

BESLUT

Internationell registrering ska inte gälla i Sverige
IR 998853

Zacco Sweden AB
Box 23101
104 35 Stockholm

INNEHAVARE

Retail Royalty Company
101 Convention Center Drive
Las Vegas NV 89109
United States

Exp. Patent- och registreringsverket

OMBUD

Courtney Ballas American Eagle Outfitters, Inc.
77 Hot Metal Street
Pittsburgh PA 15203
United States

2010 -10- 01

BESLUT

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

ÄRENDET

Ärendet avser giltighet i Sverige av den internationella varumärkesregistreringen AMERICAN EAGLE OUTFITTERS registrerad för perfume, klass 3, jewelry; namely, necklaces, earrings, and wristwatches, klass 14, clothing; namely, outerwear; namely, coats, vests, parkas, and anoraks, pants, jeans, shorts, sweaters, shirts, underwear, neckwear, headwear, belts, hosiery, skirts, jackets, blazers, footwear, fleecewear; namely, fleece sweatshirts and fleece jackets, klass 25 och retail store services and online retail store services in the field of clothing, clothing accessories, footwear and headwear, fragrances, cosmetics and personal care products, jewelry, and bags; retail clothing store services, klass 35.

Innehavaren har inte inom utsatt tid besvarat föreläggandet.

SKÄL

Hinder mot att en internationell varumärkesregistrering ska 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 §.

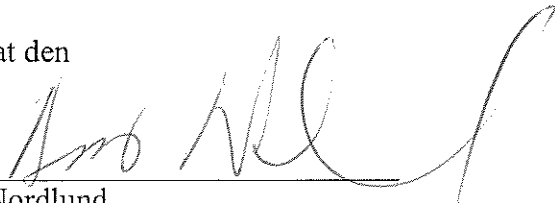
Märket är förväxlingsbart med det svenska varumärket AMERICAN EAGLE med registreringsnummer 229763, 14 § första stycket 6 punkten varumärkeslagen.

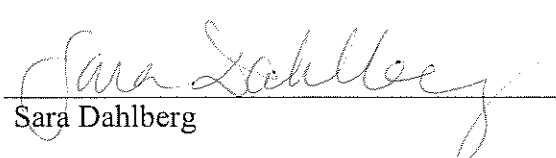
Märket är förväxlingsbart med gemenskapsvarumärkena AMERICAN EAGLE med nummer 1848449, AMERICAN EAGLE med nummer 4291803 och AMERICAN EAGLE med nummer 4474326, 14 § första stycket 9 punkten varumärkeslagen.

Kopior på de förväxlingsbara hindren bifogas.

Beslutat den

01 OCT 2010


Hans Nordlund


Sara Dahlberg

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 998853 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

REGISTRERAD

Registreringsnummer: 229763 **Registreringsdatum:** 1992-01-24
Ansökningsnummer: 1984/02870 **Ingivningsdatum:** 1900-01-01

Figurklasser: 03.07.01; 03.07.16; 03.07.17; 03.07.24; 26.11.03; 26.11.08;
27.05.19



Disclaimer:

ordet AMERICAN EAGLE.

Klassificering:

25: Skor.

Innehavare:

DARIO MARCHETTI, VIGEVANO (PAVIA), Italien

Ombud:

Groth & Co i Malmö Handelsbolag, Box 6153, 200 11 MALMÖ, Sverige,
Org.nr: 969675-2436

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CTM-ONLINE - Detailed trade mark information



Trade mark name : AMERICAN EAGLE
Trade mark No : 001848449
Trade mark basis: CTM
Date of receipt : 11/09/2000
Number of results: 1 of 1

[Request an inspection](#)



Trade mark

Filing date: 11/09/2000
Date of registration: 27/09/2001
Expiry Date: 11/09/2020
Nice Classification: 25, 35, 38 ([Nice classification](#))
Trade mark: Individual
Type of mark: Figurative
Vienna Classification: 3.7.17 ([Vienna Classification](#))
Acquired distinctiveness: No
Applicant's reference: Dott. FC/AT
Status of trade mark: Registered ([Glossary](#))
 Publication of registration
 ([Publication B1 or Publication B2](#))
 ([History of statuses](#))
Filing language: Italian
Second language: French

Graphic representation

[F](#)



List of goods and services

Nice Classification: 25
List of goods and services Clothing for gentlemen, ladies and children in general, including clothing in leather; shirts; blouses; skirts; suits; jackets; trousers; shorts; jumpers; t-shirts; pyjamas; stockings; singlets; corsets; suspenders; underpants; brassieres; underwear; hats; headscarves; ties; raincoats; overcoats; coats; swimming costumes; tracksuits; anoraks; ski pants; belts; fur coats; mufflers; gloves; dressing gowns; footwear in general, including: slippers; shoes, footwear for sports, boots and sandals.

Nice Classification: 35
List of goods and services Services carried out for and/or on behalf of others in the advertising and business sectors; public relations

and market research.

Nice Classification:
List of goods and services

38
Services in the communications sector; transmission of radio and television programmes; cable transmission of programmes; managing telephone lines and transmission of telephone services; services in the data communications transmission sector; transmission and reception by data communications of messages, documents, images and voice communications, using data communications sites, addresses and domains; provision of network data communications services by providing and using multimedia networks and portals.


Description 

Description of the mark:


-

Owner 


Name: Dario Marchetti
ID No: 96740
Natural or legal person: Physical person
Address: Viale della Libertà, 2/A
Post code: 27029
Town: Vigevano (Pavia)
Country: ITALY
Correspondence address: Dario Marchetti Viale della Libertà, 2/A I-27029 Vigevano (Pavia) ITALIA
Telephone: 00 39-03813061
Fax: 00 39-0381347333

Representative 


Name: DOTT. PROF. FRANCO CICOGNA
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Type: 4 - Association
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Post code: 20122
Town: Milano
Country: ITALY
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E-mail: [✉ cicognaf@tiscalinet.it](mailto:cicognaf@tiscalinet.it)

Seniority 

No entry for application number: 001848449.

Exhibition priority 

No entry for application number: 001848449

Priority 

No entry for application number: 001848449.

Publication 

Bulletin no.: 2001/039
Date of publication: 30/04/2001
Part: A.1

Bulletin no.: 2001/096
Date of publication: 05/11/2001
Part: B.1

Bulletin no.:  2010/067
Date of publication: 14/04/2010
Part: D.1

Opposition 

No entry for application number: 001848449.


Cancellation

No entry for application number: 001848449

Appeals


No entry for application number: 001848449.

Recordals

| | |
|-----------------------------|---|
| Title: | Renewals |
| Sub-title: | Renewals |
| ID No: | 004544469 |
| Bulletin no.: |  2010/067 |
| Date of publication: | 14/04/2010 |
| Part: | D.1 |

Renewals

| | |
|---------------------------|------------|
| Expiry Date: | 11/09/2020 |
| Status of renewal: | Renewed |
| Type of renewal: | Total |

| History of status  Glossary | Status date |
|---|--------------------|
| Renewed | 11/04/2010 |
| Renewal fee paid | 08/04/2010 |
| Renewal request received | 08/04/2010 |
| Need to renew communicated | 14/02/2010 |



Version: 9.3.3

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Avenida de Europa 4, E-03008 Alicante, Spain - Tel: +34 96 513 9400 - e-mail:

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CTM-ONLINE - Detailed trade mark information



Trade mark name : AMERICAN EAGLE walk on your side
Trade mark No : 004291803
Trade mark basis: CTM
Date of receipt : 15/02/2005
Number of results: 1 of 1

[Request an inspection](#)



Trade mark

Filing date: 15/02/2005
Date of registration: 15/02/2006
Expiry Date: 15/02/2015
Nice Classification: 25, 35, 38 ([↔](#) Nice classification)
Trade mark: Individual
Type of mark: Figurative
Vienna Classification: 3.7.17, 26.11.6, 26.11.8, 26.11.99 ([↔](#) Vienna Classification)
Acquired distinctiveness: No
Applicant's reference: CA/2005/33/COM
Status of trade mark: Registered ([↔](#) Glossary)
 Publication of registration
 ([↔](#) Publication B1 or Publication B2)
 ([↔](#) History of statuses)

Filing language: Italian
Second language: French

Graphic representation





List of goods and services

Nice Classification: 25
List of goods and services Clothing for gentlemen, ladies and children in general, including clothing in leather; shirts; ladies' shirts;

skirts; suits; jackets; trousers; shorts; jerseys; t-shirts; pyjamas; stockings; camisoles; corsets; suspenders; underpants; brassieres; slips; hats; headscarves; ties; raincoats; overcoats; coats; swimming costumes; sweat suits; anoraks; ski pants; belts; fur coats; mufflers; gloves; dressing gowns; footwear in general, including slippers, shoes, sports shoes, boots and sandals.

Nice Classification: 35
List of goods and services: Services carried out for and/or on behalf of others in the advertising and business sectors; public relations and market research.

Nice Classification: 38
List of goods and services: Services in the communications sector; transmission of radio and television programmes; cable transmission of programmes; managing telephone lines and transmission of telephone services; services in the data communications transmission sector; management of electronic mail addresses, websites, domains and data transmission portals.

Description

Description of the mark: -

Owner

Name: Dario Marchetti
ID No: 96740
Natural or legal person: Physical person
Address: Viale della Libertà, 2/A
Post code: 27029
Town: Vigevano (Pavia)
Country: ITALY
Correspondence address: Dario Marchetti Viale della Libertà, 2/A I-27029 Vigevano (Pavia) ITALIA
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Country: ITALY
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Fax: 00 39-0276021470
E-mail: [✉ cicognaf@tiscalinet.it](mailto:cicognaf@tiscalinet.it)

Seniority

No entry for application number: 004291803.

Exhibition priority

No entry for application number: 004291803

Priority

No entry for application number: 004291803.

Publication

Bulletin no.: [✉ 2005/038](#)
Date of publication: 19/09/2005
Part: A.1

Bulletin no.: [✉ 2006/012](#)
Date of publication: 20/03/2006

Part: B.1

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Opposition 

No entry for application number: 004291803.
.....

Cancellation 

No entry for application number: 004291803
.....

Appeals 

No entry for application number: 004291803.
.....

Recordals 

No entry for application number: 004291803.
.....

Renewals 

No entry for application number: 004291803.
.....



Version: 9.3.3

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Avenida de Europa 4, E-03008 Alicante, Spain - Tel: +34 96 513 9400 - e-mail:

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CTM-ONLINE - Detailed trade mark information



Trade mark name : AMERICAN EAGLE
 Trade mark No : 004474326
 Trade mark basis: CTM
 Date of receipt : 06/06/2005
 Number of results: 1 of 1

[Request an inspection](#)



Trade mark

Filing date: 06/06/2005
 Date of registration: 31/05/2006
 Expiry Date: 06/06/2015
 Nice Classification: 9, 14, 16, 18, 24 ([↗](#) Nice classification)
 Trade mark: Individual
 Type of mark: Figurative
 Vienna Classification: 3.7.17, 26.11.6, 26.11.8, 26.11.99 ([↗](#) Vienna Classification)
 Acquired distinctiveness: No
 Applicant's reference: FC2005/81/COM
 Status of trade mark: Registered ([↗](#) Glossary)
 Publication of registration
 ([↗](#) Publication B1 or Publication B2)
 ([↗](#) History of statuses)

Filing language: Italian
 Second language: French

Graphic representation

List of goods and services

Nice Classification: 9
 List of goods and services: Scientific apparatus and instruments; nautical, surveying and electric apparatus and instruments; electric cables; electric switches; electronic apparatus and instruments; televisions; decoders for television sets; radios; radio recorders; radio transmitters; radio telephones; record players; discs; tapes; cassette players; video tapes and video recorders; optical disc readers; photographic, cinematographic, optical, weighing, measuring and signalling apparatus; television cameras; apparatus for filming and broadcasting TV shows; relays for radio and TV stations; radio and television aerials; radio links; spectacles and sunglasses; lenses; checking, supervision, life-saving and teaching apparatus; coin or

counter-operated apparatus; sound projectors and amplifiers; cash registers; calculating machines; fire extinguishers; electric irons; computer programs, computers; printers for use with computers; cards and microprocessors for computers, modems, fax machines; telephone apparatus; electronic games for use with television receivers and computers; helmets for sports and safety at work; electronic welding apparatus.

Nice Classification:
List of goods and services

14
Gold; silver; platinum; precious metals and their alloys; goods in precious materials and their alloys; diamonds; brilliants; precious stones; jewellery; jewels; cuff links and tie clips; watches; clocks and watches in general; watch straps; chronometers; jewellery plated with precious metals; cases and other containers for clocks and jewellery.

Nice Classification:
List of goods and services

16
Books; dictionaries; newspapers; children's comics, comic strips; periodicals; magazines; catalogues; pamphlets; leaflets; cards; record and log books; paper; paper articles; cardboard; cardboard articles; blotting paper; photocopy paper; bookbinding material; photographs; articles of stationery; adhesive preparations for office use; glues for office use; artists' materials; painters' brushes; typewriters; stitchers and stapling presses for office use; staples; staple-removers; staples; office hole-punches; instructional and teaching material; files; loose-leaf binders for office use; printers' type; printing blocks; ink-pads for stamps; stamps; stamp holders; date stamps; pencil sharpeners; office requisites (other than furniture); office seals; rubber erasers; adhesive tapes for stationery and/or household purposes; paper ribbons for calculating machines; penholders; ball-point pens; pencils, fountain pens; chalks; paper clips; document correctors; compasses for drawing; drawing squares and rulers; enveloping machines for offices; envelopes; writing paper; carbon paper; paper knives; office guillotines; self-adhesive advertising labels; posters; business cards; diaries.

Nice Classification:
List of goods and services

18
Bags; handbags; valises; rucksacks; notecases; handbags; satchels; document holders made of leather and imitations of leather; gentlemen's handbags; trunks; animal skins, hides; articles made of animal skins; leather and leather goods; imitations of skins and leather and goods made of these materials; parasols; umbrellas; walking sticks; harnesses and saddlery.

Nice Classification:
List of goods and services

24
Textiles; elastic woven material; adhesive fabric for application by heat; fabric of imitation animal skins; fibreglass fabrics for textile use; woollen fabric; blankets; travelling rugs; table covers; textile articles; wallpaper of textile; handkerchiefs of textile; flags.


Description

Description of the mark:

-

Owner

Name: Dario Marchetti
ID No: 96740
Natural or legal person: Physical person
Address: Viale della Libertà, 2/A
Post code: 27029
Town: Vigevano (Pavia)
Country: ITALY
Correspondence address: Dario Marchetti Viale della Libertà, 2/A I-27029
Vigevano (Pavia) ITALIA
Telephone: 00 39-03813061
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Representative 

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Town: Milano
Country: ITALY
Correspondence address: DOTT. PROF. FRANCO CICOGNA Via Visconti di Modrone, 14/A I-20122 Milano ITALIA
Telephone: 00 39-0276000209
Fax: 00 39-0276021470
E-mail: [F. cicognaf@tiscalinet.it](mailto:cicognaf@tiscalinet.it)

Seniority 

No entry for application number: 004474326.

Exhibition priority 

No entry for application number: 004474326

Priority 

No entry for application number: 004474326.

Publication 

Bulletin no.:  2006/002
Date of publication: 09/01/2006
Part: A.1

Bulletin no.:  2006/026
Date of publication: 26/06/2006
Part: B.1

Opposition 

No entry for application number: 004474326.

Cancellation 

No entry for application number: 004474326

Appeals 

No entry for application number: 004474326.

Recordals 

No entry for application number: 004474326.

Renewals 

No entry for application number: 004474326.

