

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

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| <p>I. Office making the notification: National Center for Patents and Information of the Republic of Tajikistan Dushanbe 14a Ayni street.</p> |
| <p>II. Number of the international registration: 1 232 192</p> |
| <p>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)</p> |
| <p>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 opposition¹</p> |
| <p>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]</p> |
| <p>VI. Grounds for refusal [(where applicable, see item VII)]: 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:</p> <p>(ii) Registration date and number (if available): 10.06.2011, 1 084 511</p> <p>(iii) Name and address of the owner: Obchtchestvo s ogranitchennoi otvetstvennostiou "Korporatsia "Sibirskoe zdorovie" RU-630004 ul. Lenina, 48, Novosibirsk, (RU)</p> <p>(iv) Reproduction of the mark: SIBERIAN HEALTH</p> <p>(v) List of all or relevant goods and/or services: 03 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. 05 Albuminous foodstuffs for medical purposes; dietetic foods adapted for medical purposes;</p> |

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 imprints, 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. 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:

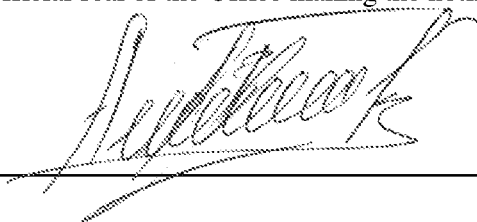
National Center for Patents and Information of the Republic of Tajikistan.

(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: **15.09.2015**

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;**

[...]