

World Intellectual Property Organisation (WIPO)
International Bureau
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Concept House

Cardiff Road, Newport
South Wales, NP10 8QQ
United Kingdom

Switchboard: +44(0)1633 814000
Minicom: 08459 222250
DX: 722542 Cleppa Park 3

Website: www.ipo.gov.uk

Tel: +44(0)1633 811173
Fax: +44(0)1633 817777
Email: lance.eggleson@ipo.gov.uk
O/Ref: 1026734/Team 3/LEGGL
Y/Ref: International Registration Number 1026734
Date: 22 February 2010

Please reply by 22 April 2010 quoting our reference.

Dear Sir or Madam,

Intl. Reg. No: 1026734 in Classes 03, 25, 32, 33
For the Mark: 28RED
Holder: Calidris 28 AG (SA)

**NOTIFICATION OF A PROVISIONAL PARTIAL REFUSAL OF PROTECTION
(NOT BASED ON AN OPPOSITION) BY THE UNITED KINGDOM
INTELLECTUAL PROPERTY OFFICE.**

I have provisionally refused protection of this mark for some goods. My reasons are given in the enclosed Examination Report. The holder can get help with applying for trade marks, view details of the relevant sections of the UK Trade Marks Act 1994, and get copies of all forms on our website at www.ipo.gov.uk.

If the holder wants to write to me, I will consider what they have to say and reply to them. However, they must provide a contact address in the European Community, the Isle of Man or the European Economic Area by filling in and returning a Form TM33 (Request to appoint an agent or address for service).

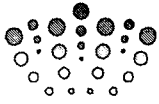
Alternatively, if they do not agree with my decision they may ask for a hearing with one of the Registrars hearing officers, where they can explain their case.

The holder may obtain details of where to get independent professional help and advice from either of the following:

The Institute of Trade Mark Attorneys
www.itma.org.uk

or

The Chartered Institute of Patent Agents
www.cipa.org.uk



International Registration No: 1026734

If they do not reply by the date shown above I will publish it in the Trade Marks Journal, but only for:

Classes 3, 32 and 33 as filed and Class 25 for the following specification:

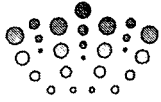
Shoes, footwear and boots, namely sports and leisure shoes and boots; socks; suspenders, also made of leather; ties, namely bow ties; gloves; headgear, namely forehead bands and sweatbands; belts.

The provisional refusal of all other goods will then become final.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'L. Eggleton'.

Lance Eggleton
Trade Marks Examiner



International Registration No: 1026734

EXAMINATION REPORT

International Registration No. 1026734 in Classes 03, 25, 32, 33 has been examined under the UK Trade Marks Act 1994. References to 'section' in this report mean that section of the Act.

Absolute Grounds for Refusal (Section 3)

The designation is provisionally refused for Class 25 in respect of clothing, namely sports and leisure clothing, stockings and pants, as there is an objection under Section 3(1)(b) and (c) of the Act. This is because the mark consists exclusively of the numeral and word 28RED, being a sign which may serve, in trade, to designate the kind of goods e.g. size 28 clothing in the colour red.