



**Grounds for the opposition**

Grounds: #1	Article 8(4) CTMR -The earlier non-registered trade mark/sign is used in the course of trade of more than mere local significance and, pursuant to the law governing it, the trade mark/signs confer/s on its proprietor the right to prohibit the use of a subsequent trade mark.
Explanation of grounds and other remarks:	<p>The opponents have used the figurative sign since 2008 in their own native jurisdictions.</p> <p>The opponents have used the logo since the author of the work waived his copyrights in the same logo in favour of the members of the Wikimedia community (which includes the opponents as well).</p> <p>The opponents have made extensive use of the challenged trademark within their course of trade in Italy and also in Poland.</p> <p>The opposition is appropriate to the criteria of Article 8 (4) in that the earlier non-registered mark is used in the designated course of trade and is of more than mere local significance and that under the Italian and Polish law, the sign confers on the opponents the right to prohibit the registration of the trademark application.</p> <p>In Italy the sign is a business sign protected by Article 12 (1)(c) of the IT-IP CODE.</p>
Evidence of the mark being used in the course of trade:	To follow
Translation:	To follow

**Payment of fees**

Pay by:	Bank Transfer			
Basic fee:	350 EUR			
Bank	Address	Account Number	BIC Code	IBAN
Banco Bilbao Vizcaya Argentaria	Alicante, SPAIN	0182-5596-90-0092222222	BBVAESMMXXX	ES88 0182 5596 9000 9222 2222
La Caixa	Alicante, SPAIN	2100-2353-01-0700000888	CAIXESBBXXX	ES03 2100 2353 0107 0000 0888

**Signature**

First name	Surname	Capacity of the signatory	Position
György	Pintz	OHIM professional representative	patent attorney, head of office