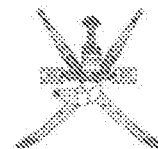


Model Form 3A: Total Provisional Refusal of Protection (Rule 17(1) of the Common Regulations)

I.	Office making the notification: (OM) Sultanate of Oman
II.	Number of the international registration: 1574744
III.	Name of the holder: Biosoft (Australia) Pty Ltd
IV.	Information concerning the type of provisional refusal: <i>Please indicate the type of refusal by checking only one of the following options:</i> ☐ Total provisional refusal based on an <i>ex officio</i> examination ☒ Total provisional refusal based on an opposition ☐ Total provisional refusal based on both an <i>ex officio</i> examination and an opposition <i>Where the refusal is based on an opposition, please indicate the name and address of the opponent:</i> (i) Name of the opponent: Saba & Co Intellectual Property LLC (ii) Address of the opponent: Muscat Oman, PO Box: 2027 PC 112, Tel No. 24811126
V.	Information concerning the scope of the provisional refusal: Total provisional refusal affects the goods and/or services <u>in class 10</u> (Medical devices for micro needling and dermabrasion)
VI.	Grounds for refusal [(where applicable, see item VII)]: Opposition filed by Dermapen IP Holdings LLC based on relative grounds due to prior similar/identical trademark



VII. Information relating to an earlier mark:

- (i) Filing date and number, and, if any, priority date:

See attachments

- (ii) Registration date and number (if available):

See attachments

- (iii) Name and address of the owner:

See Attachments

Reproduction of the mark:

See Attachments

- (iv) List of the relevant goods and/or services (this list may be in the language of the earlier application or registration):

See Attachments

VIII. Corresponding essential provisions of the applicable law:

Article no. 38/2/(B)(C)(D):

(b) Any interested person may, within the period of ninety (60) days and in the prescribed manner, give notice to the Registrar of opposition, which shall be reasoned and in writing, to the registration of the mark on the grounds that one or more of the requirements of Sections 1 and 37(2) and the Regulations pertaining thereto are not fulfilled.

(d) If the applicant sends a counter-statement, the Registrar shall furnish a copy thereof to the person giving notice of opposition and, after hearing the parties, if either or both wish to be heard, and considering the merits of the case, shall decide whether the mark should be registered.

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

- (i) Time limit for requesting review or appeal:

60 days from the date of notification to right holder.

- (ii) Authority to which such request for review or appeal should be made:

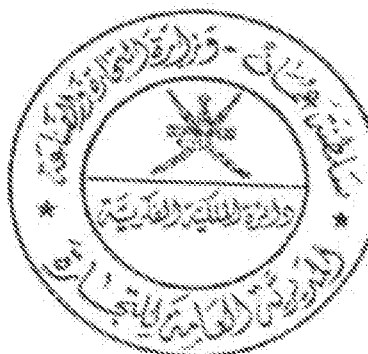
Trademarks Office, Intellectual Property Directorate, Directorate General of Commerce, Ministry of Commerce and Industry.

- (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:

See attached listed IP agents/attorneys.

- (iv) Other requirements, if any:

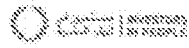
X. Signature or official seal of the Office making the notification:



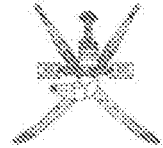
XI. Date of the notification to the International Bureau: **19/4/2021**

Sultanate of Oman
Ministry of Commerce
and Industry
Directorate General of
Commerce
Muscat

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Tel. : 24814230, Fax : 24812030
E-mail: info@mod.gov.om [www.mod.gov.om](mailto:info@mod.gov.om)



وزارة التجارة والصناعة - السلطنة
وزارة التجارة والصناعة - السلطنة
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Representative Office Name	Email	Phone Number
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