



REPUBLIC OF CYPRUS

MINISTRY OF
COMMERCE, INDUSTRY
AND TOURISM



DEPARTMENT OF REGISTRAR OF COMPANIES
AND OFFICIAL RECEIVER
INTELLECTUAL AND INDUSTRIAL PROPERTY SECTION
TRADE MARKS
1427 NICOSIA CYPRUS

**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: 1 026 734 (28RED)
III.	Name of the holder of the international registration: Calidris 28 AG (SA) 30, Esplanade de la Moselle L-6637 Luxembourg (Luxembourg)
IV.	<input checked="" type="checkbox"/> Provisional refusal based on an <i>ex-officio</i> examination <input type="checkbox"/> Provisional refusal based on an opposition ¹ <input type="checkbox"/> Provisional refusal based on both an <i>ex-officio</i> examination and an opposition ¹
V.	<input checked="" type="checkbox"/> Provisional refusal for all the goods and services: as indicated in the IR under classes 3,25,32 and 33. <input type="checkbox"/> Provisional refusal for some of the goods and/or services:

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

VI. Grounds for refusal [(where applicable, see item VII)]: **Refusal based on absolute grounds for refusal**

VII. Information relating to an earlier mark³

- (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)

(b) Trademarks that lack distinctive character.

IX. Information relating to subsequent procedure:

Within two months (2) from the date of this communication, unless the applicant's authorized representative applies for a hearing or makes a considered reply in writing to the Registrar's objections, he shall be deemed to have withdrawn his application.

An advocate - practicing Law in Cyprus - needs to be appointed, who will act as the applicant's representative before our Office.

Since we do not keep or issue any lists of lawyers, we give you below details of the

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.

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
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: May 26, 2010

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



(Mrs) A. GEORGIADOU

For the Registrar of Trademarks