

MADRID PROTOCOL**Model Form 3A: Total Provisional Refusal of Protection (Rule 17(1) of the Common Regulations)**

I.	Office making the notification: RWANDA DEVELOPMENT BOARD OFFICE OF THE REGISTRAR GENERAL (RW)
II.	Number of the international registration: 1290457
III.	Name of the holder: Ilona Olejniczak
IV.	<p>Information concerning the type of provisional refusal:</p> <p><i>Please indicate the type of refusal by checking only one of the following options:</i></p> <p><input type="checkbox"/> Total provisional refusal based on an <i>ex officio</i> examination</p> <p><input checked="" type="checkbox"/> Total provisional refusal based on an opposition</p> <p><input type="checkbox"/> Total provisional refusal based on both an <i>ex officio</i> examination and an opposition</p> <p><i>Where the refusal is based on an opposition, please indicate the name and address of the opponent:</i></p> <p>(i) Name of the opponent: TRUST LAW CHAMBERS in the name of "Red Bull GmbH"</p> <p>(ii) Address of the opponent: Brunn 115 A-5330 FUSCHL am SEE</p>
V.	<p>Information concerning the scope of the provisional refusal: total provisional refusal based on opposition</p> <p>Total provisional refusal affects all the goods and/or services.</p>
VI.	<p>Grounds for refusal [(where applicable, see item VII)]: Confusing mark: the PITBULL application contains the word BULL which is also contained in red bull trademark and is therefore confusing similar to the red bull trademark registration. Therefore likely that substantial number of the consumers will be confused.</p>

VII. Information relating to an earlier mark:

- (i) Filing date and number, and, if any, priority date: **26/04/2001, RW/T/2001/004585**
- (ii) Registration date and number (if available): **26/10/2009 No 004585**
- (iii) Name and address of the owner: **RED BULL GmbH Brunn 115 A-5330 FUSCHL am SEE**
- (iv) Reproduction of the mark: **RED BULL**
- (v) List relevant goods and/or services (this list may be in the language of the earlier application or registration): **32(Non-alcoholic beverages), 33(Vins, vins mousseux, cidres, apéritifs, alcools et eaux-de-vie, liqueurs et spiritueux divers, à l'exception des whisky et gin) and 43(Registered Travel agency services, namely, making reservations for temporary lodging, restaurants, and meals; providing facilities for business meetings).**

VIII. Corresponding essential provisions of the applicable law: **Article 134 and 136 of Law no. 31/2009 of 26/10/2009 on the protection of intellectual property**

IX. Information relating to the possibility to request a review or file an appeal:

- (i) Time limit for requesting review or appeal: **3 months from the date of notification by WIPO**
- (ii) Authority to which such request for review or appeal should be made: **RDB, Office of the Registrar General, Kigali, Rwanda**
- (iii) Whether the request for review or appeal has to be filed in a specific language and/or through the intermediary of a representative whose address is within the territory of the Contracting Party: **All foreign trademark holders need to engage the services of an agent domiciled in Rwanda**
- (iv) Other requirements, if any: **Power of attorney sign by trademark holders**

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



A handwritten signature in black ink, appearing to read "Louise Kanyonga", is written over the official seal.

Louise Kanyonga
Registrar General

XI. Date of the notification to the International Bureau: **10/06/2016**

[End of Model Form 3A]