



Case Law Update - Inter Partes Boards of Appeal



**“Variety's the very spice of life,
That gives it all its flavor”. William Cowper**

Ulla Wennermark
20 June 2013

WEAK ELEMENTS

R 1068/2011-2 (01/02/2013)

Classes 9 and 42 – Software & software services for professionals in the IT area

DDCHARTS

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KD CHART

(CTM)

WEAK ELEMENTS

R 54/2012-2 (03/04/2013)

Class 29: Fish



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BON
APPETIT

(BX, FR)

IP TRANSLATOR CASE

R 2139/2011-1 (18/10/2012)

Goods applied for: Class 25: Clothing & Class Heading in Class 35

Earlier services: Class 35: inter alia Advertising; retail services in relation to clothing

Erotic Kaiser

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Kaiser's

(DE)



(CTM)

REPUTATION

R 1637/2011-5 (14/06/2012)

Mark applied for: “sunglasses”

Earlier mark: reputation for “jewellery”



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(PL)



(PL)



(PL)



REPUTATION

R 1659/2011-2 (29/05/2012) and R 1364/2012-2 (25/03/2013)

Mark applied for: “wine, alcoholic beverages of fruit, liquors” & services in Classes 35, 41 and 42 with a relation to wine

Earlier mark: reputation for “clothing, cosmetics & perfume”

KENZO = KENZO

(CTM)

USE OF THE MARK APPLIED FOR

R 2398/2010-4 (13/01/2013) Appealed T-183/13?
Class 38 VOIP etc.

SKYPE = SKY
(CTM)



TRANSLATION OF A MARK

R 24/2012-2 (03/12/2012)

Class 35: Class heading

BEAUTY SECRET = SECRETOS DE BELLEZA

(CTM)





SUSPENSION REJECTED

R 1280/2012-4 (20/03/2013)

Class 5: Identical goods

ORYZON = **ORIZON**

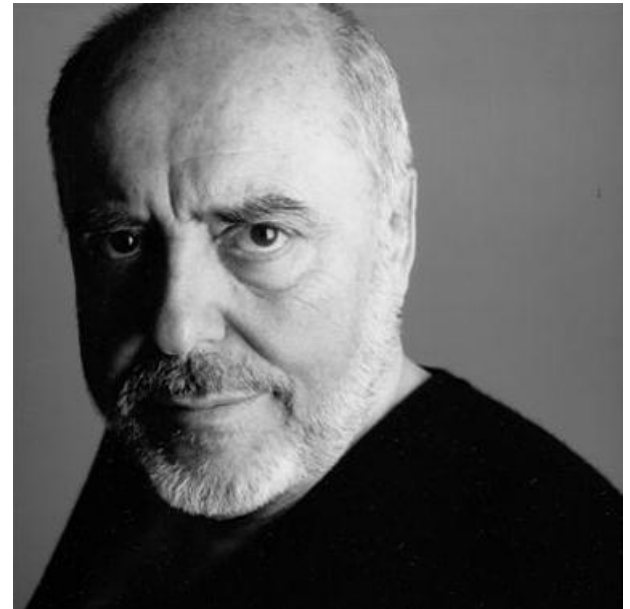
(CTM)



RIGHT TO A NAME

R 2463/2011-2 (22/04/2013) – May still be appealed

ELIO FIORUCCI



REVOCATION - FULFILLMENT OF THE USE REQUIREMENT

R 797/2011-1 (17/01/2013)

Class 25: Clothing



Sale in 5 shops in Hamburg not enough

SPICES FROM THE BOARDS



http://oami.europa.eu/search/legaldocs/la/EN_BOA_index.cfm



תודה
Dankie Gracias
Спасибо شكراً
Merci Takk
Köszönjük Terima kasih
Grazie Dziękujemy Děkojame
Ďakujeme Vielen Dank Paldies
Kiitos Täname teid 谢谢
Thank You Tak
感謝您 Obrigado Teşekkür Ederiz
Σας Ευχαριστούμ 감사합니다
Бодхонн
Bedankt Děkujeme vám
ありがとうございます
Tack



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