

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION No. 2573146
BY CARDIFF INTERNATIONAL AIRPORT LIMITED**

**AND IN THE MATTER OF APPLICATION No. 2573142
BY BELFAST INTERNATIONAL AIRPORT LIMITED**

**AND IN THE MATTER OF APPEALS TO THE APPOINTED PERSON
BY THE APPLICANTS
AGAINST DECISIONS OF MS. BRIDGET WHATMOUGH
DATED 17 DECEMBER 2012**

DECISION

Introduction

1. These are 2 appeals against 2 decisions by Ms. Bridget Whatmough, acting for the Registrar, dated 17 December 2012, BL O/497/12 and BL O/499/12, in which she partially refused registration in Class 39 to CARDIFF AIRPORT and BELFAST INTERNATIONAL AIRPORT respectively under Section 3(1)(c) and 3(1)(b) of the Trade Marks Act 1994.
2. Since the decisions and the grounds of appeal in each case were substantially the same, I heard both appeals together and my decision below covers both Applications.
3. At the hearing of the appeals, Mr. Jonathan Day of Arnold & Porter (UK) LLP appeared on behalf of the Applicants. Dr. W J Trott attended on behalf of the Registrar via the telephone. I was grateful for their succinct and clear arguments.

The Applications

4. CARDIFF AIRPORT was applied for by Cardiff International Airport Limited on 23 February 2011 for use a trade mark in the UK in relation to a wide variety of services in Classes 35, 36, 37, 38, 39, 42, 43 and 45. The full list of services applied for was set out in the Hearing Officer's decision and is reproduced at Appendix A.
5. BELFAST INTERNATIONAL AIRPORT was applied for by Belfast International Airport Limited on the same day for use as a trade mark in the UK in respect of the same list of services in Classes 35, 36, 37, 38, 39, 42, 43 and 45.
6. The majority of services were accepted for registration of the trade marks on absolute grounds.

7. However, both Applications were objected to under Section 3(1)(b) and (c) of the Act on the basis that that the marks consisted exclusively of the respective terms “Cardiff Airport” and “Belfast International Airport” being signs which may serve in trade to designate the kind of services, e.g., services related to Cardiff Airport and Belfast International Airport respectively when registered and used for the following services in Class 39:

Transport; travel arrangements; transport services; passenger transport by road or rail; taxi services, taxi booking and information services, car parking, car parking booking and information services; advisory and information services relating to travel; booking or reservation of seats/tickets for travel; car parking.

8. The Applicants were afforded periods of time in which to: (1) limit wide terms claimed such as “transport services” in order to seek to overcome the objections; and (2) gather evidence. In the event neither was forthcoming, and the Hearing Officer had only the *prima facie* cases to consider.

Hearing Officer’s decisions

9. Dr. Trott acknowledged that the main objections to the Applications in respect of the subject Class 39 services were by virtue of Section 3(1)(c) of the Act prohibiting registration of:

“trade marks which consist exclusively of signs or indications which may serve, in trade to designate the kind, quality, quantity, intended purpose, value, geographical origin, the time of production of goods or of rendering services, or other characteristics of goods or services”.

10. The principles governing the application of the absolute ground for refusal of registration in Section 3(1)(c) have been extensively explored by the Court of Justice of the European Union (“CJEU”) in a number of cases. The Hearing Officer instructed herself by reference to a summary of those principles propounded by the General Court (“GC”) in Case T-80/07, *JanSport Apparel Corp. v. OHIM* [2009] ECR II-0152, paragraphs 18 – 23. In particular concerning geographical indications, she cited passages from the judgment of the CJEU in Joined Cases C-108/97 and C-109/97, *Windsurfing Chiemsee Produktions- und Vertriebs GmbH (WSC) v. Boots- und Segelzubehör Walter Huber and Franz Attenberger* [1990] ECR I-2779, paragraphs 37 and 25 – 26.

11. There was no suggestion that the Hearing Officer misstated the law and I have not, therefore, reproduced the relevant passages in this decision, with 1 exception. That exception is the following paragraphs from *Windsurfing*, cited by the Hearing Officer and relied on by Dr. Trott before me in argument:

“25. However, Article 3(1)(c) of the Directive pursues an aim which is in the public interest, namely that descriptive signs or indications relating to the categories of goods or services in respect of which registration is applied for may be freely used by all, including as collective marks or as part of complex or graphic marks. Article 3(1)(c) therefore prevents such signs and indications

from being reserved to one undertaking alone because they have been registered as trade marks.

26. As regards, more particularly, signs or indications which may serve to designate the geographical origin of the categories of goods in relation to which registration of the mark is applied for, especially geographical names, it is in the public interest that they remain available, not least because they may be an indication of the quality and other characteristics of the categories of goods concerned, and may also, in various ways, influence consumer tastes by, for instance, associating the goods with a place that may give rise to a favourable response.”

Hearing Officer’s assessments

12. The Hearing Officer’s assessments of the trade marks in question proceeded on the assumptions that (1) the transport and travel services in the Applications were not specialist services and (2) the average consumer would be no more than reasonably circumspect in their selection. Those assumptions were not criticised on appeal.
13. Her assessments were essentially the same for CARDIFF AIRPORT and BELFAST INTERNATIONAL AIRPORT:

“18. Turning my assessment to the mark applied for, I do not consider that the words within the mark need any separate analysis. In my view, the term would be readily understood by the general public to mean [an airport which is based in Cardiff] [an international airport which is based in Belfast, where ‘international airport’ means any airport which can accommodate international flights]. This point is not in question. However, for the sake of completeness and to avoid any doubt as to the meanings which may be understood, I refer to the following definitions taken from [Collins English Dictionary] [Collins English Dictionary and Cambridge Dictionaries Online respectively]:

[**Cardiff** noun 1. The capital of Wales situated in the southeast.

Airport noun 1. A landing and taking-off area for civil aircraft, usually with surfaced runways and aircraft maintenance and passenger facilities.]

[**Belfast** noun 1. The capital of Northern Ireland.

International airport noun an airport used by international airlines, with flights to and from different countries.]

19. The section 3(1) objection was also raised in full accordance with guidance published in IPO’s ‘Addendum to the Trade Marks Examination Guide (Chapter 6)’ (formerly known as the ‘Examination Work Manual’, and available to view on the IPO website at www.ipo.gov.uk/tmmanual-chap3-add.pdf). In that Addendum, under the heading ‘AIRPORT’, the following is stated:

• *AIRPORT*

Names of airports such as BIRMINGHAM AIRPORT will normally be acceptable for services without the need for evidence of distinctiveness to be filed. Objection should only be taken under section 3(1)(b) and (c) where specifications include 'transport services' such as shuttle buses, taxis etc as it is likely that consumers would expect there to be more than one undertaking providing transport services to and from an airport and would therefore be descriptive of the destination/intended purpose of the services.

20. Having established that each word has a separate meaning, I am required to decide whether the combination of those words falls foul of the requirements set out in sections 3(1)(b) and (c). With that in mind, I do not believe the combination can lay claim to any grammatical or linguistic imperfection or peculiarity such as might help to escape its inherent descriptiveness. To my mind, the term ['Cardiff airport'] ['Belfast international airport'] most commonly and obviously describes an airport based in [Cardiff] [Belfast which is used by international airlines, with flights to and from different countries].

21. The section 3(1)(c) objection is therefore based on the premise that the term ['CARDIFF AIRPORT'] ['BELFAST INTERNATIONAL AIRPORT'], used in respect of those services set out ... above, would be understood as a descriptive reference to their inherent characteristics. For example, in respect of a claim to transport services *at large*, the protection would encompass transport services *to and from* the airport, by bus, coach, mini bus etc. In this type of scenario, the sign would do no more than serve to designate the destination of the transport services, or their geographical origin. Such services are frequently provided by undertakings which have no official connection to the airport and, when used in this context, the term would merely designate a characteristic of the services. Similarly in respect of 'car parking' the term would serve to designate facilities located at, near to, or suitable for, [Cardiff Airport] [Belfast International Airport]. The same consideration can be applied to 'booking or reservation of seats/tickets for travel' where, in my view, the term would merely serve to designate that the services are again provided from [an airport in Cardiff] [an independent and/or unaffiliated undertaking located at an international airport in Belfast]. In this respect, it is not unusual for several different tour operators to be based at airports, all of whom will offer booking and reservation of seats and tickets for travel from within the airport.

22. The registration of geographical names as trade marks solely where they designate specified geographical locations which are already famous, or are known for the category of goods concerned, and which are therefore associated with those goods in the mind of the relevant class of persons, are excluded from registration. This is also the case where the registration of geographical names which are liable to be used by undertakings and must remain available to such undertakings as indications of the geographical origin of the category of goods concerned.

23. The need for certain geographical designations to remain free for others to use is particularly relevant in the field of transport and travel services where, for example, an airport name is likely to be used in reference to the principal place from where these services stem from and also as a designation of the geographical destination of the services. In my view, there would be a clear association in the mind of the relevant class of persons between the geographical name and the category of services in question, the net result being that the consumer would not, without prior education, perceive the sign as denoting trade origin.

24. In view of the fact that the terms covered are extremely broad, it is necessary to assess the distinctiveness of the sign by reference to all of the terms claimed, however broad. If there are goods specified which are free of objection under section 3(1)(b) and (c), then they must be allowed to proceed. In the case of European Case of Justice Case C-239/05 *BVBA Management Training en Consultancy v Benelux-Merkenbureau* the question being referred to the court was whether the Directive must be interpreted as meaning that the competent authority is required to state its conclusion separately for each of the individual goods and services specified in the application. The court answered (paragraph 38) by stating that the competent authority was required to assess the application by reference to individual goods and services. However, where the same ground of refusal is given for a category or group of goods or services, the competent authority may use only general reasoning for all the goods and services concerned. In this case, I regard all of the objectionable services to be in the same category (transport and travel services in class 39), and thus rely on general reasoning in refusing the mark for the services specified.

25. In taking a reasonably broad objection against the services claimed, it should be emphasised that the Registrar did provide the applicant with an opportunity to submit a revised limited specification for further consideration at the ex parte hearing. However, nothing was provided in response. As a result, the Registrar considers it prudent to now confirm that this refusal applies to “Transport; travel arrangements; transport services; passenger transport by road or rail; taxi services, taxi booking and information services, car parking, car parking booking and information services; advisory and information services relating to travel; booking or reservation of seats/tickets for travel; car parking”.

26. Having found the mark to be excluded from registration by section 3(1)(c), that effectively ends the matter. However, in case I am found to be wrong in that respect, I will go on to determine the matter under section 3(1)(b). I should at this point stress that since objection has been made under section 3(1)(c), this automatically engages section 3(1)(b). However, it can be useful to also consider section 3(1)(b) in its own right - the scope of the two provisions is not identical, and marks which are not descriptive under section 3(1)(c) can nonetheless be devoid of any distinctive pursuant to section 3(1)(b).”

14. The Hearing Officer then went on to consider the law on Section 3(1)(b) of the Act. She decided that the trade marks were devoid of any distinctive character in relation to the services in question in Class 39 and that the trade marks were also objectionable on that ground.
15. Dr. Trott conceded that if the trade marks were unobjectionable under Section 3(1)(c) of the Act then they also escaped objection under Section 3(1)(b). I shall therefore say no more about this ground.

The grounds of appeal

16. Mr. Day opened the appeal by explaining that the Applicants sought to obtain registered trade mark protection for CARDIFF AIRPORT and BELFAST INTERNATIONAL AIRPORT in respect of transport and car parking etc. services, in order to prevent consumer confusion between, e.g., official and unofficial car parks serving the airports, by being able better to control the use of “Cardiff Airport” and “Belfast International Airport” in Adwords and keywords for Internet advertising.
17. The Statements of Grounds of Appeal tabled some alleged instances of people who had paid to park their car at Cardiff Airport via another provider mistakenly parking their cars in the “official” NCP car park at the airport.
18. This, it seemed to me, was irrelevant to the question of whether the public would (without further education) perceive CARDIFF AIRPORT and BELFAST INTERNATIONAL AIRPORT as designations of origin rather than descriptions of characteristics of the services concerned (car parking for Cardiff Airport) and, to my mind, served to confirm the need to leave such terms free for other traders to use.
19. Dr. Trott dealt with 2 related arguments that the Applicants put forward below:
 - (1) Relying on *Fox International Group Limited v. Jay Folly* [2010] EWPC 30 that some signs can be used both descriptively and as indications of origin. Dr. Trott said that the Registrar did not depart from that notion in general but referred me to the actual passage of HHJ Birss QC’s judgment in *Fox* (at para. 43):

“This case relates to a market in which the word in question is capable of being used in a descriptive sense in some contexts but is also capable of being used as a badge of origin. For any given instance of use, the context and circumstances in which the word is used will be crucial in order to determine the sense in which the term is being used.”

Dr. Trott emphasised that it all depended on the “context and circumstances”. He also reminded me that with inherent registrability the Registrar considered notional uses. In the cases in hand, because other operators provided airport transport and car parking etc. services, the signs would be viewed as descriptions and not as indications of origin. Dr. Trott gave the following examples:

“In terms of transportation services ... the mark describes the likely destination of the services, and, more generally, the nature of the transport involved. For a taxi business dedicated to airport transportation, the words describe the character of their trade (a Cardiff Airport taxi service).”

- (2) If registered, other traders could rely on the defences in Section 11(2) of the Act covering honest descriptive use of CARDIFF AIRPORT and BELFAST INTERNATIONAL AIRPORT. Dr. Trott referred me to the older UK cases of *COLORCOAT Trade Mark* [1990] RPC 511 and *Joseph Crosfield & Sons Application (PERFECTION)* (1909) 26 RPC 837 for the proposition that honest traders should not be required to look to a defence to registered trade mark infringement if they wish to use descriptive terms. The point was recently emphasised by the CJEU in Case C-51/10 P, *Agencja Wydawnicza Technopol sp. z o.o. v. OHIM* [2011] ECR I-1541, in relation to Articles 7(1)(c) and 12(b) of Regulation (EC) No. 40/94 (now Regulation (EC) No. 207/2009), the equivalent in the CTM system to Sections 3(1)(c) and 11(2)(b) of the Act:

“61. Contrary to what Technopol appears to be suggesting, the fact that Article 12(b) of Regulation No 40/94 ensures that every trader may freely use indications relating to the characteristics of goods and services in no way limits the scope of Article 7(1)(c) of that regulation. On the contrary, that fact clearly discloses the need for the ground of refusal set out in Article 7(1)(c) of Regulation No 40/94 – which, moreover, is an absolute ground for refusal – to be actually applied to any sign which may designate a characteristic of the goods or the services in respect of which its registration as a mark is sought (see, to that effect, as regards Article 6 of Directive 89/104, Case C- 104/01 *Libertel* [2003] ECR I-3793, paragraphs 58 and 59, and, as regards Article 12 of Regulation No 40/94, Case C-64/02 P *OHIM v Erpo Möbelwerk* [2004] ECR I-10031, paragraph 45).

62. Since the rule set out in Article 12(b) of Regulation No 40/94 plays no intrinsic role, therefore, in the application of Article 7(1)(c) of that regulation, the argument relating to the interplay between those two provisions is unfounded.”

20. In the *Agencja Wydawnicza* case the CJEU also emphasised the Registry’s frontline role in preventing the granting of undue monopolies:

“77. Moreover, for reasons of legal certainty and, indeed, of sound administration, the examination of any trade mark application must be stringent and full, in order to prevent trade marks from being improperly registered (*OHIM v Erpo Möbelwerk*, paragraph 45, and *OHIM v BORCO-Marken-Import Matthiesen*, paragraph 45). That examination must be undertaken in each individual case. The registration of a sign as a mark depends on specific criteria, which are applicable in the factual circumstances of the particular case and the purpose of which is to ascertain whether the sign at issue is caught by a ground for refusal (see, to that effect, as regards Article

3 of Directive 89/104, Case C-218/01 *Henkel* [2004] ECR I-1725, paragraph 62).”

21. The Applicants did not dispute that the trade marks were (or at least capable of being) descriptive of the services objected to.
22. The main grounds of appeal were that: (1) other airport trade marks had been accepted for such services and therefore there was a breach of the principle of equal treatment; and (2) the Registrar’s Practice Guidelines (followed by the Hearing Officer at para. 19 of her decision) drew an indiscriminate line between transport and car parking etc. services in Class 39 in respect of which registration was *prima facie* refused, and other services applied for which were *prima facie* accepted for registration.

Equal treatment

23. The Statements of Grounds of Appeal referred to other airport names that had been accepted in relation to transport and car parking etc. services by the UK IPO and OHIM as registered trade marks, e.g., MANCHESTER AIRPORT, LONDON SOUTHEND AIRPORT. MANCHESTER AIRPORT was put forward as 1 of 4 examples of airport marks that were accepted for registration by the UK IPO for the services in question apparently without evidence of acquired distinctiveness and after the date of the Registrar’s practice direction.
24. Dr. Trott referred me to 2 prior decisions of the Appointed Person pertaining to this issue: (1) *JETSKISAFARIS*, BL O/420/1, where it was simply stated that: “it is, in any event, not appropriate to take into account the state of the Register when determining the registrability or unregistrability of the individual sign put forward for registration in the particular case now under consideration”; and (2) *FEEDBACK MATTERS*, BL O/185/12, which was to the same effect, but which Dr. Trott perceived perhaps to display a more generous approach because the Appointed Person expressed a willingness to review the prior marks there cited.
25. I do not know the precise circumstances surrounding their registration, but I have reviewed on the Registry database the 4 UK IPO registrations/protectations of designations relied on by the Applicants. It seems to me that 3 of these involve different distinctiveness considerations. Thus:
 - (i) UK Registration number 2544131 is a figurative trade mark incorporating a stylistic logo element and the word “Your” interposed between “Newcastle International” and “Airport”. This mark was applied for and registered in 2010.
 - (ii) International Registration (UK) number 1008927 is again a figurative mark for the words DOMODEDOVO MOSCOW INTERNATIONAL AIRPORT where the words “MOSCOW INTERNATIONAL AIRPORT” appear in smaller lettering underneath the word “DOMODEDOVO”. UK protection based on a Russian registration was sought for the mark as from November 2008 and granted in May 2010.

- (iii) International Registration (UK) number 950664 is for the word mark NORTHERN LIGHTS INTERNATIONAL AIRPORT. UK protection based on a Norwegian registration was granted in December 2008 as from November 2007.
26. UK Registration number 2841684 MANCHESTER AIRPORT is for a series of 2 trade marks applied for in March 2008 and registered in November 2008. It may be that the mark was examined on absolute grounds before the Registrar's practice direction was issued (PAN 1/08 was issued on 1 August 2008).
27. I accept Dr. Trott's comment that practice is always evolving and changing. I also see merit in his further observation that examiners should be enquiring when objecting to marks where there have been previous acceptances of similar marks with similar specifications.
28. The Hearing Officer said that whilst she acknowledged the Applicants' arguments based on equal treatment, she examined each of the trade marks applied for on its own merits, and attached limited significance to the cited prior acceptances. Her approach was consistent with that stated by the CJEU for EU offices, recently expressed by the GC in relation to OHIM in Case T-236/12, *Airbus SAS v. OHIM*, 3 July 2013:
- “50. As regards, first, the arguments alleging failure to follow OHIM's decision-making practice, it must be borne in mind that OHIM is under a duty to exercise its powers in accordance with the general principles of European Union law. In the light of the principles of equal treatment and of sound administration, OHIM must take into account the decisions already taken in respect of similar applications and consider with especial care whether it should decide in the same way or not. The way in which those principles are applied must, however, be consistent with respect for the principle of legality. Consequently, a person who files an application for registration of a sign as a trade mark cannot rely, to his advantage and in order to secure an identical decision, on a possibly unlawful act committed for the benefit of someone else. Moreover, for reasons of legal certainty and, indeed, of sound administration, the examination of any trade mark application must be stringent and full, in order to prevent trade marks from being improperly registered. Such an examination must therefore be undertaken in each individual case. The registration of a sign as a mark depends on specific criteria, which are applicable in the factual circumstances of the particular case and the purpose of which is to ascertain whether the sign at issue is caught by a ground for refusal (see, to that effect, judgment of 8 November 2012 in Case T- 415/11 *Hartmann v OHIM (Nutriskin Protection Complex)*, not published in the ECR, paragraph 36 and the case-law cited).” See also *Agencja Wydawnicza* at paragraphs 73 – 77.
29. In the end, I think it is clear that each case must be determined on its own facts and in accordance with the law. The Hearing Officer decided that CARDIFF AIRPORT and BELFAST INTERNATIONAL AIRPORT in the light of circumstances pertaining at the relevant date and in the absence of acquired distinctiveness would be understood by the public as descriptive of characteristics of the services in issue and were therefore excluded from registration by Section 3(1)(c) of the Act. In my judgment

she reached those determinations without error and her approaches in so doing cannot be faulted.

PAN 1/80 indiscriminate

30. Second, the Applicants argued that the Registrar's AIRPORT practice note applied by the Hearing Officer drew the line indiscriminately between transport services and other services, in these cases those applied for by the Applicants. It was accepted that such practice notes were guidelines only and did not have any force of law.

31. The practice note referred to by the Hearing Officer at paragraphs 19 of her decisions states (Examination Work Manual, Addendum):

“• AIRPORT

Names of airports such as BIRMINGHAM AIRPORT will normally be acceptable for services without the need for evidence of distinctiveness to be filed. Objection should only be taken under section 3(1)(b) and (c) where specifications include 'transport services' such as shuttle buses, taxis etc as it is likely that consumers would expect there to be more than one undertaking providing transport services to and from an airport and would therefore be descriptive of the destination/intended purpose of the services.”

32. Mr. Day queried the difference in the Applications between on the one hand tour operating services which were permitted and on the other hand booking or reservation of seats/tickets for travel which were refused. Mr. Day also pointed to car/vehicle rental services and hotel services which again were permitted but like transport and car parking services were ancillary to airport services in the sense that they could be unofficial/offsite and provided by other operators.

33. I must say that I had some sympathy with Mr. Day's viewpoint but that did not make the trade marks any less descriptive or more registrable for the services in issue. Dr. Trott indicated that the Registry may have drawn the line too rigidly and that perhaps the objections should have been extended but I am not concerned with the other services applied for on these appeals and express no opinion thereon.

Conclusion

34. In conclusion, the Applicants have not persuaded me that the Hearing Officer was wrong to refuse trade mark registration to CARDIFF AIRPORT and BELFAST INTERNATIONAL AIRPORT in respect of the subject services for the reasons she gave in her decision. Indeed, I agree with her assessments. In the absence of acquired distinctiveness, the trade marks were excluded from registration for the said transport and car parking etc. services under Section 3(1)(c) and 3(1)(b) of the Act.

35. The appeals fail. In accordance with usual practice I make no order for costs of the appeals.

Professor Ruth Annand, 17 September 2013

ANNEX A

Class 35

Advertising; business management; business information; office functions; promotional services; providing space for the advertising/promotion of goods and services to others; business advisory services; compilation of catalogues and directories, provision of corporate and business related information; duty free retail services and/or retail services provided in retail outlets at airport/travel terminals, all connected to fragrances, beauty products, cosmetics, pharmaceuticals, skincare products, alcoholic and non-alcoholic beverages, confectionery, biscuits and cakes, preserves, foodstuffs, sunglasses, jewellery, handbags, articles of clothing, footwear and headgear, bags, luggage, wallets and cases, toys, games and playthings, household or kitchen utensils and containers, glassware, porcelain and earthenware, pillows, blankets, cameras, apparatus and instruments for recording, transmission or reproduction of sounds or images, magnetic data carriers, CD-Roms, electronic games, calculators, computers, computer software, plug adaptors, pharmaceutical products; the bringing together for the benefit of others of a variety of goods namely fragrances, beauty products, cosmetics, pharmaceuticals, skincare products, alcoholic and non-alcoholic beverages, confectionery, biscuits and cakes, preserves, foodstuffs, sunglasses, jewellery, handbags, articles of clothing, footwear and headgear, bags, luggage, wallets and cases, toys, games and playthings, household or kitchen utensils and containers, glassware, porcelain and earthenware, pillows, blankets, cameras, apparatus and instruments for recording, transmission or reproduction of sounds or images, magnetic data carriers, CD-Rams, electronic games, calculators, computers, computer software, plug adaptors, pharmaceutical products, enabling customers to conveniently view and purchase those goods in airport/travel terminals or airport/travel terminal retail outlets, tax or duty free outlets, a shopping mall, or from an internet website specialising in the sale of duty or tax free goods or from a general merchandised Internet website, a general merchandise catalogue or by mail order or by telecommunications; the development and management of retail operations (including food/drink retail outlets), commercial undertakings and airports and advisory services relating thereto; consultancy services in the retail field; introduction of business and trade contacts; organisation, operation and supervision of sales incentive schemes, loyalty and/or promotional incentive schemes; hire, leasing or rental of office equipment; provision of office facilities; business and management consultancy services; airport administration services, provision of business assistance for airport facilities; services for the storage and processing of data and of information by electronic computer, cable, teleprinter, teleletter, electronic mail, television, microwave, laser beam and/or communications satellite means

Class 36

Real estate affairs; rental, leasing and management of commercial premises, retail outlets, shops and offices; currency exchange services and currency ordering services and information relating thereto, credit/debit and charge card services, insurance (including travel insurance) services and information services relating thereto, provision of discount services, issuance and redemption of points/tokens of value; Estate agency services; bureaux de change services and banking services

Class 37

Building, construction, repair; installation services; construction services including such services relating to construction of airports, airfields, runways, terminals, piers, jetties, stands, taxiways, surface and/or subterranean rail access, roads; site clearance services; construction and installation of infrastructure, communications and/or data networks; cleaning services;

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construction management services; onsite project management services; onsite project management relating to the construction of major infrastructure projects; onsite project management relating to the construction of airport facilities; consultancy services relating to the construction of airports and airport facilities; refurbishment services; property development services and advisory services relating thereto; Property development services; on-site project management services relating to construction, building, refurbishment and development; project management services relating to construction, building, refurbishment and/or development; Off-site project management services relating to construction, building, refurbishment and development

Class 38

Telecommunication services; communications services; provision of access to common voice and/or data communications networks; provision of access to voice and/or data communications facilities; broadcasting services; transmission of data; hire, leasing or rental of apparatus, instruments and/or installations for communication purposes; Providing internet chatrooms; providing chat rooms for transmission of messages, images and information on a website, a television channel, or other electric/electronic device; provision of interactive online services; electronic bulletin board services; cable radio broadcasting; cable radio transmission; radio broadcasting; telecommunications services; services for the transmission of data and of information by electronic computer, cable, teleprinter, teletype, electronic mail, television, microwave, laser beam and/or communications satellite means; services for the transmission, provision or display of information for business or domestic purposes from a computer-stored data bank; services for the broadcasting or transmission of television programmes, cable television or satellite programmes; services for the generation, display, monitoring, manipulation, transmission, broadcasting, reception and networking of electronic and computer-generated images and sound; provision of facilities for on-line information services; communications by computer terminals; computer aided transmission of messages; electronic data interchange services; provision of information relating to all of the aforesaid services; telecommunications

Class 39

Transport; packaging and storage of goods; travel arrangements; airport services; airport ground support services; ground and air traffic control services; aircraft runway services; airfield management services; management of airfield operations; aircraft parking; aircraft stand allocation; aircraft apron services; ground support services provided to aircraft at aircraft aprons (parking areas) as well as provision of airside passenger reception, check-in and transport services and passenger boarding and disembarking services; aircraft stand allocation, namely allocation of parking places for aircraft when they land or are preparing to load or board passengers; aircraft trucking; inspection of aircraft; aircraft fuelling services; aircraft handling; provision of reception and waiting areas for passenger departure and arrival; provision of flight information; cargo/freight handling; electricity, gas and water supply; storage, loading and handling of luggage; check-in services; passenger and/or freight transport by air, road or rail; taxi services, taxi booking and information services, car parking, car parking booking and information services, car/vehicle rental services and car/vehicle rental booking and information services, bonded warehousing; tour operating, tourist office/tourist agency services; advisory and information services relating to travel, airport information services and flight information services; booking or reservation of seats/tickets for travel; hire of land vehicles, and of drivers therefor; car parking; bonded warehousing

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Class 42

Off-site project management services relating to construction, building, refurbishment and development; architectural, design and surveying services

Class 43

Cafe, restaurant, bar and catering services; services for the provision of temporary accommodation; hotels, motels, boarding houses; rental of meeting rooms; reservation and booking services for all the aforesaid services

Class 45

Chaperoning services; personal shopper services; baby-sitting services; concierge services, namely the provision of assistance to, from and around airports; escorting, chaperoning or baby-sitting services for special needs passengers, namely wheelchair and buggy assistance, assisting special needs customers and the less mobile around airports; security services for the protection of property and individuals; surveillance services, airport fire services, airport security services; safety services; baggage screening services; screening of individuals; information and advisory services in the field of security and/or safety; security control services; border and immigration control services, namely passenger and staff security services, checking of immigration papers and identity validation of passengers and staff