

Exp. Patent- och registreringsverket

2007 -02- 1 2

**International registration has no effect in  
Sweden**  
IR 856324

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Ernst Müller, Kai Berkenbrink  
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40878 Ratingen  
Germany

**HOLDER**

Grieger Mallison Europe AG  
Am Campus 1-11  
18182 Rostock  
Germany

**REPRESENTATIVE**

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**DECISION**

The Swedish Patent and Registration Office decide that the international registration 856324 has no effect in Sweden according to Article 56 par. 2 of the Swedish Trademark Act (1960:644).

**THE MATTER**

Effect in Sweden of the international registration ECOVIS, registered for advertising; business management; business administration; office functions; accountancy; book-keeping, auditing; internal and external auditing and accounting, business research, provision of commercial and business information, costs analysis and consultancy in relation thereto; consultancy and assistance in business management; secretarial consultancy services, corporate profitability services and marketing personnel management, testing and recruitment consultancy, assistance in the issue of notice of termination to executive personnel (outplacement); consultancy in respect of mergers, acquisitions and franchising; tax preparations; management consultancy, including business management, corporate planning and development, business project consultancy, corporate risk management, process management, corporate consultation in relation to company sales and acquisitions, taking up of capital for companies and the investigation of companies; accountancy for the purpose of providing attestation, including establishment and research in respect of fraud; organization of office functions; market research and market surveys; all the foregoing services, as far as included in this class, class 35, consultancy in respect of business liquidations; tax research; corporate financing; consultation in cases of business insolvency; financial risk management information; insolvency administration; insurance; financial affairs; monetary affairs; real estate affairs; consultation in respect of credit and debit note supervision, investments, subsidies and financing of loans; pension services; tax

consultation; management and administration of real estate and property; financing of real estate and of property developments; customs clearance; insurance services; financial services; consultation in respect of financial matters and taxation; corporate financing, including consultation in respect of finance matters, financial assessment and financial consultation; services of an actuary; financial risk management; debt collecting agencies; fiscal assessments and estimations; monetary affairs; all the foregoing services, as far as included in this class, class 36, education; providing of training; entertainment; sporting and cultural activities; formation and training in respect of tax accounting, balance sheet preparation, tax consultation, individual aspects of attorney activity and legal consultation as well as in respect of business management, financial and management matters; publication of texts in respect of tax accounting, balance sheet matters, tax consultation, individual aspects of attorney activity and legal consultation as well as in respect of business, financial, and management matters; organization of conferences, seminars, symposia and meetings in respect of business, financial, and management matters; translation of formal contracts, legal certifications and legal documents (as far as included in this class), class 41 and scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software (with the exception of the field of telecommunication); legal services; consultation in the sectors of information technology, expert assessments; services in relation to legal matters, including consultation, representation of interests, legal disputes, and the handling of legal formalities; consultation in questions of taxation law; drafting of formal contracts, legal certifications and legal documents; the foregoing services, as far as included in this class, class 42.


The holder has not requested a review of the provisional refusal within the time limit.

#### GROUND(S) FOR REFUSAL

An obstacle to admitting effect in Sweden exists according to Article 54 par. 2 of the Swedish Trademark Act if the trademark referred to in the international registration does not fulfil the requirements under Article 13 or if an obstacle to a national registration would have existed according to Article 14.

- The mark is confusingly similar to the mark(s) registered under the Madrid Protocol, ECONIS, reg no 723293, Article 14 par. 1, item 8 of the Swedish Trademark Act.
- The mark is confusingly similar to the Community Trademark(s), ECONIS, reg no 3694437, Article 14 par. 1, item 9 of the Swedish Trademark Act.
- Other grounds: The mark is confusingly similar to the Swedish trade name EKOVIS, Article 14 par. 1, item 6 of the Swedish Trademark Act.

Date of decision 12 FEB 2007

  
\_\_\_\_\_  
Hans Nordlund

  
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Sara Dahlberg

An appeal shall be lodged with the Court of Patent Appeals (Patentbesvärsrätten) within 2 (two) months from the date of the decision. The communications between the Court and the holder must be in Swedish. The appeal must be sent to:

The Swedish Patent and Registration Office  
Box 530  
S-826 27 SÖDERHAMN  
Sweden

*Enclosure: Extract from the Swedish Trademarks Act and a copy or copies of confusingly similar trademark registrations.*

**GODKÄND LAGA KRAFT**

<b>Registreringsnummer:</b>	723293	<b>Registrerad hos WIPO:</b>	1999-06-03
<b>Ansökningsnummer:</b>	723293	<b>Designeringsdatum:</b>	1999-06-03
<b>Figurklasser:</b>	27.05.01		

# ECONIS


**Klassificering:**

- 9:** Data processing equipment, software and complete electrical and electronic systems for telecommunication applications, for data communication systems and computers; data media, magnetic recording media.
- 16:** Printed matter, books, reviews.
- 35:** Advertising in connection with electronic means; placement of qualified personnel.
- 37:** Installation, construction (assembly), replacement, upkeep, maintenance and repair of data communication systems and computer networks, as well as communications systems; repair work.
- 38:** Telecommunication; data transmission via television and via other image and data transmission media in the field of sales, marketing and after-sales service.
- 39:** Delivery of goods ordered via telecommunication networks (such as the internet, intranet and extranet).
- 41:** Educational and instructional services, organising and providing of courses and seminars in the field of data communications and telecommunications.
- 42:** Provision of services in the field of information technology, telecommunications, data transmission and computer networks, including customer support for computer and telecommunications design, development, technology, maintenance and assistance, technical customer support in project design and development, process and concept development and definition, process review and definition, concept development and technical consultancy in the field of data communication and telecommunications; surveillance and inspection of communication devices, including computer hardware and software; development, improvement and updating of communication and data processing programs, as well as computer systems; communication software design; network design; rental of computer equipment, software and complete systems for telecommunication applications, for data communication systems and for computer networks.

**Innehavare:**

Econis AG, Neumattstrasse 7,, CH-8953 Dletikon, Switzerland

**WIPO Ombud:**

Zimmerli Wagner & Partner AG Löwenstrasse 19 CH-8021 Zurich Switzerland



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## CTM-ONLINE - Detailed trade mark information



**Trade mark name :** ECONIS  
**Trade mark No :** 003694437  
**Trade mark basis:** CTM  
**Number of results:** 1 of 1



### Trade mark

**Filing date:** 01/03/2004  
**Date of registration:** 20/10/2005  
**Expiry Date:** 01/03/2014  
**Nice Classification:** 16, 41, 42 ( [↔](#) Nice classification)  
**Trade mark:** Individual  
**Type of mark:** Word  
**Acquired distinctiveness:** No  
**Your reference:** 30241-04-GR-3108  
**Status of trade mark:** Registration published ( [↔](#) Glossary)  
 ( [↔](#) History of statuses)  
**Filing language:** German  
**Second language:** English

### Graphic representation

No entry for application number: 003694437.

### List of goods and services

**Nice Classification:** 16  
**List of goods and services** Instructional and teaching material, in particular in the field of economics and finance.

**Nice Classification:** 41  
**List of goods and services** Education, providing of training, in particular in the field of economics and finance; library services; electronic library services.

**Nice Classification:** 42  
**List of goods and services** Scientific services, in particular in the field of economics and finance.

### Description

**Description of the mark:** No Description

### Owner

**Name:** Land Schleswig-Holstein, endvertreten d.d. Präsidenten des Instituts für Weltwirtschaft  
**ID No:** 186602  
**Natural or legal person:** Legal entity  
**Address:** Düsternbrooker Weg 120  
**Post code:** 24105  
**Town:** Kiel

**Country:** GERMANY  
**Correspondence address:** Land Schleswig-Holstein, endvertreten d.d.  
 Präsidenten des Instituts für Weltwirtschaft  
 Düsternbrooker Weg 120 D-24105 Kiel ALEMANIA  
**Telephone:** 00 49-43188141  
**Fax:** 00 49-4318814528

**Name:** BROCK MÜLLER ZIEGENBEIN  
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**Address:** Holstenstr. 37  
**Post code:** 24103  
**Town:** Kiel  
**Country:** GERMANY  
**Correspondence address:** BROCK MÜLLER ZIEGENBEIN Postfach 3507 D-24034  
 Kiel ALEMANIA  
**Telephone:** 00 49-431979180  
**Fax:** 00 49-4319791830  
**E-mail:** [kiel@bmz-recht.de](mailto:kiel@bmz-recht.de)

**Seniority**

No entry for application number: 003694437.

**Exhibition priority**

No entry for application number: 003694437

**Priority**

No entry for application number: 003694437.

**Publication**

**Bulletin no.:** **2005/020**  
**Date of publication:** 16/05/2005  
**Part:** A.1

**Bulletin no.:** **2005/048**  
**Date of publication:** 28/11/2005  
**Part:** B.1

**Opposition**

No entry for application number: 003694437.

**Cancellation**

No entry for application number: 003694437

**Appeals**

No entry for application number: 003694437.

**Recordals**

No entry for application number: 003694437

**Renewals**

No entry for application number: 003694437.



## Verksamhet/ändamål

**Sökvärde:** 19 501121-1645 1

<b>Organisationsnummer:</b>	501121-1645
<b>Företagsnamn (firma):</b>	EKOVIS
<b>Företagsform:</b>	Enskild näringsidkare
<b>Företagsstatus:</b>	
<b>Antal ärenden under handläggning:</b>	0

## Verksamhet

Konsult inom företagsekonomi och skattefrågor, bokföring och därmed förenlig verksamhet.

**Tidigare generation Alla generationer**

Informationen hämtades från näringslivsregistret: klockan 13:21 datum 2007-02-02

[Hjälp](#)

## Adress

**Organisationsnr:** 9 501121-1645-001  
**Företagsnamn (firma):** EKOVIS  
**Företagsform:** E  
**Ärendenr:** 606100/02 REGDAT: 2003-01-10

## Postadress

**c/o:**  
**Adress:** Silvergränd 6  
**Postnr:** 187 44  
**Ort:** TÄBY  
**Land:**  
**E-post:**

## Säte

**Län:** 01 Stockholms  
**Kommun:** 60 Täby  
**Ort:**  
**Registreringslän:** 01 Stockholms

« Tidigare uppgifter , Senare uppgifter »

Dessa uppgifter hämtades ur näringslivsregistret 02/02/07 klockan 13:20

**Hjälp**



## Extract from the Swedish Trademarks Act

**Article 2.** An exclusive right in a trademark is acquired also without registration when the mark has been established on the market.

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**Article 6.** Symbols shall be deemed to be confusingly similar under this Act only if they relate to goods of the same kind or a similar kind.

Confusing similarity may be invoked also for the benefit of a symbol, which has a reputation in this country if the use of another similar symbol would take unfair advantage of, or would be detrimental to, the distinctive character or reputation of the symbol having the reputation.

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**Article 13.** A trademark may be registered only if it is distinctive. A mark which, exclusively or with only minor changes or additions, indicates the kind, quality, quantity, use, price or geographical origin of the goods or the date of their production shall not in itself be deemed to be distinctive. In the assessment of whether a mark is distinctive consideration shall be given to all circumstances and in particular to the scale and the time of the use of the mark. A symbol consisting exclusively of a shape which results from the nature of the goods or of a shape which is necessary to obtain a technical result or of a sign which gives a substantial value to the goods may not be registered as a trademark.

**Article 14.** A trademark may not be registered:

1) if the mark contains such a State emblem or international emblem or such a local authority coat of arms which under existing laws or regulations may not be used, without permission, as a trademark, or anything that may be easily confused therewith;

2) if the mark is likely to deceive the public;

3) if the mark is otherwise contrary to laws or regulations or public order or is likely to cause offence;

4) if the mark contains or consists of elements which are likely to convey the impression of being another person's trade name or the family name, artistic name or similar name of another person, or another person's portrait, unless the name or the portrait obviously relates to a person who is long deceased;

5) if the mark contains an element which is likely to convey the impression of being the title of another person's protected literary or artistic work, where the title is distinctive, or which would violate another person's copyright in a literary or artistic work or another person's right in a photographic picture or in a design;

6) if the mark is confusingly similar to a name or a trade name which is being used in the course of another person's business activities or to another person's trademark which is registered on the basis of an earlier application, or to another person's trade symbol which is established on the market when the application for registration is filed;

7) if the mark is confusingly similar to a trade symbol which, at the time of the application, is being used by another person and the applicant had knowledge about that use at the time of the application and had not used the mark before the other symbol was first used;

8) if the mark is confusingly similar to a trademark covered by an international registration with effect in Sweden and for which the date referred to in Article 55, second paragraph, precedes the date of the application.

9) if the mark is confusingly similar to a Community trademark owned by another person which is registered on the basis of an earlier application.

In cases referred to in items 4), 5), 6), 7) 8) and 9) the registration may nevertheless be effected if the person whose right is involved gives his consent and there are no other obstacles according to the provisions of the first paragraph. ---

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**Article 15.** An exclusive right in a trademark acquired through registration does not include such elements of the mark, which can not by them be registered.

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**Article 21.** Following an opposition, the Registration Authority shall invalidate the registration if there is an obstacle to it. If there is an obstacle only in respect of part of the goods listed in the registration, the Registration Authority shall, instead, if the trademark owner so desires, invalidate the registration only as regards those goods.

The Registration Authority shall refuse the opposition if there is no obstacle to the registration.

A notice shall be published when the decision of the Registration Authority concerning the opposition has taken legal force. If the decision implies that the registration is invalidated wholly or in part, this fact shall be recorded in the register.

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**Article 54.** If the National Trademark Authority receives a notification from the International Bureau to the effect that a person other than one referred to in Article 51 has requested an extension of the territorial effect of an international registration of a mark to Sweden, the Authority shall examine whether there is an obstacle to admitting such an effect.

Such an obstacle exists if the trademark referred to in the international registration does not fulfil the requirements under Article 13 or if an obstacle to a national registration would have existed according to Article 14.

**Article 55.** If there is an obstacle to the registration according to Article 54, second paragraph, the National Trademark Authority shall, within 18 months from the date of the notification referred to in Article 54, first paragraph, notify the International Bureau that the international registration can not have effect in Sweden and state the grounds therefore.

**Article 56.** After the expiry of the time limit indicated in Article 55, third paragraph, the National Trademark Authority shall, if there is no obstacle to it, decide that the international registration shall have effect in Sweden. When that decision has taken legal effect, the trademark shall be entered into the register and a notice of this fact be published.

If there is an obstacle to admitting the effect in Sweden of the international registration, the National Trademark authority shall decide that the international registration shall not have any effect in this country. The decision shall indicate the grounds which have determined the result. If the National Trademark Authority has not previously transmitted a notification under Article 55, first paragraph, it shall communicate the decision to the International Bureau within 18 months from the date of the notification referred to in Article 54, first paragraph, or, if the time period indicated in Article 55, third paragraph, expires later, within one month from the expiry of that period. In the latter case, the National Trademark Authority shall, within 18 months from the date of the notification referred to in Article 54, first paragraph, notify the International Bureau that a decision as just referred to may be communicated later. When the decision that the international registration shall not have any effect in Sweden has taken legal force, a notice of this fact shall be published.