

MADRID PROTOCOL

Model Form 3B: Partial Provisional Refusal of Protection (Rule 17(1) of the Common Regulations)

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| I. | Office making the notification: Patent and Trademarks Office of the Republic of Azerbaijan AZ 1009, square 422, Mirza Ibrahimov-53, Baku, Azerbaijan Fax: (+99412) 5943775 |
| II. | Number of the international registration: 1346067 |
| III. | Name of the holder: DIPLAZOR LIMITED 124, 1st floor, office 101, Strovolos CY-2042 Nicosia (CY) |
| IV. | <p>Information concerning the type of provisional refusal:</p> <p><i>Please indicate the type of refusal by checking only one of the following options:</i></p> <p><input checked="" type="checkbox"/> Partial provisional refusal based on an <i>ex officio</i> examination</p> <p><input type="checkbox"/> Partial provisional refusal based on an opposition</p> <p><input type="checkbox"/> Partial provisional refusal based on both an <i>ex officio</i> examination and an opposition</p> <p><i>Where the refusal is based on an opposition, please indicate the name and address of the opponent:</i></p> <p>(i) Name of the opponent:</p> <p>(ii) Address of the opponent:</p> |
| V. | <p>Information concerning the scope of the provisional refusal:</p> <p><i>Please indicate the scope of the refusal, by choosing one of the two listed options below and, where applicable, list the relevant goods and/or services:</i></p> <p><input checked="" type="checkbox"/> Partial provisional refusal affects only the following goods and/or services:</p> <p><input type="checkbox"/> Partial provisional refusal does NOT affect the following goods and/or services:</p> <p>List of goods and/or services: Class 30 Candy, namely caramels; candy; crackers; biscuits; gingerbread; chocolate candy; chocolate figures; chocolate eggs; ice cream; honey; golden syrup; edible ices; popcorn; zephyr [confectionery]; chewing gum; candied fruit jelly.</p> |
| VI. | <p>Grounds for refusal [(where applicable, see item VII)]:</p> <p>The trademark consists of the words SWEET and Box in the grey square. The words merely indicate that the goods are sweets, which are in the box. Thus, the mark indicates the kind and characteristics of the goods.</p> |

VII. Information relating to an earlier mark:

- (i) Filing date and number, and, if any, priority date:
- (ii) Registration date and number (if available):
- (iii) Name and address of the owner:
- (iv) Reproduction of the mark:
- (v) List of the relevant goods and/or services (this list may be in the language of the earlier application or registration):

VIII. Corresponding essential provisions of the applicable law:

Paris Convention for the Protection of Industrial Property. Article 6 quinquies. B.
Trademarks covered by this Article may be neither denied registration nor invalidated except in the following cases:

(ii) when they are devoid of any distinctive character, or consist exclusively of signs or indications which may serve, in trade, to designate the kind, quality, quantity, intended purpose, value, place of origin, of the goods, or the time of production, or have become customary in the current language or in the bona fide and established practices of the trade of the country where protection is claimed.

Law "On Trademarks and Geographical Indications" of the Republic of Azerbaijan
Article 5. Absolute grounds for the refuse to register trademark.

It is not permitted to register the below-mentioned:

c) trademarks, characterizing kinds of goods and services, their quality, quantity, purpose, cost, as well as place and date of their production and other peculiarities.

IX. Information relating to the possibility to request a review or file an appeal:

- (i) Time limit for requesting review or appeal:

Within 3 months from the date of refusal reception by the applicant

- (ii) Authority to which such request for review or appeal should be made:

**Appeal Council under the State Committee for Standardization,
Metrology and Patent of the Republic of Azerbaijan**

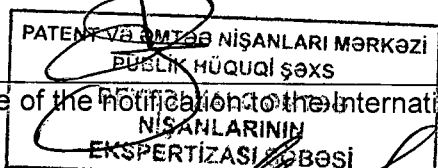
- (iii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party:

Patent Attorney

(For list of patent attorneys please visit web site: www.azstand.gov.az)

- (iv) Other requirements, if any:

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



XI. Date of the notification to the International Bureau: 10.04.2018

Leading examiner:

S.Mirzamatov