



**Antigua & Barbuda Intellectual Property & Commerce Office**

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Antigua, W.I.

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**Model Form 3A: Total Provisional Refusal of Protection (Rule 17(1) of the Common Regulations)**

I. Office making the notification:  <b>Antigua &amp; Barbuda Intellectual Property &amp; Commerce Office</b>
II. Number of the international registration:  <b>1297545</b>
III. Name of the holder:  <b>MIRAFLEX S.A.S.</b>
IV. Information concerning the type of provisional refusal:  <i>Please indicate the type of refusal by checking only one of the following options:</i>  <input checked="" type="checkbox"/> Total provisional refusal based on an <i>ex officio</i> examination  <input type="checkbox"/> Total provisional refusal based on an opposition  <input type="checkbox"/> Total provisional refusal based on both an <i>ex officio</i> examination and an opposition  <i>Where the refusal is based on an opposition, please indicate the name and address of the opponent:</i>  (i) Name of the opponent:  (ii) Address of the opponent:

<p>V. Information concerning the scope of the provisional refusal:</p> <p>Total provisional refusal affects all the goods and/or services: <b>YES</b></p>
<p>VI. <b>Grounds for refusal [(where applicable, see item VII)]:</b>  <b>Section 3(2)(i) of the Trademark Act states that a mark cannot be validly registered if it is incapable of distinguishing the goods or services of one enterprise from those of other enterprises;</b>  <b>Please specify the parts and accessories for automobiles in class 9.</b></p>
<p>VII. Information relating to an earlier mark:</p> <p>(i) Filing date and number, and, if any, priority date:</p> <p>(ii) Registration date and number (if available):</p> <p>(iii) Name and address of the owner:</p> <p>(iv) Reproduction of the mark:</p> <p>(v) List of the relevant goods and/or services (this list may be in the language of the earlier application or registration):</p>
<p>VIII. Corresponding essential provisions of the applicable law:</p> <p><b>Section 3(2)(i) of the Antigua and Barbuda Trademark Act</b></p>
<p>IX. Information relating to the possibility to request a review or file an appeal:</p> <p>(i) Time limit for requesting review or appeal: <b>Two months from the date of notification sent to the IB.</b></p> <p>(ii) Authority to which such request for review or appeal should be made: <b>Antigua and Barbuda Intellectual Property &amp; Commerce Office.</b></p> <p>(iii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party: <b>The Trademark Act at Section 18 states that where an applicant's ordinary residence or principal of business is outside of</b></p>

**Antigua, shall be respresented by a registered agent resident and practicing in Antigua & Barbuda before the registrar of Intellectual Property Office. The procedure for registration of agent shall be precribed in the regulations.**

**Section 31 of the Antigua and Barbuda Trademark Regualtions states that the local attorney-at-law or agent admitted to represent clients before the Intellectual Property & Commerce Office may appointed as a agent.**

(iv) Other requirements, if any:

X. Signature or official seal of the Office making the notification:

A handwritten signature in black ink, appearing to read "Will Robinson".

XI. Date of the notification to the International Bureau:

**February 16, 2018**