



Antigua & Barbuda Intellectual Property & Commerce Office

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

I.	Office making the notification: Antigua & Barbuda Intellectual Property & Commerce Office
II.	Number of the international registration: 1513287
III.	Name of the holder: Hanyuan County Sichuan Pepper Association
IV.	<p>Information concerning the type of provisional refusal:</p> <p><i>Please indicate the type of refusal by checking only one of the following options:</i></p> <p><input checked="" type="checkbox"/> Total provisional refusal based on an <i>ex officio</i> examination</p> <p><input type="checkbox"/> Total provisional refusal based on an opposition</p> <p><input type="checkbox"/> Total provisional refusal based on both an <i>ex officio</i> examination and an opposition</p> <p><i>Where the refusal is based on an opposition, please indicate the name and address of the opponent:</i></p> <p>(i) Name of the opponent:</p> <p>(ii) Address of the opponent:</p>
V.	<p>Information concerning the scope of the provisional refusal:</p> <p>Total provisional refusal affects all the goods and/or services: YES</p>

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

Section 8 subsection (2) of the Trademark act states that an application for registration of collective mark shall designate the mark as a collective mark and shall be accompanied by a copy of the regulations governing the use of the collective mark.

The Registry is requesting a disclaimer of transliteration to "HUA JIAO" because it means "Sichuan pepper" in "English" which merely descriptive of the applicant's goods or services claimed in class 30.

VII. Information relating to an earlier mark:

- (i) Filing date and number, and, if any, priority date:
- (ii) Registration date and number (if available):
- (iii) Name and address of the owner:
- (iv) Reproduction of the mark:
- (v) List of the relevant goods and/or services (this list may be in the language of the earlier application or registration):

VIII. Corresponding essential provisions of the applicable law:

Section 8 subsection (2) of the Antigua and Barbuda Trademark Act

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

- (i) Time limit for requesting review or appeal: **Two months from the date of notification sent to the IB.**
- (ii) Authority to which such request for review or appeal should be made: **Antigua and Barbuda Intellectual Property & Commerce Office.**
- (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: **The Trademark Act at Section 18 states that where an applicant's ordinary residence or principal of business is outside of Antigua, shall be respresented by a registered agent resident and practicing in Antigua & Barbuda before the registrar of Intellectual Property Office. The procedure for registration of agent shall be precribed**

in the regulations.

Section 31 of the Antigua and Barbuda Trademark Regulations states that the local attorney-at-law or agent admitted to represent clients before the Intellectual Property & Commerce Office may be appointed as an agent.

(iv) Other requirements, if any:

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

Ms. Ricki Camacho
Registrar

XI. Date of the notification to the International Bureau:

May 19, 2021

[End of Model Form 3A]