

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: 1 515 221</p>
<p>III. Name of the holder (or other indication enabling the identity of the international registration to be confirmed): JILIN GINSENG ASSOCIATION Room 2013, Building 2, Global Trade Center, Changchun City Jilin Province (CN)</p>
<p>IV. <input checked="" type="checkbox"/> Provisional refusal based on an <i>ex officio</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>ex officio</i> examination and an opposition¹</p>
<p>V. <input checked="" type="checkbox"/> Provisional refusal for all the goods and/or services</p> <p><input 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]</p>
<p>VI. Grounds for refusal [(where applicable, see item VII)]:</p> <p>The sign shall be registered in whole without to providing legal protection verbal element “CBM GINSENG” because it is characterizes goods</p>
<p>VII. Information relating to an earlier mark :</p> <p style="margin-left: 40px;">(i) Filing date and number, and, if any, priority date:</p> <p style="margin-left: 40px;">(ii) Registration date and number (if available):</p> <p style="margin-left: 40px;">(iii) Name and address of the owner:</p> <p style="margin-left: 40px;">(iv) Reproduction of the mark:</p> <p style="margin-left: 40px;">(v) List of all or relevant goods and/or services:</p>
<p>VIII. Corresponding essential provisions of the applicable law [(see text under XII)]: Article 8.1.3 of the Law of the Republic of Tajikistan on Trademarks and service marks.</p>
<p>IX. Information relating to subsequent procedure:</p> <p style="margin-left: 40px;">(i) Time limit for requesting review or appeal:</p> <p style="margin-left: 80px;">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 a request for reexamination with the Patent Office.</p> <p style="margin-left: 40px;">(ii) Authority to which such request for review or appeal should be made:</p> <p style="margin-left: 80px;">National Center for Patents and Information of the Republic of Tajikistan.</p>

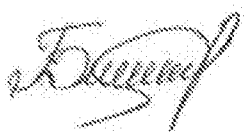
(iii) Indications concerning the appointment of a representative:

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

X. Date of the notification of provisional refusal: **22.01.2021**

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

**Head of Division of
international registration
of trademarks
Mr. B. Davlat**



XII. Corresponding essential provisions of the applicable law:

Article 8. Absolute grounds for denial of registration.

No registration shall be allowed for trademarks consisting only of designations that are devoid of distinctive ability or consist only of the elements:

**- That characterizes goods including pointing to the kind, quality, quantity, property, intended purpose, value, as well as the time and place of their manufacture or sale.
[...]**