

**WORLD INTELLECTUAL PROPERTY ORGANISATION**  
**34, CHEMIN DES COLOMBETTES**  
**PO BOX 18**  
**1211 GENEVA 20**  
**SWITZERLAND**

Date of Notification: 06 March 2020

**International Registration No:** 1513287  
**Mark:** HANYUANHUAJIAO  
**Holder:** Hanyuan County Sichuan Pepper Association of China

**Notification of the Intellectual Property Office of Ireland of Total Provisional Refusal**

Dear Sir/Madam,

This notification is issued pursuant to Article 5 of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks and Rule 17(2) of the Common Regulations under the Agreement and Protocol, and is to inform you that protection for this mark is refused for the reasons set out below. Any references to Sections are to Sections of the Trade Marks Act, 1996 and to Rules are to Rules of the Trade Marks Rules, 1996.

- The notification of the extension of protection resulting from the international registration contains an indication that the mark that is the subject of the international registration is a collective, certification or guarantee mark. There is no provision in the Trade Marks Act, 1996 for the protection of a guarantee mark and if the mark is a guarantee mark it cannot be afforded protection as such. The legislative requirements for the protection of collective and certification marks differ and the mark cannot be protected unless it is specified which type of mark it is and until the necessary requirements have been met. In this regard, you should note the provisions of Sections 54 and 55 and those of the First and Second Schedules to the Act.**
- This refusal is in respect of all of the goods for which protection is sought.
- The holder may make representations in writing, or may request an extension of time for doing so, not later than **05 June 2020**. A request for an extension of time received after that date may be granted at the discretion of the Controller.
- If representations or a request for an extension of time are not received by the specified date, protection of the mark will be refused.

5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied by an address for service within the European Economic Area as required by Rule 10(1)(a) as amended by Statutory Instrument No. 410 of 2010; failure to furnish such address will result in the holder being deemed to have abandoned his request for protection.
6. If, following the receipt of representations, it is considered that the requirements for protection are met, the mark will be published in the Official Journal and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.
7. Date of refusal: **06 March 2020**

Yours faithfully

*Paula Murphy.*

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**Paula Murphy**  
**Trade Mark and Design Examination Division**  
**Direct Line: (056) 7720135**  
**Ext: 4135**  
**tmexam@ipoi.gov.ie**

*As of 2<sup>nd</sup> December 2019, the Patents Office changed its name to the **Intellectual Property Office of Ireland (IPOI)**.*

*Our email addresses have changed to [name.surname@ipoi.gov.ie](mailto:name.surname@ipoi.gov.ie) and our email address for general enquiries has also changed to [ipinfo@ipoi.gov.ie](mailto:ipinfo@ipoi.gov.ie)*