

**MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION
Rule 17(1)**

I.	Office making the notification: National Center for Patents and Information of the Republic of Tajikistan Dushanbe 14a Ayni street.
II.	Number of the international registration: 1 384 057
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed): Zakrytoe aktsionernoe obshchestvo "Kapital Rigent Securities" ul. Lyusinovskaya, 36, build. 2 RU-115093 Moscow (RU)
IV.	<div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;"><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></div><div><div>Provisional refusal based on an <i>ex officio</i> examination</div><div>Provisional refusal based on an opposition</div><div>Provisional refusal based on both an <i>ex officio</i> examination and an opposition¹</div></div></div>
V.	<div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;"><input type="checkbox"/> <input checked="" type="checkbox"/></div><div><div>Provisional refusal for all the goods and/or services</div><div>Provisional refusal for some of the goods and/or services which are affected in classes 29,30, 36,39,40,42,44 and 45 of NCL</div></div></div> <div style="margin-top: 10px;">29 Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs; milk and milk products; edible oils and fats.</div> <div style="margin-top: 10px;">30 Tea; sugar; rice; tapioca; sago; honey; molasses syrup; yeast; salt; mustard; vinegar; condiments; spices; ice.</div> <div style="margin-top: 10px;">36 Insurance; financial affairs; monetary affairs; real estate affairs.</div> <div style="margin-top: 10px;">39 Packaging and storage of goods.</div> <div style="margin-top: 10px;">40 Processing of oil; production of energy; metal tempering; gilding; material treatment information; metal casting; tin plating; boilermaking; nickel plating; metal treating; soldering; metal plating; burnishing by abrasion; blacksmithing; silver plating; laser scribing; millworking; chromium plating; galvanization.</div> <div style="margin-top: 10px;">42 Scientific and technological services and research and design relating thereto; industrial analysis and research services.</div> <div style="margin-top: 10px;">44 Medical services; veterinary services; hygienic and beauty care for animals; agriculture, horticulture and forestry services.</div> <div style="margin-top: 10px;">45 Legal services; security services for the physical protection of tangible property and individuals; personal and social services rendered by others to meet the needs of individuals.</div>

VI. Grounds for refusal [(where applicable, see item VII)]:

The sign shall not be registered because it's confusingly similar to trademarks of another person protected in the Republic of Tajikistan with an earlier priority.

VII . Information relating to an earlier mark :

(i) Filing date and number, and, if any, priority date: **08.07.1994**

(ii) Registration date and number (if available): **12.10.1994 IR 626 892**

Name and address of the owner: SAN CARLO GRUPPO ALIMENTARE S.P.A. Via Turati, 29 I-20121 MILANO (IT)

Reproduction of the mark: **SUN SNACKS**

List of all or relevant goods and/or services:

29

Viande, poisson, volaille et gibier; extraits de viande; fruits et légumes conservés, séchés et cuits; gelées, confitures; compotes; oeufs, lait et produits laitiers; huiles et graisses comestibles.

30


Café, thé, cacao, sucre, riz, tapioca, sagou, succédanés du café; farines et préparations faites de céréales, pain, pâtisserie et confiserie, glaces comestibles; miel, sirop de mélasse; levure, poudre pour faire lever; sel, moutarde; vinaigre, sauces (condiments); épices; glace à rafraîchir.

VII (i) . Information relating to an earlier mark :

(i) Filing date and number, and, if any, priority date:

(ii) Registration date and number (if available): **10.05.2009 IR 1 003 672**

Name and address of the owner: Alifard Co (PJS) No.15- 12th St. Kheradmand Shomali Ave. TEHRAN 15858 (IR)

Reproduction of the mark:  **Sun Ich**

List of all or relevant goods and/or services:

36

Insurance; financial affairs; monetary affairs; real estate affairs.

39

Transport; packaging and storage of goods; travel arrangement.

40

Treatment of materials.

42

Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software.

44

Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

45

Legal services; security services for the protection of property and individuals; personal and social services rendered by others to meet the needs of individuals.

VIII. Corresponding essential provisions of the applicable law [(see text under XII)]:

Article 9.1 of the Law of the Republic of Tajikistan on Trademarks and service marks.

IX. Information relating to subsequent procedure:

(i) Time limit for requesting review or appeal:

In the event of disagreement of the applicant with the examiner's decision, he shall have the right, within two month of the date of receipt of the decision from International Bureau, to file with the Patent Office a request for reexamination.

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

National Center for Patents and Information of the Republic of Tajikistan.


(iii) Indications concerning the appointment of a representative:

<http://www.ncpi.tj/index.php/ru/patentnyj-poverennyj>

X. Date of the notification of provisional refusal: **14.11.2018**

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

**Head of Division of
international registration
of trademarks
Mr. P. Miraliev**



XII. Corresponding essential provisions of the applicable law:

Article 9. Other grounds for denial of registration.

The following designations shall not be registered as trademarks if they are identical with or confusingly similar to:

- **trademarks of other persons, applied for registration (provided applications for them have not been withdrawn) or protected in the Republic of Tajikistan by virtue of an international treaty recognized by the Republic of Tajikistan, in respect of similar goods and with an earlier priority;**

[...]