

In reply please quote our reference

Your reference : N.A.  
Our reference : 2018/3906157633R  
Date : 24 January 2018  
Writer's direct number : +65 6331 6582

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:**

862220

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

Trade Mark Number : 40201720036W

Class Number(s) : 06, 08, 09, 11, 17 AND 20

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

KAN SP.Z O.O.

**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 various classes. However, we are raising objections under rule 19(2)(b)(ii)(A) of the Trade Marks Rules as the following goods and/or services do not follow the guidelines provided under the International Classification of Goods and Services (ICGS):

**Class 6**

(a) "T-squares".

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As “T-squares for measuring” is in Class 9 and “T-squares for drawing” is listed in Class 16, please clarify how the goods are proper to this class.

- (b) “rings”.

For clarity, please reword the above to “metal rings” if intended.

- (c) “extension pieces”.

The description may be confused with “extension pieces for braces for screw taps” in Class 8. Please clarify or reword to “pipe extensions of metal” if appropriate.

- (d) “brass screw systems”.

As the description is vague, we propose rewording to “brass screw and parts thereof”.

### **Class 9**

- (a) “compensators with sleeve”.

Please clarify as the nature of the goods claimed is vague.

### **Class 11**

- (a) “notched protective tubes with fixing handles”.

Please clarify as we are unable to determine the nature of the goods intended.

- (b) “valves”.

The description is vague and may be revised to “valves for heating installations”, “valves for sanitary installations” or “valves for water supply installations”, as appropriate.

- (c) “mixers”.

Please revise the above to “shower mixers” for clarify.

- (d) “air vents”.

As “air vents of metal for buildings” is listed in Class 6, please clarify or revise to “air vents (parts of ventilation installations)”.

- (e) “thermostat valves and heads”.

Please also consider changing the above to “thermostatic valves and heads [parts of

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heating installations]" for clarity.

- (f) "retention valves".

Similarly, the description is also vague. Please consider revising it to acceptable descriptions such as "retention valves for heating installations", "retention valves for sanitary installations" or "retention valves for water supply installations", as appropriate.

- (g) "complex valves".

Likewise, please consider revising to acceptable descriptions such as "complex valves for heating installations", "complex valves for sanitary installations" or "complex valves for water supply installations", as appropriate.

- (h) "selective valves".

Please also consider revising the above to acceptable descriptions such as "selective valves for heating installations", "selective valves for sanitary installations" or "selective valves for water supply installations", as appropriate.

- (i) "filters (parts of domestic or industrial installations)".

Please re-specify the description as "filters (parts of domestic or industrial water and air filtering installations)" to render it proper to this class.

## **Class 17**

- (a) "Handles and staples for fixing pipes".

The description is vague as we are unable to determine the nature of the goods intended. Please clarify.

- (b) "knuckle joints and connecting pieces of plastic.

Please clarify or consider rewording the description to "non-metal knuckle pipe joints and pipe connectors of plastic" for clarity.

## **Class 20**

- (a) "closing flaps of plastics".

The description is vague. Please advise if they are in the nature of closures for containers and consider rewording to "closures of plastic for containers" for clarity.

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.

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

This refusal applies to “T-squares”, “rings”, “extension pieces”, and “brass screw systems” in **Class 6**, “compensators with sleeve” in **Class 9**, “notched protective tubes with fixing handles”, “valves”, “mixers”, “air vents”, “thermostat valves and heads”, “retention valves”, “complex valves”, “selective valves”, and “filters (parts of domestic or industrial installations)” in **Class 11**, all the goods in **Class 17**, “closing flaps of plastics” in **Class 20** 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 **24 May 2018**, the application for the refused goods and/or services indicated in paragraph 6 of 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.

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**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 Jackie Tan Meng Joek  
Trade Mark Examiner  
for Registrar of Trade Marks  
Singapore

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Intellectual Property Office of Singapore  
51 Bras Basah Road  
#01-01 Manulife Centre  
Singapore 189554

T +65 6339 8616  
F +65 6339 0252  
W [www.ipos.gov.sg](http://www.ipos.gov.sg)

## 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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