

- *Opposition procedures, grounds of opposition, experience with pre-registration opposition, relationship between a particular type of examination system and the related opposition procedure.*

OPPOSITION PROCEDURE

Procedure type

- Inter-partes opposition system
- before the IP Office of Croatia
- before registration and
- after the examination of formal requirements and
- after the examination of absolute grounds for refusal.

Publication, length and time limits for opposition periods

- 3 months opposition period – shall not be extended
- starting date of the opposition period is the date of publication of an application for registration
- an application is published for opposition in the Official Gazette of the Republic of Croatia (monthly edition with legal effect) and on the official site of SIPO Croatia
- 3 months period for filing the opposition to *an international registration of a mark* starts with the first day of the month following the month indicated on the edition of the international official gazette in which such a mark has been published

Grounds for opposition

- an identical mark registered or applied for by another person in respect of identical goods or services
- an identical mark registered or applied for by another person in respect of similar goods or services
- a similar mark registered or applied for by another person in respect of identical goods or services
- a similar mark registered or applied for by another person in respect of similar goods or services
- firm names
- well known/famous marks having a reputation
- a right to a personal name
- a right of personal portrayal
- a copyright
- industrial property rights

All these grounds can be invoked in the invalidation procedure.

Appeal procedure

- An appeal procedure will be introduced in the 1st half of 2007 by forming a Board of Appeal within the SIPO of Croatia

Complaint procedure

- before an Administrative Court as a second instance
- holder, parties to the opposition procedure