


**MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION**

I.	Office making the notification: INDUSTRIAL PROPERTY DEPARTMENT GENERAL AUTHORITY FOR INTELLECTUAL PROPERTY AND STATE REGISTRATION BAGA TOIRUU-49, ULAANBAATAR-46, MONGOLIA		
II.	Number of the international registration: 1340038		
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed): Obshchestvo s ogranichennoy otvetstvennostyu "Zeldis" ul. Komsomolskaya, dom 1 g. Podolsk RU-142100 Moskovskaya obl.		
IV.	<input checked="" type="checkbox"/>	Provisional refusal based on an <i>ex officio</i> examination	
	<input type="checkbox"/>	Provisional refusal based on an opposition	
	<input type="checkbox"/>	Provisional refusal based on both an <i>ex officio</i> examination and an opposition	
V.	<input type="checkbox"/>	Provisional refusal for all the goods and/or services	
	<input checked="" type="checkbox"/>	Provisional refusal for some of the goods and/or services in class(es): 5 , 3 , 3 , 3 3	
VI.	Grounds for refusal [(where applicable, see item VII)]: - The mark applied is identical with a belonging to a different proprietor and which has an earlier filing or priority date for related goods or services. Please refer to the attached list of cited marks;		
VII.	Information relating to an earlier mark :		
	Application No.	40-M-0805668	Filing Date 19/06/2003
	Registration No.	M-0805668	Registration Date 19/06/2003
	Applicant / Registrant	BIOFAR 6, rue des Marguerites F-92000 NANTERRE	
	Representative / TM Agent	@MARK 16 rue Milton F-75009 PARIS, France	
	Priority Claim		
	Reproduction of Mark	BIOFAR	
	Class(es)	Ангилал 5: Pharmaceutical products, including pharmaceutical products which may contain proteins, carbohydrates, lipids and/or fibres, or micronutrients such as vitamins and/or minerals, amino-acids and/or fatty acids, in individual doses (such as capsules, tablets (effervescent or not),	

	sugar-coated pills, hard gelatin capsules, sachets, chewing gums, dry extracts and powders for pharmaceutical use, granules, cellulose microspheres impregnated with active principles, depuratives).
<p>VIII. Corresponding essential provisions of the applicable law [(see text under XII)]:</p> <p>Law on Trademarks and Geographical Indications of Mongolia: Article 5: 5.2. The following shall not be registered as trademark: 5.2.7. it is identical with, or similar to, a trademark registered or applied for registration in Mongolia in respect of similar goods or services where its use would result in a likelihood of confusion on the part of consumers;</p>	
<p>IX. Information relating to subsequent procedure:</p> <p>(i) Time limit for requesting review or appeal: Within 3 months from the date of the notification by WIPO to the holder</p> <p>(ii) Authority to which such request for review or appeal should be made: INDUSTRIAL PROPERTY DEPARTMENT GENERAL AUTHORITY FOR INTELLECTUAL PROPERTY AND STATE REGISTRATION BAGA TOIRUU-49, ULAANBAATAR-46, MONGOLIA</p> <p>(iii) Indications concerning the appointment of a representative:</p>	
<p>X. Date of the notification of provisional refusal: 2017.11.27</p>	
<p>XI. Signature or official seal of the Office making the notification:</p> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 100px;"> <div data-bbox="263 1653 520 1682">Trademark Examiner</div> <div data-bbox="632 1581 721 1666">  </div> <div data-bbox="831 1653 1126 1682">BUYANDELGER GAN</div> </div>	
<p>XII. Corresponding essential provisions of the applicable law: Law on Trademarks and Geographical Indications of Mongolia: Article 5: 5.2. The following shall not be registered as trademark: 5.2.7. it is identical with, or similar to, a trademark registered or applied for registration in Mongolia in respect of similar goods or services where its use would result in a likelihood of confusion on the part of consumers;</p>	