



## **MADRID PROTOCOL**

### **Total Provisional Refusal of Protection**

#### **(Rule 17(1) of the Regulations under the Protocol)**

**I. Office making the notification:**

Canadian Intellectual Property Office

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

1500187

**III. Name of the holder:**

SCALE AVIATION MANAGEMENT DESIGNATED ACTIVITY COMPANY

**IV. Information concerning the type of provisional refusal:**

Total provisional refusal based on an ex officio examination

**V. Information concerning the scope of the provisional refusal:**

Total provisional refusal affects all the goods and/or services.

**VI. Grounds for refusal [(where applicable, see item VII)]:**

This examiner's report concerns the above identified Protocol application. To avoid abandonment proceedings, a proper response must be received by this office by August 24, 2021. All correspondence respecting this Protocol application must indicate the file number.

This Protocol application has been examined under the provisions of the Trademarks Act and Trademarks Regulations.

Pursuant to paragraph 30(2)(a) of the Trademarks Act, an application for the registration of a trademark must contain a statement in ordinary commercial terms of the associated goods. Furthermore, section 29 of the Trademarks Regulations requires that the statement must describe each of those goods in a manner that identifies a specific good. It is considered that the following goods are not in specific and ordinary commercial terms:

Footwear; (class 25)

By way of example only, the following would be deemed acceptable:

Footwear, namely, shoes and boots; (class 25)

If this example is not an accurate description of the applicant's goods, it can be used as a guide to the specificity and ordinary commercial term requirements.

For further guidance on redefining the goods and services, please refer to the Goods

and Services Manual available on our website. This searchable tool is not an exhaustive list of acceptable terms, but it may be used as a guide to the specificity and ordinary commercial term requirements of the Trademarks Act and its Regulations.

The applicant is required to file an amended Protocol application, using the e-service on the CIPO website at [www.cipo.ic.gc.ca](http://www.cipo.ic.gc.ca), by fax at 819-953-2476 or by mail at the following address:

Registrar of Trademarks  
Place du Portage I  
50 Victoria Street, room C-114  
Gatineau, QC K1A 0C9

Upon satisfactory compliance with the above-mentioned requirement(s), further Office action will be undertaken.

If the applicant has any specific questions in respect of this Office action, please contact the assigned examiner. Please note that for general inquiries, including assistance with filing of the revised Protocol application, queries about the status of an application or receipt of correspondence, you may contact our Client Service Centre toll free at 1-866-997-1936.

Yours truly,

Wei Huang  
Examination Section  
819-639-2678  
fax: 819-953-2476

## VII. Information relating to an earlier mark:

- 
- (i) Filing date and number, and, if any, priority date:  
Not applicable
  - (ii) Registration date and number (if available):  
Not applicable
  - (iii) Name and address of the owner:  
Not applicable
  - (iv) Reproduction of the mark:  
Not applicable
  - (v) List of the relevant goods and/or services (this list may be in the language of the earlier application or registration):  
Not applicable

**VIII. Corresponding essential provisions of the applicable law:**

Paragraph 30(2)(a) of the Trademarks Act  
Section 29 of the Trademarks Regulations

**IX. Information relating to the possibility to request a review or file an appeal:**

- (i) Time limit for requesting review or appeal:  
2021-08-22
- (ii) Authority to which such request for review or appeal should be made:  
Registrar of Trademarks
- (iii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party:  
Correspondence must be in French or English
- (iv) Other requirements, if any:  
Not applicable

**X. Signature or official seal of the Office making the notification:**

Registrar of Trademarks

**XI. Date of notification to the International Bureau:**

2021-02-24



22 fév/Feb 2021  
Votre référence Your File

Notre référence Our File  
1998336  
Numéro EI IR Number  
1500187

SCALE AVIATION MANAGEMENTDESIGNATED ACTIVITY COMPANY  
25-28 North Wall Quay, IFSC  
Dublin 1 D01H104  
IRELAND

RE: Trademark: STRATEGIC COMMERCIAL  
AVIATION LIQUIDITY ENTERPRISE  
Applicant: SCALE AVIATION  
MANAGEMENTDESIGNATED  
ACTIVITY COMPANY

This examiner's report concerns the above identified Protocol application. To avoid abandonment proceedings, a proper response must be received by this office by August 22, 2021. All correspondence respecting this Protocol application must indicate the file number.

This Protocol application has been examined under the provisions of the *Trademarks Act* and *Trademarks Regulations*.

Pursuant to paragraph 30(2)(a) of the *Trademarks Act*, an application for the registration of a trademark must contain a statement in ordinary commercial terms of the associated goods or services. Furthermore, section 29 of the *Trademarks Regulations* requires that the statement must describe each of those goods or services in a manner that identifies a specific good or service. It is considered that the following goods and/or services are not in specific and ordinary commercial terms:

- 1) financial services (class 36)

By way of example only, the following would be deemed acceptable:

- 1) financial services namely financing of loans for aircrafts (class 36)

If these examples are not an accurate description of the applicant's goods and/or services, they can be used as a guide to the specificity and ordinary commercial term requirements.

For further guidance on redefining the statements of goods, please refer to the *Goods and Services Manual* available on our website. This searchable tool is not an exhaustive list of acceptable terms, but it may be used as a guide to the specificity and ordinary commercial term requirements of the *Trademarks Act* and its *Regulations*.

The applicant is required to file an amended Protocol application, using the e-service on the CIPO website at [www.cipo.ic.gc.ca](http://www.cipo.ic.gc.ca), by fax at 819-953-2476 or by mail at the following address:

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If the applicant has any specific questions in respect of this Office action, please contact the assigned examiner. Please note that for general inquiries, including assistance with filing of the revised application, queries about the status of an application or receipt of correspondence, you may contact our Client Service Centre toll free at 1-866-997-1936.

Yours truly,



Jordan Ramsay  
Examination Section  
819-635-7938  
fax: 819-953-2476