

**Antigua and Barbuda Intellectual Property and Commerce Office****MADRID PROTOCOL****Model Form 3A: Total Provisional Refusal of Protection (Rule 17(1) of the Common Regulations)**

I. Office making the notification: Antigua and Barbuda
II. Number of the international registration: 1 297 545
III. Name of the holder: MIRAFLEX S.A.S.
IV. Information concerning the type of provisional refusal: <i>Please indicate the type of refusal by checking only one of the following options:</i> <input checked="" type="checkbox"/> Total provisional refusal based on an <i>ex officio</i> examination <input type="checkbox"/> Total provisional refusal based on an opposition <input type="checkbox"/> Total provisional refusal based on both an <i>ex officio</i> examination and an opposition <i>Where the refusal is based on an opposition, please indicate the name and address of the opponent:</i> (i) Name of the opponent: (ii) Address of the opponent:
V. Information concerning the scope of the provisional refusal: Total provisional refusal affects all the goods and/or services. YES

VI. Grounds for refusal [(where applicable, see item VII)]:

Section 3(2)(i) of the trademark act states that a mark cannot be validly registered if it is incapable of distinguishing the goods or services of one enterprises from those of other enterprises.

Please specify the parts and accessories for automobiles in class 9.

VII. Information relating to an earlier mark:

- (i) Filing date and number, and, if any, priority date:
- (ii) Registration date and number (if available):
- (iii) Name and address of the owner:
- (iv) Reproduction of the mark:
- (v) List of the relevant goods and/or services (this list may be in the language of the earlier application or registration):

VIII. Corresponding essential provisions of the applicable law:

Section 3(2)(i) of the Antigua and Barbuda Trademark act

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

- (i) Time limit for requesting review or appeal: **Two months from the date of Notification sent to IB.**
- (ii) Authority to which such request for review or appeal should be made: **Antigua and Barbuda Intellectual Property & Commerce Office.**
- (iii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party:
- (iv) Other requirements, if any: **The Antigua and Barbuda trademark act states at section 18 that where an applicant's ordinary residence or principal place of business is outside Antigua and Barbuda, he shall be represented by a registered agent resident and practicing in Antigua and Barbuda before the Registrar of the Intellectual Property Office. The procedure for the registration of an agent shall be prescribed in the Regulations.**

Section 31 of the Trademark Regulations states that a local attorney at law or agent admitted to represent clients before the Intellectual Property & Commerce Office may be appointed.

X. Signature or official seal of the Office making the notification:

[Handwritten Signature] . ROOSTER

XI. Date of the notification to the International Bureau:

09.03.2011