



Judiciary

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

Office Ref:139650940001123524

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

<p>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..</p>
<p>II- Number of the international registration which is the subject of the provisional refusal: 574556 Trademark: ORIENTAL</p>
<p>III- Name and address of the holder of the international registration which is the subject of the provisional refusal: Mandarin Oriental Services B.V.</p>
<p>IV- Grounds for provisional refusal:</p> <p>According to the Article 32(c) of Iranian Trademarks Registration Act (2008) and Article 10 of Paris Convention, any deceptive mark which misleads the consumers is not registrable in Iran.</p>
<p>V- Applicable provisions of the national law [(see text under X)] Article 32(c) of Iranian Trademarks Registration Act (2008) and Article 10 of Paris Convention.</p>
<p>VI- <input type="checkbox"/> Provisional refusal for the following goods / or services :</p> <p><input checked="" type="checkbox"/> Provisional refusal for all goods and / or services: 42</p>

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:2017/11/29

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

Examiner :*Narges Esmaili (Ms)*

Head of Trademark Office

GholamReza Bayat (Mr)

X- Relevant provisions of national law:

Article 32

- A Mark is not registerable in the following case(s) :

C) If it is likely to mislead the public or trade centers, in particular as regards the geographical origin of the goods or services concerned or their nature or characteristics.

Article 10 of Paris Convention:

False Indications: Seizure, on Importation, etc., of Goods Bearing False Indications as to their Source or the Identity of the Producer

1) The provisions of the preceding Article shall apply in cases of direct or indirect use of a false indication of the source of the goods or the identity of the producer, manufacturer, or merchant.

(2) Any producer, manufacturer, or merchant, whether a natural person or a legal entity, engaged in the production or manufacture of or trade in such goods and established either in the locality falsely indicated as the source, or in the region where such locality is situated, or in the country falsely indicated, or in the country where the false indication of source is used ,shall in any case be deemed an interested party.