

CITIGROUP, INC.

Opposer,
- versus -

IPC 14-2003-00023

Opposition to:
TM Application No. 4-1999-05359
(Filing Date: 27 July 1999)

CITI SECURITIES, INC.

Respondent-Applicant.

TM: "CITISEC"

X-----X

Decision No. 2006 – 139

DECISION

This pertains to the Notice of Opposition to the application for registration of the mark "CITISEC" bearing Application Serial No. 4-1999-05359 filed on 27 July 1999 for stock brokerage service falling under Class 36 of the International Classification of Goods, which application was published for opposition in Vol. V, No. 13 of the IPO Official Gazette, which was officially released for circulation on 08 January 2003.

The Opposer in the above-entitled case is CITICORP, a corporation duly organized under the laws of the State of Delaware, with principal office at 399 Park Avenue, New York 10043 U.S.A.

Respondent-Applicant, on the other hand, is CITISECURITIES, INC., with address on record at 2701-B Phil. Stock Exchange Center, Ortigas Center, Pasig City.

The Verified Notice of Opposition dated 07 March 2003 enumerates the following grounds for opposition, to wit:

1. "The registration of the service mark "CITISEC" in the name of the Respondent-Applicant will violate the rights and interest of Opposer over its service marks and those of its wholly-owned subsidiaries such as Citibank N.A. Among these service marks are the following "CITIBANK", "CITICORP", "CITICARD", "CITISELECT", "CITIDIRECT", "CITIEQUITY", "CITIBASICS", "CITITREASURY", "CITIAGENT", "CITIMONEY", "CITIBOND", "CTI and Arc Device" and other "CITI" marks (hereinafter called "CITI" marks) and will therefore cause great and irreparable injury and damage to herein Opposer, pursuant to Section 134 of the Intellectual Property Code, RA No. 8293."
2. "The service mark "CITISEC" in the name of Respondent-Applicant so resembles the Opposer's above-named marks as to be likely, when applied to or used in connection with the services offered by the Respondent-Applicant, to deceive or cause confusion."
3. "The use by Respondent-Applicant of the "CITISEC" mark on services that are similar, identical or closely related to the services that are produced/offered by, originate from, or are under the sponsorship of Opposer will mislead the public into believing that such services are produced/offered by, originate from, or are under the sponsorship of herein Opposer."
4. "The service mark "CITISEC" applied for by Respondent-Applicant is so confusingly similar, if not identical, with Opposer's "CITI" service marks so that the registration of the service mark "CITISEC" of Respondent-Applicant will violate and run counter to Section 123.1 (e) and (f) of the Intellectual Property Code, RA No. 8293 and Article 6bis of the Paris Convention for the Protection of Industrial Property."

5. "Opposer's "CITI" marks are well-known marks which are entitled to broad protection under Article 6bis of the Paris Convention and Article 16 of the Agreement on Trade-Related Aspects of Intellectual Property Rights ("TRIPS"), as well as Section 123.1 (e) and (f) of the IP Code."
6. "The registration of the mark "CITISEC" in the name of Respondent-Applicant will thus contravene the provision of the IP Code, the Paris Convention and TRIPS."
7. "The denial of the application subject of this opposition is authorized under other provisions of the IP Code and intellectual property rights jurisprudence."

In support of the afore-stated Opposition, Opposer relied on the following facts and circumstances:

1. The Opposer, its predecessors-in-interest and subsidiaries are and have always been the owner of the "CITI" prefix since it was first used on CITIBANK and CITICORP in its business operations and on various banking services long before the date of first use of the mark "CITISEC" by Respondent-Applicant.
2. Opposer's "CITI" marks follow a basic and distinctive pattern. In particularly all cases, they compromise the word "CITI" and a generic or descriptive term as in CITIBANK, or an abbreviation of such term, as in CITICORP. Obviously, in this context, "CITISEC" is an abbreviation of "CITI" and "Securities", thus clearly imitating the Opposer's family of "CITI" marks.
3. The Opposer and its predecessors-in-interest has used its "CITI" marks in its business operations and services not only in the United States, its home country, but also in about 100 countries around the world, including the Philippines, and the registration of the service mark "CITISEC" will greatly damage and prejudice Opposer in the use of its said "CITI" marks in the Philippines.
4. The service mark "CITISEC", subject of the application of Respondent-Applicant is used for "stock brokerage services" which are similar and/or closely related to the services on which the Opposer uses its "CITI" service marks, so much so that the public will be confused and may assume that the services of Respondent-Applicant are services of Opposer.
5. Opposer continues to use its "CITI" marks on service under International Class 36.
6. By virtue of Opposer's prior use, if not registration, of the "CITI" marks in the Philippines and its prior and continued use of the said marks in other parts of the world, the said "CITI" marks have become popular and internationally well-known and have established goodwill for the Opposer with the public which has identified the Opposer as the source of services bearing the said "CITI" marks, especially financial services. The long use of, and the large amounts spent by Opposer for popularizing its service marks has generated an immense goodwill for said service marks in the Philippines and many other countries of the world, and has acquired general international consumer recognition as belonging to the one owner and source, i.e., the Opposer herein, and Opposer's services have acquired the reputation of high quality services with the general public so that Opposer's "CITI" marks, have become strong and distinctive and are not, therefore, ordinary, common and weak service marks.
7. This strong and distinctive goodwill of the "CITI" marks will now be diluted, whittled away, diminished, if not tarnished by the service mark "CITISEC" of Respondent.

8. Opposer's "CITI" marks have been registered, applied for registration and/or used in the Philippines and virtually every country of the world and therefore are well-known marks, such that they are entitled to protection under the Intellectual Property Code, RA No. 8293 and Article 6 (bis) of the Paris Convention for the Protection of Industrial Property.
9. The service mark "CITISEC" subject of the application of Respondent-Applicant is so confusingly similar to Opposer's "CITI" marks and when applied to or used with the services of Respondent-Applicant will likely cause confusion or mistake or deceive the public in general as to the source or origin of Respondent-Applicant's services to such an extent that the services covered by the service mark "CITISEC" will be mistaken by the unwary public to be the services offered by Opposer or will cause the general public to believe that herein Respondent-Applicant is affiliated or connected with opposer's business.
10. The service mark "CITISEC" subject of Respondent-Applicant's application is a flagrant and veritable imitation of Opposer's "CITI" marks so that its use on the services of Respondent-Applicant will indicate that Respondent-Applicant's services are the same or connected with the services of herein Opposer as to falsely suggest a connection with the existing business of Opposer and therefore may result in defrauding Opposer of its long-established business.
11. The services covered by the service mark "CITISEC" of Respondent-Applicant will be offered, marketed, promoted and rendered in the same banking and/or financial sectors as those of Opposer's "CITI" marks, and will make it even more likely for the general public to confuse one for the other considering the similarity of Respondent-Applicant's service mark with Opposer's "CITI" marks both in appearance and pronunciation, to the great prejudice of Opposer.
12. The service mark "CITISEC" of Respondent-Applicant is so confusingly similar to Opposer's "CITI" marks such that it may have been adopted and used by Respondent-Applicant with the intention of riding on the long-established goodwill of the "CITI" marks of the Opposer.

Respondent-Applicant, in its Answer dated 10 June 2003 admitted the allegations in the Opposition only with respect to the filing of an application for registration of the subject mark in the name of Citisecurities, Inc. It however denied the allegations in the prefatory statement of said Opposition with respect to the juridical personality of the Opposer. It likewise denied the allegations in paragraphs 1, 2, 3, 4, 5, 6, 7 (a), (b), (c), (d), (e), (f) and (g) of the Notice of opposition.

Relative thereto, special and affirmative defenses are set forth, as follows:

1. "Opposer has no factual nor legal basis to oppose or withhold the application for registration of the trademark "CITISEC" under Application Serial No. 4-1999-05359. Respondent-Applicant's trademark "CITISEC" is neither similar nor is it confusingly similar with the trademark of the Opposer. A Practical approach to the problem of similarity or dissimilarity under Philippine law and jurisprudence is to view the two trademarks or trade names as a whole pictured in their manner of display. Inspection should be undertaken from the point of view of a prospective client. The trademark or trade name complained of should be compared and contrasted with the client's memory (not in juxtaposition) of the trademark said to be infringed. Factors that should be considered are sound, appearance, form, style, shape, size or format, color, the meaning, spelling and ideas connoted by the name or mark. Confusion can only occur between the trade names or trademarks only if their overall presentation in any of the particulars of sound,

appearance or meaning are such that it would lead the public to believe the products or services to which the marks or trade names are applied or used emanated from the same source.”

2. “The trademark “CITISEC” of Respondent-Applicant cannot be viewed as confusingly similar with that of Opposer’s trademark “CITICORP” or “CITIBANK” which consist of various words distinctly different from each other. Respondent-Applicant’s trademark “CITISEC” will not cause confusion among the public which can obviously distinguish between “SEC” (which is short for securities) and Opposer’s “BANK” or “CORP” (which is short of corporation). The fact that opposer’s mark contains the prefix “CITI” is not a ground to disallow the registration of Respondent-Applicant’s mark containing the same prefix “CITI”. The use of different words by Respondent-Applicant and Opposer attached to the prefix “CITI” makes each trademark distinct and unique from one another.”

3. “Opposer is known publicly as a banking institution and in the credit card business. Respondent-Applicant, on the other hand, is known in the equities market as a stockbroker. Respondent-Applicant is a member of the Philippine Stock Exchange and has been known publicly since 1986 as “CITISEC”. Respondent-Applicant has been operating its stock brokerage business for more than seventeen (17) years and has never encountered a single incident where it had been mistakenly identified with herein Opposer. During the bull market of the late eighties and the nineties, Respondent-Applicant’s operation as a stock broker is quite extensive and it is fair to assume that it is well known in the Philippine Stock Brokerage industry. There is therefore, no cogent reason why it should attempt to be associated with herein Opposer who is known in another business area which is the banking industry and credit card business.”

4. “Other business enterprise are also known to use the prefix “CITI”. Thus, we have CITIMOTORS which is engaged in automotive business. We have CITIBEDS which is in the business of producing beds and other furniture. Other businesses registered with the Securities and Exchange Commission are CITIBLINDS, CITIMEX and so many others. Hence, it would be unfair to accord Opposer the preferential use of the prefix “CITI” to the exclusion of all others including herein Respondent-Applicant who are all engaged in different areas of business and are not in competition with the business Opposer is into. To disallow the Registration of Respondent-Applicant’s trademark is, therefore, tantamount to unlawful discrimination.”

Pursuant to office Order No. 79, series of 2005 of the Amendments to the Regulations on Inter-Partes Proceedings, Opposer through its counsel, submitted the following documentary evidence, to wit:

EXHIBIT	DESCRIPTION
“A”	Certificate of Authentication issued by Jocelyn Batoon-Garcia, Consul General, Philippine Consular Service, Washington, United States of America
Exhibits attached to the Affidavit of Anne Moses	
“A”	Certified true copy of the Certificate of Registration of Citibank, N.A. (then Known as The National city bank of New York) issued by the Mercantile

Registry of Commerce and Industry
(now Securities and Exchange
Commission) on 19 March 1930

- “B” Certified true copy of the Certified of Filing of Amended Articles of Incorporation of Citibank, N.A. (then The First National City Bank of New York) issued by the SEC on 16 May 1955
- “C” Certified true copy of the Certificate of Filing of Change of Name of a Foreign Corporation issued by the SEC on 25 January 1977
- “D” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITIBANK”
- “E” Master file report of Citibank, N.A. And Citigroup, Inc.’s registrations for The trademark “CITICORP”
- “F” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITICARD”
- “G” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITISELECT”
- “H” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITIDIRECT”
- “I” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITIEQUITY”
- “J” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITIBASICS”
- “K” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITITREASURY”
- “L” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITIAGENT”
- “M” Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITIMONEY”

“N”	Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITIBOND”
“O”	Master file report of Citibank, N.A. and Citigroup, Inc.’s registrations for the trademark “CITI and ARC DEVICE”
“P-1” to “P-12”	Copies of Certificate of Renewal and Certificate of Trademark Registration Issued by different countries to Citibank, N.A.
“Q-1” to “Q-11”	Copies of Certificate of Renewal and Certificate of Trademark Registration Issued by different countries to Citibank, N.A.
“R-1”	Certificate of Trademark Registration No. 34731 for the trademark “CITICARD” issued by the Philippine Patent Office on September 27, 1985
“S-1” to “S-3”	Certificate of Trademark Registration issued to Citicorp. for the trademark “CITISELECT”
“T-1” to “T-9”	Copies of Certificate of Trademark Registration Issued to Citibank, N.A. for the trademark “CITIDIRECT”
“U-1” to “U-2”	Copies of Certificate of Trademark Registration Issued to Citicorp, for the trademark “CITI”
“V-1”	Certificate of Registration No. 4-2001-008290 for the trademark “CITIFINANCIAL” issued to Citicorp by The Intellectual Property Office of the Philippines on February 7, 2004
“W-1” to “W-7”	Copies of Certificate of Trademark Registration Issued to Citicorp, for the trademark “CITITREASURY”
“X-1” to “X-14”	Copies of Certificate of Trademark Registration Issued to Citicorp, by different countries for the trademark “CITI and ARC DEVICE”
“Y-1”	Certificate of Registration No. 2,473,216 issued by the United States Patent and Trademark Office on July 31, 2001 for the trademark “CITISECTOR SERIES”

“Z-1” to “Z-5”	Copies of Certificate of Trademark Registration Issued to Citibank, N.A. different countries for the trademark “CITISERVICE”
“AA-1” to “AA-42”	Copies of Certificate of Trademark Registration issued by different countries to Citibank, N.A.
“CC”	Citigroup 2002 Annual Report
“DD”	Citigroup 2003 Annual Report
“EE”	Citigroup 2004 Annual Report
“FF-1” series	Advertising and promotional materials of Citibank
“GG-1” series	Brochures enumerating the products and services marketed and sold by Citigroup and Citibank, N.A.

Respondent-Applicant’s compliance, on the other hand, consists of the following its documentary evidence, to wit:

EXHIBIT NO.	DESCRIPTION
“1”	Certificate of Filing, Amended Articles of Incorporation of CITISECURITIS, INC.
“2”	Certification by the Vice President for Market Regulatory Office of the Philippine Stock Exchange, Inc.
“3”, “3-A”, “3-B”	Certificate of Registration of Business Names
“4”, “4-A” to “4-N”	SEC Broker/Dealer Licenses and Renewal of Registrations Orders
“5”, “5-A” to “5-N”	Mayor’s Permit issued by the Business Permit and License Office
“6”	Value Added tax Registration Certificate
“7”, “7-A” to “7-D”	Registered corporations bearing the prefix, “CITI”
“8”, “8-A” to “8-AA”	SEC-RMS Inquire Document Index
“9”, “9-A” to “9-Z”	Internet website showing usage of the prefix “CITI”

During the Preliminary Conference, parties tried to thresh out their dispute to settle amicably. Unfortunately, they failed to meet into mutual terms and conditions. Thus, this conference was terminated with the following issues for this Bureau to resolve-

WHETHER OR NOT RESPONDENT-APPLICANT'S "CITISEC" MARK IS CONFUSINGLY SIMILAR WITH OPPOSER'S "CITICORP" and other "CITI" TRADEMARKS; and

WHETHER OR NOT THE MARKS "CITI" ARE WELL-KNOWN MARKS TO BE ENTITLED PROTECTION UNDER RA No. 8293 and ARTICLE 6bis OF THE PARIS CONVENTION for the PROTECTION OF INDUSTRIAL PROPERTY.

Anent the first issue, this Bureau finds confusing similarity between the opposing marks.

In the instant case, the trademark application being opposed was filed on 27 July 1999 or during the effectivity of Republic Act (RA) 8293 otherwise known as the Intellectual Property Code of the Philippines. Thus, this law shall be made as basis in its resolution.

A cursory reading of the provisions of said law, specifically Section 123.1 (d) thereof provides the criteria for the registration of a trademark, to wit:

"Sec.123. Registrability – 123.1 A mark cannot be registered if it:

(d) Is identical with a registered mark belonging to a different proprietor or a mark with an earlier filing date, in respect of:

- (i) The same good or services; or
- (ii) Closely related goods or services; or
- (iii) If nearly resembles such mark as to be likely to deceive or cause confusion;

x x x

The test of confusing similarity which would precluded the registration of a trademark is not whether the challenged mark would actually cause confusion or deception of the purchasers but whether the use of such mark would likely cause confusion or mistake on the part of the buying public. The law does not require that the competing marks must be so identical as to produce actual error or mistake. It would be sufficient, for purposes of the law that the similarity between the two labels be such that there is a possibility or likelihood of the purchaser of the older brand mistaking the newer brand for it. (Acoje Mining Co., Inc. vs Director of Patents, 38 SCRA 480)

Given the above precept, a question lies as to whether likelihood of confusion exists between the marks "CITISEC" and "CITICORP" of Respondent-Applicant and Opposer, respectively, such that the former is precluded from registering the subject mark in its favour.

Resolving the issue of confusing similarity, the law and jurisprudence has developed two kinds of test-the Dominancy Test applied in the following cases: Asia Brewery, Inc. vs. Court of Appeals, 224 SCRA 437; Co Tiong vs Director of Patents, 95 Phil 1; Lim Hoa vs Director of Patents, 100 Phil. 214; Phil. Wire & Cable Co. vs. Director of Patents, 31 SCRA 544; Philippine Nut Industry, Inc. vs Standard Brands, Inc., 65 SCRA 575; Converse Rubber Corp. vs. Universal Rubber Products, Inc., 147 SCRA 154; and the Holistic Test developed in Del Monte Corporation vs. Court of Appeals, 181 SCRA 410; Mead Johnson & Co. vs. N.V.J. Van Corp., Ltd., 7 SCRA 771; Bristol Myers Co. vs. Director or Patents, 17 SCRA 128; Fruit of the Loom, Inc. vs Court of Appeals, 133 SCRA 405.

The test of dominancy focuses on the similarity of the prevalent features of the competing trademarks which might cause confusion or deception. It is necessary if the competing trademark contains the main, essential or dominant features of another, and confusion or deception is likely to result. x x x The question is whether the use of the marks involved is likely to cause

confusion or mistake in the mind of the public or deceive purchasers. (Mighty Corporation vs E & J Gallo Winery, 434 SCRA 473)

On the other side of the spectrum, the holistic test requires that the entirety of the marks in question be considered in resolving confusing similarity. Comparison of words is not the only determining factor. The trademarks in their entirety as they appear in their respective labels or hang tags must also be considered in relation to the goods to which they are attached. The discerning eye of the observer must focus not only on the predominant words but also on the other features appearing in both labels in order that he may draw his conclusion whether one is confusingly similar to the other. (Ibid.)

As early as the case of *Co Tiong Sa vs Director of Patents*, 95 Phil. 1, the Honorable Supreme Court held that the question of infringement of a trademark is to be determined by the test of dominance. In the 2004 case of *Mc Donalds Corporation vs LC Big Mak*, 437 SCRA 10, the Honorable Supreme Court again relied on the dominance test in resolving the issue of likelihood of confusion, to wit:

"This Court, however, relied on the dominance test rather than the holistic test. The dominance test considers the dominant features in the competing marks in determining whether they are confusingly similar. Under the dominance test, courts give greater weight to the similarity of the appearance of the product arising from the adoption of the dominant features of the registered mark, disregarding minor differences. Courts will consider more the aural and visual impressions created by the marks in the public mind, giving little weight to factors like prices, quality, sales outlets and market segments."

As to what constitutes a dominant feature of a label, no set of rules can be deduced. Usually, these are signs, color, design, peculiar shape or name, or some special, easily remembered earmarks of the brand that easily attracts and catches the eye of the consumer.

Relative thereto, the Honorable Supreme Court in the case of *Philippine Nut Industry, Inc vs Standard Brands, Inc.* (65 SCRA 575) discussed as to what constitutes a dominant feature of a mark, to wit:

"An ordinary word like PLANTERS may be considered as the dominant and striking mark of a label where it is used not merely to describe the nature of the product, but to project the source or origin thereof, and it is so printed across the label in bold letters that it easily attracts and catches the eye of the ordinary consumer and it is that word and none other that sticks in his mind when he thinks of the product."

Relying on the above premise, this Bureau finds that the prefix CITI is the dominant feature in Opposer's CITICORP and other CITI marks. It is supported by the fact that CITI is present in the trademark registrations of Opposer such that CITI is the feature that easily attracts and catches the eye of the ordinary purchaser.

Applying the dominance test, the visual impression created by the marks is the existence of the prefix CITI in both trademarks of Opposer and Respondent-Applicant. CITI is easily remembered earmark in Opposer's trademarks.

With respect to the goods which the contending marks respectively carry, it is likewise possible that confusion may arise as to their source or origin.

Generally, confusion of business, source or origin exists when, in view of the similarity or identicalness of the marks involved, one party's product or service, though different from that of another or on which the latter does not use his mark, is such as might reasonably be assumed to originate from the latter and as to likely deceive the public into that belief or into the belief that

there is some business association between the parties which, in fact, is absent. (Sterling Products International, Inc. vs Farbenfabriken Bayer Aktiengesellschaft, 27 SCRA 1214)

In fact, even if the goods or service are non-competing, the use of identical or closely similar marks may likely cause confusion or mistake as to their source or origin where the non-competing goods or services are so related with each other that it might reasonably be assumed that they originate from one manufacturer. At the outset, goods are related when they belong to the same physical attributes or essential characteristics with reference to their form, composition, texture or quality. They may also be related because they serve the same purpose or are sold in grocery or flow through the same channel of trade. (2 Callman, Unfair Competition & Trade Marks, p. 1257)

In the case of Sta. Ana vs Maliwat, 24 SCRA 1018, the Honorable Supreme Court held that:

"Mere dissimilarity of goods should not preclude relief where the junior user's goods are not too different or remote from any that the owner would be likely to make or sell; and in the present case, wearing apparel is not so far removed from shoes as to preclude relief, any more than the pancake flour is from syrup or sugar cream (Aunt Jemima Mills Co. vs Rigney & Co. LRA 1918C 1039), or baking powder from baking soda (Layton Pure Food Co. vs Church & Co., 182 Fed. 35), or cosmetics and toilet goods from ladies' wearing apparel and costume jewelry (Lady Esther Ltd. Vs Lady Esther Corset Shoppe, 148 ALR 6). More specifically, manufacturers of men's clothing were declared entitled to protection against the use of their trademark in the sale of hats and caps (Rosenberg Bros. vs Elliot, 7 Fed. (2d) 962) and of ladies shoes (Forsythe & Co. vs Forsythe Shoe Corp., 254 NYS 584). In all these cases, the courts declared the owner of a trademark from the first named goods entitled to exclude use of its trademark on the related class of goods above-referred to. "

Guided by the foregoing tenets, this Bureau holds that the service, similar to the goods illustrated in the foregoing discussion, which the Opposer's and Respondent-Applicant's mark respectively carry are related to each other.

As appearing thereto, Opposer's service covers a wide range of financial service including securities trading, investment service, and other banking and credit card service. Securities trading is identical to stock brokerage service of Respondent-Applicant.

Undoubtedly, the service which the Opposer's "CITICORP" marks carry and that of Respondent-Applicant's "CITISEC" mark belong to the same and related class of services. While the Opposer is more publicly known as banking and credit card service, it offers wide range of service including that of Respondent-Applicant.

Finally, as to the second issue of well-known mark, this Office is not convinced of the allegation and evidence of the Opposer. It failed to submit eloquent proof to prove that the mark has actually gained and enjoyed a worldwide reputation internationally and in the Philippines. Absence of such fame and reputation, a mark cannot be considered internationally well-known.

Therefore, from the facts established and the evidence presented and considering the law applicable, Respondent-Applicant is barred from registering the mark "CITISEC" in its favor as confusion as to source or origin is likely to arise.

WHEREFORE, the Notice of Opposition is hereby SUSTAINED. Consequently, application bearing Serial No. 4-1999-05359 filed by Respondent-Applicant CITISEC SECURITIES, INC. on 27 July 1999 for the registration of the mark "CITISEC" used for stock brokerage service, is, as it is, hereby REJECTED.

Let the file wrapper of "CITISEC", subject matter of this case together with a copy of this decision be forwarded to the Bureau of Trademarks (BOT) for appropriate action.

SO ORDERED.

Makati City, 21 December 2006.

ESTRELLITA BELTRAN-ABELARDO
Director, Bureau of Legal Affairs
Intellectual Property Office