

O-458-16

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION No. 3066104
BY CHERYL THOMAS
TO REGISTER THE TRADE MARK**



**IN CLASSES 10, 20 & 24
AND**

**IN THE MATTER OF OPPOSITION
THERE TO UNDER No. 403407 BY
VENTE-PRIVEE.COM**

BACKGROUND

1) On 28 July 2014, Cheryl Thomas (hereinafter the applicant) applied to register the trade mark shown above in respect of the following goods:

In Class 10: Sex Aids.

In Class 20: Safety boxes (non-metallic-) [other than safes]; Storage furniture.

In Class 24: Cushions (Covers for -).

In Class 38: Broadcast of television programmes.

2) The application was examined and accepted, and subsequently published for opposition purposes on 12 September 2014 in Trade Marks Journal No.2014/038. On 15 December 2014 the services in Class 38 were surrendered by the applicant.

3) On 12 December 2014 Vente-Privee.com (hereinafter the opponent) filed a notice of opposition, subsequently amended. The opponent is the proprietor of the trade marks shown at Annex A.

- a) The opponent relies upon the following earlier trade marks for its opposition under Section 5(2)(b) of the Act: EU 6386197, UK 2543527, EU 10692408, EU 1053351 and EU 7222367. The opponent contends that the distinctive and dominant element of the mark in suit and its earlier marks are the letters “VP” and that the marks are similar. The opponent then makes specific reference to the following goods and services which it states are similar to the applicant’s goods as listed.

Applicant’s goods	Opponent’s goods and services
Class 10	Class 35: retail services relating to electric household goods, the electric household sector and domestic electrical equipment which would cover sex aids for domestic use; also retail services relating to sexuality and massage. The opponent’s goods in Classes 9, 16, 38 41 & 42 to the extent that the latter may be of a sexual nature, for example sex education and entertainment media content in Classes 9 and 16, telecommunication chat line services of a sexual nature in

	<p>Class 38, sex education and entertainment services in Class 41 (e.g. “entertainment in the nature of pre-recorded sex-oriented messages by telephone”, which falls under the general term “entertainment”) and design of sex aids in Class 42.</p> <p>Class 35 retail services to the extent that they may be of a sexual nature. For example “goods in the fields of human...hygiene” (EU 6386197, EU 10692408, IR 1053351 and EU7222367 would include the likes of “personal sexual lubricants” as a sub-set of “hygienic preparations and articles”) which are similar, being complementary to sex aids in Class 10.</p>
Class 20	Class 35: retail services relating to furniture which would include storage furniture; also retail services relating to luggage and trunks.
Class 24	Class 35: retail services relating to furniture which would include furniture with cushions. Also retail services relating to textiles, textile, household furnishings and interior decorating.

- b) The opponent claims that its mark EU 6386197 has a reputation in the UK such that use of the mark in suit would take unfair advantage of, or be detrimental to the distinctive character or repute of, its mark. Use of the mark in suit would dilute the distinctive character of the opponent’s earlier mark such that it would no longer “be capable of arousing immediate association with the goods and services for which it is registered”. Use of the mark in suit on inferior goods or services or goods or services of an explicit sexual nature would be detrimental to the repute of the opponent’s earlier mark by degrading or tarnishing the same and reducing its power of attraction. Use of the mark in suit would take unfair advantage of the repute of the opponent’s earlier mark by free-riding on its distinctive character or repute. The mark in suit therefore offends against section 5(3) of the Act.
- c) The opponent contends that it has used the mark VP in the UK since September 2008 in respect of “Retail services connected with or in the fields of human hygiene and sexuality, sex toys, underwear. Furniture and storage, household furnishings, beauty and care, perfumery and cosmetics, clothing and fashion accessories, textiles, haberdashery, leather goods, jewellery, horological instruments, optical goods, furniture, tableware, household linen, gardening, DIY, tools, sport and games,

photography, cinema, the press and publishing, music, stationery, electric household goods, audio-visual goods, telecommunications, telephony (including mobile telephony) and computing”. It contends that it has an extensive reputation and goodwill in the mark “VP”. It contends that the application offends against Section 5(4)(a) of the Act.

d) The opponent also contends that the applicant has no bona fide intention to use the mark applied for in respect of goods in Classes 10 or 20 and as such the application was made in bad faith and offends against Section 3(6) of the Act.

4) On 18 February 2015 the applicant filed a counterstatement, basically denying that the marks are similar, and denying all the other grounds, particularly the 3(6) ground, stating that she intends to use the mark on all the goods set out in the application. The applicant did not request proof of use.

5) Both sides filed evidence. Both parties seek an award of costs in their favour. Neither side wished to be heard. Only the opponent provided written submissions, which I shall refer to as and when necessary in my decision.

OPPONENT’S EVIDENCE

6) The opponent filed five witness statements. Three of these, dated 24 June 2015, 23 July 2015 and 24 July 2015 are from David Tate, the opponent’s Trade Mark Attorney. He states that he has access to the opponent’s records and also relies upon his own knowledge and investigations. He states that the opponent operates an “event sales” (also known as “flash sales”) on-line shopping club, specialising in selling brand overstock under the names VENTE-PRIVEE and VP, with sub-brands such as VP VOYAGES, VP SOUND-FACTORY, VP SUMMER CAMP and VP BUBBLE. He states that event sales are made by the opponent for a limited time only (3 to 5 days) and are organised in close collaboration with over 2,800 major international brands in all product categories including ready to wear fashion, fashion accessories, music, homeware, toys, sports equipment, high-tech gastronomy and adult products such as sex toys. It is claimed that the opponent has 2,100 employees in eight European countries and 24 million members throughout Europe, it is stated that the opponent generated €1.3 billion gross turnover in 2011 and €1.7 billion in 2014 in Europe. It is claimed that in 2012 there were 570,000 members in the UK (see exhibit DT4 which claims 500,000 members) and that significant use of the trade marks VENTE-PRIVEE and VP had been made in the UK since September 2008. He provides the following turnover figures which have been taken from the opponent’s records:

Product	2013 UK turnover €	2014 UK turnover €
Adult themed products	24,666	12,435
Household linen	240,407	303,441
Furniture	136,724	121,602
TOTAL	€401,797	€437,478

7) He provides the following exhibits:

- DT1: This document is headed “10 years of success” and refers to “vente-privee.com”. It is undated and seems to refer mostly to events in France. It does refer to events that will occur in 2011 (page 13). There is a reference to 50,000 sex toys sold in one event in three days. The emphasis is that the site sells excess stock of branded goods.
- DT2: A selection of press articles and media reports of the opponent. This includes reports from: Drapers website (June 2008), Business week (January 2008), Daily Mail (July 2008) and The Times (August 2008). All refer to the sales of excess stock of designer brands by Vente-Privee, and the fact that it will launch in the UK shortly. Also included are articles from the London Evening Standard (June 2014, BBC (15 July 2014) which refer to the flash sales business and mention the opponent. Other articles included are dated after the relevant date.
- DT3: A report in French which the opponent chose not to get translated.
- DT4: This consists of a variety of the opponent’s press releases and website pages. These confirm that as of 2012 the website had 18 million members in France, Germany, Spain, Italy, UK, Austria, Belgium and The Netherlands and sales of approximately €1.3 billion. At this time it had 500,000 UK members (page 77).
- DT5: A Google search of the terms “vente privee” and “VP”. The document shows thirty-one returns dated from July 2007 to March 2014 all of which reference vente-privee. These have been posted from countries around the world and whilst they use the shorthand “VP” it is after the full name has been used and is usually in capital letters. Some of the posts are by the opponent or its employees.

- DT6: A copy of a page from the opponent's website dated 24 June 2015 (after the relevant date) which refers to "adult only" sales.
- DT7: This is said to be copies of the opponent's website dated 22 June 2013. It is claimed to show sales of sex toys under the brand "1969". However, the document is not in English, and the "window" which has the brand "1969" in it (page 95 /96) only shows a rubber duck with a "lipstick kiss" on its side. There are no images of sex toys.
- DT(2)1: Press articles which are said to show use of the term "VP". However, only one article uses the shorthand term "VP" after using the full name of the opponent on six occasions, and this is as part of a quotation from a brand which sells through the opponent's website. It also includes a page from Wikipedia which is not in English.
- DT(2)2: Articles which show that the opponent has a number of awards under the name "Vente-Privee".
- DT(2)3: Copies of the opponent's press releases in the UK all dated in 2013. These all use the full name of the opponent company.
- DT(2)4: This is said to be a list of the largest European on-line retailers. However, it is in French.
- DT(2)5: A CNBC report dated 2010 which lists the opponent as one of Europe's most creative companies.
- DT(2)6: Three pages from the opponent's website, dated 17 July 2015, i.e. after the relevant date.
- DT(2)7: Screenshots from the opponent's website (Vente-Privee) which show the following products being offered for sale to UK customers on the following dates:

Various sex toys and lubricants: July 2013, August 2013 and June 2014.

Storage baskets, boxes and containers: June 2014.

Table, bath and kitchen linen: May 2014.

Kitchen accessories and storage boxes: February 2014.

Bed and bath linen: June 2014.

The exhibit also includes a number of pages from the website dated after the relevant date.

- DT(2)8: This exhibit is said to contain copies of contracts between various suppliers and the opponent to sell products in the UK. All the contracts are in French with certain parts supposedly translated. However, whoever did the translation is clearly not fluent in the English language as even basic words such as “contract” and “occur” are incorrectly spelt. There is no indication as to who carried out the translation. What is clear is that the opponent is always referred to by its full name, never by the letters “VP”.
- DT(2)9: A series of invoices, all of which refer to the opponent by its full name with no mention of “VP”, all of which are in French and most of which are after the relevant date.
- DT(2)10: A selection of nine invoices dated August 2013 or June/July 2014. They also show the full name of the opponent at the top. The customers’ addresses have been redacted, save for the last line which states “United Kingdom”. The invoices show under £200 (excluding credits and delivery charges) worth of sex toys being sold. There is no use of the letters “VP” anywhere within the exhibit.
- DT(2)11: A selection of three invoices dated March/April 2014. They also show the full name of the opponent at the top. The customers’ addresses have been redacted, save for the last line which states “United Kingdom”. The invoices show £193 (excluding delivery charges) worth of cushion covers being sold. There is no use of the letters “VP” anywhere within the exhibit.
- DT(2)12: A selection of invoices all of which are dated after the relevant date.
- DT(2)14: A selection of social media posts some of which appear to be after the relevant date, others are not in English. There are references to the opponent as VP. However these are as follows: “VP Sound”; “Vente Privee (VP)”; “VP Summer Camp”; “Etam Vente-privee.. /.. #EtamVP”; “vente privee UK- 3 years ago even the drains at VP are a la model”. Other pages appear to be after the relevant date or posted by the opponent on their French pinterest account.

8) The fourth witness statement is by Christine Kan, dated 23 July 2015, the opponent's European Sales Director, a position she has held since December 2001. She states:

"4. A great many sales organised on the French version of the Vente-privee website also take place on the UK version of our website. For instance, 89% of the sales taking place in France of products coming from UK suppliers also take place in the UK."

9) The fifth witness statement, dated 23 July 2015, is by Bruno Boulloire the opponent's Chief Financial Officer. He confirms the figures provided by Mr Tate in the table above, and he provides the following figures:

	Total turnover of all goods in the UK
2013	€10,226,358
2014	€10,897,979

APPLICANT'S EVIDENCE

10) The applicant filed a witness statement, dated 24 November 2015. Amongst the various submissions and opinions she points out that the letters VP stand for, inter alia, Vice Principal, Video Phone, Value Partners and Vice President. She states that she has searched social media sites for use of the letters VP by the opponent with little success; such use as there is seems to be minimal. She provides photographs and a description of a product called "The Vanilla Pod" which she intends to sell, which can best be described as a cushion which has a lockable compartment in which one can house a sex toy.

OPPONENT'S EVIDENCE IN REPLY

11) The opponent filed another two witness statements, dated 22 February 2016 and 29 April 2016, by Mr Tate. He contends that the opponent filed its EU mark 6386197 in French and he contends that the French word "mobilier" used in its class 35 services has been translated into English as "furniture" when it can also be used to refer to "furnishings". He provides an extract from the Collins English-French dictionary to support this contention. He also provides a copy of the applicant's registered design (EU 002552992-001/002) and UK patent application 1407881.0 which shows that the item the applicant referenced in her witness statement as the "Vanilla Pod" is a pillow / cushion.

APPLICANT'S EVIDENCE IN REPLY

12) The applicant filed a witness statement, dated 16 May 2016. The submissions made in this statement will be taken into account in my decision as and when required.

13) That concludes my summary of the evidence filed, insofar as I consider it necessary.

DECISION

14) The first ground of opposition is under section 5(2)(b) which reads:

“5.-(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.”

15) An “earlier trade mark” is defined in section 6, the relevant part of which states:

“6.-(1) In this Act an "earlier trade mark" means -

(a) a registered trade mark, international trade mark (UK) or Community trade mark which has a date of application for registration earlier than that of the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks.”

16) The opponent is relying upon its five trade marks listed in paragraph 3 above (full details at Annex A) which are clearly earlier trade marks. The applicant did not request that the opponent provide proof of use.

17) When considering the issue under section 5(2)(b) I take into account the following principles which are gleaned from the decisions of the EU courts in *Sabel BV v Puma AG*, Case C-251/95, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*, Case C-39/97, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* Case C-342/97, *Marca Mode CV v Adidas AG & Adidas Benelux BV*, Case C-425/98, *Matratzen Concord GmbH v OHIM*, Case C-3/03, *Medion AG v. Thomson Multimedia Sales Germany & Austria GmbH*, Case C-120/04, *Shaker di L. Laudato & C. Sas v OHIM*, Case C-334/05P and *Bimbo SA v OHIM*, Case C-591/12P.

(a) The likelihood of confusion must be appreciated globally, taking account of all relevant factors;

(b) the matter must be judged through the eyes of the average consumer of the goods or services in question, 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, and whose attention varies according to the category of goods or services in question;

(c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details;

(d) the visual, aural and conceptual similarities of the marks must normally be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components, but it is only when all other components of a complex mark are negligible that it is permissible to make the comparison solely on the basis of the dominant elements;

(e) nevertheless, the overall impression conveyed to the public by a composite trade mark may be dominated by one or more of its components;

(f) however, it is also possible that in a particular case an element corresponding to an earlier trade mark may retain an independent distinctive role in a composite mark, without necessarily constituting a dominant element of that mark;

(g) a lesser degree of similarity between the goods or services may be offset by a great degree of similarity between the marks, and vice versa;

(h) there is a greater likelihood of confusion where the earlier mark has a highly distinctive character, either per se or because of the use that has been made of it;

(i) mere association, in the strict sense that the later mark brings the earlier mark to mind, is not sufficient;

(j) 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;

(k) if the association between the marks creates a risk that the public will wrongly believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

The average consumer and the nature of the purchasing decision

18) As the case law above indicates, it is necessary for me to determine who the average consumer is for the respective parties' goods and services. I must then determine the manner in which these goods and services are likely to be selected by the average consumer in the course of trade. In *Hearst Holdings Inc, Fleischer Studios Inc v A.V.E.L.A. Inc, Poeticgem Limited, The Partnership (Trading) Limited, U Wear Limited, J Fox Limited*, [2014] EWHC 439 (Ch), Birss J. described the average consumer in these terms:

“60. The trade mark questions have to be approached from the point of view of the presumed expectations of the average consumer who is reasonably well informed and reasonably circumspect. The parties were agreed that the relevant person is a legal construct and that the test is to be applied objectively by the court from the point of view of that constructed person. The words “average” denotes that the person is typical. The term “average” does not denote some form of numerical mean, mode or median.”

19) The applicant has applied for goods in classes 10, 20 and 24. Specifically these relate to sex aids; safety boxes and storage furniture; and cushion covers. Whilst such items are likely to be the subject

of different criteria for selection, in effect most are likely to be found on the internet, in a catalogue or self-selected in a shop. Thus the visual aspect will be the most important element in selection although I must also consider aural issues as such items maybe recommended during a conversation. When seeking such items the average consumer is likely to take an average degree of care in ensuring, for instance, in the case of cushion covers, that they match the other furnishings. The average consumer for such items will be the general public.

Comparison of goods and services

20) In the judgment of the Court of Justice of the European Union (CJEU) in *Canon*, Case C-39/97, the court stated at paragraph 23 of its judgment that:

“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”.

21) The relevant factors identified by Jacob J. (as he then was) in the *Treat* case, [1996] R.P.C. 281, for assessing similarity were:

- a) The respective users of the respective goods or services;
- b) The physical nature of the goods or acts of services;
- c) The respective trade channels through which the goods or services reach the market;
- d) In the case of self-serve consumer items, where in practice they are respectively found or likely to be found in supermarkets and in particular whether they are, or are likely to be, found on the same or different shelves;
- e) The extent to which the respective goods or services are competitive. This inquiry may take into account how those in trade classify goods, for instance whether market research companies, who of course act for industry, put the goods or services in the same or different sectors.

22) In *Kurt Hesse v OHIM*, Case C-50/15 P, the CJEU stated that complementarity is an autonomous criterion capable of being the sole basis for the existence of similarity between goods. In *Boston Scientific Ltd v Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM)*, Case T-325/06, the General Court stated that “complementary” means:

“...there is a close connection between them, in the sense that one is indispensable or important for the use of the other in such a way that customers may think that the responsibility for those goods lies with the same undertaking”.

23) In *Sanco SA v OHIM*, Case T-249/11, the General Court indicated that goods and services may be regarded as ‘complementary’ and therefore similar to a degree in circumstances where the nature and purpose of the respective goods and services are very different, i.e. *chicken* against *transport services for chickens*. The purpose of examining whether there is a complementary relationship between goods/services is to assess whether the relevant public are liable to believe that responsibility for the goods/services lies with the same undertaking or with economically connected undertakings. As Mr Daniel Alexander Q.C. noted as the Appointed Person in *Sandra Amelia Mary Elliot v LRC Holdings Limited* BL-0-255-13:

“It may well be the case that wine glasses are almost always used with wine – and are, on any normal view, complementary in that sense - but it does not follow that wine and glassware are similar goods for trade mark purposes.”

Whilst on the other hand:

“.....it is neither necessary nor sufficient for a finding of similarity that the goods in question must be used together or that they are sold together.

24) In *Oakley, Inc v OHIM*, Case T-116/06, at paragraphs 46-57, the General Court held that although retail services are different in nature, purpose and method of use to goods, retail services for particular goods may be complementary to those goods, and distributed through the same trade channels, and therefore similar to a degree.

25) In *Tony Van Gulck v Wasabi Frog Ltd*, Case BL O/391/14, Mr Geoffrey Hobbs Q.C. as the Appointed Person reviewed the law concerning retail services v goods. He said (at paragraph 9 of his judgment) that:

“9. The position with regard to the question of conflict between use of **BOO!** for handbags in Class 18 and shoes for women in Class 25 and use of **MissBoo** for the Listed Services is considerably more complex. There are four main reasons for that: (i) selling and offering to sell goods does not, in itself, amount to providing retail services in Class 35; (ii) an application for registration of a trade mark for retail services in Class 35 can validly describe the retail services for which protection is requested in general terms; (iii) for the purpose of determining whether such an application is objectionable under Section 5(2)(b), it is necessary to ascertain whether there is a likelihood of confusion with the opponent’s earlier trade mark in all the circumstances in which the trade mark applied for might be used if it were to be registered; (iv) the criteria for determining whether, when and to what degree services are ‘*similar*’ to goods are not clear cut.”

26) However, on the basis of the European courts’ judgments in *Sanco SA v OHIM* (Case C-411/13P), and *Assembled Investments (Proprietary) Ltd v. OHIM* (Case T-105/05, at paragraphs [30] to [35] of the judgment), upheld on appeal in *Waterford Wedgwood Plc v. Assembled Investments (Proprietary) Ltd* (Case C-398/07P), Mr Hobbs concluded that:

- i) Goods and services are not similar on the basis that they are complementary if the complementarity between them is insufficiently pronounced that, from the consumer’s point of view, they are unlikely to be offered by one and the same undertaking;
- ii) In making a comparison involving a mark registered for goods and a mark proposed to be registered for retail services (or vice versa), it is necessary to envisage the retail services normally associated with the opponent’s goods and then to compare the opponent’s goods with the retail services covered by the applicant’s trade mark;
- iii) It is not permissible to treat a mark registered for ‘retail services for goods X’ as though the mark was registered for goods X;

iv) The General Court’s findings in *Oakley* did not mean that goods could only be regarded as similar to retail services where the retail services related to exactly the same goods as those for which the other party’s trade mark was registered (or proposed to be registered).

27) In *Frag Comercio Internacional, SL, v OHIM*, Case T-162/08, the General Court held that a registration for ‘retail services’, which did not identify the kinds of goods covered by the services, was too vague to permit a proper comparison to be made between those services and the goods covered by the later mark. It was not therefore possible to determine that the respective services and goods were similar.

28) In its written submissions the opponent contends that its strongest case is under EU6386197 if I accept that the goods and services of the two parties “overlap”. Otherwise they wish me to consider all their marks. The opponent cannot “have its cake and eat it”. Either this is their strongest case or it is not. I happen to agree with them that this mark provides their strongest case, but if I decide against them on the basis of this mark I will not then go on to consider their other marks, they will have been deemed to fail as well.

29) The opponent set out the goods and services it felt were similar in its statement of grounds. This was somewhat vague. It stated “The opponent’s goods in Classes 9, 16, 38 41 & 42 to the extent that the latter may be of a sexual nature” and then gave a few examples. In its written submissions it provided a much more detailed list of goods and services which it seeks to rely upon. These are set out below:

Applicant’s goods	Opponent’s retail service goods	Overlap
Sex Aids	Care products	Sex aids (being sexual care products); intimate muscle and body care apparatus e.g. sex aids with vibration vaginal exercisers etc.
	Hygiene products	Condoms, contraceptive devices, sexual hygiene products, sex aids (being sexual health products) etc.
	Leather goods	Sex aids of leather e.g. leather sex toys

	Jewellery	Penis rings etc.
	Tools	Tools for sexual purposes
	Household electrical goods	Electrical sex aids for use in the home, e.g. vibrators
Safety boxes (non-metallic-) [other than safes]	Leather goods	Leather safety boxes
	Furniture	Storage furniture in the nature of safety boxes
	DIY goods	Home storage, safety and security products in the nature of safety boxes
	Household electrical goods	Electrical safety boxes for household use
Storage furniture	Furniture	Storage furniture
Cushions (covers for-)	Leather goods	Leather cushion covers
	Furniture	Furniture and furnishings in the nature of cushion covers
	Household linen	Linen cushion covers

30) The opponent provides no other contentions to explain the reasoning behind some of these claims or even explain what is meant by some of the terms used. I shall first consider the applicant's Class 10 goods of "sex aids". I am willing to accept that under the title of "Care products", "Hygiene products", "Leather goods" and "Jewellery" there will be products which will be used for sexual purposes such as those set out by the opponent in the table above. However, I am not convinced that the terms "tools" would include anything which would be regarded as a sex aid. It would normally be used to describe drills, hammers, screwdrivers etc. not sex toys. Similarly, "Household electrical goods" is usually a term used to describe fridges, freezers etc. none of which are similar to sex aids. To my mind, "vibrators" would not fall within this term. In my opinion, sex toys will be sold in shops, via catalogues and on-line. The opponent's services covers one aspect of the trade channels for such goods and the average consumer is likely to believe that the goods are those of the opponent if sold via its website. **To my mind, there is a low degree of similarity between the applicant's class 10 goods and the opponent's class 35 services.**

31) I next turn to the applicant's class 20 goods as shown above. I accept that the opponent has within its specification for retail services subsets which cover all of the goods included in the applicant's specification, as set out in the table above. In my opinion, safety boxes will be sold in

shops, via catalogues and on-line. The opponent's services covers one aspect of the trade channels for such goods and the average consumer is likely to believe that the goods are those of the opponent if sold via its website. **To my mind, there is a low degree of similarity between the applicant's class 20 goods and the opponent's class 35 services.**



32) Lastly, I turn to the applicant's class 24 goods. Again it is clear that the opponent's retail services has subsets which cover all the applicant's specification, as set out in the table above. In my opinion, cushion covers will be sold in shops, via catalogues and on-line. The opponent's services covers one aspect of the trade channels for such goods and the average consumer is likely to believe that the goods are those of the opponent if sold via its website. **To my mind, there is a low degree of similarity between the applicant's class 24 goods and the opponent's class 35 services.**

Comparison of trade marks

33) It is clear from *Sabel BV v. Puma AG* (particularly paragraph 23) that the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details. The same case also explains that the visual, aural and conceptual similarities of the marks must be assessed by reference to the overall impressions created by them, bearing in mind their distinctive and dominant components. The CJEU stated at paragraph 34 of its judgment in *Case C-591/12P, Bimbo SA v OHIM*, that:

“.....it is necessary to ascertain, in each individual case, the overall impression made on the target public by the sign for which registration is sought, by means of, inter alia, an analysis of the components of a sign and of their relative weight in the perception of the target public, and then, in the light of that overall impression and all factors relevant to the circumstances of the case, to assess the likelihood of confusion.”

34) It would be wrong, therefore, artificially to dissect the trade marks, although it is necessary to take into account their distinctive and dominant components and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions created by them. The trade marks to be compared are:

Opponent's trade mark	Applicant's trade mark
	

35) Clearly, the two marks have a degree of visual difference in that the opponent's mark is white on black whereas the applicant's mark is black on white. The opponent's mark is set in an oblong whereas the applicant's mark is within a circle. The fonts are also quite different. However, both marks have as their distinctive and dominant elements the letters "VP". There is a high degree of visual similarity. Aurally the marks are identical as both will be pronounced as "Vee-pee". Conceptually neither mark has an obvious meaning, but if the consumer believed that it did have a meaning then the same meaning would be put on both marks. **Overall, there is a high degree of similarity between the marks.**

Distinctive character of the earlier trade mark

36) In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, Case C-342/97 the CJEU stated that:

"22. In determining the distinctive character of a mark and, accordingly, in assessing whether it is highly distinctive, the national court must make an overall assessment of the greater or lesser capacity of the mark to identify the goods or services for which it has been registered as coming from a particular undertaking, and thus to distinguish those goods or services from those of other undertakings (see, to that effect, judgment of 4 May 1999 in Joined Cases C-108/97 and C-109/97 *Windsurfing Chiemsee v Huber and Attenberger* [1999] ECR I-0000, paragraph 49).

23. In making that assessment, account should be taken, in particular, of the inherent characteristics of the mark, including the fact that it does or does not contain an element descriptive of the goods or services for which it has been registered; the market share held by the mark; how intensive, geographically widespread and long-standing use of the mark has been; the amount invested by the undertaking in promoting the mark; the proportion of the

relevant section of the public which, because of the mark, identifies the goods or services as originating from a particular undertaking; and statements from chambers of commerce and industry or other trade and professional associations (see *Windsurfing Chiemsee*, paragraph 51).”

37) The opponent’s mark consists of two letters “V” and “P” which when combined do not appear to have any meaning in relation to retail services. **The mark is inherently distinctive to at least an average degree. The opponent has not shown use of its mark, as set out in the evidence summary earlier in this decision, and so cannot benefit from enhanced distinctiveness.**

Likelihood of confusion

38) In determining whether there is a likelihood of confusion, a number of factors need to be borne in mind. The first is the interdependency principle i.e. a lesser degree of similarity between the respective trade marks may be offset by a greater degree of similarity between the respective services and vice versa. As I mentioned above, it is also necessary for me to keep in mind the distinctive character of the opponent’s trade mark as the more distinctive this trade mark is, the greater the likelihood of confusion. I must also keep in mind the average consumer for the services, the nature of the purchasing process and the fact that the average consumer rarely has the opportunity to make direct comparisons between trade marks and must instead rely upon the imperfect picture of them he has retained in his mind. Earlier in this decision, I concluded that:

- the average consumer is a member of the general public (including businesses), who will select the goods and services by predominantly visual means, although not discounting aural considerations and that they will pay an average degree of attention to the selection of such items.
- the services of the opponent are similar to the goods of the applicant to a low degree.
- the marks of the two parties are similar to a high degree.
- the opponent’s mark has an average degree of inherent distinctiveness but cannot benefit from an enhanced distinctiveness through use.

39) It is easy to envisage a situation whereby an average consumer looking for any of the applicant's goods will carry out an internet search. If they came across a retail site under the opponent's mark they would assume that the goods of the applicant were an "own brand" of the opponent and sold on its website. **The opposition under Section 5(2) (b) therefore succeeds in full.**

40) Although this is determinative I shall briefly comment upon the other grounds of opposition. Firstly, I shall look at the ground of opposition based on section 3(6) which reads:

"3(6) A trade mark shall not be registered if or to the extent that the application is made in bad faith."

41) The opponent contends that the applicant has no intention of using its mark upon the whole of the specification included in the application.

42) In *Red Bull GmbH v Sun Mark Limited and Sea Air & Land Forwarding Limited* [2012] EWHR 1929 (Ch), Arnold J. held that a possible or contingent intention to use the mark in relation to the goods/services covered by the application would normally be sufficient to prevent a finding of bad faith on the grounds of no intention to use the mark. He stated:

"161. If the UK's requirement for a declaration of intention to use is compatible with the Directive, and the making by the applicant of a false declaration of intent to use can amount to bad faith, the next issue concerns the intention which the applicant must have in order to be able to declare in good faith that he intends to use the mark in relation to the goods or services specified in the application in the UK. Counsel for the Defendants submitted that a concrete present intention was required, whereas counsel for Red Bull submitted that a possible or contingent future intention was sufficient.

162. In *Knoll* Neuberger J. said that "whether a contemplated use, or a possible or conditional intention to use, can suffice must depend upon the circumstances". In that case, he found that the proprietor had had a definite intention to use the mark in relation to pharmaceutical preparations for the treatment of obesity and contemplated that it might use the mark in relation to other pharmaceutical products. In those circumstances he held that it was unarguable that the proprietor had acted in bad faith by making a false declaration that it intended to use the mark in relation to pharmaceutical preparations and dietetic substances. In *32Red* the Court of

Appeal appears to have accepted that a possible future use of the mark in relation to the services applied for was enough to defeat an allegation of bad faith on the ground of lack of intention to use in the circumstances of that case, albeit without any detailed consideration of the law.

163. Neuberger J's statement in *Knoll* appears to me to be not only correct in principle, but also supported by the subsequent jurisprudence of the CJEU in *Lindt v Hauswirth* and *Internetportal v Schlicht*. I therefore conclude that a possible or contingent intention to use the mark at some future date may suffice. Whether it does suffice will depend on all the circumstances of the case, and in particular whether there are other factors present of the kind mentioned in paragraph 139 above". [i.e. whether the application is an attempt to gain protection for an unregistrable mark or to block others from using the mark]

43) In *Demon Ale Trade Mark* [2000] RPC 345, the applicant had an intention to use the mark for some goods, but not the goods covered by the application. Sitting as the Appointed Person, Mr Geoffrey Hobbs QC held that:

"In the present case the objection under section 3(6) related to the applicant's breach of a statutory requirement. Section 32(3) of the Act required him to be a person who could truthfully claim to have a bona fide intention that DEMON ALE should be used (by him or with his consent) as a trade mark for beer. His application for registration included a claim to that effect. However he had no such intention and could not truthfully claim that he did. That was enough, in my view, to justify rejection of his application under section 3(6)."

44) This ground of opposition was added following the evidence filed by the applicant which included details of the initial product that the applicant intends to offer. This amounts to a cushion with a secure storage pouch in which a sex toy can be kept. The opposition is ill-founded and absurd. Just because the applicant identified its initial product does not mean that there is no intention to use the mark upon other items. As it is the cushion has a dual use of being both a cushion and a secure storage device for a sex toy or indeed anything else one wishes to store inside a cushion. It is obvious that the next extension would be to have a range of sex toys branded with the mark in suit for offering with the storage device. **The ground of opposition under section 3(6) fails.**

45) The other two grounds of opposition are under sections 5(3) and 5(4) which read:

“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 European Union trade mark or international trade mark (EC), in the European Union) 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.”

And:

“5(4): A trade mark shall not be registered if, or to the extent that, its use in the United Kingdom is liable to be prevented –

- (a) by virtue of any rule of law (in particular, the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade, or

(b) [.....]

A person thus entitled to prevent the use of a trade mark is referred to in this Act as the proprietor of “an earlier right” in relation to the trade mark.”

46) In respect of section 5(3) the relevant case law can be found in the following judgments of the CJEU: Case C-375/97, *General Motors*, [1999] ETMR 950, Case 252/07, *Intel*, [2009] ETMR 13, Case C-408/01, *Addidas-Salomon*, [2004] ETMR 10 and C-487/07, *L’Oreal v Bellure* [2009] ETMR 55 and Case C-323/09, *Marks and Spencer v Interflora*. The law appears to be as follows.

a) The reputation of a trade mark must be established in relation to the relevant section of the public as regards the goods or services for which the mark is registered; *General Motors*, paragraph 24.

(b) The trade mark for which protection is sought must be known by a significant part of that relevant public; *General Motors*, paragraph 26.

(c) It is necessary for the public when confronted with the later mark to make a link with the earlier reputed mark, which is the case where the public calls the earlier mark to mind; *Adidas Saloman, paragraph 29* and *Intel, paragraph 63*.

(d) Whether such a link exists must be assessed globally taking account of all relevant factors, including the degree of similarity between the respective marks and between the goods/services, the extent of the overlap between the relevant consumers for those goods/services, and the strength of the earlier mark's reputation and distinctiveness; *Intel, paragraph 42*

(e) Where a link is established, the owner of the earlier mark must also establish the existence of one or more of the types of injury set out in the section, or there is a serious likelihood that such an injury will occur in the future; *Intel, paragraph 68*; whether this is the case must also be assessed globally, taking account of all relevant factors; *Intel, paragraph 79*.

(f) Detriment to the distinctive character of the earlier mark occurs when the mark's ability to identify the goods/services for which it is registered is weakened as a result of the use of the later mark, and requires evidence of a change in the economic behaviour of the average consumer of the goods/services for which the earlier mark is registered, or a serious risk that this will happen in future; *Intel, paragraphs 76 and 77*.

(g) The more unique the earlier mark appears, the greater the likelihood that the use of a later identical or similar mark will be detrimental to its distinctive character; *Intel, paragraph 74*.

(h) Detriment to the reputation of the earlier mark is caused when goods or services for which the later mark is used may be perceived by the public in such a way that the power of attraction of the earlier mark is reduced, and occurs particularly where the goods or services offered under the later mark have a characteristic or quality which is liable to have a negative impact of the earlier mark; *L'Oreal v Bellure NV, paragraph 40*.

(i) The advantage arising from the use by a third party of a sign similar to a mark with a reputation is an unfair advantage where it seeks to ride on the coat-tails of the senior mark in order to benefit from the power of attraction, the reputation and the prestige of that mark and to exploit, without paying any financial compensation, the marketing effort expended by the

proprietor of the mark in order to create and maintain the mark's image. This covers, in particular, cases where, by reason of a transfer of the image of the mark or of the characteristics which it projects to the goods identified by the identical or similar sign, there is clear exploitation on the coat-tails of the mark with a reputation (*Marks and Spencer v Interflora*, paragraph 74 and the court's answer to question 1 in *L'Oreal v Bellure*).

47) In respect of section 5(4)(a) Halsbury's Laws of England (4th Edition) Vol. 48 (1995 reissue) at paragraph 165 provides the following analysis of the law of passing off. The analysis is based on guidance given in the speeches in the House of Lords in *Reckitt & Colman Products Ltd v. Borden Inc.* [1990] R.P.C. 341 and *Erven Warnink BV v. J. Townend & Sons (Hull) Ltd* [1979] AC 731. It is (with footnotes omitted) as follows:

"The necessary elements of the action for passing off have been restated by the House of Lords as being three in number:

(1) that the plaintiff's goods or services have acquired a goodwill or reputation in the market and are known by some distinguishing feature;

(2) that there is a misrepresentation by the defendant (whether or not intentional) leading or likely to lead the public to believe that the goods or services offered by the defendant are goods or services of the plaintiff; and

(3) that the plaintiff has suffered or is likely to suffer damage as a result of the erroneous belief engendered by the defendant's misrepresentation.

The restatement of the elements of passing off in the form of this classical trinity has been preferred as providing greater assistance in analysis and decision than the formulation of the elements of the action previously expressed by the House. This latest statement, like the House's previous statement, should not, however, be treated as akin to a statutory definition or as if the words used by the House constitute an exhaustive, literal definition of passing off, and in particular should not be used to exclude from the ambit of the tort recognised forms of the action for passing off which were not under consideration on the facts before the House."

48) Further guidance is given in paragraphs 184 to 188 of the same volume with regard to establishing the likelihood of deception or confusion. In paragraph 184 it is noted (with footnotes omitted) that:

“To establish a likelihood of deception or confusion in an action for passing off where there has been no direct misrepresentation generally requires the presence of two factual elements:

(1) that a name, mark or other distinctive feature used by the plaintiff has acquired a reputation among a relevant class of persons; and

(2) that members of that class will mistakenly infer from the defendant’s use of a name, mark or other feature which is the same or sufficiently similar that the defendant’s goods or business are from the same source or are connected.

While it is helpful to think of these two factual elements as successive hurdles which the plaintiff must surmount, consideration of these two aspects cannot be completely separated from each other, as whether deception or confusion is likely is ultimately a single question of fact.

In arriving at the conclusion of fact as to whether deception or confusion is likely, the court will have regard to:

(a) the nature and extent of the reputation relied upon;

(b) the closeness or otherwise of the respective fields of activity in which the plaintiff and the defendant carry on business;

(c) the similarity of the mark, name etc. used by the defendant to that of the plaintiff;

(d) the manner in which the defendant makes use of the name, mark etc. complained of and collateral factors; and

(e) the manner in which the particular trade is carried on, the class of persons who it is alleged is likely to be deceived and all other surrounding circumstances.

In assessing whether confusion or deception is likely, the court attaches importance to the question whether the defendant can be shown to have acted with a fraudulent intent, although a fraudulent intent is not a necessary part of the cause of action.”

49) It can be seen from the above that in order to succeed under these grounds the opponent needs to show that the mark/ sign it relies upon has a reputation with a significant proportion of the public and that it has goodwill. As can be seen from the evidence summary earlier in this decision the opponent has singularly failed to show any use of the mark/sign “VP” which it relied upon under these two grounds. It has therefore failed to show that it enjoys either reputation or goodwill under the letters “VP”. **The grounds of opposition based upon sections 5(3) and 5(4) therefore fail.**

CONCLUSION

50) Although the opposition based upon sections 3(6), 5(3) and 5(4)(a) have all failed, the opponent did succeed in full under section 5(2)(b). As the opposition has been completely successful the application will be refused.

COSTS

51) As the opponent has been successful it is entitled to a contribution towards its costs.


Expenses	£200
Preparing a statement and considering the other side’s statement	£200
Preparing evidence and considering the other side’s evidence	£200
Preparing submissions	£200
TOTAL	£800

52) I order Cheryl Thomas to pay Vente-Privee.com the sum of £800. This sum is to be paid within fourteen days of the expiry of the appeal period or within fourteen days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 30th day of September 2016

George W Salthouse
For the Registrar,
the Comptroller-General

ANNEX A:

Number & Mark	Dates of filing and registration	Class	Specification relied upon
<p>EU 6386197:</p> 	<p>23.10.07 14.03.13</p>	<p>9</p>	<p>Spectacles (optical goods), sunglasses, spectacles for sports, anti-glare spectacles; spectacle frames; spectacle frames; spectacle lenses; correcting lenses (optics); contact lenses; contact lenses, optical lenses; optical goods; eyewear cases; containers for contact lenses; binoculars; spotting scopes; magnifying glasses (optics); anti-dazzle shades; Scientific (apart from medical use), nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking, life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; galvanic cells; video cameras; photography screens; projection screens; fluorescent screens; video displays; monitors (computer hardware); radio, including for vehicles; audio and video receivers; television apparatus; video recorders; cassette players; compact disc players; readers (data processing equipment); DVD players; optical character readers; electronic diaries; pocket calculators; electronic pocket translators; satellite navigation equipment; navigation apparatus for vehicles (onboard computers); batteries, electric; electric batteries; magnetic data carriers; magnetic cards; smart cards with chips; compact discs (audio-video), optical discs, optical compact discs and recording discs; compact discs with read-only memory and interactive compact discs; optical and magnetic data media; audio-visual teaching apparatus; instructional and teaching material, in the form of CD-ROMs; computer software (recorded programs); downloadable software; downloadable electronic publications; cinematographic film (exposed); animated cartoons; slide projectors; photographic transparencies; data-processing apparatus and equipment; computers; computer peripheral devices; computer memories; modems; automatic vending machines and mechanisms for coin-operated apparatus; cash registers; calculating machines; clothing and footwear for protection against accidents, irradiation and fire; protective helmets and masks; diving suits, gloves for divers and divers' masks; pince-nez; magic lanterns; musical juke boxes; personal stereos; headphones; walkie-talkies; telephone apparatus; telephones including mobile telephones; radiopaging apparatus; video telephones; telephone answering machines; hands-free kits for telephones; telephone receivers; loudspeakers and cabinets for loudspeakers; amusement apparatus adapted for use with an independent display screen or a monitor; apparatus for games adapted for use with an external display screen or monitor; facsimile machines; neon signs; hair curlers, electrically heated; hair-curlers, electrically heated; electric make-up removing appliances; electric irons; none of the aforesaid goods in class 9 being in the field of finance.</p>

	16	Debit cards and credit cards (non-magnetic); printers' type; printing blocks; typewriters (electric or non-electric); office requisites (except furniture) and except packaging materials, flexible and protective packaging, packaging for dispatch purposes, security bags, document holders, pouches for holding transport documents attached to parcels, envelopes, security envelopes; none of the aforesaid goods in class 16 being in the field of finance.
	35	<p>Advertising, including online advertising on a computer network; Mail advertising (including by electronic means); Radio advertising; Television advertising; Arranging newspaper subscriptions for others; Business management; Business appraisals; Commercial information agencies; Market studies; Economic forecasting; Statistical information; Market research; Advertising management; Rental of advertising equipment, space and media (including online on a global communications network such as the Internet); Business consultancy, information or enquiries; Assistance in management of business activities; Business management and organisation consultancy; Efficiency experts; Business research; Commercial administration of the licensing of the goods and services of others; Organisation of exhibitions and trade fairs for commercial or advertising purposes; Bill-posting; Publication of publicity texts; Business management consultations; Professional consultancy relating to advertising and promotion; Computerised file management; Consultancy relating to the administrative management of Internet websites; Collection and systematic ordering of data in a central file; Dissemination of advertising matter, direct mail advertising; Publicity columns preparation; Updating of advertising material; Sales promotion (for others); Opinion poll; Providing facilities for exhibitions (administrative); Business management of hotels; Shop window dressing; Demonstration of goods; Sample distribution; Auctioneering services; Import-export agencies; Rental of advertising time on communication media; Business management of performing artists; Professional management of models, celebrities, artistes, athletes, comedians and fashion designers; Modelling agencies, namely selection, recruitment and placement of models; Modelling for advertising or sales promotion; Public relations services; News clipping services; Management of the careers of models, celebrities, artistes, athletes, comedians and fashion designers; Negotiating contracts for models, celebrities, artistes, athletes, comedians and fashion designers; Document reproduction; Administrative management of promotional gifts; Organisation of promotional and advertising operations to obtain customer and personnel loyalty;</p> <p>Presentation of goods on communications media, in particular on a sales website, for retail purposes, namely, on the one hand, chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry, unprocessed artificial resins, unprocessed plastics, manures, fire-extinguishing compositions,</p>

		<p>tempering and soldering preparations, chemical substances for preserving foodstuffs, tanning substances, adhesives used in industry, fuel additives, engine-decarbonising chemicals, fuel-saving preparations, water softening preparations, chemicals for use in cleaning chimneys, radiator flushing chemicals, chemical preparations for use in photography, paper and films for use in photography, adhesives, ungluing preparations, flower preservatives, corrosive preparations, anti-corrosive preparations, disincrustants, solvents, thinners, compositions for repairing inner tubes of tyres, paints, varnishes, coatings, lacquers, turpentine, preservatives against rust and against deterioration of wood, anti-corrosion preparations, colorants, mordants, raw natural resins, metals in foil, paste and powder form for use in painting, decorating, printing and art, binding preparations for paints, thickeners for paints, food dyes, printing inks, mothproofing preparations, bleaching preparations and products and other substances for laundry use, cleaning, refurbishing, polishing, waxing, buffing, scouring, stripping and abrasive preparations and products, leather care preparations, soaps, products and preparations for the bath, shaving preparations, hair removal preparations, perfumery, essential oils, incense, indoor fragrances, cosmetics, hair lotions, dentifrices, adhesives for cosmetic purposes, breath fresheners, sharpening preparations, preparations for personal and intimate hygiene, false eyelashes, non-slip preparations, hair colorants and dyes, skin tanning cosmetics, cosmetics for slimming purposes, skin care preparations, make-up removing preparations, deodorants, henna, oils for cosmetic purposes, oils for toilet purposes, potpourris (fragrances), drying agents for dishwashing machines, hair care preparations, hand and nail care preparations, antistatic preparations for household purposes, lipstick cases, massage preparations, decorative transfers for cosmetic purposes, cosmetic kits, permanent wave preparations, false nails, eyelashes and hair, industrial oils and greases, lubricants, dust absorbing, wetting and binding compositions, fuels (including motor spirit) and illuminants, candles and wicks for lighting, fragranced candles, methylated spirit, firelighters, dust binding compositions for sweeping, dust removing preparations, gas for lighting, fuel gas, grease for leather, pharmaceuticals and veterinary preparations, medicines, contraceptive substances, sanitary preparations for medical purposes, dietetic food and substances adapted for medical or veterinary use, food for babies, dietary supplements for humans and animals, plasters, materials for dressings, material for stopping teeth, dental wax, disinfectants, preparations for destroying vermin, fungicides, herbicides, products, preparations and materials for dental use, fly catching paper, belts for sanitary napkins, chemical preparations for medical purposes, tobacco-free cigarettes for medical purposes, babies' nappies, nappies for pets, sanitary pants and towels, deodorants, filled portable medicine cases, medicinal herbs, sexual lubricants, dressings, filled first-aid boxes, medicinal preparations for hair growth, tanning</p>
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		<p>pills, slimming pills, semen for artificial insemination, sterilising preparations, contraceptive preparations, common metals and their alloys, metal building materials, transportable buildings of metal, swimming pools, 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 metal (namely badges, brooches, toolboxes (empty), works of art, decorative objects, statues, statuettes, sculptures, figurines, furniture, decorative mobiles, goods for framing purposes, shutters, fences, doors, windows, clothes hooks, handles for doors and drawers, blinds, cookery moulds, nails, screws), ores, chains and locks for doors, window casement bolts, peepholes for doors, anchors, bars for metal railings, preserve tins of metal, boxes of common metal, bungs of metal, bottles of metal, padlocks, safety cashboxes, safety chains, frames of metal for windows and doors, chimneys of metal, keys, reels for flexible hoses, scaffolding and ladders, staircases, handles for doors and windows, blinds, ironwork for doors, door chimes, machines (namely vacuum cleaners, laundry washing machines, dishwashers, electric kitchen beaters, electric food processors, blenders, juice extractors, pasta-making machines, mixing machines for household purposes, sewing machines, knitting machines, cleaning appliances utilising steam, high-pressure cleaning appliances, agricultural machines, clippers, compressed air machines, compressors, electric drills, power saws, electric planing machines, welding units, electric hammers, electric screwdrivers) and machine tools, motors and engines, machine coupling and transmission components, agricultural implements, incubators for eggs, automatic vending machines, doors for lifts, equipment and apparatus for agriculture, gardening and forestry, conveyors, lifts, link rods for machines, motors and engines, sparking plugs for internal combustion engines, cables for controlling machines, motors and engines, electricity generators, filtering machines, cartridges for filtering machines, gas-operated cutting blow pipes, soldering irons, goods for soldering purposes, aerated water making apparatus, electromechanical apparatus for the preparation of beverages or foodstuffs, readers, electric door or window openers, air pumps, rolling mills, hand tools and implements (hand-operated), cutlery, side arms, razors, agricultural tools, gardening tools, ladles, cutting dies, sharpening instruments, clamps, saws, pliers, shears, lawn clippers, beard clippers, manicure sets, razor blades, files (tools), irons, steamers, trouser presses, 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 (including parts therefor), apparatus for recording, transmission or reproduction of sound or images (including parts therefor), magnetic data carriers, recording discs, compact discs, DVDs and other recording media,</p>
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		<p>mechanisms for coin-operated apparatus (including parts therefor), cash registers (including parts therefor), calculating machines, data processing equipment, computers (including parts and peripheral devices therefor), computer software, fire-extinguishing apparatus, computer hardware, electronic organisers, magnets, accumulators for vehicles, alidades, amplifiers, bulbs, testing apparatus not for medical purposes, calibrating rings, anodes, downloadable computer software applications, hemline markers, audio and video devices for monitoring babies, musical juke boxes, safety tarpaulins, rods for water diviners, personal stereos, betatrons, electric coils, riding helmets, lens hoods, pressure indicator plugs for valves, connected bracelets and watches, covers for electric outlets, digital photo frames, cameras, magnetic cards, video games, protective helmets, headphones, video cassettes, photovoltaic cells, battery chargers, shoes for protection against accidents, radiation and fire, electronic collars to train animals, USB flash drives, diving suits, counters, covers for smartphones, cords for spectacles, electronic pens for visual display units, cartoons, detectors, dictating machines, ticket dispensers, telephone receivers, video screens, transmitters (telecommunication), luminous signs, electronic tags for goods, spectacle cases, cases for smartphones, optical fibres (light conducting filaments), downloadable music and image files, protective films for computer screens, for tablets and for smartphones, gloves for protection against accidents, satellite navigation apparatus, clothing for protection against fire, automated teller machines, speakers, binoculars, optical lenses, contact lenses, electronic readers, optical goods, video recorders, microphones, egg candler, modems, photocopiers, printers, electric batteries, pince-nez, pedometers, mouth guards, downloadable electronic publications, answering machines, electric locks, dog whistles, bells (warning devices), door bells, digital tablets, electrified fences, spectacles, surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth, orthopedic articles, suture materials, apparatus and products for sexual stimulation, sex toys, contraceptives, babies' bottles, acupuncture instruments and apparatus, nursing appliances, stockings for varices, bed pans, ear plugs, abdominal belts, maternity belts, commode chairs, hearing aids, corn knives, menstrual cups, incubators for babies, invalids' hoists, incontinence sheets, feeding bottle valves, childbirth mattresses, microdermabrasion apparatus, furniture especially made for surgical, medical, dental and veterinary purposes, soporific pillows for insomnia, orthodontic appliances, combs for removing lice, physiotherapy apparatus, balling guns, condoms, erotic dolls, hair prostheses, artificial breasts, teats, breast pumps, apparatus for acne treatment, special clothing for operating theatres, vibromassage apparatus, massage apparatus, instruments and devices for sexual stimulation, apparatus, instruments and devices for stimulating sexual arousal, boosting sexual performance and satisfying sexual needs, imitations of adult sexual organs, apparatus (and parts therefor) for lighting,</p>
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		<p>heating, steam generating, cooking, refrigerating, drying, ventilating, aerating, air conditioning and water supply purposes, sanitary installations and equipment (and parts therefor), bulbs (including parts therefor), lamps for lighting (including parts therefor), strings of electric lights, neon lights, luminous decorations, chimneys (and parts therefor), air conditioners, ventilators, fans, hairdryers, bathtubs, sinks, washbasins, showers (and parts therefor), toilets, bidets, taps, apparatus and installations for filtering air and water (and parts therefor), irrigation apparatus and devices, extractor hoods for cookers, hydromassage apparatus (and parts therefor), sauna installations (and parts therefor), turkish bath installations (and parts therefor), fountains (and parts therefor), plumbing goods, tap fittings, pipework goods, barbecues, lava rocks for use in barbecue grills, coal stoves, carbon for arc lamps, vehicles, apparatus for locomotion by land, air or water (including parts therefor), motors, two-wheeled trolleys, wheelbarrows, coupling and transmission components for land vehicles, aeronautical apparatus, machines and devices, anti-theft devices for vehicles, trailer hitches for vehicles, pushchair covers, pushchair hoods, handling carts, cleaning trolleys, carts, panniers adapted for bicycles and motorcycles, disengaging gear for boats, reduction gears for land vehicles, drones, wheelchairs, luggage nets for vehicles, funiculars, vehicle covers, seat covers for vehicles, pushchairs, paddles for canoes, baskets adapted for cycles, parachutes, tyres, air pumps, luggage carriers for vehicles, ski carriers for motor vehicles, strollers, safety seats for children, for vehicles, chairlifts, oarlocks, tilting-carts, cable transport apparatus and installations, scooters, golf carts, motor vehicle roof racks, luggage carriers and storage boxes for land vehicle roof racks, devices for transporting objects, for vehicles, transport trailers, firearms (including parts therefor), ammunition and projectiles, explosives, fireworks, firecrackers, signal rockets, pyrotechnic products, pyrophoric substances, sprays for personal defence purposes, firing platforms, sights for weapons, precious metals, alloys of precious metals, goods in precious metals, in alloys of precious metals or coated therewith (namely: costume jewellery, brooches, works of art, decorative objects, statues, statuettes, sculptures, figurines, decorative mobiles, goods for framing purposes, clothes hooks, handles for doors and drawers, keyrings, boxes, cases for watches and jewellery, cufflinks, ingots), jewellery (and parts therefor), precious and semi-precious stones, horological instruments (and parts therefor), chronometric instruments (and parts therefor), medals, coins, rhinestones, jewellery rolls, copper tokens, badges of precious metal, tie clips, tie pins, cabochons for making jewellery, jewellery findings, cuff-links, charms (jewellery), busts of precious metal, musical instruments (including parts therefor), music rolls, music boxes, plectrums, music stands, turning apparatus for sheet music, babies' nappies, baby bibs, portable lanterns of paper, badges of paper, boxes of paper, flags of paper, shields of paper, signs of paper, labels of paper, figurines, works of</p>
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		<p>art, decorative objects, table linen of paper, filters of paper, gift wrap, toilet paper, table covers of paper or plastic, place mats of paper or plastic, tablemats, coasters, garlands, photograph frames of paper or cardboard, flower-pot covers, cups of cardboard or plastic, twine of paper, hats of paper (clothing), artificial flowers, mats, party favours, dolls, bedding for animals, printed matter, photographs, adhesives for stationery or household purposes, artists' materials, paintbrushes, typewriters, office requisites, except furniture, instructional and teaching material, printers' type, printing blocks, cooking bags, rubber, gutta-percha, gum, asbestos, mica, goods of rubber, gutta-percha, gum, asbestos or mica (namely stoppers, insulation materials for building construction, sealing materials for building construction, soundproofing materials for building construction, works of art, decorative objects, statues, statuettes, sculptures, figurines), plastics in extruded form for use in manufacture, packing, stopping and insulating materials, goods for insulation purposes, watering hoses, pipes for use in plumbing, pipes for use in heating, ducts, elbow bends for pipes or ducts, collars and fastening elements for pipes or ducts, connectors for pipes or ducts, seals for use in plumbing, leather and imitations of leather, goods of leather or imitations of leather (namely: cases for mobile telephones, boxes, cases, chests, wrist straps, key cases, bags, photograph or picture frames, coasters, belts, decorative objects, coverings and trimmings for furniture), animal skins, hides, trunks and travelling bags (including parts therefor), walking sticks (including parts therefor), umbrellas and parasols (including parts therefor), whips, harness and saddlery, mountaineering sticks, purses, walking stick seats, handbags, collars for animals, clothing for animals, slings for carrying infants, key cases, net bags for shopping, leather thread, umbrella covers, leads for animals, straps of leather, suitcases, chin straps (straps of leather), muzzles, nose bags (feed bags), parasols, pocket wallets, music cases, backpacks, empty tool bags, bags, sachets (envelopes, pouches) of leather for packaging, baby carriers, garment bags for travel, satchels, valves of leather, building materials, pipes for building, asphalt, pitch and bitumen, transportable buildings, monuments, doors, windows, gates, tiling, joinery goods for use in buildings, mortar for building, plaster, wood, wainscotting, plates of plaster for building, reinforcing materials of metal for building, tiles, wood panelling, letter boxes, partitions for buildings, fences, water pipes, ventilation ducts, aquarium gravel, furniture (including parts therefor), kitchen furniture, modular bathroom furniture, lounge furniture, bedroom furniture, mirrors, picture frames, goods 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 (namely curtain rings, curtain holders, curtain rails, fastening elements for curtains, works of art, decorative objects, furniture, boxes, chests for storage purposes, storage lockers, statues, statuettes, sculptures, figurines, stoppers, lids, stopper caps, goods for framing purposes, tool</p>
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		<p>handles, dressmakers' dummies, busts, decorative mobiles, clothes hooks, clothes hangers, handles for doors and drawers, baskets, blinds, curtains, goods for packaging and storage, containers, storage boxes, trimmings for furniture, door fittings, window fittings, locks, bells, house numbers, towel holders, umbrella holders, plant racks, trays), cupboard doors, wardrobes, cushions, pillows, mattresses, armchairs, sofas, chairs, easy chairs, tables, worktops, furniture partitions, storage furniture, tea trolleys, support bars enabling people with reduced mobility to use sanitary installations, attachments for towels, hot water bottles, kettles, stoves, attachments for curtains, bedding, framing goods, household or kitchen utensils, apparatus and containers, combs and sponges, brushes, brush-making materials, articles for cleaning purposes, steel wool, unworked or semi-worked glass, glassware, porcelain and earthenware, drinking vessels and holders therefor, isothermic bottles, bags and containers for foodstuffs or beverages, bottles, stoppers for bottles and for carafes, bread baskets, breadboards, serving trays, egg cups, jars for foodstuffs, boxes for transporting or preserving foodstuffs, strainers, coasters, coffee or tea services, coffee filters, tea strainers, tea balls, coffee grinders, pepper mills, salt mills, sugar basins, cocktail shakers, cocktail sticks, drinking glasses, cocktail glasses, fitted picnic baskets, including dishes, drying racks for laundry, ironing boards, laundry baskets, ceramics for household purposes, flowerpots, gardening gloves, cosmetic and toilet utensils, bathroom mirrors, bathroom stools, bathroom cup holders, dishes, table mats, coasters (tableware), indoor aquaria, cages for pets, oven gloves, watering cans, watering devices (and parts therefor), tableware, carboys, electric devices for attracting and destroying insects, pressure cookers, stew-pans, cooking pots, litter trays for pets, window-boxes, brooms, towel holders, candle rings, boxes for dispensing paper towels, lunch boxes, perfume burners, candelabra, electric brushes, toothbrushes (electric and non-electric), cruets, serving platters, coffee pots, candlesticks, heaters (electric and non-electric) for feeding bottles, baby baths, shoe horns, apparatus for wax-polishing, toothpicks, soap dispensers, soap boxes, spice sets, candle extinguishers, currycombs, shoe trees, mess-tins, gardening gloves, portable cold boxes (electric and non-electric), ironing board covers, tie presses, toiletries kits, brooms, artificial nest eggs, bottle openers, glove stretchers, drinking straws, washing boards, cutting boards, stands for shaving brushes, menu card holders, knife rests for the table, sponge holders, toilet paper holders, soap dispensers, soap holders, pottery, pots, refuse bins, serviette rings, flat-iron stands, candle jars, holders for flowers and plants (flower arranging), epergnes, wine-tasters (pipettes), carafes, clothing stretchers, indoor terrariums, boot jacks, shoe horns, buttonhooks, piggy banks, cooking utensils (electric and non-electric), vases, moulds (kitchen utensils), spray bottles, perfume sprayers, cream jugs, flower pots, mustard jars, glue-pots, children's potties, cotton ball jars, lids for pots, bathtub shelves of plastic,</p>
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		<p> tool handles, broom handles, brush goods, tableware, ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags, padding and stuffing materials, raw fibrous textile materials, eiderdowns, hammocks, braid, sacks for the transport and storage of goods, rigging, yarns and threads, for textile use, sewing thread and yarn, textiles and textile goods, bed covers, table covers, sheets, duvets, blankets, mattress covers, pillowcases, cushion covers, duvet covers, protective covers for furniture, bath linen, bed linen, table linen, household linen, cloths, curtains, net curtains, curtain holders, shower curtains, fittings for curtains, curtain rails, napkins, tablecloths, place mats, banners, printers' blankets of textile, canvas for tapestry or embroidery, hat linings, of textile, in the piece, blankets for pets, flags, bolting cloth, toilet lid covers, plastic material (substitute for fabrics), furniture coverings of textile or plastic, wipes for make-up removal, billiard cloth, clothing, footwear, headgear, underwear, slippers, socks, gloves, spats, belts, suspenders, muffs, sleep masks, mitres, gaiter straps, garment pockets, shirt fronts, pocket squares, heels for shoes, heel pieces, welts for footwear, boot uppers, ready-made linings (parts of clothing), dress shields, masquerade costumes, foot muffs (electrically heated or not), shower caps, lace boots, swimming caps, tips for footwear, necklets, non-slipping devices for footwear, fittings of metal for footwear, sock suspenders, lace and embroidery, ribbons and braid, buttons, hooks and eyes (haberdashery), pins and needles, artificial flowers, plants and fruits, garlands, carpets, rugs, mats and matting, linoleum, materials for covering existing floors, wall hangings, wallpaper, games and playthings, party favours, firecrackers, gymnastic and sporting articles, Christmas trees and decorations for Christmas trees, articles for use in fishing, confetti, articles and equipment for playing sport, foodstuffs, 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 and artificial coffee, rice, tapioca and sago, flour and preparations made from cereals, bread, pastries and confectionery, edible ices, sugar, honey, syrups, yeast, baking-powder, salt, mustard, vinegar, sauces (condiments), spices, ice, grains, agricultural, horticultural and forestry products, live animals, fresh fruits and vegetables, seeds, natural plants and flowers, foodstuffs for animals, malt, beers, mineral and aerated waters, non-alcoholic beverages, fruit beverages and fruit juices, preparations for making beverages, alcoholic beverages, packaging goods, goods for protection during transport, envelopes, gift boxes, gift vouchers, vouchers to be exchanged for goods or services, vouchers for the purchase of goods or services, money-off coupons, gift certificates, gift cards, promotional codes, promotional cards, loyalty cards, membership cards, tickets, debit and credit cards, payment cards, magnetic cards, and, on the other hand, goods relating to the fields of care, beauty, hairdressing, shaving, hygiene, hair removal, dietetics and health for human beings </p>
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		<p>and animals, parapharmaceuticals, relaxation, sexuality, massage, perfumery and cosmetics, childcare, games and playthings, modelling, pyrotechnics, clothing and fashion accessories, textiles, dressmaking, ironing, haberdashery, leatherware, footwear, headgear, jewellery, horological instruments, optical goods, interior and exterior decoration, lighting, heating, drying, ventilating, air-conditioning, refrigerating, furniture, bedding, tableware (including cutlery and crockery), household linen, table linen, bed linen, bath towels and linen, gastronomy, foodstuffs, delicatessen goods, beverages (including alcoholic beverages), oenology, cookery (including kitchen utensils, containers and accessories, cooking apparatus and instruments), household furnishings and fittings (interior and exterior), cleaning, gardening, horticulture, forestry, seeds (grains), animals (including pets), DIY, tools, ironmongery, plumbing, locksmithing, home automation, security against theft and fire, weighing, measuring, photography, cinema, theatre, shows, entertainment, leisure, sporting and cultural activities, fishing, travel, satellite navigation, printed matter, the press and publishing, music, art, sound or image recording, sound or image transmission, sound or image reproduction, stationery, household electrical appliances, audio-visuals, telecommunications, telephony (including mobile telephony), information technology, data processing equipment, electricity (namely, apparatus, and parts and fittings therefor, for conducting, switching, transforming, accumulating, regulating and controlling electricity), motor vehicles, apparatus for locomotion and transport (by land, air or water);</p> <p>Grouping together (except transport) for others of goods, namely care, beauty and hygiene products for people and animals, perfumery and cosmetics, clothing and fashion accessories, textiles, haberdashery, leather goods, jewellery, clocks and watches, optical goods, furniture, luxury tableware items, household linen, garden equipment, DIY goods, tools, sports equipment and games, photographic apparatus, cinema apparatus, printing and publishing apparatus, musical instruments, stationery, household electrical goods, audio-visual goods, telecommunications apparatus, telephony apparatus (including mobile phones) and computer equipment, enabling customers to conveniently view and purchase those goods by any means, in particular on a trading website;</p> <p>Employment agencies; Personnel recruitment; Clerical services; Accounting; Leasing of typewriters; Office machines and equipment rental; Rental of photocopying machines; Rental of vending machines; None of the aforesaid services in class 35 being in the field of finance.</p>
	38	<p>Telecommunications services; transmission of information (news), computer-aided communication and transmission of messages and images; press and information agencies; radio, telegraph and telephone communications; voice messaging services; transmission of</p>

		<p>information by data transmission; transmission of information by teleprinters; sending of telegrams and fax messages; paging services (radio, telephone or other means of electronic communication); services of mobile radiotelephony; optical fibre network communication services; communication by computer terminals; providing of telecommunications channels for teleshopping; television and radio broadcasting; radio and television broadcasting; transmission of data contained in data banks; providing access to information held in data banks; renting of access time for the use of data bases; provision of access to databases; transmission and dissemination of data, images and sound by computer or computer networks; access providing services to a worldwide computer network; Electronic mail, electronic messages and dissemination of information electronically, by means of worldwide communications networks (such as the Internet) or by private or restricted access networks (such as an Intranet or extranet); electronic advertising (telecommunications); providing Internet chatrooms; information about telecommunications; consultancy relating to telecommunications and electronic communications; rental of telecommunications equipment and apparatus; rental of message sending apparatus; rental of modems; rental of facsimile apparatus and telephones; none of the aforesaid services in class 38 being in the field of finance.</p>
	41	<p>Education; providing of training, including training in how to use the Internet; training courses via the Internet; consultancy relating to the use of Internet sites (training); academies (education); educational establishments; sporting and cultural activities; organisation of sports competitions and events; gymnastic and health clubs; providing sports facilities; provision of sports facilities; rental of stadium facilities; rental of tennis courts; publication of books, newspapers, magazines, journals, periodicals, catalogues, guides, manuals, CD-ROMs, notes, news bulletins and newsletters; micro publishing; publication of texts (except publicity texts); lending libraries; entertainment services; leisure services; club services (entertainment or education); organisation, production and presentation of performances; entertainer services; booking of seats for shows; music-halls; orchestra services; organising theatrical, musical, cinematographic and variety events; discothèque services; organization of balls; television and radio entertainment; editing of radio and television programmes; film and video tape production; modelling for artists; movie studios; providing movie theatre facilities; rental of films, video tapes, phonographic recordings, cinema film projectors and accessories for film sets and theatre sets; recording studio services; recording (filming) and editing of films and video tapes; arranging of competitions for education or entertainment; organisation of beauty contests; organisation of modelling competitions; organisation and conducting of colloquiums, conferences, congresses, seminars and symposiums; organization and holding of exhibitions for cultural or educational purposes;</p>

			<p>42</p> <p>Graphic arts design; architecture; design of interior decor; construction drafting; styling (industrial design); authentication of works of art; dress-design services; engineering drawing; technical project studies; surveying; research and development for others with regard to new products; computer programming; design of computer systems; consultancy in the field of computers; maintenance of computer software; duplication of computer programs; creation (design), updating, installation and rental of computer software; technical consultancy relating to the design (creation), installation, management and use of Internet sites; technical consultancy relating to telecommunications and electronic communications; Providing search engines for the internet; rental of computers and web servers; reconstruction of databases; conversion of computer data and programs (except physical conversion); conversion of data or documents from a physical storage medium to an electronic medium; creating and maintaining web sites for others; hosting computer sites (web sites); virus protection; quality control; cosmetic research; research and study relating to education and educational practices; none of the aforesaid services in class 42 being in the field of finance.</p>
<p>UK 2543527:</p> 	<p>31.03.10 29.10.10</p>	<p>35</p> <p>Advertising, including on-line advertising on an information network; advertising by mail order (including electronic); radio advertising; television advertising; rental of equipment, of spaces and of advertising media (including on-line on a global communication network or the Internet); organization of exhibitions and trade fairs for commercial or advertising purposes; outdoor advertising; publication of publicity text; dissemination of advertisements and commercials and of advertising material (leaflets, prospectuses, printed matter, samples); direct mail advertising; updating of advertising material; rental of advertising time by all means of communication; sales promotion (on behalf of others); arranging newspaper subscriptions for others; business management; marketing studies; economic forecasting; statistical information; marketing research; business consultancy, information and</p>	

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enquiries; business management of hotels; news clipping services; employment agencies; personnel recruitment; professional management of models, celebrities, performing artists, sportsmen and athletes, comedians and fashion designers; model agency services, namely services for selecting, recruiting and placing models; modelling for advertising or sales promotion; managing the individual careers of models, celebrities, performing artists, sportsmen and athletes, comedians and fashion designers; negotiation of contracts on behalf of models, celebrities, performing artists, sportsmen and athletes, comedians and fashion designers; photocopying; professional consulting in advertising and promotional matters; computer file management; consultancy and advice concerning the administrative management of Internet sites; data compilation and systematization in a database; opinion polls; administrative management of exhibition sites; business management of hotels; shop-window dressing; demonstration of goods; distribution of samples; public relations; administrative management of promotional offers; organization of promotional and advertising activities with a view to developing customer loyalty; development, implementation, organization and management of bonus and discount schemes and programmes in the form of gift-checks, gift cards, discount vouchers, discount coupons, and loyalty cards; auctioneering; import-export agencies; presentation of goods by all means of communication for retailing; bringing together for the benefit of others (excluding their transport), a variety of toothpaste, combs, sponges, toilet cases, toilet utensils, materials for dressings, disinfectants, preparations for destroying vermin, over-the-counter drugs, perfumery and cosmetics, apparatus for the remote monitoring of babies, magic lanterns, lactometers, safety harnesses for children, teething rings, maternity belts, breast pumps, infant wipes, sterilizing apparatus for feeding bottles, children's pushchairs, safety seats for children for vehicles, prams, safety belts and harnesses for seats and safety beds for children (for vehicles), baby carriers for bicycles, baby carriers for carrying on the back or chest, playpens for children, baby-changing tables and dressers, clothes and underwear for pregnant women, for babies and for children, musical mobiles (toys), baby activity mats (toys), games, toys, clothing and fashion accessories, textile, haberdashery, leather goods, jewellery, clocks and watches, eyewear, apparatus for lighting, mirrors, picture frames, curtain rings, works of art (made of wood, wax, paper, plaster or plastic), figurines (made of wood, wax, plaster, plastic, porcelain, terra-cotta or glass), statues (made of porcelain, terra-cotta or glass), statuettes (made of porcelain, terra-cotta or glass), indoor window blinds (shades), perfume burners, candlesticks, mosaics of glass (not for building), flower pots, carpets, rugs, mats, matting, linoleum and other materials for covering existing floors, wall hangings (non-textile), wallpaper, paint, furniture, table arts, household linen, table linen, bed linen, bathroom linen and towels, food, beverages

			(including alcoholic beverages), household design and equipment (interior and exterior), gardening, do-it-yourself, tools, photographic apparatus and instruments, cameras (photography), their parts and accessories, cases especially made for photographic apparatus and instruments, films, integrated circuit cards (smart cards), data media, photographic paper, chemical preparations for use in photography, photographs, pictures, photograph stands, cinematographic apparatus and instruments, cinematographic cameras, camcorders, editing appliances for cinematographic films, projection screens, video screens, DVD players, video recorders, television apparatus, magnetic data carriers, recording discs, video cassettes, cinematographic film, film exposed, compact discs (audio-video), digital versatile discs, sound and picture recording strips, apparatus for games adapted for use with an external display screen or monitor, gymnastic and sporting articles, vehicles for locomotion by land, air, water or rail and their parts and accessories, travellers' checks (electronic or paper), tickets (electronic or paper), atlases, maps, guidebooks, catalogues (electronic or paper), prospectuses, leaflets, travel bags, printed matter, magazines and periodicals, information sheets and letters, newspapers, books, handbooks, catalogues, bookbinding material, music, stationery, electrical household sector, audio-visual media, apparatus for recording, transmission or reproduction of sound or images, data processing equipment and computers, transmitting sets (telecommunication), modems, satellite navigational apparatus, facsimile machines, television apparatus, telephony (including mobile telephony), computing, automobiles, enabling customers to view and to purchase these goods by any means, in particular on a commercial website.
EU 10692408: VP SOUND FACTORY	02.03.12 01.08.12	9	Scientific (other than for medical purposes), nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; Apparatus for recording, transmission, reproduction, reading or processing sound and/or images; Amplifiers; Loudspeakers and cabinets for loudspeakers; Headphones; Electric cables; Electric apparatus for commutation; Devices and apparatus for editing music and/or cinematographic films; Head cleaning tapes; Radio, including for vehicles; Audio and video receivers; Cassette players; Compact disc players; Readers (data processing equipment); DVD players; Optical character readers; Readers for musical data; Personal stereos; Portable multimedia players; Sound recording carriers and/or Audiovisual; Sound and/or video recordings of entertainment events, shows and concerts; Musical sound recordings; Magnetic, optical, digital and electronic data carriers; Cassettes (audio-video); Audio discs; Laser discs; Compact discs (audio-video); CD-ROMs; DVD-roms; Digital video discs (DVDs); Optical discs, compact optical discs and recording discs; Compact discs with read-only memory and interactive compact discs; Magnetic disks; Audio and/or visual tapes; MP3 files; Films and music in digital form (downloadable); Downloadable music

		<p>files; , downloadable image files; Cinematographic film (exposed); Animated cartoons; Magnetic, digital and optical data carriers; Data downloadable onto electronic carriers (including mobile telephones, touchscreen tablets, computers, televisions, electronic agendas, personal stereos, hard disks or MP3 players), Namely, in particular discount coupons, money-off vouchers for the purchase of goods or services, vouchers that can be exchanged for goods or services, Loyalty cards, Tickets, Signs, Ring tones, Games, voicemail messages, Photographs, Telegrams, still and/or animated images, Wallpaper (screen backgrounds), Films, Videos, (sound), Songs, And music, writings, Multimedia programs; Sheet music and song lyrics (downloadable); Purchase vouchers (electronic); Gift certificates (electronic); Gift cards (electronic); Credit notes (electronic) for the purchase of goods or services; Vouchers (electronic) to be exchanged for goods or services; Money-off coupons (electronic); Promotional codes downloadable from a global computer network; Loyalty cards (electronic); Membership cards (electronic); Electronic tickets; Electronic publications (downloadable); Electronic catalogues (downloadable); Books, booklets, newspapers, magazines, journals, periodicals, memos, reports, newsletters, manuals, albums, pamphlets, printed matter, prospectuses and electronic guides (downloadable); Television apparatus; Video recorders; Slide projectors; Photographic transparencies; Motion picture cameras; Video cameras; Photography screens; Projection screens; Video displays; Monitors (computer hardware); Video projectors; Magnetic or smart debit and credit cards; Magnetic cards; Smart cards with chips; Data processing equipment and computers; Peripheral devices for computers, Including peripheral devices for data storage; Computer memories; Modems; USB (universal serial bus) computer hardware, in particular USB keys; Mouse mats; Bar code readers; Covers, cases and bags for carrying computers, computer equipment, CDs and DVDs; Apparatus enabling the downloading, reading and recording of digital files; Computer software (recorded programs); Computer software for data transmission over communications networks; Computer programs (downloadable software); Video game cartridges; Audio-visual teaching apparatus; Instructional and teaching material, in the form of CD-ROMs; Electronic diaries; Electronic pocket translators; Equipment and apparatus for satellite-aided navigation; Batteries, electric; Electric batteries; Ticket dispensers; Automatic machines for booking of seats for, in particular, leisure, entertainment, exhibitions, trade fairs, shows, concerts and sporting and cultural events; Automatic machines for access control and for printing tickets; Optical readers; Musical juke boxes; Cash registers; Calculating machines; Apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; Telephone apparatus; Telephones including mobile telephones; Radiopaging apparatus; Video telephones; Telephone answering machines; Hands-free kits</p>
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		<p>for telephones; Telephone receivers; Phone cards; Cases for mobile telephones; Protective cases for mobile telephones; Neon signs; Luminous signs; Decorative magnets; Magnets; Fire-extinguishing apparatus; Clothing and footwear for protection against accidents, irradiation and fire; Protective helmets and masks; Diving suits, gloves for divers and divers' masks; Spectacles (optics) and sunglasses, cases and frames therefor; Optical goods; Anti-dazzle shades.</p>
	16	<p>Paper and cardboard (untreated, semi-finished or for stationery or printing); Printed matter; Books, booklets, newspapers, magazines, journals and periodicals; Memos, newsletters and news bulletins; Publications; Catalogues; Albums; Brochures; Printed matter; Prospectuses; Sheet music and song lyrics (printed); Song books; Tickets; Printed timetables; Vouchers of value; Promotional vouchers; Gift tokens; Gift charge cards; Gift certificates; Discount vouchers; Money-off coupons against the purchase of goods or services; Vouchers that may be exchanged for goods or services; Money-off coupons; Promotional coupons; Promotional codes (printed); Promotional cards; Sympathy cards; Season tickets; Debit cards and credit cards (non-magnetic); Checkbooks and Cheques; Almanacs, tear-off calendars, calendars, diaries; Bookmarks; Bookbinding and bookbinding material; Bookends; Photograph albums; Photographs; Printing blocks; Posters; Posters, including advertising posters; Advertisement boards of paper and cardboard; Stencils; Watercolour pictures; Drawings; Pictures; Engravings; Prints; Prints (engravings); Photo-engravings; Etchings; Lithographic works of art; Oleographs; Figurines and statuettes of papier-mâché.; Stencil plates; Paintings (pictures) framed or unframed; Portraits; Drawing charcoal; Atlases, maps and terrestrial globes; Architects' models; Plans; Cards; Business cards; Greetings cards; Postcards; Identification cards (non-magnetic); Announcement cards; Passport wallets; Check-book wallets; Printers' type; Articles of stationery; Paper pads; Note books; Writing pads and blocks; Notebooks; Directories; Engravings; Chalk boards; Paperweights; Writing materials; Stickers; Adhesive bands for stationery or household purposes; Adhesives for stationery or household purposes; Drawing pads; Writing instruments; Pens; Pencils; Pencil sharpeners (electric or non electric); Rubber erasers; Rulers; Thumb tacks; Inking pads; Inkwells; Writing mats; Printers' type; Drawing instruments; Artists' materials; Record cards, Envelopes, Files and binders (stationery); Cabinets for stationery; Jackets for papers; School supplies; Pencil cases; Drawing materials; Instructional and teaching material (except apparatus); Instructional and teaching material in the form of games (except apparatus) namely books and manuals; Cardboard articles; Cardboard tubes; Boxes and cases of cardboard or paper; Bags, sachets, envelopes, pouches, boxes and sheets, of paper, cardboard or plastic, for packaging; Paper, card, cardboard and plastic used for wrapping; Packaging and envelopes, of cardboard or paper, for parcels and bottles; Parcels of cardboard or of plastic; Garbage bags (of paper or of plastics); Postage stamps;</p>

		<p>Typewriters; Office requisites (other than furniture); Table linen of paper; Flower-pot covers of paper or cardboard; Coasters of paper or cardboard; Beer mats (of paper or cardboard); Table mats (of paper or cardboard); Signboards (of paper or of cardboard); Placards of paper or cardboard; Patterns for dressmaking; Paper handkerchiefs; Face towels of paper; Toilet paper; Labels, not of textile; Flags (of paper or cardboard); Pennants (of paper or cardboard); Flags (of papers); Shields (paper seals); Labels, not of textile; Conical paper bags; Hat boxes of cardboard; Transfers (decalcomanias); Albums, trading cards, decals, calendars, posters, catalogues, photo engravings, photographs, cards games (playing cards), prints (engravings); Diagrams; Graphic representations; Perforated cards for jacquard looms; Patterns for making clothes; Patterns for dressmaking; Stencil cases.</p>
	35	<p>Advertising, including online advertising on a computer network; Studies, consultancy, information, advice and assistance relating to publicity and promotional material; Mail advertising (including by electronic means); Radio advertising; Television advertising; Advertising management; Rental of advertising equipment, space and media (including online on a global communications network such as the Internet); Publication of publicity texts; Writing of publicity texts; Dissemination of advertising matter and direct mail advertising (leaflets, prospectuses, printed matter, samples, badges, key rings, cigarette lighters, rings, electric pocket torches, handbags, ashtrays, mouse pads, calculators, pendants, ball-point pens, bracelets, tattoos, CDs, digital files, music albums); Advertising mail; Updating of advertising material; Demonstration of goods; Distribution of samples; Advertising film and music production; Organisation of competitions for advertising purposes; Public relations; Sponsorship (advertising); Recruiting sponsors; Organisation of exhibitions and trade fairs for commercial or advertising purposes; Consultancy and information relating to the organisation of exhibitions and trade fairs for commercial or advertising purposes; Providing facilities for exhibitions (administrative); Sales promotion (for others), In particular relating to entertainment events, shows and music; Business promotion of concerts, shows, musicians, singers, songwriters, musical performers, musical artists and show performers; Association services, Namely promoting the interests of musicians, singers, songwriters, musical performers, musical artists, show performers and music producers; Outdoor advertising; Auctioneering services; Import-export agencies; Procurement for others (purchasing of goods and services for other companies); Presentation of goods on all means of communication for retail sale; Bringing together, for others, (including studies, consultancy, information, advice and assistance relating thereto, but except the transport thereof) of discount coupons, money-off coupons for the purchase of goods or services, including loyalty cards, enabling customers to view and purchase those goods by any means, in particular via a commercial website; Bringing together, for others,</p>

		<p>of a variety of goods (including studies, consultancy, information, advice and assistance relating thereto, but excluding the transport thereof), in the fields of care, beauty, hairdressing, hygiene, dietetics and health for human beings and animals, parapharmaceuticals, sexuality, massage, perfumery and cosmetics, childcare, games and playthings, modelling, clothing and fashion accessories, textiles, dressmaking, ironing, haberdashery, leather ware, jewellery, horological instruments, optical goods, interior and exterior decorating, lighting, heating, drying, ventilating, air-conditioning, refrigerating, furniture, bedding, tableware, household linen, table linen, bed linen, bathroom towels and linen, foodstuffs, beverages (including alcoholic beverages), cookery, household furnishings and fittings (interior and exterior), cleaning, gardening, horticulture, pet animals, DIY, tools, ironmongery, weighing, measuring, photography, cinema, entertainment (namely: amusement apparatus adapted for use with an external display screen or monitor, and parts and fittings therefor, video games in the form of software), leisure, sport, travel (namely: atlases, maps, tourist guides, prospectuses, leaflets, trunks and travelling bags, and parts and fittings therefor), the press and publishing, music, art, music and/or video recordings, stationery, household appliances, audio-visuals, telecommunications, telephony (including mobile telephony), information technology, data processing equipment, satellite navigation, electricity (namely apparatus and parts and fittings therefor, for conducting, switching, transforming, accumulating, regulating and controlling electricity), motor vehicles, apparatus for locomotion and transport (by land, air or water), enabling customers to conveniently view and purchase those goods by any means, in particular via commercial websites; Retailing (including studies, consultancy, information, advice and assistance relating thereto), in particular via a commercial website, of discount coupons, money-off coupons for the purchase of goods or services, including loyalty cards; Retailing (including studies, consultancy, information, advice and assistance relating thereto), in particular via commercial websites, of goods in the fields of care, beauty, hairdressing, hygiene, dietetics and health for human beings and animals, parapharmaceuticals, sexuality, massage, perfumery and cosmetics, childcare, games and playthings, modelling, clothing and fashion accessories, textiles, dressmaking, ironing, haberdashery, leather ware, jewellery, horological instruments, optical goods, interior and exterior decorating, lighting, heating, drying, ventilating, air-conditioning, refrigerating, furniture, bedding, tableware, household linen, table linen, bed linen, bathroom towels and linen, foodstuffs, beverages (including alcoholic beverages), cookery, household furnishings and fittings (interior and exterior), cleaning, gardening, horticulture, pet animals, DIY, tools, ironmongery, weighing, measuring, photography, cinema, entertainment (namely: amusement apparatus adapted for use with an external display screen or monitor, and parts and fittings therefor, video</p>
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		<p>games in the form of software), leisure, sport, travel (namely: atlases, maps, tourist guides, prospectuses, leaflets, trunks and travelling bags, and parts and fittings therefor), the press and publishing, music, art, music and/or video recordings, stationery, household appliances, audio-visuals, telecommunications, telephony (including mobile telephony), information technology, data processing equipment, satellite navigation, electricity (namely apparatus and parts and fittings therefor, for conducting, switching, transforming, accumulating, regulating and controlling electricity), motor vehicles, apparatus for locomotion and transport (by land, air or water); Management of promotional free gifts (including studies, consultancy, information, advice and assistance relating thereto); Organisation of promotional and advertising operations to encourage, promote and develop customer and staff loyalty (including studies, consultancy, information, advice and assistance relating thereto); Development, implementation, organisation and conducting of schemes and programmes of promotional free gifts and discounts (including studies, consultancy, information, advice and assistance relating thereto); Business information in relation to obtaining discounts off the purchase price of goods and commercial promotions, for others; Price comparison services; Business advice and information to consumers; Shop-window dressing; Arranging newspaper subscriptions for others; Arranging subscriptions to information, text, sound and/or image media of all kinds, in particular in the form of publications (whether electronic or not), audio-visual programs and multimedia programs; Arranging subscriptions to telecommunications services for others; Arranging subscriptions to a telecommunications network; Press reviews; Computerized file management; Studies, consultancy, information, advice and assistance relating to management of websites; Collection and systematic ordering of data in a central file; Management of online computer databases; Business information via computer databases accessible online; Data management (entry) and capture of personal information; Business management; Commercial business estimates; Commercial information agencies; Customer relations management (business management assistance); Information and consultancy in relation to customer relations management (business management assistances); Business information; Business information in relation to obtaining discounts off the purchase price of goods and commercial promotions, for others; Administrative processing of purchase orders; Market studies; Marketing; Economic forecasting; Statistical information; Statistical information; Opinion polling; Gathering, researching, analysing, interpreting and organisation of data relating to consumer or target audience characteristics, behaviour and preferences, for the purpose of advancing, marketing and promoting goods and services; Market research; Business consultancy, information or enquiries; Business management assistance (including information, advice, studies and consultancy relating thereto); Commercial or</p>
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		<p>industrial business management assistance (including information, advice, studies and consultancy relating thereto); Business organisation and management consultancy; Efficiency experts and In particular in the field of e-commerce; Business consultancy in the field of e-commerce; Business assistance in the field of e-commerce; Business investigations and research; Business administration; Business administration of licences for goods and services for others; Business administration of affiliation agreements; Business management consultancy and advice; Secretarial services; Document reproduction; Transcription of communications; Accounting; Invoicing; Cost-price analysis; Administrative processing of purchase orders; Employment agencies; Personnel recruitment; Business management consultancy; Professional consultancy relating to advertising and promotion, in particular in the field of entertainment, leisure, shows, concerts and music; Impresario services (business management); Professional management of artistic affairs; Professional management of models, celebrities, show performers, musical artists, singers, musicians, musical performers, songwriters and actors; Agencies for models, actors, show performers, musical artists, singers, musicians, performers and songwriters, in particular selection, recruitment and placement of models, actors, singers, musicians, songwriters and artists; Individual career management for models, celebrities, actors, athletes, fashion designers, show performers, musical artists, singers, musicians, musical performers and songwriters; Negotiation of contracts for models, celebrities, actors, athletes, fashion designers, show performers, musical artists, singers, musicians, musical performers and songwriters; Services provided by models, celebrities, actors, athletes, fashion designers, show performers, musical artists, singers, musicians, musical performers and songwriters, for advertising or sales promotion purposes; Office machines and equipment rental; Photocopying rental; Rental of vending machines; Rental of typewriters.</p>
	38	<p>Telecommunications (including information, advice, studies and consultancy relating thereto); Electronic communications (including information, advice, studies and consultancy relating thereto); Transmission and dissemination (including information, advice, studies and consultancy relating thereto) relating to music, concerts, shows and entertainment events, in particular by means of global communications networks (the Internet) or private or restricted access networks (intranets or extranets); Transmission of musical and audio-visual recordings via the Internet (including information, advice, studies and consultancy relating thereto); Transmission of information (news), computer-aided communication and transmission of messages and images; Transmission and dissemination (including information, advice, studies and consultancy relating thereto) of data, discount coupons, money-off vouchers for the purchase of goods or services, vouchers that can be exchanged for</p>

		<p>goods or services, loyalty cards, tickets, logos, ringtones, games, voice messages, photographs, telegrams, still and/or moving images, screen backgrounds, films, videos, audio, songs, music, texts, multimedia programs, all the aforesaid being computer-assisted; Transmission and dissemination of data, images and sounds by computer or computer networks (including information, advice, studies and consultancy relating thereto); Transmission and dissemination (including information, advice, studies and consultancy relating thereto) of data, discount coupons, money-off vouchers for the purchase of goods or services, vouchers that can be exchanged for goods or services, loyalty cards, tickets, logos, ringtones, games, voice messages, photographs, telegrams, still and/or moving images, screen backgrounds, films, videos, audio, songs, music, texts, multimedia programs, in particular by means of global communications networks (the Internet) or private or restricted access networks (intranets or extranets); Communications by computer terminals (including information, advice, studies and consultancy relating thereto); Transmission and dissemination of data, images and sounds by computer or computer networks (including information, advice, studies and consultancy relating thereto); Transmission of information contained in a voice server; Broadcasting of audio-visual programmes, in particular via global communications networks (the Internet) or private or restricted access networks (intranets or extranets); Transmission of audio and video files via communications networks; Transmission of music and videos on demand; Press and information agencies; Radio, telegraph and telephone communications; Voice messaging services; Data transmission network information services; Transmission of information by teleprinters; Sending of telegrams and fax messages; Telephone services; Paging services (radio, telephone or other means of electronic communication); Services of mobile radiotelephony; Transmission and dissemination of data, sound and images, in particular in the area of conference telephone calls, audio conferencing and video conferencing; Optical fibre network communication services; Providing telecommunications channels for teleshopping and mail order (including information, advice, studies and consultancy relating thereto); Television and radio broadcasting; Radio and television broadcasting; Transmission of data contained in data banks; Providing access to information held in data banks; Renting of access time for the use of data bases; Provision of access to databases; Access providing services to a worldwide computer network; Providing access to the Internet; Providing online discussion forums; Electronic mail, electronic messages and electronic dissemination of information, in particular by means of worldwide communications networks (such as the Internet) or private or restricted access networks (such as an Intranet or Extranet); Electronic advertising (telecommunications); Providing Internet chatrooms; Providing message communication via computers; Instant computer messaging; Rental of</p>
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		<p>telecommunications equipment and apparatus; Rental of message sending apparatus; Rental of modems; Rental of facsimile apparatus and telephones.</p> <p>41 Education; Providing of training, including providing of training in Internet techniques, providing of training in the fields of electronic commerce, musical production, audio-visual production, logistics, marketing, customer service management, music, shows and culture; Training courses via the Internet; Consultancy relating to the use of Internet sites (training); Academies (education); Educational establishments; Dissemination of educational material, for others, in the field of music and entertainment; Academies (education); Educational establishments; Sporting and cultural activities; Gymnastic and health clubs; Provision of sports facilities; Rental of sports equipment except vehicles; Organisation of competitions and events in the fields of music, shows and culture; Publication of books, booklets, newspapers, magazines, journals, periodicals, catalogues, guides, manuals, albums, pamphlets, printed matter, prospectuses, CD-ROMs, memos, reports and newsletters; Micro publishing; Publication of texts (except publicity texts); Publication of tickets, purchase vouchers, promotional vouchers, gift certificates, gift cards, gift vouchers, money-off vouchers, money-off coupons, promotional coupons, credit notes for the purchase of goods or services, vouchers to be exchanged for goods or services, promotional codes, promotional cards, loyalty cards and subscription cards; Lending libraries; Entertainment services; Leisure services; Information, advice, studies and consultancy relating to entertainment and leisure; Collection and broadcasting of information relating to leisure, entertainment events, exhibitions, trade fairs, shows, concerts and cultural and sporting events, booking of seats (for, in particular, leisure, entertainment events, exhibitions, trade fairs, shows, concerts and cultural and sporting events) and relating to the sale of tickets; Booking of seats for shows; Booking of seats for, in particular, leisure, entertainment events, exhibitions, trade fairs, shows, concerts and sporting and cultural events; Ticket agencies (entertainment); Club services (entertainment or education); Organisation of cultural, theatrical, musical, cinematographic and variety show events; Organisation of shows (theatrical booking agencies); Arranging and management of concerts; Organisation, production and presentation of shows and concerts; Entertainer services; Services provided by musical artists; Music-halls; Orchestra services; Services provided by singers; Services provided by musicians; Disk jockey services; Entertainment in the form of shows and concerts; Entertainment in the form of presentation of shows by artists, musical groups or celebrities; Discothèque services; Organization of balls; Rental of rooms for shows and concerts; Providing show facilities and concert venues; Production of musical recordings; Record production; Services relating to the production of music; Music publishing; Music recording and production; Editing, recording and processing of</p>
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		<p>audio; Rental of studios for musical recordings; Recording studio services; Music composition services; Creation, recording, production and rental of musical and audio-visual works, previews, films, video tapes, phonographic recordings, sound recordings, musical recordings; Screenplay editing; Radio entertainment, television entertainment or entertainment by computer terminals; Entertainment in the form of radio, television, audio-visual or multimedia programmes; Recording (filming) and editing of films and video tapes; Production and editing of audio-visual, radio, television and multimedia programmes; Film and video tape production; Production and editing of entertainment programmes on all kinds of media; Distribution of music; Distribution of audio and/or video recordings; Distribution of television programs and radio programs for others; Rental of audio apparatus; Rental of cinema projection apparatus, cinematographic and photographic accessories and accessories for theatre sets; Movie studios; Providing movie theatre facilities; Photography; Rental of photography studios; Rental of photographic equipment; Modelling for artists; Fan club services (entertainment); Organisation and conducting of colloquiums, conferences, congresses, seminars and symposiums; Organization and holding of exhibitions for cultural or educational purposes; Arranging and conducting of training workshops; Modelling agencies, namely providing of training for models; Practical training (demonstration); Entertainment, recreation, leisure and education information; Organisation of musical competitions; Arranging of competitions and games (education or entertainment); Organisation of games for advertising purposes; Organisation of beauty contests; Organisation of modelling competitions; Operating of lotteries; Providing gaming house facilities; Casino facilities; Gaming and gambling; Games offered on-line on a computer network; News reporter services; Photographic reporting; Exploitation of online non-downloadable electronic publications; Provision of on-line electronic publications (not downloadable); Publication of websites; Publication of online electronic publications (not downloadable); Providing, on a computer network, of electronic data (not downloadable) consisting, in particular, of logos, ringtones, games, voice messages, photographs, telegrams, still and/or moving images, films, videos, sounds, songs, music, texts, multimedia programs; Providing, in particular on a website, of music, musical shows, videos, music clips, photographs and other multimedia content; Providing, on global communications networks (the Internet), of non-downloadable music (entertainment); Providing pre-recorded music (entertainment); Online publication of tickets (not downloadable), purchase vouchers (not downloadable), promotional vouchers (not downloadable), gift certificates (not downloadable), gift cards (not downloadable), gift vouchers (not downloadable), money-off vouchers (not downloadable), money-off coupons (not downloadable), promotional coupons (not downloadable), credit notes (not downloadable)</p>
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			<p>for the purchase of goods or services, vouchers (not downloadable) to be exchanged for goods or services, promotional codes (not downloadable), promotional cards (not downloadable), loyalty cards (not downloadable), subscription cards (not downloadable); Electronic publication of books, booklets, newspapers, magazines, journals, periodicals, catalogues, guides, manuals, albums, pamphlets, printed matter, prospectuses, CD-ROMs, memos, reports and newsletters (not downloadable) online and of editorial content on websites; Editing of websites intended for the production and/or the promotion of artists, musical performers, musicians, authors, singers and composers; Providing a website over a global computer network featuring information on musical artists; Providing of information, audio and video content, illustrations, text and other multimedia content, in the field of music via communications networks; Providing a website over a global computer network featuring information on musical artists, tours of musical artists, sound recordings, popular culture and events and musical based entertainment; Party planning (entertainment); Amusement parks; Amusement parks; Camp services (holiday-) (entertainment); Swimming pools (entertainment); Running zoological gardens; Museum facilities (providing-) presentation, exhibitions); Boarding schools; Translation services; Bookmobile services; Circuses; Animal training</p>
<p>M 1053351:</p> 	<p>International registration date 29.07.10</p> <p>Designation date 29.07.10</p> <p>Date of Protection of the International Registration in UK 22.03.11</p> <p>Priority date: 11.02.10</p> <p>Priority country: France</p>	<p>35</p>	<p>Retail services, especially via a commercial website, connected with the sale of beauty products, toiletries, toothpastes, soaps, shampoos, hair lotions, combs, sponges, toilet cases, toilet utensils, razors, materials for dressings, hygiene products for human beings and animals, bleaching preparations and other substances for laundry use, disinfectants, preparations for destroying vermin, cleaning preparations, polishing preparations, scouring preparations, abrasive preparations, parapharmaceuticals, perfumery and cosmetics, apparatus for the remote monitoring of babies, magic lanterns, lactometers, safety harnesses for children, teething rings, maternity belts, breast pumps, infant wipes, sterilizing apparatus for feeding bottles, high chairs for babies, infant walkers, children's pushchairs, safety seats for children for vehicles, prams, safety belts and harnesses for seats and safety beds for children (for vehicles), baby carriers for bicycles, baby carriers for carrying on the back or chest, playpens for children, baby-changing tables and dressers, clothes and underwear for pregnant women, clothes and underwear for babies, clothes and underwear for children, musical mobiles (toys), baby activity mats (toys), babies' pants, baby baths, table cutlery (knives, forks and spoons) for children, plates for children, games, toys, clothing and fashion accessories, textiles, haberdashery, leather-ware, jewellery, timepieces, eyewear, decoration apparatus for lighting, candles and wicks for lighting, mirrors, picture frames, curtain rings, works of art, figurines, statues, statuettes, indoor window blinds (shades), perfume burners, candlesticks, mosaics of glass, flower pots, carpets, rugs, mats, matting, linoleum</p>

		<p>and other materials for covering existing floors, wall hangings, wallpaper, paints, varnishes, lacquers, decorations for Christmas trees, furniture, table art, household linen, table linen, bed linen, bath linen and bath towels, food (except fresh and deep-frozen food products), beverages (including alcoholic beverages), fuels and illuminants, building materials, insulating materials, doors (for buildings), gates (for buildings), windows (for buildings), shutters (for windows), safes, household apparatus for heating, household apparatus for steam generating, household apparatus for cooking, household apparatus for refrigerating, household apparatus for drying, household apparatus for ventilating, household apparatus for water supply and sanitary purposes, washing machines, dishwashers, machines for household use, domestic electrical and electronic equipment, household cleaning apparatus, household or kitchen utensils and containers, brushes, articles for cleaning purposes, cutlery, goods of stowage, tools and equipment for gardening (except agricultural implements), tools and equipments for do-it-yourself, hand tools and implements (hand-operated), products of ironmongery, photographic equipment, photographic apparatus and instruments, cameras (photography), their parts and accessories, cases especially made for photographic apparatus and instruments, films, integrated circuit cards (smart cards), data media, photographic paper, chemical preparations for use in photography, photographs, pictures, photograph stands, cinematographic equipment, cinematographic apparatus and instruments, cinematographic cameras, camcorders, editing appliances for cinematographic films, projection screens, video screens, DVD players, video recorders, television apparatus, magnetic data carriers, video data media, recording discs, video cassettes, cinematographic film, film exposed, Compact Discs (audio-video), Digital Versatile Disc, sound and picture recording strips, apparatus for games adapted for use with an external display screen or monitor and their parts and accessories, gymnastic and sporting articles, vehicles for locomotion by land, air, water or rail and their parts and accessories, travellers' checks (electronic or paper), tickets (electronic or paper), atlases, maps, guidebooks, prospectuses, leaflets, travel bags, luggage, printed matters, publications, magazines and periodicals, information sheets and letters, newspapers, books, handbooks, catalogues, bookbinding material, apparatus for recording, transmission or reproduction of sound, musical data media, musical instruments, stationery, household appliances, apparatus for recording, transmission or reproduction of sound or images, data processing equipment and computers, transmitting sets (telecommunication), modems, satellite navigational apparatus, facsimile machines, television apparatus, telephonic equipment, computer equipment and peripherals, and passenger cars; bringing together for the benefit of others of goods (excluding their transport), namely beauty products, toiletries, toothpastes, soaps, shampoos, hair lotions, combs, sponges, toilet cases, toilet utensils,</p>
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<p>EU 7222367:</p>  <p>The trademark consists of the letters VP in bold characters joined to the common English noun BUBBLE, all on a large bubble, with smaller bubbles in the background.</p>	<p>10.09.08 05.06.09</p>	<p>9 Downloadable software for obtaining, via a graphic interface in the form of bubbles, information on updates to a commercial website, on sales taking place on a commercial website, on orders made on a commercial website and on updates to a blog, and for introducing members to a commercial website, reading a magazine accessible on a website and downloading telematic data.</p> <p>35 Bringing together (except transport) of goods for others, in particular goods in the fields of human and animal hygiene, beauty and care, perfumery and cosmetics, clothing and fashion accessories, textiles, haberdashery, leather goods, jewellery, horological instruments, optical goods, furniture, tableware, food, household linen, gardening, DIY, tools, sport, games and leisure, travel, photography, cinema, the press and publishing, music, stationery, electric household goods, audio-visual goods, telecommunications, telephony (including mobile telephony) and computing, enabling customers to view (including in a shop, at an exhibition for commercial purposes, in a general merchandising catalogue or on a website) and purchase these goods by any means (including via telecommunications).</p>