



## Judiciary

**Registration Organization of Deeds  
And Properties of I.R. of Iran  
Int. Reg. of Marks and G.I Office**

**Office Ref:** 139850940001158975

**Trademark Office**

**MADRID AGREEMENT  
CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS  
AND THE PROTOCOL RELATING TO THAT AGREEMENT**

**PROVISIONAL REFUSAL OF PROTECTION**

Notified to the International Bureau of the World Intellectual Property Organization (WIPO)  
In accordance with Article 5 of the Madrid Agreement and Protocol

<p><i>I- Office notifying the provisional refusal: I.R. of Iran</i>          Tel: 0098 21- 66755702      Fax: 0098 21- 66755701          No. 5, State Registration of Deeds and Properties, Fayyaz Bakhsh Street, Khayam Str., Emam          Khomainsi Sqr, Tehran, Iran.</p>
<p><i>II- Number of the international registration which is the subject of the provisional refusal:</i>  <b>1457698</b></p>
<p><i>III- Name &amp; Address of the holder of the international registration which is the subject of the provisional refusal :</i> DONGYING BAOLAIJINGU INDUSTRY AND TRADE CO.LTD.</p>
<p><i>IV- Grounds for provisional refusal:</i></p> <p>1) According to the Article 32(b) Iranian Trademarks Registration Act (2008) Trademarks covering alcoholic beers in international class 32 are not registrable in Iran</p>
<p><i>V- Applicable provisions of the national law [(see text under X)]</i>          Article 32 (b)</p>
<p><i>VI- <input type="checkbox"/> Provisional refusal for all goods and services:</i></p> <p><input checked="" type="checkbox"/> <i>Provisional refusal for the following goods / or services:</i> Ginger beer in class 32.</p> <p><b>Note: Also it must be noted that your request for remain goods in class 32 will be published in official gazette, if there is no opposition ,it will proceed to registration.</b></p>

VII- In cases where the International Application is rejected by the Iranian Trademark Office, the applicant may, under Articles 121 and 158 of the Executive Regulations of Iranian Patents, Industrial Designs and Trademarks Registration Act, file an appeal with the Commission stipulated in Article 170 of the said Regulations against the rejection within 60 days from the date of the notification of Provisional Refusal. Under Article 172 of the said Regulations, an appeal may be filed against the said Commission's decision with the Public Court of Tehran within 60 days from the date of the notification of the said decision.

VIII- Date on which the provisional refusal was pronounced: 2019/12/28

LX- Signature or official seal of the Office notifying the provisional refusal :

**Examiner:** Narges Esmaili (Ms)

**Zahra Bahraini (Mrs)**

**Head of  
International Reg. of Marks and G.Is Office**

X- Relevant provisions of national law:

## Article 32

**Article 32** - A Mark is not registerable in the following cases:

- a)** If it is not capable of distinguishing the goods or service of one enterprise from those belonging to another enterprise.
- b)** If it is contrary to Rules of Sharia, public order or morality.
- c)** If it is likely to mislead the public or trade centers, in particular as regards the geographical origin of the goods or services concerned or their nature or characteristics.
- d)** If it is identical with, or is an imitation of or contains as an element, an armorial bearing, flag or other emblem, a name or abbreviation or initials of the name of, or official sign or hallmark adopted by, any State, intergovernmental organization created under an international convention, unless authorized by the competent authority of that State or organization.
- e)** If it is identical with, or confusingly similar to, or constitutes a translation of, a mark or trade name which is well known in Iran for identical or similar goods or services of another enterprise.
- f)** If an identical or similar mark has been registered or become well know for services that are not similar provided that customarily there is a connection between the use of the mark and the owner of the well know mark and that its registration is likely to damage interests of the owner of the well-know mark.
- g)** If it is identical with a mark registered in the name of a different proprietor with an earlier filing date or a priority right in respect of the same goods or services or for goods and services that, due to connection or resemblance, is likely to deceive or cause confusion.

**The requested information according the Rules 17(2)(v) , 18(1)(c) :**

***Note: Also it must be noted that your request for remain goods in class 32 will be published in official gazette, if there is no opposition ,it will proceed to registration***