



MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION

Rule 17. 1)

I. Office making the notification :
**National Institute of Intellectual Property (“NIIP”),
Ministry of Justice, Republic of Kazakhstan**

II. Number of the international registration : **1515221**

III. Name of the holder (or other indication to confirm the identity of the international registration):
**JILIN GINSENG ASSOCIATION
Room 2013, Building 2,
Global Trade Center,
Changchun City
Jilin Province (CN)**

IV. Reproduction of the mark:



- V. ☒ Provisional refusal for all goods and/or services
- ☐ Provisional refusal for some of the goods and/or services:
[this will be followed by an indication of the goods and/or services that are affected or not affected]

VI. Grounds for refusal:



Previous international trademark: (540) ; (111) 1061128; (151) 08.10.2010; (180) 08.10.2020; (511) cl. 05 – see p. 3; (732) Beijing Beyond Attorneys at Law, F6, Xijin Centre, 39 Lianhuachi East Road, Haidian District 100038 Beijing (CN).

The registration does not establish any exclusive rights to elements 人参, GINSENG and CBM because it indicates the kind and quantity of goods and it has descriptive nature with respect to the requested goods and it is a common term.

VII. Corresponding essential provisions of the applicable law: **sp.1) p.1 art.7; sp.2), 3), 6) p.1 art.6**

VIII. Information relating to further proceedings:

i) An objection to this refusal may be filed within 3 months from the date of this notification. During this time limit the refusal is deemed provisional. The refusal will be final upon the right holder's failure to file an objection, and the extension request (not more than 6 months).

ii) A uthority to which the objection may be filed: **NIIP**

Address:

**Mangilik El Avenue, building 57A, n.p. 8, Yessil district,
010000, Nur-Sultan, Republic of Kazakhstan**

Telephone: +7 (7172) 62-15-15, + 7 (7172) 62-15-04


<http://www.kazpatent.kz>, e-mail: kazpatent@kazpatent.kz

iii) indications concerning the appointment of a representative:
Assistance of a local representative is required

Tax legal adequate.

IX. Date of the notification of provisional refusal: **06.01.2021**

X. Signature or official seal of the Office sending the statement:



**Deputy Director
N. Abulkairov**

WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION	Madrid Monitor	International Trademark
1061128		Printed: 2020-12-30 23:01

1061128

Full details / English

Current Status

180 Expected expiration date of the registration/renewal

08.10.2020

151 Date of the registration

08.10.2010

270 Language of the application

English

732 Name and address of the holder of the registration

Jilin Ginseng Association
No. 23 Hongqi Street,
Changchun City
Jilin Province (CN)

812 Contracting State or Contracting Organization in the territory of which the holder has a real and effective industrial or commercial establishment

CN

740 Name and address of the representative

Beijing Beyond Attorneys at Law
F6, Xijin Centre,
39 Lianhuachi East Road,
Haidian District
100038 Beijing (CN)

540 Mark



550 Indication relating to the nature or kind of mark

Collective mark, certification mark or guarantee mark

550 Indication relating to the nature or kind of mark

The words contained in the mark have no meaning

531 International Classification of the Figurative Elements of Marks (Vienna Classification) - VCL(6)

28.03.00 ; 29.01.13

561 Transliteration of the mark

CHANGBAISHANRENSHEN.

566 Translation of the mark or of words contained in the mark

Long white hill people ginseng.

511 International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification) - NCL(9)

WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION	Madrid Monitor	International Trademark
1061128		Printed: 2020-12-30 23:01

05 Ginseng.

822 Basic registration

CN, 28.10.2009, 7331857

832 Designation(s) under the Madrid Protocol

AG - BH - BQ - BW - CW - DK - EE - EM - FI - GB - GE - GH - GR - IE - IS - JP - KR - LT - MG - NO - OM - SE - SG - ST - SX - SY - TM - TR - US - UZ - ZM

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

AL - AM - AT - AZ - BA - BG - BT - BX - BY - CH - CU - CY - CZ - DE - DZ - EG - ES - FR - HR - HU - IR - IT - KE - KG - KP - KZ - LI - LR - LS - LV - MA - MC - MD - ME - MK - MN - MZ - NA - PL - PT - RO - RS - RU - SD - SI - SK - SL - SM - SZ - TJ - UA - VN

527 Indications regarding use requirements

GB - IE - SG - US

Transaction History

expand

KZ

Registration : 2010/51 Gaz, 13.01.2011, AG, AL, AM, AN, AT, AU, AZ, BA, BG, BH, BT, BW, BX, BY, CH, CU, CY, CZ, DE, DK, DZ, EE, EG, EM, ES, FI, FR, GB, GE, GH, GR, HR, HU, IE, IR, IS, IT, JP, KE, KG, KP, KR, KZ, LI, LR, LS, LT, LV, MA, MC, MD, ME, MG, MK, MN, MZ, NA, NO, OM, PL, PT, RO, RS, RU, SD, SE, SG, SI, SK, SL, SM, ST, SY, SZ, TJ, TM, TR, UA, US, UZ, VN, ZM

450 Publication number and date

2010/51 Gaz, 13.01.2011

831 Designation(s) under the Madrid Agreement

DZ - KZ - TJ

832 Designation(s) under the Madrid Protocol

AG - AN - AU - BH - BW - DK - EE - EM - FI - GB - GE - GH - GR - IE - IS - JP - KR - LT - MG - NO - OM - SE - SG - ST - TM - TR - US - UZ - ZM

834 Designation(s) under the Madrid Protocol by virtue of Article 9sexies

AL - AM - AT - AZ - BA - BG - BT - BX - BY - CH - CU - CY - CZ - DE - EG - ES - FR - HR - HU - IR - IT - KE - KG - KP - LI - LR - LS - LV - MA - MC - MD - ME - MK - MN - MZ - NA - PL - PT - RO - RS - RU - SD - SI - SK - SL - SM - SY - SZ - UA - VN

527 Indications regarding use requirements

GB - IE - SG - US

581 Date of notification by the International Bureau to the designated Contracting Parties (from which the time limit to notify the refusal starts)

06.01.2011

The refusal period has expired and no notification of provisional refusal has been recorded (application of Rule 5 preserved)

AG - AL - AN - AZ - BH - BT - BW - CY - DZ - EG - FR - GH - GR - KE - LI - LR - LS - MA - MC - MZ - NA - OM - SD - SL - ST - SZ - UZ - ZM

Statement of grant of protection made under Rule 18ter(1) : 2012/3 Gaz, 09.02.2012, KZ

KZ

450 Publication number and date

2012/3 Gaz, 09.02.2012

Date of receipt by the International Bureau

15.12.2011