



Judiciary

Registration Organization of Deeds And Properties of I.R. of Iran Industrial Property Office

Office Ref: 139650940001068661

Trademark Office

MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS AND THE PROTOCOL RELATING TO THAT AGREEMENT

PROVISIONAL REFUSAL OF PROTECTION

Notified to the International Bureau of the World Intellectual Property Organization (WIPO)
In accordance with Article 5 of the Madrid Agreement and Protocol

I- Office notifying the provisional refusal: I.R. of Iran Tel: 0098 21- 66755702 Fax: 0098 21- 66755701 No. 5, State Registration of Deeds and Properties, Fayyaz Bakhsh Street, Khayam Str., Emam Khomani Sqr, Tehran, Iran.
II- Number of the international registration which is the subject of the provisional refusal: 1312321
III- Name of the holder of the international registration which is the subject of the provisional refusal: Tobacco International Enterprises Limited.
IV- Grounds for provisional refusal: The subject Trademark is not registrable in Iran because it is similar to a previously registered mark. The Word "OSCAR" in Latin and Farsi character has already been registered in Iran in class 34 under national registration no. 201547
V- Applicable provisions of the national law [(see text under X)] Article 121
VI- <input checked="" type="checkbox"/> Provisional refusal for all goods and / or services: CLASS 34 <input type="checkbox"/> Provisional refusal for a part of goods and services :

VII- In cases where the International Application is rejected by the Iranian Trademark Office, the applicant may, under Articles 121 and 158 of the Executive Regulations of Iranian Patents, Industrial Designs and Trademarks Registration Act, file an appeal with the Commission stipulated in Article 170 of the said Regulations against the rejection within 60 days from the date of the notification of Provisional Refusal. Under Article 172 of the said Regulations, an appeal may be filed against the said Commission's decision with the Public Court of Tehran within 60 days from the date of the notification of the said decision.

VIII- Date on which the provisional refusal was pronounced: 2017/08/21

LX- Signature or official seal of the Office notifying the provisional refusal :

Examiner: Narges Esmaili (Ms)

Head of Trademark Office

Gholam Reza Bayat (Mr)

X- Relevant provisions of national Law:

Article 121 of Regulations for Execution of Patents ,Industrial Designs and Trademarks Registration Law (2009)

In cases where the application for trademark registration is rejected based on Article 30 (a) and (b) and Article 32 of the law, the Registrar is required to notify the Applicant the grounds of refusal in writing .As for the indicated cases, the mark may be considered identical to or similar with another mark and thus rejected that the said mark has been registered or applied for in the name of a different person or the similarity thereof in terms of appearance , pronunciation or writing or other characteristics with a mark previously registered or applied for as to such an extent that would mislead ordinary consumers.

The requested information according the Rules 17(2)(v) , 18(1)(c) :

Name and Address of the owner: Milad Noor Giti Trading Co.

No:269, Mir Fatahi Alley, 4th Bimeh, Karaj Makhsos Road, Azadi Sq, Tehran, Iran.

Basic application No: 13915014000117289

Date of Basic application No: 27/11/2012

Basic registration No: 201547

Date of basic registration No: 02/07/2013

Reproduction of the Mark: The Word " OSCAR" in Latin characters.

GOODS AND SERVICES: All the goods in class 34.