LISBON AGREEMENT
FOR THE PROTECTION OF APPELLATIONS OF ORIGIN
AND THEIR INTERNATIONAL REGISTRATION

DECLARATION OF REFUSAL OF PROTECTION
Under Article 5(3) of the Lisbon Agreement

To be submitted in one original to the International Bureau
of the World Intellectual Property Organization (WIPO)
34, chemin des Colombettes, CH-1211 Geneva 20 (Switzerland)
† (41-22) 338 91 11 – Facsimile (International Trademark Registrations Section): (41-22) 740 14 29
E-mail: intreg.mail@wipo.int – Internet: http://www.wipo.int

1. Country in the name of which the refusal is issued: BULGARIA

2. Name and address of the Office notifying the declaration of refusal:
Patent Office of the Republic of Bulgaria,
52b, boul. Dr.G.M.Dimitrov, BG-1040 SOFIA, Bulgaria

3. Appellation of origin for which protection is refused (optional):
اعنب بيرجند ايران
(Annab e birjand e Iran)

4. International registration number concerned: 1069

5. Scope of the refusal (tick the appropriate box):

☐ The refusal concerns only certain elements of the name of the appellation of origin (specify the
  element or elements affected by the refusal):

☒ The refusal concerns the whole of the name of the appellation of origin

6. Grounds on which the refusal is based:
Art. 51a of the Law on trademarks and geographical indications

The product covered by this appellation of origin "jujube" falls within the category of
agricultural products and foodstuffs falling under Regulation (EU) No 1151/2012. As regards
GIs in the field of agricultural products and foodstuffs, the EU has exclusive competence.
Bulgaria as a Member State participating in the Lisbon system should allow the EU to exercise
its exclusive competence as provided in Art. 3(1) of the Treaty on the Functioning of the
European Union.

Under the terms of art. 51a of the Law on trademarks and geographical indications there is no
registration for agricultural products and foodstuffs, falling under the scope of Regulations (EU)
No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality
schemes for agricultural products and foodstuffs (OJ L 343/1 of 14 December 2012).

* If the refusal is based on the existence of an earlier trademark application or registration, the following should be
specified: filing date and number, priority date (if any), registration date and number (if available), name and
address of owner, a reproduction of the mark and the list of the relevant goods and services appearing in the
trademark application or registration, on the understanding that the list may be submitted in the language of the
trademark application or registration.
7. **Appeal against refusal:**
   (specify the judicial or administrative appeals that may be brought against the refusal, the authority competent to hear them and the appeal periods applicable):

   Deadline for filing a request for review or appeal:
   The holder of the international registration may submit its request for review against this refusal to the Patent Office of the Republic of Bulgaria (at the address in item II above) **within three months**
   from the date of receipt of the refusal, only through a representative domiciled in Bulgaria.
   Authority to which such request for review or appeal should be made:
   The Patent Office of the Republic of Bulgaria
   Indications concerning the appointment of a representative:
   See the list of representatives domiciled in Bulgaria - Internet page of the Office www.bpo.bg
   During the aforementioned period, the refusal is provisional. In the absence of a request for reconsideration within three months, this refusal will become final without further notice. However, the holder may still lodge an appeal within an additional period of three months. In the absence of appeal, the refusal will have the force of res judicata. The appeal must be sent directly to the Patent Office of the Republic of Bulgaria through a domiciled agent in Bulgaria.

   **Place:** Sofia
   **Date:** 18/01/2019
   **Signature of the Competent Office:**

   ![Signature Image]