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34, chemin des Colombettes P.O.Box 181211  
Geneva 20, Switzerland  
World Intellectual Property  
Organization(WIPO)International Bureau

NOTIFICATION OF EX OFFICIO PROVISIONAL REFUSAL  
TO THE INTERNATIONAL BUREAU OF WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)  
UNDER RULE 17(1) OF THE COMMON REGULATIONS

**1. Office Making the Notification:**

Korean Intellectual Property Office (KIPO)  
189 Cheongsa-ro, Seo-gu, Daejeon Metropolitan City, 35208, Republic of Korea

**2. International Registration Number (Date of Registration/Subsequent Designation):**

1128501 (26/06/2019)

**3. Trade Mark:**

OLYMPIC

**4. Name and Address of the Holder:**

Comité International Olympique  
Château de Vidy CH-1007 Lausanne Switzerland

**5. Goods/Services Affected by this Provisional Refusal:**

All the designated goods/services

※ Please note that there is no provision in the Korean Trademark Act allowing the examiner to delete Ex Officio the designated goods/services refused by the ground(s) for the Provisional Refusal and to grant protection for the remaining goods/services.

**6. Date on which the Provisional Refusal was pronounced (Time Limit):**

26/04/2020(26/06/2020)

**7. Grounds for the Decision:**

- ☐ Lack of distinctiveness
- ☐ Conflict with another person's earlier application(s) and/or registration(s)
- ☒ Vagueness and/or broadness of the designated goods/services
- ☐ Unconformity to "a single application for a single trademark rule"
- ☐ Other grounds

※ Please refer to item 9 for the details

**8. Provisions of the Korean Trademark Act applicable to the Grounds:**

Article 38(1)

**9. Details of the Provisional Refusal:**

The International Registration has been reviewed by the assigned examiner and is not eligible for registration for the following ground;

The identification of goods and/or services underlined below is indefinite and must be clarified. [Article 38(1), Korean Trademark Act]

However, this ground of refusal could be overcome if the applicant specifies (or deletes)

the common commercial or generic name for the goods and/or services, as is shown in <Examples> below:

<Indefinite identification (underlined goods/services)>

[Class 01] Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; fertilizers; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives for industrial purposes; sensitized films, unexposed; synthetic resins; thermoplastic and thermosetting synthetic resins and organic compounds for molding, for general use in industrial processes; intermediate chemicals; organosilicon compounds, namely polysiloxanes and silanes in the form of resins, pastes, fluids, elastomers, vulcanization and acceleration products; anti-foaming agents; catalysts for paints; chemicals for development and setting of x-ray films and other chemicals in connection with the development of said films; phosphorescent substances; chemical substances used as nuclear fission materials; fuel for nuclear reactors; fused quartz in various forms, such as disks, ingots, rods and tubes for general use in industrial processes; adhesive materials for use in industry; polycrystalline alumina ceramic for general use in industrial processes; brazing and soldering fluxes and products; thermoplastic and thermosetting adhesives; chemicals, biochemicals and reagents for use in industry, science and research; chemical reagents, kits and products for analysis or diagnosis for scientific purposes, namely chemicals for cell culture and separation, purification of nucleic acid, nucleotides, florescent nucleotides, oligonucleotides, peptides, proteins, amino acids, organic molecules and markers for DNA/RNA synthesis; luminescence reagents; reagents for gene expression quantifying; reagents for polymerase chain reaction processes; reagents for rolling circle amplification processes; reagents for DNA cloning and vectors, enzymes for modification and restriction; reagents for labeling, sequencing and fractal analysis of nucleic acids and proteins and customized synthesis; reagents for recombinant protein purification and expression; chromatography media; reagents for electrophoresis, biocomputing, spectrophotometry and fluorometry; radiochemical products for scientific research; reagents for scintillation proximity assay; tests for high data rate analysis for producing medicines; reagents for high-resolution laser microscopy, fluoroscopic microscopy and confocal microscopy; specialized chemicals for use in industry, science and research; gases and gas mixtures for use in industry, science and research; chemical substances and products for manufacture of pharmaceutical products, diagnostic products and substances; chemical testing reagents, saline solution and paper coated with reagents, all for scientific use and for use in laboratories; fissile chemicals for scientific research; radioactive isotopes and elements for use in industry, science and research; radioactive sources and norms for radiographic technology; radioactive sources for non-destructive testing, purification and sterilization technology; radionuclides for scientific research; chemical compounds and chemicals for treatment of water supply systems, wastewater treatment systems, cooling water circuits, boiler water and steam generating systems, boiler condensate systems, liquid separation systems, systems for water purification and dehydration in aqueous systems, conditioning systems, gas purification systems, industrial process systems, fuel treatment systems, hydrocarbon and gas treatment systems, petrochemical systems and gas and oil treatment systems, pulp and paper making systems, metal and plastic coating systems,

metal treating systems; chemicals, namely chemical additives for gasoline, additives for heating oil and additives for improving the efficiency of turbine engine fuel; bags with chemically treated granular materials for absorbing water to be placed in fuel tanks; testing kit comprising reagents for determining the presence of algae and active organic organisms in diesel; bacterial cultures and nutritive elements for treating sludge and wastewater; polymeric chemicals for dispersing particles in steam production equipment; chemicals and chemical compounds used as anti-fouling and demulsifying agents in operations for producing coke and metallurgy-derived products; chemicals, catalysts, plastic semi-processed goods used as materials, filters for removing acid gases, untreated plastics, crystal whiskers and diamond gray; radiopharmaceuticals for scientific use and for research; polymeric membrane materials for liquid separation.

[Class 02] Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists; corrosion inhibitors in the form of a coating for use in the metal finishing industry, namely an acid aqueous product for final rinsing; corrosion inhibitors in the form of a coating for cooling water circuits; corrosion inhibitors in the form of a coating, namely resinous coatings for masonry and metal surfaces; covering materials, etching liquids; toner cartridges for printers; ink cartridges for printers; toners, toners for copiers, toners for facsimile machines.

[Class 03] Bleaching preparations and other substances for laundry use; cleaning, polishing, degreasing and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; cleaning preparations containing chemicals and chemical compounds for cleaning steel, aluminum, mixed and galvanized metal surfaces for general industrial use for manufacturing goods of metal; cleaning agents containing chemicals and chemical compounds for industrial use for removing contaminants in industrial process systems; paint stripping preparations containing chemicals and chemical compounds for removing paint from equipment surfaces in spray-painting booth operations.

[Class 04] Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.

[Class 05] Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for dental fillings and dental impressions; disinfectants; pesticides; fungicides, herbicides; pharmaceutical preparations for diagnosis; veterinary pharmaceutical preparations for diagnosis; veterinary and pharmaceutical substances for medical use; diagnostic preparations and reagents for medical use; diagnostic substances for medical use; contrasting substances for medical imaging; scanning diagnostic reagents for use in vivo; diagnostic imaging agents for magnetic resonance imaging (MRI); radiopharmaceuticals for medical and clinical use; radiopharmaceutical sources and norms for nuclear medicine; radioactive pharmaceuticals and non-radioactive reagents for producing radiopharmaceuticals for in-vivo diagnosis or for therapeutic use; gases and mixtures for medical imaging; pre-filled bottles containing reagents for medical diagnosis; pre-filled cartridges containing chemical solutions for medical use; pre-filled cylinders containing gases and gas mixtures for medical use; implantable radiotherapy devices consisting of radio-isotope brachytherapy sources in capsules; radiotherapy administration system consisting of radioactive pellets and of a bioabsorbable carrier set.

[Class 07] Machines and machine tools; motors and engines (other than for land vehicles); machine coupling and transmission components (other than for land vehicles); agricultural implements other than hand-operated; incubators for eggs; apparatus, equipment and instruments for electricity production, namely electrical and wind energy generators generating electricity; turbines; turbines for energy production; wind turbines for energy production; wind turbines linked to wind farms, turbine-powered production installations, namely installations for electricity production; power-generating engines; and parts and components of all the aforesaid goods; solar energy electricity generators; machines and systems of machines, including parts and accessories for electricity production, transformation and conversion; dynamos, electric motors of all kinds, steam and gas turbines and their parts, electrical generators and their parts, aircraft engines, compressors; laundry washing machines, dishwashers, grinders and compactors of waste; pumps, namely centrifugal pumps, diaphragm pumps, bellows pumps, pumps and transfer pumps; liquid control devices, namely valves, regulators, actuators, ejectors, liquid separation cartridges and their parts, including semi-permeable diaphragms; filtering cartridges for various industrial machines for filtering applications, including for filtering of coating solutions for manufacturing of magnetic tapes and for filtering of petrochemicals, drinking water, beer in the brewing industry and other special chemicals; machines for supplying and applying chemicals for industrial use; axial-flow and radial-flow compressors; piston compressors; screw and sliding-vane compressors; rotary, vacuum, electric, submerged and centrifugal pumps; turbo-expanders, namely, air and electric compressors; CNG refueling machines for land vehicles and industrial equipment and accessories and parts of all the aforesaid goods, namely pumps, valves, fuel filters, filter housings, distributor rotors, blades, bearings and mechanical joints; steam condensers; boat engines; turbo-compressors for engines; fuel injectors; welding machines, industrial robots, machines for insertion of electronic components, dry etching machines, electric micro-discharge machines, systems for production of optical discs, precision connection equipment, treatment machines for printed wiring panels, welding rods, machines for assembling parts, brazing machines, machines for fixing screws, electrical tools; electric motors, electric generators; elevators (lifts); washing and drying machines, electric washing machines, electric dishwashers; compressors (non-surgical); pumps, electric pumps; mixing, cutting and chopping machines, mixing machines, electric centrifuges, electric food processors, electric meat grinders, electric can openers, electric knife sharpeners, electric coffee grinders, electric ice crushers, electric waste-processing machines; garden tools, electric lawnmowers, garden vaporizers for disinfectants and insecticides; electric apparatus for cleaning, electric vacuum cleaners, electric floor polishers; electric window washers; electric hand tools and implements; plasma, gas or arc-cutting machines for cutting metal; mixers, centrifuges, hand-held mixers, food processors.

[Class 09] Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire extinguishing apparatus; protective

helmets for sports; spectacles, sunglasses, goggles for sports; computer software, computer game software; fuel pumps for service stations for aircraft engine refueling; fuel distribution equipment, namely calibrated fuel pumps, electric fuel-level gauges, control valves for regulating gas flow and fuel lines; automated systems for service-station management comprising operating software, calibrated fuel pumps, flow control panels, fuel lines and pump nozzles for refueling of land vehicles, marine vehicles and aircraft; gas meters; on-board and roadside signaling and communication systems, train inspection systems, crossing notification systems, apparatus for electric control of switching; GPS tracking and monitoring systems for the railway and transit industries; electrical distribution products and devices, namely capacitors, circuit breakers, circuit-breaker patch boards, circuit closers, contact breakers, commutators, contactors, current rectifiers, current limiters, electric contacts, electric collectors, electric conductors, electric connectors, electric controllers, electric inductors, electric power supply systems, distribution boards and branch boxes (electricity), electrical distribution consoles, electrical switchboards and switchboxes; software for persons in charge of troubleshooting and maintenance of programmable controllers, software for blood vessel analysis, including heart vessel analysis, also with calculation functions with regard to blood vessels, software for medical patient-monitoring equipment, software for receiving, processing, transmitting and displaying data, software for developing customized programs for asset allocation; software for use on line enabling vendors of office equipment to place orders, to manage portfolios and communicate with the company; software for accessing mortgage and insurance information, software for collecting data concerning vital signs, software for analyzing electrical systems and electronic instruction manuals sold in the form of sets, software for employees of financial institutions used for assessing customers' financial investments and processing the sale of the investments identified, software for obtaining information on the risk of flooding with regard to real property, software for developing graphic user interfaces and displaying data, software for calculating mortgage payments, software for controlling and managing vehicle fleet maintenance services, software for using and accessing commercial information technology services, software used by clients to obtain information regarding lease portfolios, software for a radiology information system for radiologists and radiology departments, software for managing databases containing information on employees and patients for archiving purposes and patient follow-up, software installed on and used with PCs and medical monitoring equipment for graphic user interfaces, software for sending encrypted and compressed data to radio-paging (transport) systems, software for providing access to web sites so that buyers and sellers can carry out business transactions by electronic means, and software for subterranean navigation, namely navigation of the assembly of a depth probe for oil drilling and drilling assemblies so as to set up subterranean installations; electronic, nuclear, industrial and laboratory instruments and apparatus, for testing, measuring, calculating and monitoring; electrical products, electricity production and distribution products and voltage surge protection products, namely lightning conductors, armored rods; capacitors; switches for lighting; input/output devices and controls; fuses; controls for lighting; switch boxes, DELs, namely light-emitting diodes, electrical voltage regulators, voltage surge protectors, voltage surge limiters, voltmeters, electrical circuit boards, relays and timers, electromagnetic switches and limit switches, manual full-voltage starters, reduced-voltage starters, electric disconnecting switches and switches, splitters for

circuit boards and short-cycling panels, circuit breakers and disconnecting switches, transformers, electric circuit and electric lighting boards, electric wires, cables, cords and conductors, electric wiring and accessories, lightning conductors, electricity meters, wattmeters, grounding resistances, humidity and temperature sensors; industrial calibration sensors, push buttons, engine and motor control centers and their electric controls and voltage regulators included in this class; computer programs and software for medical use, industrial use and for research; electrophoresis apparatus; chromatography columns and pumps; apparatus for microfabrication; apparatus for bio-informatics systems; scintillation apparatus; imaging apparatus for luminescent and radioactive emissions; integrated purification and synthesis systems; oligonucleotide-producing apparatus; optical laser systems for digital imaging; glassware for laboratories; vials and micro-vials; microtiter plates; software for managing hospital operating rooms; software for intensive care information management; software for industrial operation control; software and manuals therefor sold in the form of sets for plant management; graphic interface computer programs for controlling machines in industrial automation applications; software for creating graphic presentations and editing dynamic data interfaces for real-time graphic applications for industrial and commercial use; communication software for providing connections among computer network users; software for injection molding of plastic; software for controlling, monitoring, simulating, communicating, recording and collecting data and for plant automation; software for integration of manufacturing machine operations, process control, supply of data for displaying, problem follow-up and production report generation; software packages for operating and programming grinders in the manufacture industry; computer hardware for monitoring industrial processes, namely computerized monitors; portable computers, Ethernet cards and cables; computer networking hardware, memory boards; microchips; microprocessors; computer network hubs, switches and routers, computer accessories, displaying devices and terminals; computer whiteboards; processors and system cards; call controllers, operator interfaces, reference interfaces and data collectors; applications for manufacture and control, namely for statistical process control, data collection, direct digital control; document management systems; digital signal processing products and systems, namely, industrial automation controls and programmable logic controllers; adaptive control product in the form of an external controller for optimizing rough and semi-rough cutting performance of machine tools; distributed and remote input/output equipment, input/output modules, interface modules, electricity supplies and assembly equipment; anti-theft and burglar alarm systems; security devices, namely logic programming computers, control panels, electronic burglar detectors, electronic glass-breakage detectors, electronic vibration detectors, magnetic contacts for security systems, electronic switch plates, electronic motion detectors for alarm systems, electronic motion-sensitive switches, fixed connection sirens, audio loudspeakers, electronic navigation systems, alarm monitoring and access control systems; fire, smoke and heat alarms and detectors; systems for access control with computer cards; card readers, card encoders and encoded cards for card-operated access control systems; camcorders; video devices for object recognition; video devices for object following; video devices for reading license plates; video devices for checking alarms; video devices for facial recognition; video devices for vehicle recognition; video devices for traffic detection; video devices for access door control; video devices for burglar detection; processing software or hardware used for

analyzing digital video images for extracting, recording and reporting information automatically, and remote video surveillance systems for surveillance and security applications; central video monitors; video recorders; apparatus for shooting and filming; closed-circuit video systems; closed-circuit video systems consisting of one or several cameras and camera housings; wireless, short-range and radiofrequency transceivers; transceivers for electrical lines; communication monitoring equipment for operating closed-circuit cameras; communication monitoring equipment, namely numeric-pad controls, matrix switching devices, multiplexers, digital video recorders, integrated swinging panoramic zoom domes, remote video controllers, receivers, electronic alarms, triggers and management controls and video transmission devices sold separately or as parts of a closed-circuit camera operating system; personal digital assistants (PDAs) configured for use by real estate professionals; communication interfacing devices for personal digital assistants (PDAs); fiber-optic transmission systems, namely fiber-optic transmitters, receivers and transceivers for transmission of video signals, audio signals and data via optical fibers; electric switches; electromechanical locking devices; magnetic cards for locks, access control, presence control, alarms and security systems; electronic keys; portable electronic hardware for reception, control, storage, handling, display and transmission of data and for actuating electronic locks; electronic access cards and their readers and encoders; magnetic access cards and their readers and encoders; memory access cards and their readers and encoders; proximity cards and their readers and encoders; key holders and their readers and encoders; barcode access cards and their readers, encoders and laminators; access keypads; radio-frequency tracking devices; tracking and control systems consisting of one or several detectors, transceivers and radio-frequency beacons for determining and checking the location and movements of assets, stocks and people; infrared sensors; computer hardware and software for managing infrastructures and monitoring systems for accessing infrastructures and components thereof, namely control boards, access card readers and video imaging, video surveillance, digital hard disk recording, network transmission and remote access equipment and systems; networked digital video storage servers, applications for surveillance and access control, alarm and security monitoring, computer hardware and software for monitoring and operating access and security systems comprising locking systems, doors, access and identification devices; and security cases in the form of boxes for keys; surveillance and monitoring systems sold separately or as components or in the form of sets such as systems comprising one or several surveillance cameras, hidden cameras, closed-circuit television cameras, camera casings, camera stands, lenses, video monitors, video recorders, digital recorders, video recording media, video switches, control panels, numerical pad controls, joysticks, interface apparatus for alarms and access control equipment, transceivers, receivers, transmitters, signal processors, multiplexers, matrix switches, controls, control panel casings, switch housings, transformers, switches, splitters, coaxial cables, connectors, motion detectors, microphones and loudspeakers; user interface software and control software for management of access, security and fire-extinguishing systems; electric locks; portable electronic communication and computer equipment for data reception, control, storage, handling, display and transmission for operating electronic locking devices; electronic key holders, readers and encoders; computer hardware and software for data processing; electric power supplies, namely batteries, rectifiers/regulators of current/voltage and transformers; control panels, namely electronic apparatus designed

for electronically monitoring a predefined activity and for activating an anti-theft alarm; loudspeakers for sirens; and electronic siren controls, namely ringer tone generators and amplifiers for sirens; software for controlling communication equipment for operating and controlling closed-circuit cameras; switching devices integrating magnetically triggered blade switches for anti-theft alarm systems and fire alarm systems, in industrial tracking apparatus, revolution counters, security lock systems for equipment cabinets, industrial position-monitoring apparatus, electric cables and pump and valve monitoring apparatus and home security alarm systems; electric and electronic checking apparatus for detecting the presence of certain substances on people, in luggage and freight; electric and electronic checking apparatus for detecting the presence of explosives and/or narcotics on people, in luggage and freight; apparatus for detecting the presence of explosives and other contraband; timers or sensitive apparatus for detecting changes in conditions for launching and monitoring regeneration or washing cycles for waster treatment equipment; control valves for water treating and filtering equipment; bioreactors for cell culture; portable analysis instruments, namely a probe with a recorder for data conversion equipped with microprocessors for measuring organic and inorganic products in water; filters and filter housings for laboratories; membrane filters for laboratories; silt density measuring devices; deionization devices for laboratories, filters and filter housings for laboratories; liquid separating apparatus for laboratories; membranes for laboratories; liquid flow control devices, namely pumps, valves, flowmeters and regulators for laboratories; ozone monitoring instruments; laboratory equipment, namely porous titration microplates for cellular biology and other applications in life sciences; electronic controls for water treatment and processes, namely apparatus for treatment of industrial and commercial water supply systems, boiler water systems, water cooling systems, cooling water systems and closed water-supply systems, systems for paper and pulp treatment, fuel treatment systems and metal treatment systems for analyzing system chemistry, determining the right treatment program, applying the desired treatment and monitoring treatment efficacy; data management software in the field of paper, pulp and water treatment; electronic controls for data processing in the field of paper, pulp and water treatment; apparatus for industrial water-supply systems for measuring and checking pH and conductivity; apparatus for supplying an industrial, commercial or municipal water supply system with measured quantities of chemicals; electronic testing apparatus for water treatment; laboratory testing equipment, namely apparatus for testing deposit levels and corrosion speed; mobile laboratory equipped with instruments and equipment for measuring and monitoring pH, conductivity and concentration of chromate in domestic and industrial water, for carrying out inorganic and microbiological water testing; electronic and electrochemical products, namely fuel cells; apparatus for converting photo-electric radiation to electrical energy, namely, photovoltaic solar modules, hybrid photovoltaic solar modules, electronic sensors for measuring solar radiation, photo-cells; apparatus for converting electronic radiation to electric energy, namely photovoltaic solar modules, systems and components and all related system components; printers, laser printers, ink-jet printers, multi-function and multi-purpose printers, parts of all the aforesaid goods; portable electronic devices for wireless reception and/or transmission of data, enabling users to store or manage personal information and to transmit and receive voice, video and image communications; software for synchronization of data between a remote unit or station and a fixed unit or station, and



software providing a one-way and/or two-way wireless connection to data; portable digital electronic apparatus and related software; portable electronic devices for wireless data reception and/or transmission; software for re-orientation of messages, electronic mail and/or other data from a personal computer or a server towards one or several portable electronic devices; computer programs and software for wireless device operation and management; telecommunication devices; software for accessing, researching, indexing and recovering information and data from global computer networks and global communication networks, and for navigation on web sites in the aforesaid networks; software for sending and receiving short messages and electronic mail and for filtering non-text information from data; portable electronic devices for voice, video, data and image communications; computer game software for mobile telephone receivers; electronic game software for mobile telephone receivers; software, software packages; batteries, dry cells and batteries, rechargeable batteries, battery chargers, storage batteries, solar cells and batteries, fuel cells; carbon, carbon electrodes for dry batteries, carbon electrodes for welding; wiring apparatus, connectors (electric), electric cables, electric ducts, floor ducts specially designed for housing electric cables, ballast (for discharge lamps), wiring systems under carpets, code lighting switches, circuit breakers, magnetic starter switches and contactors, circuit protectors, switching devices, electric connecting boxes, device switches, output jacks, plugs (electric), insulating materials, electric timers, other wiring devices; signaling apparatus and instruments, video intercoms, intercom systems, electric door chimes, intercoms, fire alarms, gas-leak alarms, anti-theft alarms, portable emergency intercoms; acoustic machines and apparatus, radios, tape recorders/players, radio cassette recorders, portable tape players, compact disc recorders/players, minidisc recorders/players, minidisc consoles, DVD audio recorders/players, secured digital recorders/players, secured digital cards, loudspeakers, tuners, amplifiers, stereo systems, disc readers, graphic equalizers, alarm clocks, integrated circuit recorders, digital audio processing devices, earphones, headphones, microphones, cassette recorders/players, software for compact discs (prerecorded), electric megaphones, language laboratories, audio systems for cars, public address systems, mixing consoles, cleaning products for audio equipment, audio cables, video cables, other audio machines; audiovisual machines and apparatus, television sets, cathode ray tube display devices, cathode ray tubes, image pick-up tubes, plasma television sets, plasma display devices, television sets (liquid crystal display), liquid crystal display monitors, television sets combined with video tape recorders, television sets combined with disc players, antennas, tuners for satellite broadcasting, television tuners, Internet terminals, video projectors, video cassette recorders, camcorders, video cameras, video printers, laser disc players, video CD (compact disc) players, software for video CD (compact disc), video recorders/players for DVDs, color video systems for large-scale display, cable television systems, hard disk units, video imaging devices, electric optical display boards, multi-purpose electric display systems, closed-circuit video equipment systems, software for DVDs, television cameras, video switches, non-linear editing systems, editing controllers, DVD creation systems, LED displays, other audiovisual machines; optical disc machines and apparatus; optical disc units, optical disc recorders, optical disc readers, optical disc changers, optical disc cartridges, optical disc recording systems; communication apparatus and machines, facsimile transceivers, transceivers, telephones, cellular mobile telephones, cases for cellular mobile telephones, telephone answering machines, private

auto-switch systems, global positioning system receivers, radiotelephones, marine radars, radio-paging receivers, mobile communication systems, multi-channel access radio systems, electric panels for traffic information, videoconferencing systems, private portable telephone systems, local network systems, AV codecs (coder-decoders), navigation systems for cars (road guidance systems), electronic systems for road toll collection, GPS (global positioning system) antennas; surveillance (monitoring) apparatus and instruments, electric door opening devices, communication and surveillance systems for apartment structures, intruder detection systems, automated systems for surveillance and control of functions in buildings, security apparatus with several electrical layers; automatic control machines and instruments, electric distribution boards, road signal control apparatus, bus placement systems, ultrasound vehicle detectors, information and telecommunication networks for road traffic management, light dimmers, light switches, inverters, programmable control systems, transformers, cabinets, domestic electricity production systems, power capacitors; data processing equipment; computers and computer peripherals, word processors, software (recorded), image scanners for personal computers, printers, PC cards, computer keyboards, mice (data processing equipment), CD-ROM units, diskette units, card reading/writing systems, barcode readers, time recorders, portable data terminals, point-of-sale systems, data collection terminals, personal digital assistants (PDAs), DVD-RAM/ROM units, CAD/CAM (computer-aided design/computer-aided manufacturing) systems, hard disk units, electronic calculators, uninterruptible power supplies for computers / communication / broadcasting; external storage devices, video cassettes, cleaning heads, D-VHS (video systems for household use), other computer peripherals; video tapes, audio cassettes, diskettes, optical discs, mini-discs, DVDs (digital versatile discs), integrated circuit memory cards; weighing and measuring apparatus and instruments, thermoluminescent dosimetry systems, portable x-ray dosimeters, electronic meters, ammeters, electricity consumption meters, grip measuring devices, electric apparatus for measuring leakance, electric insulation meters, thermometers, measuring system processors, electric multi-circuit sector voltage monitors, micro-precision measuring devices, body fat monitors, pacers, audio/video analyzers, oscilloscopes, modulators, voltmeters, distortion meters, other measuring apparatus; sensors, light-sensitive sensors, thermometric sensors, position sensors, angular velocity sensors, rotation sensors, angle sensors, dew point sensors, other sensors; electric components, LEDs, liquid crystals, liquid crystal display modules, magnetrons, diodes, transistors, thermostats, integrated circuits, semi-conductor storage devices, micro-computers with a single chip, cartridges for microphones with electric capacitor, gray-scale image processors, thermal print heads, magnetic heads, permanent magnets, connectors, relays, display components, semi-conductor lasers, charge coupling devices, image detectors, film capacitors, over-oxygenation membrane units, electric tuner units, high-frequency units, coin validation units, note validation units, magnetic card reading/writing devices, voltage-controlled oscillators, phase-locking circuit synthesizing modules, wireless communication module units, optical transmission components, printed wiring boards, loudspeaker components, electricity supplies, AC adaptors, focusing magnets, inductors (coils), capacitors for electric apparatus, electric signal filters, transformers, deflection coils, thermistors, varistors, piezoelectric ceramic components, acoustic-optical components, resistances, potentiometers, encoders, printing units, hybrid integrated circuits, switching components, heat-welding wiring boards, transparent button boards, electroluminescent components, remote control units, magnetic

resistance elements, thermal disconnects, other electric utensils for household use, electric flat irons, electric hair curlers, electric hair straightening or curling irons; electric arc-welding apparatus, welding electrodes, electric timers; equipment for processing data, particularly for financial applications; operating system programs; computer hardware and software, particularly for local and wide-range computer network development, maintenance and use; systems for reading memory cards and systems for reading stored data including integrated circuit memories and bank card memories; automatic ticket dispensers; accounting machines; encoded cards, including magnetic cards and integrated circuit cards, particularly for financial applications; card readers, printing apparatus, including printing apparatus for data processing systems and financial transaction systems; machines for banking institutions; encoders and decoders; modems; encoded magnetic cards, cards with electronic data, readers for encoded magnetic cards, readers for cards with electronic data, electronic encryption systems, computer hardware, computer terminals, software used in financial services, in the banking and telecommunication industries; electric and electronic products, namely calculating machines, pocket planners, alarms and torches; bank cards, including printed bank cards and bank cards with magnetic memory and with integrated circuit memory; bank cards, credit cards, debit cards, including such cards equipped with integrated circuits and microprocessors; memory cards (smart cards); automated teller machines (ATMs); data processing equipment and computers including cards equipped with microprocessors and integrated circuits; computer hardware in the form of integrated circuit cards and card readers containing transponders and other proximity payment devices; mouse pads; machines and machine systems, including parts and accessories for transmission, distribution and control of electricity; induction devices, electrical displacement devices, electricity control and regulation devices, electricity measuring instruments, electrical protection devices, switchboards, switchboard apparatus, wiring devices and supplies; liquid control devices, namely, flowmeters, manostats, sequential timers, electric controls and switches; electric devices for killing insects, audio amplifiers for keyboards, external memories for musical instruments; electro-thermal hair curling apparatus, electric hair straightening or curling irons, electric hair curlers; systems for managing data and preserving archives in the field of anesthesia.

[Class 10] Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials; test kits for clinical medical use comprising test tubes, test plates and indicator diagrams for evaluating test results; systems comprising medical apparatus and accessories for administering measured doses of pharmaceutical preparations; bottles for medical use; cannulas for medical use; syringes for medical use; injectors for medical use; cartridges for medical use; infusion pumps used for administering liquids intravenously; needles for medical use; cardiac output monitors; humidity and heat exchangers for medical use; bacterial filters for medical use; gas analyzers for medical use; patient monitoring systems, namely gas monitors; pulse oximeters, multi-parameter monitors, ECG monitors, invasive and non-invasive blood pressure monitors, neuromuscular transmission monitors, metabolic monitors and spirometers for diagnostic, intensive care and anesthesia applications; anesthetic machines and ventilators; anesthesia and intensive care accessories for a single patient, namely gas sampling lines, airway adapters, respiratory circuits, spirometry tubes and sensors, tubes, water separators, pulse oximetry sensors, non-invasive sphygmomanometers, rinsing sets,

anesthesia masks, carbon dioxide absorbers, temperature-sensing probes and nebulizers; central nervous system monitors; gastric tonometers; gradient coils, namely magnetic gradient coils for magnetic resonance imaging; medical diagnosis devices, namely bone densitometers; fetal monitoring apparatus, namely fetal pulse and vital sign monitors; patient monitoring apparatus, namely, vital sign and cardiac monitors, medical imaging systems, namely ultrasound imaging machines for medical diagnosis, imaging devices for diagnostic and screening applications for planning operations and surgery, and their parts and accessories; medical diagnosis apparatus for displaying diagnostic images, namely spot film apparatus, image intensifiers, fluoroscopes, mobile x-ray devices, x-ray film viewers, CAT scans, nuclear resonance apparatus, ultrasound scanners, magnetic resonance apparatus, positron emission tomography apparatus (PET scans) and their parts and accessories, including tables and pads; electronic apparatus for measuring blood pressure, laser apparatus for medical treatment, ultrasound diagnosis equipment, acoustic apparatus, laser scalpels, electric massaging apparatus, portable vibrators for medical use, low-frequency muscle stimulators for medical use, high-frequency apparatus for medical use, electric air mattresses for preventing bedsores, electric inhalers for therapeutic use, electrically heated pads, CCD (charge-coupled device) sensor systems, medical apparatus for measuring bone density.

[Class 11] Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes; solar panels, panels for capturing solar energy; solar lighting accessories, namely lighting units and solar light fixtures for indoor and outdoor use; solar-thermal installations, namely solar-thermal modules; solar water heaters; gas and electric cooking apparatus for household use, namely gas and electric cookers, cooking rings; gas and electric cooktops and ovens; heat exchangers; thick-wall chemical reactors and nuclear reactors and accessories and components thereof, namely, heat pumps, valves for steam systems and valves for regulating liquid and gas flow; electric lamps of all kinds and their parts; electric lighting accessories and their parts; freezers, air-conditioning apparatus, electric ovens, cookers, electric refrigerators; microwave ovens for cooking; wall-mounted cooking ovens for household use; food heating drawers; convection ovens, gas and electric cooktops; gas and electric cookers and cooking ovens; ventilation hoods for stoves and exhaust fans; water filters; water softeners; laundry driers; electric fans, ceiling fans, flashlights; vehicle lamps and lights; electric lights for Christmas trees; liquid separation devices; liquid concentration devices; liquid recycling devices; filters for filtering of solids from gas and liquids or for filtering of liquids from gas and for filtering of an immiscible liquid from another; spiral cartridges or elements contained in a tubular plastic sleeve for concentrating goods and removing impurities in liquid treatment systems; water conditioning devices for residential use; reverse osmosis modules and their membranes; devices and systems for water purification consisting of clarification units, electric deionization systems, condensate polishing filters, vacuum degassing devices, ultra-filtration devices, ultraviolet sterilization devices, ion exchangers, systems for regeneration of acids and caustic products, reverse osmosis systems, forced-air carbonate removal devices, filters, systems for supplying chemicals and devices for storage of bulk goods, sold with automatic controls and instruments for monitoring device and system operation parameters, electrochemical purification devices for liquids for industrial, commercial and municipal use; water filtering devices for household, industrial and

commercial use; wastewater purification units; drinking water purification devices for household, industrial and commercial use; liquid separating devices, namely industrial liquid filters; recycling devices, namely liquid purification devices; water treatment equipment, namely cartridges; water treatment equipment for household use, namely water softeners and water conditioners; support filters and depth filters for removing deposits, iron, sulfur, tastes and smells from water; reverse-osmosis water purification devices; depth filter units and cartridges for filtering liquids and air for household, industrial and commercial use; disposable cartridge filters for filtering industrial water; apparatus and installations for lighting, incandescent bulbs, gas discharge starters, grooved fluorescent lamps, fluorescent lamps, tungsten and halogen lamps, pocket lamps, fluorescent lanterns, other lamps, fluorescent lighting apparatus, dynamo lighting kits for bicycles, germicidal lamps, other lighting apparatus; cooking apparatus and installations, automatic bread-making machines for household use, electric kettles, electric rice cookers, gas rice cookers, crook pots, electric grills, cooking ovens, toasters, coffee machines, cookers, electric thermal-insulating coffee machines, gas cookers, induction cooktops, electric barbecue grills, microwave ovens, gas cookers with ovens, electric saucepans, sink trays, other kitchen ranges; freezing and refrigerating apparatus and installations, refrigerators, freezers, cold/hot water dispensers, refrigerating and freezing display cases, electric water coolers, ice-making apparatus; ventilation apparatus and instruments, electric fans, fans, electric air purifiers, extractor hoods for cookers, electric dehumidifiers, electric humidifiers, blowers, blinds propelling cold air, air exhaust units, ceiling fans, ceiling ventilators, electrostatic dust extractors, their parts and components, all included in this class; other ventilation apparatus and installations; heating apparatus and installations, apparatus for steam generating, drying, cooling and air conditioning, air conditioners, blade fans for air conditioning, apparatus for cooling air by evaporation, stoves, electric radiators, electric blankets, electric floor carpets, kerosene-powered fan heaters, electric foot warmers (kotatsu), wireless gas radiators, other heating/cooling and air-conditioning installations; water distribution apparatus; sanitary installations, electric bidets, toilets, self-cleaning toilet seats, portable toilets, systems for wastewater treatment by aeration, water purifiers, incinerators (waste incinerators), household waste processors, saunas, bathtubs, bath installations, electric showers; water heaters, gas-powered instantaneous water heaters, other water heaters; driers, dish driers, electric hair driers, laundry driers, other driers; electric lamps, electric driers, electric-resistance heating cables; sinks of metal; laundry driers.

[Class 12] Vehicles; apparatus for locomotion by land, air or water; electric motors and diesel engines for land vehicles; bicycles, tires and tubeless tires for bicycles, automatic vehicles, electric bicycles; tires.

[Class 14] Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, particularly commemorative medals and coins; jewelry, precious stones; pins; timepieces and chronometric instruments; key rings.

[Class 16] Paper, cardboard and goods made from these materials, not included in other classes; printed matter, particularly postage stamps; newspapers, periodicals, books, photographs and posters; bookbinding material; stationery; adhesives (glues) for stationery or household purposes; artists' materials; paintbrushes; typewriters and office requisites (except furniture); instructional or teaching material (except apparatus); plastic materials for packaging (not included in other classes); printing type; printing blocks; computer printouts;

checkbooks, punched cards; electronic newspapers and periodicals; paper shredders, electric staplers, battery-powered letter openers, electric pencil sharpeners, electric perforators, electronic typewriters, ribbon cartridges for electronic typewriters, apparatus for printing checks, thermal paper; disposable paper or cellulose diaper-pants, diapers and napkins.

[Class 17] Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; products made of semi-processed plastics; packing, stopping and insulating materials; flexible pipes not of metal; silicone mastic for various uses, particularly for caulking of bathtubs, boats and automobiles; impervious and road covering material made of silicone, roofing covering made of silicone rubber; plastic compounds for glazing; plastic materials in the form of sheets, plates, blocks, all for manufacture; electric insulation materials, electric insulation devices, including insulating varnish, silicone rubber compounds; plastic materials in the form of sheets, rods or plates, modeling materials.

[Class 18] Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

[Class 19] Non-metallic building materials; rigid pipes, not of metal, for building; asphalt, pitch and bitumen; transportable buildings, not of metal; monuments, not of metal; thermoplastic building materials, namely thermoplastic molded and extruded materials used as substitutes for wood, metal or glass, for supporting or covering; doors (not of metal), rain gutters, ceiling panels, folding doors, wooden floors, roofing tiles, prefabricated houses, laminates, connecting tracks, steps (ladders) not of metal, building materials with soundproofing properties; non-metallic roofs, with solar cells; plastic panels for building; thermoplastic materials used as building materials for insulation, covering (roofing) and glazing; water pipes made of PVC (polyvinyl chloride).

[Class 21] Household or kitchen utensils or containers; combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes; implements for cleaning clothing, toothbrushes; electric toothbrushes; ultrasound cleaning apparatus for dentures; dental floss, holders for dental floss, toothpicks, holders for toothpicks; non-electric implements and materials included in this class, all for cleaning; parts and components of all the aforesaid goods included in this class; holders and dispensers for all the aforesaid goods, all included in this class; electric trouser presses.

[Class 28] Games, toys; gymnastic and sporting articles not included in other classes; decorations for Christmas trees; playing cards; electric floats for fishing, apparatus for tying fishing lines to hooks, electronic apparatus for practicing golf, wax applicators for skis; stationary exercise bicycles and rollers.

[Class 35] Advertising; dissemination of advertisements by all media, particularly in the form of themed messages focused on human values; advertising by sponsorship (sponsoring); business management; business administration; office functions; promotion of the goods and services of others, by means of contractual agreements, particularly partnership (sponsorship) and licensing agreements, affording them with increased notoriety and/or enhanced image and/or sympathy derived from the notoriety and/or enhanced image

resulting from cultural and sporting events, particularly international events and/or sympathy generated by the above; promotion of the goods and services of others by means of what is referred to as the initial interest factor driving the public to consider, from among many competitors, goods or services presented with signs, emblems or messages so as to capture its attention; promotion of the goods and services of others by means of the so-called image transfer; rental of advertising space of all type and on all media, whether digital or not; business administration of the participation of national teams to an international sports competition, and promotion intended for the public and bodies interested in providing support to the aforesaid teams; inventory management services; advice relating to stock monitoring services; advertising by means of direct marketing for others consisting in marketing of databases; advice for advertising by means of direct marketing for others consisting in marketing of databases; advisory services in connection with business reorganization; automobile and truck fleet management services, namely billing via a global computer network; advice in connection with the management of automobile and truck fleets; business administration consultancy; management of power plants of others; advice regarding management of electric power plants; commercial services, namely administration of contracts for repair and servicing; supply chain management services and advice relating to the purchase and supply in terms of chemicals and chemical services; product inventory and supply services, limitation of costs; advice, marketing, analysis of prices and costs concerning devices for electrochemical purification of liquids for industrial use; administrative, commercial and technical management of computer files; data input and processing services; consultancy regarding information technology management; management of value-added data transmission networks and computer servers (multimedia systems, interactive videography, global computer networks for telecommunications); retail sale of electric and electronic machines and apparatus (grouping, for others, of a range of goods so as to enable customers to view and purchase said goods at their convenience in a retail store carrying electrical goods); information concerning the sale of raw materials; commercial information, commercial information agencies; rental of photocopiers; promotion of the sale of goods and services of others including by means of advertisements, promotional competitions, awarding of prizes and bonuses in the form of promotional lotteries, discounts, reduction tokens and value-added offers in connection with the use of payment cards; promotion of sporting events and competitions for use by others; promotion of concerts and of cultural events for others; organization of exhibitions for commercial or advertising purposes; provision of documentation, namely direct mail advertising, distribution of advertising material, distribution of samples; document reproduction; advertising concerning the promotion of commercial sales of goods and services for retail sale purposes; provision of information in connection with e-commerce and electronic retail sale; provision of information concerning the purchase of goods and services on line via the Internet and other computer networks; tourist documentation services, namely advertising concerning transport, travel, hotels, accommodation, food and meals, sports, entertainment and sightseeing tours, tourist agency services; maintenance of computerized databases.

[Class 36] Insurance underwriting; financial affairs; banking; monetary affairs; real estate affairs; credit card services; financing of sporting and cultural activities; rental of buildings and accessory buildings set up for corporate entertainment events; private mark and equity financing services; financial analysis and consultation; financial services in connection with

credit cards; credit card services, namely granting credit to others; financial asset management for others; insurance and reinsurance services, namely underwriting of all types of insurance; equity capital investment services; insurance underwriting services in the field of bonds; financial security underwriting services; personal loan financing; lending against collateral; acquisition financing services; commercial financing services; commercial real-estate agency services; mutual funds; loan and private capital investments; information, assistance and advice in all the aforesaid fields; lease-purchasing of mobile and modular structures; insurance brokerage services; credit agency services in the field of commercial and consumer credit; financing of real estate loans and financial and banking services; monetary operations particularly by means of bank cards or customer loyalty cards; financial clearing services; issuing of checks and letters of credit; financial services; insurance services; financial operations; bill payment services; debit card services; payment card services; pre-payment card services; electronic transactions by credit and debit card; electronic transfer of funds; electronic money and smart card services; provision of liquidities; payment and credit card services replacing cash payments; electronic capital transfer services; check verification; check cashing services; safe deposit system and automated teller services; payment processing services; authentication and verification of transactions; provision of financial information via a global computer network; financial sponsoring of festivals and concerts; financial services for purchasing goods and services sold in retail at points-of-sale for promotion purposes; information services in the field of tourism, namely financial information; financial services for tourist assistance purposes; lease-purchasing of telephones, facsimile machines and other telecommunication equipment; lease-purchasing of transport containers.

[Class 37] Construction; repair; installation services; replacement, overhaul and maintenance of power plants, motors and engines, turbines, wind turbines and apparatus, equipment and instruments for energy and electricity production and their parts, components and accessories; installation, maintenance and repair of compressors and pumps, namely machines, turbo-expanders, fuel pumps and fuel distribution equipment, CNG refueling equipment, gas turbines, steam turbines, air-cooled heat exchangers, steam condensers, thick-wall reactors and tubular reactors; maintenance and repair of gas and oil pipelines; drilling and pumping of oil and gas; drilling for crude oil; installation of tubes and pipelines for drilling of oil wells; rental of tools for drilling oil and gas wells; remote monitoring, diagnosis, repair and maintenance for the repair and maintenance of airplane engines, turbines, electrical equipment, medical equipment, locomotives, including parts and accessories of all the aforesaid goods; rental of construction equipment; chemical cleaning of glass-coated reactor vats used in the pharmaceutical and chemical treatment industries; maintenance of heat transfer systems and of condensers; maintenance and repair of equipment with computerized cooling systems, repair and maintenance of electrical equipment, apparatus, instruments and machines; maintenance and repair in the gas and oil field; services relating to installation of point-of-sales terminals in stores; computer maintenance services; installation and repair of electrical appliances; repair of radio receivers and television receivers; repair and maintenance of electric apparatus and instruments for communication; repair and maintenance of electric household appliances; repair and maintenance of electric lighting apparatus; repair and maintenance of electric apparatus for distribution and control; repair and maintenance of electric motors; repair and maintenance



of machines and instruments for measuring and/or testing; repair and maintenance of medical apparatus and instruments; repair and maintenance of machines and tools for shaping metals; repair and maintenance of cooking apparatus; repair and maintenance of automatic vending machines; repair and maintenance of water purification apparatus; repair and maintenance of musical instruments; repair and maintenance of watches and clocks; repair and maintenance of gas-fired water heaters for household use; repair and maintenance of bathtubs; repair of toilets with water points; installation, maintenance and repair of computer hardware; repair and maintenance of air-conditioning apparatus; installation, maintenance and repair of office equipment and apparatus; installation, maintenance and repair of machinery equipment; repair of vehicles; repair and maintenance of electric apparatus and instruments for communication; repair and maintenance of computers; repair and maintenance of electronic printers; repair of telephones; electricity works; telecommunication equipment; installation, maintenance and repair of compressors, pumps, namely, machines, turbo-expanders, fuel pumps and fuel distribution equipment, CNG refueling equipment, gas turbines, steam turbines, air-cooled heat exchangers, steam condensers, thick-wall reactors and tubular reactors; repair and maintenance of gas and oil wells.

[Class 39] Transport; packaging and storage of goods; arranging of tours; storage of media containing still and moving images ; distribution of oil or gas by pipelines; rental of automobiles, airplanes, self-propelled and marine vehicles; delivery and storage of chemicals in the field of water treatment and of pulp and paper making systems; boat transport; vehicle reservation services; information services concerning travel; travel reservation services; assistance for planning of transport before travel; printing product distribution; transport ticket reservation; information services in the field of tourism, namely transport information; information services in the field of tourism, namely information on reservation of tickets for transport, travel and sightseeing tours; information services in the field of tourism, namely information on planned activities for sightseeing tours and transport; services in connection with transport for tourist assistance; tourist reservation services, namely ticket reservation services and transport reservation services; information relating to prices, timetables and means of transport; tourist assistance services concerning transport ticket, travel and sightseeing tour reservation; tourist assistance services concerning planned sightseeing tours; tourist reservation services, namely reservation of tickets for transport, travel and sightseeing tours; preparation of travel reports via a global computer network.

[Class 40] Treatment of materials; cinematographic film development; photograph enlargement, photograph printing, photographic film development; rental of photographic machines and instruments for developing, printing, enlarging or finishing; processing of oil; processing of gas; refining of oil and gas; wastewater treatment services, water treatment services, namely desalination, purification, treatment, cleaning of ion-exchange resins; membrane regeneration services; operation of electric power plants of others; advice regarding operation of electric power plants; provision of information to others, on a global computer network, concerning industrial systems for water purification.

[Class 41] Educational services; providing of training; entertainment; sporting and cultural activities, televised sporting and cultural entertainment; organization of exhibitions for cultural and educational purposes; operating lotteries and competitions; betting and gambling services in connection with or relating to sports; entertainment services provided during

sporting events or concerning sporting events; organization of sporting and cultural events and activities; organization of real or virtual sporting competitions; operation of sports facilities; rental of audio and video equipment; production, presentation and distribution of films and of sound and video recordings; rental of sound and video recordings; rental and/or provision via a computer network of interactive entertainment and education products, namely interactive compact discs, CD-ROMs, computer games; entertainment, namely presentation of interactive entertainment and education products, namely interactive compact discs, CD-ROMs, computer games; covering televised and broadcast sporting events; production of television and radio programs and of videotapes; production of cartoons; production of cartoons for television; reservation of tickets for sporting events and shows; timing of sports events; organization of beauty contests; interactive entertainment; on-line betting services; provision of games on the Internet; provision of raffle services; information concerning entertainment or education, provided on line from a data bank or the Internet; electronic game services provided by means of the Internet; provision of electronic publications on line; publication of books, magazines, texts (other than publicity texts) and periodicals; publication of books, magazines, texts (other than publicity texts) and of electronic periodicals on line; provision of digital music from the Internet; provision of digital music from MP3 web sites; provision of sporting results; information services concerning sports and sporting events; rental of recorded sounds and images; audio production services; information services concerning sporting events provided on line from a computer database or the Internet; editing and publishing services; provision of digital music (non-downloadable); offering digital music by means of telecommunications; publication of statistics regarding sporting results and audience ratings for sporting competitions; training in the use and operation of systems for signaling and notification of crossings for the railway and transit industries; education services in the field of medical imaging and diagnosis, namely conducting of seminars, conferences, symposiums or workshops concerning the pharmaceutical industry, intended for medical doctors and employees of pharmaceutical companies; education services, namely conducting of seminars, conferences, symposiums or workshops in the field of life sciences and biotechnology for scientists and researchers; conducting of seminars on problems in connection with industrial water treatment; training services in all the aforesaid fields; training services in the field of management and medicine by means of the use of instructions and demonstrations provided on line, via the Internet, intranets and extranets; education services, namely conducting of practical training workshops, courses and seminars including demonstrations in the field of medicine and management; design, conducting and hosting of courses, seminars and all training activities in the field of information technology; organization and performance of concerts; booking of seats for shows; movie presentations; entertainment information; film production; show production; theater production services; operation of golf facilities; health club services (fitness training); sports camp services; presentation of live performances; film projections; organization of shows (impresario services); holiday camp services (entertainment); movie studios; news reporter services; provision of on-line electronic publications, not downloadable; music hall services; education services, namely conducting of courses, seminars, presentations, video presentations, provision of educational material, namely dissemination of material in the field of financial knowledge; education services in the field of tourism; information services in the field of tourism, namely information services

regarding reservation of tickets for recreational events; information services in the field of tourism, namely information services regarding entertainment; information services in the field of tourism, namely information services regarding planned sporting, cultural and recreational activities; services in connection with entertainment for tourist assistance; tourist reservation services, namely activity and entertainment reservation services; assistance services for tourists concerning reservation of tickets for recreational events; assistance services for tourists concerning planned sporting, cultural and recreational activities.

[Class 42] Scientific and technological services and research and design relating thereto; industrial analysis and research services; carrying out laboratory analyses; design and development of computers and software; services relating to wind and wind energy, namely professional consultancy and engineering services; design for others in connection with wind energy; industrial design services; design of equipment and installations for generating energy, wind energy and electricity; engineering services, technical consultancy and research for the gas and oil industries; exploration services relating to oil and gas; geophysical drilling for the gas and oil industries; gas and oil field analysis; gas and oil prospecting, namely locating and testing of wells; gas and oil well testing; gas and oil pipeline inspection; remote monitoring and diagnosis services in connection with compressors, pumps, turbo-expanders, fuel pumps and fuel distribution equipment, CNG refueling equipment, gas turbines, steam turbines, air-cooled heat exchangers, steam condensers, thick-wall reactors and tubular reactors; information technology solution services in the field of railway and transit industries on a global scale; research, consultancy and assistance services in connection with engineering, design and development problems encountered by governments, individuals and companies whether industrial or commercial and by public institutions; computer programming services for others; software design and analysis services for others; information technology consultancy services; maintenance and updating of computer software for others; installation of computer software; design and analysis of computer systems for others; consultancy services relating to chemical research; consultancy services in connection with the discovery and evaluation of medicines and components with diagnostic, prophylactic and/or therapeutical properties; consultancy services concerning diagnostic methods by means of optical laser systems; tests for high data rate analysis for producing medicines; customer analysis and synthesis services; biotechnological services; technical assistance in connection with factory automation software, namely maintenance of software and periodical updating of software; customized design of security access systems; design and consultancy services relating to configuration of systems used in fiber-optic technology applications; technical assistance services, namely resolution of problems in connection with computer hardware, video and electronic communication and computer software; technical consultancy services relating to information technology and software in the field of security and access systems; technical consultancy services relating to surveillance cameras; customized design of security systems, access systems and systems for checking inventories and property for others; laboratory and testing services for liquid separation and membrane testing; engineering and consultancy services regarding water treatment, water supply systems, cooling water circuits, industrial boiler water systems, systems for water supply and industrial processes, industrial fuel treatment systems, pulp and paper making systems, systems for treating plastics and metals; engineering and technical assistance services concerning the design and configuration of

systems comprising computer hardware and software for use in treatment of water supply systems and pulp and paper making systems, oil and petrochemical product treatment systems and metal and plastic finishing operations; consultancy services in all the aforesaid fields; chemical testing concerning supply of chemical treatment products via industrial water systems; programming for information processing machines, particularly programming services in the field of electronic money; development of computer programs for securing data transfers; industrial development and research services in the field of information technology; all technical consultancy in the field of information technology; development of computerized databases and computer programs; development of software concerning machines, apparatus and instruments; rental of data processing apparatus; computer engineering services; consultancy regarding computer programming and data processing, particularly in connection with financial transactions; hosting of computer sites [Web sites]; maintenance of computer software; provision of search engines for the Internet; quality control; computer data recovery; research and development of new products (for others); technical project studies; surveying; updating of software; maintenance of software, engineering, testing and research concerning electric machines, apparatus and instruments, computer rental; recovery of data, images, documents and of audio and video data, including texts, cards, letters, messages, mail, animations and electronic mail, via global or local communication networks, including the Internet, intranets, extranets, television, mobile communication networks, cellular networks and satellite networks; identification and testing of microbiological organisms.

[Class 44] Medical services; medical and pharmaceutical toxicological controls; veterinary services; hygienic and beauty care for human beings and animals; agriculture, horticulture and forestry services; advisory services in connection with medical imaging and diagnosis; advisory services in connection with prophylactic properties, therapeutic properties and pharmaceutical product diagnosis; medical information services; medical imaging services; medical diagnosis services; consultancy services in all the aforesaid fields; rental of medical systems.

<Examples>

[Class 01]

- \* additives for heating oil. → chemical additives for oils; chemical additives for industrial purposes, namely, additives for heating oil; etc.
- \* brazing and soldering products. → Brazing chemicals; Soldering chemicals; etc.
- \* chemicals, catalysts, plastic semi-processed goods used as materials, filters for removing acid gases, untreated plastics, crystal whiskers and diamond gray. → chemicals used as materials, filters for removing acid gases, untreated plastics, crystal whiskers and diamond gray; catalysts used as materials, filters for removing acid gases, untreated plastics, crystal whiskers and diamond gray; semi-processed plastics used as materials, filters for removing acid gases, untreated plastics, crystal whiskers and diamond gray; etc.
- \* intermediate chemicals. → chemical intermediates for industrial purposes; etc.
- \* radiopharmaceuticals for scientific use and for research. → radioactive elements for scientific purposes; etc.
- \* synthetic resins. → synthetic resins, unprocessed; etc.

[Class 02]

<NOTICE> The goods “etching liquids” in [Class 02] appear to belong to [Class 01].

[Class 03]

- \* degreasing preparations. → de-greasing preparations for household purposes; degreasing preparations for pets; etc.
- \* soaps. → Soaps (not for personal use); Soaps for personal use; etc.

[Class 04]

- \* illuminants. → candles for night lights; etc.

[Class 05]

- \* radiopharmaceutical sources and norms for nuclear medicine. → Radiopharmaceutical preparations for nuclear medicine; etc.
- \* plasters. → Medical and surgical plasters; Corn plasters; Adhesive plasters; etc.
- \* pre-filled bottles containing reagents for medical diagnosis. → Diagnostic test reagents for medical purposes; etc.

[Class 07]

- \* actuators. → Actuators (parts of machines); Linear actuators; Actuators for robots; etc.
- \* centrifuges. → Centrifuges [machines]; Oil centrifuges; etc.
- \* electric apparatus for cleaning. → electric vacuum cleaners for household purposes; electric floor cleaning machines for industrial purposes; etc.

[Class 09]

- \* tuners. → Video tuners; Radio tuners; Signal tuners; etc.
- \* conductors. → conductors, electric; lightning conductors; etc.

[Class 10]

- \* ultrasound diagnosis equipment. → ultrasound diagnosis equipment for medical use; etc.
- \* acoustic apparatus. → hearing aids for the deaf [acoustic aids]; hearing protectors; etc.

[Class 11]

- \* water treatment equipment, namely cartridges. → non-electric water purifier filter cartridges for household purposes; water purifier filter cartridges for industrial purpose; etc.
- \* vehicle lamps and lights. → lighting apparatus for vehicles; etc.
- \* dynamo lighting kits for bicycles. → dynamo lights for bicycles; etc.
- \* other kitchen ranges. → kitchen ranges [ovens]; etc.

[Class 12]

- \* automatic vehicles. → automatic transport vehicles; automatic driving air vehicles; etc.

[Class 14]

- \* pins. → Pins [jewelry]; Ornamental pins made of precious metal ; Jewelry stickpins; etc.

[Class 16]

- \* photographs. → Photographs (printed); etc.

<NOTICE> The goods "downloadable electronic newspapers" in [Class 16] appear to belong to [Class 09].

[Class 17]

- \* gum. → gum, raw or semi-worked; etc.
- \* products made of semi-processed plastics. → semi-finished plastic sheets; filtering materials of semi-processed films of plastic; etc.

[Class 18]

- \* goods made of these materials and not included in other classes. → Leather bags; Key cases of leather or imitation leather; Leather and imitation leather bags; Briefcases (leather goods); etc.

[Class 19]

- \* thermoplastic materials used as building materials for insulation, covering (roofing) and glazing. → building materials, not of metal, namely, thermoplastic materials used as building materials for insulation, covering (roofing) and glazing; etc.

<NOTICE> The goods “steps (ladders) not of metal” in [Class 19] appear to belong to [Class 20].

[Class 21]

- \* articles for cleaning purposes. → Cleaning instruments, hand-operated; Cleaning tools and washing utensils (other than electric); etc.
- \* glassware. → crystal (glassware); Beverage glassware; etc.
- \* Household or kitchen utensils or containers. → containers for household or kitchen use; kitchen utensils; etc.

[Class 28]

- \* decorations for Christmas trees. → Ornaments for Christmas trees (except illumination articles and confectionery); etc.

[Class 35]

- \* limitation of costs. → cost containment; cost assessment services; etc.
- \* management of value-added data transmission networks and computer servers (multimedia systems, interactive videography, global computer networks for telecommunications). → business management, namely, management of value-added data transmission networks and computer servers (multimedia systems, interactive videography, global computer networks for telecommunications); computerized database management, namely, management of value-added data transmission networks and computer servers (multimedia systems, interactive videography, global computer networks for telecommunications); etc.
- \* retail sale of electric and electronic machines and apparatus (grouping, for others, of a range of goods so as to enable customers to view and purchase said goods at their convenience in a retail store carrying electrical goods). → retail sale of electric mixer for household use; retail sale of electronic notebooks; etc.

[Class 36]

- \* electronic money and smart card services. → processing of payment transactions for electronic money; credit and cash card services; etc.
- \* lease-purchasing of mobile and modular structures. → lease-purchase financing of mobile and modular structures; Leasing or renting of buildings; etc.

[Class 37]

- \* telecommunication equipment. → installation and maintenance of telecommunication equipment; etc.
- \* replacement, overhaul and maintenance of motors. → repair or maintenance of electric motors; replacement, overhaul and maintenance of motors (other than for vehicles); etc.

[Class 39]

- \* printing product distribution. → delivery, dispatching and distribution of newspapers and magazines; etc.

[Class 40]

- \* water treatment services, namely desalination, purification, treatment, cleaning of ion-exchange resins. → water recycling and desalination services; water treatment and purification; waste water treatment services for industrial purposes; water purification

services; etc.

[Class 41]

- \* operating competitions. → arranging and conducting of sporting competitions and sporting events; planning/operating/arranging of online game competitions; etc.
- \* cultural activities. → Provision of information relating to cultural performances; Organising of cultural events; Organization of cultural events and activities; etc.

[Class 42]

- \* information technology consultancy services. → consultation services relating to computer software; telecommunications technology consultancy; etc.

[Class 44]

- \* rental of medical systems. → rental of medical machines and apparatus; etc.

☞ Please note that, while an application may be amended to clarify or limit the identification, addition to the identification is not accepted. Therefore, the applicant may not amend to include any goods and/or services that are not within the scope of the goods and/or services recited in the present identification. Korean Trademark Act, Article 40(1), 40(2).

Upon amendment, the assigned examiner may issue another notification of provisional refusal if he/she finds new ground(s) of refusal.

#### 10. Guidance for the response:

It is suggested that you may choose one of responses as below

##### A. Response before KIPO

- (1) In order to respond to this provisional refusal before KIPO directly [Article 66(1), Korean Trademark Act], the holder of the International Registration is obliged to be represented by a licensed attorney who is entitled to represent third parties in the Republic of Korea. [Article 6, Korean Trademark Act]
- (2) Time limit is within two months from the date on which the notification of this provisional refusal is issued. The holder may request an extension of time to submit a written opinion/amendment to KIPO. The extension can be permitted twice for a period of one month respectively. The request for extension must be made within the given time limit. [Article 17(1)(i), Korean Trademark Act]

##### B. Response before WIPO

The holder may submit a limitation of the list of goods and/or services (MM6 form) before WIPO directly within the given time limit. [Rule 25 (1)(a)(ii), Common Regulations]

#### 11. Official Seal or Signature by the Office:

KIPO Examiner KANG, Gyung Ho 

<< Information >>

If the holder has any questions or needs assistance in responding to this notification, please contact the examiner.

E-mail: kipomadrid@korea.kr, telephone: (82) (42) 481 5326 or Fax: (82) (42) 472 3507





# Extract from the Korean Trademark Act

## Article 3 Persons Entitled to Registration of Trademark

(1) Any person who uses or intends to use a trademark in the Republic of Korea may obtain registration of his/her trademark: Provided, That no employee of the Korean Intellectual Property Office or the Intellectual Property Trial and Appeal Board shall obtain registration of a trademark while he/she is in office, except by inheritance or bequest.

## Article 6 Trademark Manager of Non-Resident

(1) Except where a person who is not domiciled or does not have his/her place of business in the Republic of Korea (hereinafter referred to as "non-resident") resides in the Republic of Korea, the non-resident (in cases of a corporation, referring to the representative thereof) may follow trademark-related procedures or bring a lawsuit against measures taken by an administrative authority in accordance with this Act or an order issued under this Act only through a person who is domiciled or has his/her place of business in the Republic of Korea (hereinafter referred to as "trademark manager") as an agent managing the trademark of the non-resident.

(2) A trademark manager shall represent his/her principal in a lawsuit with respect to trademark-related procedures or a disposition made by an administrative authority in accordance with this Act or an order issued under this Act, within the scope of authority delegated to him/her.

## Article 220 Service on Non-Resident

(1) Where a non-resident has a trademark manager, any document to be served on such non-resident shall be served on his/her trademark manager: Provided, That the foregoing shall not apply where an examiner notifies an applicant for international trademark registration of grounds for rejection via the International Secretariat pursuant to Article 190.

(2) Where a non-resident does not have a trademark manager, any document to be served on such non-resident may be sent by registered airmail.

(3) Where a document is sent by registered airmail pursuant to paragraph (2), such document shall be deemed served on the date the document is sent.

## Article 33 Requirements for Trademark Registration

(1) Trademark registration may be obtained, excluding the following trademarks:

1. A trademark consisting solely of a mark indicating, in a common manner, the common name of the goods;
  2. A trademark used customarily in connection with the goods;
  3. A trademark consisting solely of a mark indicating, in a common manner, the place of production, quality, raw materials, effect, usage, quantity, shape, price, method of production, method of processing, method of use or time of the goods;
  4. A trademark consisting solely of a conspicuous geographical name, the abbreviation thereof, or a map;
  5. A trademark consisting solely of a mark indicating a common surname or name according to the method in common use;
  6. A trademark consisting solely of a simple and readily available mark;
  7. In addition to trademarks under subparagraphs 1 through 6, a trademark which is unrecognizable for consumers to identify which goods related to whose business it indicates.
- (2) Even if a trademark falls under any of paragraph (1) 3 through 6, where such trademark is recognizable to consumers as a trademark indicating the source of goods of a specific person as a result of using the trademark before filing an application for trademark registration, trademark registration may be granted limited to the goods on which such trademark is used.
- (3) Even if a mark falls under paragraph (1) 3 (limited to place of production) or 4, where such mark is a geographical indication for specific goods, an applicant may obtain registration of a collective mark with geographical indication for goods using such geographical indication as designated goods (referring to the goods designated pursuant to Article 38 (1) and the goods additionally designated pursuant to Article 86 (1); hereinafter the same shall apply).

## Article 34 Trademarks Ineligible for Trademark Registration

(1) Notwithstanding Article 33, none of the following trademarks shall be registered:

1. Any of the following trademarks, which is a national flag of a country, an insignia of an international organization, etc.:

(a) Any trademark identical or similar to the national flag, the national emblem, the colors, medals, decorations or insignias of the Republic of Korea, or seals or signs used for supervision or certification by the Republic of Korea or public institutions;

(b) Any trademark identical or similar to any national flag of a country of the Union to the Paris Convention for the Protection of Industrial Property (hereinafter referred to as the "Paris Convention"), of a member of the World Trade Organization, or of a Contracting Party to the Trademark Law Treaty (hereafter in this paragraph, referred to as "countries of the Union, etc.");

(c) Any trademark identical or similar to the title, abbreviated title, or mark of the Red Cross, the International Olympic Committee, or a renowned international organization: Provided, That where such organization has applied for trademark registration of its title, abbreviated title, or mark, trademark registration may be obtained;

(d) Any trademark identical or similar to coats of arms, flags, medals, decorations or badges of the countries of the Union, etc. designated by the Commissioner of the Korean Intellectual Property Office after notification by the World Intellectual Property Organization pursuant to Article 6-3 of the Paris Convention, or titles, abbreviated titles, coats of arms, flags, medals, decorations or badges of inter-governmental international organizations which countries of the Union, etc. have joined: Provided, That where an inter-governmental international organization which the countries of the Union, etc. have joined applies for trademark registration of its title, abbreviated title, or mark, trademark registration may be obtained;

(e) Any trademark identical or similar to seals or signs used for supervision or certification by countries of the Union, etc. designated by the Commissioner of the Korean Intellectual Property Office after notification by the World Intellectual Property Organization pursuant to Article 6-3 of the Paris Convention or their public organizations, which is used for the goods identical or similar to those for which such seals or signs are used;

2. Any trademark which falsely indicates a relationship with a state, race, ethnic group, public organization, religion, or famous deceased person, or which slanders, insults, or is likely to defame any of them;

3. Any trademark identical or similar to a famous mark, which is a mark indicating nonprofit business or public service of a state, public organization, or any of its agencies and a non-profit corporation: Provided, That where such state, etc. has applied for trademark registration of its mark, trademark registration may be obtained;

4. Any trademark whose meaning, content, etc. conveyed to consumers is likely to harm public order, such as being contrary to moral norms, the prevailing moral sense of ordinary people, where the trademark itself is used or the trademark is used for goods;

5. Any trademark consisting of a mark identical or similar to a medal, certificate of merit or decoration awarded at an exhibition held by or with the approval of the Government of the Republic of Korea or at an exhibition held by or with the approval of the government of a foreign country: Provided, That where a person who has been awarded at such exhibition uses such mark as part of the trademark for the awarded goods, trademark registration may be obtained;

6. Any trademark containing the name, title, or trade name, portrait, signature, seal, literary name, stage name, pen name of a prominent person, or his/her abbreviated title: Provided, That where the consent of such person has been obtained,

trademark registration may be obtained;

7. Any trademark used for goods identical or similar to the designated goods, which is identical or similar to the registered trademark of another person (excluding any registered collective mark with geographical indication) based on first to file;

8. Any trademark used on goods recognized as identical to the designated goods, which is identical or similar to a registered collective mark with geographical indication of another person based on first to file;

9. Any trademark identical or similar to a trademark (excluding a geographical indication) widely recognized by consumers as indicating the goods of another person, which is used on goods identical or similar to the goods of another person;

10. Any trademark identical or similar to a geographical indication of another person widely recognized by consumers as indicating the goods of a specific region, which is used on goods recognized as identical to the goods using such geographical indication;

11. Any trademark likely to cause confusion with goods or business of another person remarkably recognized by consumers or to dilute their distinctiveness or reputation;

12. Any trademark which is likely to mislead consumers about the quality of goods or deceive consumers;

13. Any trademark which is identical or similar to a trademark (excluding a geographical indication) recognized as indicating the goods of a specific person by consumers in the Republic of Korea or overseas, which is used for unlawful purposes, such as unjust enrichment or inflicting loss on the specific person;

14. Any trademark which is identical or similar to a geographical indication recognized as indicating the goods of a specific region by customers in the Republic of Korea or overseas, which is used for unlawful purposes, such as unjust enrichment or inflicting loss on any legitimate users of such geographical indication;

15. Any trademark consisting solely of the three-dimensional shape, color, combination of colors, sound, or smell, which is essential (in cases of services, referring to cases essential for the use and purpose thereof) to secure the function of goods intended to obtain trademark registration or of the package of such goods;

16. Any trademark intended to be used on wine or distilled beverages, which consists of a geographical indication of the place of production of wine or distilled beverages or contains such geographical indication in a member of the World Trade Organization: Provided, That where a legitimate user of the geographical indication applies for registration of a collective mark with geographical indication under Article 36 (5) by designating the relevant goods as the designated goods, he/she may obtain trademark registration;

17. Any trademark which is identical or similar to the name of a variety registered pursuant to Article 109 of the Act on the Protection of New Varieties of Plants, which is used for goods identical or similar to the name of such variety;

18. Any trademark which is identical or similar to a geographical indication of another person registered pursuant to Article 32 of the Agricultural and Fishery Products Quality Control Act, which is used on goods recognized as identical to the goods using such geographical indication;

19. Any trademark which is identical or similar to a geographical indication of another person protected in accordance with a bilateral or multilateral free trade agreement which has come into effect, concluded by the Republic of Korea with a foreign country or foreign countries, or which consists of or contains such geographical indication, used on goods deemed identical to the goods using such geographical indication;

20. Any trademark for the registration of which an applicant applies on goods, which is identical or similar to such trademark, while he/she is aware that another person uses or intends to use the trademark through a contractual relationship, such as partnership or employment, or business transactional relationship, or any other relationship;

21. Any trademark for the registration of which any person who has or had a contractual relationship, such as partnership or employment, business contractual relationship, or any other relationship with a person who holds the right to the trademark registered, which is identical or similar to the trademark registered in a State party to the treaty, applies on goods by designating goods identical or similar to the goods on which the trademark is designated as the designated goods without the consent of the person who holds the right to the trademark.

(2) Whether paragraph (1) and an applicant for trademark registration (hereinafter referred to as "applicant") correspond to another person under the relevant provision shall be determined based on the time a decision corresponding to any of the following is made (hereinafter referred to as "decision on whether to grant trademark registration"): Provided, That in cases falling under paragraph (1) 11, 13, 124, 20 and 21, whether an applicant corresponds to another person under the relevant provision shall be determined based on the time an application for trademark registration is filed:

1. Decision to reject trademark registration under Article 54;

2. Decision to grant trademark registration under Article 68.

(3) Where a trial to revoke trademark registration is requested because a trademark right holder or a person who uses a trademark of such trademark right holder falls under Article 119 (1) 1 through 3 and 5 through 9, and he/she falls under any of the following after the date such lawsuit is commenced, he/she may obtain trademark registration only where he/she applies for registration of a trademark identical or similar to such trademark (limited to where he/she intends to obtain trademark registration again by designating identical or similar goods (in cases of a collective mark with geographical indication, referring to goods deemed identical) as the designated goods) after three years from the date he/she falls under any of the following:

1. Where trademark rights are extinguished upon expiry;

2. Where a trademark right holder relinquishes trademark rights or abandons some of the designated goods;

3. Where a trial decision to revoke trademark registration is final and conclusive.

(4) None of the provisions of paragraph (1) 8 and 10 shall apply to homonymous collective marks with a geographical indication.

#### **Article 35 First to File**

(1) Where at least two applications for trademark registration are filed on different days with respect to the same or similar trademark to be used on the same or similar goods, only the first person who files an application may obtain registration of such trademark.

#### **Article 38 One Application for One Trademark**

(1) Any person who intends to file an application for trademark registration shall file an application for each trademark by designating at least one category of goods in accordance with the classification of goods.

(2) Specific goods belonging to the category of goods under paragraph (1) shall be prescribed and announced by the Commissioner of the Korean Intellectual Property Office.

(3) No classification of any category of goods under paragraph (1) shall be construed as prescribing the range of similarity of goods.

#### **Article 54 Decision to Reject Trademark Registration**

Where an application for trademark registration falls under any of the following, an examiner shall decide to reject trademark registration:

1. Where a trademark fails to meet the definitions of a trademark, collective mark, geographical indication, collective mark with geographical indication, certification mark, certification mark with geographical indication, or business emblem under Article 2 (1);

2. Where a trademark is in violation of the treaty;

3. Where a trademark cannot be registered pursuant to Articles 3, 27, 33 through 35, 38 (1), the latter part of Article 48 (2), paragraph (4) or (6) through (8) of the aforesaid Article;

4. Where a person is not entitled to registration of a collective mark, certification mark and business emblem under Article 3;

5. In cases of an application for registration of a collective mark with geographical indication, the articles of incorporation of an organization

actually do not permit persons to join the organization as its members, such as the prohibition of persons from joining the organization in accordance with the articles of incorporation, or impracticable conditions for joining the organization are stipulated in the articles of incorporation;

6. Where all or some of the matters concerning the use of a collective mark prescribed by Presidential Decree are not stated in the articles of incorporation under Article 36 (3), or all or some of the matters concerning the use of a certification mark prescribed by Presidential Decree are not stated in the articles of incorporation or the rules under paragraph (4) of the aforesaid Article;

7. In cases of an application for registration of a certification mark, the articles of incorporation actually do not permit persons who may use such certification mark to use it, such as the prohibition of persons from using it in accordance with the articles of incorporation or the rules without justifiable grounds, or impracticable conditions of use thereof are stipulated in the articles of incorporation or the rules.

#### **Article 55 Notification of Grounds for Rejection**

(1) Where an examiner intends to decide to reject trademark registration pursuant to Article 54, he/she shall notify an applicant of grounds for rejection (referring to grounds provided in any of the subparagraphs of the aforesaid Article; hereinafter referred to as "grounds for rejection") in advance. In such cases, the applicant may submit a written opinion about grounds for rejection within a period prescribed by Ordinance of

the Ministry of Trade, Industry and Energy.

(2) Where an examiner notifies an applicant of grounds for rejection pursuant to paragraph (1), he/she shall specify the grounds and basis for rejection of each of the designated goods.

(3) An applicant who fails to submit a written opinion within a period under the latter part of paragraph (2) may apply for continuing trademark-related procedures and submit a written opinion addressing the grounds for rejection within two months from the expiration date of such period.

#### **Article 115 Trial against Decision to Dismiss Amendment**

Where a person who receives a decision to dismiss an amendment under Article 42 (1) appeals against such decision, he/she may request a trial within 30 days from the date he/she is served with a certified copy of such decision.

#### **Article 116 Trial against Decision to Reject**

Where a person who receives a decision to reject trademark registration, decision to reject registration of additional designated goods or decision to reject registration of the conversion of the classification of goods (hereinafter referred to as "decision to reject") under Article 54 appeals against such decision, he/she may request a trial within 30 days from the date he/she is served with a certified copy of such decision to reject.

**Korean Trademark Act URL: <http://www.kipo.go.kr/eng/>**