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Geneva 20, Switzerland
World Intellectual Property
Organization(WIPO)International Bureau

NOTIFICATION OF EX OFFICIO PROVISIONAL REFUSAL
TO THE INTERNATIONAL BUREAU OF WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)
UNDER RULE 17(1) OF THE REGULATIONS

1. Office of the Designated Contracting Party:

Korean Intellectual Property Office (KIPO)
189 Cheongsa-ro, Seo-gu, Daejeon Metropolitan City, 35208, Republic of Korea

2. International Registration/Subsequent Designation No. (International Registration/Subsequent Designation Date):

1614895 (10/03/2021)

3. Trademark:



4. Name and Address of the Holder:

Comité International Olympique
Château de Vidy CH-1007 Lausanne Switzerland

5. Goods/Services Affected by this Provisional Refusal:

All the designated goods/services

※ This is a total provisional refusal. The effect of this provisional refusal covers all the designated goods/services. Please be noted that a grant of protection for the partial designated goods/services is not allowed. [Act 54, Korean Trademark Act]

6. Date on which the Provisional Refusal was issued (Time Limit):

08/09/2022(08/11/2022)

7. Grounds for the Decision:

- ☐ Lack of distinctiveness
- ☐ Likelihood of confusion with others' earlier marks
- ☒ Vagueness and/or broadness of the designated goods/services
- ☒ Unconformity to "a single application for a single trademark rule"
- ☐ Other grounds

※ Please refer to item 9 for the details

8. Provisions of Refusal:

Article 38(1)

9. Details of the Provisional Refusal:

This International Registration is not eligible for registration due to the following grounds:

(Ground 1)

The assigned examiner has reviewed the International Registration and determined that it is

not eligible for registration, regarding some designated goods under Korean Trademark Act, Article 38(1), because the referenced International Registration is a double (overlapping) application, of which the applicant is the same as the registrant of the earlier registration for the same mark in relation to the same goods.

However, this reason of refusal could be reviewed if the applicant deletes the refused goods listed below underlined goods.

☐ Information concerning the earlier mark

- International registration number : 1145436
- Priority date : CH/637235/15/11/2012
- International registration date : 03/12/2012
- Korean registration date : 01/04/2014
- Name and address of the owner : Comite International Olympique
Chateau de Vidy CH-1007 Lausanne Switzerland
- Goods/services :

[Class 09] Ordinary spectacles, diving glasses, spectacle frames, life jackets, luminous signs, slide projectors, apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, compact discs, DVDs and other digital recording media, mechanisms for coin-operated apparatus, cash registers, calculating machines, data processing equipment and computers, computer software, fire-extinguishing apparatus, protective helmets for sports, glasses, sunglasses, sports goggles, computer game software, fuel distribution equipment, namely electric fuel-level gauges, control valves for regulating gas flow and fuel lines, automated systems for service-station management comprising operating software for calibrated fuel pumps, flow control panels, fuel lines and pump nozzles for refueling of land vehicles, marine vehicles and aircraft, gas meters, on-board and roadside signaling and communication systems, train inspection systems, crossing notification systems, apparatus for electric control of switching, GPS tracking and monitoring systems for the transit and railway industries, electrical distribution devices and products, namely capacitors, circuit breakers, circuit-breaker patch boards, circuit closers, contact breakers, commutators, contactors, current rectifiers, current limiters, electric contacts, electric collectors, electric conductors, electric connectors, electric controllers, electric inductors, electric power supply systems, distribution boards and branch boxes (electricity), electrical distribution consoles, electrical switchboards and switchboxes, software for persons in charge of troubleshooting and maintenance of programmable controllers, software for cardiac vessel analysis, including heart vessel analysis, also with calculation functions with regard to blood vessels, software for medical patient-monitoring equipment, software for receiving, processing, transmitting and displaying data, software for developing customized programs for asset allocation, software for use on line enabling vendors of office equipment to place orders, to manage portfolios and communicate with the company, software for accessing mortgage and

insurance information, software for collecting data concerning vital signs, software for analyzing electrical systems and electronic instruction manuals sold as a unit therewith, software for employees of financial institutions used for assessing customers' financial investments and processing the sale of the identified investments, software for obtaining information on the risk of flooding with regard to real property, software for developing graphic user interfaces and displaying data, software for calculating mortgage payments, software for controlling and managing vehicle fleet maintenance services, software for using and accessing commercial computer services, software used by clients to obtain information regarding lease portfolios, software for a radiology information system for radiologists and radiology departments, software for managing databases containing information on employees and patients for archiving purposes and patient monitoring, software installed on and used with PCs and medical monitoring equipment for graphic user interfaces, software for sending encrypted and compressed data to radio-paging (transport) systems, software for providing access to web sites so that buyers and sellers can carry out business transactions by electronic means, and software for subterranean navigation, namely navigation of the assembly of a depth probe for oil drilling and drilling assemblies so as to route subterranean installations, electrical products, electricity production and distribution products and voltage surge protection products, namely lightning conductors, armored rods, condensers (capacitors), switches for lighting, fuses, controls for lighting, switch boxes, LEDs, namely light-emitting diodes, voltage regulators for electric power, voltage surge protectors, voltage surge limiters, voltmeters, electrical circuit boards, relays and timers, solenoids and limit switches, manual full-voltage starters, reduced-voltage starters, electric switches and disconnecting switches, splitters for circuit boards and pumping panels, circuit breakers and disconnecting switches, transformers, electric circuit and electric lighting boards, electric wires, cables, cords and conductors, electric wiring and accessories, lightning conductors, electricity meters, wattmeters, grounding resistances, humidity and temperature sensors, industrial calibration sensors, push buttons, engine and motor control centers and their electric controls and voltage regulators included in this class, computer programs and software for medical use, industrial use and for research, electrophoresis apparatus, chromatography columns and pumps, apparatus for particle or laser rays microfabrication, apparatus for bio-informatics systems, scintillation apparatus, imaging apparatus for radioactive and luminescent emissions, oligonucleotide-producing apparatus, optical laser systems for digital imaging, glassware for laboratories, vials and micro-vials, microtiter plates, software for managing hospital operating rooms, software for intensive care information management, software for industrial operation control, software and manuals therefor sold as unit for factory management, graphic interface computer programs for controlling machines in industrial automation applications, software for creating graphic presentations and editing dynamic data interfaces for real-time graphic applications for

industrial and commercial use, communication software for connecting computer network users, software for plastic injection molding, software for controlling, monitoring, simulating, communicating, recording and collecting data and for factory automation, software for integration of manufacturing machine operations, process control, supply of data for displaying, problem monitoring and production report generation, software packages for operating and programming grinders in the manufacturing industry, computer hardware for monitoring industrial processes, namely computer monitors, portable computers, Ethernet cards and cables, computer networking hardware, memory cards, microchips, microprocessors, computer network hubs, switches and routers, computer accessories, displaying devices and terminals, computer whiteboards, processors and system cards, call controllers, operator interfaces, reference interfaces and data collectors, applications for manufacture and control, namely for statistical process control, data collection, direct digital control, document management systems, digital signal processing products and systems, namely, industrial automation controls and programmable logic controllers, adaptive control product in the form of an external controller for optimizing rough and semi-rough cutting performance of machine tools, distributed and remote input/output equipment, input/output modules, interface modules, electricity supplies and assembly equipment, anti-theft and burglar alarm systems, security devices, namely logic programming computers, control panels, electronic burglar detectors, electronic glass-breakage detectors, electronic vibration detectors, magnetic contacts for security systems, electronic switch plates, electronic motion detectors for alarm systems, electronic motion-sensitive switches, fixed connection sirens, audio loudspeakers, electronic navigation systems, access control and alarm monitoring systems, fire, heat and smoke alarms and detectors, computer cards access control systems, card readers, card encoders and encoded cards for card-operated access control systems, video cameras, video devices for object recognition, video devices for object tracking, video devices for reading license plates, video devices for checking alarms, video devices for facial recognition, video devices for vehicle recognition, video devices for traffic detection, video devices for access door control, video devices for burglar detection, processing hardware or software used for analyzing digital video images for automatically extracting, recording and reporting information automatically, and remote video monitoring systems for security and surveillance applications, central video monitors, video recorders, cinematographic cameras, closed-circuit video systems, closed-circuit video systems consisting of one or several cameras and camera housings, wireless, short-range and radiofrequency transceivers, transceivers for electrical lines, communication monitoring equipment for operating closed-circuit cameras, communication monitoring equipment, namely numeric-pad controls, matrix switching devices, multiplexers, digital video recorders, integrated swinging panoramic zoom domes, remote video controllers, receivers, electronic alarms, triggers and management controls and

video transmission devices sold separately or as parts of a closed-circuit camera operating system, personal digital assistants (PDAs) configured for use by real estate professionals, communication interfacing devices for personal digital assistants (PDAs), fiber-optic transmission systems, namely fiber-optic transmitters, receivers and transceivers for transmission of video signals, audio signals and data via optical fibers, electric switches, electromechanical locking devices, magnetic cards for locks, access control, presence control, alarms and security systems, portable electronic hardware for reception, control, storage, handling, display and transmission of data and for actuating electronic locks, electronic access cards and readers and encoders thereof, magnetic access cards and readers and encoders thereof, memory access cards and readers and encoders thereof, proximity cards and readers and encoders thereof, electronic keys and readers and encoders thereof, barcode access cards and readers, encoders and laminators thereof, access keypads, radio-frequency tracking tags, tracking and control systems consisting of one or several radio-frequency beacons, detectors and transceivers for determining and checking the location and movements of tangible assets, stocks and individuals, infrared sensors, computer hardware and software for managing infrastructures and monitoring systems for accessing infrastructures and components thereof, namely control boards, access card readers and video imaging, video surveillance, digital hard disk recording, network transmission and remote access equipment and systems, networked digital video storage servers, applications for surveillance and access control, alarm and security monitoring, computer software and hardware for monitoring and operating access and security systems comprising locking systems, doors, access and identification devices and security cases in the form of boxes for securing keys, surveillance systems sold separately or as components or in the form of sets such as systems comprising one or several surveillance cameras, hidden cameras, closed-circuit television cameras, camera housings, camera stands, lenses, video monitors, video recorders, digital recorders, video recording media, video switches, control panels, numerical pad controls, joysticks, interface apparatus for alarms and access control equipment, transceivers, receivers, transmitters, signal processors, multiplexers, matrix switches, controls, control panel casings, switch housings, transformers, switches, splitters, coaxial cables, connectors, motion detectors, microphones and loudspeakers, user interface software and control software for management of access, security and fire-extinguishing systems, electric locks, portable electronic communication and computer equipment for data reception, control, storage, handling, display and transmission for operating electronic locking devices, electronic key holders, readers and encoders, data processing computer software and hardware, electric power supplies, namely batteries, rectifiers/regulators of current/voltage and transformers, control panels, namely electronic apparatus designed for electronically monitoring a predefined activity and for activating an anti-theft alarm, loudspeakers for sirens and electronic

siren controls, namely ringer tone generators and amplifiers for sirens, software for controlling communication equipment for operating and controlling closed-circuit cameras, switching devices integrating magnetically triggered blade switches for anti-theft alarm systems and fire alarm systems, in industrial tracking apparatus, revolution counters, security lock systems for equipment cabinets, industrial position-monitoring apparatus, electric cables and pump and valve monitoring apparatus and home security alarm systems, electric and electronic checking apparatus for detecting the presence of certain substances on individuals, in luggage and freight, electric and electronic checking apparatus for detecting the presence of explosives and/or narcotics on individuals, in luggage and freight, apparatus for detecting the presence of explosives and other contraband, timers or sensitive apparatus for detecting changes in conditions for launching and monitoring regeneration or washing cycles for water treatment equipment, control valves for water treatment and filtering equipment, bioreactors for cell culture, portable analysis instruments, namely a probe with a recorder for data conversion equipped with microprocessors for measuring organic and inorganic products in water, filters and filter housings for laboratories, membrane filters for laboratories, silt density measuring devices, deionization devices for laboratories, filters and filter housings for laboratories, liquid separating apparatus for laboratories, membranes for laboratories, liquid flow control devices, namely pumps, valves, flowmeters and regulators for laboratories, ozone monitoring instruments, laboratory equipment, namely porous titration microplates for cellular biology and other applications in life sciences, electronic controls for water treatment and processes, namely apparatus for treatment of industrial and commercial water supply systems, boiler water systems, water cooling systems, cooling water systems and closed water-supply systems, systems for paper and pulp treatment, fuel treatment systems and metal treatment systems for analyzing the chemistry of the system, determining the proper treatment program, applying the desired treatment and monitoring the effectiveness of the treatment, data management software in the field of paper, pulp and water treatment, electronic controls for data processing in the field of paper, pulp and water treatment, apparatus for industrial water-supply systems for measuring and checking pH and conductivity, apparatus for supplying an industrial, commercial or municipal water supply system with measured quantities of chemicals, electronic testing apparatus for water treatment, laboratory testing equipment, namely apparatus for testing deposit levels and corrosion speed, mobile laboratory equipped with equipment and instruments for measuring and monitoring pH, conductivity and concentration of chromate in domestic and industrial waters, for carrying out inorganic and microbiological water testing, electronic and electrochemical products, namely fuel cells, apparatus for converting photo-electric radiation to electrical energy, namely, photovoltaic solar modules, hybrid photovoltaic solar modules, electronic sensors for measuring solar radiation, photo-cells, apparatus for converting electronic radiation to electric energy, namely photovoltaic solar

modules, systems and components and all related system components, printers, laser printers, ink-jet printers, multi-function and multi-purpose printers, parts of all the aforesaid goods, portable electronic devices for wireless reception and/or transmission of data, enabling users to store or manage personal information and to transmit and receive voice, video and image communications, software for synchronization of data between a remote unit or station and a fixed unit or station, and software providing a one-way and/or two-way wireless connection to data, portable digital electronic apparatus and software related thereto, portable electronic devices for wireless data reception and/or transmission, software for re-orientation of messages, electronic mail and/or other data from a personal computer or a server towards one or several portable electronic devices, computer software and programs for wireless device operation and management, telecommunication devices, software for accessing, searching, indexing and retrieving information and data from global computer networks and global communication networks, and for navigation on the aforesaid networks websites, software for sending and receiving short messages and electronic mail and for filtering non-text information from data, portable electronic devices for voice, video, data and image communications, computer game software for mobile telephone receivers, electronic game software for mobile telephone receivers, software packages, batteries, dry cells and batteries, rechargeable batteries, battery chargers, storage batteries, solar cells and batteries, fuel cells, carbon electrodes for dry batteries, wiring apparatus, connectors (electric), electric cables, electric ducts, floor ducts specially designed for housing electric cables, ballast (for discharge lamps), under carpet wiring systems, code lighting-switches, circuit breakers, magnetic contactors and starter switches, circuit protectors, switching devices, electric connecting boxes, device switches, output jacks, plugs (electric), insulating materials, electric timers, other wiring devices, signaling apparatus and instruments, video intercoms, intercom systems, electric door chimes, intercoms, fire alarms, gas-leak alarms, anti-theft alarms, portable emergency intercoms, acoustic machines and apparatus, radios, tape recorders/players, radio cassette recorders, portable tape players, compact disc recorders/players, minidisc recorders/players, minidisc decks consoles, DVD (digital versatile disc) audio recorders/players, secured digital recorders/players, secured digital cards, loudspeakers, tuners, amplifiers, stereo component systems, disc readers, graphic equalizers, integrated circuit recorders, digital audio processing devices, earphones, headphones, microphones, cassette recorders/players, software for compact discs (prerecorded), electric megaphones, language laboratories, audio systems for cars, public address systems, audio mixers, audio equipment cleaning equipment, namely magnetic head cleaning equipment, audio cables, video cables, other audio machines, audiovisual machines and apparatus, television sets, cathode ray tube display devices, cathode ray tubes, image pick-up tubes, plasma television sets, plasma displays, LCD (liquid crystal display)

television sets, liquid crystal display monitors, television sets combined with video tape recorders, television sets combined with disc players, antennas, tuners for satellite broadcasting, television tuners, Internet terminals, video projectors, video cassette recorders, camcorders, video cameras, video printers, laser disc players, video CD (compact disc) players, software for video CD (compact disc), video recorders/players for DVDs, color video systems for large-scale display, cable television systems, hard disk units, video imaging devices, electric optical display boards, multi-purpose electric display systems, closed-circuit video equipment systems, software for DVDs, television cameras, video switches, non-linear editing systems, editing controllers, DVD creation systems, light emitting diodes (LED) displays, other audiovisual machines, optical disc machines and apparatus, optical disc units, optical disc recorders, optical disc players, optical disc changers, optical disc cartridges, optical disc recording systems, communication apparatus and machines, facsimile transceivers, transceivers, telephones, cellular mobile telephones, cases for cellular mobile telephones, telephone answering machines, private auto-switch systems, global positioning system receivers, radiotelephones, marine radars, radio-paging receivers, mobile communication systems, multi-channel access radio systems, electric panels for traffic information, videoconferencing systems, private portable telephone systems, local network systems, AV codecs (coder-decoders), navigation systems for cars (road guidance systems), electronic systems for road toll collection, GPS (global positioning system) antennas, checking (supervision) apparatus and instruments, communication and surveillance systems for apartment buildings, intruder detection systems, automated systems for surveillance and control of functions within buildings, electric multi-layer security apparatus, automatic control machines and instruments, electric distribution boards, road signal control apparatus, bus location systems, ultrasound vehicle detectors, information and telecommunication networks for road traffic management, light dimmers, light switches, inverters, programmable control systems, transformers, domestic electricity production systems, power capacitors, data processing equipment, computers and computer peripherals, word processors, software (recorded), image scanners for personal computers, printers, PC (personal computer) cards, computer keyboards, mouse(data processing equipment), CD-ROM (compact disc-read only memory) units, diskette units, card reading/writing systems, barcode readers, time recorders, portable data terminals, point-of-sale systems, data collection terminals, personal digital assistants (PDAs), DVD-RAM/ROM (digital versatile disc-random access memory / read only memory) units, CAD/CAM (computer-aided design/computer-aided manufacturing) systems, hard disk units, electronic calculators, uninterrupted power supplies for computers / communication / broadcasting, external storage devices, video cassettes, cleaning heads, D-VHS (video data home systems), other computer peripherals, video tapes, audio cassettes, diskettes, optical discs, mini-discs, DVDs (digital versatile discs), integrated circuit memory cards, weighing and measuring apparatus

and instruments, thermoluminescent dosimetry systems, portable x-ray dosimeters, electronic meters, ammeters, electricity consumption meters, grip measuring devices, electric apparatus for measuring leakage, electric insulation meters, thermometers, measuring system processors, electric multi-circuit sector voltage monitors, micro-precision measuring devices, body fat monitors, pacers, audio/video analyzers, oscilloscopes, modulators, voltmeters, distortion meters, other measuring apparatus, light-sensitive sensors, thermometric sensors, position sensors, angular velocity sensors, rotation sensors, angle sensors, dew point sensors, light emitting diodes, liquid crystals, liquid crystal display modules, magnetrons, diodes, transistors, thermostats, integrated circuits, semi-conductor storage devices, one chip micro-computers, electric condenser, microphones cartridge, gray-scale image processors, thermal printing heads, magnetic heads, permanent magnets, relays, display components, semi-conductor lasers, charge coupling devices (CCD device), image detectors, film capacitors, over-oxygenation membrane units, electric tuner units, high-frequency units, coin validation units, note validation units, magnetic card reading/writing devices, voltage-controlled oscillators, phase-locking circuit synthesizing modules, wireless communication module units, optical transmission components, printed wiring boards, loudspeaker components, electricity supplies, AC (alternating current) adaptors, focusing magnets, inductors (coils), capacitors for electric apparatus, electric signal filters, transformers, deflection coils, thermistors, varistors, piezoelectric ceramic components, acoustic-optical components, resistances, potentiometers, encoders, printing units, hybrid integrated circuits, switching components, heat-welding wiring boards, transparent touch panels, electroluminescent components, remote control units, magnetic resistance elements, thermal disconnects, data processing equipment, in particular for financial applications, operating system programs, computer hardware and software, in particular for local and wide-range computer networks development, maintenance and use, systems for reading memory cards and systems for reading stored data including integrated circuit memories and bank card memories, automatic ticket dispensers, accounting machines, encoded cards, including magnetic cards and integrated circuit cards, in particular for financial applications, card readers, printing apparatus, including printing apparatus for data processing systems and financial transaction systems, machines for banking institutions, encoders and decoders, modems, encoded magnetic cards, electronic data carrier cards, encoded magnetic cards readers, electronic data cards reader, electronic encryption systems, computer hardware, computer terminals, software used in financial services, in the banking and telecommunication industries, electric and electronic products, namely calculating machines, pocket planners, alarms, bank cards, including printed bank cards and bank cards with magnetic memory and with integrated circuit memory, bank cards, credit cards, debit cards, including such cards equipped with integrated circuits and microprocessors, memory cards (smart cards), automated teller machines (ATMs), data processing

equipment and computers including cards equipped with microprocessors and integrated circuits, computer hardware in the form of integrated circuit cards and card readers containing transponders and other proximity payment devices, mouse pads, machines and machine systems, including parts and accessories for transmission, distribution and control of electricity, electrical displacement devices, electricity control and regulation devices, electricity measuring instruments, electrical protection devices, switchboards, switchboard apparatus, wiring devices and supplies, liquid control devices, namely, flowmeters, manostats, sequential timers, electric switches and controls, audio amplifiers for keyboards, external memories for musical instruments, systems for managing data and preserving archives in the field of anesthesia.

- [Class 14] Precious metals and their alloys, coins issued especially to commemorate an international athletic event, medals {of precious metal} especially issued to be given away at an international athletic event, jewelry, precious stones, pins, horological and chronometric instruments, key rings.
- [Class 16] Paper, cardboard, printed matter, in particular stamps, newspapers, periodicals, books, photographs and posters, bookbinding material, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture), instructional or teaching material (except apparatus), plastic materials for packaging (not included in other classes), printers' type, printing blocks, computer printouts, chequebooks, punched cards, newspapers and periodicals in the field of information technology, paper shredders, electric staplers, battery-powered letter openers, electric pencil sharpeners, electric perforators, electronic typewriters, ribbon cartridges for electronic typewriters, apparatus for printing cheques, thermal paper.
- [Class 25] Clothing, footwear, headgear, clothing and footwear for leisure activities, clothing and footwear for sports, all the aforesaid goods for women, men and children.
- [Class 28] Games and playthings, gymnastic and sporting articles not included in other classes, decorations for Christmas trees, playing cards, electric floats for fishing, apparatus for tying fishing lines to hooks, electronic apparatus for practicing golf, wax applicators for skis, stationary exercise bicycles and rollers.
- [Class 35] Advertising, dissemination of advertising matter via all media, in particular in the form of thematic messages centered on human values, advertising by sponsoring, business management, business administration, office functions, promoting the goods and services of others, by means of contractual agreements, in particular sponsoring and licensing agreements, enabling them to gain additional notoriety and/or enhanced image and/or a surge of sympathy derived from the notoriety and/or enhanced image resulting from cultural and sporting events, in particular international events, and/or a surge of sympathy generated by the above, promoting the goods and services of others by means of what is referred to as the initial interest factor leading the public to consider, among a multitude of competitors, goods or services

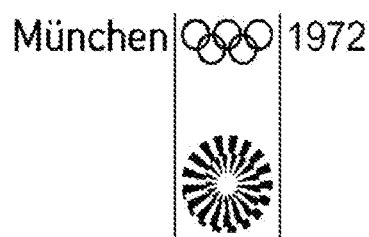
presented to the public bearing signs, emblems or messages able to capture its attention, promoting the goods and services of others by means of the so-called image transfer, rental of advertising space of all type and on all media, whether digital or not, business administration of the participation of national teams to an international athletic competition, and promoting the support to said teams with the public and the concerned circles, inventory management services, consultation relating to stock monitoring services, advertising by means of direct marketing for others consisting in marketing of databases, consultation for advertising by means of direct marketing for others consisting in marketing of databases, consultation services in connection with business reorganization, truck and automobile fleet management services, namely billing and consulting in connection with the administrative management of truck and automobile fleets, business administration consultancy, administrative management of power plants of others, business consultation in connection with the management of power plants, commercial services, namely administration of contracts for repair and servicing, supply chain management services and consulting services relating to the purchase and supply of chemical services and products, supply management and product inventory, limitation of costs, consulting, marketing, analysis of prices and costs concerning devices for electrochemical purification of liquids for industrial use, administrative, commercial and technical management of computer files, data input and processing services, retail services of electric audiovisual machines and apparatus, retail services of electric lighting apparatus, retail services of electric telecommunication machines and apparatus, retail services of computer hardware and software, information concerning the sale of raw materials, commercial information, commercial information agencies, rental of photocopiers, retail sale of clothing and footwear, promoting the sale of goods and services of others including by means of advertisements, promotional competitions, awarding of prizes and bonuses in the form of promotional lotteries, discounts, reduction tokens and value-added offers in connection with the use of payment cards, promoting sporting competitions and events for use by others, promoting concerts and cultural events for others, organization of exhibitions for commercial or advertising purposes, provision of documentation, namely direct mail advertising, distribution of advertising material, distribution of samples, reproduction of documents, advertising concerning the promotion of commercial sales of goods and services for retail sale purposes, provision of information in connection with e-commerce and electronic retail sale, provision of information concerning the purchase of goods and services on line via the Internet and other computer networks, tourist documentation services, namely advertising concerning transport, travel, hotels, accommodation, food and meals, sports, entertainment and sightseeing tours, tourist agency services, maintenance of computerized databases.

- [Class 41] Tuition, educational examination, education courses through the internet, providing of training, arrangement of exhibitions for entertainment purposes,

information on entertainment, entertainer's performance services, production and distribution of entertainment, organization of competitions [education or entertainment], organizing of sports games, sponsoring and promoting services for sports, organization of sporting events and competitions, sports instructions, providing and operating sports facilities, televised sporting and cultural entertainment, organization of exhibitions for cultural and educational purposes, organization of lotteries and competitions, betting and gambling services in connection with or relating to sports, entertainment services provided during sporting events or concerning sporting events, organization of sporting and cultural events and activities, organization of real or virtual sporting competitions, management of sports facilities, rental of audio and video equipment, production of films, other than advertising films, production of sound and video recordings, presentation and distribution of films and of sound and video recordings, rental of films and of sound and video recordings, rental and/or provision via a computer network of interactive education and entertainment products, namely interactive compact discs, CD-ROMs, computer games, entertainment, namely presentation of interactive education and entertainment products, namely interactive compact discs, CD-ROMs, computer games, radio and television coverage of sporting events, production of television and radio programs and of videotapes, production of cartoons, production of animated programs for television, reservation of tickets for sporting events and shows, timing of sports events, organization of beauty contests, provision of interactive entertainment materials via the internet or mobile communication network, on-line betting services, provision of games on the Internet, provision of raffle services, information concerning entertainment or education, provided on line from a data bank or the Internet, electronic game services provided by means of the Internet, providing on line electronic publications, publication of books, magazines, texts (other than publicity texts) and periodicals, on line publication of electronic books, magazines, texts (other than publicity texts) and periodicals, provision of digital music from the Internet, provision of digital music from MP3 web sites, provision of sporting results, information services concerning sports and sporting events, rental of recorded sounds and images, audio production services, information services concerning sporting events provided on line from a computer database or the Internet, editing and publishing services, provision of digital music (non-downloadable), offering digital music by means of telecommunications, publication of statistics regarding sporting results and audience ratings for sporting competitions, training in the use and operation of systems for signaling and notification of crossings for the railway and transit industries, education services in the field of medical imaging and diagnosis, namely conducting of seminars, conferences, symposiums or workshops concerning the pharmaceutical industry, intended for medical practitioners and employees of pharmaceutical companies, education services, namely conducting of seminars, conferences, symposiums or workshops in the field of life sciences

and biotechnology for scientists and researchers, conducting of seminars on problems in connection with industrial water treatment, training services in the field of management and medicine by means of the use of instructions and demonstrations provided on line, via the Internet, intranets and extranets, education services, namely conducting of practical training workshops, courses and seminars including demonstrations in the field of medicine and management, design, conducting and hosting of courses, seminars and all training activities in the field of information technology, organization and performance of concerts, booking of seats for shows, movie presentations, entertainment information, film production, show production, theater production services, operation of golf facilities, health club services (fitness training), sports camp services, presentation of live performances, film projection, organization of shows (impresario services), holiday camp services [entertainment], movie studios, news reporter services, provision of on-line electronic publications, not downloadable, music hall services, education services, namely conducting of courses, seminars, presentations, video presentations, provision of educational material, namely dissemination of material in the field of financial knowledge, education services in the field of tourism, information services in the field of tourism, namely information services regarding reservation of tickets for recreational events, information services in the field of tourism, namely information services regarding entertainment, information services in the field of tourism, namely information services regarding planned sporting, cultural and recreational activities, services in connection with entertainment for tourist assistance, tourist reservation services, namely activity and entertainment reservation services, assistance services for tourists concerning reservation of tickets for recreational events, assistance services for tourists concerning planned sporting, cultural and recreational activities.

– Reproduction of the mark:



* Goods/services of the applied-for mark in relation to this ground:

[Class 09] Scientific, research, navigation, surveying, photographic, cinematographic, audiovisual, optical, weighing, measuring, signalling, detecting, testing, inspecting, life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling the distribution or use of electricity; apparatus and instruments for sound, image or data recording, transmission, reproduction or processing; downloadable or recorded media, software, blank digital or analog recording and storage media; mechanisms for coin-operated apparatus; cash registers, calculating devices; computers and computer peripheral devices; diving suits, diving masks, earplugs for diving, nose clips

for divers and swimmers, diving gloves, breathing apparatus for underwater swimming; fire-extinguishing apparatus; recorded content; media content; software including game software, application software including communication, networking and social networking software, data and file management software and database software, media and publishing software, office and business applications; artificial intelligence and machine learning software; software for monitoring, analyzing, controlling and running physical world operations; system software and system support software; firmware and device drivers, operating systems, utility, security and cryptography software; virtual and augmented reality software; Web application and server software including e-commerce and e-payment software; communication apparatus such as computer networking and data communication equipment, point-to-point communication apparatus, broadcasting apparatus, antennas being communication apparatus; data storage devices and media; duplication apparatus such as photocopiers, image scanners, printers; calculators, ticket dispensers, payment terminal apparatus, cash dispensers and money sorting devices, including mechanisms for coin-operated apparatus; peripherals adapted for use with computers and other smart devices; computers and computer hardware; computer components and parts; audio/visual and photographic devices, including audio devices and radio receivers, display devices, television receivers and film and video devices, image capturing and developing devices; interface cables for information (IT), audiovisual (AV) and telecommunications technologies; magnets, magnetizers and demagnetizers; scientific and laboratory apparatus for treatment using electricity; apparatus and instruments for accumulating and storing electricity, apparatus and instruments for controlling electricity, photovoltaic apparatus for producing electricity; electrical and electronic components including electric cables and wires, electrical circuits and printed circuit boards, antennas as components; optical apparatus, amplifiers and correctors, including optical amplifiers, lasers, spectacles [optics], sunglasses and contact lenses; corrective eyewear, sunglasses; safety, security, protection and signalling apparatus, including alarms and warning equipment, access control devices, signalling apparatus, clothing for protection against accidents and fire; protective spectacles; diving equipment, namely, diving helmets, weight belts for diving, diving suits, diving suits, gloves for divers, diving goggles, divers' masks, ear plugs for divers, diving snorkels; navigation, guidance, tracking, targeting and map making devices; measuring, detecting, monitoring and controlling devices, including testing and quality control devices, measuring devices including time measuring instruments (except clocks and watches), weight measuring instruments, distance and dimension measuring instruments, speed measuring instruments, temperature measuring instruments, electricity measuring instruments; controllers, voltage and power regulators; data recorders; sensors, detectors and monitoring instruments; scientific, research and laboratory apparatus; educational simulators.

[Class 14] Precious metals and their alloys; jewelry, precious and semi-precious stones;

timepieces and chronometric instruments; semi-precious stones; precious stones, pearls and precious metals; jewelry articles; time measuring instruments; coins, commemorative coins, non-monetary coins, statues and figurines, made of or coated with precious or semi-precious metals or precious stones; jewelry boxes and watch boxes; key rings and key chains and charms thereof; medallions; medals; commemorative medals; medals made of precious metals.

[Class 16] Paper and cardboard; printing products (printed matter); bookbinding material; photographs [printed]; stationery and office requisites (excluding furniture); adhesives for stationery or household purposes; drawing materials and materials for artists; paintbrushes; instructional material except apparatus; plastic sheets, films and bags for packaging and wrapping; printing type, printing blocks; works of art, figurines of paper and cardboard, architects' models; decoration and art materials and media, including artistic, craft and model-making equipment; paper filtering materials; bags and articles for packaging, wrapping and storage of paper, cardboard or plastic; stationery and educational supplies, including writing and stamping instruments, correcting and erasing instruments; printing and bookbinding apparatus and machines (office equipment); printed educational materials, printed educational media; photo albums and collectors' albums; printed matter including books; paper and cardboard including paper and cardboard for industrial use; disposable pads of paper or cellulose for house training pets, bags of paper for disposable diapers, disposable napkins of paper; party ornaments of paper.

[Class 25] Traditional costumes with the protected designation "Münchener Trachten" [Germany]; lodens with the protected designation "Münchener Loden" [Germany]; clothing, footwear, headwear, with the exception of traditional costumes and lodens; parts of clothing, footwear and headwear, with the exception of traditional costumes and lodens.

[Class 28] Games and toys; video game apparatus; gymnastic and sporting articles; decorations for Christmas trees; appliances for gymnastics; sporting articles and equipment; camouflage screens for hunting, scent lures for hunting or fishing, decoy calls for hunting, fishing tackle, rods for fishing, landing nets for anglers, cases for fishing rods, floats for fishing, fishhooks, fishing lines; water wings, swimming belts, swimming aids in the nature of floats for recreational use, flotation devices in the nature of swimming boards for recreational use, foam floats for swimming, inflatable floats for swimming, webbed gloves for swimming, swimming jackets, swimming boards, swimming straps; party balloons, party poppers and artificial Christmas trees; fairground rides, scaling or climbing installations for playgrounds, see-saws for playgrounds; toys, games and playthings; board games and machines for gambling.

[Class 35] Advertising; commercial management services; commercial administration; office task services (office functions); advertising, marketing and promotional services; public relations services; product presentation and demonstration

services; organization of trade shows and commercial exhibitions; promotion services for the sale of goods and services of others, through advertisements, promotional contests, discounts and bonuses in the form of promotional lotteries, discounts, reduction points, and value-added offers in relation to the use of payment cards; distribution of advertising, marketing and promotional material; advertising, marketing and promotional consultancy, advisory and assistance services; provision and rental of advertising space, time and media; retail and wholesale services; auctioneering services; rental of automatic vending machines; business assistance and management services and administrative services; accountancy, book keeping and auditing; administrative support and data processing services; data processing, systematization and management; human resources management and personnel recruitment services; business consultancy and advisory services; business analysis and information services and market studies; rental of office machines and equipment; retail and wholesale services in relation to chemicals for industry, science and photography, as well as in agriculture, horticulture and forestry, unprocessed artificial resins, unprocessed plastics, compost, manures, fertilizers, biological preparations for use in industry and science, synthetic resins, chemical intermediates, chemicals, biochemicals and reagents for use in industry, science and research, chemical preparations for cell separation and culture, chemical preparations for the purification of nucleic acid, nucleotides, florescent nucleotides, oligonucleotides, peptides, proteins, amino acids, organic molecules and markers for DNA/RNA synthesis, specialized chemicals for use in industry, science and research, gases and gas mixtures for use in industry, research and science, chemical products and substances for the manufacture of pharmaceutical products, diagnostic products and substances, chemical testing reagents, saline solution and paper coated with reagents, all for scientific use and for use in laboratories, radioactive elements and isotopes for use in industry, science and research, radiopharmaceuticals for scientific use and for research; retail and wholesale services in relation to non-medicated cosmetics and toiletry preparations, perfumery products, essential oils, body cleaning and beauty care preparations including make-up, soaps and gels, cosmetic bath products, deodorants and antiperspirants, skin, eye and nail care products, hair preparations and treatments, hair removal and shaving preparations, cleaning and fragrancing preparations, including household fragrances; retail and wholesale services in relation to pharmaceutical products, medical and veterinary preparations, sanitary products for medical use, dietetic food and substances adapted for medical or veterinary use, food for babies, dietary supplements for humans and animals, plasters, materials for dressings, material for stopping teeth, dental wax, disinfectants, fungicides, herbicides, pharmaceutical products for diagnosis, diagnostic substances for medical use, radiopharmaceuticals for clinical and medical use, disposable paper or cellulose diaper-pants, diapers and napkins; retail and wholesale services in

relation to machines, machine tools, power-operated tools, motors and engines, except for land vehicles, apparatus, equipment and instruments for electricity production, namely electrical and wind energy generators generating electricity, wind turbines linked to wind farms, turbine-powered production installations, namely installations for electricity production and parts and components of all the aforesaid goods, solar powered energy electricity generators, machines and machine systems, including parts and accessories for electricity production, transformation and conversion dynamos, electric motors of all kinds, steam and gas turbines and their parts, electrical generators and their parts, aircraft engines, compressors, laundry washing and drying machines, dishwashers, waste grinders and compactors, electrical tools, electric motors, electric generators, garden tools, electric lawnmowers, garden vaporizers for disinfectants and insecticides, hand-held electric tools and implements, blenders, centrifuges, hand-held mixers, food processors; retail and wholesale services for the sale of apparatus and instruments for recording, transmitting, reproducing or processing sound, images or data, recorded and downloadable media, computer software, blank digital or analog recording and storage media, computers and computer peripherals, recorded content; media content, software, including games software, applications software, including communication, networking and social networking software, data and file management software and database software, software for media and publishing software, applications for offices and businesses, applications software for the web and servers, including e-commerce and e-payment software, communication apparatus such as computer networking and data communications equipment, point-to-point communications apparatus, radio broadcasting apparatus, antennas as communications apparatus, data storage devices and media, calculators, ticket dispensers, payment terminal apparatus, cash dispensers and money sorting devices including mechanisms for prepayment apparatus, peripherals adapted for use with computers and other smart devices, computers and computer hardware, components and parts for computers, audio/visual and photographic devices including audio devices and radio receivers, display devices, television receivers and film and video devices, image capturing and developing devices, spectacles (optical), sunglasses, safety, security, protection and signaling devices, including alarms and warning equipment, access control devices, measuring devices, including time measuring instruments (not including clocks and watches), instruments for measuring weight, instruments for measuring distance and dimensions, instruments for measuring speed, instruments for measuring temperature, instruments for measuring electricity, controllers, regulators of voltage and power, data recorders, sensors, detectors and monitoring instruments; retail and wholesale services for the sale of surgical, medical, dental and veterinary apparatus and instruments, prosthetics and artificial limbs, eyes and teeth, orthoses, mobility aids, orthopedic articles, suture materials, therapeutic and assistive devices adapted for the disabled,

massage apparatus, apparatus, devices and articles for nursing infants, systems featuring medical apparatus and accessories for administering measured doses of pharmaceutical preparations, medical diagnosis devices, namely, bone densitometers, ultrasound imaging machines for medical diagnosis, imaging devices for screening and diagnostic applications for planning operations and surgery, and parts and accessories therefor, mobile x-ray devices, x-ray film viewers, CAT scans for medical diagnosis, laser apparatus for medical treatment, ultrasound diagnosis equipment, acoustic apparatus, medical apparatus for measuring bone density; retail and wholesale services in relation to vehicles, apparatus for locomotion by land, air or water, electric motors and diesel engines for land vehicles, bicycles, tires and inner tubes for bicycles, automatic vehicles, electric bicycles, tires, inner tubes for vehicle tires, wheels and rims [for automobiles]; retail and wholesale services in relation to precious metals and their alloys, jewelry, precious and semi-precious stones, timepieces and chronometric instruments, gemstones, pearls and precious metals, and imitations thereof, time measuring instruments, other articles of precious metals and precious stones, and imitations thereof including statues and figurines, made of or coated with precious or semi-precious metals or stones, or imitations thereof, ornaments, made of or coated with precious or semi-precious metals or stones, or imitations thereof, jewelry boxes and watch boxes, key rings and key chains, and charms therefor, medallions, medals; retail and wholesale services in relation to paper and cardboard, printed matter, photographs [printed], instructional material with the exception of apparatus, bags, sachets, films and sheets of plastic and paper for packaging, works of art and figurines of paper and cardboard, decoration and art materials and media, including arts, crafts and modelling equipment, bags and articles for packaging, wrapping and storage of paper, cardboard or plastics, educational equipment, photo albums and collectors' albums, printed matter including books, disposable paper products; retail and wholesale services for leather and imitations of leather, luggage, bags, wallets and all-purpose carrying bags, umbrellas and parasols, collars, leashes and clothing for animals; retail and wholesale services in relation to non-metallic building materials, non-metallic rigid pipes for building, asphalt, pitch, tar and bitumen, thermoplastic building and construction materials, namely thermoplastic molded and extruded materials used as substitutes for wood, metal or glass, for supporting or covering, plastic panels for building and construction; retail and wholesale services for the sale of household or kitchen utensils and containers, cookware and crockery, except forks, knives and spoons, combs and sponges, brushes (except paint brushes), glassware, porcelain and earthenware, kitchen utensils and containers, articles for cleaning, statues, figurines, works of art, made of materials such as porcelain, terracotta or glass, included in this class, household utensils for cleaning, air fragrancing apparatus, glasses, containers for liquids and bar accessories, money boxes, cosmetic and toiletry utensils; retail and

wholesale services in relation to clothing, footwear, headwear, parts of clothing, footwear and headwear articles, fashion accessories; retail and wholesale services in relation to games and toys, video game apparatus, gymnastic and sporting articles, sporting articles and equipment, hunting and fishing equipment, swimming equipment, tabletop games and gambling devices; retail and wholesale services in relation to preserved, frozen, dried and cooked fruits and vegetables, milk, cheese, butter, yogurt and other milk products; retail and wholesale services in relation to coffee, tea, cocoa and coffee substitutes, chocolate, ice cream, sorbets and other edible ices, ice [frozen water]; retail and wholesale services in relation to beers, non-alcoholic beverages, mineral and aerated waters, fruit beverages and fruit juices, syrups and other non-alcoholic preparations for making beverages.

(Ground 2)

The identification of goods and/or services underlined below is vague and must be clarified.
[Article 38(1), Korean Trademark Act]

However, this ground of refusal could be overcome if the applicant specifies (or deletes) the common commercial or generic name for the goods and/or services, as is shown in <Examples> below:

<Indefinite identification (underlined goods/services)>

[Class 09] Scientific, research, navigation, surveying, photographic, cinematographic, audiovisual, optical, weighing, measuring, signalling, detecting, testing, inspecting, life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling the distribution or use of electricity; apparatus and instruments for sound, image or data recording, transmission, reproduction or processing; downloadable or recorded media, software, blank digital or analog recording and storage media; mechanisms for coin-operated apparatus; cash registers, calculating devices; computers and computer peripheral devices; diving suits, diving masks, earplugs for diving, nose clips for divers and swimmers, diving gloves, breathing apparatus for underwater swimming; fire-extinguishing apparatus; recorded content; media content; software including game software, application software including communication, networking and social networking software, data and file management software and database software, media and publishing software, office and business applications; artificial intelligence and machine learning software; software for monitoring, analyzing, controlling and running physical world operations; system software and system support software; firmware and device drivers, operating systems, utility, security and cryptography software; virtual and augmented reality software; Web application and server software including e-commerce and e-payment software; communication apparatus such as computer networking and data communication equipment,

point-to-point communication apparatus, broadcasting apparatus, antennas being communication apparatus; data storage devices and media; duplication apparatus such as photocopiers, image scanners, printers; calculators, ticket dispensers, payment terminal apparatus, cash dispensers and money sorting devices, including mechanisms for coin-operated apparatus; peripherals adapted for use with computers and other smart devices; computers and computer hardware; computer components and parts; audio/visual and photographic devices, including audio devices and radio receivers, display devices, television receivers and film and video devices, image capturing and developing devices; interface cables for information (IT), audiovisual (AV) and telecommunications technologies; magnets, magnetizers and demagnetizers; scientific and laboratory apparatus for treatment using electricity; apparatus and instruments for accumulating and storing electricity, apparatus and instruments for controlling electricity, photovoltaic apparatus for producing electricity; electrical and electronic components including electric cables and wires, electrical circuits and printed circuit boards, antennas as components; optical apparatus, amplifiers and correctors, including optical amplifiers, lasers, spectacles [optics], sunglasses and contact lenses; corrective eyewear, sunglasses; safety, security, protection and signalling apparatus, including alarms and warning equipment, access control devices, signalling apparatus, clothing for protection against accidents and fire; protective spectacles; diving equipment, namely, diving helmets, weight belts for diving, diving suits, diving suits, gloves for divers, diving goggles, divers' masks, ear plugs for divers, diving snorkels; navigation, guidance, tracking, targeting and map making devices; measuring, detecting, monitoring and controlling devices, including testing and quality control devices, measuring devices including time measuring instruments (except clocks and watches), weight measuring instruments, distance and dimension measuring instruments, speed measuring instruments, temperature measuring instruments, electricity measuring instruments; controllers, voltage and power regulators; data recorders; sensors, detectors and monitoring instruments; scientific, research and laboratory apparatus; educational simulators.

[Class 14] Precious metals and their alloys; jewelry, precious and semi-precious stones; timepieces and chronometric instruments; semi-precious stones; precious stones, pearls and precious metals; jewelry articles; time measuring instruments; coins, commemorative coins, non-monetary coins, statues and figurines, made of or coated with precious or semi-precious metals or precious stones; jewelry boxes and watch boxes; key rings and key chains and charms thereof; medallions; medals; commemorative medals; medals made of precious metals.

[Class 16] Paper and cardboard; printing products (printed matter); bookbinding material; photographs [printed]; stationery and office requisites (excluding furniture); adhesives for stationery or household purposes; drawing materials and materials for artists; paintbrushes; instructional material except apparatus; plastic sheets, films and bags for packaging and wrapping; printing type,

printing blocks; works of art, figurines of paper and cardboard, architects' models; decoration and art materials and media, including artistic, craft and model-making equipment; paper filtering materials; bags and articles for packaging, wrapping and storage of paper, cardboard or plastic; stationery and educational supplies, including writing and stamping instruments, correcting and erasing instruments; printing and bookbinding apparatus and machines (office equipment); printed educational materials, printed educational media; photo albums and collectors' albums; printed matter including books; paper and cardboard including paper and cardboard for industrial use; disposable pads of paper or cellulose for house training pets, bags of paper for disposable diapers, disposable napkins of paper; party ornaments of paper.

- [Class 18] Leather and imitations of leather; animal skins; luggage and all-purpose carrying bags; umbrellas and parasols; walking sticks; whips, harness and saddlery; collars, leashes and clothing for pets; luggage, bags, wallets, carrying cases, bags for carrying animals; leather and imitation leather, imitation animal skins; saddlery, whips and apparel for animals
- [Class 21] Household or kitchen utensils and containers; cookware and tableware, except forks, knives and spoons; combs and sponges; brushes (except paintbrushes); brush-making materials; articles for cleaning purposes, namely, thin cloths for cleaning, thick cloths for cleaning, cleaning tow, steel wool for cleaning, chamois leather for cleaning, cleaning pads, brooms, toilet and bathroom sponges and brushes, squeegees (cleaning instruments), abrasive pads for kitchen use, buckets; unworked or semi-worked glass, except building glass; glassware, porcelain and earthenware; kitchen utensils and containers; statues, figurines, plaques and works of art of porcelain, terracotta or glass; unworked and semi-worked glass, for non-specific use; gardening gloves; brushes and brush-making materials; perfume sprayers; dustbins; tableware, kitchen utensils and containers for kitchen or household use; coin banks (piggy banks); cosmetic and toilet utensils; dental floss, toothpicks; indoor aquaria and indoor terrariums (vivariums); insect traps, fly catchers, rat traps, mouse traps, electric devices for attracting and killing insects; clothing stretchers, shoe brushes, non-electric shoe polishers, shoe horns, shoe trees.
- [Class 24] Lodens with the protected designation "Münchener Loden" [Germany]; textiles, with the exception of lodens and substitutes thereof; coverings of textile and of plastic for furniture (fitted and not fitted); curtains; labels of textile materials; wall decorations of textile materials; household linen; kitchen linen and table linen; bed linen; blankets; bath linen; filtering materials [textiles].
- [Class 25] Traditional costumes with the protected designation "Münchener Trachten" [Germany]; lodens with the protected designation "Münchener Loden" [Germany]; clothing, footwear, headwear, with the exception of traditional costumes and lodens; parts of clothing, footwear and headwear, with the exception of traditional costumes and lodens.
- [Class 28] Games and toys; video game apparatus; gymnastic and sporting articles; decorations for Christmas trees; appliances for gymnastics; sporting articles

and equipment: camouflage screens for hunting, scent lures for hunting or fishing, decoy calls for hunting, fishing tackle, rods for fishing, landing nets for anglers, cases for fishing rods, floats for fishing, fishhooks, fishing lines; water wings, swimming belts, swimming aids in the nature of floats for recreational use, flotation devices in the nature of swimming boards for recreational use, foam floats for swimming, inflatable floats for swimming, webbed gloves for swimming, swimming jackets, swimming boards, swimming straps; party balloons, party poppers and artificial Christmas trees; fairground rides, scaling or climbing installations for playgrounds, see-saws for playgrounds; toys, games and playthings; board games and machines for gambling.

[Class 35] Advertising; commercial management services; commercial administration; office task services (office functions); advertising, marketing and promotional services; public relations services; product presentation and demonstration services; organization of trade shows and commercial exhibitions; promotion services for the sale of goods and services of others, through advertisements, promotional contests, discounts and bonuses in the form of promotional lotteries, discounts, reduction points, and value-added offers in relation to the use of payment cards; distribution of advertising, marketing and promotional material; advertising, marketing and promotional consultancy, advisory and assistance services; provision and rental of advertising space, time and media; retail and wholesale services; auctioneering services; rental of automatic vending machines; business assistance and management services and administrative services; accountancy, book keeping and auditing; administrative support and data processing services; data processing, systematization and management; human resources management and personnel recruitment services; business consultancy and advisory services; business analysis and information services and market studies; rental of office machines and equipment; retail and wholesale services in relation to chemicals for industry, science and photography, as well as in agriculture, horticulture and forestry, unprocessed artificial resins, unprocessed plastics, compost, manures, fertilizers, biological preparations for use in industry and science, synthetic resins, chemical intermediates, chemicals, biochemicals and reagents for use in industry, science and research, chemical preparations for cell separation and culture, chemical preparations for the purification of nucleic acid, nucleotides, florescent nucleotides, oligonucleotides, peptides, proteins, amino acids, organic molecules and markers for DNA/RNA synthesis, specialized chemicals for use in industry, science and research, gases and gas mixtures for use in industry, research and science, chemical products and substances for the manufacture of pharmaceutical products, diagnostic products and substances, chemical testing reagents, saline solution and paper coated with reagents, all for scientific use and for use in laboratories, radioactive elements and isotopes for use in industry, science and research, radiopharmaceuticals for scientific use and for research; retail and wholesale

services in relation to non-medicated cosmetics and toiletry preparations, perfumery products, essential oils, body cleaning and beauty care preparations including make-up, soaps and gels, cosmetic bath products, deodorants and antiperspirants, skin, eye and nail care products, hair preparations and treatments, hair removal and shaving preparations, cleaning and fragrancing preparations, including household fragrances; retail and wholesale services in relation to pharmaceutical products, medical and veterinary preparations, sanitary products for medical use, dietetic food and substances adapted for medical or veterinary use, food for babies, dietary supplements for humans and animals, plasters, materials for dressings, material for stopping teeth, dental wax, disinfectants, fungicides, herbicides, pharmaceutical products for diagnosis, diagnostic substances for medical use, radiopharmaceuticals for clinical and medical use, disposable paper or cellulose diaper-pants, diapers and napkins; retail and wholesale services in relation to machines, machine tools, power-operated tools, motors and engines, except for land vehicles, apparatus, equipment and instruments for electricity production, namely electrical and wind energy generators generating electricity, wind turbines linked to wind farms, turbine-powered production installations, namely installations for electricity production and parts and components of all the aforesaid goods, solar powered energy electricity generators, machines and machine systems, including parts and accessories for electricity production, transformation and conversion dynamos, electric motors of all kinds, steam and gas turbines and their parts, electrical generators and their parts, aircraft engines, compressors, laundry washing and drying machines, dishwashers, waste grinders and compactors, electrical tools, electric motors, electric generators, garden tools, electric lawnmowers, garden vaporizers for disinfectants and insecticides, hand-held electric tools and implements, blenders, centrifuges, hand-held mixers, food processors; retail and wholesale services for the sale of apparatus and instruments for recording, transmitting, reproducing or processing sound, images or data, recorded and downloadable media, computer software, blank digital or analog recording and storage media, computers and computer peripherals, recorded content: media content, software, including games software, applications software, including communication, networking and social networking software, data and file management software and database software, software for media and publishing software, applications for offices and businesses, applications software for the web and servers, including e-commerce and e-payment software, communication apparatus such as computer networking and data communications equipment, point-to-point communications apparatus, radio broadcasting apparatus, antennas as communications apparatus, data storage devices and media, calculators, ticket dispensers, payment terminal apparatus, cash dispensers and money sorting devices including mechanisms for prepayment apparatus, peripherals adapted for use with computers and other smart devices, computers and computer hardware, components and

parts for computers, audio/visual and photographic devices including audio devices and radio receivers, display devices, television receivers and film and video devices, image capturing and developing devices, spectacles (optical), sunglasses, safety, security, protection and signaling devices, including alarms and warning equipment, access control devices, measuring devices, including time measuring instruments (not including clocks and watches), instruments for measuring weight, instruments for measuring distance and dimensions, instruments for measuring speed, instruments for measuring temperature, instruments for measuring electricity, controllers, regulators of voltage and power, data recorders, sensors, detectors and monitoring instruments; retail and wholesale services for the sale of surgical, medical, dental and veterinary apparatus and instruments, prosthetics and artificial limbs, eyes and teeth, orthoses, mobility aids, orthopedic articles, suture materials, therapeutic and assistive devices adapted for the disabled, massage apparatus, apparatus, devices and articles for nursing infants, systems featuring medical apparatus and accessories for administering measured doses of pharmaceutical preparations, medical diagnosis devices, namely, bone densitometers, ultrasound imaging machines for medical diagnosis, imaging devices for screening and diagnostic applications for planning operations and surgery, and parts and accessories therefor, mobile x-ray devices, x-ray film viewers, CAT scans for medical diagnosis, laser apparatus for medical treatment, ultrasound diagnosis equipment, acoustic apparatus, medical apparatus for measuring bone density; retail and wholesale services in relation to vehicles, apparatus for locomotion by land, air or water, electric motors and diesel engines for land vehicles, bicycles, tires and inner tubes for bicycles, automatic vehicles, electric bicycles, tires, inner tubes for vehicle tires, wheels and rims [for automobiles]; retail and wholesale services in relation to precious metals and their alloys, jewelry, precious and semi-precious stones, timepieces and chronometric instruments, gemstones, pearls and precious metals, and imitations thereof, time measuring instruments, other articles of precious metals and precious stones, and imitations thereof including statues and figurines, made of or coated with precious or semi-precious metals or stones, or imitations thereof, ornaments, made of or coated with precious or semi-precious metals or stones, or imitations thereof, jewelry boxes and watch boxes, key rings and key chains, and charms therefor, medallions, medals; retail and wholesale services in relation to paper and cardboard, printed matter, photographs [printed], instructional material with the exception of apparatus, bags, sachets, films and sheets of plastic and paper for packaging, works of art and figurines of paper and cardboard, decoration and art materials and media, including arts, crafts and modelling equipment, bags and articles for packaging, wrapping and storage of paper, cardboard or plastics, educational equipment, photo albums and collectors' albums, printed matter including books, disposable paper products; retail and wholesale services for leather and imitations of leather, luggage, bags, wallets and all-purpose

carrying bags, umbrellas and parasols, collars, leashes and clothing for animals; retail and wholesale services in relation to non-metallic building materials, non-metallic rigid pipes for building, asphalt, pitch, tar and bitumen, thermoplastic building and construction materials, namely thermoplastic molded and extruded materials used as substitutes for wood, metal or glass, for supporting or covering, plastic panels for building and construction; retail and wholesale services for the sale of household or kitchen utensils and containers, cookware and crockery, except forks, knives and spoons, combs and sponges, brushes (except paint brushes), glassware, porcelain and earthenware, kitchen utensils and containers, articles for cleaning, statues, figurines, works of art, made of materials such as porcelain, terracotta or glass, included in this class, household utensils for cleaning, air fragrancing apparatus, glasses, containers for liquids and bar accessories, money boxes, cosmetic and toiletry utensils; retail and wholesale services in relation to clothing, footwear, headwear, parts of clothing, footwear and headwear articles, fashion accessories; retail and wholesale services in relation to games and toys, video game apparatus, gymnastic and sporting articles, sporting articles and equipment, hunting and fishing equipment, swimming equipment, tabletop games and gambling devices; retail and wholesale services in relation to preserved, frozen, dried and cooked fruits and vegetables, milk, cheese, butter, yogurt and other milk products; retail and wholesale services in relation to coffee, tea, cocoa and coffee substitutes, chocolate, ice cream, sorbets and other edible ices, ice [frozen water]; retail and wholesale services in relation to beers, non-alcoholic beverages, mineral and aerated waters, fruit beverages and fruit juices, syrups and other non-alcoholic preparations for making beverages.

[Class 41] Teaching; training; entertainment services; sporting and cultural activities; editing printed matter and writing texts; education, entertainment and sports services; organization of conferences, exhibitions and competitions; gambling services; audio, video and multimedia production, and photography services; sports and fitness; education and instruction services; rental services relating to equipment and facilities for education, entertainment, sports and culture; library services and rental of media; rental of sports equipment and facilities; rental of audiovisual and photographic equipment and facilities; translation and interpretation; ticket booking and prebooking services regarding activities and events in the fields of education, entertainment and sports.

<Example>

[Class 09]

- recorded or downloadable media => downloadable multimedia files
- scientific, research and laboratory apparatus => physical and chemical laboratory apparatus and instruments

[Class 14]

- jewelry articles => necklaces [jewelry]

[Class 16]

- and articles for packaging, wrapping and storage of paper, cardboard or plastic => containers of cardboard for packaging
- stationery and educational supplies, including writing instruments => stationery and educational supplies, namely writing instruments
- and stamping instruments => stamping implements (seals)
- correcting and erasing instruments => correcting pens; correcting fluid for type [office requisites]
- printing apparatus and machines (office equipment)
- printed educational media => printed educational materials

[Class 21]

- cookware => cooking utensils, non-electric
- tableware => tableware, other than knives, forks and spoons

[Class 24]

- curtains => curtains of textile or plastic (except shower curtains)
- kitchen linen => kitchen towels of textile (linen)

[Class 25]

- parts of clothing => ready-made linings [parts of clothing]
- and headwear => visors being headwear

[Class 28]

- decorations for Christmas trees => Ornaments for Christmas trees (except illumination articles and confectionery)
- sporting articles and equipment => sport balls; men's athletic supporters [sports articles]

[Class 35]

- synthetic resins => synthetic resins, unprocessed
- power-operated tools => rivet guns [power tools]

[Class 41]

- training => coaching (training);
- and cultural activities => provision of information relating to cultural performances
- editing printed matter and writing texts => editing printed matter and writing texts, other than publicity texts
- and sports services => sports instruction services
- organization of conferences, exhibitions and competitions => arranging and conducting of conferences and exhibitions for cultural or educational purposes
- sports and fitness => conducting fitness classes
- and rental of media => rental of cinematographic machines and apparatus
- rental of audiovisual and photographic equipment and facilities => rental of audio equipment

✧ *This application have two “diving suits” in the goods of [Class 09], “whips” in the goods of [Class 18].*

=> One of them is to be deleted

☞ *Please note that, while an application may be amended to clarify or limit the*

identification, addition to the identification is not accepted. Therefore, the applicant may not amend to include any goods and/or services that are not within the scope of the goods and/or services recited in the present identification. Korean Trademark Act, Article 40(1), 40(2).

Upon amendment, the assigned examiner may issue another notification of provisional refusal if he/she finds new ground(s) of refusal.

10. Guidance for the response:

It is suggested that you may choose one of responses as below

A. Response before KIPO

- (1) In order to respond to this provisional refusal before KIPO directly [Article 66(1), Korean Trademark Act], the holder of the International Registration is obliged to be represented by a licensed attorney who is entitled to represent third parties in the Republic of Korea. [Article 6, Korean Trademark Act]
- (2) Time limit is within two months from the date on which the notification of this provisional refusal is issued. The holder may request an extension of time to submit a written opinion/amendment to KIPO. The extension can be permitted twice for a period of one month respectively. The request for extension must be made within the given time limit. [Article 17(1)(i), Korean Trademark Act]

B. Response before WIPO

The holder may submit a limitation of the list of goods and/or services (MM6 form) before WIPO directly within the given time limit. [Rule 25 (1)(a)(ii), Regulations]

11. Official Seal or Signature by the Office:

KIPO Examiner MOON, Ki Kwon 

<< Information >>

※ If the holder has any questions or needs assistance in responding to this notification, please contact the examiner. E-mail: kipomadrid@korea.kr, Telephone: (+82) (42) 481 8112, Fax: (+82) (42) 472 3507
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Extract from the Korean Trademark Act

Article 3 Persons Entitled to Registration of Trademark

(1) Any person who uses or intends to use a trademark in the Republic of Korea may obtain registration of his/her trademark: Provided, That no employee of the Korean Intellectual Property Office or the Intellectual Property Trial and Appeal Board shall obtain registration of a trademark while he/she is in office, except by inheritance or bequest.

Article 6 Trademark Manager of Non-Resident

(1) Except where a person who is not domiciled or does not have his/her place of business in the Republic of Korea (hereinafter referred to as "non-resident") resides in the Republic of Korea, the non-resident (in cases of a corporation, referring to the representative thereof) may follow trademark-related procedures or bring a lawsuit against measures taken by an administrative authority in accordance with this Act or an order issued under this Act only through a person who is domiciled or has his/her place of business in the Republic of Korea (hereinafter referred to as "trademark manager") as an agent managing the trademark of the non-resident.

(2) A trademark manager shall represent his/her principal in a lawsuit with respect to trademark-related procedures or a disposition made by an administrative authority in accordance with this Act or an order issued under this Act, within the scope of authority delegated to him/her.

Article 220 Service on Non-Resident

(1) Where a non-resident has a trademark manager, any document to be served on such non-resident shall be served on his/her trademark manager: Provided, That the foregoing shall not apply where an examiner notifies an applicant for international trademark registration of grounds for rejection via the International Secretariat pursuant to Article 190.

(2) Where a non-resident does not have a trademark manager, any document to be served on such non-resident may be sent by registered airmail.

(3) Where a document is sent by registered airmail pursuant to paragraph (2), such document shall be deemed served on the date the document is sent.

Article 33 Requirements for Trademark Registration

(1) Trademark registration may be obtained, excluding the following trademarks:

1. A trademark consisting solely of a mark indicating, in a common manner, the common name of the goods;
 2. A trademark used customarily in connection with the goods;
 3. A trademark consisting solely of a mark indicating, in a common manner, the place of production, quality, raw materials, effect, usage, quantity, shape, price, method of production, method of processing, method of use or time of the goods;
 4. A trademark consisting solely of a conspicuous geographical name, the abbreviation thereof, or a map;
 5. A trademark consisting solely of a mark indicating a common surname or name according to the method in common use;
 6. A trademark consisting solely of a simple and readily available mark;
 7. In addition to trademarks under subparagraphs 1 through 6, a trademark which is unrecognizable for consumers to identify which goods related to whose business it indicates.
- (2) Even if a trademark falls under any of paragraph (1) 3 through 6, where such trademark is recognizable to consumers as a trademark indicating the source of goods of a specific person as a result of using the trademark before filing an application for trademark registration, trademark registration may be granted limited to the goods on which such trademark is used.
- (3) Even if a mark falls under paragraph (1) 3 (limited to place of production) or 4, where such mark is a geographical indication for specific goods, an applicant may obtain registration of a collective mark with geographical indication for goods using such geographical indication as designated goods (referring to the goods designated pursuant to Article 38 (1) and the goods additionally designated pursuant to Article 86 (1); hereinafter the same shall apply).

Article 34 Trademarks Ineligible for Trademark Registration

(1) Notwithstanding Article 33, none of the following trademarks shall be registered:

1. Any of the following trademarks, which is a national flag of a country, an insignia of an international organization, etc.:

(a) Any trademark identical or similar to the national flag, the national emblem, the colors, medals, decorations or insignias of the Republic of Korea, or seals or signs used for supervision or certification by the Republic of Korea or public institutions;

(b) Any trademark identical or similar to any national flag of a country of the Union to the Paris Convention for the Protection of Industrial Property (hereinafter referred to as the "Paris Convention"), of a member of the World Trade Organization, or of a Contracting Party to the Trademark Law Treaty (hereafter in this paragraph, referred to as "countries of the Union, etc.");

(c) Any trademark identical or similar to the title, abbreviated title, or mark of the Red Cross, the International Olympic Committee, or a renowned international organization: Provided, That where such organization has applied for trademark registration of its title, abbreviated title, or mark, trademark registration may be obtained;

(d) Any trademark identical or similar to coats of arms, flags, medals, decorations or badges of the countries of the Union, etc., designated by the Commissioner of the Korean Intellectual Property Office after notification by the World Intellectual Property Organization pursuant to Article 6-3 of the Paris Convention, or titles, abbreviated titles, coats of arms, flags, medals, decorations or badges of inter-governmental international organizations which countries of the Union, etc., have joined: Provided, That where an inter-governmental international organization which the countries of the Union, etc., have joined applies for trademark registration of its title, abbreviated title, or mark, trademark registration may be obtained;

(e) Any trademark identical or similar to seals or signs used for supervision or certification by countries of the Union, etc., designated by the Commissioner of the Korean Intellectual Property Office after notification by the World Intellectual Property Organization pursuant to Article 6-3 of the Paris Convention or their public organizations, which is used for the goods identical or similar to those for which such seals or signs are used;

2. Any trademark which falsely indicates a relationship with a state, race, ethnic group, public organization, religion, or famous deceased person, or which slanders, insults, or is likely to defame any of them;

3. Any trademark identical or similar to a famous mark, which is a mark indicating nonprofit business or public service of a state, public organization, or any of its agencies and a non-profit corporation: Provided, That where such state, etc., has applied for trademark registration of its mark, trademark registration may be obtained;

4. Any trademark whose meaning, content, etc., conveyed to consumers is likely to harm public order, such as being contrary to moral norms, the prevailing moral sense of ordinary people, where the trademark itself is used or the trademark is used for goods;

5. Any trademark consisting of a mark identical or similar to a medal, certificate of merit or decoration awarded at an exhibition held by or with the approval of the Government of the Republic of Korea or at an exhibition held by or with the approval of the government of a foreign country: Provided, That where a person who has been awarded at such exhibition uses such mark as part of the trademark for the awarded goods, trademark registration may be obtained;

6. Any trademark containing the name, title, or trade name, portrait, signature, seal, literary name, stage name, pen name of a prominent person, or his/her abbreviated title: Provided, That where the consent of such person has been obtained,

trademark registration may be obtained;

7. Any trademark used for goods identical or similar to the designated goods, which is identical or similar to the registered trademark of another person (excluding any registered collective mark with geographical indication) based on first to file;

8. Any trademark used on goods recognized as identical to the designated goods, which is identical or similar to a registered collective mark with geographical indication of another person based on first to file;

9. Any trademark identical or similar to a trademark (excluding a geographical indication) widely recognized by consumers as indicating the goods of another person, which is used on goods identical or similar to the goods of another person;

10. Any trademark identical or similar to a geographical indication of another person widely recognized by consumers as indicating the goods of a specific region, which is used on goods recognized as identical to the goods using such geographical indication;

11. Any trademark likely to cause confusion with goods or business of another person remarkably recognized by consumers or to dilute their distinctiveness or reputation;

12. Any trademark which is likely to mislead consumers about the quality of goods or deceive consumers;

13. Any trademark which is identical or similar to a trademark (excluding a geographical indication) recognized as indicating the goods of a specific person by consumers in the Republic of Korea or overseas, which is used for unlawful purposes, such as unjust enrichment or inflicting loss on the specific person;

14. Any trademark which is identical or similar to a geographical indication recognized as indicating the goods of a specific region by customers in the Republic of Korea or overseas, which is used for unlawful purposes, such as unjust enrichment or inflicting loss on any legitimate users of such geographical indication;

15. Any trademark consisting solely of the three-dimensional shape, color, combination of colors, sound, or smell, which is essential (in cases of services, referring to cases essential for the use and purpose thereof) to secure the function of goods intended to obtain trademark registration or of the package of such goods;

16. Any trademark intended to be used on wine or distilled beverages, which consists of a geographical indication of the place of production of wine or distilled beverages or contains such geographical indication in a member of the World Trade Organization: Provided, That where a legitimate user of the geographical indication applies for registration of a collective mark with geographical indication under Article 36 (5) by designating the relevant goods as the designated goods, he/she may obtain trademark registration;

17. Any trademark which is identical or similar to the name of a variety registered pursuant to Article 109 of the Act on the Protection of New Varieties of Plants, which is used for goods identical or similar to the name of such variety;

18. Any trademark which is identical or similar to a geographical indication of another person registered pursuant to Article 32 of the Agricultural and Fishery Products Quality Control Act, which is used on goods recognized as identical to the goods using such geographical indication;

19. Any trademark which is identical or similar to a geographical indication of another person protected in accordance with a bilateral or multilateral free trade agreement which has come into effect, concluded by the Republic of Korea with a foreign country or foreign countries, or which consists of or contains such geographical indication, used on goods deemed identical to the goods using such geographical indication;

20. Any trademark for the registration of which an applicant applies on goods, which is identical or similar to such trademark, while he/she is aware that another person uses or intends to use the trademark through a contractual relationship, such as partnership or employment, or business transactional relationship, or any other relationship;

21. Any trademark for the registration of which any person who has or had a contractual relationship, such as partnership or employment, business contractual relationship, or any other relationship with a person who holds the right to the trademark registered, which is identical or similar to the trademark registered in a State party to the treaty, applies on goods by designating goods identical or similar to the goods on which the trademark is designated as the designated goods without the consent of the person who holds the right to the trademark.

(2) Whether paragraph (1) and an applicant for trademark registration (hereinafter referred to as "applicant") correspond to another person under the relevant provision shall be determined based on the time a decision corresponding to any of the following is made (hereinafter referred to as "decision on whether to grant trademark registration"): Provided, That in cases falling under paragraph (1) 11, 13, 124, 20 and 21, whether an applicant corresponds to another person under the relevant provision shall be determined based on the time an application for trademark registration is filed:

1. Decision to reject trademark registration under Article 54;

2. Decision to grant trademark registration under Article 68.

(3) Where a trial to revoke trademark registration is requested because a trademark right holder or a person who uses a trademark of such trademark right holder falls under Article 119 (1) 1 through 3 and 5 through 9, and he/she falls under any of the following after the date such lawsuit is commenced, he/she may obtain trademark registration only where he/she applies for registration of a trademark identical or similar to such trademark (limited to where he/she intends to obtain trademark registration again by designating identical or similar goods (in cases of a collective mark with geographical indication, referring to goods deemed identical) as the designated goods) after three years from the date he/she falls under any of the following:

1. Where trademark rights are extinguished upon expiry;

2. Where a trademark right holder relinquishes trademark rights or abandons some of the designated goods;

3. Where a trial decision to revoke trademark registration is final and conclusive.

(4) None of the provisions of paragraph (1) 8 and 10 shall apply to homonymous collective marks with a geographical indication.

Article 35 First to File

(1) Where at least two applications for trademark registration are filed on different days with respect to the same or similar trademark to be used on the same or similar goods, only the first person who files an application may obtain registration of such trademark.

Article 38 One Application for One Trademark

(1) Any person who intends to file an application for trademark registration shall file an application for each trademark by designating at least one category of goods in accordance with the classification of goods.

(2) Specific goods belonging to the category of goods under paragraph (1) shall be prescribed and announced by the Commissioner of the Korean Intellectual Property Office.

(3) No classification of any category of goods under paragraph (1) shall be construed as prescribing the range of similarity of goods.

Article 54 Decision to Reject Trademark Registration

Where an application for trademark registration falls under any of the following, an examiner shall decide to reject trademark registration:

1. Where a trademark fails to meet the definitions of a trademark, collective mark, geographical indication, collective mark with geographical indication, certification mark, certification mark with geographical indication, or business emblem under Article 2 (1);

2. Where a trademark is in violation of the treaty;

3. Where a trademark cannot be registered pursuant to Articles 3, 27, 33 through 35, 38 (1), the latter part of Article 48 (2), paragraph (4) or (6) through (8) of the aforesaid Article;

4. Where a person is not entitled to registration of a collective mark, certification mark and business emblem under Article 3;

5. In cases of an application for registration of a collective mark with geographical indication, the articles of incorporation of an organization

actually do not permit persons to join the organization as its members, such as the prohibition of persons from joining the organization in accordance with the articles of incorporation, or impracticable conditions for joining the organization are stipulated in the articles of incorporation;

6. Where all or some of the matters concerning the use of a collective mark prescribed by Presidential Decree are not stated in the articles of incorporation under Article 36 (3), or all or some of the matters concerning the use of a certification mark prescribed by Presidential Decree are not stated in the articles of incorporation or the rules under paragraph (4) of the aforesaid Article;

7. In cases of an application for registration of a certification mark, the articles of incorporation actually do not permit persons who may use such certification mark to use it, such as the prohibition of persons from using it in accordance with the articles of incorporation or the rules without justifiable grounds, or impracticable conditions of use thereof are stipulated in the articles of incorporation or the rules.

Article 55 Notification of Grounds for Rejection

(1) Where an examiner intends to decide to reject trademark registration pursuant to Article 54, he/she shall notify an applicant of grounds for rejection (referring to grounds provided in any of the subparagraphs of the aforesaid Article; hereinafter referred to as "grounds for rejection") in advance. In such cases, the applicant may submit a written opinion about grounds for rejection within a period prescribed by Ordinance of

the Ministry of Trade, Industry and Energy.

(2) Where an examiner notifies an applicant of grounds for rejection pursuant to paragraph (1), he/she shall specify the grounds and basis for rejection of each of the designated goods.

(3) An applicant who fails to submit a written opinion within a period under the latter part of paragraph (2) may apply for continuing trademark-related procedures and submit a written opinion addressing the grounds for rejection within two months from the expiration date of such period.

Article 115 Trial against Decision to Dismiss Amendment

Where a person who receives a decision to dismiss an amendment under Article 42 (1) appeals against such decision, he/she may request a trial within 30 days from the date he/she is served with a certified copy of such decision.

Article 116 Trial against Decision to Reject

Where a person who receives a decision to reject trademark registration, decision to reject registration of additional designated goods or decision to reject registration of the conversion of the classification of goods (hereinafter referred to as "decision to reject") under Article 54 appeals against such decision, he/she may request a trial within 30 days from the date he/she is served with a certified copy of such decision to reject.

Korean Trademark Act URL: <http://www.kipo.go.kr/eng/>