



## **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:**

1507102

**III. Name of the holder:**

SHENZHEN YONGNUO PHOTOGRAPHICEQUIPMENT CO., LTD.

**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 November 6, 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) objectives [lenses] [optics]; flashlights [photography]; video recorders; transparencies [photography]; remote control apparatus; shutters [photography]; chronographs [time recording apparatus]; (class 9)

By way of example, the following would be considered acceptable:

1) Optical lenses objectives; photography flashlights; video recorders namely cameras; photography transparencies; remote controls for televisions; photography shutters; chronographs for use as specialized time recording apparatus (class 9)

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:

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

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

## **VII. Information relating to an earlier mark:**

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- (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

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**Canada**

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

- (i) Time limit for requesting review or appeal:  
2021-11-06
- (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:**

2021-05-06



6 mai/May 2021  
Votre référence Your File

Notre référence Our File  
2004376  
Numéro EI IR Number  
1507102

SHENZHEN YONGNUO PHOTOGRAPHICEQUIPMENT CO., LTD.  
Building A,  
Shenfubao Modern Optics Factory,  
Kengzi Street, Pingshan District, Shenzhen  
518000 Guangdong Province  
CHINA

永诺

RE: Trademark: Foreign character design  
Applicant: SHENZHEN YONGNUO  
PHOTOGRAPHICEQUIPMENT CO.,  
LTD.

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