

Exp. Patent- och registreringsverket

2009 -06- 0 4

**Internationell registrering skall inte gälla i Sverige**  
IR 886744

Ivoclar Vivadent AG  
Bendererstrasse 2  
FL-9494 Schaan  
Liechtenstein

**INNEHAVARE**

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Liechtenstein

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**BESLUT**

Patent- och registreringsverket (PRV) beslutar med stöd av 56 § 2 stycket varumärkeslagen (1960:644) att den under ovanstående nummer angivna internationella registreringen inte skall gälla i Sverige.

**ÄRENDET**

Ärendet avser giltighet i Sverige av den internationella varumärkesregistreringen IPS STYLE registrerad för materials for dentistry, namely materials for the manufacture of impressions, crowns and bridges, inlays, prosthesis, artificial teeth, dental filling materials; materials for cavity treatment; materials for the restoration of damaged teeth, ceramic stratum; colour stains for use in dentistry; investment materials for use in dentistry; core materials for use in dentistry; opaque materials for use in dentistry; ingots made of resin, metal or ceramic; prefabricated parts for crowns, bridges and pontics; ceramic for the manufacture of crowns, bridges and inlays, klass 5, och dental apparatus and instruments for dentistry and dental technology, namely artificial teeth and veneers, crowns and bridges, ingots made of resin, metal or ceramic for the manufacture of tooth restorations; mixing plate for mixing ceramic materials; application instruments, namely brushes, contouring and modelling instruments; shade guides, klass 10.

Innehavaren har inte inom utsatt tid besvarat föreläggandet.

**SKÄL**

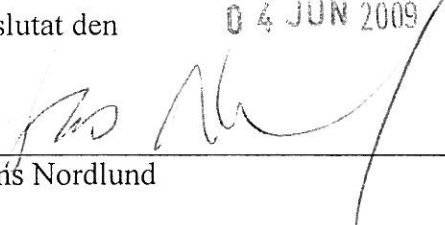
Hinder mot att en internationell varumärkesregistrering skall gälla i Sverige finns enligt 54 § 2 stycket varumärkeslagen om det varumärke som den internationella registreringen avser inte uppfyller förutsättningarna enligt 13 § eller om något hinder mot en nationell registrering skulle ha funnits enligt 14 §.

Märket är förväxlingsbart med gemenskapsvarumärket, IPS BY MED-EL, registreringsnummer 4461349, 14 § första stycket 9 punkten varumärkeslagen.

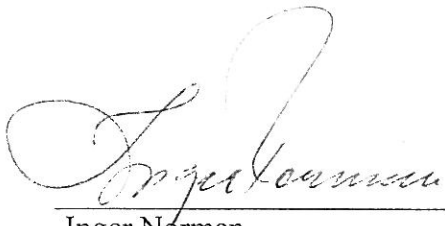
Kopior på de förväxlingsbara hindren bifogas.

Beslutat den

04 JUN 2009



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Hans Nordlund

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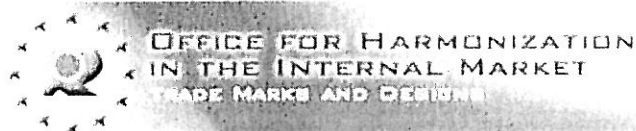
Inger NormanHUR BESLUTET ÖVERKLAGAS

Den som vill överklaga beslutet skall göra det skriftligt. Skrivelsen skall vara ställd till Patentbesvärsrätten, men sändas till Patent- och registreringsverket, Box 530, 826 27 Söderhamn. I skrivelsen skall anges det beslut som överklagas och den ändring av beslutet som begärs. Skrivelsen skall ha kommit in till verket inom två (2) månader från beslutsdagen.

## NOTIFICATION

You have received a decision from the Swedish Patent and Registration Office. The decision states *inter alia* that the international registration 886744 has no effect in Sweden. If you wish to appeal the decision you shall lodge an appeal 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



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## CTM-ONLINE - Detailed trade mark information



**Trade mark name :** ips BY MED-EL  
**Trade mark No :** 004461349  
**Trade mark basis:** CTM  
**Number of results:** 1 of 1



### Trade mark

**Filing date:** 23/06/2005  
**Date of registration:** 18/05/2009  
**Expiry Date:** 23/06/2015  
**Nice Classification:** 9, 10, 16, 41 ( [↔](#) Nice classification)  
**Trade mark:** Individual  
**Type of mark:** Figurative  
**Vienna Classification:** 26.1.3, 26.1.99, 26.11.2, 26.11.13 ( [↔](#) Vienna Classification)  
**Acquired distinctiveness:** No  
**Applicant's reference:** 28507/ab  
**Status of trade mark:** CTM registered ( [↔](#) Glossary)  
 CTM registration published (B1)   
 ( [↔](#) History of statuses)  
**Filing language:** German  
**Second language:** English

### Graphic representation



### List of goods and services

**Nice Classification:** 9  
**List of goods and services** Microprocessors; speech processors, programs and computer software, all aforesaid goods for auditory aids and hearing implants; audio and visual training software; programs; data carriers containing information for surgical and audiological training; data carriers containing tests for the recording and assessment of speech comprehension.

<b>Nice Classification:</b>	10
<b>List of goods and services</b>	Surgical implants; cochlea implant systems; cochlea implants; electrodes for medical use; implant electrodes; diagnostic apparatus for medical purposes; hearing aids; hearing prosthesis; partially and fully implantable hearing aids; surgical apparatus and instruments.
<b>Nice Classification:</b>	16
<b>List of goods and services</b>	Printed matter for surgical and audiological training; test reports for the recording and assessment of speech comprehension.
<b>Nice Classification:</b>	41
<b>List of goods and services</b>	Organisation and conduct of surgical and audiological training.

#### Description

**Description of the mark:** Description is not available in this language

#### Owner

**Name:** MED-EL Elektromedizinische Geräte Ges.m.b.H.  
**ID No:** 17002  
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#### Seniority

No entry for application number: 004461349.

#### Exhibition priority

No entry for application number: 004461349

#### Priority

No entry for application number: 004461349.

#### Publication

**Bulletin no.:** ✉ 2006/004  
**Date of publication:** 23/01/2006  
**Part:** A.1

## Opposition

**Opposition No:** 000995508  
**Reception date:** 10/04/2006  
**Opponent name:** INVESTIGACIÓN Y PROGRAMAS, S.A.  
**Opponent ID No:** 233649

**Opposition No:** 000999724  
**Reception date:** 20/04/2006  
**Opponent name:** MEDEL S.p.A.  
**Opponent ID No:** 198694

## Cancellation

No entry for application number: 004461349

## Appeals

No entry for application number: 004461349.

## Recordals

No entry for application number: 004461349

## Renewals

No entry for application number: 004461349.



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