



**INTELLECTUAL PROPERTY OFFICE
OF THE PHILIPPINES**

BUREAU OF TRADEMARKS
Intellectual Property Center, 28 Upper McKinley
Rd., McKinley Hill Town Center, Fort Bonifacio,
Taguig City 1634, Philippines
Website: <http://www.ipophil.gov.ph>

DOCUMENT NO.	2021/209122
DATE OF NOTIFICATION	Pls. refer to the digital signature date

The International Bureau

World Intellectual Property Organization
34, chemin des Colombettes
1211 Geneva 20
Switzerland

**FINAL DISPOSITION ON STATUS OF A MARK
– CONFIRMATION OF TOTAL PROVISIONAL REFUSAL –
Rule 18ter(3)**

International Registration No: **1387991**

IR Date/Subsequent Designation Date: 11 December 2017

Holder: GUANGZHOU DARING INTERNATIONAL FORWARDING CO., LTD. [CN]

Mark: LUX

All the procedures before the Office have been completed, and the Total Provisional Refusal is hereby **CONFIRMED** for all goods and/or services for failure of the applicant to file the Declaration of Actual Use within three (3) years from the international registration /subsequent designation date.

IP CODE 124.2. *The applicant or the registrant shall file a declaration of actual use of the mark with evidence to that effect, as prescribed by the Regulations within three (3) years from the filing date of the application. Otherwise, the application shall be refused or the mark shall be removed from the Register by the Director.*

TM RULE 204. *Period to file Declaration of Actual Use. — The Office will not require any proof of use in commerce upon filing of an application. All applicants or registrants shall file a Declaration of Actual Use (DAU) of the mark with evidence to that effect and upon payment of the prescribed fee on the following periods:*

- (a) Within three (3) years from the filing date of the application;**
- (b) Within one (1) year from the fifth anniversary of the registration;**
- (c) Within one (1) year from date of renewal;**
- (d) Within one (1) year from the fifth anniversary of each renewal;**

otherwise, the application shall be refused registration or the registered mark shall be removed from the Register by the Director.

Date of Confirmation of Refusal: 25 August 2021