

Notification of Partial Provisional Refusal based on an Ex Officio Examination (to WIPO)

Pursuant to Rule 17(2) of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement.

I.	Office making the notification:	patent trademark design Norwegian Industrial Property Office 
II.	Number of the international registration: 1630803 (National application no.: 202116733) Date of subsequent designation (if any): (yyyy.mm.dd)	
III.	Name of the holder: Nordic Imaging Group AB Representation of the mark: SP TECH	
IV.	Partial provisional refusal based on an <i>ex officio</i> examination	
V.	Scope of the provisional refusal in respect of goods and/or services If the holder does not contest the refusal within 3 months from the date of this notification, protection is given for: Class 3: As covered by the designation of Norway. Class 9: Light emitting diode displays; light-emitting diodes [led]; camera bipods; camera casings; slings for cameras; bags for cameras; filters for use in photography; photographic lenses; bellows [for cameras]; camera covers; camera mounts; photographic lenses; camera goggles; camera hoods; waterproof camera cases; adapter rings for camera lenses; stands for photographic apparatus; video camera stands; stands for televisions; stands for photographic apparatus; loudspeaker stands [adapted for]; stands for computer equipment; tripods for cameras; cameras [photography]; slings for cameras; protective caps for cameras; viewfinders [for cameras]; lens filters [for cameras]; single use cameras; memory cards for cameras; cases adapted for photographic equipment; bags for cameras and photographic equipment; holders adapted for mobile phones; leather cases for mobile phones; cell phone straps; cell phone straps; keyboards for mobile phones; mobile telephone batteries; cases adapted for mobile phones; headsets for mobile telephones; mobile phone speakers; auxiliary batteries for mobile phones; mobile phone docking stations; dashboard mounts for mobile phones; usb cables for cellphones; hands-free kits for cell phones; external memories for cellphones; wireless headsets for use with mobile telephones; display screen protectors in the nature of films for mobile phones; mobile telephone covers made of cloth or textile materials; usb flash drives with micro usb connectors compatible with mobile phones; tempered glass screen protectors for	

smartphones; sleeves for laptops; computer cabling; usb cables; optical cables; electronic cables; cables, electric; SCART leads; fibre optic cables; dc input power supplies; printer cables; electric cables and wires; batteries; measuring apparatus and instruments; checking (supervision) apparatus and instruments; scientific apparatus and instruments; teaching apparatus and instruments; magnetic data carriers, recording discs; dvds; compact discs; coin-operated mechanisms; cash registers; calculators; computer software to enhance the audio-visual capabilities of multimedia applications, namely, for the integration of text, audio, graphics, still images and moving pictures; cameras (bags adapted or shaped to contain -); cases adapted for photographic equipment.

Class 11: As covered by the designation of Norway.

Class 16: As covered by the designation of Norway.

Class 35: Retail services in relation to printed matter; retail services in relation to audio-visual equipment; retail services in relation to art materials; retail services in relation to cleaning preparations; retail services in relation to bags; retail services in relation to lighting; retail services in relation to luggage; retail services in relation to computer hardware; retail services in relation to computer software; retail services in relation to information technology equipment; retail services in relation to construction equipment; retail services in relation to works of art; retail services in relation to paints; retail services in relation to wearable computers; retail services in relation to downloadable electronic publications; retail services in relation to smartwatches; online retail services for downloadable and pre-recorded music and movies; wholesale services in relation to audio-visual equipment; retail services relating to audiovisual equipment; wholesale services in relation to computer hardware; wholesale services in relation to computer software; wholesale services in relation to stationery supplies; retail services in relation to mobile phones; retail services in relation to mobile phones; retail services in relation to stationery supplies; retail services in relation to smartphones; retail services relating to batteries; wholesale services in relation to cleaning articles; retailer services for optics, video and photographic equipment, audiovisual equipment and accessories for the aforementioned products.

Rapid publication of the limited list

If the holder accepts the proposed limitation of the goods/services, and wishes a publication of the mark for these goods/services as soon as possible, he/she may confirm this in writing to The Norwegian Industrial Property Office. If The Norwegian Industrial Property Office does not receive any such confirmation from the holder, the mark will however be published for protection of the limited list of goods/services, after the expiry of all the time limits.

VI. Grounds for refusal:

Relative grounds:

Trademark Act Section 16.a

Likelihood of confusion with:

National application number:

202100359 SP

You will find more information about the conflicting mark(s) (if any) enclosed under XI. The relevant provisions of the Norwegian Trademarks Act are under VII.

VII. Corresponding essential provisions of the applicable law

See the relevant provisions of the Norwegian Trademarks Act regarding the grounds of this provisional refusal on our home page:

<https://www.patentstyret.no/en/services/trademarks/rules-and-regulations-trademarks/trademarks-act/>

VIII. Information relating to the possibility to request a review or file an appeal:

(i) Time limit for requesting review or appeal: (yyyy.mm.dd) **2022.11.15**

(ii) Authority to which such request for review or appeal should be made:

The Norwegian Industrial Property Office

PO Box 4863 Nydalen, NO-0422 Oslo, Norway

Telephone: +47 22 38 73 00

Telefax: +47 22 38 73 01

E-mail: post@patentstyret.no

How to proceed:

The holder of the registration may request a review of the provisional refusal. The Norwegian Industrial Property Office must receive the request no later than 3 months from the date of this provisional refusal (The time limit is indicated under point VIII). Such request must provide an address of correspondence and be filed in Norwegian, Danish, Swedish or English. The Norwegian Industrial Property Office will respond in Norwegian. Please note that if The Norwegian Industrial Property Office, either subsequent to review or appeal, accept the designation of Norway, a post grant opposition may be filed against the mark within 3 months from the publication of the mark.

If the holder does not respond to this provisional refusal within the time limit, the international registration shall be considered abandoned in Norway for the goods/services that are excluded (Trademark Act Section 70 and 23). The international registration shall be resumed if the holder, within two months from the expiration of the time limit responds to the provisional refusal and pays the stipulated fee (NOK 550,-). Please note that The Norwegian Industrial Property Office does not send any notifications to the holder that the international registration is abandoned in Norway.

IX. Signature by the office:

THE NORWEGIAN INDUSTRIAL PROPERTY OFFICE

Liv Fallberg

X. Date of provisional refusal: (yyyy.mm.dd) **2022.08.15**

XI. Prior marks cited ex officio

Guide to the following INID codes:

(111): National registration number / International registration number
(151): Date of national registration / Date of international registration
(180): Date of expiry
(210): National application number
(220): National application date / Date of notification
(300): Data relating to priority (if any)
(450): Date of publication
(511): List of goods and/or services
(540): Reproduction of the mark
(541): Indication relating to the nature or kind of mark (in Norwegian)
(546): Indication relating to the nature or kind of mark (in Norwegian)
(551): Collective mark (regulations)
(571): Description of the mark
(731): Name of the applicant
(732): Name of the proprietor
(740): Power of attorney

(210) **Søknadsnr.:** 202100359
(220) **Inndato:** 2021.01.08
Status: Under behandling
Detaljstatus: Saksbehandlingen er stilt i bero
(540) **Gjengivelse av merket:**



(593-594) **Merketype:**

Merket er et kombinert merke eller et rent figurmerke

(591) **Informasjon om farger som merket kreves vernet for:**

Merket er i farger: ja

(731) **Søker:**

CompuSoft AS, Postboks 80, 1740 BORGENHAUGEN, Norge

(740) **Fullmektig:**

Kvale Advokatfirma DA, Postboks 1752 Vika, 0122 OSLO, Norge

(511) **Vare-/ tjenestefortegnelse:**

Klasse 9	Software, softwareapplikasjoner, mobile applikasjoner og databaser for grafisk utforming og innredning av rom, herunder bad og kjøkken; software, softwareapplikasjoner, mobile applikasjoner og databaser for grafisk gjengivelse av innredning av rom, herunder bad og kjøkken; software, softwareapplikasjoner, mobile applikasjoner og databaser for spesifikasjon, prissetting og bestilling av innredning av rom, herunder bad og kjøkken basert på grafisk utforming og gjengivelse.
Klasse 35	Annonse- og reklamevirksomhet; kontortjenester; forretningsadministrasjon ved lisensiering av varer og tjenester for andre; bistand ved ledelse og administrasjon av bedrifter; detaljhandel og engroshandel av byggevarer, stuemøbler, kjøkkenmøbler, soverommøbler, kjøkken- og baderomsinnredninger og -utstyr; online salg av glassvarer, porselen og keramikk samt tekstiler og erstatninger for tekstiler, lintøy, gardiner av tekstil eller plast, kjøkken- og baderomsinnredninger og -utstyr; markedsføring og kundeinformasjon ved videre salg av varer forkomme i butikker og stormarkeder; online annonsering på datanettverk og direkte til forbrukere; distribusjonsløsninger for netthandel.
Klasse 37	Tjenester relatert til bygging, oppussing, renovering, vedlikehold av bad og kjøkken.
Klasse 42	Softwaretjenester [saas]; design, utvikling, programmering, drift og vedlikehold av software, softwareapplikasjoner, mobile applikasjoner og databaser for innredning av rom, grafisk gjengivelse av innredning av rom og spesifikasjon, prissetting og bestilling av innredning av rom, herunder basert på grafisk utforming og gjengivelse; konsulenttjenester for design, utvikling, programmering, drift og vedlikehold av software, softwareapplikasjoner, mobile applikasjoner og databaser for innredning av rom, grafisk gjengivelse av innredning av rom og spesifikasjon, prissetting og bestilling av innredning av rom, herunder basert på grafisk utforming og gjengivelse.