

**MADRID AGREEMENT
CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS
AND THE PROTOCOL RELATING TO THAT AGREEMENT**

PROVISIONAL REFUSAL OF PROTECTION

notified to the International Bureau of the World Intellectual Property Organization (WIPO)
in accordance with Article 5 of the Madrid Agreement and Protocol

I.	Office notifying the provisional refusal: THE DEPARTMENT OF REGISTRAR OF COMPANIES AND OFFICIAL RECEIVER, KARPENISIOU & MAKARIOU STR., XENIOS BLDG., 1427 NICOSIA, CYPRUS.
II.	Number of the international registration which is the subject of the provisional refusal: 661 965 (ATLANTIC, NATURAL PHENOMENA, CIRCLES)
III.	Name of the holder of the international registration which is the subject of the provisional refusal: ATLANTIC SP. ZO.O., ul. Woloska 24, PL-02-657 WARSZAWA, POLAND
IV.	Grounds for provisional refusal * Section 14(1) of the National Law, which states that such Trademarks cannot be registered, or if they are registered they shall be cancelled.
V.	Applicable provisions of the national law: Section 14(1)(b) - Trade Marks which are same or similar with an existing Trade Mark, and at the same class.
VI.	Information concerning the mark with which the mark is the subject of the international application appears to be in conflict: <ul style="list-style-type: none">• National Registration Number: 50454 (ATLANTIC)• Filing Date: 25.5.98• Name of the Owner: BURTON RETAIL LIMITED• Address of the Owner: COLEGRAVE HOUSE, 70 BERNERS STREET, LONDON, W1P 3AE, ENGLAND• Goods and services: Class 25 – Articles of clothing. footwear including boots, shoes, slippers, sandals, trainers, socks and hosiery, headgear, hats, caps, berets, scarves, gloves, mittens, belts (being articles of clothing)
VII.	<div style="display: flex; align-items: center;"><div style="border: 1px solid black; width: 30px; height: 15px; margin-right: 10px;"></div><div>Provisional refusal for all the goods and/or services</div></div> <div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;"><ul style="list-style-type: none">• <input checked="" type="checkbox"/></div><div>Provisional refusal for the following goods and/or services: Class 25 – Clothing, underwear, boxer shorts, ankle boots, slippers</div></div>


VIII. [Time limit for requesting review or appeal; authority to which such request for review or appeal should be made; indications concerning the appointment of a representative]

Three (3) months from the Registrar's decision. The Registrar shall hear the applicant, or the applicant can submit a written statement containing his position within the above time limit of 3 months. If the applicant fails to appear/request for a hearing before the Registrar or if he fails to submit a written statement (considered reply) within the above time period, then his application is considered abandoned. On the other hand, if the Registrar agrees with the applicant (during a hearing or after considering his written statement), he gives instructions for the Trademark to be published in the Official Gazette of the Republic.

A Cypriot advocate should be appointed.

IX. Date on which the provisional refusal was pronounced (Registrar's Decision): **December 16, 2005**

X. Signature or official seal of the Office notifying the provisional refusal:


C. STYLIANOU
For the Registrar of Trademarks

50454

ATLANTIC