

O-082-05

**TRADE MARKS ACT 1994**

**IN THE MATTER OF APPLICATION NO. 2296998  
IN THE NAME OF IMATION IT SOLUTIONS LIMITED  
TO REGISTER A TRADE MARK IN CLASSES 9, 36, 38 AND 42**

**AND**

**IN THE MATTER OF OPPOSITION THERETO  
UNDER NO. 90953 IN THE NAME OF  
BARCLAYS BANK PLC**

## **Trade Marks Act 1994**

**In the matter of application No. 2296998  
in the name of Imation IT Solutions Limited  
to register a trade mark in Classes 9, 36, 38 and 42**

**And**

**In the matter of opposition thereto  
under No. 90953 in the name of  
Barclays Bank Plc**

### **Background**

1. On 3 April 2002, Imation IT Solutions Limited applied to register VPDQ as a trade mark in Classes 9, 36, 38 and 42 in respect of the following specifications of goods and services:

- Class 9:** Computer software and programmes for the processing of payment by credit card, debit card or charge card; computer software and programmes which allow manual entry of credit card, debit card or charge card information in order that payment can be made without the requirement to read electronically the information on the credit card, debit card or charge card.
- Class 36:** Processing of credit card, debit card and charge card transactions on-line via a computer.
- Class 38:** Electronic transmission of data and information required to process payment via credit card, debit card or charge card; secure electronic transmission of data and messages.
- Class 42:** Data conversion of computer programmes and data; consultancy and design of software enabling payment via credit card, debit card or charge card.

2. On 14 August 2002, Barclays Bank Plc filed notice of opposition based on the following grounds:

- 1. Under Section 5(2)(b)** because the opponents are the owners of earlier marks that are similar to the mark of the application, and is sought to be registered in respect of identical and similar goods and services to those of the opponents' earlier marks.

**2. Under Section 5(4)(a)** by virtue of the law of passing off.

**3. Under Section 5(3)** Insofar as Electronic transmission of data and information required to process payment via credit card, debit card or charge card; secure electronic transmission of data and messages; data conversion of computer programmes and data consultancy and design of software enabling payment via credit card, debit card or charge card are not considered similar services to the goods or services of the application, that registration of a mark similar to that of the opponents' earlier marks and in which they have a reputation in the UK, would, without due cause, take unfair advantage of, or be detrimental to the distinctive character or repute of the earlier marks.

3. Details of the earlier marks relied upon can be found as an annex to this decision.

4. The applicants filed a counterstatement in which they deny all of the grounds on which the opposition is based.

5. Both sides ask that an award of costs be made in their favour.

6. Both sides filed evidence in these proceedings. The matter came to be heard on 7 December 2004, when the applicants were represented by Mr J Slater of Marks & Clerk, their trade mark attorneys. The opponents were not represented.

### **Opponents' evidence**

7. This consists of three Witness Statements. The first is dated 22 May 2003 and comes from Gary Hocking, the Director of Chip and PIN Implementation of The Association for Payment Clearing Services (APACS), an organisation established in 1985 as the Trade Association of Banks and Building Societies which exchanges payments on behalf of their customers, and also having responsibility for the cooperative aspects of money transmission and other payment related developments. Mr Hocking says that his principal responsibility is to manage the successful migration of payment cards and devices from magnetic strip to the new technology based on Integrated Circuits. The objectives and Constitution of APACS are shown as exhibit GH1.

8. Mr Hocking says that he is aware of the PDQ and ePDQ payment systems offered by Barclays Bank PLC and used extensively throughout the UK since 1986 and 1998 respectively. He says that both systems are well known throughout the banking sector as an electronic payment system used by retailers to facilitate sales of goods and services. He says that in branding the supplier, Barclaycard Merchant Services separately from the product, PDQ and ePDQ is unique. Mr Hocking says that he is aware of the application in suit, stating that if VPDQ were to be used in relation to goods and services that relate to or facilitate an electronic payment service, that it would be expected to derive from the opponents.

9. The second Witness Statement is dated 11 June 2003, and comes from James McDonald, Head of Point of Interaction of Barclays Bank PLC, a position he has held for 3 years.

10. Mr McDonald says that there are in excess of 93,000 outlets utilising PDQ Goods and Services, with over 140,000 trade marked terminals, and that in 2001 approximately 420 million purchases were made facilitated by using the system. He goes on to list the number of PDQ terminals and customers in the years 1993 to 2002, and to give details of the names of well known customers including some major high street traders. He gives details of the annual income paid to his company by customers renting PDQ goods and utilising PDQ services in the UK in the years 1993 to 2001, which ranges from £6.1 million in 1993, rising year on year to £23 million in 2001. He further lists an analysis of the estimated volume and value of the transactions made utilising the PDQ system, which ranges from 101 million (volume) and £5 billion (value) in 1993, rising year on year to 381 million (volume) and 19.1 Billion in 2001.

11. Mr McDonald goes on to introduce exhibits JM1a to JM1l, and JM2a to JM2o. The exhibits show PDQ being used in relation to a card purchase system, and terminals to facilitate the system. The evidence shows PDQ being used primarily in conjunction with Barclays Merchant Services, but also other “Barclays” marks including the house name and “bird” house logo, and also as a mark on its own. Many of the exhibits are not dated so cannot be seen to have originated prior to the relevant date. The following bear dates that show them to be earlier:

JM2b sample letter dated November 1992 with a reference to prices guaranteed not to increase before January 1995 so clearly pre-dates the relevant date. The letter is headed Barclays Merchant Services with the letters PDQ in a separate box and separated by a triangle. The letter refers to their “exclusive PDQ service”. Other than to say that it was sent to all ABTA members, there is no information regarding the number of letters issued.

JM2c letter dated February 1993 relating to card processing. The letter bears the same Barclays Merchant Services -PDQ heading. There is no other mention of PDQ. Mr McDonald says that it was sent to all customers.

JM2d an “insert” that is stated to have been sent with statements to existing business customers in 1993. The inserts are headed “Did You Know?” and although not themselves dated, give facts on various event in Barclays history, inter alia, that the PDQ service was introduced in 1986 and is currently used in 42,000 outlets which corresponds to the figure given for 1994.

JM2f sample letter dated 5 October 1994. This bears a different layout of letterhead but still headed Barclays Merchant Services with the letters PDQ shown separately. The letter relates to the PDQ service. Mr McDonald says that it was sent to all customers.

- JM2g a direct mail advertisement to potential customers giving a response date of 31 August 1996. The advertisement refers to reduced price rental on the PDQ electronic terminal.
- JM2i an advertisement for a PDQ Terminal known as the Cardmate 2 Plus. The advert depicts a PDQ terminal showing this to bear the Barclays Merchant Services PDQ logo referred to above. The advertisement refers to the usage of payment cards being set to increase in 1996, so must date from that or an earlier year.
- JM2j a direct mail letter to former business customers giving a response date of 21 July 1997. The letter bears the Barclays Merchant Services PDQ logo, and refers to a rental offer on the PDQ electronic terminal. There is no information as to the number of letters issued.
- JM2k sample letter dated October 1998, promoting the Barclays Merchant Services PDQ. There is no information regarding the number of letters issued.
- JM2l a letter for PDQ TONELINK promoting the PDQ card transaction system to Barclays Merchant Services paper transaction companies. There is no information regarding the number of letters issued.
- JM2n bulletin sent to customers in August 2000 reminding staff with responsibility for PDQ supervisors' cards to keep them in a safe place.
- JM2o a direct mail letter dated September 2000, addressed to Tile Association members, Mr McDonald stating that it was sent to trade associations in general, although not how many. The letter refers to Barclays Merchant Services PDQ electronic terminal.

12. The remainder of Mr McDonald's Statement consists of submissions and whilst I do not consider it to be appropriate or necessary to summarise them here, I will take them fully into account in my determination of this case.

13. The next Witness Statement is dated 12 June 2003 and comes from Nigel David Moloney, Head of Sales Marketing and Business Development Internet Payments of Barclays Bank PLC.

14. Mr Moloney says that his company has used the trade mark ePDQ in the UK since 1998 in respect of software programs for the processing of card transactions; credit, debit and charge card services; processing of credit, debit and charge card transactions and transaction data; financial transaction processing services; hire of software programs for credit, debit and charge card transaction processing services.

15. Mr Moloney gives details of the annual value of payments made by customers using ePDQ goods and services throughout the UK in the years 1998 to 2001, which ranges from £112,000 in 1998 to £115,900,000 in 2001. He gives the number of transactions by year for

the same period, showing this to have been from a base of 3,464 in 1998 rising year on year to 653,309 in 2001. Customer numbers in these years are minimal, ranging from 8 in 1998, rising year on year to 1,102 in 2001.

16. Mr Moloney goes on to introduce exhibits NDM1a to NDM1q. The exhibits show ePDQ being used on documentation relating to a card purchase system, and in relation to terminals to facilitate the system. The mark is used in conjunction with various Barclays corporate names, primarily Barclays Merchant Services, the Barclays house name and house logo, but also on its own. Many of the exhibits are either not dated or dated after the relevant date. The following exhibits bear dates that show them to be earlier:

- NDM1b document setting out the terms and conditions for customer use of the ePDQ internet payment system. The document bears the date of April 2000.
- NDM1c Agreement document for signature by customers of the Barclaycard Merchant Services ePDQ system. The document bears the date of June 2001.
- NDM 1d Operating and Administration Guide instructing customers of the Barclaycard Merchant Services ePDQ system on the use of the system. The document bears the date of May 2001.
- NDM1e/f/g documentation relating to the ePDQ Cardholder Payment Interface providing customers of the Barclaycard Merchant Services ePDQ system with instructions on the integration of the system into existing storefront systems. All bear the date of May 2001.

17. There is no information on the number of each document issued, but given that they all relate to joining and the operation of the ePDQ system, they would presumably have been provided to all customers as at the given date.

18. Mr Moloney gives details of his company's expenditure on advertising/promoting the ePDQ trade mark in the UK in the years 1999 to April 2002, which ranges from £40,000 in 1999, rising year on year to £255,000 in 2001 and £125,000 in the part-year to April 2002. He gives details of the publications in which the mark has been promoted, all of which are either computer/Internet, or business/retail related. Examples of advertisements are shown in exhibits NDM2a and NDM2b, which consist of copies of the covers of two publications, neither of which can be dated as originating prior to the relevant date.

19. Mr Moloney gives details of exhibitions and trade shows attended by his company, exhibits NDM3a to NDM3d consisting of copies of the event programmes for shows held at Earls Court London and the Birmingham NEC in June 2001, showing Barclays to have been represented and promoting their ePDQ payments system. Mr Moloney says that his company also promotes PDQ through brochures and flyers available at exhibitions and via the [www.epdq.co.uk](http://www.epdq.co.uk) website. Exhibits NDM4a to NDM4i consist of various items of promotional printed matter relating to the ePDQ Internet Payment System. All are said to

have been in use prior to the relevant date although only one item actually bears a date.

20. Mr Moloney goes on to refer to souvenir items given to existing and prospective customers, exhibits NDM5a to NDM5c being photographs of the same. Whilst these show use of ePDQ, none can be seen to have originated prior to the relevant date.

21. The remainder of Mr Moloney's Statement consists of submissions and whilst I do not consider it to be appropriate or necessary to summarise them here, I will take them fully into account in my determination of this case

### **Applicants' evidence**

22. This consists of a Witness Statement dated 19 December 2003, from Michael Alculumbre, Chief Executive Officer of Protx Limited, the new name of Imation IT Solutions Limited with effect from 5 August 2002.

23. Mr Alculumbre says that his company developed a computer software product and associated services which allows merchants to verify payment data provided by customers of their merchants, VPDQ being the acronym for Verified Payment Data Query. The system allows merchants to process card payments without the need to read the data stored on the card.

24. Mr Alculumbre refers to the meaning of PDQ as being Pretty Damn Quick, stating that this makes it descriptive of a characteristic of the opponents' services. Exhibits MA1 and MA2 consist of extracts from reference works to this effect. Exhibit MA3 consists of the results of an Internet search for these letters showing them to be widely used.

25. The remainder of Mr Alculumbre's Statement consists of submissions on the evidence submitted by the opponents. Whilst I do not consider it to be appropriate or necessary to summarise them here, I will take them fully into account in my determination of this case.

### **Opponents' evidence in reply**

26. This consists of a Witness Statement dated 27 April 2004 and comes from Vanessa Lawrence, a Trade Mark Attorney with A. A. Thornton & Co, the opponents' representatives. The Statement consists of submissions on the evidence submitted by Mr Alculumbre on behalf of the applicants and at exhibit VABL1 a supporting judgement of the ECJ. Whilst I do not consider it to be appropriate or necessary to summarise them here, I will take them fully into account in my determination of this case.

27. That concludes my review of the evidence insofar as it is relevant to these proceedings.

### **Decision**

28. Turning first to the ground under Section 5(2)(b) of the Act. The Section reads as follows:

“5.-(2) A trade mark shall not be registered if because –

- (a) .....
- (b) it is similar to an earlier trade mark and is to be registered for goods or services identical with or similar to those for which the earlier trade mark is protected,

there exists a likelihood of confusion on the part of the public, which includes the likelihood of association with the earlier trade mark.”

29. An earlier trade mark is defined in Section 6 of the Act as follows:

“6.- (1) In this Act an “earlier trade mark” means –

- (a) a registered trade mark, international trade mark (UK) or Community trade mark which has a date of application for registration earlier than that of the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks”.

30. In my consideration of a likelihood of confusion or deception I take into account the guidance provided by the European Court of Justice (ECJ) in *Sabel BV v Puma AG* [1998] RPC 199, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc* [1999] RPC 117, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* [2000] 45 F.S.R. 77 and *Marca Mode CV v Adidas AG* [2000] E.T.M.R. 723. It is clear from these cases that:

- (a) the likelihood of confusion must be appreciated globally, taking account of all relevant factors; *Sabel BV v Puma AG*,
- (b) the matter must be judged through the eyes of the average consumer of the goods/services in question; *Sabel BV v Puma AG*, who is deemed to be reasonably well informed and reasonably circumspect and observant - but who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them he has kept in his mind; *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel B.V.*,
- (c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details; *Sabel BV v Puma AG*,
- (d) the visual, aural and conceptual similarities of the marks must therefore be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components; *Sabel BV v Puma AG*,
- (e) a lesser degree of similarity between the marks may be offset by a greater degree of similarity between the goods, and vice versa; *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*,



- (f) there is a greater likelihood of confusion where the earlier trade mark has a highly distinctive character, either per se or because of the use that has been made of it; *Sabel BV v Puma AG*,
- (g) in determining whether similarity between the goods or services covered by two trade marks is sufficient to give rise to the likelihood of confusion, the distinctive character and reputation of the earlier mark must be taken into account; *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*,
- (h) mere association, in the sense that the later mark brings the earlier mark to mind, is not sufficient for the purposes of Section 5(2); *Sabel BV v Puma AG*,
- (i) further, the reputation of a mark does not give grounds for presuming a likelihood of confusion simply because of a likelihood of association in the strict sense; *Marca Mode CV v Adidas AG*,
- (j) but if the association between the marks causes the public to wrongly believe that the respective goods come from the same or economically linked undertakings, there is a likelihood of confusion within the meaning of the section; *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*.

31. The mark applied for consists of the four letters VPDQ. Given that the mark contains the entirety of the opponents' PDQ mark there is inevitably a degree of visual similarity. That the difference is but one letter in a short mark makes the similarity more evident, but for the same reason makes the fact that there is an additional letter is very noticeable, particularly given its positioning at the beginning of the mark. The initial letter obviously makes some difference when the marks are referred to in speech, but in my view the significance of the letter V in the applicants' mark is diminished by the following letters which have a stronger sound and impact. In this case the marks are not words in use in the English language or that can be pronounced and are likely to be seen as an invented word. Apart from the use as an acronym that I have already mentioned, I see no reason why the consumer will regard the marks differently; they will be seen and remembered as a string of letters.

32. The opponents also have registrations for ePDQ and EPDQ. As I have already said, the letter "e" in lower case generally denotes something that is provided electronically, and as stated by the applicants, when used in conjunction with PDQ adds little or nothing to the mark. In the second mark represented entirely in upper case the letter E will not be seen as denoting anything. The mark is a string of the same number of letters that are visually, phonetically and conceptually similar to the mark tendered for registration.

33. The applicants point to the fact that the dictionary references exhibited show PDQ to be an acronym, meaning, inter alia, "Pretty Damned Quick" and that this will be known to the relevant consumer. They go on to argue that as speed is important in the provision of electronic payment card goods and services the mark should be seen as a description of a characteristic of the goods. They do not go so far as to say that the mark is devoid of distinctiveness, only that it should be considered to possess a particularly low distinctive character. In relation to ePDQ/EPDQ the applicants submit that as the letter "e" is commonly

used to denote “electronic”, the addition of the letter does not add anything.

34. Whilst I accept that some consumers will be aware that the letters are an acronym, I do not share the applicants’ view that the meaning has a relevance for the goods and services for which they are used, or that the consumer will make such a connection. I am aware that the letter “e” in lower case is commonly used to denote something that is electronic although I am not so sure that this is the position in respect of the letter in upper case, at least, not unless it is used as a prefix to a word that is descriptive of goods or services that could be provided electronically.

35. Although the opponents’ card payment service and associated terminal will be used in relation to the purchase of goods and services paid for by credit and debit cards, I do not consider that the purchaser will necessarily know or care that the transaction is being conducted through the opponents’ PDQ/ePDQ terminal or systems. It is the retailer that will have signed the agreement to use the opponents’ services, and will have obtained and most likely use the terminals. I would therefore say that the consumer should be regarded as the retailer and their employees rather than the public at large. Given the nature of the service I consider that such a consumer will be very well informed on the players providing such services and will have made a detailed and thorough consideration prior to signing up.

36. By the relevant date the opponents had made long and extensive use of PDQ in relation to their card payment service and associated equipment, and had widely promoted the same to new and existing customers. The ePDQ/EPDQ marks have been used for a much shorter period of time but the market penetration through the opponents’ promotional activities will have achieved a high level of awareness amongst consumers of such services.

37. The evidence shows the PDQ and ePDQ/EPDQ marks to have been used separately, in proximity and also in composite form with various Barclays names, primarily Barclays Merchant Services and the Barclays bird logo. The connection with the opponents would be self-evident in each case. The service provided by the opponents under the PDQ/ePDQ mark is somewhat specialised. I cannot imagine that there are many providers and those that are in the market are likely to become quickly known. On my assessment of the evidence I would say that at the relevant date the opponents are likely to have established a reputation in respect of the marks PDQ and ePDQ in relation to electronic card payment services and the terminals for use in relation to the provision of such a service, and in relation to such goods and services the mark should be regarded as having become more distinctive because of the use that has been made of it.

38. I now turn to consider the respective goods and services. In determining the question of their similarity I take note of the guidance of Jacob J. in *British Sugar Plc v James Robertson & Sons Ltd* [1996] RPC 281. With this case in mind I propose to consider the question of similarity by a consideration of the following factors:

- (a) The nature of the goods or services;
- (b) The end-users of the goods or services;

(c) The way in which the goods or services are used;

(d) Whether the respective goods or services are competitive or complementary. This may take into account how those in trade classify goods and the trade channels through which the goods or services reach the market;

(e) In the case of self-serve consumer items, where in practice they are respectively found or likely to be found in supermarkets and in particular whether they are, or are likely to be, found on the same or different shelves.

39. Given the technical nature and purpose of the respective goods and services, unless I indicate otherwise I consider it appropriate to proceed on the basis that they are of the same nature, used by the same consumers, to achieve the same ends, and obtained by the same means.

40. Turning first to Class 9 of the application. This covers computer software/programs for use in processing credit, debit and charge card payments. The opponents' registration No. 1455669 for the mark PDQ covers apparatus for the self-same purpose, and "parts and fittings" for such apparatus. I consider that software/programs fall within the description of a part or fitting of apparatus, and consequently, identical goods are involved. But even if this were not the case, I take the view that apparatus, and software/programs for such a specific purpose are so closely allied that they should be considered to be similar goods. The opponents' other earlier registrations for the mark ePDQ/EPDQ specifically mention software/programs for processing card transactions.

41. The specification of Class 36 of the application is in respect of the service of processing card payments on-line and via the computer. The opponents' earlier trade marks No. 1455670 for the mark PDQ, is for, inter alia, card services at large which self-evidently must encompass the services of Class 36 of the application. The opponents' other earlier registrations for the marks ePDQ/EPDQ cover card services.

42. The services in Class 42 of the application cover those for the conversion of data, inter alia, relating to card transactions, and consultancy and design of software enabling payment by card. Whilst the opponents' earlier marks do not specifically mention the service of the conversion of data, they do include the hire of software/programs for processing data which I consider to be complementary or potentially in competition. I also take the view that consultancy/design relating to software, and the actual provision, be it through the sale or hire of software for the same purpose is so closely allied that such services should be regarded as alternative or complementary to each other.

43. At the hearing I gave my view that Class 38 covers telecommunications services, which in this case would be the means by which the charge card data is transmitted from the point-of-sale terminals to the opponents' computers. The opponents undoubtedly use telecommunications in the provision of their service but this does not mean that they are providing a telecommunications service, or that such a service would be regarded as complementary or an alternative. More importantly, the opponents do not have an earlier

mark that covers the provision of telecommunications services or in my view any similar services.

44. Taking particular account of the similarities in the respective marks, the specialised nature and commonality in the goods/services, market and consumer, and the opponents' likely reputation in relation to the goods and services that they have provided under the marks PDQ and ePDQ, and adopting the "global" approach advocated, I come to the view that if the applicants were to use the mark VPDQ in relation to the goods or services for which they seek to register the mark, the public will be led into wrongly believing that such goods or services come from the opponents or some economically linked undertaking. I find there to be a likelihood of confusion and the ground under Section 5(2)(b) succeeds in respect of all classes other than Class 38 of the application.

45. My decision under Section 5(2)(b) effectively decides the matter. Had I needed to go on to consider the ground under Section 5(4)(a), I believe that the opponents would have been successful in respect of all but Class 38. The evidence shows the opponents to have established a reputation, and I believe it would have followed, goodwill in respect of marks that are similar to the mark sought to be registered, in relation to the provision of the same/similar goods/services covered by the application, to be provided to the same consumer in the same market. This would have been a misrepresentation that would inevitably lead to damage.

46. Turning to the ground under Section 5(3). The opponents relied on this ground in the alternative should I consider "Electronic transmission of data and information required to process payment via credit card, debit card or charge card; secure electronic transmission of data and messages: Data conversion of computer programmes and data consultancy and design of software enabling payment via credit card, debit card or charge card" not to be similar services to the goods or services of the opponents' earlier marks. Having found these services to be similar the ground under Section 5(3) falls away.

47. As stated earlier I find the opposition succeeds on the ground under Section 5(2)(b). However, if the applicants file a Form TM21 within one month from the end of the appeal period requesting the deletion of all goods and services other than in respect of those listed in Class 38 of the application, I will, in the event of no appeal, allow this application to proceed to registration. If the applicants fail to file a TM21 within one month from the end of the appeal period the application will be refused.

48. The opposition having been successful, I order the applicants to pay the opponents the sum of £2,400 as a contribution towards their costs. This sum to be paid within seven days of the expiry of the appeal period or within seven days of the final determination of this case if any appeal against this decision is unsuccessful.

**Dated this 23<sup>rd</sup> day of March 2005**

**Mike Foley  
for the Registrar  
the Comptroller-General**



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## Trade Mark Details as at 23.03.2005

### CASE DETAILS FOR TRADE MARK 1455669

Mark Text :

PDQ

**Status:** Registered

**Class:** 09

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#### Relevant Dates

**Filing Date:** 13.02.1991  
**Registration Date:** 24.06.1994  
**Next Renewal Date:** 13.02.2008

#### Publication in Trade Marks Journal

	Journal	Page	Publication Date
<b>First Advert</b>	6022	2538	27.04.1994
<b>Registration</b>	6038		17.08.1994
<b>Renewal</b>	6217		18.03.1998

#### List of goods and/or services

**Class 09:**

Apparatus for the processing of card transactions; apparatus for processing of data relating to card transactions and for payment processing; cash registers; smart cards, cartridges, discs, tapes and recording materials, all for collecting and storing data; parts and fittings for all the aforesaid goods; all included in Class 9.

#### Names and Addresses

**Proprietor:** Barclays Bank PLC  
 54 Lombard Street, London, EC3P 3AH

**Residence Country:** United Kingdom  
**ADP Number:** [0194405001](#)

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**Agent:** A.A. Thornton & Co.  
235 High Holborn, London, WC1V 7LE

**ADP Number:** 0000075001

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**Other Particulars**

**Special Circumstances:**

Advertised before acceptance by reason of use and special circumstances. Section 18(1) (proviso).

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## Trade Mark Details as at 23.03.2005

### CASE DETAILS FOR TRADE MARK 1455670

**Mark Text :**

PDQ

**Status:** Registered

**Class:** 36

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#### Relevant Dates

**Filing Date:** 13.02.1991  
**Registration Date:** 19.03.1993  
**Next Renewal Date:** 13.02.2008

#### Publication in Trade Marks Journal

	Journal	Page	Publication Date
First Advert	5956	67	06.01.1993
Registration	5975		19.05.1993
Renewal	6217		18.03.1998

#### List of goods and/or services

**Class 36:**

Credit card, debit card and chargecard services; rental of apparatus relating to the foregoing services; all included in Class 36.

#### Names and Addresses

**Proprietor:** Barclays Bank PLC  
 54 Lombard Street, London, EC3P 3AH

**Residence Country:** United Kingdom  
**ADP Number:** [0194405001](#)

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**Agent:** A.A. Thornton & Co.  
235 High Holborn, London, WC1V 7LE

**ADP Number:** 0000075001

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**Other Particulars**

**Special Circumstances:**

Advertised before acceptance. Section 18(1) (proviso).

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## Trade Mark Details as at 23.03.2005

### CASE DETAILS FOR TRADE MARK 2182861A

**Mark Text :**

ePDQ

**Status:** Registered

**Classes:** 09 36 42

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#### Relevant Dates

**Filing Date:** 24.11.1998  
**Registration Date:** 03.12.1999  
**Next Renewal Date:** 24.11.2008

#### Publication in Trade Marks Journal

	Journal	Page	Publication Date
<b>First Advert</b>	6290	10149	18.08.1999
<b>Registration</b>	6310		12.01.2000

#### List of goods and/or services

**Class 09:**

Apparatus, software and programs for the processing of card transactions; apparatus for processing data relating to card transactions and for payment processing; smart cards, cartridges, discs, tapes and recording materials, all for collecting and storing data and for computer software and programs; parts and fittings for all the aforesaid goods.

**Class 36:**

Credit, debit, credit card, debit card and charge card services; processing of credit card, debit card and charge card transactions and transaction data; financial transaction processing services; hiring of apparatus for credit card, debit card and charge card transaction processing, for processing of data relating to credit card, debit card and charge card transactions and to other payment transactions, and for payment processing.

**Class 42:**

Hire of software and programs for credit card, debit card and charge card transaction processing, for processing of data relating to credit card, debit card and charge card transactions and to other payment transactions, and for

payment processing.

---

### Names and Addresses

**Proprietor:** Barclays Bank PLC  
54 Lombard Street, London, EC3P 3AH

**Residence Country:** United Kingdom  
**Customer's Ref:** PDH  
**ADP Number:** [0194405001](#)

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**Agent:** A.A. Thornton & Co.  
235 High Holborn, London, WC1V 7LE

**ADP Number:** 0000075001

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## Trade Mark Details as at 23.03.2005

### CASE DETAILS FOR TRADE MARK 2182861B

**Mark Text :**

EPDQ

**Status:** Registered

**Classes:** 09 36 42

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#### Relevant Dates

**Filing Date:** 24.11.1998  
**Registration Date:** 10.12.1999  
**Next Renewal Date:** 24.11.2008

#### Publication in Trade Marks Journal

	Journal	Page	Publication Date
<b>First Advert</b>	6291	10527	25.08.1999
<b>Registration</b>	6311		19.01.2000

#### List of goods and/or services

**Class 09:**

Apparatus, software and programs for the processing of card transactions; apparatus for processing data relating to card transactions and for payment processing; smart cards, cartridges, discs, tapes and recording materials, all for collecting and storing data and for computer software and programs; parts and fittings for all the aforesaid goods.

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**Class 42:**

Hire of software and programs for credit card, debit card and charge card transaction processing, for processing of data relating to credit card, debit card and charge card transactions and to other payment transactions, and for

payment processing.

---

#### Names and Addresses

**Proprietor:** Barclays Bank PLC  
54 Lombard Street, London, EC3P 3AH

**Residence Country:** United Kingdom  
**Customer's Ref:** PDH  
**ADP Number:** [0194405001](#)

[View Previous](#)

**Agent:** A.A. Thornton & Co.  
235 High Holborn, London, WC1V 7LE

**ADP Number:** 0000075001

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## Trade Mark Details as at 23 March 2005

### DETAILS FOR COMMUNITY TRADE MARK E1462597

**Mark Text:**  
EPDQ

**UK case status:** Registered

**Application language:** English

**Second language:** French

**Classes:** 09, 36, 42

#### Relevant Dates

**Filing date:** 07.01.2000

**Publication date:** 07.08.2000

**Registration date:** 22.01.2001

#### List of goods and/or services

**Class 09:**

Apparatus, software and programs for the processing of card transactions; apparatus for processing data relating to card transactions and for payment processing; smart cards, cartridges, discs, tapes and recording materials, all for collecting and storing data and for computer software and programs; parts and fittings for all the aforesaid goods.

**Class 36:**

Credit, debit, credit card, debit card and charge card services; processing of credit card, debit card and charge card transactions and transaction data; financial transaction processing services; hiring of apparatus for credit card, debit card and charge card transaction processing, for processing of data relating to credit card, debit card and charge card transactions and to other payment transactions, and for payment processing.

**Class 42:**

Hire of software and programs for credit card, debit card and charge card transaction processing, for processing of data relating to credit card, debit card and charge card transactions and to other payment transactions, and for payment processing.

#### Names and Addresses

**Applicant:** BARCLAYS BANK PLC  
54 Lombard Street, London, United Kingdom, EC3P 3AH

**Representative:** A.A. THORNTON & CO.  
235 High Holborn, London, United Kingdom, WC1V 7LE

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This enquiry shows Community Trade Mark information held at the UK Patent Office. We have made every effort to ensure that it is as accurate as possible, however, we cannot guarantee that it is a true reflection of the Community Trade Mark data supplied by OHIM. If you want to see details of the definitive Community Trade Mark, please visit the [Office for Harmonization in the Internal Market](#).



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