2 Kiel Avenue Kinnelon NJ 07405 United States of America
- 540 **Mark**  
Evo
- 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) - NCL(10-2013)**
- 30 Chemical flavorings in liquid form used to refill electronic cigarette cartridges.
- 34 Cartridges sold filled with propylene glycol for electronic cigarettes.
- 821 **Basic application**  
US (United States of America), 27.11.2012, 85788057
- 832 **Designation(s) under the Madrid Protocol**  
AU (Australia), BX (Benelux), CH (Switzerland), CN (China), EM (European Community), GB (United Kingdom), IL (Israel), JP (Japan), KR (Republic of Korea), MX (Mexico), PH (Philippines), RU (Russian Federation), SG (Singapore)
- 527 **Indications regarding use requirements**  
GB (United Kingdom), SG (Singapore)

### Registration

- 450 **Publication number and date**  
2013/35 Gaz, 19.09.2013
- 832 **Designation(s) under the Madrid Protocol**  
AU (Australia), CH (Switzerland), EM (European Community), GB (United Kingdom), IL (Israel), KR (Republic of Korea), PH (Philippines), RU (Russian Federation), SG (Singapore)
- 527 **Indications regarding use requirements**  
GB (United Kingdom), SG (Singapore)
- 580 **Date of recording (date of notification from which the time limit to notify the refusal starts)**  
12.09.2013

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

EM (European Community)

450 Publication number and date  
2013/38 Gaz, 10.10.2013

Opposition end date  
13.06.2014

861 **Total provisional refusal of protection**  
IL (Israel)

450 Publication number and date  
2013/45 Gaz, 28.11.2013

580 Date of notification  
05.11.2013

Date of receipt by the International Bureau  
08.10.2013

862 **Partial provisional refusal of protection**  
AU (Australia)

450 Publication number and date  
2013/44 Gaz, 21.11.2013

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  
14.11.2013

Date of receipt by the International Bureau  
30.10.2013

**Statement of grant of protection made under Rule 18ter(1)**  
GB (United Kingdom)

450 Publication number and date  
2013/49 Gaz, 26.12.2013

862 **Partial provisional refusal of protection**  
SG (Singapore)

450 Publication number and date  
2014/9 Gaz, 13.03.2014

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  
25.02.2014

Date of receipt by the International Bureau  
05.02.2014

861 **Total provisional refusal of protection**  
KR (Republic of Korea)

450 Publication number and date

2014/11 Gaz, 27.03.2014

580

Date of notification

27.03.2014

Date of receipt by the International Bureau

12.03.2014

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

IL (Israel)

450

Publication number and date

2014/26 Gaz, 10.07.2014

Opposition end date

29.08.2014

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

AU (Australia)

450

Publication number and date

2014/25 Gaz, 03.07.2014

Opposition end date

05.08.2014

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

PH (Philippines)

450

Publication number and date

2014/23 Gaz, 19.06.2014

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

EM (European Community)

450

Publication number and date

2014/29 Gaz, 31.07.2014

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

AU (Australia)

450

Publication number and date

2014/37 Gaz, 25.09.2014

Accepted for all the goods in class 34.

580

Date of notification

11.09.2014

Date of receipt by the International Bureau

13.08.2014

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

RU (Russian Federation)

450

Publication number and date

2014/34 Gaz, 04.09.2014

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

IL (Israel)

450 **Publication number and date**

2014/39 Gaz, 09.10.2014

580 **Date of notification**

29.09.2014

**Date of receipt by the International Bureau**

04.09.2014

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

CH (Switzerland)

450 **Publication number and date**

2014/36 Gaz, 18.09.2014

**Subsequent designation**

450 **Publication number and date**

2014/40 Gaz, 16.10.2014

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

BX (Benelux), CN (China), JP (Japan), MX (Mexico)

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

16.10.2014

891 **Date of subsequent designation (Rule 24(6) of the Common Regulations)**

18.09.2014

**Confirmation of total provisional refusal under Rule 18ter(3)**

KR (Republic of Korea)

450 **Publication number and date**

2014/42 Gaz, 30.10.2014

861 **Total provisional refusal of protection**

BX (Benelux)

450 **Publication number and date**

2015/3 Gaz, 29.01.2015

580 **Date of notification**

15.01.2015

**Date of receipt by the International Bureau**

29.12.2014



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# Evo

## Word Mark

EVO

## Goods and Services

IC 001. US 001 005 006 010 026 046. G &amp; S: Cartridges sold filled with propylene glycol for electronic cigarettes. FIRST USE: 20101101. FIRST USE IN COMMERCE: 20101101

IC 030. US 046. G &amp; S: Chemical flavorings in liquid form used to refill electronic cigarette cartridges. FIRST USE: 20101101. FIRST USE IN COMMERCE: 20101101

## Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85788057

Filing Date November 27, 2012

Current Basis 1A

Original Filing Basis 1A

Published for Opposition June 10, 2014

Registration Number 4591059

International Registration Number 1173444

Registration Date August 26, 2014

Owner (REGISTRANT) Nicopure Labs, LLC LIMITED LIABILITY COMPANY NEW JERSEY 231 West Parkway Suite 7 Pompton Plains NEW JERSEY 07444

(LAST LISTED OWNER) Nicopure Labs, LLC LIMITED LIABILITY COMPANY FLORIDA 5909 NW 18TH DR. GAINESVILLE FLORIDA 32653

## Assignment Recorded


ASSIGNMENT RECORDED


Attorney of Record Mark J. Ingber

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

商标的详细信息			
打印		关闭	
注册号/申请号	G1173444	申请日期	2014年10月16日
国际分类号	30	颜色组合	
申请人名称(中文)			
申请人名称(英文)	NICOPURE LABS, LLC		
申请人地址(中文)			
申请人地址(英文)	Unit 2 Kiel Avenue Kinnelon NJ 07405		
商标图样	 <p>商品/服务列表 用于填充电子香烟 储液室的化学调味 液</p>		
代理组织名称			
初审公告期号		注册公告期号	
初审公告日期		注册公告日期	
专用期限	0年		
后期指定日期	2013年05月17日	国际注册日期	2014年09月18日
优先权日期		商标类型	一般
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商标的详细信息			
打印		关闭	
注册号/申请号	G1173444	申请日期	2014年10月16日
国际分类号	34	颜色组合	
申请人名称(中文)			
申请人名称(英文)	NICOPURE LABS, LLC		
申请人地址(中文)			
申请人地址(英文)	Unit 2 Kiel Avenue Kinnelon NJ 07405		
商标图样			
代理组织名称			
初审公告期号		注册公告期号	
初审公告日期		注册公告日期	
专用期限	0年		
后期指定日期	2013年05月17日	国际注册日期	2014年09月18日
优先权日期		商标类型	一般
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是否共有商标			
商标流程	业务状态		时间
	领土延伸中		2014年10月16日
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