



Our Ref : BRUIPO/M/1574744
Date : 24 February 2022

Dear Sir/Madam,

BIOSOFT (AUSTRALIA) PTY LTD
14/13A NARABANG WAY,
BELROSE, NSW, 2085
AUSTRALIA

RE: NOTIFICATION OF REFUSAL ON ABSOLUTE GROUNDS

INTERNATIONAL REGISTRATION NUMBER : M/ 1574744
CLASS (ES) : 10
MARK DETAILS : DERMAPEN
IN THE NAME OF : BIOSOFT (AUSTRALIA) PTY LTD

I refer to the application as hereinabove.

In accordance with **Rule 17 of the Common Regulations** under the **Protocol relating to the Madrid Agreement** concerning the International Registration of Marks, this application is subject to a provisional refusal affecting all goods and/or services claimed following examination of the subject mark.

Please note that the mark is objectionable under **Section 6(1)(b) of the Trade Marks Act (Cap 98)** which states that trade marks which are devoid of any distinctive character shall not be registered.

Section 6(1)(b):

The term "Dermapen" is a term which is widely used in skin treatment. Hence, the mark is devoid of any distinctive character.

To overcome our objection(s) under Section 6(1)(b), you may give your representations and provide such evidence in such form and manner as directed by the Registrar as to why your mark should not be refused pursuant to Section 6(1) of the *Trade Mark Act*.

Please respond in writing to this Notification of Provisional Refusal **within two (2) months** from the date this notification is issued by the International Bureau of the World Intellectual Property Organization. If you wish to request for an extension of time, you may do so by submitting **Form TM 6** before the expiration of the said two (2) months. Failure to respond will result in definite refusal of the application.

Where an agent or representative is appointed to respond on your behalf, please submit a letter and file in **Form TM22** together prescribed fees.



All responses or communication should be addressed to the Registrar of Trade Marks, Brunei Darussalam Intellectual Property Office (BruIPO), Attorney General's Chambers, The Law Building, Jalan Raja Isteri Pengiran Anak Hajah Saleha, Bandar Seri Begawan, BA1910, Brunei Darussalam and/or with a copy of response to be e-mailed to madrid@bruipo.gov.bn by quoting the International Registration Number in the subject of the e-mail.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Siti Badriyah', followed by a horizontal line.

SITI BADRIYAH BINTI ABD RAHMAN

Deputy Registrar
for Registrar of Trade Marks
Brunei Darussalam