



MasterCard attacks Cinkciarz.pl and loses 12-nil

Cinkciarz.pl wins against MasterCard. The company refuted MasterCard's objections against the registration of the Cinkciarz.pl company trademarks. In Europe alone Cinkciarz.pl has won every one of the 12 proceedings in which a decision has been made.

MasterCard objected to the registration of overlapping circles in the word-graphic trademarks consisting of logo of Cinkciarz.pl. The objections alleged that the graphic design was similar to a series of former MasterCard trademarks registered for identical or similar products and services.

"In Europe alone, MasterCard filed objections to 13 trademark applications for registration of Cinkciarz.pl's word-graphic trademarks. So far, the Office of the European Union for Intellectual Property (EUIPO) in Alicante, Spain, which conducts these proceedings, has rejected 12 of MasterCard's oppositions and issued favourable verdicts to Cinkciarz.pl," says Professor Ewa Skrzydło-Tefelska from Soltysinski Kawecki & Szlezak's law firm in Warsaw, Cinkciarz.pl's attorney.

One case has been temporarily suspended. The other decisions are not yet binding. MasterCard has the option of lodging an appeal within two months of issuance.

Moreover, cases are also ongoing outside Europe. MasterCard filed objections to the international protection of [Conotoxia](#)'s word-graphic trademarks in Australia and the United States. Additionally, it objected to the protection of the CINKCIARZ trademarks in the United States. Further proceedings are also pending in Hong Kong, Brazil, Saudi Arabia and the United Arab Emirates.

"We are confident about our rights and we will defend them," says Marcin Pióro, CEO of Cinkciarz.pl, which is a part of the Conotoxia Holding Group. "Interestingly, a few years ago MasterCard withdrew its objections related to word-graphic trademark of Cinkciarz.pl comprising two overlapping circles, thus giving up the endeavor of blocking this trademark registration. "However, recently I have been called to testify in New York in similar proceedings pending before USPTO" adds Marcin Pióro.

Responding to MasterCard's actions, Cinkciarz.pl has filed two applications for the invalidation of MasterCard's trademarks on the grounds that they lacked distinctive character. These signs consist of simple black and white graphic geometrical elements, i.e. two overlapping circles. The proceedings remain unresolved.

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