IPOS
INTELLECTUAL PROPERTY
OFFICE OF SINGAPORE

In reply please quote our reference
Your reference : N.A.
Our reference : 2018/3860530269Q
Date : 07 January 2018
Writer's direct number : +65 6330 2703

WORLD INTELLECTUAL PROPERTY ORGANIZATION
INTERNATIONAL REGISTRATIONS DEPARTMENT
34, CHEMIN DES COLOMBETTES, 1211 GENEVA 20
SWITZERLAND

Dear Sir/Madam

NOTIFICATION OF PROVISIONAL REFUSAL OF PROTECTION TO THE INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION ACCORDING TO ARTICLE 5 OF THE PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

1. **Office making the notification:**

Intellectual Property Office of Singapore (IPOS)

2. **International Registration Number:**

1363786

3. **Trade Mark Number(s) issued by the IPOS for this International Registration:**

Trade Mark Number : 40201717340R

Class Number(s) : 09 AND 10

4. **Name of holder of the International Registration:**

BIO-RAD MEDICAL DIAGNOSTICS GMBH

5. **Ground(s) of the Provisional Refusal:**

Provisions of Singapore Law: The relevant provisions of Singapore law are attached.

5.1 **Specification of goods and/or services**

We note that you have applied for protection of the mark for goods and/or services in Classes 9 and 10. However, we are raising objections under rule 19(2)(b)(ii)(A) of the Trade Marks Rules for the following goods and/or services:

Class 9

"diagnostic equipment for laboratory and research purposes, namely, an automated system consisting of computer-controlled electronic apparatus, computer hardware and software, and

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diagnostic reagents and controls, for use in blood typing, screening and analysis" – for clarity, please consider amending to "diagnostic equipment for laboratory and research purposes comprising an automated system of computer-controlled electronic apparatus, computer hardware and software, and diagnostic reagents and controls, for use in blood typing, screening and analysis".

Class 10

"medical diagnostic equipment, namely, an automated system consisting of computer-controlled electronic apparatus, computer hardware and software, and diagnostic reagents and controls, for use in blood typing, screening and analysis" - for clarity, please consider amending to "medical diagnostic equipment comprising an automated system of computer-controlled electronic apparatus, computer hardware and software, and diagnostic reagents and controls, for use in blood typing, screening and analysis".

Please note that no form or fee is required for an amendment to the specification of goods or services of an international registration designating Singapore.

6. **Goods and/or services affected by the refusal:**

This refusal applies to "diagnostic equipment for laboratory and research purposes, namely, an automated system consisting of computer-controlled electronic apparatus, computer hardware and software, and diagnostic reagents and controls, for use in blood typing, screening and analysis" in Class 9 and "medical diagnostic equipment, namely, an automated system consisting of computer-controlled electronic apparatus, computer hardware and software, and diagnostic reagents and controls, for use in blood typing, screening and analysis" in Class 10 of the international registration.

7. **Request for review:**

The holder of the international registration may file a request for a review of this refusal with IPOS.

The request for review must comply with the following:

(a) quote the International Registration number, relevant trade mark number(s), corresponding class number(s) and Singapore reference number(s).

(b) furnish an address for service in Singapore. The holder may appoint an agent by filing Form CM1.

Please note that any form(s) filed with the International Bureau of the World Intellectual Property Organization in response to this refusal, will not be treated as a request for a review of this refusal unless the above has been complied with.

8. **Extension of time:**

The holder may seek an extension of time to request for a review of this refusal by filing Form CM5.

9. **Deadline to observe:**

If the holder does not file a request for review or apply for an extension of time to do so by **7 May 2018**, the application for the refused goods and/or services indicated in paragraph 6 of

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this refusal will be treated as withdrawn (reinstatable). Please refer to paragraph 10 on reinstatement of an application that is treated as withdrawn (reinstatable).

10. **Reinstatement of an application that is treated as withdrawn (reinstatable):**

If the application for the refused goods and/or services indicated in paragraph 6 of this refusal becomes treated as withdrawn (reinstatable), the holder may request to reinstate the application by filing Form CM13 together with the request for review within six months from the deadline in paragraph 9.

Please note that reinstatement is not automatic. Reinstatement will be allowed only after we have conducted a new conflicting mark search and are satisfied that the mark to be reinstated does not conflict with any trade mark applications filed with IPOS prior to the filing of the required documents.

If the holder also does not request to reinstate the application in time, the application for goods and/or services that are not refused will proceed to publication.

11. **Forms and fees:**

The forms referred to in this provisional refusal and the relevant fees may be found at https://www.ip2.sg/.

12. **Further refusal of protection:**

Please note that a further refusal of protection may result from an opposition, which may be filed after the expiry of 18 months from the date on which the Intellectual Property Office of Singapore was notified of the international registration. This applies to all goods and/or services claimed in the international registration.

This refusal is issued by:

Ms Khong Hui Mian
Assistant Registrar
for Registrar of Trade Marks
Singapore

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PROVISIONS OF SINGAPORE LAW

TRADE MARKS RULES

Rule 19 Specification

(2) Every application form shall contain, for each class of goods or services to which the application relates

(a) the class number as set out in the Nice Classification as in force on the date of that application; and

(b) a specification of those goods or services which

(i) is appropriate to that class;

(ii) is described in such a manner as to

(A) indicate clearly the nature of those goods or services; and

(B) allow those goods or services to be classified in accordance with the Nice Classification as in force on the date of that application; and

(iii) complies with any other requirement of the Registrar.

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