



**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
**PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**

Ministry of Science and Technology  
Department of Intellectual Property

Document No. **6026**/DIP.MOST  
Vientiane, Date of Notification: **22/04/2021**

**Total Provisional Refusal of Protection**  
**(Rule 17(1) of the Common Regulations)**

- I. Office making the notification:  
**Department of Intellectual Property, Ministry of Science and Technology**  
**Lao People's Democratic Republic**
- II. Number of the international registration: **1515221**
- III. Name of the holder:  
**JILIN GINSENG ASSOCIATION**  
**Room 2013, Building 2, Global Trade Center, Changchun City Jilin Province, China**
- IV. Information concerning the type of provisional refusal:
- ☒ Total provisional refusal based on an *ex officio* examination  
☐ Total provisional refusal based on an opposition  
☐ Total provisional refusal based on both an *ex officio* examination and an opposition
- (i) Name of the opponent:
- (ii) Address of the opponent:
- V. Information concerning the scope of the provisional refusal:
- Total provisional refusal affects all the goods and/or services.**
- VI. Grounds for refusal:

1. Pursuant to Article 26 of the Decision of the Minister of Science and Technology on the Procedures for the Registration and Protection of Trademark through the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, Where an international registration is a collective or certification mark, it shall comply with all of the requirements set forth in the Law on the Intellectual Property No. 38/NA, dated 15/11/2017 and the Decision of the Ministry of Science and Technology on Trademark and Trade name. The applicant may submit the requirements directly to the Department of Intellectual Property. The requirements are stipulated in Article 5, paragraph 3 and 4 of the Decision of the Ministry of Science and Technology on Trademark and Trade name No. 2822/MOST, dated 17/12/2019.

2. The applicant should disclaim the exclusive right to use the term “GINSENG” apart from the mark sought to be registered because it indicates the kind of goods or service, as stipulated in Article 23 (2) of the Law on Intellectual Property, No. 38/NA, dated 15/11/2017 and Article 19 of the Decision of Minister of Ministry of Science and Technology on Trademark and Trade name, No. 2822/MOST, dated 17/12/2019. This is pursuant to the objection concerning the registrability of the mark.

VII. Information relating to subsequent procedure:

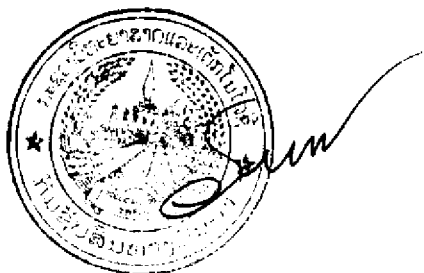
The applicant must respond to this provisional refusal within 60 days from the date of issuance of this notification to Department of Intellectual Property, Ministry of Science and Technology. If the applicant fails to comply with the time limit, the application will be deemed to be abandoned.

The response must be filed through an authorized representative in the Lao PDR.

Such response may be submitted in either the Lao language or in the English language. Provided however, that for the review or appeal submitted in English, the applicant must, within 90 days of such the submission, supply a translation into the Lao language. Such translation must be certified to be a correct translation.

*WS*

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



**Sida YOUTRICHANTHACHAK**  
**DEPUTY DIRECTOR GENERAL**