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**WORLD INTELLECTUAL PROPERTY ORGANISATION**  
**34, CHEMIN DES COLOMBETTES**  
**PO BOX 18**  
**1211 GENEVA 20**  
**SWITZERLAND**

Date of Notification: **13 November 2007**  
(By registered Mail)

**International Registration No: 0933445**  
**Mark: 1 2 3**  
**Holder: Rigs Services Limited of Cyprus**

**Notification of the Irish Patents Office of Refusal of Protection**

Dear Sir/Madam,

This notification is issued pursuant to Article 5 of the Protocol relating to the Madrid Agreement concerning the International Registration of Marks and Rule 17(2) of the Common Regulations under the Agreement and Protocol, and is to inform you that protection for this mark is refused for the reasons set out below. Any references to Sections are to Sections of the Trade Marks Act, 1996 and to Rules are to Rules of the Trade Marks Rules, 1996.

**1. Section 10(2)**

There exists a likelihood of confusion on the part of the public between the mark and the following earlier mark(s):

**Registered Community Trade Mark No: 001537059**  
**Mark: 123.COM**

Proprietor: EMPRESA NACIONAL DE TELECOMUNICACIONES S.A.  
Av. Andrés Bello, 2687, Piso 14, Providencia  
Santiago  
Chile

Date of Application: 02/03/2000  
Date of Registration: 14/12/2001

**Class 35:** Advertising; business management; business administration; office functions; business information services; the foregoing services provided on-line from a computer database or a global computer network (the Internet); compilation of

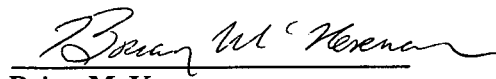
advertisements for use as web pages on a global computer network (the Internet); provision of space on web sites for advertising goods and services; advertising to promote services and products; advertising to promote e-commerce; information relating to services and goods, provided on-line from a computer database or from a global computer network (the Internet).

**Class 38:** Telecommunications; Internet service provider services; telecommunication of information (including web pages), computer programs and other data; electronic mail services; providing user access to a global computer network (the Internet) [service providers] providing telecommunications connections to a global computer network (the Internet) or databases.

**Class 42:** Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; computer programming; design, drawing and commissioned writing, all for the compilation of web pages on a global computer network (the Internet); creating and maintaining websites; hosting the websites of others; leasing access time to a computer database.

2. This refusal is in respect of all of the goods/services for which protection is sought.
3. The holder may make representations in writing, or may request an extension of time for doing so, not later than **12 February 2008**. A request for an extension of time received after that date may be granted at the discretion of the Controller.
4. If representations or a request for an extension of time are not received by the specified date, protection of the mark will be refused.
5. Representations to the Controller or a request for a hearing in relation to this notification of refusal must be accompanied by an address for service within the European Community as required by Rule 10, as amended by Statutory Instrument 621 of 2007; failure to furnish such address will result in the holder being deemed to have abandoned his request for protection.
6. If, following the receipt of representations, it is considered that the requirements for protection are met, the mark will be published in the Official Journal and protection of it will be subject to opposition and observations by third parties. A refusal based on opposition or observations received may subsequently be issued.
7. Date of refusal: **13 November, 2007**

**Yours faithfully**

A handwritten signature in cursive script, reading "Brian McKernan", written over a horizontal line.

**Brian McKernan**  
**Trade Marks Examiner**

**Direct Line: (00 353 56) 7720140**