



INVESTOR IN PEOPLE

**The Patent Office  
Trade Marks Registry**

Cardiff Road, Newport  
South Wales, NP10 8QQ  
United Kingdom

Switchboard: +44(0)1633 814000  
Minicom: 08459 222250  
DX: 722542 Cleppa Park 3

Website: [www.patent.gov.uk](http://www.patent.gov.uk)

World Intellectual Property Organisation (WIPO)  
International Bureau  
34, chemin des Colombettes  
1211 Geneva 20  
Switzerland

**Tel:** +44(0)1633 811128  
**Fax:** +44(0)1633 811073  
**Email:** [carol.bennett@patent.gov.uk](mailto:carol.bennett@patent.gov.uk)  
**O/Ref:** M824061/TM Inter/CBENN  
**Y/Ref:** International Registration Number 824061  
**Date:** 7 June 2005

**Please reply by 7 December 2005 quoting our reference.**

Dear Sir or Madam,

**Intl. Reg. No:** 824061 in Class 05  
**For the Mark:** MUCOSIN  
**Holder:** Zentiva, a.s.

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

I have provisionally refused protection of this mark for all 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](http://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](http://www.itma.org.uk)

or

The Chartered Institute of Patent Agents  
[www.cipa.org.uk](http://www.cipa.org.uk)



INVESTOR IN PEOPLE

**International Registration No: 824061**

If they do not reply by the date shown above, I will issue a letter informing you that the designation is finally refused.

Yours faithfully,

Mrs C Bennett  
**Trade Marks Examiner**



INVESTOR IN PEOPLE

International Registration No: 824061

## EXAMINATION REPORT

International Registration No. 824061 in Class 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 05- 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.

E2431260 (05)



INVESTOR IN PEOPLE

**International Registration No: 824061**

---

**(OHIM) 2431260** (RGSTRD)

---

2431260 30 October 2001 (05)

**MUCOSAN**

---

<b>Filing date:</b>	30.10.2001	<b>Date of receipt at OHIM:</b>	30.10.2001
<b>Application language:</b>	German	<b>Second language:</b>	English

**UK case status:** Registered

**UK mark type:** Word Only

**OHIM mark type:** Word

**Class:** 05

**Mark text:**  
MUCOSAN

**Colours claimed:** N

<b>Publication date:</b>	24.06.2002	<b>Registration date:</b>	17.12.2003
--------------------------	------------	---------------------------	------------

**Class:** 05  
Preparations for treating respiratory diseases.

**Applicant:**  
Boehringer Ingelheim Pharma GmbH & Co. KG, Binger Str. 173, Ingelheim, Germany, 55216

\*\*\*\*\*END OF REPORT\*\*\*\*\*