



Intellectual
Property
Office

Concept House
Cardiff Road, Newport
NP10 8QQ

T +44 (0) 30 0300 2000
F +44 (0) 18 3381 7777

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

Your Reference:
International Registration No:
WO0000001247434
Examiner: Jon Hayward
Direct Telephone: +44(0)1633811074
Date: 28 May 2015

Please reply by **28 July 2015** quoting the International Registration number

Dear Sir/Madam,

Intl Reg No: WO0000001247434
Mark: MINI SO (Figurative)
Holder: Guangdong Saiman Investment Co., Ltd.
Class(es): 9, 18, 21, 25, 35

Notification of a Provisional Partial Refusal of Protection (not based on an opposition) by the Intellectual Property Office

I have examined your designation under the Trade Marks Act 1994 and carried out a search of the relevant trade mark registers. Your designation does not appear to meet the requirements for Protection for the following reasons.

There is an objection under Section 1(1) and 3(1)(a) of the Act because the following terms do not clearly define the retail services being provided.

‘medical supplies’

The Trade Marks Registry takes the view (following the judgment of the ECJ in the Praktiker case (C-418/02)) that a specification of this nature is not acceptable. An objection is therefore raised under Section 1(1) and 3(1)(a) of the Act.

Please see PAN 6/05 for further information: ipo.gov.uk/tmpan605

This objection can be overcome by clearly defining the goods covered by this term.

However you may also delete these services entirely from the designation.

We have not, at this point, undertaken a search in respect of earlier marks on the register (relative grounds examination). As and when you specify what goods you are interested in, we will undertake a full relative grounds examination which may raise earlier trademarks which you should be aware of.

Next step

If you disagree with my assessment of your designation, you can write or telephone me. My contact details are shown at the top of this letter.

If following this discussion, you still disagree with my findings you have the right to request a hearing with a senior officer to discuss the matter further.

If your address is outside of the European Community, the Isle of Man or the European Economic Area you must provide us with a contact address in one of the above areas. This can be done by filling in and returning a form TM33 "Appointment of change of Representative (for trade mark owners or holders)". This form is available at:

ipo.gov.uk/tmforms

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

Classes 09, 18, 21 and 25 for the specifications as filed.

And/or

Class 35 for a specification of:

Advertising; presentation of goods on communication media, for retail purposes; business management and organization consultancy; advisory services for business management; commercial administration of the licensing of the goods and services of others; import-export agencies; sales promotion for others; procurement services for others [purchasing goods and services for other businesses]; marketing; retail or wholesale services for pharmaceutical, veterinary and sanitary preparations.

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

Yours faithfully

Jon Hayward

Trade Marks Registry