

**MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION**

I.	Office making the notification:	INTELLECTUAL PROPERTY OFFICE OF MONGOLIA BAGA TOIRUU-49, ULAANBAATAR-46, MONGOLIA																													
II.	Number of the international registration:	1408132																													
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed):	Xiaomi Singapore Pte. Ltd. 60 Paya Lebar Road, #08-28 Paya Lebar Square Singapore 409051																													
IV.	<input checked="" type="checkbox"/> Provisional refusal based on an <i>ex officio</i> examination <input type="checkbox"/> Provisional refusal based on an opposition <input type="checkbox"/> Provisional refusal based on both an <i>ex officio</i> examination and an opposition																														
V.	<input checked="" type="checkbox"/> Provisional refusal for all the goods and/or services in class(es) 9, 35 <input type="checkbox"/> Provisional refusal for some of the goods and/or services:																														
VI.	Grounds for refusal [(where applicable, see item VII)]: The mark applied is identical with a mark belonging to a different proprietor and which has an earlier filing or priority date for the same goods or services. Please refer to the attached list of cited marks;																														
VII.	Information relating to an earlier mark : <table style="width: 100%; border: none;"><tr><td style="width: 25%;">Application No.</td><td style="width: 25%;">40-M-0858663</td><td style="width: 25%;">Filing Date</td><td style="width: 25%;">11/02/2005</td></tr><tr><td>Registration No.</td><td>M-0858663</td><td>Registration Date</td><td>11/02/2005</td></tr><tr><td>Applicant / Registrant</td><td colspan="3">FATO MECHANICAL AND ELECTRICAL CO.,LTD. Xinguang Industrial Estate of Liushi, Yueqing Zhejiang Province</td></tr><tr><td>Representative / TM Agent</td><td colspan="3">CHINA TRADEMARK & PATENT LAW OFFICE CO., LTD. No.14, Yuetan Nanjie, Xichengqu, Yuexin Bld. 100045 BEIJING, China</td></tr><tr><td>Priority Claim</td><td colspan="3"></td></tr><tr><td>Reproduction of Mark</td><td colspan="3">FATO</td></tr><tr><td>Class(es)</td><td colspan="3">Ангилал 9: Thermostats; watt-hour meters; voltmeters; galvanometers; electrical checking and testing apparatus; constant-voltage regulators for</td></tr></table>			Application No.	40-M-0858663	Filing Date	11/02/2005	Registration No.	M-0858663	Registration Date	11/02/2005	Applicant / Registrant	FATO MECHANICAL AND ELECTRICAL CO.,LTD. Xinguang Industrial Estate of Liushi, Yueqing Zhejiang Province			Representative / TM Agent	CHINA TRADEMARK & PATENT LAW OFFICE CO., LTD. No.14, Yuetan Nanjie, Xichengqu, Yuexin Bld. 100045 BEIJING, China			Priority Claim				Reproduction of Mark	FATO			Class(es)	Ангилал 9: Thermostats; watt-hour meters; voltmeters; galvanometers; electrical checking and testing apparatus; constant-voltage regulators for		
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electricity; water meters; material for electricity mains (wires, cables); terminals (electricity); relays, electric; resistances, electric; rheostats; reducers (electricity); high and low voltage switchboards; electric ignitors used in connection with ballasts to start discharge lamps; voltage surge protectors; inverters (electricity); capacitors; electromagnetic coils; circuit breakers; fuses; switches, electric; contacts, electric; plugs, sockets and other contacts (electric connections); transformers (electricity); stabilized voltage power supplies; voltage regulators; high and low voltage switchboxes; electric arc welding apparatus; lightning arresters; commutators; current rectifiers; transistors (electronic); semi-conductors; signal lanterns; distribution boxes (electricity); sheaths for electric cables; electricity conduits; couplings, electric; vacuum tubes (radio); electron tubes.

Application No.	40-M-0873800	Filing Date	20/04/2005
Registration No.	M-0873800	Registration Date	20/04/2005

Applicant / Registrant **Apple Inc.**
One Apple Park Way Cupertino CA 95014

Representative / TM Agent **Thomas R. La Perle, Apple Computer, Inc.**
1 Infinite Loop, MS: 3TM Cupertino, CA 95014, United States of America

Priority Claim

Reproduction of Mark IPHOTO

Class(es) Ангилал 9: Computer software used for image editing, image processing, image acquisition, image file management, image viewing, image sharing, and the creation of documents incorporating images.
Ангилал 16: User manuals.

Application No.	40-M-1090855	Filing Date	21/04/2011
Registration No.	M-1090855	Registration Date	21/04/2011

Applicant / Registrant **BEIQI FOTON MOTOR CO., LTD.**
Laoniawan Village North, Shayang Road, Shahe Town, Changping District 102206 Beijing

Representative / TM Agent **KANGXIN PARTNERS, P.C.**
Floor 16, Tower A, InDo Building, A48 Zhichun Road, Haidian District 100098 Beijing, China

Priority Claim

Reproduction of Mark FOTON
FOTON

Class(es) Ангилал 35: Import-export agencies; auctioneering; sales promotion (for others); procurement services for others (purchasing goods and services for other businesses); accounting; auditing; rental of vending machines; tax preparation; drawing up of statements of accounts.

Ангиал 37: Housing construction; building construction supervision; construction information; repair information; building inspection in the course of building construction; asphaltting; rental of bulldozers; rental of construction equipment; construction; underwater construction; demolition of buildings; warehouse construction and repair; building sealing; damp-proofing (building); rental of excavators; furnace installation and repair; factory-construction; pipeline construction and maintenance; pumicing; riveting; rental of cleaning machines; scaffolding; road paving; underwater repair; building of fair stalls and shops; rental of cranes (construction equipment); rental of road sweeping machines; mining extraction; quarrying services; drilling of wells; cleaning of buildings (interior); upholstery repair; chimney sweeping; painting or repair of signs; window cleaning; paper hanging; painting, interior and exterior; varnishing; cleaning of buildings (exterior surface); roofing services; street cleaning; irrigation devices installation and repair; machinery installation, maintenance and repair; electric appliance installation and repair; air conditioning apparatus installation and repair; freezing equipment installation and repair; office machine and equipment installation, maintenance and repair; kitchen equipment installation and repair; installation of computer hardware; interference suppression in electrical apparatus; installation and maintenance of medical devices; installation and maintenance of sanitary apparatus; installation and maintenance of bathing apparatus; installation and maintenance of lighting apparatus; motor vehicle maintenance and repair; vehicle lubrication; vehicle lubrication (greasing); vehicle wash; vehicle polishing; anti-rust treatment for vehicles; vehicle service stations; vehicle maintenance; vehicle cleaning; airplane mending; airplane maintenance and repair; rustproofing; re-tinning; painting services; retreading of tires (tyres); vulcanization of tires (tyres) (repair); elevator installation and repair; fire alarm installation and repair; burglar alarm installation and repair; shoe repair; telephone installation and repair; knife sharpening; pump repair; umbrella repair; parasol repair; artificial snow-making services; repairing hand tools; installation and repair of musical instruments; installation and maintenance of entertainment, physical training apparatus; upholstering.

Application No.	40-M-0929717	Filing Date	21/09/2017
Registration No.	M-0929717	Registration Date	30/04/2018

Applicant / Registrant **Apple Inc.**
One Apple Park Way Cupertino CA 95014

Representative / TM Agent **Thomas R. La Perle, Apple Inc.**
1 Infinite Loop, MS: 169-3IPL Cupertino CA 95014, United States of America

Priority Claim

Reproduction of Mark PHOTO BOOTH

Class(es)

Ангиал 9: Computer software used for image editing, image acquisition and image viewing.

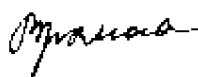
VIII. Information relating to subsequent procedure:

- (i) Time limit for requesting review or appeal:
Within 3 months from the date of the notification by WIPO to the holder
- (ii) Authority to which such request for review or appeal should be made:
**INTELLECTUAL PROPERTY OFFICE OF MONGOLIA
BAGA TOIRUU-49, ULAANBAATAR-46, MONGOLIA**
- (iii) Indications concerning the appointment of a representative:

IX. Date of the notification of provisional refusal: **2019.01.31**

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

Trademark Examiner



GERELMAA LKHAACHUU

XI. Corresponding essential provisions of the applicable law:

Law on Trademarks and Geographical Indications of Mongolia:

Article 5: 5.2. The following shall not be registered as trademark:

5.2.7. it is identical with, or similar to, a trademark registered or applied for registration in Mongolia in respect of similar goods or services where its use would result in a likelihood of confusion on the part of consumers;