



INVESTOR IN PEOPLE

**The Patent Office
Trade Marks Registry**

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United Kingdom

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Email: carol.bennett@patent.gov.uk
O/Ref: M822075/TM Inter/CBENN
Y/Ref: International Registration Number 822075
Date: 16 August 2005

Please reply by 16 February 2006 quoting our reference.

Dear Sir or Madam,

Intl. Reg. No: 822075 in Class 05
For the Mark: VASOCARDIN
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.

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



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International Registration No: 822075

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,

A handwritten signature in black ink.

Mrs C Bennett
Trade Marks Examiner



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International Registration No: 822075

EXAMINATION REPORT

International Registration No. 822075 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).

819597 (05)



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International Registration No: 822075

819597 (4341,01553 - RGSTRD)

819597 18 April 1961 (05)

VASCARDIN

Pharmaceutical preparations for the treatment of diseases of the cardio-vascular system.

Roche Consumer Health (Worldwide) Ltd., 5 Chemin de la Parfumerie, Vernier, Switzerland.

Service: Forrester Ketley & Co., Forrester House, 52 Bounds Green Road, London, N11 2EY.