



Antigua & Barbuda Intellectual Property & Commerce Office

MADRID PROTOCOL

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

I.	Office making the notification: Antigua and Barbuda
II.	Number of the international registration: 1 392 686
III.	Name of the holder: TUI AG
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"/> Total provisional refusal based on an <i>ex officio</i> examination</p> <p><input type="checkbox"/> Total provisional refusal based on an opposition</p> <p><input type="checkbox"/> Total 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>

<p>V. Information concerning the scope of the provisional refusal:</p> <p>Total provisional refusal affects all the goods and/or services. Yes</p>
<p>VI. Grounds for refusal [(where applicable, see item VII)]:</p> <p>Section 3(2)(i) of the Trademark Act states that a cannot be validly registered if it is incapable of distinguishing the goods or services of one enterprise from those of other enterprises;</p> <p>The Registry is requesting the acronyms "TUI" of the mark.</p> <p>The Registry states that the classification of goods and or services in class 33 is too broad, please specify the goods and or services in class 33.</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>Section 3(2)(i) of Antigua and Barbuda Trademark Act</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: Two months from the date of notification sent to the IB.</p> <p>(ii) Authority to which such request for review or appeal should be made:</p>

Antigua Barbuda Intellectual Property & Commerce Office.

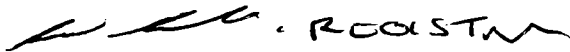
- (iii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party:

The Trademark Act at section 18 states that where an applicant's ordinary residence or principle of business is outside of Antigua, shall be represented 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 prescribed in the regulations.

Section 31 of the Antigua & Barbuda regulations states that a local attorney at law or agent admitted to represented clients before the Intellectual Property Office may be appointed as an agent.

- (iv) Other requirements, if any:

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

 R. COLSTON

XI. Date of the notification to the International Bureau:

29th April, 2019