

MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION
Rule 17(1)

<p>I. Office making the notification:</p> <p style="text-align: center;">National Center for Patents and Information of the Republic of Tajikistan</p> <p style="text-align: center;">Dushanbe 14a Ayni street.</p>
<p>II. Number of the international registration: 1 222 763</p>
<p>III. Name of the holder (or other indication enabling the identity of the international registration to be confirmed):</p> <p style="text-align: center;">PayPal, Inc. 2065 Hamilton Avenue San Jose CA 95125 (US)</p>
<p>IV. <input checked="" type="checkbox"/> Provisional refusal based on an <i>ex officio</i> examination</p> <p><input type="checkbox"/> Provisional refusal based on an opposition</p> <p><input type="checkbox"/> Provisional refusal based on both an <i>ex officio</i> examination and an opposition¹</p>
<p>V. <input type="checkbox"/> Provisional refusal for all the goods and/or services</p> <p><input checked="" type="checkbox"/> Provisional refusal for some of the goods and/or services which are affected in class 36 of NCL [followed by an indication of the goods and/or services which are affected or are not affected]</p> <p>36</p> <p>Financial services, namely, electronic funds transfer; clearing and reconciling financial transactions; providing a wide variety of payment and financial services, namely, credit card services, issuing credit cards and lines of credit, processing and transmission of bills and payments thereof, bill payment services with guaranteed payment delivery, and brokerage of money market funds, all conducted via a global communications network; credit card and debit card transaction processing services; reimbursement of funds for disputed items in the field of electronic payment purchases; providing purchase protection services for goods and services purchased by others via a global computer network and wireless networks; credit card transaction processing services; credit services, namely, providing revolving credit account services; bill payment services; providing electronic mobile payment services for others; credit card and payment processing services; electronic foreign exchange payment processing; payment processing services, namely, providing virtual currency transaction processing services for others.</p>
<p>VI. Grounds for refusal [(where applicable, see item VII)]:</p> <p>The sign shall not be registered because it's confusingly similar to trademarks of another person protected in the Republic of Tajikistan with an earlier priority.</p>
<p>VII. Information relating to an earlier mark :</p> <p>(i) Filing date and number, and, if any, priority date: 27/12/2007</p> <p>(ii) Registration date and number (if available): TJ 8425</p> <p>(iii) Name and address of the owner: (US) PayPal, Inc., A Delaware corporation 2211 North Furst Street, San Jose, California 95131, USA</p>

(iv) Reproduction of the mark: **PAYPAL**

List of all or relevant goods and/or services:

36

insurance; financial affairs; monetary affairs; real estate affairs; financial services, namely, enabling transfer of funds and purchase of products and services offered by others, all via electronic communications networks; clearing and reconciling financial transactions via electronic communications networks; providing a wide variety of payment and financial services, namely, credit card services, issuing credit cards and lines of credit, processing and transmission of bills and payments thereof, payment services, providing guaranteed payment delivery, and money market funds; financial services, namely providing financial fraud protection and prevention and dispute resolutions services.

VIII. Corresponding essential provisions of the applicable law [(see text under XII)]:

Article 9.1 of the Law of the Republic of Tajikistan on Trademarks and service marks.

IX. Information relating to subsequent procedure:

(i) Time limit for requesting review or appeal:

In the event of disagreement of the applicant with the examiner's decision, he shall have the right, within two month of the date of receipt of the decision from International Bureau, to file with the Patent Office a request for reexamination.

(ii) Authority to which such request for review or appeal should be made:

National Center for Patents and Information of the Republic of Tajikistan.

(iii) Indications concerning the appointment of a representative:

<http://www.ncpi.tj/index2.php?show=patentnie-poverennie&lang=ru&mId=34>

X. Date of the notification of provisional refusal: **22.07.2015**

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



**Head of Division of
international registration
of trademarks**

Mr. B. Azonov

XII. Corresponding essential provisions of the applicable law:

Article 9. Other grounds for denial of registration.

The following designations shall not be registered as trademarks if they are identical with or confusingly similar to:

- trademarks of other persons, applied for registration (provided applications for them have not been withdrawn) or protected in the Republic of Tajikistan by virtue of an international treaty recognized by the Republic of Tajikistan, in respect of similar goods and with an earlier priority;

[...]