

O-206-13

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION NO 2594544
BY HO2 PLC TO REGISTER THE TRADE MARK**



Commercial Property Consultants

IN CLASSES 35, 36 AND 37

**AND IN THE MATTER OF OPPOSITION
THERE TO UNDER NOS 102921
BY O2 HOLDINGS LIMITED**

BACKGROUND

1) On 14 September 2011, Ho2 Plc (“the applicant”) applied under the Trade Marks Act 1994 (“the Act”) for registration of the following trade mark:



2) The application is in respect of the following services:

Class 35

Property accounting services

Class 36

Property Consultancy Services

Class 37

Property Consulting Services

3) On 20 January 2012, O2 Holdings Limited (“the opponent”) filed notice of opposition to the application. The grounds of opposition are in summary:

- a) The application offends under Section 5(2)(b) of the Act because the application is in respect of a similar mark and similar services to earlier marks in the name of the opponent. Unhelpfully, the opponent has relied upon sixteen earlier marks and their full list of goods and services in every case, despite it being patently obvious that many of the goods and services share no similarity to the applicant’s services. The relevant details of all these earlier marks are reproduced as an annex to this decision.
- b) The application offends under Section 5(3) of the Act because, as a result of the opponent’s “massive reputation” in its marks and in relation to telecommunication goods and services and its entertainment venue/services, use of the applicant’s mark without due cause, would take unfair advantage of, or be detrimental to the distinctive character or repute of the opponent’s earlier marks. Once again, the earlier marks that represent its best case, as identified by Mr Stobbs at the hearing, are shown in the annex to this decision.

4) Thirteen of the opponent's earlier marks are registered and have filing dates that pre-date the filing date of the contested application and, therefore, qualify as earlier marks as defined by Section 6 of the Act. The opponent relies upon three unregistered marks, namely CTM 4949376, CTM 9053497 and CTM 9062845. None of these three marks appear to represent the opponent's best case, and I will not refer further to them.

5) The applicant subsequently filed a counterstatement denying the opponent's claims that its goods and services in classes 1 to 34 and classes 38 to 45 are similar to the services of the applicant. It accepts that its:

- *property accounting services* are at least similar to the opponent's *business management; business administration; office functions* and to the *information and advisory services* related thereto (covered by the opponent's earlier CTM 8581738 and others);
- *property consultancy services* are at least similar to the opponent's *real estate affairs* and to the *information and advisory services* related thereto (covered by the opponent's earlier CTM 8581738 and others);
- *property consulting services* are at least similar to the opponent's *building construction; repair; installation services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network* (covered by the opponent's earlier CTM 8581738 and others).

6) It put the opponent to proof of use in respect of all the goods and services covered by its earlier marks 2249386A, 2249386B, 2340715 and Community Trade Mark (CTM) 4243184.

7) The applicant also concedes that the opponent has a reputation under its "Oxygen Mark" and O2 mark in respect of its listed Class 38 services and for its Class 9 goods. It denies that the opponent has a reputation in respect of any other goods and services and is put to strict proof of use thereof.

8) The opponent denies that use of the applicant's mark would result in any detriment or unfair advantage.

9) Only the opponent filed evidence in these proceedings, but the applicant did file written submissions in response and I will keep these in mind. Both sides ask for an award of costs. The matter came to be heard on 5 December 2012 when the opponent was represented by Mr Julius Stobbs for IPulse (IP) Ltd and the applicant was represented by Mr Simon Coles for Graham Coles & Co.

Opponent's Evidence

10) This takes the form of a witness statement by Mr Peter Holmes, Director of Brand for Telefonica Europe plc and the opponent which both form part of "The O2 Group of Companies". Mr Holmes explains that he has been asked to provide evidence to establish the opponent's reputation in the O2 mark throughout Europe, prior to the date of application, namely 14 September 2011. The opposition is against an application to register a mark in the UK and it is the opponent's reputation in the UK that is relevant to these proceedings and, in that respect, the applicant has conceded that the opponent has a reputation in the Class 9 goods and Class 38 services as detailed in paragraph 7 above.

11) Accordingly, I do not intend to summarise the evidence that goes to the issue of reputation in the UK that relates to goods and services that falls within the applicant's concession, other than to note that it does, indeed, illustrate substantial use leading to a considerable reputation, dating back to 2001, in the field of mobile telecommunications. The size of its business can be seen from the fact that it had a customer base in the UK of over eleven million in 2001, rising to over twenty one million in 2009 and with a turnover in the thousands of millions a year.

12) In respect of evidence of a reputation in areas outside the opponent's core area of business (identified above), the evidence can be summarised as follows:

- the opponent has sponsored "The O2 Arena" entertainment venue (previously known as The Millennium Dome) since 2005. The venue has hosted many high profile music concerts as well as sporting events such as boxing, tennis and artistic gymnastics as well as more general entertainment services such as a theatre, cinema, restaurants and general exhibition space; see Mr Holmes' witness statement, page 9 and also paragraphs 47-49;
- since 2008 the opponent has sponsored the "Academy" series of eleven music venues after securing a £22.5 million deal with the music promoter, Live Nation, and since then they have been known as the "O2 Academy"; see Mr Holmes' witness statement, page 13 and paragraph 50;
- the opponent has engaged in sponsorship of sports activities such as sponsoring Arsenal football club, sponsorship of the England rugby union team since 1995, sponsorship of "Scrum in the Park" in October 2004 and as official mobile partner to the Guinness Premiership rugby union league.
- provision of various entertainment services by way of delivering content to mobile phones such as trialling delivering television content to mobile phones in 2005 (press release at page 153, Exhibit PH5 to Mr Holmes'

witness statement) and providing music download and mobile music store services from 2008 (see page 13 of Mr Holmes' witness statement).

DECISION

Proof of use

13) The Trade Marks (Proof of Use, etc) Regulations 2004 apply in this case. The provision reads as follows:

“6A Raising of relative grounds in opposition proceedings in case of non-use

(1) This section applies where –

(a) an application for registration of a trade mark has been published,

(b) there is an earlier trade mark of a kind falling within section 6(1)(a), (b) or (ba) in relation to which the conditions set out in section 5(1),(2) or (3) obtain, and

(c) the registration procedure for the earlier trade mark was completed before the start of the period of five years ending with the date of publication.

(2) In opposition proceedings, the registrar shall not refuse to register the trade mark by reason of the earlier trade mark unless the use conditions are met.

(3) The use conditions are met if –

(a) within the period of five years ending with the date of publication of the application the earlier trade mark has been put to genuine use in the United Kingdom by the proprietor or with his consent in relation to the goods or services for which it is registered, or

(b) the earlier trade mark has not been so used, but there are proper reasons for non-use.

(4) For these purposes –

(a) use of a trade mark includes use in a form differing in elements which do not alter the distinctive character of the mark in the form in which it was registered, ...

...

(6) Where an earlier trade mark satisfies the use conditions in respect of some only of the goods or services for which it is registered, it shall be treated for the purposes of this section as if it were registered only in respect of those goods or services...

14) Consideration has to be taken, also, of section 100 of the Act which states:

“100. If in any civil proceedings under this Act a question arises as to the use to which a registered trade mark has been put, it is for the proprietor to show what use has been made of it.”

Consequent upon section 100 the onus is upon the proprietor of the earlier mark(s) to prove that it has made use of its mark(s), or that there are proper reasons for non-use.

15) The proof of use requirements apply to six of the opponent's sixteen earlier marks, namely, 2249386A, 2249386B, 2279371, 2296255, 2340715 and CTM 4243184 (“ho₂me”). None of these earlier marks appear to place the opponent in a better position than when compared with its reliance upon other earlier marks not subject to the proof of use requirements. Consequently, it is not necessary for me to consider this issue further and I will consider the opponents case solely upon its best case based upon an earlier CTM not subject to these requirements.

Section 5(2)(b)

16) At the hearing, Mr Stobbs identified the opponent's earlier mark CTM 8581738 as being at least its equally best case. For the avoidance of doubt, I agree with this assessment and it is my view that if the opponent cannot succeed based on this earlier mark, it will not succeed with any of its other earlier marks listed in its statement of case. I say this for two reasons. Firstly the CTM is in respect of the mark “O²”, where the element “2” appears in superscript in the same way that the same numeral appears in the applicant's mark. Therefore, whatever meaning attributed to the presence of the numeral “2” in both marks is more likely to be considered to be the same. Secondly, the CTM includes in its specifications, services that both parties accept provide the opponent with its best case. Consequently, I will limit my assessment of the opponent's case based upon Section 5(2)(b) to a consideration of likelihood of confusion between this CTM and the applicant's mark.

17) Section 5(2)(b) reads:

“(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.”

18) In my consideration of a likelihood of confusion, I take into account the guidance from the settled case law provided by the Court of Justice of the European Union (CJEU) 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] FSR. 77, *Marca Mode CV v Adidas AG & Adidas Benelux BV* [2000] ETMR 723, *Medion AG v. Thomson Multimedia Sales Germany & Austria GmbH* C-120/04 and *Shaker di L. Laudato & C. Sas v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)* C-334/05 P. 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 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 and Adidas Benelux BV*,

(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*.

(k) assessment of the similarity between two marks means more than taking just one component of a composite trade mark and comparing it with another mark; the comparison must be made by examining each of the marks in question as a whole, which does not mean that the overall impression conveyed to the relevant public by a composite trade mark may not, in certain circumstances, be dominated by one or more of its components; *Medion AG v. Thomson Multimedia Sales Germany & Austria GmbH*

(l) it is only when all other components of a complex mark are negligible that it is permissible to make the comparison on the basis of the dominant element; *Shaker di L. Laudato & C. Sas v OHIM*

Comparison of services

19) In assessing the similarity of services, it is necessary to apply the approach advocated by case law and all relevant factors relating to the respective services should be taken into account in determining this issue. In *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer* the CJEU stated at paragraph 23:

'In assessing the similarity of the goods or services concerned, as the French and United Kingdom Governments and the Commission have pointed out, all the relevant factors relating to those goods or services themselves should be taken into account. Those factors include, *inter alia*, their nature, their intended purpose and their method of use and whether they are in competition with each other or are complementary.'

20) Other factors may also be taken into account such as, for example, the distribution channels of the services concerned (see, for example, *British Sugar Plc v James Robertson & Sons Limited (TREAT)* [1996] RPC 281).

21) For ease of reference, I list below the applicant's services together with those services that represent the opponent's best case, as listed in its earlier CTM 8581738

Opponent's most relevant services	Applicant's services
Class 35: <i>business management; business administration; office functions</i>	Class 35: <i>Property accounting services</i>
Class 36: <i>Insurance; financial affairs; monetary affairs; real estate affairs; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</i>	Class 36: <i>Property Consultancy Services</i>
Class 37: <i>Building construction; repair; installation services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</i>	Class 37: <i>Property Consulting Services</i>

Class 35

22) In its counterstatement, the applicant conceded that its *property accounting services* are at least similar to the opponent's *business management; business administration; office functions* and to the *information and advisory services* related thereto. Mr Stobbs went even further, submitting that these services are identical. In doing so, Mr Stobbs referred me to the comments of the GC in *Gérard Meric v OHIM*, T-133/05:

“29 In addition, the goods can be considered as identical when the goods designated by the earlier mark are included in a more general category, designated by the trade mark application (Case T-388/00 Institut für Lernsysteme v OHIM – Educational Services (ELS) [2002] ECR II-4301,

paragraph 53) or when the goods designated by the trade mark application are included in a more general category designated by the earlier mark (Case T-104/01 Oberhauser v OHIM – Petit Liberto (Fifties) [2002] ECR II-4359, paragraphs 32 and 33; Case T-110/01 Vedral v OHIM – France Distribution (HUBERT) [2002] ECR II-5275, paragraphs 43 and 44; and Case T- 10/03 Koubi v OHIM – Flabesa (CONFORFLEX) [2004] ECR II-719, paragraphs 41 and 42).”

23) I do not agree with Mr Stobbs. The term *property accounting services* relates to services that are not obviously covered by the terms *business management; business administration*. That said, accounting services are closely related to business management and business administration and I find that the respective services share a good level of similarity.

Class 36

24) Mr Stobbs submitted that the applicant’s *property consultancy services* are at least similar to the opponent’s *real estate affairs* and to the *information and advisory services* related thereto. I agree. The provision of information and advice in respect of real estate affairs is a service covered by property consultancy and once again, applying the principles of *Meric*, I conclude that the respective services are identical.

Class 37

25) Again, Mr Stobbs submitted that the applicant’s *property consulting services* are at least similar to the opponent’s *information and advisory services relating to the aforesaid services, information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet and information and advisory services provided over a telecommunications network*. The consideration here is the same as in respect to Class 36. The opponent’s provision of information and advice in respect of building construction, repair and installation is a service covered by property consultancy and I conclude that the respective services are identical.

The average consumer and purchasing process



26) Matters must be judged through the eyes of the average consumer (*Sabel BV v.Puma AG*, paragraph 23), who is reasonably observant and circumspect (*Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel B.V.*, paragraph 27). The degree of care and attention the average consumer uses when selecting goods and services can, however, very depending on what is involved (see, for example, the judgment of the GC in *Inter-Ikea Systems B.V. v. OHIM*, Case T-112/06). The respective services include property accounting and property consultancy services. At the hearing, Mr Coles submitted that the applicant is an expert and qualified provider of these services that are aimed at business

customers who will select providers with care. He further contended that such services are sourced by sight from adverts and that the purchaser will want to see something in writing before procuring and that these services would only be purchased aurally following a personal recommendation. Mr Stobbs submitted that these services cannot only be provided to businesses, but also to all house owners/renters who are in need of access to such services.

27) I accept that private individuals may wish to avail themselves of the services of property consultancy. Private individuals undertake construction projects (albeit generally on a smaller scale than companies in the field). Consequently, they may have a need for such consultancy services, for example, to ensure that new buildings or building extensions meet the requirements of building regulations. It may be true that the applicant's current business model is to provide its services to business customers only, it is clear to me that the services covered by its specifications may also be provided to private individuals and here, the services will also be selected with some care.

Comparison of marks

28) For ease of reference, the respective marks are:

Opponent's mark (CTM 8581738)	Applicant's mark
	

29) When assessing the extent of similarity (if any) between the respective marks, I must do so with reference to their visual, aural and conceptual similarities bearing in mind their distinctive and dominant components (*Sabel BV v. Puma AG*, para 23). The letter “O” and the numeral “2” presented in superscript that makes up the opponent’s mark will be perceived as “O squared”, the chemical formula for oxygen or merely as “O 2”. Either way, the distinctive character resides in its totality.

30) The applicant’s mark is more complex, consisting of the letter “H” in white, the letter “O” in blue, the numeral “2” in blue and presented in superscript, the words “Commercial Property Consultants” and also a background device split into the colours blue and green. The word elements are descriptive in nature and do not add to the distinctive character of the mark. Whilst the coloured background is a distinctive element, the letters “H” and “O” and the numeral “2”, together combine to create the dominant element of the mark. That said, the background device creates an enhanced separation between these three

elements, and I keep this in mind. This conclusion is different to that suggested by Mr Coles who suggested that the letter “H”, by virtue of being the first element of the mark, is the most dominant. It is my view that the mark is predominantly perceived as a “HO2” mark. That said, I do not ignore the other elements.

31) From a visual perspective, there is some similarity arising from both marks sharing the letter “O” and the numeral “2” shown in superscript, however, all the other elements of the applicant’s mark are absent in the opponent’s mark and create visual differences. Mr Stobbs submitted that the “O2” element stands out in the applicant’s mark. This is true to a certain degree because of the different colour backgrounds deployed behind the letter “H” and the letter “O”. That said, the letter “O” is still seen as being part of the “HO2” element of the mark. I dismiss Mr Coles’ submission that the superscript “2” is separated from the letters “H” and “O” because it is placed outside the coloured background. When the mark is viewed as a whole, this element is likely to be seen as part of the combined element “HO2”. Further, Mr Stobbs referred me to the findings of Mr Geoffrey Hobbs QC, sitting as the appointed person in *Cosmetics Japan Ltd v Able C & C Co Ltd (MARY QUANT)*, BL O/246/08, when, at paragraph 10, he stated “[...] that colouring is immaterial to the distinctiveness of the Opponent’s device mark as registered and therefore irrelevant for the purposes of the assessment of similarity in both oppositions”. However, I still keep in mind the impact the background device has, absent of colour. Taking all of this into account, I conclude that the respective marks share a moderate to moderately high level of visual similarity.

32) From an aural perspective, the descriptive words present in the applicant’s mark are not likely to be articulated and, obviously, neither will the device element of the mark. The consumer is likely to articulate the mark as the three syllables “H”, “O” and “TO”. The opponent’s mark is likely to be pronounced as the two syllables “O” and “TO”. Therefore, the respective marks share two syllables. The first syllable of the applicant’s mark is absent in the opponent’s mark and is a point of dissimilarity. Mr Stobbs submitted that the opponent’s mark will be articulated as “O squared” and the applicant’s mark as “HO squared” and I accept that this is a possible alternative, but least likely, aural reflection of the marks. However, whatever way is the most likely, it will be the same way for both marks. Mr Coles submitted that the opponent’s mark will be articulated as “O2” or even “Oxygen” whereas the applicant’s mark would be articulated as “HO squared”. I reject this. The numeral “2” appears in superscript in both marks and the impact it has upon the aural identity will be the same in both marks. It is my view that the level of aural similarity will be unaltered regardless of whether both marks are articulated as having “2” or “squared” as the final aural element. Taking all of this into account, I conclude that the respective marks share a reasonable high level of aural similarity.

33) From a conceptual perspective, Mr Coles submitted that the applicant’s mark has no concept, whereas the opponent’s mark will be perceived as being the

chemical formula for oxygen. I agree that the opponent's mark may be perceived as denoting oxygen (despite the numeral "2" being presented in superscript rather than subscript that is normally used for chemical formulae). Equally likely is that the mark will be perceived as merely "O2", being a combination that is also likely to be perceived as a reference to oxygen. Thirdly, it may also be perceived as "O squared". Whilst this is possible, it is my view that one of the first two is the likely way in which the opponent's mark will be perceived.

34) The applicant's mark will be perceived as a commercial property consultant (as indicated by the descriptive words appearing at the bottom of the mark) called "HO²". Despite the position of the numeral "2" being superscript rather than subscript, this element may be perceived as a chemical formula. If this is the case the letter "H" is a reference to the element hydrogen and the letter "O" as a reference to the element oxygen. That said, the average consumer for the services at issue is not likely to know what the chemical formula "HO₂" represents, if it is a chemical formula at all. In conclusion, insofar that either mark has any conceptual identity, one may be perceived as a reference to oxygen and the other to hydrogen and oxygen. Alternatively, and equally likely, is that they will merely be perceived as the abstract letters and numeral "O two" and "H O two" respectively. Taking this into account, I conclude that the respective marks share a moderately high level of conceptual similarity.

35) I have found that the respective marks share a moderate to moderately high level of visual similarity, a reasonable level of aural and a moderately high level of conceptual similarity. This combines to give a moderately high level of similarity overall.

Distinctive character of the earlier trade mark

36) I must consider the distinctive character of the earlier mark because the more distinctive it is, either by inherent nature or by use the greater the likelihood of confusion (*Sabel BV v Puma AG* [1998] RPC 199). The distinctive character of the earlier mark must be assessed by reference to the services for which it is registered and by reference to the way it is perceived by the relevant public (*Rewe Zentral AG v OHIM (LITE)* [2002] ETMR 91).

37) Mr Stobbs made it clear that the opponent is not claiming a reputation for the services relied upon for these Section 5(2)(b) grounds. Consequently, I must find that in respect of the services relied upon as providing its best case, the distinctive character of the opponent's mark has not been enhanced through use and I only need to consider its inherent qualities. In this respect, whether the mark is perceived as a symbol for oxygen, or as the more abstract "O2", it has a reasonable level of distinctive character for the relevant services.

Likelihood of confusion

38) I must adopt the global approach advocated by case law and take into account that marks are rarely recalled perfectly with the consumer relying instead on the imperfect picture of them he has kept in his mind (*Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel B.V* paragraph 27). I must take into account all factors relevant to the circumstances of the case, in particular the interdependence between the similarity of the marks and that of the goods or services designated (*Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*)

39) Mr Coles has argued that the prominence of the letter “H” at the beginning of the applicant’s mark has the effect of relegating the prominence of the “O” element and that because the numeral “2” is positioned outside the background device it is somewhat disassociated from the letters. I have rejected this when considering the similarity between the marks. That said, I take note of the guidance of the GC in Joined Cases T-183/02 and T-184/02 *El Corte Inglés v OHIM – González Cabello and Iberia Líneas Aéreas de España (MUNDICOR)* that the attention of the consumer is usually directed to the beginning of the mark.

40) At the hearing, Mr Stobbs drew my attention to the findings of the GC in *Plus Warenhandels-gesellschaft mbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (TURKISH POWER)*, T-34/04. The court’s most relevant findings to the current proceedings are at paragraph 43 when it refers to another judgment of the GC, namely Case T-6/01 *Matratzen Concord v OHIM – Hukla Germany (MATRATZEN)* [2002] ECR II-4335 when it observed that “two marks are similar when [...] they are at least partially identical as regards one or more relevant aspects”. This approach was later developed by the CJEU in *Medion* when it stated:

32 The finding that there is a likelihood of confusion should not be subject to the condition that the overall impression produced by the composite sign be dominated by the part of it which is represented by the earlier mark.

33 If such a condition were imposed, the owner of the earlier mark would be deprived of the exclusive right conferred by Article 5(1) of the directive even where the mark retained an independent distinctive role in the composite sign but that role was not dominant.

34 This would be the case where, for example, the owner of a widely-known mark makes use of a composite sign juxtaposing this mark and an earlier mark which is not itself widely known. It would also be the case if the composite sign was made up of the earlier mark and a widely-known commercial name. In fact, the overall impression would be, most often, dominated by the widely-known mark or commercial name included in the composite sign.

41) When considering whether there is a likelihood of confusion I must have a global appreciation of all the relevant factors. In doing so, I acknowledge that there is an interdependency principle, namely, the lesser degree of similarity between marks may offset a greater degree of similarity between the goods and services, and vice versa. In the current proceedings, the respective services are identical or share a good level of similarity. Further, the more distinctive the earlier trade mark the greater the likelihood of confusion. In respect of the services identified as providing the opponent with its best case, it has no reputation to enhance the reasonable level of inherent distinctive character. I have concluded that the respective marks share a moderate to moderately high level of visual similarity, a reasonable level of aural similarity and that, because both marks will be either perceived as the letters and numeral, i.e. "O two" or "H O two" or as chemical symbols, one being oxygen and the other containing oxygen, then they share a moderately high level of conceptual similarity.

42) Keeping in mind the principle, expressed in *Medion*, that in the context of examination of the likelihood of confusion, the assessment of the similarity between two marks must be made by examining each of the marks in question as a whole. It is only permissible to disregard components of a mark where they are considered to be negligible. I have found the words "Commercial Property Consultants" in the applicant's mark are negligible. I have also found that the colour present in the applicant's mark does not impact upon the assessment of likelihood of confusion.

43) Taking account of all of the above, and also the guidance, provided in *Medion*, that a composite mark may be dominated by one or more of its components, I conclude that the enhanced separation brought about by the effect of the background device results in the O2 element standing out and, consequently, the average consumer of the respective services will believe that the opponent's and applicant's services originate from the same or an economically linked undertaking. Therefore, there is a likelihood of indirect confusion. The consumer is less likely to confuse one mark for the other, so I find that there is no direct confusion. In reaching these findings, I have kept in mind that the consumer of the respective services takes more than average care during the purchasing act, but nevertheless, such increased care

44) In summary, I have found that the opponent's pleaded case based on Section 5(2)(b) of the Act is successful in its entirety.

Section 5(3)

45) In light of my findings based upon Section 5(2)(b), its case is successful against the whole of the application. Therefore, I will only comment briefly upon the opponent's case based upon Section 5(3) of the Act. This part of the Act reads as follows:

“5.-(3) A trade mark which –

(a) is identical with or similar to an earlier trade mark,

shall not be registered if, or to the extent that, the earlier trade mark has a reputation in the United Kingdom (or, in the case of a Community trade mark or international trade mark (EC), in the European Community) and the use of the later mark without due cause would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark.”

46) This part of the Act provides an enhanced level of protection to marks with a reputation. ‘Reputation’ for the purposes of Section 5(3) means that the earlier mark is known by a significant part of the public concerned with the products or services covered by that mark (paragraph 26 of the CJEU's judgment in *General Motors Corp v Yplon SA (CHEVY)* [1999] ETMR 122). The applicant acknowledges the opponent’s extensive reputation in respect to mobile telecommunications.

47) At the hearing, Mr Stobbs submitted that the opponent’s reputation also extends to entertainment services and operation of entertainment venues. I remain unconvinced of this. It is unclear from the evidence what precisely the role of the opponent is in respect of the O2 Arena, but it appears to be effectively a sponsorship vehicle with the venue taking on the O2 name. However, it is not clear whether the entertainment services provided from the venue are provided by the opponent or by partner organisations. Similarly, in respect of the O2 Academy music venues, once again, the opponent appears to use these as a sponsorship vehicle. Consequently, use of the O2 mark in respect of these venues will be perceived by the consumer as promotion of the opponent’s mobile telecommunications business rather than being perceived as identifying the origin of the entertainment services themselves. Mr Stobbs made submissions to the effect that sponsorship of such venues is still relevant, but appearing to accept that the opponent’s activity is rightly classified as “sponsorship” by relying on a case where perceived sponsorship was sufficient to give rise to a successful action under Section 5(3) (see paragraph 54, below).

48) There are also several examples of the opponent teaming up with other parties to deliver entertainment, in the form of content, to its mobile phone customers such as television and music content. However, there is no detailed information to illustrate the scale of such services or if they continued for any significant period after launch. Consequently, I am unable to conclude that the opponent’s reputation extends to such services.

49) In summary, I have found that the opponent’s reputation is restricted to its activities in mobile telecommunications. However, as I explain below, even if I am

wrong regarding the claim in respect of entertainment venues, it would not lead to a different outcome.

50) Having established the existence and scope of a reputation, I need to go on to consider the existence of the necessary link. I am mindful of the comments of the CJEU in *Intel Corporation Inc. v CPM United Kingdom Ltd* (INTEL) [2009] RPC 15 that it is sufficient for the later mark to bring the earlier mark with a reputation to mind for the link, within the meaning of *Adidas Salomon AG v Fitnessworld Trading Ltd*. [2004] ETMR 10, to be established. The CJEU also set out the factors to take into account when considering if the necessary link exists:

“41. The existence of such a link must be assessed globally, taking into account all factors relevant to the circumstances of the case (see, in respect of Article 5(2) of the Directive, *Adidas-Salomon and Adidas Benelux*, paragraph 30, and *adidas and adidas Benelux*, paragraph 42).

42. Those factors include:

- the degree of similarity between the conflicting marks;
- the nature of the goods or services for which the conflicting marks were registered, including the degree of closeness or dissimilarity between those goods or services, and the relevant section of the public;
- the strength of the earlier mark’s reputation;
- the degree of the earlier mark’s distinctive character, whether inherent or acquired through use;
- the existence of the likelihood of confusion on the part of the public.”

51) In respect of the mobile telecommunications goods and services for which the opponent has a reputation, it is self evident that there is little by way of similarity with the services of the applicant. Further, even if I had found that the opponent enjoys a reputation in respect of entertainment venues, I do not accept Mr Stobbs’ submission that running of an entertainment venue has any similarity to the applicant’s services. The best that can be said is that the opponent may be the consumer of the applicant’s services. Mr Coles submitted that there is no reason for the public to make link between a telecommunications provider and property consulting services. Despite my comments above, I do not agree. The enormous reputation enjoyed by the applicant in its “O2” mark is such that it will be known be a large proportion of the UK public. Consequently, upon encountering the applicant’s mark, even in respect of property accounting and consultancy, that share no or very little similarity with the goods and services for

which the opponent's mark has a reputation, the position and presence of the "O2" element in the mark is sufficient to result in it bringing the opponent's mark to mind. Therefore, I conclude that the necessary link exists. In reaching this conclusion, I take account that the opponent's mark is characterised by the consumer as "O two" and the applicant's mark, whilst possibly may be characterised as "H O squared", it is at least as likely to be characterised as "H O two".

52) Turning to the question of detriment or unfair advantage, when taking account of the distance between the respective goods and services (being considered under this ground), it is my view that the link is weak and not sufficient for the consumer to perceive any commercial association between the parties. As a consequence of this, I find there is no detriment or unfair advantage.

53) Mr Stobbs attempted to make a case that the opponent's sponsorship of entertainment venues is sufficient for me to then make a finding that the applicant is "free-riding". He relied upon the GC's judgment in Case T-477/04 *Aktieselskabet af 21. November 2001 v OHIM* where it found that use of the well known mark TDK (in respect of audio and video cassettes), by a third party, on the front of t-shirts amounted to free-riding. This is because of the use of TDK, by the proprietor, in respect of widespread sponsorship activities. The current case would be analogous if the applicant's use of its mark in respect of *property accounting services* and *property consulting services* resulted in the consumer assuming the provision of such services was sponsored by the opponent. Whilst the use of T-shirts to promote goods and services is well established, there is nothing before me to even suggest that the services subject to the contested application lend themselves to being sponsorship vehicles, let alone a sponsorship vehicle for a mobile telecommunications company. Consequently I dismiss this submission.

54) In summary, I dismiss the opponent's grounds based upon Section 5(3) of the Act. However, the opposition has been successful against all of the applicant's goods.

COSTS

55) The opposition having been successful, the opponent is entitled to a contribution towards its costs. I take account of the fact that a hearing has taken place but that only the opponent filed evidence. At the hearing, Mr Coles submitted that much of the voluminous evidence filed by the opponent went to illustrating its reputation in respect of the mobile telecommunications field, a point that was accepted by the applicant in its counterstatement. Mr Stobbs contended that such evidence was important in the case as was the broad pleadings where the opponent's case relied upon sixteen earlier marks.

56) It is my view that there is some force to Mr Coles' submissions. Much of the evidence was not necessary under the circumstances and neither was it necessary for the opponent to rely upon sixteen earlier marks, when in fact one was sufficient. This undoubtedly placed an increased and unnecessary burden upon the applicant, if only in the time taken to review the evidence. Whilst the opponent has been successful, under these circumstances I believe it is appropriate to discount the award by the sum of £500 to reflect the extra work that this broad pleading and unnecessary evidence placed upon the applicant. Further, in respect of the cost contribution made to the opponent in respect of its preparing of its evidence, I reduce this to the minimum of the scale.

57) Taking all of this into account, I award costs on the following basis:

Notice of Opposition and considering other side's statement	£400
Preparing & filing evidence	£500
Preparing & attending hearing	£800
Discount for unnecessarily broad pleadings & evidence	(£500)
TOTAL	£1200

58) I order HO2 plc to pay O2 Holdings Limited the sum of £1200. This sum is 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 17th day of May 2013

**Mark Bryant
For the Registrar,
the Comptroller-General**

ANNEX

List of opponent's earlier marks

Mark and relevant details	Goods and services relied upon
<p data-bbox="235 562 365 594">2415848</p> <p data-bbox="267 655 337 716">O₂</p> <p data-bbox="235 751 435 821">Filing date: 7 March 2006</p> <p data-bbox="235 863 488 932">Registration date: 31 October 2008</p>	<p data-bbox="532 562 1377 636">Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.</p> <p data-bbox="532 653 1385 982">Class 35: Advertising; business management; business administration; office functions; retail and online retail services connected with scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin operated apparatus, cash registers, calculating machines, data processing equipment and computers, fire-extinguishing apparatus, apparatus for the transmission of sound and images, telecommunications apparatus, mobile telecommunication apparatus, mobile telecommunications handsets, computer hardware, computer software, computer software downloadable from the Internet, PDA's (Personal Digital Assistants), pocket PC's, mobile telephones, laptop computers; telecommunications network apparatus, drivers software for telecommunications networks and for telecommunications apparatus, protective clothing, protective helmets, computer software on CD Rom and SD-Card, glasses, spectacle glasses, sunglasses, protective glasses, contact lenses, parts and fittings for all the aforesaid goods, paper, cardboard and goods made from these materials, printed matter, bookbinding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture), instructional and teaching material (except apparatus), plastic materials for packaging, printers' type, printing blocks, database services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p data-bbox="532 999 1377 1056">Class 36: Insurance; financial affairs; monetary affairs; real estate affairs; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p data-bbox="532 1073 1385 1129">Class 37: Building construction; repair; installation services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p data-bbox="532 1146 1360 1182">Class 38: Handling and rental of access time for data networks and data banks and the internet; services of network operating company, information broker and provider namely rental of access time to data networks and databases.</p> <p data-bbox="532 1199 1360 1276">Class 39: Transport; packaging and storage of goods; travel arrangement; provision of information relating to travel, transport, traffic, traffic flows and congestion; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p data-bbox="532 1293 1385 1402">Class 41: Education; providing of training; entertainment; sporting and cultural activities; interactive entertainment services; electronic games services provided by means of any communications network; entertainment and information services provided by means of telecommunication networks; provision of news information; development of technical expertise; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p data-bbox="532 1419 1369 1570">Class 42: Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; engineering services; computer programming; programming services; research relating to business legal protection (technical and legal); technical consulting and expert activities; rental of data processing apparatus and computers; applying business property right; projection and planning of equipment for telecommunication; weather forecasting; research of field telecommunication technology; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p data-bbox="532 1587 1369 1644">Class 43: Services for providing food and drink; temporary accommodation; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p data-bbox="532 1661 1369 1738">Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p data-bbox="532 1755 1385 1822">Class 45: Dating services; online dating services; security services for the protection of property and individuals; legal services; management and use of copyright; arbitration services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p>
<p data-bbox="235 1829 365 1860">2415862</p>	<p data-bbox="532 1829 1377 1896">Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.</p>

<p>O2</p> <p>Filing date: 7 March 2006</p> <p>Registration date: 31 October 2008</p>	<p>Class 35: Advertising; business management; business administration; office functions; retail and online retail services connected with scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin operated apparatus, cash registers, calculating machines, data processing equipment and computers, fire-extinguishing apparatus, apparatus for the transmission of sound and images, telecommunications apparatus, mobile telecommunication apparatus mobile telecommunications handsets, computer hardware, computer software, computer software downloadable from the Internet, PDA's (Personal Digital Assistants), pocket PC's, mobile telephones, laptop computers, telecommunications network apparatus, drivers software for telecommunications networks and for telecommunications apparatus, protective clothing, protective helmets, computer software on CD Rom and SD-Card, glasses, spectacle glasses, sunglasses, protective glasses, contact lenses, parts and fittings for all the aforesaid goods, paper, cardboard and goods made from these materials, printed matter, book binding material, stationery for household purposes, artists' materials, paint brushes typewriters and office requisites (except furniture), instructional and teaching material (except apparatus), plastic materials for packaging, printers' type, printing blocks, database services; information and advisory services relating to the aforesaid services; information and advisory services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 36: Insurance; financial affairs; monetary affairs; real estate affairs; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 37: Building construction; repair; installation services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 38: Handling and rental of access time for data networks and data banks and the Internet; services of network operating company, information broker and provider, namely rental of access time to data networks and databases.</p> <p>Class 39: Transport; packaging and storage of goods; travel arrangement; provision of information relating to travel, transport, traffic, traffic flows and congestion; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 41: Education; providing of training; entertainment; sporting and cultural activities; interactive entertainment services; electronic games services provided by means of any communications network; entertainment and information services provided by means of telecommunication networks; provision of news information; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; development of technical expertise; information and advisory services provided over a telecommunications network.</p> <p>Class 42: Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; engineering services; computer programming; programming services; researches relating to business legal protection (technical and legal); technical consulting and expert activities; rental of data processing apparatus and computers; applying business property rights; projection and planning of equipment for telecommunication; weather forecasting; research of field telecommunication technology; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 43: Services for providing food and drink; temporary accommodation; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 45: Dating services; online dating services; information and advice relating to the aforesaid; security services for the protection of property and individuals; legal services; management and use of copyright; arbitration services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p>
<p>CTM 4949418</p> <p>O2</p> <p>Filing date: 7 March 2006</p> <p>Registration date: 28 June 2007</p>	<p>Class 37: Building construction; repair; installation services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 38: Operation of a network, being telecommunications services; services of a network provider, information broker and provider, namely rental of access time to data networks and databases, in particular the Internet; provision of information relating to the aforesaid; provision of access time to data networks and banks, providing access to the Internet; providing access to database; rental of access time for data networks and data banks, Internet.</p> <p>Class 42: Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services; services of engineers; computer programming; services of programmer; development of technical expertise; researches in matter business legal protection (technical and legal); technical consulting and expert activities; rental of data processing apparatus and computers; management and use of copyright; applying business property right; projection and planning of equipment for telecommunication; weather forecasting; arbitration services; research of field telecommunication technology; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p>
<p>CTM 8581738</p> <p>O²</p>	<p>Class 09: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers; calculating machines, data processing equipment and computers; fire-extinguishing apparatus; apparatus for the transmission of sound and image; telecommunications apparatus; mobile telecommunication apparatus; mobile telecommunications handsets; computer hardware; computer software; computer software downloadable from the Internet; PDAs (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers; telecommunications network apparatus; drivers software for telecommunications networks and for</p>

Filing date:
29 September
2009

Registration date:
22 March 2010

telecommunications apparatus; protective clothing; protective helmets; computer software recorded onto CD Rom; SD-Cards; glasses, spectacle glasses, sunglasses, protective glasses and cases therefor; contact lenses; cameras; camera lenses; MP3 players; audio tapes, audio cassettes, audio discs; audio-video tapes, audio-video cassettes, audio-video discs; video tapes, video cassettes, video discs; CDs, DVDs; electronic publications (downloadable); mouse mats; magnets; mobile telephone covers, mobile telephone cases; magnetic cards, encoded cards; parts and fittings for all the aforesaid goods.

Class 35: Advertising; business management; business administration; office functions; retail services and online retail services relating to scientific, nautical, surveying, photographic, cinematographic, optical weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin operated apparatus, cash registers, calculating machines, data processing equipment and computers, fire extinguishing apparatus, apparatus for the transmission of sound or image, telecommunications apparatus, mobile telecommunication apparatus, mobile telecommunications handsets, computer hardware, computer software, computer software downloadable from the Internet, PDAs (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers, telecommunications network apparatus, drivers software for telecommunications networks and for telecommunications apparatus, protective clothing, protective helmets, computer software recorded onto CD-Rom, SD-Cards, glasses, spectacle glasses, sunglasses, protective glasses and cases therefor, contact lenses, cameras, camera lenses, MP3 players, audio tapes, audio cassettes, audio discs, audio-video tapes, audio-video cassettes, audio-video discs, video tapes, video cassettes, video discs, CDs, DVDs, electronic publications (downloadable), mouse mats, magnets, mobile telephone covers, mobile telephone cases, magnetic cards, encoded cards; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

Class 36: Insurance; financial affairs; monetary affairs; real estate affairs; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

Class 37: Building construction; repair; installation services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

Class 38: Telecommunications; telecommunications services; mobile telecommunications services; telecommunications portal services; Internet portal services; mobile telecommunications network services; fixed line telecommunication services; provision of broadband telecommunications access; broadband services; broadcasting services; television broadcasting services; broadcasting services relating to Internet protocol TV; provision of access to Internet protocol TV; Internet access services; email and text messaging services; information services provided by means of telecommunication networks relating to telecommunications; services of a network provider, namely rental and handling of access time to data networks and databases, in particular the Internet; communications services for accessing a database, leasing of access time to a computer database, providing access to computer databases, rental of access time to a computer database; support services relating to telecommunications and apparatus; operation of a network, being telecommunication services; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.


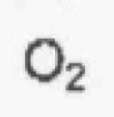
Class 39: Transport; packaging and storage of goods; travel arrangement; provision of information relating to travel, transport, traffic, traffic flows and congestion; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

Class 41: Education; providing of training; entertainment; sporting and cultural activities; interactive entertainment services; electronic games services provided by means of any communications network; entertainment services provided by means of telecommunication networks; information services relating to education, training, entertainment, sporting and cultural activities provided by means of telecommunication networks; provision of news information; television production services, television programming services; television production and television programming services provided by means of Internet protocol technology; provision of entertainment by means of television and Internet protocol television; provision of musical events; entertainment club services; discotheque services; presentation of live performances; night clubs; rental of music venues and stadiums; casino services; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

Class 42: Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; IT services; computer programming services; services of a programmer; recovery of computer data; consultancy in the field of computer hardware; computer programming; duplication of computer programs; computer rental; computer software design; installation of computer software; maintenance of computer software; updating of computer software; rental of computer software; rental of computer hardware; computer system design; computer systems analysis; consultancy in the field of computer software; conversion of data or documents from physical to electronic media; creating and maintaining websites for others; data conversion of computer programs and data (not physical conversion); hosting computer sites (web sites); services of engineers; technical consulting and expert activities; rental of data processing apparatus and computers; technical services relating to projection and planning of equipment for telecommunications; services of information brokers and providers, namely product research for others; weather forecasting; research in the field of telecommunication technology; monitoring of network systems in the field of telecommunications; monitoring of telecommunications network systems; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

Class 43: Services for providing food and drink; temporary accommodation; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

	<p>Class 45: Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals; legal services; management and exploitation of copyright; arbitration services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p>
<p>CTM 9352378</p>  <p>Filing date: 3 September 2010</p> <p>Registration date: 21 January 2011</p>	<p>Class 01: Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; Tempering and soldering preparations; Chemical substances for preserving foodstuffs; Tanning substances; adhesives used in industry.</p> <p>Class 02: Paints, varnishes, lacquers; Preservatives against rust and against deterioration of wood; Colorants; Mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.</p> <p>Class 05: Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; Plasters, materials for dressings; material for stopping teeth, dental wax; Disinfectants; preparations for destroying vermin; fungicides, herbicides.</p> <p>Class 07: Machines and machine tools; Motors and engines (except for land vehicles); Machine coupling and transmission components (except for land vehicles); Agricultural implements other than hand-operated; incubators for eggs.</p> <p>Class 10: Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; Orthopedic articles; Suture materials.</p> <p>Class 11: Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.</p> <p>Class 12: vehicles; Apparatus for locomotion by land, air or water.</p> <p>Class 13: firearms; ammunition and projectiles; Explosives; Fireworks.</p> <p>Class 15: Musical instruments.</p> <p>Class 17: Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes not of metal.</p> <p>Class 19: Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; Monuments, not of metal.</p> <p>Class 20: Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.</p> <p>Class 22: Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.</p> <p>Class 23: yams and threads, for textile use.</p> <p>Class 26: Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.</p> <p>Class 27: Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).</p> <p>Class 31: Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt.</p> <p>Class 37: Building construction; repair; installation services; installation, maintenance and repair of telecommunications installations, communications networks, computer networks and data networks; installation, maintenance and repair of telecommunications apparatus and equipment; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 40: Treatment of materials.</p>
<p>CTM 4949376</p>  <p>Filing date: 7 March 2006</p> <p>Not registered</p>	<p>Class 09: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; Apparatus for recording, transmission or reproduction of sound or images, namely antennae, receivers for cable television subscribers, camcorders, cinematographic cameras, cassettes players, CD players, CDs, computer software, DVD players, DVDs, magnetic discs, electronic billboards, floppy disks, juke boxes (music), MP3 players, MP4 players, compact stereo systems containing radio receivers and optical television receivers, portable radio communications receivers, radio sets, digital radio sets, record players, telephones, mobile telephones, video recorders, magnetic tapes, television sets, telecommunications transmitters, satellite receivers, video game software, video recorders, video tapes, walkie-talkies; Magnetic data carriers, recording discs; Automatic vending machines and mechanisms for coin-operated apparatus; Cash registers, calculating machines, data processing equipment and computers; Fire-extinguishing apparatus; Apparatus for the transmission of sound and image; Telecommunications apparatus; Mobile telecommunication apparatus; Mobile telecommunications handsets; Computer hardware, Computer software, Computer software downloadable from the Internet; PDAs, Hand-held computers, Mobile telephones, Portable computers; Telecommunications network apparatus; Drivers software for telecommunications networks and for telecommunications apparatus; Computer software onto CD Rom, SD-Card; Protective clothing, protective helmets; Parts and fittings for all the aforesaid.</p> <p>Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.</p> <p>Class 35: Retailing and retailing online relating to the sale of apparatus for recording, transmission or reproduction of sound or images, namely antennae, receivers for cable television subscribers, camcorders, cinematographic cameras, cassette players, CD players, CDs, computer software, DVD players, DVDs, magnetic discs, electronic billboards, floppy disks, juke boxes (music), MP3 players, MP4 players, compact stereo systems containing radio receivers and optical television receivers, portable radio communications receivers, radio sets, digital radio sets, record players, telephones, mobile telephones, video recorders, magnetic tapes, television sets, telecommunications transmitters, satellite receivers, video game software, video recorders, video tapes, walkie-talkies, apparatus for the transmission of sound or</p>

	<p>images.</p> <p>Class 36: Insurance; financial affairs; monetary affairs; real estate affairs; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 37: Building construction; repair; installation services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 38: Telecommunications services; mobile telecommunications services; telecommunications portal services; Internet portal services; mobile telecommunications network services; Internet access services; email and text messaging service, support services relating to telecommunication networks and apparatus; monitoring services relating to telecommunications networks and apparatus; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network; information services relating to telecommunications, provided by means of telecommunications networks; operation of a network, being telecommunications services; services of information broker and providers, namely rental of access time to data networks and databases, in particular the Internet; provision of information relating to the aforesaid; provision of access time to data networks and banks, providing access to the Internet; providing access to database; rental of access time for data networks and data banks, Internet.</p> <p>Class 39: Transport; packaging and storage of goods; travel arrangement; provision of information relating to travel, transport, traffic, traffic flows and congestion; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 41: Education; providing of training; entertainment; sporting and cultural activities; interactive entertainment services; electronic games services provided by means of any communications network; information services provided by means of telecommunication networks relating to entertainment; provision of news information; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 42: Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services; services of engineers; computer programming; services of programmer; development of technical expertise; researches in matter business legal protection (technical and legal); technical consulting and expert activities; rental of data processing apparatus and computers; management and use of copyright; applying business property right; projection and planning of equipment for telecommunication; weather forecasting; arbitration services; research of field telecommunication technology; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network; application service provision.</p> <p>Class 43: Services for providing food and drink; temporary accommodation; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p> <p>Class 45: Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services provided over a telecommunications network.</p>
<p>CTM 4347514</p> <p>The O₂</p> <p>Filing date: 18 March 2005</p> <p>Registration date: 6 November 2010</p>	<p>Class 03: Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.</p> <p>Class 04: Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.</p> <p>Class 06: Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores; badges; signs.</p> <p>Class 08: Hand tools and implements (hand operated); cutlery; side arms; razors; shaving and personal grooming accessories, hair trimmers.</p> <p>Class 09: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers; calculating machines, data processing equipment and computers; fire-extinguishing apparatus; apparatus for the transmission of sound and image; telecommunications apparatus; mobile telecommunication apparatus; mobile telecommunications handsets; computer hardware; computer software; computer software downloadable from the Internet; PDA's (Personal Digital Assistants), pockets PC's, mobile telephones, laptop computers; telecommunications network apparatus; drivers software for telecommunications networks and for telecommunications apparatus; computer software onto CD Rom, SD-Card, parts and fittings for all the aforesaid goods.</p> <p>Class 14: Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments; keyrings; cufflinks.</p> <p>Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.</p> <p>Class 18: Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.</p> <p>Class 21: Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and</p>

	<p>sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.</p> <p>Class 24: Textiles and textile goods, not included in other classes; bed and table covers.</p> <p>Class 25: Clothing, footwear, headgear.</p> <p>Class 28: Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.</p> <p>Class 29: Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and milk products; edible oils and fats.</p> <p>Class 30: Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice; fruit sauces.</p> <p>Class 34: Tobacco; smokers' articles; matches.</p> <p>Class 35: Advertising; business management; business administration; office functions.</p> <p>Class 36: Insurance; financial affairs; monetary affairs; real estate affairs.</p> <p>Class 38: Telecommunications; telecommunications services; mobile telecommunications services; telecommunications portal services; internet portal services; mobile telecommunications network services; internet access services; email and text messaging service; providing information relating to telecommunications networks and apparatus; information services provided by means of telecommunications networks relating to telecommunications; information and advisory services relating to the aforesaid.</p> <p>Class 39: Transport; packaging and storage of goods; travel arrangement.</p> <p>Class 41: Education; providing of training; entertainment; sporting and cultural activities; interactive entertainment services; electronic games services provided by means of any communications network; entertainment services provided by means of telecommunication networks; provision of news information.</p> <p>Class 43: Services for providing food and drink; temporary accommodation.</p> <p>Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.</p> <p>Class 45: Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals.</p>
<p>CTM 9352337</p> <p>O2</p> <p>Filing date: 3 September 2010</p> <p>Registration date: 18 February 2011</p>	<p>Class 3: Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.</p> <p>Class 4: Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.</p> <p>Class 6: Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores; badges of metal for vehicles, metal badges (not for wear); signs; parts and fittings for all the aforesaid goods.</p> <p>Class 8: Hand tools and implements (hand operated); cutlery; side arms; razors; electric and non-electric depilation appliances; shaving blades; shaving cases; razor cases; manicure sets; pedicure sets; clippers for personal use; nail files; scissors; tweezers; tongs; non-electric hair curlers, eyelash curlers; hair trimmers; parts and fittings for all the aforesaid goods.</p> <p>Class 9: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers; calculating machines, data processing equipment and computers; fire-extinguishing apparatus; apparatus for the transmission of sound and image; telecommunications apparatus; mobile telecommunication apparatus; mobile telecommunications handsets; computer hardware; computer software; computer software downloadable from the Internet; PDAs (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers; telecommunications network apparatus; drivers software for telecommunications networks and for telecommunications apparatus; protective clothing; protective helmets; computer software recorded onto CD Rom; SD-Cards; glasses, spectacle glasses, sunglasses, protective glasses and cases therefor; contact lenses; cameras; camera lenses; MP3 players; audio tapes, audio cassettes, audio discs; audio-video tapes, audio-video cassettes, audio-video discs; video tapes, video cassettes, video discs; CDs, DVDs; electronic publications (downloadable); mouse mats; magnets; mobile telephone covers, mobile telephone cases; magnetic cards, encoded cards; parts and fittings for all the aforesaid goods.</p> <p>Class 14: Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments; keyrings; cufflinks.</p> <p>Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; books, calendars, cards, catalogues, programmes, writing paper, envelopes, pads, notebooks, diaries, greeting cards, magazines, pamphlets, pens, pencils, postcards, posters, decalcomanias, stickers, tickets, beer mats; coasters of paper and cardboard; napkins of paper; tissues and towels of paper; bags of paper and/or plastic material.</p> <p>Class 18: Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.</p> <p>Class 21: Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes; mugs, beer mugs, bottle openers, buckets, champagne buckets, ice buckets, coasters, cocktail stirrers, corkscrews, drinking glasses, shakers, tankards, toothbrushes, plastic water bottles, tableware, money boxes.</p>

Class 24: *Textiles and textile goods, not included in other classes; bed and table covers; table mats not of paper.*

Class 25: *Clothing, footwear, headgear; shirts, t-shirts, sweatshirts, skirts, jogging suits, trousers, jeans, pants, shorts, rainwear, cloth bibs, blouses, sweaters, jackets, coats, jumpers, gloves, neckties, scarves, hats, caps, sunvisors, boots, slippers, sneakers, sandals, shoes.*

Class 28: *Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.*

Class 29: *Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats.*

Class 30: *Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.*

Class 32: *Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.*

Class 33: *Alcoholic beverages (except beers).*

Class 34: *Tobacco; smokers' articles; matches.*

Class 35: *Advertising; business management; business administration; office functions; retail services and online retail services relating to bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, industrial oils and greases, lubricants, dust absorbing, wetting and binding compositions, fuels (including motor spirit) and illuminants, candles and wicks for lighting, common metals and their alloys, metal building materials, transportable buildings of metal, materials of metal for railway tracks, non-electric cables and wires of common metal, ironmongery, small items of metal hardware, pipes and tubes of metal, safes, goods of common metal not included in other classes, ores, badges of metal for vehicles, metal badges (not for wear), signs, hand tools and implements (hand operated), cutlery, side arms, razors, electric and non-electric depilation appliances, shaving blades, shaving cases, razor cases, manicure sets, pedicure sets, clippers for personnel use, nail files, scissors, tongs, tweezers, curlers, hair trimmers, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin operated apparatus, cash registers, calculating machines, data processing equipment and computers, fire-extinguishing apparatus, apparatus for the transmission of sound and image, telecommunications apparatus, mobile telecommunication apparatus, mobile telecommunications handsets, computer hardware, computer software, computer software downloadable from the Internet, PDAs (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers, telecommunications network apparatus, drivers software for telecommunications networks and for telecommunications apparatus, protective clothing, protective helmets, computer software recorded onto CD Rom, SD-Cards, glasses, spectacle glasses, sunglasses, protective glasses and cases therefor, contact lenses, cameras, camera lenses, MP3 players, audio tapes, audio cassettes, audio discs, audio-video tapes, audio-video cassettes, audio-video discs, video tapes, video cassettes, video discs, CDs, DVDs, electronic publications (downloadable), mouse mats, magnets, mobile telephone covers, mobile telephone cases, magnetic cards, encoded cards, precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, jewellery, precious stones, horological and chronometric instruments, keyrings, cufflinks, paper, cardboard and goods made from these materials, printed matter, book binding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture), instructional and teaching material (except apparatus), plastic materials for packaging, printers' type, printing blocks, books, calendars, cards, catalogues, programmes, writing paper, envelopes, pads, notebooks, diaries, greeting cards, magazines, pamphlets, pens, pencils, postcards, posters, decalcomanias, stickers, tickets, beer mats, coasters of paper and cardboard, napkins of paper, tissues and towels of paper, bags of paper and/or plastic material, leather and imitations of leather, and goods made of these materials, animal skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery, household or kitchen utensils and containers (not of precious metal or coated therewith), combs and sponges, brushes (except paint brushes), brush-making materials, articles for cleaning purposes, steel wool, un-worked or semi-worked glass (except glass used in building), glassware, porcelain and earthenware, table mats, mugs, beer mugs, bottle openers, buckets, champagne buckets, ice buckets, coasters, cocktail stirrers, corkscrews, drinking glasses, shakers, tankards, toothbrushes, plastic water bottles, tableware, money boxes, textiles and textile goods, not included in other classes, bed and table covers, clothing, footwear, headgear, shirts, t-shirts, sweatshirts, skirts, jogging suits, trousers, jeans, pants, shorts, rainwear, cloth bibs, blouses, sweaters, jackets, coats, jumpers, gloves, neckties, scarves, hats, caps, sunvisors, boots, slippers, sneakers, sandals, shoes, games and playthings, gymnastic and sporting articles, decorations for Christmas trees, meat, fish, poultry and game, meat extracts, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, ices, honey, treacle, yeast, baking-powder, salt, mustard, vinegar, sauces (condiments), spices, ice, beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices, syrups and other preparations for making beverages, alcoholic beverages (except beers), tobacco, smokers' articles, matches; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.*

Class 36: *Insurance; financial affairs; monetary affairs; real estate affairs; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.*

Class 37: *Building construction; repair; installation services; installation, maintenance and repair of telecommunications installations, communications networks, computer networks and data networks; installation, maintenance and repair of telecommunications apparatus and equipment; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.*

Class 38: *Telecommunications; telecommunications services; mobile telecommunications services; telecommunications portal services; Internet portal services; mobile telecommunications network services; fixed line telecommunication services; provision of broadband telecommunications access; broadband services; broadcasting services; television broadcasting services; broadcasting services relating to Internet protocol TV; provision of access to Internet protocol TV; Internet access services; email and text messaging services; information services provided by means of telecommunication networks relating to telecommunications; services of a network provider, namely rental and handling*

	<p><i>of access time to data networks and databases, in particular the Internet; communications services for accessing a database, leasing of access time to a computer database, providing access to computer databases, rental of access time to a computer database; operation of a network, being telecommunication services; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</i></p> <p>Class 39: <i>Transport; packaging and storage of goods; travel arrangement; provision of information relating to travel, transport, traffic, traffic flows and congestion; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</i></p> <p>Class 41: <i>Education; providing of training; entertainment; sporting and cultural activities; interactive entertainment services; electronic games services provided by means of any communications network; entertainment services provided by means of telecommunication networks; information services relating to education, training, entertainment, sporting and cultural activities provided by means of telecommunication networks; provision of news information; television production services, television programming services; television production and television programming services provided by means of Internet protocol technology; provision of entertainment by means of television and Internet protocol television; provision of musical events; entertainment club services; discotheque services; presentation of live performances; night clubs; rental of music venues and stadiums; casino services; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</i></p> <p>Class 42: <i>Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; IT services; computer programming services; services of a programmer; recovery of computer data; consultancy in the field of computer hardware; computer programming; duplication of computer programs; computer rental; computer software design; installation of computer software; maintenance of computer software; updating of computer software; rental of computer software; rental of computer hardware; computer system design; computer systems analysis; consultancy in the field of computer software; conversion of data or documents from physical to electronic media; creating and maintaining websites for others; data conversion of computer programs and data (not physical conversion); hosting computer sites (web sites); services of engineers; expert advice and expert opinion relating to technology; rental of data processing apparatus and computers; technical services relating to projection and planning of equipment for telecommunications; services of information brokers and providers, namely product research for others; weather forecasting; research in the field of telecommunication technology; monitoring of network systems in the field of telecommunications; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; technical support services relating to telecommunications and apparatus; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</i></p> <p>Class 43: <i>Services for providing food and drink; temporary accommodation; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</i></p> <p>Class 44: <i>Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</i></p> <p>Class 45: <i>Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals; legal services; management and exploitation of copyright; arbitration services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</i></p>
<p>CTM 9053497</p> <p></p> <p>Filing date: 23 April 2010</p> <p>Not registered</p>	<p>Class 03: <i>Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.</i></p> <p>Class 04: <i>Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.</i></p> <p>Class 06: <i>Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores; badges of metal for vehicles, metal badges (not for wear); signs; parts and fittings for all the aforesaid goods.</i></p> <p>Class 08: <i>Hand tools and implements (hand operated); cutlery; side arms; razors; electric and non-electric depilation appliances; shaving blades; shaving cases; razor cases; manicure sets; pedicure sets; clippers for personal use; nail files; scissors; tweezers; tongs; non-electric hair curlers, eyelash curlers; hair trimmers; parts and fittings for all the aforesaid goods.</i></p> <p>Class 09: <i>Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers; calculating machines, data processing equipment and computers; fire-extinguishing apparatus; apparatus for the transmission of sound and image; telecommunications apparatus; mobile telecommunication apparatus; mobile telecommunications handsets; computer hardware; computer software; computer software downloadable from the Internet; PDAs (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers; telecommunications network apparatus; drivers software for telecommunications networks and for telecommunications apparatus; protective clothing; protective helmets; computer software recorded onto CD Rom; SD-Cards; glasses, spectacle glasses, sunglasses, protective glasses and cases therefor; contact lenses; cameras; camera lenses; MP3 players; audio tapes, audio cassettes, audio discs; audio-video tapes, audio-video cassettes, audio-video discs; video tapes, video cassettes, video discs; CDs, DVDs; electronic publications (downloadable); mouse mats; magnets; mobile telephone covers, mobile telephone cases; magnetic cards, encoded cards; parts and fittings for all the aforesaid goods.</i></p> <p>Class 14: <i>Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments; keyrings; cufflinks. Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters</i></p>

and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; books, calendars, cards, catalogues, programmes, writing paper, envelopes, pads, notebooks, diaries, greeting cards, magazines, pamphlets, pens, pencils, postcards, posters, decalcomanias, stickers, tickets, beer mats; coasters of paper and cardboard; napkins of paper; tissues and towels of paper; bags of paper and/or plastic material.

Class 18: Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

Class 21: Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes; mugs, beer mugs, bottle openers, buckets, champagne buckets, ice buckets, coasters, cocktail stirrers, corkscrews, drinking glasses, shakers, tankards, toothbrushes, plastic water bottles, tableware, money boxes.

Class 24: Textiles and textile goods, not included in other classes; bed and table covers; table mats not of paper.

Class 25: Clothing, footwear, headgear; shirts, t-shirts, sweatshirts, skirts, jogging suits, trousers, jeans, pants, shorts, rainwear, cloth bibs, blouses, sweaters, jackets, coats, jumpers, gloves, neckties, scarves, hats, caps, sunvisors, boots, slippers, sneakers, sandals, shoes.

Class 28: Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

Class 29: Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats.

Class 30: Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.

Class 32: Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

Class 33: Alcoholic beverages (except beers).

Class 34: Tobacco; smokers' articles; matches.



Class 35: Advertising; business management; business administration; office functions; retail services and online retail services relating to bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, industrial oils and greases, lubricants, dust absorbing, wetting and binding compositions, fuels (including motor spirit) and illuminants, candles and wicks for lighting, common metals and their alloys, metal building materials, transportable buildings of metal, materials of metal for railway tracks, non-electric cables and wires of common metal, ironmongery, small items of metal hardware, pipes and tubes of metal, safes, goods of common metal not included in other classes, ores, badges of metal for vehicles, metal badges (not for wear), signs, hand tools and implements (hand operated), cutlery, side arms, razors, electric and non-electric depilation appliances, shaving blades, shaving cases, razor cases, manicure sets, pedicure sets, clippers for personnel use, nail files, scissors, tongs, tweezers, curlers, hair trimmers, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin operated apparatus, cash registers, calculating machines, data processing equipment and computers, fire-extinguishing apparatus, apparatus for the transmission of sound and image, telecommunications apparatus, mobile telecommunication apparatus, mobile telecommunications handsets, computer hardware, computer software, computer software downloadable from the Internet, PDAs (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers, telecommunications network apparatus, drivers software for telecommunications networks and for telecommunications apparatus, protective clothing, protective helmets, computer software recorded onto CD Rom, SD-Cards, glasses, spectacle glasses, sunglasses, protective glasses and cases therefor, contact lenses, cameras, camera lenses, MP3 players, audio tapes, audio cassettes, audio discs, audio-video tapes, audio-video cassettes, audio-video discs, video tapes, video cassettes, video discs, CDs, DVDs, electronic publications (downloadable), mouse mats, magnets, mobile telephone covers, mobile telephone cases, magnetic cards, encoded cards, precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, jewellery, precious stones, horological and chronometric instruments, keyrings, cufflinks, paper, cardboard and goods made from these materials, printed matter, book binding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture), instructional and teaching material (except apparatus), plastic materials for packaging, printers' type, printing blocks, books, calendars, cards, catalogues, programmes, writing paper, envelopes, pads, notebooks, diaries, greeting cards, magazines, pamphlets, pens, pencils, postcards, posters, decalcomanias, stickers, tickets, beer mats, coasters of paper and cardboard, napkins of paper, tissues and towels of paper, bags of paper and/or plastic material, leather and imitations of leather, and goods made of these materials, animal skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery, household or kitchen utensils and containers (not of precious metal or coated therewith), combs and sponges, brushes (except paint brushes), brush-making materials, articles for cleaning purposes, steel wool, un-worked or semi-worked glass (except glass used in building), glassware, porcelain and earthenware, table mats, mugs, beer mugs, bottle openers, buckets, champagne buckets, ice buckets, coasters, cocktail stirrers, corkscrews, drinking glasses, shakers, tankards, toothbrushes, plastic water bottles, tableware, money boxes, textiles and textile goods, not included in other classes, bed and table covers, clothing, footwear, headgear, shirts, t-shirts, sweatshirts, skirts, jogging suits, trousers, jeans, pants, shorts, rainwear, cloth bibs, blouses, sweaters, jackets, coats, jumpers, gloves, neckties, scarves, hats, caps, sunvisors, boots, slippers, sneakers, sandals, shoes, games and playthings, gymnastic and sporting articles, decorations for Christmas trees, meat, fish, poultry and game, meat extracts, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, ices, honey, treacle, yeast, baking-powder, salt, mustard, vinegar, sauces (condiments), spices, ice, beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices, syrups and other preparations for making beverages, alcoholic beverages (except beers), tobacco, smokers' articles, matches; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

Class 36: Insurance; financial affairs; monetary affairs; real estate affairs; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.

	<p>Class 38: Telecommunications; telecommunications services; mobile telecommunications services; telecommunications portal services; Internet portal services; mobile telecommunications network services; fixed line telecommunication services; provision of broadband telecommunications access; broadband services; broadcasting services; television broadcasting services; broadcasting services relating to Internet protocol TV; provision of access to Internet protocol TV; Internet access services; email and text messaging services; information services provided by means of telecommunication networks relating to telecommunications; services of a network provider, namely rental and handling of access time to data networks and databases, in particular the Internet; communications services for accessing a database, leasing of access time to a computer database, providing access to computer databases, rental of access time to a computer database; operation of a network, being telecommunication services; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 39: Transport; packaging and storage of goods; travel arrangement; provision of information relating to travel, transport, traffic, traffic flows and congestion; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 41: Education; providing of training; entertainment; sporting and cultural activities; interactive entertainment services; electronic games services provided by means of any communications network; entertainment services provided by means of telecommunication networks; information services relating to education, training, entertainment, sporting and cultural activities provided by means of telecommunication networks; provision of news information; television production services, television programming services; television production and television programming services provided by means of Internet protocol technology; provision of entertainment by means of television and Internet protocol television; provision of musical events; entertainment club services; discotheque services; presentation of live performances; night clubs; rental of music venues and stadiums; casino services; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 42: Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; IT services; computer programming services; services of a programmer; recovery of computer data; consultancy in the field of computer hardware; computer programming; duplication of computer programs; computer rental; computer software design; installation of computer software; maintenance of computer software; updating of computer software; rental of computer software; rental of computer hardware; computer system design; computer systems analysis; consultancy in the field of computer software; conversion of data or documents from physical to electronic media; creating and maintaining websites for others; data conversion of computer programs and data (not physical conversion); hosting computer sites (web sites); services of engineers; expert advice and expert opinion relating to technology; rental of data processing apparatus and computers; technical services relating to projection and planning of equipment for telecommunications; services of information brokers and providers, namely product research for others; weather forecasting; research in the field of telecommunication technology; monitoring of network systems in the field of telecommunications; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; technical support services relating to telecommunications and apparatus; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 43: Services for providing food and drink; temporary accommodation; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 45: Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals; legal services; management and exploitation of copyright; arbitration services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p>
<p>CTM 9062845</p>  <p>Filing date: 28 April 2010</p> <p>Not registered</p>	<p>Class 03: Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.</p> <p>Class 04: Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.</p> <p>Class 06: Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores; badges of metal for vehicles, metal badges (not for wear); signs; parts and fittings for all the aforesaid goods.</p> <p>Class 08: Hand tools and implements (hand operated); cutlery; side arms; razors; electric and non-electric depilation appliances; shaving blades; shaving cases; razor cases; manicure sets; pedicure sets; clippers for personal use; nail files; scissors; tweezers; tongs; non-electric hair curlers, eyelash curlers; hair trimmers; parts and fittings for all the aforesaid goods.</p> <p>Class 09: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers; calculating machines, data processing equipment and computers; fire-extinguishing apparatus; apparatus for the transmission of sound and image; telecommunications apparatus; mobile telecommunication apparatus; mobile telecommunications handsets; computer hardware; computer software; computer software downloadable from the Internet; PDAs (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers; telecommunications network apparatus; drivers software for telecommunications networks and for telecommunications apparatus; protective clothing; protective helmets; computer software recorded onto CD Rom; SD-Cards; glasses, spectacle glasses, sunglasses, protective glasses and cases therefor; contact lenses; cameras; camera lenses; MP3 players; audio tapes, audio cassettes, audio discs; audio-video tapes, audio-video cassettes, audio-video discs; video tapes, video cassettes, video discs; CDs, DVDs; electronic publications (downloadable); mouse mats;</p>

	<p>magnets; mobile telephone covers, mobile telephone cases; magnetic cards, encoded cards; parts and fittings for all the aforesaid goods.</p> <p>Class 14: Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments; keyrings; cufflinks.</p> <p>Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; books, calendars, cards, catalogues, programmes, writing paper, envelopes, pads, notebooks, diaries, greeting cards, magazines, pamphlets, pens, pencils, postcards, posters, decalcomanias, stickers, tickets, beer mats; coasters of paper and cardboard; napkins of paper; tissues and towels of paper; bags of paper and/or plastic material; table mats of card, table mats of cardboard, table mats of paper.</p> <p>Class 18: Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.</p> <p>Class 21: Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; un-worked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes; mugs, beer mugs, bottle openers, buckets, champagne buckets, ice buckets, coasters, cocktail stirrers, corkscrews, drinking glasses, shakers, tankards, toothbrushes, plastic water bottles, tableware, money boxes.</p> <p>Class 24: Textiles and textile goods, not included in other classes; bed and table covers.</p> <p>Class 25: Clothing, footwear, headgear; shirts, t-shirts, sweatshirts, skirts, jogging suits, trousers, jeans, pants, shorts, rainwear, cloth bibs, blouses, sweaters, jackets, coats, jumpers, gloves, neckties, scarves, hats, caps, sunvisors, boots, slippers, sneakers, sandals, shoes.</p> <p>Class 28: Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.</p> <p>Class 29: Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats.</p> <p>Class 30: Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.</p> <p>Class 32: Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.</p> <p>Class 33: Alcoholic beverages (except beers).</p> <p>Class 34: Tobacco; smokers' articles; matches.</p> <p>Class 35: Advertising; business management; business administration; office functions; retail services and online retail services relating to bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, industrial oils and greases, lubricants, dust absorbing, wetting and binding compositions, fuels (including motor spirit) and illuminants, candles and wicks for lighting, common metals and their alloys, metal building materials, transportable buildings of metal, materials of metal for railway tracks, non-electric cables and wires of common metal, ironmongery, small items of metal hardware, pipes and tubes of metal, safes, goods of common metal not included in other classes, ores, badges of metal for vehicles, metal badges (not for wear), signs, hand tools and implements (hand operated), cutlery, side arms, razors, electric and non-electric depilation appliances, shaving blades, shaving cases, razor cases, manicure sets, pedicure sets, clippers for personnel use, nail files, scissors tongs, tweezers, curlers, hair trimmers, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin operated apparatus, cash registers, calculating machines, data processing equipment and computers, fire-extinguishing apparatus, apparatus for the transmission of sound and image, telecommunications apparatus, mobile telecommunication apparatus, mobile telecommunications handsets, computer hardware, computer software, computer software downloadable from the Internet, PDAs (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers, telecommunications network apparatus, drivers software for telecommunications networks and for telecommunications apparatus, protective clothing, protective helmets, computer software recorded onto CD Rom, SD-Cards, glasses, spectacle glasses, sunglasses, protective glasses and cases therefor, contact lenses, cameras, camera lenses, MP3 players, audio tapes, audio cassettes, audio discs, audio-video tapes, audio-video cassettes, audio-video discs, video tapes, video cassettes, video discs, CDs, DVDs, electronic publications (downloadable), mouse mats, magnets, mobile telephone covers, mobile telephone cases, magnetic cards, encoded cards, precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes, jewellery, precious stones, horological and chronometric instruments, keyrings, cufflinks, paper, cardboard and goods made from these materials, printed matter, book binding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture), instructional and teaching material (except apparatus), plastic materials for packaging, printers' type, printing blocks, books, calendars, cards, catalogues, programmes, writing paper, envelopes, pads, notebooks, diaries, greeting cards, magazines, pamphlets, pens, pencils, postcards, posters, decalcomanias, stickers, tickets, beer mats, coasters of paper and cardboard, napkins of paper, tissues and towels of paper, bags of paper and/or plastic material, leather and imitations of leather, and goods made of these materials, animal skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery, household or kitchen utensils and containers (not of precious metal or coated therewith), combs and sponges, brushes (except paint brushes), brush-making materials, articles for cleaning purposes, steel wool, un-worked or semi-worked glass (except glass used in building), glassware, porcelain and earthenware, table mats, mugs, beer mugs, bottle openers, buckets, champagne buckets, ice buckets, coasters, cocktail stirrers, corkscrews, drinking glasses, shakers, tankards, toothbrushes, plastic water bottles, tableware, money boxes, textiles and textile goods, not included in other classes, bed and table covers, clothing, footwear, headgear, shirts, t-shirts, sweatshirts, skirts, jogging suits, trousers, jeans, pants, shorts, rainwear, cloth bibs, blouses, sweaters, jackets, coats, jumpers, gloves, neckties, scarves, hats, caps, sunvisors, boots, slippers, sneakers, sandals, shoes, games and playthings, gymnastic and sporting articles, decorations for Christmas trees, meat, fish, poultry and game, meat extracts, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, ices, honey, treacle, yeast, baking-powder, salt, mustard, vinegar, sauces (condiments), spices, ice, beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices, syrups and other preparations for making</p>
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	<p>beverages, alcoholic beverages (except beers), tobacco, smokers' articles, matches; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 36: Insurance; financial affairs; monetary affairs; real estate affairs; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 38: Telecommunications; telecommunications services; mobile telecommunications services; telecommunications portal services; Internet portal services; mobile telecommunications network services; fixed line telecommunication services; provision of broadband telecommunications access; broadband services; broadcasting services; television broadcasting services; broadcasting services relating to Internet protocol TV; provision of access to Internet protocol TV; Internet access services; email and text messaging services; information services provided by means of telecommunication networks relating to telecommunications; services of a network provider, namely rental and handling of access time to data networks and databases, in particular the Internet; communications services for accessing a database, leasing of access time to a computer database, providing access to computer databases, rental of access time to a computer database; operation of a network, being telecommunication services; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 39: Transport; packaging and storage of goods; travel arrangement; provision of information relating to travel, transport, traffic, traffic flows and congestion; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 41: Education; providing of training; entertainment; sporting and cultural activities; interactive entertainment services; electronic games services provided by means of any communications network; entertainment services provided by means of telecommunication networks; information services relating to education, training, entertainment, sporting and cultural activities provided by means of telecommunication networks; provision of news information; television production services, television programming services; television production and television programming services provided by means of Internet protocol technology; provision of entertainment by means of television and Internet protocol television; provision of musical events; entertainment club services; discotheque services; presentation of live performances; night clubs; rental of music venues and stadiums; casino services; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 42: Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; IT services; computer programming services; services of a programmer; recovery of computer data; consultancy in the field of computer hardware; computer programming; duplication of computer programs; computer rental; computer software design; installation of computer software; maintenance of computer software; updating of computer software; rental of computer software; rental of computer hardware; computer system design; computer systems analysis; consultancy in the field of computer software; conversion of data or documents from physical to electronic media; creating and maintaining websites for others; data conversion of computer programs and data (not physical conversion); hosting computer sites (web sites); services of engineers; expert advice and expert opinion relating to technology; rental of data processing apparatus and computers; technical services relating to projection and planning of equipment for telecommunications; services of information brokers and providers, namely product research for others; weather forecasting; research in the field of telecommunication technology; monitoring of network systems in the field of telecommunications; technical support services relating to telecommunications and apparatus; information and advisory services relating to the aforesaid; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 43: Services for providing food and drink; temporary accommodation; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p> <p>Class 45: Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals; legal services; management and exploitation of copyright; arbitration services; information and advisory services relating to the aforesaid services; information and advisory services relating to the aforesaid services provided on-line from a computer database or the Internet; information and advisory services in relation to the aforesaid services provided over a telecommunications network.</p>
<p>2249386A</p> <p>O₂</p> <p>Filing date: 19 October 2000</p>	<p>Class 25: Clothing, footwear, headgear.</p> <p>Class 35: Direct mail advertising; dissemination of advertising and promotional materials; compilation of mailing lists; manufacturers' representative services; preparation and issuing of publicity materials; market research; distribution and demonstration of goods and samples; business management advisory and consulting services, business services relating to the operation and management of business premises, stores, shops, stalls and markets; the bringing together for the benefit of others, of a variety of retail outlets, entertainment venues, shopping mall and shopping centre facilities and restaurants, enabling customers to conveniently view and purchase goods and make use of the services provided in a shopping centre or shopping mall.</p> <p>Class 36: Real estate agency services; real estate management and brokerage services; rental of commercial premises; property leasing services.</p> <p>Class 37: Real estate development services; shop fitting services; property maintenance services; interior refurbishment of buildings; maintenance, repair and renovation of buildings, facilities and parts and fittings thereof; cleaning of buildings (interior and exterior services) and facilities; consultancy and advisory services relating to the aforesaid.</p> <p>Class 39: Rental of garage and of parking places; provision of vehicle parking facilities; vehicle park services; delivery of goods by road; arranging the delivery of goods by road, air and by rail.</p>

<p>Registration date: 30 April 2004</p>	<p>Class 41: Education and training services in respect of staff recruitment and replacement, catering, estate agency, advertising, business management and interior design services; sporting and cultural activities; cinema, night club; amusement arcade services, but not including computer games; entertainment production and management services; theatre services; organisation of games, competitions and quizzes; bingo hall, snooker hall, night club, discotheque, dance hall and concert services.</p> <p>Class 42: Advisory and consultancy services in relation to the operation of retail outlets; kitchen, bedroom, bathroom, garden, conservatory and home design services; interior design services.</p> <p>Class 25: Clothing, footwear, headgear.</p>
<p>2249386B</p> <p>O2</p> <p>Filing date: 19 October 2000</p> <p>Registration date: 30 April 2004</p>	<p>Class 35: Direct mail advertising; dissemination of advertising and promotional materials; compilation of mailing lists; manufacturers' representative services; preparation and issuing of publicity materials; market research; distribution and demonstration of goods and samples; business management advisory and consulting services, business services relating to the operation and management of business premises, stores, shops, stalls and markets; the bringing together for the benefit of others, of a variety of retail outlets, entertainment venues, shopping mall and shopping centre facilities and restaurants, enabling customers to conveniently view and purchase goods and make use of the services provided in a shopping centre or shopping mall.</p> <p>Class 36: Real estate agency services; real estate management and brokerage services; rental of commercial premises; property leasing services.</p> <p>Class 37: Real estate development services; shop fitting services; property maintenance services; interior refurbishment of buildings; maintenance, repair and renovation of buildings, facilities and parts and fittings thereof; cleaning of buildings (interior and exterior services) and facilities; consultancy and advisory services relating to the aforesaid.</p> <p>Class 39: Rental of garage and of parking places; provision of vehicle parking facilities; vehicle park services; delivery of goods by road; arranging the delivery of goods by road, air and by rail.</p> <p>Class 41: Education and training services in respect of staff recruitment and replacement, catering, estate agency, advertising, business management and interior design services; sporting and cultural activities; cinema, night club; amusement arcade services, but not including computer games; entertainment production and management services; theatre services; organisation of games, competitions and quizzes; bingo hall, snooker hall, night club, discotheque, dance hall and concert services.</p> <p>Class 42: Advisory and consultancy services in relation to the operation of retail outlets; kitchen, bedroom, bathroom, garden, conservatory and home design services; interior design services.</p> <p>Class 09: Mobile telecommunications apparatus; mobile telecommunications headsets.</p>
<p>2279371</p>  <p>Filing date: 31 August 2001</p> <p>Registration date: 6 February 2004</p>	<p>Class 38: Mobile telecommunications services; telecommunications portal services; Internet portal services; mobile telecommunications network services; Internet access services; applications services provision.</p>
<p>2296255</p>  <p>Filing date: 22 March 2002</p> <p>Registration date: 29 August 2003</p>	<p>Class 09: Mobile communications apparatus; mobile communications handsets; mobile communications headsets; parts and fittings for the aforesaid goods.</p> <p>Class 38: Telecommunication and data communication services provided by a mobile telephone company; operation of a digitalized media platform for the exchange of messages and information; WAP (wireless application protocol) services; electronic postal services, namely transmission and forwarding of electronic mail, SMS (short message services), facsimiles, WAP (wireless application protocol) services; collection and delivery of news and general information; transmission of information in the field of entertainment, general information, economy and finance, sport and cultural activities in digital networks; monitoring, processing, sending and receiving data, sounds, images and/or signals and information processed by computers or by telecommunication apparatus and instruments.</p>
<p>2340715</p> <p>O₂ Home</p> <p>Filing date: 13 August 2003</p>	<p>Class 09: Telephones, mobile phones and mobile handsets that are used, or primarily rely on being used, across or in relation to a mobile telecommunications network, including related accessories as made available from time to time.</p> <p>Class 38: Telecommunications services.</p>

<p>Registration date: 10 March 2006</p>	
<p>CTM 4243184</p> <p>ho₂me</p> <p>Filing date: 17 January 2005</p> <p>Renewal date: 17 January 2015</p>	<p><i>Class 9: Scientific, navigation, measuring, photographic, film, optical, scales, measuring apparatus, signalling apparatus, regulating apparatus, rescue apparatus and teaching apparatus and instruments; apparatus and instruments for conducting, switching, convert, store, control and controlling of electricity; equipment for recording, transmission and reproduction of sound, image and/or data; data carriers, records; vending machines and mechanisms for coin operated apparatus; cash registers, calculating machines, data processing equipment and computer; electronic data processing and telecommunications software; telecommunication apparatus, in particular for fixed net and mobile radio area.</i></p> <p><i>Class 38: Telecommunication; rental of equipment for telecommunication; providing of services in connection with on line services, message sending and information of all kinds; telephone information services, in particular direct making conversation connection for searched junction, informing of telephone number, printed publications, facsimile numbers; rental of access time to database; services of network provider, information programme provider, namely rental of access time to data networks and databases, in particular the internet.</i></p> <p><i>Class 42: Services of engineers; computer programming; services of programmer; development of technical expertise; researches in matter business legal protection (technical and legal); technical consulting and expert activities; rental of data processing apparatus and computers; management and use of copyright; applying business property right; projection and planning of equipment for telecommunication; weather forecasting; arbitration services; research of field telecommunication technology.</i></p>