

**HAGUE AGREEMENT CONCERNING
THE INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS**

– NOTIFICATION OF REFUSAL –

Rule 18 of the Common Regulations

<p>I. Office sending the notification:</p> <p style="text-align: center;">STATE AGENCY ON INTELLECTUAL PROPERTY OF THE REPUBLIC OF MOLDOVA (AGEPI)</p> <p style="text-align: center;">24/1 Andrei Doga str., MD-2024, Chisinau, Republic of Moldova</p> <p>tel:+(373 22)400-532, fax:+(373 22)44-01-19 e-mail: office@agepi.gov.md</p>
<p>II. International deposit No.: DM/210914 dated: 2020.08.16</p>
<p>III. Name and address of owner:</p> <p style="text-align: center;">"AKAMA" LLC, UA Okeanska 3 street, 49022 Dnipro</p>
<p>IV. <input type="checkbox"/> Refusal for all the designs included in the international deposit <input checked="" type="checkbox"/> Refusal concerning the designs Nos (1)</p>
<p>V. Grounds for refusal:</p> <p>The industrial design applied for registration does not meet the provisions of the Article 7 of the Law on the Protection of Industrial Design No. 161/2007, because its significant features differ only in non-essential details from the features of the industrial design from:</p> <p>- UA, (11) 35402, deposit date (22) 2017.04.10, publication date (45) 2017.09.25, owner: ТОВАРИСТВО З ОБМЕЖНОЮ ВІДПОВІДАЛЬНІСТЮ «АКАМА» вул.Океанська, 3. м. Дніпро, 49022 (UA)</p> <p>(LAW of the Republic of Moldova on the Protection of Industrial Design No. 161/2007, Art. 26 (1) b)</p>
<p>VI. Essential provisions of the applicable national law of regional treaty:</p> <p style="text-align: center;">LAW of the Republic of Moldova on the Protection of Industrial Design No. 161/2007 (Extract)</p> <p>Article 7. (1) An individual design shall be considered novel if no identical industrial design has become publicly known within the meaning of Article 10:</p> <p>a) in the case of a registered industrial design – before the filing date of the application for registration or, if priority is being claimed, before the date of priority of the industrial design for which protection is requested;</p> <p>(2) For the purposes of paragraph (1), industrial designs shall be deemed identical if their significant features differ only in non-essential details.</p> <p>Art. 26. (1) A design shall be refused registration, or, if the design has been registered, the design right shall be declared invalid:</p> <p>b) if it does not fulfil the requirements of Articles 7-11.</p>

VII. The possibility of submitting evidence supporting the registration of the industrial design

- The request concerning withdrawal or modification of the application for registration of an industrial design or submission of evidence supporting registration of an industrial design may be lodged within **2 months** of the **date of receipt** of the notification of refusal according to Article 47 paragraph 5 of the Law.

- After the expiry of the period prescribed, the notification of refusal shall be equivalent, in terms of the legal regime, to the decision of refusal, which may be challenged before the Agency's Commission for the Examination of Objections according to Article 49 of the Law.

- The authority to which the evidence supporting registration of an industrial design and the appeals against decisions may be submitted is the following:

**STATE AGENCY ON INTELLECTUAL PROPERTY OF THE REPUBLIC OF MOLDOVA (AGEPI),
Andrei Doga str., 24/1, MD-2024, Chisinau, Republic of Moldova**

- The assistance of a local representative is:

mandatory

optional

<http://agepi.gov.md/en/patent-attorneys>

LAW of the Republic of Moldova on the Protection of Industrial Design 161/2007

(Extract)

Article 47. Substantive examination

(5) An application for registration may not be refused without the applicant being given the opportunity to withdraw or amend the application or submit evidence supporting the registration of the industrial design, within 2 months of the date of receiving the information obtained from the substantive examination.

Article 49. Appeals

(1) Appeals against any decisions concerning applications for the registration of industrial designs may be filed with the Agency's Commission for the Examination of Objections, which is competent to conduct extrajudicial investigation of intellectual property disputes. Appeals shall be submitted by interested parties within two months of the date of receipt of the decision or by third parties within 30 days of the information being published. An appeal shall have the effect of suspending the decision.

(2) An appeal shall be made in writing and include the grounds for the appeal; it shall be deemed to have been submitted on payment of a fee.

VIII. Date on which the international registration was published in the international designs bulletin on the website of WIPO: 2020.10.30

IX. Date on which the refusal was pronounced: 2021.02.25

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

