

## MADRID PROTOCOL

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I. Office making the notification:                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p style="text-align: center;"><b>The Intellectual Property Agency of the Republic of Azerbaijan</b><br/><b>Patent and Trademarks Examination Office</b><br/><b>AZ1078, Mardanov Qardashlary 124, Baku, Azerbaijan</b><br/><b>Tel: (+99412) 449-84-89</b></p>                                                                                                                                                                                                           |
| II. Number of the international registration: <b>1337976</b>                                                                                                                                                                                                                                                                                                                                                                                                            |
| III. Name of the holder:<br><p style="text-align: center;"><b>GLOHE BİTKİSEL ÜRÜNLER SANAYİ VE TİCARET A.Ş.</b><br/><b>Koşuyolu Mh. Salih Omurtak,</b><br/><b>Sk. No:101 Kadıköy</b><br/><b>İSTANBUL (TR)</b></p>                                                                                                                                                                                                                                                       |
| IV. Information concerning the type of provisional refusal:<br><br><p><input checked="" type="checkbox"/> Total provisional refusal based on an <i>exofficio</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>exofficio</i> examination and an opposition</p><br><p>(i) Name of the opponent:</p><br><p>(ii) Address of the opponent:</p> |
| V. Information concerning the scope of the provisional refusal:<br><br>Total provisional refusal affects all the goods and/or services.                                                                                                                                                                                                                                                                                                                                 |
| VI. Grounds for refusal [(where applicable, see item VII)]:<br><br><p style="text-align: center;"><b>Similarity of the trademark</b></p>                                                                                                                                                                                                                                                                                                                                |

VII. Information relating to an earlier mark:

(i) Filing date and number, and, if any, priority date: 18.12.2012  
25.10.2018

(ii) Registration date and number (if available): 05.03.2013 N 2013 0261  
04.12.2019 N 2019 0928

(iii) Name and address of the owner:  
"NBQrup" ASC, Bakı, AZ1093, Xəzər r-u, Albalıh qəs., Zavod küç. (AZ)

"AMPEREAL KOSMETİKA" Məhdud Məsuliyyətli Cəmiyyəti,  
AZ 1046, Bakı şəhəri, Yasamal rayonu, Hüseyn Cavid, ev 559/560-cı məhəllə,  
mənzil 74(AZ)

(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):

Class 03: Ağartma üçün preparatlar və yuma üçün digər maddələr; təmizləmə, cilalama, yağsızlaşdırma və abraziv emal üçün preparatlar; sabunlar; ətriyyat məmulatları, efir yağları, kosmetika, saç üçün losyonlar; diş tozları və pastaları.

Class 03: Ətriyyat məmulatları, efir yağları, kosmetika, kremlər, saç üçün losyonlar.

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 or filed for registration earlier in the Republic of Azerbaijan in the name of another person for identical or similar goods or 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: [www.patent.gov.az](http://www.patent.gov.az))**

(iv) Other requirements, if any:

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

A handwritten signature in black ink, appearing to be "N. Hajiyeva".

XI. Date of the notification to the International Bureau: 25.12.2019

Senior consultant - expert:

A handwritten signature in black ink, appearing to be "N. Hajiyeva".

N.Hajiyeva