PATENTTI- JA REKISTERIHALLITUS
PATENT- OCH REGISTERSTYRELSEN

PÄÄTÖS

07.10.2019

Kolster Oy Ab
PL 204
00181 HELSINKI
FI

Viitteenne: D19141/Ojm

KANSAINVÄLINEN REKISTERÖINTI EI KOSKE SUOMEA

Rekisteröinnin numero: 1431489
Haltija: Zalando SE, Berliini, DE
Tavaramerkki:

Tavara-/palveluluokat:

Luokka 8: Hand-operated tools; hand-operated devices for agriculture, gardening and forestry, hand-operated devices for mechanical engineering, apparatus and vehicle construction as well as for civil engineering; cutlery; table cutlery [knives, forks and spoons]; knives; carving knives; vegetable knives; razors; shaving kits; tin openers; ice picks; can openers; mortars; nail files; nail nippers; penknives; tweezers; pizza cutters; flat-nose pliers; scissors; pruning scissors; spanners (hand tools); electric irons.
Luokka 9: Photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, in particular photographic apparatus, lenses, binoculars, video cameras, cinematographic cameras, video recorders, video printers, exposed films, projectors, exposure meters (light meters), flash apparatus, projection screens, slide film mounts, tripods, camera bags, scales; calculating machines, data processing equipment and computers, in particular monitors, printers, scanners, copiers, projectors, electronic agendas, computer peripheral devices, and accessories therefor, namely keyboards, computer mice, joysticks, plug-in boards; apparatus for recording, transmission or reproduction of sound and/or images and/or electronically processed data (included in class 9), in particular television sets, satellite reception systems including satellite aerials, analogue and digital tape recorders and cassette recorders, analogue and digital record players, loudspeakers, telephone apparatus, telephone systems, GSM apparatus, mobile telephones, answering machines, facsimile machines, amplifiers, alarms, intercoms, audio baby monitors, aerials, microphones, headphones, connecting cables, navigation apparatus, data carriers for storing information, data, images or sound, such as audio and video tapes, floppy

disks, CDs, CD-ROMs, DVDs, memory cards (included in class 9); magnetic data carriers, phonograph records, computer programs; computer games software; spectacles (optics) and accessories therefor; spectacle cases; spectacle frames; spectacle lenses; goggles for sports; sunglasses; protective helmets for protecting against sports accidents; software for arranging contracts for others for the purchase and sale of goods and services; software for analysing and evaluating advertising; software for the purchase and sale, use and procurement of online advertising space and advertising services; software for the procurement, analysis, presentation and distribution of data; software for analysing and evaluating online advertising; software for operating an online shop.
Luokka 11: Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes; bath tubs; bidets; arc lamps; bicycle lights; sinks; electric lamps; torches; pressure cooking saucepans, electric; radiators; blankets, electric, not for medical purposes; fans; light bulbs; grills; hair driers; hearths; cooking rings; electric cooking utensils; coloured lights; lamps; lamp globes; lamp shades; lamp reflectors; chandeliers; air dryers; luminescent tubes; stoves; oil lamps; plate warmers; coffee roasters; roasting spits; lighters; wash basins; waffle irons; boilers; electric lights for Christmas trees.
Luokka 12: Vehicles; apparatus for locomotion by land, air or water.
Luokka 14: Precious metals and their alloys; jewellery; rings, earrings, ear clips, brooches, chokers, necklaces, pendants, chains, bracelets; gold jewellery, silver jewellery, pearl jewellery, platinum jewellery, jewellery of rhinestone and coloured stone, wedding rings, men's jewellery, precious stones, pearls; horological and chronometric instruments, in particular watches, wrist watches, parts for clocks and watches, straps for wrist watches, dials [clock-and watchmaking]; casings for clocks and watches, clockworks, parts for clockworks; parts and fittings for the aforesaid goods included in class 14.
Luokka 16: Paper, cardboard; paperboard; cardboard tubes; flyers; stationery; letter paper; prospectuses; tablecloths of paper; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); cardboard boxes for packaging; packaging material made of starch; plastic materials for packaging (not included in other classes); printers' types; printing blocks; posters; water-colours [paintings]; water-colour illustrations; albums; notebooks; atlases; writing pads; pencils; inkwells; bookmarks; bookends; tablecloths of paper; table napkins of paper; letter trays; paperweights; letter openers; filing trays; books; catalogues; periodicals; magazines [periodicals]; journals; transfers (decalcomanias); document files [stationery]; paper labels; photograph stands; clips for offices; terrestrial globes; graphic images; graphic reproductions; graphic prints; greeting cards; slates for writing; drawing squares; bibs of paper; manuals [handbooks]; office perforators; paper coffee filters; calendars; cardboard; maps; chalk holders; envelopes (paper); ledgers [books]; rulers; stencils; painters' brushes; canvas for painting; house painters' rollers; painters' easels; paintings; marking chalk; paper handkerchiefs; ink pens; portraits; loose-leaf binders; drawing pads; drawing pencils; comic books; writing materials; writing paper; writing instruments; desk blotters; garbage bags of paper or of plastics; stamps; chalk boards; adhesive tape dispensers; postcards; blackboard erasers.
Luokka 18: Leather and imitations of leather; animal skins, hides; trunks and travelling bags; bags; rucksacks; luggage, pocket wallets and other carrying cases; umbrellas, parasols and walking sticks; whips, harness and saddlery.
Luokka 20: Furniture; mirrors; blinds; frames; bulletin boards; workbenches; boxes of wood or of plastics; bamboo; bamboo curtains; high chairs for babies; baby walkers; flower-stands; tables; table tops; chests of drawers; couches; benches; divans; cushions; deck chairs; doors for furniture; door fittings, not of metal; bottle racks; footrests; nesting boxes; armchairs; curtain hooks; curtain holders; curtain tie-backs; curtain rings; curtain runners; curtain rods; casters for curtains; hinges, not of metal; garden furniture; head-rests [furniture]; racks for filing cabinets; racks [furniture]; index cabinets [furniture]; coat stands; clothes hangers; clothes hooks, not of metal; washstands; baskets, not of metal; playpens for babies; chests for toys; mouldings for picture frames; picture frame brackets; air mattresses; air cushions; easy chairs; mattresses; massage tables; sideboards; medicine cabinets; fittings for furniture, not of metal; keyboards for hanging keys; key cabinets; rockers; umbrella stands; slatted

indoor blinds; woven blinds of wood; draughtsman's tables; wheel tables; writing desks; seats [furniture]; school benches; school furniture; desks [furniture]; cabinets; sofas; cots; ladders; chairs; beds; plate racks; door handles of porcelain; door handles of plastic; door handles of wood, door handles, not of metal.
Luokka 21: Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; isothermic bags; cooling boxes; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware, not included in other classes; butter dishes; soap boxes; boxes of glass; soap dispensers; dustbins; baby baths, portable; bath sponges; pastry boards; sprinkling devices; flowerpots; dinnerware; dishwashing brushes; trays; rolling pins [domestic]; bread boxes; bowls [basins]; tumblers; fruit cups; dusting cloths [rags]; feather-dusters; drinking glasses; strainers for household purposes; dishes; cookery moulds; ice cube moulds; pot lids; vegetable dishes; gloves for household purposes; polishing gloves; tubs; domestic utensils, not of metal; ice buckets; cookie jars; cake moulds; decanters; cooking pots; trivets; clothes pegs; boot jacks; cookware; egg cups; corkscrews; pots; pepper and salt sets; brooms; cooking pot sets, not of metal; goods made of earthenware; candle rings, not of precious metal; candelabras [candlesticks], not of precious metal; butter-dish covers; covers for dishes; mops; mouse traps; nail brushes; cheese-dish covers; paper plates; picnic baskets; chamber pots; chinaware; shaving brushes; graters for kitchen use; rat traps; cocktail shakers; shoe-trees; shoehorns; glass bowls; ironing boards; pans; plates; vacuum flasks; bottles; toilet brushes; toilet utensils; scouring cloths; watering cans; coolers for wine; woks; beer mugs; potholders; oven mitts; bottle openers; basting spoons, for kitchen use; bread baskets [domestic]; egg warmers of textile; plate glass [raw material]; brushes for footwear; wax-polishing appliances, non-electric, for shoes; glove stretchers; nut crackers; shoe stretchers.
Luokka 22: Bast; raw cotton; cotton tow; string; strings for packing; down [feathers]; eiderdown; textile fibres, glass fibres for textile use, plastic fibres for textile use, vitreous silica fibres for textile use; feathers for stuffing upholstery; feathers for bedding; raw linen [flax]; hemp; hammocks; jute; camel hair; net fabric; raw linen [flax]; raw silk; packing rope; shorn wool; fleece wool.
Luokka 23: Yarns, cotton yarns, elastic yarns and yarns for textile use, elastic threads for textile use, rubber thread for textile use; thread of metal for embroidery; spun silk; spun wool.
Luokka 24: Textiles and textile goods, not included in other classes; silk [cloth]; non-woven textile fabrics; velvet; linen cloth; flannel [fabric]; frieze [cloth]; household linen; bed covers; bed spreads; bed linen; covers for duvets; pillowcases; covers for cushions; bedsheets; bedspreads; mattress covers; quilts; eiderdowns [down coverlets]; table covers; table runners of textile; blankets of textile; table mats of textile; napkins of textile; handkerchiefs of textile; curtains; upholstery fabrics; furniture covers of textiles; chair covers; bath linen and towels of textile; towels; face cloths; sauna towels; washing mitts; tea cloths; pot stands of textile; labels of textile; linings; fabrics for textile use; lining fabric for shoes; fabric for footwear; loose covers for furniture; sleeping bags.
Luokka 25: Clothing, footwear, headgear.
Luokka 26: Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers; dress accessories; shoe hooks, shoe eyelets, shoe buckles, shoe ornaments not of precious metal, shoe accessories, in particular shoe laces; hair ornaments, hair grips and hair pins.
Luokka 27: Carpets; rugs; carpet underlay; bedside rugs; door mats; bath mats; wallpaper.
Luokka 28: Gymnastic and sporting articles not included in other classes; decorations for Christmas trees; decorations for Christmas trees [except for lighting apparatus and confectionery products]; Christmas tree stands; Christmas trees of synthetic materials; toys; toys for domestic pets; dolls [toys]; dolls' clothes; dolls' houses; puzzles; playing cards; board games; rattles [playthings]; novelties for parties, dances [party favours]; teddy bears; plush toys; electronic game consoles; electronic game consoles.
Luokka 35: Wholesale and retail services, in particular mail order services (also online) in the areas of bleaching preparations and other substances for laundry use, cleaning, polishing and abrasive preparations, degreasing agents, soaps, perfumery, essential oils, cosmetics, bath and shower gels and salts, not for medical purposes,

toilet soaps, deodorants for personal use, cosmetics, in particular creams, lotions, gels and powders for the face, body and hands, milks, gels and oils for tanning and for applying after sun-bathing (cosmetics), make-up preparations, nail polishes, shampoos, gels, foams and balms, not for medical purposes, and preparations in aerosol form for hairdressing and hair care, hair lacquers, hair-colouring and hair-decolourising preparations, dentifrices, hand-operated tools, hand-operated devices for agriculture, gardening and forestry, hand-operated devices for mechanical engineering, apparatus and vehicle construction as well as for civil engineering, cutlery, table cutlery [knives, forks and spoons], knives, carving knives, vegetable knives, razors, shaving kits, nutcrackers, tin openers, ice picks, can openers, mortars, nail files, nail nippers, penknives, tweezers, pizza cutters, flat pliers, scissors, pruning scissors, spanners (hand tools), photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, in particular photographic apparatus, lenses, binoculars, video cameras, cinematographic cameras, video recorders, video printers, exposed films, projectors, exposure meters (light meters), flash apparatus, projection screens, slide film mounts, tripods, camera bags, scales, calculating machines, data processing equipment and computers, in particular monitors, printers, scanners, copiers, projectors, electronic agendas, computer peripheral devices, and accessories therefor, namely keyboards, computer mice, joysticks, plug-in boards, apparatus for recording, transmission or reproduction of sound and/or images and/or electronically processed data, in particular television sets, satellite reception systems including satellite aerials, analogue and digital tape recorders and cassette recorders, analogue and digital record players, loudspeakers, telephone apparatus, telephone systems, GSM apparatus, mobile telephones, answering machines, facsimile machines, amplifiers, alarms, intercoms, audio baby monitors, aerials, microphones, headphones, connecting cables, navigation apparatus, data carriers for storing information, data, images or sound, such as audio and video tapes, floppy disks, CDs, CD-ROMs, DVDs, memory cards, magnetic data carriers, phonograph records, computer programs, computer games software, electronic game consoles, electric irons, spectacles (optics) and accessories therefor, spectacle cases, spectacle frames, spectacle lenses, goggles for sports, sunglasses, protective helmets and other protective clothing for sport, software for arranging contracts for others for the purchase and sale of goods and services, software for analysing and evaluating advertising, software for the purchase and sale, use and procurement of online advertising space and advertising services, software for the procurement, analysis, presentation and distribution of data, software for analysing and evaluating online advertising, software for operating an online shop, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, bath tubs, bidets, arc lamps, bicycle lights, sinks, electric lamps, torches, pressure cooking saucepans, electric, radiators, torches, electric blankets, not for medical purposes, fans, light bulbs, grills, hair driers, hearths, cooking rings, electric cooking utensils, coloured lights, lamps, lamp globes, lamp shades, reflectors for lamps, chandeliers, air dryers, luminescent tubes, stoves, oil lamps, wort kettles, plate warmers, coffee roasters, roasting spits, lighters, wash basins, waffle irons, heating boilers, electric lights for Christmas trees, vehicles, apparatus for locomotion by land, air or water, precious metals and their alloys, jewellery, rings, earrings, ear clips, brooches, chokers, necklaces, pendants, chains, bracelets, gold jewellery, silver jewellery, pearl jewellery, platinum jewellery, jewellery of rhinestone and coloured stone, wedding rings, men's jewellery, precious stones, pearls, horological and chronometric instruments, in particular watches, wrist watches, parts for clocks and watches, straps for wrist watches, dials [clock- and watchmaking], casings for clocks and watches, clockworks, parts for clockworks, parts and fittings for the aforesaid goods, paper, cardboard, paperboard, cardboard tubes, flyers, stationery, letter paper, prospectuses, tablecloths of paper, printed matter, bookbinding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture), instructional and teaching material (except apparatus), cardboard packaging material, packaging material made of starch, plastic materials for packaging (not included in other classes), printers' types, printing blocks, posters, water-colours [paintings], water-colour illustrations, albums, notebooks, atlases, writing pads, pencils, inkwells, bookmarks, bookends, tablecloths of paper, table napkins of paper,

letter trays, paperweights, letter openers, filing trays, books, catalogues, periodicals, periodicals [magazines], journals, printed matter, transfers (decalcomanias), document files [stationery], paper tags, photographs, photograph stands, clips for offices, terrestrial globes, graphic images, graphic reproductions, graphic prints, greeting cards, slates for writing, drawing squares, bibs of paper, manuals [handbooks], office perforators, paper coffee filters, calendars, cardboard, maps, chalk holders, envelopes (paper), ledgers [books], rulers, stencils, painters' brushes, canvas for painting, house painters' rollers, painters' easels, paintings, marking chalk, paper handkerchiefs, ink pens, portraits, loose-leaf binders, drawing pads, drawing pencils, comic books, writing materials, writing paper, writing instruments, desk blotters, garbage bags of paper or of plastics, stamps, chalk boards, adhesive tape dispensers, postcards, leather and imitations of leather, animal skins, hides, trunks and travelling bags, bags, rucksacks, luggage, satchels and other holders, umbrellas, parasols and walking sticks, whips, harness and saddlery, furniture, mirrors, blinds, frames, bulletin boards, workbenches, boxes of wood or of plastics, bamboo, bamboo curtains, high chairs for babies, baby walkers, flower-stands, tables, table tops, chests of drawers, couches, benches, divans, cushions, deck chairs, doors for furniture, door fittings, not of metal, bottle racks, footrests, nesting boxes, armchairs, curtain hooks, curtain holders, curtain tie-backs, curtain rings, curtain runners, curtain rods, casters for curtains, hinges, not of metal, garden furniture, head-rests [furniture], racks for filing cabinets, racks [furniture], index cabinets [furniture], coat stands, clothes hangers, clothes hooks, not of metal, washstands, trays, not of metal, playpens for babies, chests for toys, mouldings for picture frames, picture frame brackets, air mattresses, air cushions, easy chairs, mattresses, massage tables, sideboards, medicine cabinets, fittings for furniture, not of metal, keyboards for hanging keys, key cabinets, stools, umbrella stands, slatted indoor blinds, woven blinds of wood, draughtsman's tables, wheel tables, writing desks, seats [furniture], school benches, school furniture, desks [furniture], cabinets, sofas, sleeping bags, cots, ladders, chairs, beds, plate racks, door handles of porcelain, door handles of plastic, door handles of wood, door handles, not of metal, household or kitchen utensils and containers (not of precious metal or coated therewith), combs and sponges, brushes (except paint brushes), brush-making materials, articles for cleaning purposes, isothermic bags, cooling boxes, steel wool, unworked or semi-worked glass (except glass used in building), glassware, porcelain and earthenware not included in other classes, butter dishes, soap boxes, boxes of glass, soap dispensers, dustbins, baby baths, portable, bath sponges, pastry boards, sprinkling devices, flowerpots, dinnerware, dishwashing brushes, trays, rolling pins [domestic], bread boxes, bowls [basins], tumblers, fruit cups, dusting cloths [rags], feather-dusters, drinking glasses, strainers for household purposes, dishes, cookery moulds, ice cube moulds, pot lids, vegetable dishes, gloves for household purposes, polishing gloves, tubs, domestic utensils, not of metal, ice buckets, cookie jars, cake moulds, decanters, cooking pots, trivets, ceramic goods, clothes pegs, boot jacks, cookware, egg cups, corkscrews, pots, menageries, brooms, cooking pot sets, not of metal, goods made of earthenware, candle rings, not of precious metal, candelabras [candlesticks], not of precious metal, butter-dish covers, covers for dishes, mops, mouse traps, nail brushes, cheese-dish covers, paper plates, picnic baskets, chamber pots, chinaware, shaving brushes, graters for kitchen use, rat traps, cocktail shakers, shoe-trees, shoehorns, glass bowls, ironing boards, pans, plates, toothbrushes, vacuum flasks, bottles, toilet brushes, toilet utensils, scouring cloths, watering cans, coolers for wine, waffle irons, woks, beer mugs, potholders, oven mitts, bottle openers, basting spoons, for kitchen use, blackboard erasers, bread baskets [domestic], egg warmers of textile, plate glass [raw material], brushes for footwear, wax-polishing appliances, non-electric, for shoes, glove stretchers, bast, raw cotton, cotton tow, string, strings for packing, down [feathers], eider down, textile fibres, glass fibres for textile use, plastic fibres for textile use, vitreous silica fibres for textile use, feathers for stuffing upholstery, feathers for bedding, raw linen [flax], hemp, hammocks, jute, camel hair, net fabric, raw linen [flax], raw silk, packing rope, new wool, shorn wool, yarns, spun cotton, cotton yarns, elastic yarns and threads for textile use, elastic threads for textile use, thread for textile use, thread of metal for embroidery, spun silk, spun wool, woven materials and textile products, not included in other classes, silk [cloth], non-woven textile fabrics, velvet, linen cloth, flannel [fabric], frieze [cloth], household linen, bed covers, bed spreads, bed linen, covers for duvets, pillowcases, covers for cushions,

bedsheets, bedspreads, mattress covers, quilts, eiderdowns [down coverlets], table covers, table runners of textile, blankets of textile, table mats of textile, napkins of textile, handkerchiefs of textile, curtains, upholstery fabrics, furniture covers of textiles, chair covers, bath linen and towels of textile, towels, face cloths, sauna towels, washing mitts, tea cloths, pot stands of textile, labels of textile, linings, fabrics for textile use, lining fabric for footwear, fabric for footwear, loose covers for furniture, clothing, footwear, headgear, lace and embroidery, ribbons and braid, buttons, hooks and eyes, pins and needles, artificial flowers, dress accessories, shoe hooks, shoe eyelets, shoe buckles, shoe stretchers, shoe ornaments not of precious metal, shoe accessories, in particular shoe laces, hair ornaments, hair grips and hair pins, carpets, rugs, carpet underlay, bedside rugs, door mats, bath mats, wallpaper, gymnastic and sporting articles not included in other classes, decorations for Christmas trees, decorations for Christmas trees [except for lighting apparatus and confectionery products], Christmas tree stands, Christmas trees of synthetic materials, toys, toys for domestic pets, dolls [toys], dolls' clothes, dolls' houses, puzzles, playing cards, board games, baby rattles, novelties for parties, dances [party favours], teddy bears, plush toys; providing commercial and business information for consumers on the internet; provision of an online marketplace for buyers and sellers of goods and services; arranging of business contacts; arranging commercial transactions, for others, via online shops; arranging contracts for others for the purchase and sale of goods and services; arranging contracts for others for the provision of services in the fields of logistics and packaging and storage of goods; sales promotion, advertising and marketing via online websites; sales promotion for the goods and services of others; sales promotion (for others) via online websites; placing and publishing of online advertising for others; dissemination of advertising matter for others via the internet; assistance in the field of sales promotion; services to determine the audience affected by advertisements; advertising; marketing; banner advertising; preparing advertisements for others; placement of advertisements for others; press advertising consultancy; online promotion of computer networks and websites; online promotion of services and goods at websites; online promotion of goods and services at websites; sales promotion, advertising and marketing via online websites; rental of advertising space at websites; market research; public relations; placing and publishing of online advertising for others; dissemination of advertising matter for others via the internet; preparing and placing advertisement for online advertising; economic assistance in the field of sales promotion; market analysis and research to determine the audience affected by advertisements; compilation of statistical information; publication of publicity texts; procurement services for others; shop-window dressing; demonstration of goods; presentation of companies and of their products or services; organisational and professional business consultancy for exhibitors; organizing and conducting trade shows and exhibitions for commercial or advertising purposes; trade show management services; creation of marketing concepts for trade fairs and events on behalf of others; arranging contracts for others for the provision of services in the field of trade shows and events; arranging of business contacts for advertisers; organising, staging and marketing exhibitions, trade shows, fashion shows for commercial or advertising purposes; organising, staging and marketing events of all kinds, such as concerts, parties, festivals, fashion shows, vernissages, raffles for commercial or advertising purposes; organising events, exhibitions, trade fairs and shows for commercial, promotional and advertising purposes; organisation of fashion shows for commercial purposes; organisation of fashion shows for promotional purposes; organising fashion shows for trading purposes; modelling agency services relating to sales promotions; agency for models and hostesses; modelling for advertising or sales promotion; issuance of loyalty cards [sales promotion]; services relating to customer loyalty, incentive and bonus programs; consumer loyalty services for commercial, promotional, and advertising purposes; organisation, operation and supervision of loyalty schemes and incentive schemes; administration of loyalty programs involving discounts or incentives; loyalty scheme services [development of bonus programs for marketing purposes]; providing online information via marketing, marketing research, bonus, publicity, customer loyalty and/or premium programs; organisation of customer loyalty programmes for the sale of clothing, footwear, headgear, spectacles [optics] and accessories therefor, sunglasses, goggles for sports, jewellery, ornaments, trunks and travelling bags, bags, rucksacks, umbrellas, parasols, bed covers, bed

linen, covers for duvets, bedsheets, curtains of textile or plastic material, bath linen and towels of textile, tea cloths.
Luokka 36: Issue of tokens, coupons and vouchers of value, in particular for customer loyalty and incentive programs for the purchase of goods in e-commerce over the internet.
Luokka 37: Construction of exhibition stands; construction of stands and booths at trade fairs; installation of stands for exhibitions; installation of exhibition stands and trade fair booths; installation of temporary structures for trade fairs.
Luokka 38: Providing internet chatrooms; providing access to Internet portals; providing chat lines, chat rooms and electronic forums on the internet; electronic exchange of messages using chat lines, chat rooms and internet forums; providing access via computer and communications networks, including the internet, to texts, electronic documents, databases, graphics and audio-visual information, in particular films, videos, music and other forms of entertainment, all in digital form, distributed via the internet; providing access to computer programs on data networks; providing access to an electronic marketplace [portal] on computer networks; providing access to e-commerce platforms on the internet; providing access to social networks on the internet; providing access to an online database containing data; telecommunications via platforms and portals on the Internet; providing user access to information on the Internet relating to fashion, style and styling advice in the sale of fashion articles, such as clothing, shoes, bags, jewellery and accessories; web messaging.
Luokka 41: Providing multi-media entertainment via a website; providing fashion-related entertainment via a website; news reporting services in the field of fashion namely clothing, shoes, headgear, bags, rucksacks, jewellery and spectacles, providing information relating to entertainment shows, exhibitions, conferences and conventions for cultural or educational purposes via an online website; publication of the editorial content of sites accessible via a global computer network; ticket agency services; ticket reservation and booking services for entertainment events in the fields of fashion and music; ticket reservation and booking services for events in the fields of fashion, music, entertainment, sport and culture; sporting and cultural activities; providing online electronic publications; online publication of electronic books and periodicals; publication of books; rental of show scenery; film production; photography; publication of texts; composing of music; entertainment services provided by performing artists; party planning; production of shows; arranging and conducting of conferences, conventions, exhibitions, contests and seminars; arranging of beauty contests; organising and conducting workshops; organisation of exhibitions for cultural purposes; organisation of exhibitions for cultural or educational purposes; organisation of fashion shows for entertainment purposes; organising and presenting entertainment events relating to style and fashion; entertainment in the nature of fashion shows; presentation of live performances; musical performances; live musical performances; live dance exhibitions; live entertainment; production and organisation of live shows; organisation of live performances; live performances for entertainment; presentation of live performances.
Luokka 42: Creating and maintaining web sites for others; designing; dress designing; styling (design) of clothing, shoes, bags, jewellery and accessories; creating and maintaining web sites for others; artwork design; design of interior decor; conversion of data or documents from physical to electronic media; styling; textile testing; packaging design services; designing exhibition booths; providing information about fashion design services; scientific and technological services and research and design relating thereto; design and development of software and hardware; developing and programming software for arranging contracts for others for the purchase and sale of goods and services; developing and programming software for the purchase and sale, use and procurement of online advertising space and advertising services; developing and programming software for the procurement, analysis, presentation and distribution of data; developing and programming software for analysing and evaluating offline and online advertising; application service provider services; design and development of computer hardware and computer software for operating a platform for a customer loyalty scheme on the internet; development and creation of programmes, namely databases for customer loyalty schemes; creation and design of wall paintings.
Luokka 43: Bar services; cafeterias and restaurants; providing food and drink

catering services for fair and exhibition facilities; services for providing of food and drink for guests; corporate hospitality (provision of food and drink); serving of food and drink; catering services as part of day care; providing of take-away food and drink for guests; take-out restaurant services; rental of chairs, tables, table linen, glassware; rental of transportable buildings; provision of trade show facilities [accommodation]; providing facilities for fairs and exhibitions.
Luokka 45: Personal shopping services; personal fashion consulting services and personal wardrobe styling consultancy; personal wardrobe styling services and consultancy.

Rekisteröinnin / myöhemmän laajentamisen päivä: 14.02.2018

Väriselitys: oranssi

PÄÄTÖS: Patentti- ja rekisterihallitus katsoo, että kansainvälinen rekisteröinti ei koske Suomea.

Perustelut: Kansainvälinen rekisteröinti on ilman erottamiskykyä muodostuessaan ainoastaan oranssinvärisestä yksinkertaisesta kolmiomaisesta kuviosta. Tavaroiden ja palveluiden kohderyhmä ei tunnista kuviota tavaramerkiksi, eikä merkin avulla näin ollen voida yksilöidä rekisteröinnin kattamien tavaroiden ja palveluiden kaupallista alkuperää.

Kansainvälisen rekisteröinnin haltija katsoo, että merkki on lähtökohtaisesti erottamiskykyinen, ja on joka tapauksessa saavuttanut erottamiskyvyn laajan ja pitkäaikaisen käytön kautta. Vastauksen täydennyksessä rekisteröinnin haltija toteaa, että merkki on erottamiskykyinen ainakin luokkien 9, 14, 18, 25, 26, 35, 36 ja 38 osalta. Merkki on ollut pitkään ja hyvin laajasti käytössä tavaramerkin haltijan tarjoamien tavaroiden ja palvelujen erityisenä ja itsenäisenä kaupallisena tunnuksena, että sen voidaan kiistatta katsoa käytön kautta tulleen tässä maassa erottamiskykyiseksi tavaramerkiksi edellä mainituille tavaroille ja palveluille. Vastauksen täydennykseen on liitetty tutkimus merkin tunnettuudesta.

Virasto katsoo, ettei toimitettu näyttö osoita merkin saavuttaneen erottamiskykyä käytön kautta. Merkin tunnettuustutkimuksen mukaan 23 prosenttia vastaajista on nähnyt kyseisen merkin. Merkin tunnistaneista runsas kolmannes yhdistää merkin kansainvälisen rekisteröinnin haltijaan. Tutkimus ei kuitenkaan osoita merkin tunnettuutta kansainvälisen rekisteröinnin kattamien tavaroiden ja palveluiden tunnuksena. Muu näyttö osoittaa lähinnä, että kyseistä kuviota on käytetty kansainvälisen rekisteröinnin haltijan verkkokauppapalveluiden yhteydessä. Näytön ei kuitenkaan voida katsoa näidenkään palveluiden osalta osoittavan, että merkkiä olisi käytetty niin kauan ja laajalti, että merkin kohderyhmä mieltäisi merkin kansainvälisen rekisteröinnin haltijan erityiseksi tunnukseksi.

Lainkohdat: Tavaramerkkilain 107 § 1 momentti ja tavaramerkkilain (7/1964) 3 §, 13 §, 56 b §:n 2 momentti

Patentti- ja rekisterihallitus

Patentit ja tavaramerkit

Olli Teerikangas
Yksikön esimies

Kari Juusela
Vanhempi lakimies

Tämä asiakirja on koneellisesti allekirjoitettu.

LIITE Valitusosoitus

VALITUSOSOITUS

Valitusviranomainen

Tähän päätökseen tyytymätön saa hakea muutosta markkinaoikeudelta kirjallisella valituksella.

Valituksen tekemiseen oikeutettu

Muutosta rekisteriviranomaisen lopulliseen päätökseen tavaramerkkiasiassa voi hakea hakija, jos päätös on hänelle vastainen tai asia on jätetty sillensä.

Muutosta rekisteriviranomaisen lopulliseen päätökseen mallioikeusasiassa voi hakea hakija, jos päätös on hänelle vastainen.

Tavaramerkin tai mallioikeuden rekisteröintiä vastaan tehdyn väitteen johdosta rekisteriviranomaisen tekemään lopulliseen päätökseen saa hakea muutosta se, jolle päätös on vastainen.

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Valituskirjelmässä on ilmoitettava

- valittajan nimi ja kotikunta
- valittajan yhteystiedot, joihin asiaa koskevat ilmoitukset valittajalle voidaan toimittaa
- päätös, johon haetaan muutosta, miltä kohdin päätökseen haetaan muutosta ja mitä muutoksia siihen vaaditaan tehtäväksi sekä
- perusteet, joilla muutosta vaaditaan.

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- todistus siitä, minä päivänä päätös on annettu tiedoksi tai muu selvitys valitusajan alkamisen ajankohdasta
- asiamiehen valtakirja sen mukaan kuin siitä hallintolainkäyttölain 21 §:ssä säädetään
- asiakirjat, joihin valittaja vetoaa vaatimuksensa tueksi, jollei niitä ole jo aikaisemmin toimitettu Patentti- ja rekisterihallitukselle.

Valituskirjelmän toimittaminen valitusviranomaiselle

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Valituksen voi tehdä myös hallinto- ja erityistuomioistuinten asiointipalvelussa osoitteessa
https://asiointi2.oikeus.fi/hallintotuomioistuimet

Maksut

Markkinaoikeudessa perittävästä oikeudenkäyntimaksusta säädetään tuomioistuinmaksulaissa (1455/2015).