



Model Form 3

MADRID PROTOCOL

PROVISIONAL REFUSAL OF PROTECTION

Rule 17(1)

This form is to be used in the following situation: The Office considers that protection cannot be granted in the Contracting Party concerned (ex officio provisional refusal) or protection cannot be granted in the Contracting Party concerned because an opposition has been filed, or both. In due course, once all the procedures before the Office have been completed, the Office shall send to the International Bureau a statement regarding the final disposition on the status of the mark, using Model Forms 5 or 6, as the case may be.

I.	Office sending the statement:	RWANDA DEVELOPMENT BOARD OFFICE OF THE REGISTRAR GENERAL (RW)
II.	Number of the international registration:	1455136
III.	Name of the holder (or other information enabling the identity of the international registration to be confirmed):	Barilla G. e R. Fratelli - Società per Azioni Via Mantova, 166 Parma (PR), Italy
IV.	<input checked="" type="checkbox"/> Provisional refusal based on an ex officio examination <input type="checkbox"/> Provisional refusal based on an opposition ¹ <input type="checkbox"/> Provisional refusal based on both an ex officio examination and an opposition	
V.	<input type="checkbox"/> Provisional refusal for all the goods and/or services <input checked="" type="checkbox"/> Provisional refusal for some of the goods and/or services:[followed by an indication of the goods and/or services which are affected or are not affected] ² Goods not affected: 41: Education; providing of training; entertainment; sporting and cultural activities; academies [education]; practical training (demonstration); education information; recreation information; gymnastic instruction; correspondence courses; organising cookery courses; organising of competitions; organization of sports competitions; organization of competitions [education or entertainment]; organization of exhibitions for cultural or educational purposes; organization of shows [impresario services]; arranging and conducting of concerts; arranging and conducting of conferences; arranging and conducting of congresses; arranging and conducting of colloquiums; arranging and conducting of seminars; arranging and conducting of symposiums; arranging and	


¹ The name and address of the opponent should also be provided.

² Where all the goods or services included in a given class are to be mentioned, the indication should read "all goods (or all services) in class X". In all cases, a clear indication should be given as to whether those goods and/or services are affected, or are NOT affected.

<p>conducting of workshops [training]; entertainment party planning; publication of books; publication of texts, other than publicity texts; publication of electronic books and journals on-line; electronic desktop publishing; presentation of live performances; game services provided on-line from a computer network.</p> <p>43: Services for providing food and drink; temporary accommodation; cafés; cafeterias; rental of temporary accommodation; canteens; hotel reservations; temporary accommodation reservations; boarding house bookings; restaurants; self-service restaurants; hotels; bar services; holiday camp services [lodging]; food and drink catering; motels; snack-bars.</p>
<p>VI. Grounds for refusal [(where applicable, see item VII)]:</p> <p>it's a descriptive mark</p> <p>The sought mark MASTERS OF PASTA is refused under article 138 of the IP Law</p> <p>The mark is descriptive in relation to the goods in which it is representing whose use cannot be reserved for a single user. Therefore it is devoid of any distinctive character as per article 135 of the IP Law.</p>
<p>VII. Information relating to an earlier mark³ :</p> <ul style="list-style-type: none"> i) Filing date and number, and, if any, priority date: ii) Registration date and number (if available): iii) Name and address of the owner: iv) Reproduction of the mark: v) List of all or relevant goods and/or services:
<p>VIII. Corresponding essential provisions of the applicable Act [(see text under XII)]:</p>
<p>IX. Information relating to subsequent procedure:</p> <ul style="list-style-type: none"> i) Time limit for requesting review or appeal: 3 months from Date of Notification by WIPO ii) Authority to which such request for review or appeal should be made: RDB Office of the Registrar General Kigali Rwanda iii) Indications concerning the appointment of a representative: All Foreign applicants need to engage the services of an agent domiciled in Rwanda
<p>X. Date of the notification of provisional refusal: 3rd day of June, 2020</p>
<p>XI. Signature or official seal of the Office communicating the information:</p>

³ Where the grounds on which the provisional refusal is based relate to an earlier mark, as indicated under item VI. The indication required under this item may be given by annexing a printout from the register or database..




KAYIBANDA Richard
Registrar General

XII. Corresponding essential provisions of the applicable Act: