

**WORLD INTELLECTUAL PROPERTY ORGANISATION**  
**34, CHEMIN DES COLOMBETTES**  
**PO BOX 18**  
**1211 GENEVA 20**  
**SWITZERLAND**

Date of Notification: **17 August 2020**

**International Registration No: 1540506**

**Mark: 蘭芳園鴛鴦**

**Holder: Lan Fang Yuan Food Co., Ltd of China**

**Notification of the Intellectual Property Office of Ireland of Partial Provisional Refusal**

Dear Sir/Madam,

This notification is issued pursuant to Article 5 of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks and Rule 17(2) of the Common Regulations under the Agreement and Protocol, and is to inform you that protection for this mark is refused for the reasons set out below. Any references to Sections are to Sections of the Trade Marks Act, 1996 and to Rules are to Rules of the Trade Marks Rules, 1996.

**1. Section 39(2) and Rule 6**

This office considers the following class 30 terms too vague “milk lump (candy), “fruity tea drink”, please clarify.

**2. Please note that this refusal is only in respect of the following goods/services for which protection is sought: **Class 30: milk lump (candy), fruity tea drink****

3. The holder may make representations in writing, or may request an extension of time for doing so, not later than **16 November 2020**. A request for an extension of time received after that date may be granted at the discretion of the Controller of Intellectual Property.
4. If representations or a request for an extension of time are not received by the specified date, protection of the mark will be refused in respect of the goods listed in paragraph 2.
5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied by an address for service within the European Economic Area as required by Rule 10(1)(a) as amended by Statutory Instrument 410 of 2010; failure to furnish such address will result in the holder being deemed to have abandoned his request for protection.

6. If, following the receipt of representations, it is considered that the requirements for protection are met, the mark will be published in the Official Journal and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.
7. In the absence of any representations, the mark will be published in the Official Journal in respect of the remaining goods, i.e. other than those listed in paragraph 2, and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.
8. Date of Partial Refusal: **17 August 2020**

Yours faithfully

*Paula Murphy.*

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**Paula Murphy**  
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