

**Notification of *ex-officio* provisional total refusal of protection
(Article 5 of the Madrid Protocol, Rule 17(1) and (2) of the Regulations under the
Protocol relating to the Madrid Agreement, and Article 33 EUTMR and Article 76
EUTMDR)**

Alicante, 21/04/2020

International registration number: **1515221**
Date of notification to the EUIPO: **20/02/2020**
Trade mark: **CBM GINSENG**
Holder: **JILIN GINSENG ASSOCIATION
Room 2013, Building 2,
Global Trade Center,
Changchun City
Jilin Province
China**

Protection of the abovementioned mark for the European Union is provisionally refused for all the goods and services.

I. Grounds

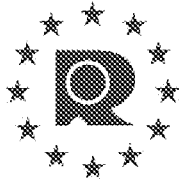
- The holder of the international registration has failed to submit the regulation governing the use of its collective mark or its certification mark (Articles 75, 76, 84, 85 and 194 EUTMR). Protection of the international registration for the European Union will be wholly refused if the holder of the international registration does not remedy the deficiency within the time limit indicated under II.
- The holder of the international registration is obliged to be represented before the Office by a legal practitioner or professional representative that is entitled to represent third parties before the EUIPO (Articles 119(2) and 120(1) EUTMR). Protection of the international registration for the European Union will be wholly refused if a representative is not appointed within the time limit indicated under II.

This refusal relates to **all goods and services** covered by the designation of the European Union.

II. Time limit

The holder of the international registration is hereby given a time limit of two months to overcome the ground indicated for refusing protection or to comply with the requirements

indicated above. Failure to do so will mean that after expiry of the time limit, the Office will issue a decision in which it refuses the protection in whole; that decision (not this provisional refusal) will be subject to appeal. The time limit of two months to reply to the provisional refusal will start on the day the present notification was issued by the Office (Article 193(2), (3) and (4) EUTMR). Any such reply of the holder of the international registration must be addressed to the EUIPO only.



Aline VUILLERMOT