



Judiciary

**Registration Organization of Deeds
And properties of I.R. of Iran**

18 AUG 2008

Office Ref: 32/M/M/5384

Trademark Office

**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: I.R. of Iran Tel: 0098 21- 2226 88 99 Fax: 0098 21- 2226 89 87 No. 275, Boulevard-e Mirdamad, Taghato-e Modaress/Tehran
II- Number of the international registration which is the subject of the provisional refusal: 763699
III- Name of the holder of the international registration which is the subject of the provisional refusal: SOCIETE DES PRODITS NESTLE S.A, CH-1800 VERY SWITZERLAND
IV- Grounds for provisional refusal: The subject trademark is not registrable as it is considered as a three dimensional trade mark.
V- Applicable provisions of the national law [(see text under X)] Under Article (1) of Iranian trademark registration law three dimensional trademark are not registrable in Iran.
VI- <input checked="" type="checkbox"/> Provisional refusal for all goods and / or services <input type="checkbox"/> Provisional refusal for partial of goods and services

VII- If international application filed under Madrid Agreement or the Madrid Protocol, are rejected by the Trademark and Patent Registration Department, if the applicant does not reside in Iran, an appeal may be filed with the Public Court of Tehran within 60 days from the date of the notification of the said rejection to the applicant. If there is no response at the time limit, this decision will be final.

VIII- Date on which the provisional refusal was pronounced:

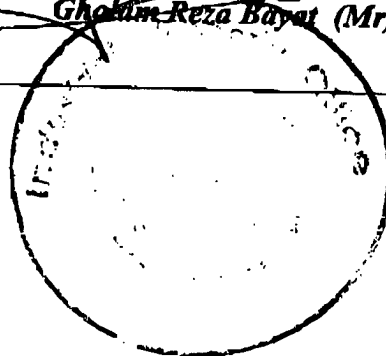
18 AUG 2009

LX- Signature or official seal of the Office notifying the provisional refusal :

Examiner: Fatemeh Yavari (Ms)

Head of Trademark Office

Gholam Reza Bayat (Mr)



X- Relevant provisions of national Law:

Article 1

A trademark is any type or form of marking composed of drawing ,picture ,number , letter, working, seal phrase ,special wrapping, etc. which is chosen to distinguish or specify a particular industrial or agricultural product.