

MADRID PROTOCOL

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

I.	Office making the notification: Intellectual Property Agency of the Republic of Azerbaijan Patent and Trademarks Examination Office AZ 1078, Mardanov qardashlari-124, Baku, Azerbaijan Tel:(+99412) 4498489
II.	Number of the international registration: 1251407
III.	Name of the holder: Internet group d.o.o. Savski nasip 7 11070 Beograd (RS)
IV.	Information concerning the type of provisional refusal: ☒ Total provisional refusal based on an <i>ex officio</i> examination ☐ Total provisional refusal based on an opposition ☐ Total provisional refusal based on both an <i>ex officio</i> 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 [(where applicable, see item VII)]: Similarity of the trademark
VII.	Information relating to an earlier mark: (i) Filing date and number, and, if any, priority date: (ii) Registration date and number (if available): 08.12.2011 N505961 (iii) Name and address of the owner: SKY INTERNATIONAL AG Stockerhof Dreikönigstrasse 31A CH-8002 Zürich (CH)

(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):

Class 07: Soudeuses électriques et accessoires pour la soudure électrique; postes pneumatiques.

Class 09: Appareils de T.S.F., postes émetteurs, équipements d'émission, appareils et équipements électro-acoustiques, amplificateurs électroniques de toutes sortes, équipements sonores pour salles de cinéma, tubes, valves et redresseurs, appareils de mesures électriques, équipements de mesure, appareils et installations de télécommunications de toutes sortes, y compris équipements à haute fréquence porteuse, redresseurs pour courant alternatif, électrodes, installations à ondes courtes et ultra-courtes, pièces détachées et accessoires des produits précités, pièces détachées pour appareils et installations électrotechniques à basse tension et haute fréquence; éléments photo-électriques, sources de radiation électriques de toutes sortes.

Class 11: Tubes, lampes à décharge, tubes luminescents, pièces détachées et accessoires des produits précités.

VIII. Corresponding essential provisions of the applicable law:

Paris Convention for the Protection of Industrial Property. Article 6quinquies. B.

(i)

Trademarks covered by this Article may be neither denied registration nor invalidated except in the following cases:
when they are of such a nature as to infringe rights acquired by third parties in the country where protection is claimed.

Law "On Trademarks and Geographical Indications" of the Republic of Azerbaijan

Article 6. Other grounds for the refusal of trademark registration

It is not permitted to register the below-mentioned:

b) trademarks protected earlier in the territory of the Republic of Azerbaijan by virtue of international treaties to which the Republic of Azerbaijan is party;

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

(i) Time limit for requesting review or appeal:

Within 3 months from the date of refusal reception by the applicant

(ii) Authority to which such request for review or appeal should be made:

Appeal Council under the relevant executive body of the Republic of Azerbaijan

(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:

Patent Attorney

(For list of patent attorneys please visit web site: <http://patent.gov.az>)

(iv) Other requirements, if any:

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

XI. Date of the notification to the International Bureau: 23.08.2021

Senior specialist-examiner:

Lamiya Hagverdiyeva