

## ANNEX

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

**PROVISIONAL REFUSAL OF PROTECTION**

Notified to the International Bureau of the World Intellectual Property Organization (WIPO) in accordance with Rule 17(1) of the Common Regulations under the Madrid Agreement and Protocol

I.	Office making the notification:  <p align="center"><b>State Committee on Standardization, Metrology and Patents</b>  <b>Patent Office</b>  <b>Mardanov Qardashlary str. 124, AZ 1147, Baku, Azerbaijan</b>  <b>Fax: (+99412) 40-52-24</b></p>
II.	Number of the international registration: <b>951 413</b>
III.	Name of the holder of the international registration: <p align="center">Tovaristvo z obmegenou  vidpovidalnistyu  "Likero-gorilchaniy zavod "Prime"  vul. Stoicha 5, smt Malynivka,  Chuguivskiy r-n  Harkivska obl 63525 (UA)</p>
IV.	<input checked="" type="checkbox"/> Provisional refusal based on an <i>ex-officio</i> examination <input type="checkbox"/> Provisional refusal based on an opposition <sup>1</sup> <input type="checkbox"/> Provisional refusal based on both an <i>ex-officio</i> examination and an opposition <sup>1</sup>
V.	<input checked="" type="checkbox"/> Provisional refusal for all the goods and/or services <input type="checkbox"/> Provisional refusal for some of the goods and/or services: [followed by an indication of the goods and/or services which are affected or are not affected] <sup>2</sup>
VI.	Grounds for refusal [(where applicable, see item VII)]:  <p align="center"><b>Similarity of the trademark</b></p>

<sup>1</sup> The name and address of the opponent should also be provided.

<sup>2</sup> Where all the goods or services included in a given class are to be mentioned, the indication should read "all goods (or all services) in class X". In all cases, a clear indication should be given as to whether those goods and/or services are affected, or are NOT affected.

VII. Information relating to an earlier mark<sup>3</sup>

- (i) Filing date and number, and, if any, priority date:
- (ii) Registration date and number (if available): **22.12.2004 № 845462**
- (iii) Name and address of the owner:  
 Agenția Agroindustrială  
 "Moldova - Vin"  
 Bd. Ștefan cel Mare nr. 162  
 MD-2004 Chișinău (MD)
- (iv) Reproduction of the mark:  
**PRIMĂVARA**  
**ПРИМЭВАРА**
- (v) List of all or relevant goods and/or services:  
**Class 33: Alcoholic beverages (except beers).**

VIII. Corresponding essential provisions of the applicable law [(see text under XII)]:  
**Law "On Trademarks and Geographical Indications" of the Republic of Azerbaijan**  
**Article 6. Other grounds for refusal of registration of trademark**

## IX. Information relating to subsequent procedure

- (i) Time limit for requesting review or appeal:  
**3 months from decision date**
- (ii) Authority to which such request for review or appeal should be made:  
**Appeal Commission under the State Committee on Standardization,  
 Metrology and Patents of the Republic of Azerbaijan**
- (iii) Indications concerning the appointment of a representative:  
**Patent Attorney**

X. Date of the notification of provisional refusal: **29.12.2008**

## XI. Signature or official seal of the Office making the notification:



<sup>3</sup> Where the grounds on which the provisional refusal is based relate to an earlier mark, as indicated under item VI. The indication required under this item may be given by annexing a printout from the register or database.

XII. Corresponding essential provisions of the applicable law:

**Law “On Trademarks and Geographical Indications” of the Republic of Azerbaijan**  
**Article 6. Other grounds for refusal of registration of trademark**

Signs may not be registered or field for registration if they are identical or similar, to the point of misleading:

- b) trademarks protected earlier in the territory of the Republic of Azerbaijan by virtue of international treaties to which the Republic of Azerbaijan is party.