

**TRADE MARKS ACT 1994**

**IN THE MATTER OF APPLICATION NO. 2060358 BY  
SOUTH BEACH CAFE, INC TO REGISTER THE MARK  
SOUTH BEACH CAFE IN CLASSES 21 AND 42**

**AND**

**IN THE MATTER OF OPPOSITION THERETO UNDER NO. 46336  
BY ST ROSE HEIGHTS DEVELOPMENT LTD**

**TRADE MARKS ACT 1994**

**IN THE MATTER OF APPLICATION NO. 2060358 BY  
SOUTH BEACH CAFE, INC TO REGISTER THE MARK  
SOUTH BEACH CAFE IN CLASSES 21 AND 42**

**AND**

**IN THE MATTER OF OPPOSITION THERETO UNDER NO. 46336  
BY ST ROSE HEIGHTS DEVELOPMENT LTD**

**SUPPLEMENTARY DECISION**

My written decision in these proceedings, dated 13 June 2000, contained a clerical error. It has been brought to my attention that on line 2 of page 3 of the decision the applicants (rather than the opponents as should have been the case) are referred to as not being represented at the hearing. That is not correct. As the previous line makes clear the applicants were represented by Ms D McFarland of Counsel. The necessary power to correct this error is provided by Rule 40.12(1) of the Civil Procedure Rules which states:

"The Court may at any time correct an accidental slip or omission in a judgment or order".

I therefore correct my written decision in these proceedings by amending 'applicants' to 'opponents' on the second line of page 3.

**Dated this 20 day of July 2000**

**M REYNOLDS**

**For the Registrar**

**the Comptroller General**