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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) AND (2) OF THE COMMON REGULATIONS

**1. Office Making the Notification:**

Korean Intellectual Property Office (KIPO)  
920 Dunsan-dong, Seo-gu, Daejeon, 302-701, Republic of Korea

**2. International Registration Number (Date of Registration/Subsequent Designation):**

230493 (15/12/2004)

**3. Name and Address of the Holder:**

REGISTROS INTERNACIONALES APLICADOS, S.L.  
Ganduxer, 10-12, 5º, 1ª E-08021 BARCELONA Spain

**4. Goods and/or Services Affected by this Provisional Refusal:**

All the designated goods/service

※ Please note that there is no provision in the Korean Trademark Act allowing the examiner to delete Ex Officio the designated goods/services refused by the ground(s) for the Provisional Refusal and to grant protection for the remaining goods/services.

**5. Grounds for the Decision:**

- ☐ Lack of distinctiveness
- ☒ Conflict with another person's earlier application(s) and/or registration(s)
- ☒ 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

**6. Provisions of the Korean Trademark Act applicable to the Grounds:**

Article 10(1), 7(1)(vii).

**7. Date on which the Provisional Refusal was pronounced(Time Limit):**

2005.11.16(2006.01.16)

#### 8. Guidance as to Future Procedure:

Where the holder receives this notification, the protection of the international registration is to be refused as a whole unless the holder submits to the KIPO, through a representative whose address is in the Republic of Korea, a written opinion (amendment) within two months from the date on which this provisional refusal was pronounced or to the International Bureau MM6(Request for the Recording of a Limitation of the List of Goods and Service).

The holder may request one extension of time to submit a written opinion(amendment) to KIPO. The extension will be granted once only and for a period of 1 month. This request can not be made after the expiration of the 2 months period granted for appeal.

#### 9. Details of the Provisional Refusal:

The examiner refuses registration for the following reasons:

(1) The identification of 'some' designated goods/services, which are listed below, is not specific or is too broad a definition to accept. Trademark Act, Article 10(1).

However, this ground for refusal could be reviewed if the applicant amends (or deletes) the identification to specify the definite commercial name for the goods/services.

##### <Broad Identification>

Dresses and ready-made garments in general.

(2) The proposed mark is similar to another person's mark (see below) which was registered in the Republic of Korea prior to the International registration date of the proposed mark, and 'all' designated goods/services are related to those of the earlier mark. Trademark Act, Article 7(1)(vii).

The two marks are similar to each other because "TURBO", the dominant portion of the marks ('SPORT LINE TURBO') is common to both marks.

##### ☐ Information concerning the earlier mark

- Filing number : 4019970031469
- Filing date : 08/07/1997
- Korean registration number : 4004233850000
- Korean registration date : 26/09/1998
- Name and address of the owner : Lanaform Lana Alpeak S.A(라나폼 라나 알픽 에스.아.)  
Jonin de comemont, 55 rue de la Jeunesse, Ixelles, 1050, The Kingdom of Belgium  
(벨기에 공화국, 4141 루베이뉴, 뤼 드라 레장드 55 조닝 드 꼬메몽)
- Goods and/or services concerned :  
타이즈, 스타킹, 버뮤다(남녀가 놀이용으로 입는 무릎위까지 오는 반바지), 사이클 선수용 짧은바지, 코르셋, 바디수트, 벨트,
- Reproduction of the mark: **SPORT LINE TURBO**

10. Official Seal or Signature by the Office:

KIPO Examiner

OH, Hyun Ja



※ If the holder has any questions or needs assistance in responding to this notification,  
please contact the examiner.

e-mail:kipomadrid@kipo.go.kr, telephone: (82) (42) 481 5313 or Fax: (82) (42) 472 3507