



REPUBLIC OF CYPRUS
MINISTRY OF ENERGY
COMMERCE, INDUSTRY
AND TOURISM



DEPARTMENT OF REGISTRAR OF COMPANIES
AND OFFICIAL RECEIVER
INTELLECTUAL AND INDUSTRIAL PROPERTY SECTION
TRADE MARKS
1427 NICOSIA CYPRUS

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

I. Office making the notification:

**MINISTRY OF ENERGY, COMMERCE AND INDUSTRY,
THE DEPARTMENT OF REGISTRAR OF COMPANIES AND OFFICIAL RECEIVER,
KARPENISIOU & MAKARIOU STR., XENIOS BLDG., 1427 NICOSIA, CYPRUS**

II. Number of the international registration: **1 408 132 (foto)**

III. Name of the holder: **Xiaomi Singapore Pte. Ltd.**

IV. Information concerning the type of provisional refusal:

Please indicate the type of refusal by checking only one of the following options:

- ☒ Total provisional refusal based on an *ex officio* examination
- ☐ Total provisional refusal based on an opposition
- ☐ Total provisional refusal based on both an *ex officio* examination and an opposition

Where the refusal is based on an opposition, please indicate the name and address of the opponent:

(i) Name of the opponent:

(ii) Address of the opponent:

V. Information concerning the scope of the provisional refusal:

**Total provisional refusal affects all the goods and/or services under
Classes 9, 35, 38 and 42.**

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

Refusal based on absolute grounds for refusal**Section 11(1) (b) and (c):****(b) Trademarks that lack distinctive character.****(c) Trademarks which consist exclusively of signs or indications which may be utilized in trade, to indicate the kind, quality, quantity, destination, value, geographical origin or the time of production of the good or the rendering of the service or other characteristics of the good or service.**

VII. Information relating to an earlier mark:

- (i) (1) 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:

Section 19(2) of the National Law Cap.268, which states that the Registrar may refuse the application, or may accept it absolutely or subject to such amendments, modifications, conditions or limitations, if any, as he may think right.

Rule 32 of the National Trade Mark Regulation 1951, which states that after such search, and consideration of the application, and of any evidence of use or of distinctiveness or of any other matter which the applicant may or may be required to furnish, the Registrar may accept the application absolutely or he may object to it or he may express his willingness to accept it subject to such conditions, amendments, disclaimer, modifications or limitations as he may think right to impose.

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

- (i) Time limit for requesting review or appeal:
Within two (2) months from the date of this communication, unless the applicant's authorised representative applies for a hearing or makes a considered reply in writing to the Registrar's objections, he shall be deemed to have withdrawn his application.
- (ii) Authority to which such request for review or appeal should be made:
**MINISTRY OF ENERGY, COMMERCE AND INDUSTRY,
THE DEPARTMENT OF REGISTRAR OF COMPANIES AND OFFICIAL
RECEIVER, KARPENISIOU & MAKARIOU STR., XENIOS BLDG., 1427
NICOSIA, CYPRUS**
- (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:

Filled in: Greek Language

Filed through: An advocate – practicing Law in Cyprus – needs to be appointed, who will act as the applicant's representative before our Office.

Since we do not keep or issue any lists of lawyers, we give you below details of the CYPRUS Bar Association, who you may contact for further Information and a list of advocates:

Cyprus Bar Association

11, Florinis Street,

1st Floor, Office 101

1065 Nicosia-Cyprus

P.O. Box 21446, 1508 Nicosia

Tel. No.:+357 22873300

Fax No.:+357 22873013

Email: cybar@cytanet.com.cy / cybar2@cytanet.com.cy

Website: www.cyprusbarassociation.org

However, in case you are an advocate practicing Law overseas, you are required to obtain a license for practicing Law in Cyprus, by applying to the LAW COUNCIL OF THE CYPRUS REPUBLIC (fax no. +22665080), who will certify that you comply with the Cyprus Advocates Law CAP.2.

(iv) Other requirements, if any:

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

Christos Sampson

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XI. Date of the notification to the International Bureau:

05 June 2019

[End of Model Form 3A]