

Model Form 3

MADRID AGREEMENT AND PROTOCOL
PROVISIONAL REFUSAL OF PROTECTION

Rule 17(1)

This form is to be used in the following situation: the Office considers that protection cannot be granted in the Contracting Party concerned (ex officio provisional refusal) or protection cannot be granted in the Contracting Party concerned because an opposition has been filed, or both. In due course, once all the procedures before the Office have been completed, the Office shall send to the International Bureau a statement regarding the final disposition on the status of the mark, using Model Forms 5 or 6, as the case may be.

I.	Office making the notification:
II.	Number of the international registration:
III.	Name of the holder (or other indication enabling the identity of the international registration to be confirmed):
IV.	<input type="checkbox"/> Provisional refusal based on an <i>ex officio</i> examination <input type="checkbox"/> Provisional refusal based on an opposition ¹ <input type="checkbox"/> Provisional refusal based on both an <i>ex officio</i> examination and an opposition ¹
V.	<input 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] ²
VI.	Grounds for refusal [(where applicable, see item VII)]:

¹ The name and address of the opponent should also be provided.

² Where all the goods or services included in a given class are to be mentioned, the indication should read "all goods (or all services) in class X". In all cases, a clear indication should be given as to whether those goods and/or services are affected, or are NOT affected.

VII. Information relating to an earlier mark³ :

- (i) Filing date and number, and, if any, priority date:
- (ii) Registration date and number (if available):
- (iii) Name and address of the owner:
- (iv) Reproduction of the mark:

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

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

IX. Information relating to subsequent procedure:

- (i) Time limit for requesting review or appeal:
- (ii) Authority to which such request for review or appeal should be made:
- (iii) Indications concerning the appointment of a representative:

X. Date of the notification of provisional refusal:

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

³ Where the grounds on which the provisional refusal is based relate to an earlier mark, as indicated under item VI. The indication required under this item may be given by annexing a printout from the register or database.

XII. Corresponding essential provisions of the applicable law: