


MADRID AGREEMENT AND PROTOCOL

**NOTIFICATION OF PROVISIONAL REFUSAL
OF PROTECTION**

Rule 17(1)

I.	Office making the notification: NATIONAL OFFICE OF INTELLECTUAL PROPERTY OF VIETNAM (NOIP) 384 - 386 Nguyen Trai St., Thanh Xuan Dist., Hanoi, Vietnam
II.	Number of international registration: 1412218
III.	Name and address of the holder: Shenzhen CAPCHEM Technology Co., Ltd. Shabo Tongfuyu Industry Zone, Maluan Street, Pingshan District, Shenzhen City, 518118 Guangdong Province, China
IV.	Information concerning the type of provisional refusal: <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 (i) Name of the opponent: (ii) Address of the opponent:
V.	The scope of refusal: <input checked="" type="checkbox"/> Total provisional refusal affects all the goods and/or services <input type="checkbox"/> Partial provisional refusal affects only the following goods and/or services:
VI.	Grounds for refusal: The applied-for mark is refused because it is confusingly similar to the mark of international registration No.1099136; the rest of the mark consists exclusively of characters of an uncommon language in Vietnam, therefore devoid of distinctiveness.  1099136 15 September 2011 SHENZHEN CAPCHEM TECHNOLOGY CO., LTD. Tongfuyu Industry Zone, Pingshan Town, Longgang District, Shenzhen, China Cl. 01
VII.	Applicable provisions of the national law: Art. 74.2e, a of the Intellectual Property Law
VIII.	Information relating to subsequent procedure: a) Time limit for requesting review: 3 months from the sending date of this notification by NOIP

b) Authority to which review should be made:

National Office of Intellectual Property of Vietnam

384 - 386 Nguyen Trai St., Thanh Xuan Dist., Hanoi, Vietnam

c) The application for requesting review shall be filed through an authorized representative in Vietnam

IX. Signature or official seal by the Office:

Director General



Dinh Huu Phi *et al.*

X. Date: 21 June 2019

2018/26 HBN06

International Trademark

Search

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1099136- CAPCHEM

Full details

Multilingual

Current Status

- 160 Expected expiration date of the registration/renewal
15.09.2021
- 151 Date of the registration
15.09.2011
- 270 Language of the application
English
- 732 Name and address of the holder of the registration
SHENZHEN CAPCHEM TECHNOLOGY CO., LTD
Tongfuyu Industry Zone,
Pingshan Town,
Longgang District
Shenzhen (CN)
- 812 Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment
CN
- 842 Legal nature of the holder (legal entity) and State, and, where applicable, territory within that State where the legal entity is organized
Corporation, P.R. China
- 740 Name and address of the representative
Shenzhen Talent Trademark Service
A 20/F, Building B, Lying Square (NEO),
9009 Shennan Middle Road,
Futian District
518048 Shenzhen City, Guangdong (CN)
- 540 Mark

- 550 Indication relating to the nature or kind of mark
The words contained in the mark have no meaning

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531 International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(8)

01 13 01, 27 05 17

571 Description of the mark

The mark consists of the stylized words "CAPCHEM" and a device

511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(9)

01 Ammonia, acids, phosphonic acid, acetic anhydride, glycol, industrial chemicals, ion exchangers (chemicals), chemical preparations for scientific purposes (other than for medical or veterinary use), chemical reagents (other than for medical or veterinary purposes), ion-exchange resins

821 Basic application

CN, 18 07 2011, 9728237

300 Data relating to priority under the Paris Convention and other data relating to registration of the mark in the country of origin

01

CN, 18 07 2011, 9728237

832 Designation(s) under the Madrid Protocol

EM - JP - KR - US

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

VN

527 Indications regarding use requirements

US

Transaction History

EXPAND all

Contracting Parties above which have issued the document

Registration: 2011/48 Gaz, 22.12.2011, EM, JP, KR, US, VN

450 Publication number and date

2011/48 Gaz, 22.12.2011

832 Designation(s) under the Madrid Protocol

EM - JP - KR - US

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

VN

527 Indications regarding use requirements

US

580 Date of recording (date of notification from which the time limit to notify the refusal starts)

15.12.2011

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Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1) 2011/51 Gaz, 12 01 2012, EM

EM

450 Publication number and date

2011/51 Gaz, 12 01 2012

Opposition end date

16 09 2012

Partial provisional refusal of protection: 2012/2 Gaz, 02 02 2012, US

US

450 Publication number and date

2012/2 Gaz, 02 02 2012

862 Partial provisional refusal of protection

As from November 14, 2005, provisional refusals indicate only whether they are total or partial, without listing the goods and services, or the classes, affected or not affected

580 Date of notification

26 01 2012

Date of receipt by the International Bureau

06 01 2012

Ex Officio examination completed but opposition or observations by third parties still possible, under Rule 18bis(1) 2012/46 Gaz, 06 12 2012, US

US

450 Publication number and date

2012/46 Gaz, 06 12 2012

Statement of grant of protection made under Rule 18ter(1) 2012/22 Gaz, 21 06 2012, JP

JP

450 Publication number and date

2012/22 Gaz, 21 06 2012

Date of receipt by the International Bureau

31 05 2012

Statement of grant of protection made under Rule 18ter(1) 2014/20 Gaz, 29 05 2014, KR

KR

450 Publication number and date

2014/20 Gaz, 29 05 2014

Date of receipt by the International Bureau

11 09 2012

Statement of grant of protection made under Rule 18ter(1) 2012/42 Gaz, 08 11 2012, EM

EM

450 Publication number and date

2012/42 Gaz, 08 11 2012

Date of receipt by the International Bureau

17 10 2012

Statement indicating the goods and services for which protection of the mark is granted under Rule 18ter(2)(a) 2012/43 Gaz, 15 11 2012, US

US

450 Publication number and date

2012/43 Gaz, 15 11 2012

Goods and services for which protection of the mark is granted

01 Ammonia for industrial purposes, acetic acids, phosphonic acid, acetic anhydride, glycol, industrial chemicals, ion-exchange resin membranes, chemical preparations for scientific purposes other than for medical or veterinary use; chemical reagents other than for medical or veterinary purposes; ion-exchange resins

580 Date of notification

08 11 2012

Date of receipt by the International Bureau

24 10 2012

Statement of grant of protection made under Rule 18ter(1) 2012/51 Gaz, 10 01 2013, VN

VN

450 Publication number and date

2012/51 Gaz, 10 01 2013

Date of receipt by the International Bureau

14 12 2012

International Trademark

WIPO MADRID

Disclaimer: The registration of a mark in the International Register does not imply the expression of any opinion whatsoever on the part of the International Bureau of WIPO concerning the substance of the entitlement claim under the Madrid Protocol and its Common Regulations

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