

PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS

PROVISIONAL REFUSAL OF PROTECTION

Notified to the International Bureau of the World Intellectual Property Organisation
(WIPO) according to Article 5 of the Protocol Relating to the Madrid Agreement
Concerning the International Registration of Marks

1. Office refusing protection : **Intellectual Property Office of Singapore**

2. International Registration Number : **691220**

3. Name of holder of the International Registration :

**OTKRYTOE AKTSIONERNOE OBCHTCHESTVO "NEFTYANAYA
KOMPANIYA "LUKOIL"**

4. The grounds for this refusal are indicated in the attached statement(s) of refusal.
Where the refusal relates to more than one Singapore trade mark number, there is a separate statement of refusal for each Singapore trade mark number. Each statement of refusal contains a Singapore trade mark number for the class(es) and a Singapore reference number (stated as "Our Ref" in the statement of refusal). The International Registration number, Singapore trade mark number(s), corresponding class number(s) and Singapore reference number(s) must be quoted in all correspondence with the Intellectual Property Office of Singapore.

5. The relevant provisions of Singapore law are attached.

6. This refusal applies to all the goods in Class(es) 04 of the international registration.

7. The holder of the international registration may request for a review of this refusal.
The request for review must be received by the Intellectual Property Office of Singapore no later than four (4) months from the date of this refusal.

The request for review must quote the International Registration number, relevant Singapore trade mark number(s), corresponding class number(s) and Singapore reference number(s) and be accompanied by an address for service in Singapore filed on Form TM 1. The fee payable for Form TM 1 is SGD8.50 for each Singapore trade mark number.

The holder may request for an extension of time to respond to the refusal by filing Form TM 49. There is no fee for the filing of this form. However, one Form TM 49 must be filed for each Singapore trade mark number in respect of which the request is made. The International

Registration number, relevant Singapore trade mark number(s) and Singapore reference number(s) must be quoted on each Form TM 49.

Both Form TM 1 and Form TM 49 can be obtained from the web site of the Intellectual Property Office of Singapore at <http://www.ipos.gov.sg/topNav/form/Trade+Marks+Forms.htm>.

If the holder does not file a request for review together with the completed Form(s) TM 1 and the relevant fee or does not file the completed Form(s) TM 49 by 4 September 2010, this refusal will become final.

8 . Please note that a further refusal of protection may result from an opposition, which may be filed after the expiry of 18 months from the date on which the Intellectual Property Office of Singapore was notified of the international registration.

This applies to all the goods in Class(es) 04 of the international registration.

9 . Date of refusal : **4 May 2010**

10. This refusal is issued by :



Ho Sok Yin (Miss)
Assistant Registrar
for Registrar of Trade Marks
Singapore

Examiner's direct line : (65) 63302765

PROVISIONS OF SINGAPORE LAW

TRADE MARKS ACT (CHAPTER 332)

Section 2(1) Interpretation

"earlier trade mark" means -

- (a) a registered trade mark or international trade mark (Singapore), the application for registration of which was made earlier than the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks; or
- (b) a trade mark which, at the date of application for registration of the trade mark in question or (where appropriate) of the priority claimed in respect of the application, was a well known trade mark,

and includes a trade mark in respect of which an application for registration has been made and which, if registered, would be an earlier trade mark by virtue of paragraph (a) subject to its being so registered.

Section 8 Relative grounds for refusal of registration

(1) A trade mark shall not be registered if it is identical with an earlier trade mark and the goods or services for which the trade mark is sought to be registered are identical with the goods or services for which the earlier trade mark is registered.

(2) A trade mark shall not be registered if because -

- (a) it is identical with an earlier trade mark and is to be registered for goods or services similar to those for which the earlier trade mark is protected; or
- (b) it is similar to an earlier trade mark and is to be registered for goods or services identical with or similar to those for which the earlier trade mark is protected,

there exists a likelihood of confusion on the part of the public.

STATEMENT OF REFUSAL

Our Ref : EXS/D3130528/tmhsy

M/S OTKRYTOE AKTSIONERNOE OBCHTCHESTVO
"NEFTYANAYA KOMPANIYA "LUKOIL"
11, Sretensky boulgvar, RU-101000
MOSKVA, Russian Federation

Dear Sirs

Singapore Trade Mark No T1005345D in Class No 04
International Registration No 691220
OTKRYTOE AKTSIONERNOE OBCHTCHESTVO "NEFTYANAYA KOMPANIYA "LUKOIL"

We refer to the above.

2 The mark is objectionable under section 8 of the Trade Marks Act (Cap. 332) as it is in conflict with the following trade mark(s) in respect of the indicated class(es):

Cited Trade Mark No	International Reg No	Mark Status	Trade Mark	Subject Class No Objected To
T0016450D		REG		04



This refusal relates to all the goods claimed.

Ho Sok Yin (Miss)
Assistant Registrar
for Registrar of Trade Marks
Singapore
(Tel: 63302765)

(This is a computer generated report/letter. No signature is required)

TRADEMARK SYSTEM
EQSR6102A/1
SVCS NO : 000000

Mark Listing 2 (Basic Details)

04/05/2010 17:48:22
PAGE : 1
RPT NO : 283187/001

Workstation ID : RTMP183
Type of Service : operator assisted report

NRIC/Passport No :
Visitor Name :

Company/Agent Code :
Company/Agent Name :

Report Description : Mark Detailed Information

Number of Pages in Report : 0003
Number of Pages Deleted : 0000
Number of Pages Printed : 0003

Date & Time Report Is Created : 04/05/2010 17:48:22
Date & Time Report Is Printed : 04/05/2010 17:48:35

DISCLAIMER

Please note that the information is for your own consumption only. IPOS or the Registrar of Trade Marks is in no way bound by the output or results from the use of this facility and IPOS does not guarantee that the information will be comprehensive and accurate and that there will not be any technical malfunction. Whilst care has been taken to ensure that the database is regularly updated, IPOS undertakes no responsibility for errors or omissions in the information or records, or for any consequences, direct or indirect, arising from such errors or omissions or from reliance thereon. IPOS reserves the right to suspend, modify or discontinue this search facility at any time without prior notice.

Search Criteria/Print Range Specification:

T0016450D

TRADEMARK SYSTEM
EQSR6102A/1
SVCS NO : 000000

Mark Listing 2 (Basic Details)

04/05/2010 17:48:22
PAGE : 2
RPT NO : 283187/001

National

S/No : 1
IR No :
Date of IR :
Date of Notification of IR :
Date of SD :
Date of Notification of SD :
Date of Completion of
Registration Procedure :

TM No : T0016450D
Application Type : Trade Mark
Class : 04
Part :
Converted Application : N
Application Date : 15/09/2000
Mark Lodged in Colour : Y
Mark Status : Registered
Mark Status Date : 15/09/2000
Publication Status : Published
Publication Date : 02/09/2002
Cert Despatched Date : 11/07/2003
Expire Date : 15/09/2010
3-dimensional shape : N
Aspect of packaging : N
Colour(s) as a trade mark : N
Other Non-conventional Mark :



Description of Particular Feature(s) of Mark

Nil.

Priority Details

Nil.

Replacement Application under Madrid Protocol

Nil.

Transformation Application under Madrid Protocol

Nil.

MARK INDEX

Words In Mark : luk
Device Description : rectangle
Phonetic Equivalent :
Translation :
Transliteration :

SPECIFICATION OF GOODS AND SERVICES

Class 04
Oil and grease for technical purposes; fuels in liquid and gas form.

CURRENT APPLICANT/PROPRIETOR DETAILS

Intellectual Property Office of Singapore, Ministry of Law, Singapore

TRADEMARK SYSTEM
EQSR6102A/1
SVCS NO : 000000

Mark Listing 2 (Basic Details)

04/05/2010 17:48:22
PAGE : 3
RPT NO : 283187/001

Code : CO227889Z
Company : LUK LAMELLEN UND KUPPLUNGSBAU BETEILIGUNGS KG
Constitution :
Country : GERMANY
State :
Address : Industriestrasse 3, 77815 Buhl, Germany.

MARK CLAUSES

(01) The mark is limited to the color(s) yellow and black as shown in the representation on the form of application.

AGENT/ADDRESS FOR SERVICE

S/No Agent/AFS Name/Address Action Representing

01 DREW AND NAPIER LLC Application &
20 RAFFLES PLACE registration
#17-00 OCEAN TOWERS
Singapore 048620

CORRECTION RECORDS

Nil.