

MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION
Rule 17(1)

<p>I. Office making the notification: National Center for Patents and Information of the Republic of Tajikistan Dushanbe 14a Ayni street.</p>
<p>II. Number of the international registration: 1 455 136</p>
<p>III. Name of the holder (or other indication enabling the identity of the international registration to be confirmed):</p> <p style="text-align: center;">Barilla G. e R. Fratelli - Società per Azioni Via Mantova, 166 Parma (PR) (IT)</p>
<p>IV. <input checked="" type="checkbox"/> Provisional refusal based on an <i>exofficio</i> examination</p> <p><input type="checkbox"/> Provisional refusal based on an opposition</p> <p><input type="checkbox"/> Provisional refusal based on both an <i>exofficio</i> examination and an opposition¹</p>
<p>V. <input type="checkbox"/> Provisional refusal for all the goods and/or services</p> <p><input checked="" type="checkbox"/> Provisional refusal for some of the goods and/or services which are affected in class 30 of NCL</p> <p>30</p> <p>Coffee, tea, cocoa and artificial coffee; rice; tapioca and sago; flour and preparations made from cereals; bread, pastry and confectionery; ices; sugar, honey, treacle; yeast, baking-powder; salt; mustard; vinegar, sauces (condiments); spices; ice; oat-based food; farinaceous foods; starch for food; aniseed; star aniseed; seasonings; coffee flavorings [flavourings]; flavorings, other than essential oils; flavorings [flavourings], other than essential oils, for beverages; flavorings [flavourings], other than essential oils, for cakes; crushed oats; husked oats; high-protein cereal bars; stick liquorice [confectionery]; cocoa-based beverages; coffee-based beverages; chocolate-based beverages; tea-based beverages; baking soda [bicarbonate of soda for cooking purposes]; biscuits; malt biscuits; petit-beurre biscuits; sweetmeats [candy]; buns; puddings; cocoa; cocoa beverages with milk; coffee beverages with milk; unroasted coffee; cinnamon [spice]; caramels [candy]; condiments; crackers; couscous [semolina]; cakes; wheat flour; flour; fruit jellies [confectionery]; edible ices; baking powder; macaroni; mayonnaise; rusks; unleavened bread; breadcrumbs; bread rolls; pasta; pesto [sauce]; pizzas; cereal preparations; ravioli; cooking salt; tomato sauce; soya sauce; dressings for salad; sandwiches; oatmeal; semolina; hominy grits; cereal-based snack food; rice-based snack food; sorbets [ices]; spaghetti; meat gravies; noodles; tarts; vermicelli [noodles]; saffron [seasoning]; ginger [spice].</p>
<p>VI. Grounds for refusal [(where applicable, see item VII)]:</p> <p>The sign shall not be registered because it's confusingly similar to trademarks of another person protected in the Republic of Tajikistan with an earlier priority.</p>

VII. Information relating to an earlier mark :

- (i) Filing date and number, and, if any, priority date:
- (ii) Registration date and number (if available): **27.09.2001, IR 525 926**

Name and address of the owner: FFAUF ITALIA S.P.A.
Via Castellana 34 I-31039 RIESE PIO X (TV) (IT)



Reproduction of the mark:

List of all or relevant goods and/or services:

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Fresh, dry, preserved, deep-frozen, ready-to-use pasta.

VIII. Corresponding essential provisions of the applicable law [(see text under XII)]:
Article 9.1.1. of the Law of the Republic of Tajikistan on Trademarks and service marks.

IX. Information relating to subsequent procedure:

- (i) Time limit for requesting review or appeal:

In the event of disagreement of the applicant with the examiner's decision, he shall have the right, within two month of the date of receipt of the decision from International Bureau, to file with the Patent Office a request for reexamination.

- (ii) Authority to which such request for review or appeal should be made:

National Center for Patents and Information of the Republic of Tajikistan.

- (iii) Indications concerning the appointment of a representative:

<http://www.ncpi.tj/index.php/ru/patentnyj-poverennyj>

X. Date of the notification of provisional refusal: **05.05.2020**

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

**Head of Division of
international registration
of trademarks
Mr. P. Miraliev**



XII. Corresponding essential provisions of the applicable law:

Article 9. Other grounds for denial of registration.

The following designations shall not be registered as trademarks if they are identical with or confusingly similar to:

- **trademarks of other persons, applied for registration (provided applications for them have not been withdrawn) or protected in the Republic of Tajikistan by virtue of an international treaty recognized by the Republic of Tajikistan, in respect of similar goods and with an earlier priority;**

[...]