

**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

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|-------------|---|
| <b>I.</b>   | Office making the notification:<br><br><b>MINISTRY OF COMMERCE, INDUSTRY AND TOURISM,<br/>THE DEPARTMENT OF REGISTRAR OF COMPANIES AND OFFICIAL RECEIVER,<br/>KARPENISIOU &amp; MAKARIOU STR., XENIOS BLDG., 1427 NICOSIA, CYPRUS</b>   |
| <b>II.</b>  | Number of the international registration: <b>829 911</b> (one – circle, numeral presenting a special form of writing)   |
| <b>III.</b> | Name of the holder of the international registration:<br><br><b>CARREFOUR, 26, qual Michelet,<br/>F-92300 Levallois-Perret, (France).</b>   |
| <b>IV.</b>  | <input checked="" type="checkbox"/> Provisional refusal based on an <i>ex-officio</i> examination<br><input type="checkbox"/> Provisional refusal based on an opposition <sup>1</sup><br><input type="checkbox"/> Provisional refusal based on both an <i>ex-officio</i> examination and an opposition <sup>1</sup> |
| <b>V.</b>   | <input checked="" type="checkbox"/> Provisional refusal for all the goods : <b>as indicated in the IR<br/>under classes 3, 5, 11, 16, 21, 24, 25, 28, 29, 30, 31 and 32.</b><br><input type="checkbox"/> Provisional refusal for some of the goods and/or services:   |
| <b>VI.</b>  | Grounds for refusal [(where applicable, see item VII)]: <b>Refusal based on absolute grounds for refusal</b>  |

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

**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):
- (iii) Name and address of the owner:
- (iv) Reproduction of the mark:
- (v) List of all or relevant goods and/or services:

**VIII. Corresponding essential provisions of the applicable law [(see text under XII)]:**

**Section 11(1) (b) and (c) –**

**(b) Trademarks that lack distinctive character.**

**(c) Trademarks which consist exclusively of signs or indications which may be utilized in trade, to indicate the kind, quality, quantity, destination, value, geographical origin or the time of production of the good or the rendering of the service or other characteristics of the good or service.**

**IX. Information relating to subsequent procedure:**

**Within two (2) 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 2 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 mark to be published in the Official Gazette of the Republic.**

**A Cypriot advocate should be appointed.**

**X. Date of the notification of provisional refusal: April 29, 2009**

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

**(Sgd.) J. CHRISTOFOROU**

**For the Registrar of Trademarks**

<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.