

BESLUT

Internationell registrering skall inte gälla i Sverige
IR 987141

Tadeusz Warzybok, Biuro Patentowe "Inicjator"
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ul. Zólkiewskiego 7B/1
PL-35-203 Rzeszów
Poland

INNEHAVARE

Olimp Laboratories Sp. z o.o.
Nagawczyna 109c
PL-39-200 Debica
Poland

Exp. Patent- och registreringsverket

2010-06-24

OMBUD

Tadeusz Warzybok, Biuro Patentowe "Inicjator" Sp. z o.o.
ul. Zólkiewskiego 7B/1
PL-35-203 Rzeszów
Poland

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 ISO PLUS registrerad för carbohydrate concentrates and foodstuffs with high energy content enriched with vitamins and mineral salts, klass 30, non-alcoholic beverages enriched with vitamins and mineral salts, isotonic beverages, high caloric value beverages, protein beverages, whey beverages, klass 32.

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 §.

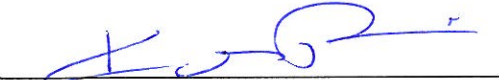
Märket är förväxlingsbart med varumärke ISO CLASSIC ISOTONISCHER FITNESS-DRINK med registreringsnummer 607533 som omfattas av en internationell varumärkesregistrering som gäller i Sverige, 14 § första stycket 8 punkten varumärkeslagen.

Märket är förväxlingsbart med gemenskapsvarumärkena ISO RUN med registreringsnummer 4320818, ISO GO! med registreringsnummer 4321311 och ISO TOP med registreringsnummer 5838164, 14 § första stycket 9 punkten varumärkeslagen.

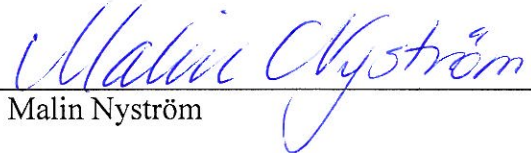
Kopior på de förväxlingsbara hindren bifogas.

Beslutat den

24 JUN 2010



Katy Lundqvist Perrier



Malin Nyström

HUR BESLUTET ÖVERKLAGAS

Den som vill överklaga beslutet ska göra det skriftligt. Skrivelsen ska vara ställd till Patentbesvärsrätten, men sändas till Patent- och registreringsverket, Box 530, 826 27 Söderhamn. I skrivelsen ska anges det beslut som överklagas och den ändring av beslutet som begärs. Skrivelsen ska 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 987141 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

GODKÄND LAGA KRAFT

Registreringsnummer: 607533 Registrerad hos WIPO: 1993-09-08
Ansökningsnummer: 607533 Designeringsdatum: 2001-10-18

Figurklasser: 01.01.02; 26.04.02; 26.11.04; 29.01.00



Beskrivning:

yellow, light green, blue and white.

Klassificering:

32: Non-alcoholic beverages, particularly with added mineral substances and vitamins; isotonic beverages.

Innehavare:

Lidl Stiftung & Co. KG, Stiftsbergstrasse 1, Neckarsulm, Germany

WIPO Ombud:

Hansmann & Vogeser, Patent- und Rechtsanwälte Albert-Roßhaupter-Strasse 65 D-81369 München Germany

OHIM

The Trade Marks and Designs Registration Office of the European Union

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CTM-ONLINE - Detailed trade mark information



Trade mark name : ISO Run
Trade mark No : 004320818
Trade mark basis: CTM
Number of results: 1 of 1

Online Inspection Request form (for MyPage users with current account only)



	Trade mark	
Filing date:	01/04/2005	
Date of registration:	15/03/2006	
Expiry Date:	01/04/2015	
Nice Classification:	32 (↔ Nice classification)	
Trade mark:	Individual	
Type of mark:	Word	
Acquired distinctiveness:	No	
Applicant's reference:	Be/Kr/ISORun	
Status of trade mark:	CTM registered (↔ Glossary)	
	CTM registration published (B1) <input checked="" type="checkbox"/>	
	(↔ Publication B1 or Publication B2)	
	(↔ History of statuses)	
Filing language:	German	
Second language:	English	

Graphic representation

No entry for application number: 004320818.

List of goods and services

Nice Classification: 32
List of goods and services Non-alcoholic beverages, fruit drinks, fruit juices and fruit nectars, bases and essences (included in class 32) for making the aforesaid beverages.

Description

Description of the mark: -

Owner

Name: Rudolf Wild GmbH & Co. KG
ID No: 12642
Natural or legal person: Legal entity
Address: Rudolf-Wild-Str. 107-115
Post code: 69214
Town: Eppelheim
Country: GERMANY
Correspondence address: Rudolf Wild GmbH & Co. KG Postfach 10 62 20 D-69052 Heidelberg ALEMANIA
Telephone: 00 49-6221799210
Fax: 00 49-62217999455

Representative 

Name: Armin
Behringer
Company: Rudolf Wild GmbH & Co. KG
ID No: 10343
Address: Rudolf-Wild-Str. 107-115
Post code: 69214
Town: Eppelheim
Country: GERMANY
Correspondence address: Rudolf Wild GmbH & Co. KG Armin Behringer Postfach
10 62 20 D-69052 Heidelberg ALEMANIA
Telephone: 00 49- 6221799532
Fax: 00 49-62217999455
E-mail:  armin.behringer@wild.de

Seniority 

No entry for application number: 004320818.

Exhibition priority 


No entry for application number: 004320818

Priority 

No entry for application number: 004320818.

Publication 

Bulletin no.:  2005/040
Date of publication: 03/10/2005
Part: A.1


Bulletin no.:  2006/016
Date of publication: 17/04/2006
Part: B.1

Opposition 

No entry for application number: 004320818.


Cancellation 


No entry for application number: 004320818

Appeals 

No entry for application number: 004320818.

Recordals 

Title: Owners
Sub-title: Change of name and adress of owner
ID No: 001308603
Bulletin no.:  2007/031
Date of publication: 09/07/2007
Part: C.1.3

Title: Representative
Sub-title: Change of name and professional address
ID No: 001306227
Bulletin no.:  2007/043
Date of publication: 20/08/2007
Part: C.2.1

Renewals 

No entry for application number: 004320818.

Version: 9.2.2

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CTM-ONLINE - Detailed trade mark information



Trade mark name : ISO Go!
Trade mark No : 004321311
Trade mark basis: CTM
Number of results: 1 of 1

Online Inspection Request form (for MyPage users with current account only)

Trade mark	
Filing date:	01/04/2005
Date of registration:	15/03/2006
Expiry Date:	01/04/2015
Nice Classification:	32 (↔ Nice classification)
Trade mark:	Individual
Type of mark:	Word
Acquired distinctiveness:	No
Applicant's reference:	Be/Kr/ISOGo!
Status of trade mark:	CTM registered (↔ Glossary) CTM registration published (B1) <input checked="" type="checkbox"/> (↔ Publication B1 or Publication B2) (↔ History of statuses)
Filing language:	German
Second language:	English

Graphic representation

No entry for application number: 004321311.

List of goods and services

Nice Classification: 32
List of goods and services Non-alcoholic beverages, fruit drinks, fruit juices and fruit nectars, bases and essences (included in class 32) for making the aforesaid beverages.

Description

Description of the mark: -

Owner

Name: Rudolf Wild GmbH & Co. KG
ID No: 12642
Natural or legal person: Legal entity
Address: Rudolf-Wild-Str. 107-115
Post code: 69214
Town: Eppelheim
Country: GERMANY
Correspondence address: Rudolf Wild GmbH & Co. KG Postfach 10 62 20 D-69052 Heidelberg ALEMANIA
Telephone: 00 49-6221799210
Fax: 00 49-62217999455

Representative 

Name: Armin
Behringer
Company: Rudolf Wild GmbH & Co. KG
ID No: 10343
Address: Rudolf-Wild-Str. 107-115
Post code: 69214
Town: Eppelheim
Country: GERMANY
Correspondence address: Rudolf Wild GmbH & Co. KG Armin Behringer Postfach
10 62 20 D-69052 Heidelberg ALEMANIA
Telephone: 00 49- 6221799532
Fax: 00 49-62217999455
E-mail:  armin.behringer@wild.de

Seniority 

No entry for application number: 004321311.

Exhibition priority 

No entry for application number: 004321311

Priority 

No entry for application number: 004321311.

Publication 

Bulletin no.:  2005/040
Date of publication: 03/10/2005
Part: A.1

Bulletin no.:  2006/016
Date of publication: 17/04/2006
Part: B.1

Opposition 

No entry for application number: 004321311.


Cancellation 


No entry for application number: 004321311

Appeals 

No entry for application number: 004321311.

Recordals 

Title: Owners
Sub-title: Change of name and adress of owner
ID No: 001308603
Bulletin no.:  2007/031
Date of publication: 09/07/2007
Part: C.1.3

Title: Representative
Sub-title: Change of name and professional address
ID No: 001306227
Bulletin no.:  2007/043
Date of publication: 20/08/2007
Part: C.2.1

Renewals 

No entry for application number: 004321311.



Version: 9.2.2

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OHIM

The Trade Marks and Designs Registration Office of the European Union

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CTM-ONLINE - Detailed trade mark information



Trade mark name : ISO TOP
Trade mark No : 005838164
Trade mark basis: CTM
Number of results: 1 of 1

Online Inspection Request form (for MyPage users with current account only)



Trade mark



Filing date: 17/04/2007
Date of registration: 03/03/2008
Expiry Date: 17/04/2017
Nice Classification: 25, 32, 39 ([↗](#) Nice classification)
Trade mark: Individual
Type of mark: Figurative
Vienna Classification: 27.5.21, 27.99.24 ([↗](#) Vienna Classification)
Acquired distinctiveness: No
Applicant's reference: HA0778/2007
Status of trade mark: CTM registered ([↗](#) Glossary)
 CTM registration published (B1)
 ([↗](#) Publication B1 or Publication B2)
 ([↗](#) History of statuses)

Filing language: Spanish
Second language: English

Graphic representation





List of goods and services

Nice Classification:	25
List of goods and services	Ready-made clothing, footwear and headgear.
Nice Classification:	32
List of goods and services	Isotonic beverages.
Nice Classification:	39
List of goods and services	Transport, storage and distribution of beverages.

Description
Description of the mark:

-

Owner

Name:	EXPANSIO ISOTOP, S.L.
ID No:	293350
Natural or legal person:	Legal entity
Address:	C/ Gaudi, 5 7° 3ª
Post code:	43202
Town:	Reus (Taragona)
Country:	SPAIN
Correspondence address:	EXPANSIO ISOTOP, S.L. C/ Gaudi, 5 7° 3ª E-43202 Reus (Taragona) ESPAÑA
Telephone:	915227420
Fax:	915226249

Representative

Name:	HERRERO & ASOCIADOS
ID No:	10005
Address:	Alcalá, 35
Post code:	28014
Town:	Madrid
Country:	SPAIN
Correspondence address:	HERRERO & ASOCIADOS Alcalá, 35 E-28014 Madrid ESPAÑA
Telephone:	915227420
Fax:	915226249
E-mail:	✉ info@herreroasociados.es

Seniority

No entry for application number: 005838164.

Exhibition priority

No entry for application number: 005838164

Priority

No entry for application number: 005838164.

Publication

Bulletin no.: 2007/052
Date of publication: 17/09/2007
Part: A.1

Bulletin no.: 2008/011
Date of publication: 10/03/2008
Part: B.1

Opposition

No entry for application number: 005838164.

Cancellation

No entry for application number: 005838164

Appeals

No entry for application number: 005838164.

Recordals

No entry for application number: 005838164.

Renewals

No entry for application number: 005838164.



Version: 9.2.2

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