

**MADRID AGREEMENT AND PROTOCOL**  
**PROVISIONAL REFUSAL OF PROTECTION**

I.	Office making the notification:	<b>INTELLECTUAL PROPERTY OFFICE OF MONGOLIA</b> <b>BAGA TOIRUU-49, ULAANBAATAR-46, MONGOLIA</b>	
II.	Number of the international registration:	<b>1232192</b>	
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed):	Gorokhovskaya Tatyana Germanovna Krasnyi prospekt, d. 49, kv. 58 RU-630091 Novosibirsk (RU)	
IV.	<input checked="" type="checkbox"/> Provisional refusal based on an <i>ex officio</i> examination  <input type="checkbox"/> Provisional refusal based on an opposition  <input type="checkbox"/> Provisional refusal based on both an <i>ex officio</i> examination and an opposition <sup>1</sup>		
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:		
VI.	Grounds for refusal :	<b>DISCLAIMER: SIBERIAN HEALTH</b>  <b>According to Trademark and Geographical Indication law, Article 5.2.7, applied trademark (SIBERIAN HEALTH) is identical or confusingly similar with a trademark registered earlier or with earlier filing date for registration in respect identical or same type product or services.</b>	
VII.	Information relating to an earlier mark :		
	(i) Filing date and number, and, if any, priority date:		
	(ii) Registration date and number (if available):	<b>10.06.2011</b>	<b>1084511</b>
	(iii) Name and address of the owner:		
		Obchtchestvo s ogranichennoi otvetstvennostiou "Korporatsia "Sibirskoe zdorovie" RU-630004 ul. Lenina, 48, Novosibirsk, (RU)	
	(iv) Reproduction of the mark:		
		<b>SIBERIAN HEALTH</b>	

(v) List of all or relevant goods and/or services:

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Cosmetic creams; cosmetics; dentifrices; oils for cosmetic purposes; cleansing milk for toilet purposes; lotions for cosmetic purposes; cosmetic kits; pomades for cosmetic purposes; potpourris; cosmetic preparations for baths; sunscreen preparations; perfumery; toiletries; cosmetic preparations for skin care; soap; tissues impregnated with cosmetic lotions; shampoos.

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Albuminous foodstuffs for medical purposes; dietetic foods adapted for medical purposes; food for babies; dietetic beverages adapted for medical purposes; confectionery, medicated; nutritional additives for medical purposes; lacteal flour for babies; hematogen; cod liver oil; medicinal herbs; albuminous preparations for medical purposes; biological preparations for medical purposes; vitamin preparations; preparations to facilitate teething; dietetic substances adapted for medical use; mineral food-supplements.

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Stationery; pamphlets; note books; inkstands; writing materials; printed matter; newspapers; books; booklets; teaching materials [except apparatus]; credit card imprinters, non-electric; bags [envelopes, pouches] of paper or plastics, for packaging.

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Albumen for food; broth; caviar; mushrooms, preserved; broth concentrates; jams; fruits, tinned; vegetables, tinned; fish, tinned; meat, tinned; crustaceans, not live; weed extracts for food; meat extracts; potato flakes; cheese; frozen fruits; fruit, preserved; crystallized fruits; fruit, stewed; jellies for food; fruit jellies; game, not live; edible fats; edible oils; vegetable juices for cooking; milk; vegetables, preserved; vegetables, cooked; vegetables, dried; marmalade; fatty substances for the manufacture of edible fats; fat-containing mixtures for bread slices; nuts, prepared; eggs; fish, not live; salted fish; potato chips; soups; milk products; fruit pulp; raisins; fruit salads; vegetable salads; sausages; tofu; fruit chips; meat; poultry, not live.

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Whey beverages; non-alcoholic fruit juice beverages; non-alcoholic beverages; waters (beverages); cocktails, non-alcoholic; fruit juices; vegetable juices (beverages); lemonades.

VIII. Information relating to subsequent procedure:

(i) Time limit for requesting review or appeal:

**Within 3 months from the date of the notification by WIPO to the holder**

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

**INTELLECTUAL PROPERTY OFFICE OF MONGOLIA  
BAGA TOIRUU-49, ULAANBAATAR-46, MONGOLIA**

(iii) Indications concerning the appointment of a representative:

IX. Date of the notification of provisional refusal:

**01 July 2015**

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



XII. Corresponding essential provisions of the applicable law:

**Trademark and Geographical Indication law, Article 5.2.7**

**A trademark shall not be registered if it is identical with, or similar to, a trademark registered or applied for registration in Mongolia in respect of similar goods or services where its use would result in a likelihood of confusion on the part of consumers**