

## 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>975 473</b>
III.	Name of the holder of the international registration:  <p align="center">YING ZE YAN          No. 1 Chengguanzhen Daangong          Linhaishi          Zhejiangsheng (CN)</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>Geographical origin</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):
- (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)]:  
**Law "On Trademarks and Geographical Indications" of the Republic of Azerbaijan**  
**Article 5. Absolute grounds for the refuse to register trademark**

IX. Information relating to subsequent procedure

- (i) Time limit for requesting review or appeal:  
**Within 3 months from the date on which provisional refusal was pronounced**
- (ii) Authority to which such request for review or appeal should be made:  
**Appeal Council 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: **03.08.2009**

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 5. Compulsory grounds for the refuse to register trademark**

It is not permitted to register the below-mentioned:

h) trademarks, that can mislead consumers in the determination of peculiarities of goods or services, their quality or *geographical origin*.