



ESTONIAN PATENT OFFICE
TRADEMARK DEPARTMENT

**THE PROTOCOL RELATING TO THE MADRID AGREEMENT
CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS**

NOTIFICATION OF PROVISIONAL REFUSAL BASED ON AN OPPOSITION

notified to the International Bureau of the World Intellectual Property Organization (WIPO)
according to Article 5 of the Madrid Protocol

I. Name and address of the office refusing protection:

The Estonian Patent Office
Trademark Department
Toompuiestee 7
15041 Tallinn
ESTONIA
Telephone: + 372 62 77 931
Telefax: + 372 62 77 912

II. Number of the international registration which is the subject of the provisional refusal:

1262754

III. Other information concerning the international registration which is the subject of the provisional refusal

Figurative mark / verbal elements of the mark: **GLOBALONE**

IV. The grounds for this provisional refusal are the following:

Opposition made on 05.12.2016 by Pivotal Payments Corporation on the grounds that the company has an earlier EU trademark registration **GLOBALONE** No. 013054135 for the identical and similar kind of goods and services and the marks are similar to each other (copy of the registration enclosed).

The name and the address of the opponent are:

PIVOTAL PAYMENTS CORPORATION
1100 Boul. René-Lévesque West
9th Floor
Montreal, Quebec H3B 4N4
Canada

V. Provision of the Estonian Trademark Act applicable on the subject (enclosed):
Section 10 subsection 1 (2).

Section 41 subsections 2 and 3.

VI. The ground referred to in item IV affects all the goods and services.

VII. The holder of the registration has right to participate in the procedure at the Board of Appeal of Intellectual Property of Estonia.

The request has to be filed through the patent agent of the Republic of Estonia (section 13 subsection 2 of the Estonian Trademark Act). List of patent agents is available at <http://www.epa.ee/>

The request for participation in the procedure and the power of attorney must be received by the Board of Appeal no later than within 3 months from the date of the acceptance of the opposition for processing.

Name and address of the Board of Appeal:

Board of Appeal of Intellectual Property

Ministry of Justice

Tõnismägi str. 5A

15191 Tallinn

ESTONIA

The time limit expires 16/03/2017 (dd/mm/yyyy). The extension of the time limit is not possible.

Please note that the matter will be examined by the Board of Appeal even if the holder of the registration does not request participation in the procedure at the Board of Appeal.

VIII. Date on which the provisional refusal was pronounced: 29/12/2016 (dd/mm/yyyy).

IX. Signature of the Office:

Erle Eenmaa
Senior Examiner

Number of continuation sheets: 3

Extract from the Estonian Trademark Act

§ 10. Relative circumstances which preclude legal protection

(1) Legal protection shall not be granted to the following trade marks:

2) trade marks which are identical or similar to an earlier trade mark which has been granted legal protection with regard to identical goods or services or goods or services of a similar kind designated by the trade mark, if there exists a likelihood of confusion on the part of the public, which includes association of the trade mark with the earlier trade mark.

§ 13. Representative for performing acts related to legal protection of trade marks.

(2) A person with no residence, seat or commercial or industrial enterprise operating in Estonia shall authorise a patent agent as the person's representative to perform procedures related to trade marks in the Patent Office and in the Board of Appeal, except the filing of an application.

§ 41. Adjudication of appeals and revocation applications

(2) An interested person may contest an applicant's right to a trade mark in the Industrial Property Board of Appeal if circumstances specified in subsection 9 (1) or § 10 of this Act which preclude legal protection exist. The term for the filing of a revocation application is two months as of the publication of the notice of the decision to register a trade mark.

(3) In case an appeal or revocation application is allowed in whole or in part, the Board of Appeal shall annul the decision of the Patent Office and require the Patent Office to continue proceedings taking into account the facts set out in the decision of the Board of Appeal.

§ 70. Processing of international registration

(7) Decisions on international registrations made by the Patent Office and the rights of applicants shall be contested pursuant to the provisions of this Act, taking account of the specifications arising from the Madrid Protocol and its Common Regulations. The Bureau shall be notified of a contestation and the decision made in the matter.



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EUTM file information

GLOBALONE
013054135

Timeline



Timeline from 2014 to 2024

Trade mark information

Name	GLOBALONE	Filing date	04/07/2014
Filing number	013054135	Registration date	
Basis	EUTM	Expiry date	
Date of receipt	04/07/2014	Designation date	
Type	Word	Filing language	English
Nature	Individual	Second language	Italian
Nice classes	9, 16, 36 (Nice Classification)	Application reference	M1126
Vienna Classification		Trade mark status	Application opposed
		Acquired distinctiveness	No

Goods and services

English (en)

9 Electronic payments gateway, for use in making payments by ecommerce, card-not-present, integrated point of sale terminals, virtual terminal and integrated API, credit card and debit card, chip/EMV, mobile applications for processing transactions by use of magnetically encoded card, chip cards, and near field communication cards, credit cards and debit cards; software to which payment applications or other software of Independent Software Vendors can be integrated in order to send financial transactions from a payment terminal for processing, electronic integration, operation and training manuals.

16 Operational and training manuals.

36 Multi-currency (MCP) enabled electronic payments gateway, capable of authorizing bankcard, non-bankcard, debit card, emv card not present and point of sale transactions in a cardholder's chosen local foreign currency, with settlement occurring to the merchant in multiple currencies, one-time and subscription billing options, hosted payment pages, tokenization - secure card storage, intelligent transaction routing; decline transaction salvage, access by virtual terminal (web based) or direct integration via standard API (provided to merchant/partner), web based real time reporting and reconciliation tools.

Description

No entry

Owners

PIVOTAL PAYMENTS CORPORATION

ID	643643	Country	CA - Canada	Correspondence address	
Organisation	PIVOTAL PAYMENTS CORPORATION	State/county	Quebec	PIVOTAL PAYMENTS CORPORATION 1100 Boul. René-Lévesque West	Can be accessed and changed by authorised user via the User Area
Legal status	Legal entity	Town	Montreal,	9th Floor	
		Post code	H3B 4N4	Montreal, Quebec H3B 4N4	Can be accessed and changed by authorised user via the User Area
		Address	1100 Boul. René-Lévesque West 9th Floor	CANADÁ	Can be accessed and changed by authorised user via the User Area

Representatives

RAPISARDI INTELLECTUAL PROPERTY LIMITED

ID	34069	Country	GB - United Kingdom	Correspondence address	
Organisation	n/a	State/county	n/a	RAPISARDI INTELLECTUAL PROPERTY LIMITED	00 44-2074302998
Legal status	Legal person	Town	London	2A Collier House 163/169 Brompton Road	00 44-2074300165
Type	Association	Post code	SW3 1PY	London SW3 1PY	
		Address	2A Collier House 163/169 Brompton Road	REINO UNIDO	rapisardi@rapisardi.com

Correspondence

From	Procedure	Filing number	Subject	Date	Actions
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From	Procedure	Filing number	Subject	Date	Actions
	Appeal	R0498/2016-1	Communication of observations to appellant (inter partes).	03/08/2016	
	Appeal	R0498/2016-1	Acknowledgement of receipt of observations to respondent (inter partes).	03/08/2016	
	Appeal	R0498/2016-1	Letter to the EUIPO	01/08/2016	
	Appeal	R0498/2016-1	Acknowledgement of receipt of statement of grounds to appellant (inter partes).	04/06/2016	
	Appeal	R0498/2016-1	Communication of receipt of statement of grounds to respondent (inter partes).	03/06/2016	
	Appeal	R0498/2016-1	Letter to the EUIPO	02/06/2016	
	Appeal	R0498/2016-1	Miscellaneous	02/06/2016	
	Appeal	R0498/2016-1	Communication of the Registry to appellant	18/03/2016	
	Appeal	R0498/2016-1	Communication of the Registry to respondent	18/03/2016	
	Appeal	R0498/2016-1	Letter to the EUIPO	17/03/2016	

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IR transformation

No entry

Seniority

No entry

Exhibition priority

No entry

Priority

No entry

Publications

Bulletin number	Date	Section	Description
2014/153	19/08/2014	A.1	Applications published under article 40 EUTMR
2015/088	13/05/2015	C.2.1	Representative - Change of name and professional address

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Cancellation

No entry

Recordals

Bulletin number	Date	Section	Filing number	Title	Subtitle
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