

MADRID PROTOCOL

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

I.	Office making the notification: Intellectual Property Agency of the Republic of Azerbaijan AZ 1078, Mardanov qardashlary str. 124, Baku, Azerbaijan Fax: (+99412) 4499959
II.	Number of the international registration: 1420001
III.	Name of the holder: Danvistano Trading Ltd. Corner Hutson & Eyre Street, Blake Building, Suite 302 Belize City (BZ)
IV.	Information concerning the type of provisional refusal: <input checked="" type="checkbox"/> Partial provisional refusal based on an <i>ex officio</i> examination <input type="checkbox"/> Partial provisional refusal based on an opposition <input type="checkbox"/> Partial 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.	Information concerning the scope of the provisional refusal: <input checked="" type="checkbox"/> Partial provisional refusal affects only the following goods and/or services: <input type="checkbox"/> Partial provisional refusal does NOT affect the following goods and/or services: List of goods and/or services: Class 09 as indicated in IR
VI.	Grounds for refusal [(where applicable, see item VII)]: Similarity of the trademark

VII. Information relating to an earlier mark:

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

(ii) Registration date and number (if available): 03.04.1996 № 981764

(iii) Name and address of the owner:

AIWA CO., LTD., 1-6-3, Higashi-gotanda, Shinagawa-ku,
Tokyo, Japan

(iv) Reproduction of the mark:

AIWA

(v) List of the relevant goods and/or services (this list may be in the language of the earlier application or registration):

Class 09: mikrafonlar, ucadan danışanlar, plastinka üçün vallar, maqnitofonlar, radioreproduktorlar, televizorlar, adaptrlar, videomaqnitofonlar, radiofonoqraflar və bütün elektrik cihaz və qurğuları, onların hissələri və 09 - cu sinfə daxil olan bütün mallar.

VIII. Corresponding essential provisions of the applicable law:

Paris Convention for the Protection of Industrial Property. Article 6quinquies. B. (i) Trademarks covered by this Article may be neither denied registration nor invalidated except in the following cases:

when they are of such a nature as to infringe rights acquired by third parties in the country where protection is claimed.

Law "On Trademarks and Geographical Indications" of the Republic of Azerbaijan
Article 6. Other grounds for the refusal of trademark registration

It is not permitted to register the below-mentioned:

a) trademarks, registered earlier in the name of another person or requiring registration in the Azerbaijan Republic on identical goods and services;

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

(i) Time limit for requesting review or appeal:

Within 3 months from the date of refusal reception by the applicant

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

Appeal Council under the relevant executive body of the Republic of Azerbaijan

(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:

Patent Attorney

(For list of patent attorneys please visit web site: <http://patent.gov.az>)

(iv) Other requirements, if any:

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

XI. Date of the notification to the International Bureau: 20.06.2019

Senior consultant-expert:

E.Hamidova