



*Model Form 3*

**MADRID PROTOCOL**

**PROVISIONAL REFUSAL OF PROTECTION**

**Rule 17(1)**

***This form is to be used in the following situation: the Office considers that protection cannot be granted in the Contracting Party concerned (ex officio provisional refusal) or protection cannot be granted in the Contracting Party concerned because an opposition has been filed, or both. In due course, once all the procedures before the Office have been completed, the Office shall send to the International Bureau a statement regarding the final disposition on the status of the mark, using Model Forms 5 or 6, as the case may be.***

I.	Office sending the statement:	<b>RWANDA DEVELOPMENT BOARD OFFICE OF THE REGISTRAR GENERAL (RW)</b>
II.	Number of the international registration:	<b>1540506</b>
III.	Name of the holder (or other information enabling the identity of the international registration to be confirmed):	<b>Lan Fang Yuan Food Co., Ltd Building 2, No.1318, Xifeng Road, West Area of Fenghuang District, Huzhou City 313100 Zhejiang Province, Peoples Republic of China</b>
IV.	<input checked="" type="checkbox"/> Provisional refusal based on an ex officio examination <input type="checkbox"/> Provisional refusal based on an opposition <sup>1</sup> <input type="checkbox"/> Provisional refusal based on both an ex officio examination and an opposition	
V.	<input type="checkbox"/> Provisional refusal for all the goods and/or services <input checked="" type="checkbox"/> Provisional refusal for some of the goods and/or services:[followed by an indication of the goods and/or services which are affected or are not affected] <sup>2</sup>  30: Coffee drinks; drink made from coffee; coffee (roasted, powdered, granular, or beverage); tea; tea drinks; milk lump (candy) (terms too vague in the opinion of the International Bureau – Rule 13 (2) (b) of the Regulations); honey; drink based on tea; fruity tea drink (terms too vague in the opinion of the International Bureau – Rule 13 (2) (b) of the Regulations).	

<sup>1</sup> The name and address of the opponent should also be provided.

<sup>2</sup> Where all the goods or services included in a given class are to be mentioned, the indication should read "all goods (or all services) in class X". In all cases, a clear indication should be given as to whether those goods and/or services are affected, or are NOT affected.

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

**Others**

Kindly provide the transliteration of the mark

Some specification are considered too vague in the opinion of the international bureau namely : milk lump (candy) (terms too vague in the opinion of the International Bureau – Rule 13 (2) (b) of the Regulations); honey; drink based on tea; fruity tea drink (terms too vague in the opinion of the International Bureau – Rule 13 (2) (b) of the Regulations).

VII. Information relating to an earlier mark<sup>3</sup> :

- 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 all or relevant goods and/or services:

VIII. Corresponding essential provisions of the applicable Act [(see text under XII)]:

IX. Information relating to subsequent procedure:

- i) Time limit for requesting review or appeal: **3 months from Date of Notification by WIPO**
- ii) Authority to which such request for review or appeal should be made:  
**RDB**  
**Office of the Registrar General**  
**Kigali**  
**Rwanda**
- iii) Indications concerning the appointment of a representative:  
**All Foreign applicants need to engage the services of an agent domiciled in Rwanda**

X. Date of the notification of provisional refusal: **16th day of July, 2021**

XI. Signature or official seal of the Office communicating the information:



KAYIBANDA Richard  
**Registrar General**

<sup>3</sup> Where the grounds on which the provisional refusal is based relate to an earlier mark, as indicated under item VI. The indication required under this item may be given by annexing a printout from the register or database.

XII. Corresponding essential provisions of the applicable Act: