

DECIDED:

Change the original Defendant-2 from the State Department of Intellectual Property of the Ministry of Education and Science of Ukraine to the appropriate Defendant-2 (State Service for Intellectual Property of Ukraine).

Settle partially the petition of appeal by Arm-Eko LLC.

Cancel the decision of the Commercial Court of the City of Kyiv dated September 13, 2011 No. 18/88.

Make a new court decision as follows:

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1. Fully settle the statement of claim.
2. Recognize the Goods and Services Certificates of Ukraine 121743, 106366, 123835, 124476, 124477 and 124478 as ineffective.
3. Oblige Defendant-2 (State Service for Intellectual Property of Ukraine, 03035, city of Kyiv, 45 Urytskoho Street, EDRPOU Code: 37552556) to introduce changes into the State Register of the Goods and Services Certificates of Ukraine regarding the recognition of the Goods and Services Certificates of Ukraine No. 121743, 106366, 123835, 124476, 124477 and 124478 as ineffective.
4. Oblige Defendant-2 (State Service for Intellectual Property of Ukraine, 03035, city of Kyiv, 45 Urytskoho Street, EDRPOU Code: 37552556) to make a publication about the recognition of the Goods and Services Certificates of Ukraine No. 121743, 106366, 123835, 124476, 124477 and 124478 as ineffective in the official “Industrial Property” bulletin.
5. Exact 85 (eighty five) UAH as state dues and 236 (two hundred thirty six) UAH as judicial process information and technical support costs from Arm-Eko Limited Liability Company (033001, City of Rivne, 22 Bichna Street, EDRPOU Code: 33001226) in favor of Torgmash Open Joint Stock Company (225409, Republic of Belarus, Brestskaya Oblast, City of Baranovichi, 61 Tchernyshevskoho Street, EDPROU 200166490).”

Oblige the Commercial Court of the City of Kyiv to issue respective orders.

The decision of the Kyiv Commercial Court of Appeals dated December 13, 2011 No. 18/88 is taking legal effect from the date of its adoption.

The decision of the Kyiv Commercial Court of Appeals dated December 13, 2011 No. 18/88 can be appealed against by cassation with the Higher Commercial Court of Ukraine within the period of 20 days.

Return the materials of case No. 18/88 to the Commercial Court of the City of Kyiv.

Presiding Judge	<i>Signed</i>	T.V. Ilienok
Judges:	<i>Signed</i>	M.M. Novikov
	<i>Signed</i>	V.V. Shypko
True Copy, Judicial Assistant	<i>Signed</i>	Y.O. Bezdolia

Official seal: Ukraine. Kyiv Commercial Court of Appeals. Identification No: 25960043. Registry.

Written by hand: A total of 6 (six) pages are sewn together and numbered.
Judicial Assistant *Signed* Y.O. Bezdolia

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