



**OIFIG NA bPAITINNÍ
PATENTS OFFICE**

Oifigí an Rialtais
Bóthar Hebron
Cill Chainnigh
Éire

Government Buildings
Hebron Road
Kilkenny
Ireland

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

Date of Notification: **28 October 2015**
(By registered Mail)

International Registration No: 1262754

Mark: GLOBALONE

Holder: Globalone Management Group Limited of Virgin Islands (British)

Notification of the Irish Patents Office of Partial Provisional Refusal

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):

Pending Community Trade Mark Application No: 013054135

Mark: GLOBALONE

Applicant:

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

Date of Application: 04/07/2014

Class 09: 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.

Class 16: Operational and training manuals.

Class 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.

2. This refusal is in respect of the following goods/services for which protection is sought:

Class 36:

- issuance of credit cards;
 - clearing, financial;
 - debit card services;
 - credit card services;
 - electronic funds transfer;
 - providing financial information via a web site;
3. The holder may make representations in writing, or may request an extension of time for doing so, not later than **27 January 2016**. 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 in respect of the goods/services listed in paragraph 2.
 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 Economic Area as required by Rule 10(1)(a) as amended by Statutory Instrument 410 of 2010; 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. In the absence of any representations, the mark will be published in the Official Journal in respect of the remaining goods/services, i.e. other than those listed in paragraph 2, 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.

8. Date of refusal: **28 October 2015**

Yours faithfully

Brian McKernan

**Brian McKernan
International Registration**

Direct Line: (00 353 56) 7720154