

DECISIONS OF THE QUARTER

Important Decisions of the Boards of Appeal – 1st Quarter 2017

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Member, Boards of Appeal - EUIPO

Menu

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Absolute Grounds of Refusal

Signs consisting of simple elements

[R 1112/2016-5](#)



Cl. 9

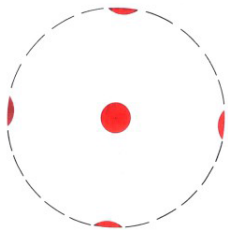
[R 0268/2016-1](#)



Cl. 35, 36, 42

Positions

R 0837/2016-2

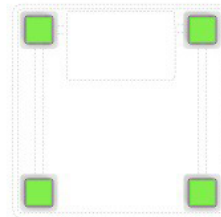


Cl. 28

- Billiard balls of the same colour

The mark is composed of red dots each positioned at the intersection of two lines of circumference. The dotted outline represents a billiard or bowling ball and does not form part of the mark

R 1115/2016-1



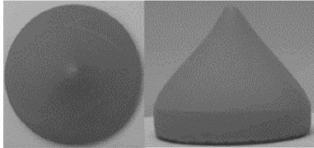
Cl. 9

- Scales

[...] a total of four green squares affixed to the bottom of a set of scales, in each corner, close to the edge. The broken lines delineate the position of the trade mark and are not part of it

Three Dimensional

R 0723/2016-4



Cl. 29, 35, 39

- In relation with Cheese protected by PDO 'Queso Tetilla'

R 1440/2016-4



Cl. 7

CP3

R 1196/2016-4

MS-life.de

Cl. 36, 41, 44

- all connected with multiple sclerosis

R 0365/2016-5



Cl. 25, 26, 28

R 1911/2016-2

@payments

Cl. 9, 36, 41

R 1641/2016-1

recover

Cl. 24, 25

Geographical names

R 1548/2016-1



Cl. 31, 35

- In relation to fresh fruits and vegetables

R 1347/2016-4

GB

Cl. 7, 8, 40

R 0843/2016-2



Cl. 29, 31, 40

R 2409/2015-5



Cl. 7, 35, 37

Relative Grounds of Refusal

Weak and non-distinctive elements

R 1112/2015-5

EUTM applied for



Cl. 32, 33, 41, 43

Earlier trade mark (DE)



Cl. 43

R 2511/2015-1

EUTM applied for



Cl. 9, 18, 25

Earlier trade mark (EU)



Cl. 9, 18, 25

Weak and non-distinctive elements

R 1579/2015-4

EUTM applied for



Cl. 30, 35

Earlier trade mark (EU)



Cl. 29, 30, 32

R 2130/2015-5

EUTM applied for



Cl. 41

Earlier trade mark (IR-EU)



Cl. 9, 16, 41

Weak and non-distinctive elements

R 0348/2016-2

EUTM applied for

ecoforce

Cl. 3, 5

Earlier trade mark (EU)



Cl. 1, 3, 5

R 1039/2016-5

EUTM applied for

PRIMADONNA

Cl. 33

Earlier trade mark (IR-EU)

RICCADONNA

Cl. 33

Taking advantage of the reputation of the earlier trade mark

R 0609/2016-5

EUTM applied for

VIAPRO

Cl. 5

Earlier trade mark (EU)

VIAGRA

Cl. 5

R 0860/2016-5

EUTM applied for



Cl. 9, 35, 42

Earlier trade mark (EU)



i.a. Cl. 9, 35, 42

Back from the General Court

Weak and non-distinctive elements

[R 1819/2016-1](#)

EUTM applied for

MAGNEXT

Cl. 28

[\[T-292/12RENV\]](#) → C-182/14P → T-292/12 → R 1722/2011-4]

Earlier trade mark (EU)

Diset Magnetics

Cl. 28

[R 1304/2016-1](#)

EUTM applied for



Cl. 25

[\[T-692/14\]](#) → R 2214/2013-5]

Earlier trade mark (EU)



Cl. 25

Weak and non-distinctive elements

[R 0594/2016-4](#)

EUTM applied for

Macka

Cl. 29, 30

[[T-96/13](#) → R 0893/2012-2]

Sign used in course of trade (DE)



Thanks for your attention

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Danke!