INVESTOR IN PEOPLE

The Patent Office
Trade Marks Registry

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O/Ref: 846495/TM Inter/DCLEE
Y/Ref: International Registration Number 846495
Date: 26 May 2005

Please reply by 26 November 2005 quoting our reference.

Dear Sir or Madam,

Intl. Reg. No: 846495 **in Classes** 01, 05
For the Mark: PLATELIA
Holder: Bio-Rad France Holding

NOTIFICATION OF A PROVISIONAL PARTIAL REFUSAL OF PROTECTION (NOT BASED ON AN OPPOSITION) BY THE UNITED KINGDOM PATENT OFFICE.

I have provisionally refused protection of this mark for some goods/services. My reasons are given in the enclosed Examination Report. The holder can get help with applying for trade marks, view details of the relevant sections of the UK Trade Marks Act 1994, and get copies of all forms on our website at www.patent.gov.uk.

If the holder wants to write to me, I will consider what they have to say and reply to them. However, they must provide a contact address in the United Kingdom by filling in and returning a Form TM33 (Request to appoint agent or address for service).

Alternatively, if they do not agree with my decision they may ask for a hearing with one of the Registry's hearing officers, where they can explain their case.

The holder may obtain details of where to get independent professional help and advice from either of the following :

The Institute of Trade Mark Attorneys
www.itma.org.uk

or

The Chartered Institute of Patent Agents
www.cipa.org.uk

International Registration No: 846495

If they do not reply by the date shown above I will publish it in the Trade Marks Journal, but only for:

Class 05 for the specification as filed.

The provisional refusal of all other goods will then become final.

Yours faithfully,

D. Cleere
Trade Marks Examiner

International Registration No: 846495

EXAMINATION REPORT

International Registration No. 846495 in Classes 01, 05 has been examined under the UK Trade Marks Act 1994. References to 'section' in this report mean that section of the Act.

Matters arising from Section 5

The earlier marks listed below may be overcome if you can supply the written consent of their owner(s) to use and register this mark. Alternatively, if you have been using the mark in the UK for a long time, normally at least five years, you could send evidence of this, which may enable this mark to proceed on the basis of honest concurrent use.

Class 01- Relative Grounds for Refusal (Section 5)

It is likely that the mark would be confused with the following earlier marks as defined in Section 6 of the Act. These marks are listed below and detailed at the end of this report. The designation is therefore provisionally refused under Section 5(2). Any numbers starting with "E" indicate a Community mark and any with "M" indicate an International mark.

T1191863 (01)

International Registration No: 846495

1191863 (5536,02672 - RGSTRD)

1191863 10 March 1983 (01)

PLATELIA-PASTEUR

International priority date claimed: 13 September 1982 France.

Registration of this mark shall give no right to the exclusive use of the word "Pasteur".

Diagnostic prepartions and substances, all for in vitro medical use

Bio-Rad Laboratories, Inc., 1000 Alfred Nobel Drive, Hercules, California, 94547, United States of America.

Agent: Gill Jennings & Every, Broadgate House, 7 Eldon Street, London, EC2M 7LH.