

**INTELLECTUAL PROPERTY
OFFICE OF THE PHILIPPINES**
BUREAU OF TRADEMARKS
Intellectual Property Center, 28 Upper
McKinley Rd., McKinley Hill Town Center, Fort
Bonifacio, Taguig City 1634, Philippines
Website: <http://www.ipophil.gov.ph>

DOCUMENT NO.	2020/123032
DATE OF NOTIFICATION	Pls. refer to the digital signature date

The International Bureau
World Intellectual Property Organization
34, chemin des Colombettes
1211 Geneva 20
Switzerland

**NOTIFICATION OF A PROVISIONAL REFUSAL OF PROTECTION
OF AN INTERNATIONAL REGISTRATION DESIGNATING
THE PHILIPPINES
Rule 17(1)**

International Registration No: 1535818	IR Date/Subsequent Designation Date: 8 April 2020
Holder:	JINAN LIZHI TESTING SYSTEM Co., Ltd. [CN]
Mark:	
Examiner:	KATHLEEN JOYCE A. RAMOS
Supervisor:	RUTH U. TAN

The mark has been examined, but the issues below prevent the Intellectual Property Office of the Philippines (IPOP HL) from granting the registration of the mark for **all the goods and/or services**.

Registrability Issue(s):

The mark nearly resembles a registered mark belonging to a different proprietor or a mark with an earlier filing or priority date, and the resemblance is likely to deceive or cause confusion (IP Code, Sec. 123.1[d][ii]). See attachment(s).

SEC. 123. Registrability

123.1. A mark cannot be registered if it:

(d) Is identical with a registered mark belonging to a different proprietor or a mark with an earlier filing or priority date, in respect of:

- (i) The same goods or services, or*
- (ii) Closely related goods or services, or*
- (iii) If it nearly resembles such a mark as to be likely to deceive or cause confusion*

RULE 102. Registrability. — *A mark cannot be registered if it:*

(d) Is identical with a registered mark belonging to a different proprietor or a mark with an earlier filing or priority date, in respect of:

- (i) The same goods or services, or*
- (ii) Closely related goods or services, or*
- (iii) If it nearly resembles such a mark as to be likely to deceive or cause confusion*

Information relating to subsequent procedure:

The applicant must respond in writing to this refusal within two (2) months from the digital signature date found at the end of this notice. The response must be filed by a duly authorized representative with a local address in the Philippines (the list of agents in the Philippines is available on the IPOP HL website). Within the two (2) month-period, the applicant may request an extension of time of another two (2) months to respond to this provisional refusal. The request for extension must be filed by the applicant's local representative in the Philippines. The request for extension

can only be made once.

Failure to respond to the provisional refusal, submission of an incomplete response, or failure to request an extension of time to respond within the two-month period will result in the abandonment of the application. In case of abandonment, the applicant has three (3) months from the abandonment date (counted from the lapse of the period to respond) to request the revival of the application. Failure to revive an abandoned application will result in its final abandonment and the confirmation of the total provisional refusal.


If the applicant is able to overturn the objections raised by the Examiner in the provisional refusal, the mark will be published for purposes of opposition. If no opposition to the registration of the mark is filed, the Office will issue a statement of grant of protection.

All responses or communications should be addressed to: THE DIRECTOR OF TRADEMARKS, Intellectual Property Office of the Philippines, 14/F Intellectual Property Center, No. 28 Upper McKinley Road, McKinley Hill Town Center, Fort Bonifacio, Taguig City 1634, Philippines.

Additional information:

The IPOPPL requires the submission of the Declaration of Actual Use (DAU) within three (3) years from the date of international registration or the date of subsequent designation, as the case may be; within one (1) year from the fifth anniversary of the date of grant of protection of the mark; within one (1) year from the renewal date; and within one (1) year from the fifth anniversary of each renewal. The provisions governing the filing of the DAU are contained in the Trademark Regulations of 2017.

Cited mark(s)

Registration No.	4/2019/00007398
Registration Date	1 August 2019
Registrant	Guangzhou Lizhi Network Technology Co., Ltd. - 3-07A, No. 309 Huangpu Boulevard, Tianhe District, Guangzhou, Guangdong Province, P.R., China trademarks@cltpsj.com.ph
Trademark	LIZHI  L I Z H I
Disclaimer	None
Translation	None
Color claim	None
Goods / Services	Class 9: Data processing apparatus; computers; downloadable music files; computer operating programs, recorded; electronic publications, downloadable; computer software applications, downloadable; juke boxes for computers; projection apparatus; computer programs, downloadable; megaphones; microphones; compact discs [audio-video]; computer software, recorded; sound recording carriers; sound recording apparatus; audiovisual teaching apparatus; computer programs, recorded Class 35: Advisory services for business management; sales promotion for others; presentation of goods on communication media, for retail purposes; layout services for advertising purposes; advertising; advertising agency services; rental of advertising time on communication media; online advertising on a computer network; systemization of information into computer databases Class 38: Radio broadcasting; wireless broadcasting; television broadcasting; computer aided transmission of messages and images; electronic bulletin board services [telecommunications services]; providing access to databases; providing user access to global computer networks; providing telecommunications connections to a global computer network; voice mail services; message sending; communications by computer terminals; providing online forums; video-on-demand transmission; transmission of digital files; providing internet chatrooms Class 41: Providing online electronic publications, not downloadable; vocational guidance

[education or training advice]; organization of competitions [education or entertainment]; writing of texts; news reporters services; providing online music, not downloadable; providing online videos, not downloadable; academies [education]; arranging and conducting of workshops [training]; organization of fashion shows for entertainment purposes; screenplay writing; production of music; teaching; club services [entertainment or education]; health club services [health and fitness training]; organization of exhibitions for cultural or educational purposes; arranging and conducting of in-person educational forums; arranging and conducting of conferences; mobile library services; television entertainment; photography; party planning [entertainment]; live programmes, streaming media and video-on-demand transmission services; providing non-downloadable television programmes via video-on-demand service; production of live programmes; production of live television programmes; providing production services of live voice and video; providing on-line live broadcasting of music and theatre; providing radio entertainment on live and played by television, broadcast, satellite and internet; radio entertainment; production of radio and television programmes

Class 42: Computer programming; conversion of data or documents from physical to electronic media; installation of computer software; software as a service [SaaS]; providing search engines for the internet; updating of computer software; electronic data storage; computer software design; maintenance of computer software; cloud computing

Registration No.	M/0001/01478426
Registration Date	13 October 2019
Registrant	GUANGZHOU LIZHI NETWORK TECHNOLOGY CO., LTD. - 3-07A, NO.309 HUANGPU BOULEVARD, TIANHE DISTRICT, GUANGZHOU GUANGDONG PROVINCE, China
Trademark	LIZHI



L I Z H I

Disclaimer	None
Translation	None
Color claim	None
Goods / Services	Class 45: Escorting in society [chaperoning]; online social networking services; lost property return; personal wardrobe styling consultancy; marriage agency services; planning and arranging of wedding ceremonies; dating services; chaperoning; leasing of internet domain names; licensing of computer software [legal services].