

**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: MINISTRY OF COMMERCE, INDUSTRY AND TOURISM, THE DEPARTMENT OF REGISTRAR OF COMPANIES AND OFFICIAL RECEIVER, KARPENISIOU & MAKARIOU STR., XENIOS BLDG., 1427 NICOSIA, CYPRUS
II.	Number of the international registration: 999 045 (Anopyrin)
III.	Name of the holder of the international registration: Zentiva, a.s., Nitrianska 100, SK-920 27 Hlohovec, (Slovakia).
IV.	☒ Provisional refusal based on an <i>ex-officio</i> examination ☐ Provisional refusal based on an opposition ¹ ☐ Provisional refusal based on both an <i>ex-officio</i> examination and an opposition ¹
V.	☒ Provisional refusal for all the goods and services: as indicated in the IR under class 5. ☐ Provisional refusal for some of the goods and/or services:
VI.	Grounds for refusal [(where applicable, see item VII)]: Any person <u>claiming to be the proprietor</u> of a trade mark used or proposed to be used by him who is desirous of registering it must apply in writing to the Registrar in the prescribed manner for registration in the register.

¹ The name and address of the opponent should also be provided.

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VII. Information relating to an earlier mark³

- (i) Filing date and number: **01.08.2002 – 63669 (CLIMODIEN)**
- (ii) Registration date and number (if available): /
- (iii) Name and address of the owner: **Scherling Aktiengesellschaft, Müllerstrasse 178, 13353 Berlin, Germany.**
- (iv) Reproduction of the mark: **please see the attached**
- (v) List of all the goods : **Class 5 (the list of the goods in Greek) – Φαρμακευτικά παρασκευάσματα δηλαδή ορμονικά παρασκευάσματα.**

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

Section 19(1) of the National Trade Marks Law of Cyprus.
(Please see the attached copies of 'Pharmacopoeia – Martindale: The Complete Drug Reference' 35th Edition pages 2962, 2228, 2931).

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 stating 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.

An advocate – practicing Law in Cyprus – needs to be appointed by you, who will act as your agent/representative before our Office.

Since we do not keep or issue any lists of lawyers, we give you below details of the CYPRUS Bar Association, who you may contact for further Information and a list of advocates:

**Cyprus Bar Association
 11, Florinis Street,
 1st Floor, Office 101
 1065 Nicosia-Cyprus
 P.O. Box 21446, 1508 Nicosia**

³ 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.

Tel. No.:+357 22873300

Fax No.:+357 22873013

Email: cybar@cytanet.com.cy / cybar2@cytanet.com.cy

Website: www.cyprusbarassociation.org

However, in case you are an advocate practicing Law overseas, you are required to obtain a license for practicing Law in Cyprus, by applying to the LAW COUNCIL OF THE CYPRUS REPUBLIC (fax no. +22665080), who will certify that you comply with the Cyprus Advocates Law CAP.2.

X. Date of the notification of provisional refusal: **November 11, 2009**

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



(Sgd.) R. EPIPHANIOU

For the Registrar of Trademarks

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Smith & Nephew, Spain. **Smith & Nephew**, Fructu-
osus Gabarret 2-4, Sant Joan Despí 08970 Barcelona,
Spain.
url: www.smith-nephew.com

Smith & Nephew, Sweden, **Smith & Nephew AB**,
Box 143, 431 22 Mölndal, Sweden.
url: www.smith-nephew.se

Smith & Nephew, Switz., **Smith & Nephew AG**,
Gluz Blozheim-Strasse 1, 4502 Solothurn, Swit-
zerland.
url: www.smith-nephew.ch

Smith & Nephew, Thai, **Smith & Nephew Ltd**,
244/3 Soi Rongrien Yapi, Rama IV Rd. Bangapi:
Huay Kwang, Bangkok 10320, Thailand.
url: www.smith-nephew.com

Smith & Nephew, UK, **See Smith & Nephew**
Healthcare, UK

Smith & Nephew, USA, **Smith & Nephew United**,
11775 Sturkey Rd, Largo, FL 33773-1970, USA.
url: www.smith-nephew.com

Smith & Nephew Healthcare, UK, **Smith & Nephew**
Healthcare Ltd, Healthcare House, God-
dion St. Hill, HX3 4DJ, UK.
url: www.smith-nephew.com

Smith & Nephew SoloPak, USA, **See SoloPak**,
USA

Smith Kline & French, Port. See GSK, Port.

SmithKline, Spain, **See GSK, Spain**

SmithKline Beecham, Austral., **See GSK, Aus-
tral.**

SmithKline Beecham, Austria, **See GSK, Aus-
tria**

SmithKline Beecham, Belg., **See GSK, Belg.**

SmithKline Beecham, Brazil, **See GSK, Braz.**

SmithKline Beecham, Canad., **See GSK, Canad.**

SmithKline Beecham, Denmark, **See GSK, Denm.**

SmithKline Beecham, Fin., **See GSK, Fin.**

SmithKline Beecham, Ger., **See GSK, Ger.**

SmithKline Beecham, Gr., **See GSK, Gr.**

SmithKline Beecham, Hong Kong, **See GSK, Hong
Kong**

SmithKline Beecham, Irl., **See GSK, Irl.**

SmithKline Beecham, Israel, **See GSK, Israel**

SmithKline Beecham, Ital., **See GSK, Ital.**

SmithKline Beecham, Mex., **See GSK, Consum-
er, Mex.**

SmithKline Beecham, Norw., **See GSK, Norw.**

SmithKline Beecham, NZ, **See GSK, NZ**

SmithKline Beecham, S.Afr., **See GSK, S.Afr.**

SmithKline Beecham, Singapore, **See GSK, Singapore**

SmithKline Beecham, Spain, **See GSK, Spain**

SmithKline Beecham, Switz., **See GSK, Switz.**

SmithKline Beecham, Thai, **See GSK, Thai**

SmithKline Beecham, UK, **See GSK, UK**

SmithKline Beecham, USA, **See GSK, USA**

SmithKline Beecham Consumer, Irl., **See GSK, Irl.**

SmithKline Beecham Consumer, Switz., **See GSK, Switz.**

SmithKline Beecham Consumer, UK, **See GSK, UK**

SmithKline Beecham Consumer, USA, **See GSK Consumer, USA**

SmithKline Beecham OTC, Ger., **See GSK Consumer, Ger.**

SmithKline Beecham Spain, Fin., **See GSK, Fin.**

SmithKline Diagnostics, USA, **See Beckman, USA**

SMTL, UK, **Surgical Materials Testing Laboratory**,
Princess of Wales Hospital, City Rd, Bridgend, Mid
Glamorgan, CF31 1RQ, UK.
url: www.smtl.co.uk

SNBTS, UK, **Scottish National Blood Trans-
fusion Service**, Protein Fractionation Centre, 211
Glen Rd, Edinburgh, EH17 7QT, UK.
url: www.scotblood.co.uk

Sobral, Brazil, **Laboratório Industrial Farmacéu-
tico Sobral**, Rua Bento Lobo 25, Floriano PI, Brazil.

Sotopharm, Fr., **Laboratoires Sotopharm**,
Chemin de Marcy, 58800 Combray, France.

Sotia, Fr., **Laboratoires Sotia**, Av. Robert Schu-
man, 51100 Reims, France.

Solidac, Fin., **See Wyeth Lederle, Fr.**

Sodip, Switz., **Sodip SA**, 11 rue Aphonsse-Lange,
1217 Meyrin 1, Switzerland.

Sofar, Ital., **Sofar Farmaceutici S.p.A.**, Via Firenze
40, 20060 Trezzano Rosa (MI), Italy.
url: www.sofarfarm.it

Sofax, Port., **Sofax Farmacêutica, Lda**, Rua Se-
bastião e Silva 25, Zona Industrial do Massad, 2749-038 Queluz, Portugal.

Sofiens, S.Afr., **See Bausch & Lomb, S.Afr.**

Sofus, Swed., **Sofus Pharma AB**, Frutuvägen 20
15, 169 70 Solna, Sweden.

Solar, Arg., **Solar SA**, Velaz Sarfield 870, 2013
Rosario, Santa Fe, Argentina.

Solar, Canad., **Solar Cosmetics Labs Inc**, 6845
Hewwood Rd, Unit 3-5, Mississauga, Ontario, L4V
1S5, Canada.

Solara, Mex., **Solara Farmaceutica**, C.A. de CV, Av
Paseo de las Palmas 330 PB, 11000 Lomas de
Cuajaltepéc, Mexico DF, Mexico.

Solco, Austria, **Solco Pharma Austria GmbH**,
Michael Pacher Strasse 25A/7, A-5020 Salzburg,
Austria.

Solco, Cz., **See ICA, Cz.**

Solcon, Fin., **See Ornia, Fin.**