

MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION

Rule 17(1)

I. Office making the notification: HELLENIC REPUBLIC MINISTRY OF DEVELOPMENT & COMPETITIVENESS GENERAL SECRETARIAT OF COMMERCE, DIRECTION OF COMMERCIAL & INDUSTRIAL PROPERTY KANINGOS SQUARE, GR-10181 ATHENS Examiner: Gerou Paraskevi
II. Number of the International Registration: 865887 Greek Registration Number: 46481
II. Name of the holder: OBSHESTVO S OGRANICHENNOJ OTVETSTVENNOST'YU LABORATORIYA SOVREMENNOGO ZDOROV'YA
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/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] ² Affected:

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

² 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.

VI. Grounds for refusal [(where applicable, see item VII)]:

Is a trademark which is devoid of any distinctive characteristics which the law requires in order to distinguish their products coming from the reporting enterprise, against other companies. The mark is <BIOSYNCHRON> consists of two words. The word <BIO> is commonly used to describe biological goods and the word <SYNCHRON> [syn + chronos: synchronous] means [latest, uptodate, modern] quality, production, value of the goods.

VII. Information relating to an earlier mark

- (i) Filing date at OHIM:
- (ii) Number:
- (iii) International Registration date:
- (iv) Name and address of the owner:
- (v) Reproduction of the mark:
- (vi) List of all or relevant goods and/or services:

VIII. Corresponding essential provisions of the applicable law [(see text under XII)]:
Law N. 4072/2012 -Article 123 (b), (c), (g):

IX. Information relating to subsequent procedure:

- (i) Time limit to submit objections:

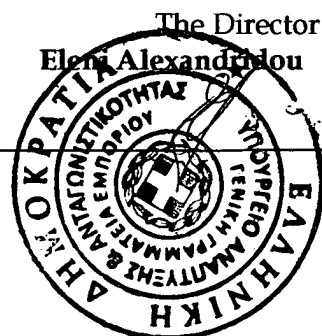
Time limit is 90 days from the date of receipt by WIPO of the present notification

- (ii) Indications concerning the appointment of a representative:

A Greek lawyer needs to be appointed (information: Athens Bar Association tel: +30210 3398251, e-mail info@dsa.gr & Piraeus Bar Association e-mail: secretary@dspeir.gr)

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

Date: 9/9/2014



XI. Corresponding essential provisions of the applicable law:
LAW 4072/2012 -Article 123 : Absolute grounds for refusal

1. The following signs shall not be registered as trademarks:
 - a. signs which do not conform to the requirements of Article 121,
 - b. trademarks which are devoid of any distinctive character,
 - c. trademarks which consist exclusively of signs or indications which may serve in trade to designate the kind, quality, attributes, quantity, destination, value, geographical origin or the time of the goods production or of the service rendering or other characteristics of the goods or service,
 - d. trademarks which consist exclusively of signs or indications which have become customary in the everyday language or in the bona fide and established practices of the trade,
 - e. signs which consist exclusively of the shape imposed by the nature of the product or it is necessary to obtain a technical result or gives substantial value to the product,
 - f. signs which are contrary to public order or to principles of morality,
 - g. signs which are of such a nature as to deceive the public, for instance as to the nature, quality or geographical origin of the goods or service.
2. Similarly, the following signs shall not be registered as trademarks:
 - a. signs which are intended to distinguish wines or spirits that contain or consist of protected by EU legislation, geographical indication, designating wines or spirits, if these wines or spirits do not have the specific origin,
 - b. signs which contain or consist of a designation of origin or a geographical indication registered in accordance with the EU legislation and regarding the same type of product, on condition that the application for registration of the trade mark has been submitted after the date of filing of the application for registration of the designation of origin or geographical indication of agricultural products and foodstuffs.
3. Trademarks are not:
 - a. Names of states, the flag, the emblems, the symbols, the escutcheons, the signs and the markings of the Greek State and other States, which are referred to in the Article 6 (3) of the Paris Convention for the protection of Industrial Property (Law 213/1975, A' 258) and under conditions of this article as well as the signs of great symbolic importance and specific public interest and particularly religious symbols, expressions and words.
 - b. Signs the filing of which is contrary to good faith or was made in bad faith.
4. Notwithstanding the provisions of the cases b, c and d of the paragraph 1, a sign is being accepted for registration, if up to the date of its filing has acquired distinctiveness due to its use.