

O/084/21

TRADE MARKS ACT 1994

IN THE MATTER OF APPLICATION NO. UK00003477060

BY UNIMETAL LTD

TO REGISTER THE TRADE MARK:



IN CLASS 35

AND

IN THE MATTER OF OPPOSITION THERETO

UNDER NO. 600001431

BY AUGUST INDUSTRIES PVT LTD

Background and pleadings

1. On 24 March 2020, Unimetal LTD (“the applicant”) applied to register the trademark shown on the cover page of this decision in the UK. The application was published for opposition purposes on the 24 April 2020. The applicant seeks registration for the following services:

Class 35: Wholesale services relating to metal fixings.

2. The application was opposed by August Industries Pvt LTD (“the opponent”) on 29 July 2020. The opposition is based upon sections 5(1), 5(2)(a) and 5(2)(b) of the Trade Marks Act 1994 (“the Act”). The opponent relies on the following earlier trade marks:

UNIMETAL

UK registration no. UK00003212244

Filing date 12 February 2017; registration date 12 May 2017.

(“the First Earlier Registration”)



UK registration no. UK00003235862

Filing date 7 June 2017; registration date 23 November 2018.

(“the Second Earlier Registration”)

3. The opponent is relying on the goods set out in the annex of this decision.

4. The opponent claims that there is a likelihood of confusion because its marks are similar to the applicant’s mark and the parties’ respective goods and services are similar. The opponent is opposing all services for which the applicant seeks protection.

5. The applicant filed a counterstatement denying the claims made.

6. Rule 6 of the Trade Marks (Fast Track Opposition) (Amendment) Rules 2013, S.I. 2013 2235, disapplies paragraphs 1-3 of Rule 20 of the Trade Mark Rules 2008, but provides that Rule 20 (4) shall continue to apply. Rule 20 (4) states that:

“(4) The registrar may, at any time, give leave to either party to file evidence upon such terms as the registrar thinks fit.”

7. The net effect of these changes is to require the parties to seek leave in order to file evidence in fast track oppositions. No leave was sought to file any evidence in respect of these proceedings.

8. Rule 62 (5) (as amended) states that arguments in fast track proceedings shall be heard orally only if (i) the Office requests it or (ii) either party to the proceedings requests it and the registrar considers that oral proceedings are necessary to deal with the case justly and at proportionate cost; otherwise, written arguments will be taken. A hearing was neither requested nor considered necessary; however, the applicant did file written submissions in lieu. This decision is taken following a careful perusal of the papers.

9. Although the UK has left the EU, section 6(3)(a) of the European (Withdrawal) Act 2018 requires tribunals to apply EU-derived national law in accordance with EU law as it stood at the end of the transition period. The provisions of the Trade Marks Act relied on in these proceedings are derived from an EU Directive. This is why this decision continues to make reference to the trade mark case-law of EU courts.

Preliminary issues

10. In its counterstatement, and amended submission, the applicant has made a point that I intend to address as preliminary issue.

11. The applicant submits the following:

“I believe this opposition has been done in bad faith as Mr Nachahal has been somewhat involved and fully aware of our intent and use of UNIMETAL LTD (UL) whilst he was a shareholder at both AUGUST INDUSTRIES (AI) and UNIMETAL PRODUCTS COMPONENTS LTD (UPC) and I was a director a UPC back in 2016. Mr Nachahal decided in 2016 he did not wish to continue trading and wanted UPC liquidated. Myself and Mr Nachahal then came to an agreement whereby I would buy all stock, domains, office equipment etc from UPC and will start on my own as UNIMETAL LTD (I registered this back in 2013) and UPC would be liquidated

[...]

Since accepting all of my payments (in the region of £600,000) for all stock, office equipment, domains etc Mr Nachahal decided not to liquidate UPC and to continue trading, now if it wasn't for this decision there would be no confusion regarding names as UPC was supposed to cease existing”.

12. The applicant has not applied to invalidate the earlier marks based on bad faith. Section 72 of the Act provides that registration is prima facie evidence of validity. Consequently, in the absence of any challenge to the validity of those marks (by way of an application for invalidation), the opponent's earlier marks are validly registered. The applicant's bad faith allegations fall outside the scope of the opposition and do not assist the applicant.

Decision

13. Section 5(1) of the Act reads as follows:

“5(1) A trade mark shall not be registered if it is identical with an earlier trademark and the goods or services for which the trade mark is applied for are identical with the goods or services for which the earlier trade mark is protected.”

14. Section 5(2) reads as follows:

“5(2) A trade mark shall not be registered if because –

(a) it is identical with an earlier trade mark and is to be registered for goods or services similar to those for which the trade mark is protected

(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 of the Act, the relevant parts of which state:

“6(1) In this Act an “earlier trade mark” means –

(a) a registered trade mark, international trade mark (UK) or Community trade mark or international trade mark (EC) 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

(2) References in this Act to an earlier trade mark include a trade mark in respect of which an application for registration has been made and which, if registered, would be an earlier trade mark by virtue of subsection (1)(a) or (b) subject to its being so registered.”

16. The trade marks upon which the opponent relies qualify as earlier trade marks because they were applied for at an earlier date than the applicant’s mark pursuant to section 6 of the Act. As the opponent’s marks had not completed their registration process more than 5 years before the filing date of the application in issue, they are

not subject to proof of use pursuant to section 6A of the Act. The opponent can, therefore, rely upon all of the goods it has identified.

Identity of the marks

17. It is a prerequisite of sections 5(1) and 5(2)(a) that the trade marks are identical. In *S.A. Société LTJ Diffusion v. Sadas Vertbaudet SA*, Case C-291/00, the Court of Justice of the European Union (“CJEU”) held that:

“54... a sign is identical with the trade mark where it reproduces, without any modification or addition, all the elements constituting the trade mark or where, viewed as a whole, it contains differences so insignificant that they may go unnoticed by the average consumer.”

The First Earlier Registration and the Applicant’s Mark

18. The blue device in the applicant’s mark acts as a point of visual difference between the marks which will not go unnoticed by the average consumer. The stylisation of the device also allows it to contribute lettering to the word element of the mark. I do not, therefore, consider these marks to be identical.

The Second Earlier Registration and the Applicant’s Mark

19. As highlighted above, the blue device in the applicant’s mark acts as a point of visual difference between the marks. Furthermore, the ‘Trusted Universally’ element in the Second Earlier Registration is another point of visual difference. I do not, therefore, consider the marks to be identical.

20. As both section 5(1) and section 5(2)(a) require the marks to be identical, the opponent’s claim under these grounds falls at the first hurdle.

21. The opposition based upon sections 5(1) and 5(2)(a) are dismissed.

Section 5(2)(b) case law

22. The following principles 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 might believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

Comparison of goods and services

23. I have included the opponent’s class 6 goods in the table only as they represent the opponent’s best case. However, I will return to the opponent’s other class if it is necessary to do so:

Opponent’s goods	Applicant’s services
First Earlier Registration <u>Class 6</u> Racking [structures] of metal for supporting cables; Cable supports made	<u>Class 35</u> Wholesale services relating to metal fixings.

of metal; Metal supports for cables; Screw threaded fasteners of metal; Metal threaded fasteners; Fasteners of common metal; Nuts, bolts and fasteners; Metal bolts [fasteners];Nuts, bolts and fasteners, of metal; Fittings of metal for compressed air ducts; Fittings of metal for furniture; Fittings of metal for pipes; Fittings of metal for beds; Fittings of metal for windows; Fittings of metal for doors; Fittings of metal for building; Fittings of metal for buildings; Fittings of metal for compressed air lines; Anchors; Marine anchors; Masonry anchors of metal; Metal fastening anchors [for securing pictures to walls]; Anchors of metal; Metal anchors; Wood screws made of metal; Self-tapping metal screws; Set screws of metal; Metal expanding sleeves for affixing screws; Caps (Metal -) for screws; Binding screws of metal for cables; Screws of metal; Metal dead bolts; Self-tapping metal bolts; Window casing bolts of metal; Expansion bolts of metal; Anchor bolts of metal; Window casement bolts of metal; Casement bolts (Metal -); Cremone bolts of metal for windows; Nuts, bolts and fasteners; Nuts, bolts and fasteners, of metal; Eye bolts; Eye bolts of metal; Metal eye bolts; Metal door bolts; Door bolts of metal; Bolts (Door -) of metal; Flat bolts; Bolts, flat; Bolts (Lock

-); Lock bolts of metal; Lock bolts; Screw bolts of metal; Metal bolts [fasteners]; Fixing bolts of metal; Bolts of metal; Nuts [metal hardware]; Nuts, bolts and fasteners; Lock nuts of metal; Pipe nuts of metal; Nuts of metal; Metal nuts; Lock washers of metal; Spring washers of metal; Washers [metal hardware]; Washers of metal; Metal washers.

Second Earlier Registration

Class 6

Anchors; Marine anchors; Masonry anchors of metal; Metal fastening anchors [for securing pictures to walls]; Boat anchors of metal; Anchors of metal; Metal anchors; Window casement bolts; Metal dead bolts; Self-tapping metal bolts; Window casing bolts of metal; Expansion bolts of metal; Anchor bolts of metal; Window casement bolts of metal; Casement bolts (Metal -); Cremone bolts of metal for windows; Nuts, bolts and fasteners; Nuts, bolts and fasteners, of metal; Anchor bolts of metal for bridge connection; Eye bolts; Eye bolts of metal; Metal eye bolts; Metal door bolts; Door bolts of metal; Bolts (Door -) of metal; Flat bolts; Bolts, flat; Bolts (Lock -); Lock bolts of metal; Lock bolts; Metal bolts for locking doors; Screw bolts of metal; Metal bolts [fasteners]; Fixing bolts of metal; Bolts of metal; Metal hexagon

head bolts; Racking [structures] of metal for supporting cables; Cable supports made of metal; Metal supports for cables; Screw threaded fasteners of metal; Metal threaded fasteners; Box fasteners of metal; Clevis fasteners of metal; Architectural fasteners of metal; Fasteners of common metal; Machine belt fasteners of metal; Blind bolt fasteners of metal; Metal window fasteners; Nuts, bolts and fasteners; Metal bolts [fasteners]; Nuts, bolts and fasteners, of metal; Bottle fasteners of metal; Door fasteners of metal; Sash fasteners of metal for windows; Sash fasteners of metal; Metal sash fasteners for windows; Metal fasteners for scaffolds; Fasteners of metal for casement windows; Metallic numberplate fasteners; Fittings of metal for compressed air ducts; Compressed air pipe fittings of metal; Cupboard fittings of metal; Fittings of metal for coffins; Coffins (Fittings of metal for -); Fittings of metal for furniture; Fittings of metal for pipes; Branch outlet fittings of metal; Fittings of metal for beds; Fittings of metal for windows; Bulkhead fittings of metal [other than vehicles]; Door fittings, of metal; Door fittings of metal; Fittings of metal for doors; Fittings of metal for building; Fittings of metal for buildings; Buildings (Fittings of metal for -); Fittings

of metal for compressed air lines; Nuts [metal hardware]; Nuts, bolts and fasteners; Nuts, bolts and fasteners, of metal; Lock nuts of metal; Pipe nuts of metal; Nuts of metal; Metal nuts; Wood screws made of metal; Metal expanding sleeves for affixing screws; Ice screws of metal; Caps (Metal -) for screws; Binding screws of metal for cables; Screws of metal; Small items of metal hardware; Screw threaded fasteners of metal; Metal threaded fasteners; Box fasteners of metal; Clevis fasteners of metal; Architectural fasteners of metal; Fasteners of common metal; Machine belt fasteners of metal; Blind bolt fasteners of metal; Metal window fasteners; Nuts, bolts and fasteners; Metal bolts [fasteners]; Nuts, bolts and fasteners, of metal; Bottle fasteners of metal; Door fasteners of metal; Sash fasteners of metal for windows; Sash fasteners of metal; Metal sash fasteners for windows; Metal fasteners for scaffolds; Fasteners of metal for casement windows; Metallic numberplate fasteners; Thumbscrews [fasteners] of metal; Snap rings [fasteners] of metal; Window fasteners of metal; Window sash fasteners of metal; Fixing bolts of metal; Retaining [fixing] devices of metal; Brackets of metal used for fixing plaques; Fixing plates of metal;

Fixing devices of metal; Fixing nails of metal; Shoring struts of metal; Threaded metal rods; Metal studs [other than for football boots, clothing or vehicle tyres]; Suspension clamps of metal; Joist clamps of metal; Metal wheel clamps; Metal hose clamps; Clip clamps of metal; Wheel clamps [boots]; Wheel clamps; Clamps (wheel -) [boots]; Wheel clamps of metal [other than anti-theft for vehicles]; Cable clamps of metal; Metal clamps.	
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24. When making the comparison, all relevant factors relating to the goods and services in the specifications should be taken into account. In the judgment of the CJEU in *Canon*, C39/97, 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.”

25. Guidance on this issue has also come from Jacob J. (as he then was) in the *Treat* case, [1996] R.P.C. 281, where he identified the factors for assessing similarity as:

- (a) The respective uses of the respective goods or services;
- (b) The respective users of the respective goods or services;
- (c) The physical nature of the goods or acts of service;

(d) The respective trade channels through which the goods or services reach the market;

(e) 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;

(f) 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

26. In *YouView TV Ltd v Total Ltd*, [2012] EWHC 3158 (Ch), Floyd J. (as he then was) stated that:

“... Trade mark registrations should not be allowed such a liberal interpretation that their limits become fuzzy and imprecise: see the observations of the CJEU in Case C-307/10 *The Chartered Institute of Patent Attorneys (Trademarks) (IP TRANSLATOR)* [2012] ETMR 42 at [47]-[49]. Nevertheless the principle should not be taken too far. Treat was decided the way it was because the ordinary and natural, or core, meaning of ‘dessert sauce’ did not include jam, or because the ordinary and natural description of jam was not ‘a dessert sauce’. Each involved a straining of the relevant language, which is incorrect. Where words or phrases in their ordinary and natural meaning are apt to cover the category of goods in question, there is equally no justification for straining the language unnaturally so as to produce a narrow meaning which does not cover the goods in question.”

27. In *Beautimatic International Ltd v Mitchell International Pharmaceuticals Ltd and Another*, [2000] F.S.R. 267 (HC), Neuberger J. (as he then was) stated that:

“I should add that I see no reason to give the word “cosmetics” and “toilet preparations”... anything other than their natural meaning, subject, of course,

to the normal and necessary principle that the words must be construed by reference to their context.”

28. In *Avnet Incorporated v Isoact Limited*, [1998] F.S.R. 16, Jacob J. (as the then was) stated that:

“In my view, specifications for services should be scrutinised carefully and they should not be given a wide construction covering a vast range of activities. They should be confined to the substance, as it were, the core of the possible meanings attributable to the rather general phrase.”

29. 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 (“GC”) 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 the responsibility for those goods lies with the same undertaking.”

30. In *Sanco SA v OHIM*, Case T-249/11, the GC 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."

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"... 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."

31. In *Oakley, Inc v OHIM*, Case T-116/06, at paragraphs 46-57, the GC 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.

32. 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 stated (at paragraph 9 of his judgment):

"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.

33. However, on the basis of the European courts' judgments in *Sanco SA v OHIM*¹, and *Assembled Investments (Proprietary) Ltd v. OHIM* Case T-105/05², upheld on appeal in *Waterford Wedgwood Plc v. Assembled Investments (Proprietary) Ltd* Case C-398/07P, Mr Hobbs concluded:

(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).

34. The applicant's specification consists of "wholesales services relating to metal fixings". The opponent's specifications include a range of metal fixings including, for example, "metal threaded fasteners", "bolts of metal", "nuts, bolts and fasteners", "fixing bolts of metal" and "fixing devices of metal".

35. They will overlap in user i.e. the general public or a professional such as a tradesman who needs to carry out DIY, repairs or building work using metal fixings.

¹ Case C-411/13P

² paragraphs [30] to [35] of the judgment

There will be an overlap in trade channels, however, the goods and services will differ in nature, purpose and method of use.

36. As set out in the above case law, the GC has explained that although retail services are different in nature, purpose and method of use to goods, retail services for particular goods may be complimentary to those goods, and distributed through the same trade channels, and therefore similar to a degree. I consider that the same applies to the applicant's "wholesale services". I consider there to be at least a medium degree of similarity between the goods and services.

The average consumer and the nature of the purchasing act

37. 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 the goods and services are likely to be selected by the average consumer. 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."

38. The average consumer for the goods will range from members of the general public to tradesmen and professionals in the field. For the services in class 35, the average consumer of wholesale services is more likely to be a business user, professionals or tradesmen, however, I consider that they may also be members of the general public.

39. Insofar as the goods are concerned, they are likely to be purchased following perusal of signage on specialist outlets or their websites. The purchasing process for

these goods is, therefore, likely to be dominated by visual considerations. However, I do not discount that there may also be an aural component to the purchase of the goods, given that advice may be sought from a sales assistant or a recommendation given through word-of-mouth. The frequency of purchase will vary between the different average consumers, from limited purchases made by the members of the general public, to more frequent purchases made by professional tradesmen. The cost of purchase are likely to be relatively low. However, for both categories of average consumer, various factors will be taken into consideration such as size, material, durability and purpose. I consider that a medium degree of attention will be paid during the purchasing process.

40. The services are also most likely to be selected from websites, advertisements and signs on a physical outlet. Visual considerations are, therefore, likely to dominate the selection process. I do not discount that there may also be an aural component to the purchase of the services given that they may also be the subject of word-of-mouth recommendations. The cost of the purchase is likely to be relatively low and the frequency is likely to vary. The average consumer will take various factors into consideration when selecting the services such as the location, ease of access, availability of products and the range of products on offer. Therefore, I consider that the average consumer will pay a medium degree of attention during the purchasing process.

Comparison of trade marks


41. It is clear from *Sabel BV v. Puma AG* (particularly paragraph 23) that the average consumer normally perceives a trade 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 trade marks must be assessed by reference to the overall impressions created by the trade marks, 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.”

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

43. The respective trade marks are shown below:

Opponent's trade marks	Applicant's trade mark
<p data-bbox="349 1021 604 1070">UNIMETAL</p> <p data-bbox="284 1133 705 1167">(the First Earlier Registration)</p>  <p data-bbox="261 1462 727 1496">(the Second Earlier Registration)</p>	

Overall Impression

44. The First Earlier Registration consists of one word “UNIMETAL” which is not a recognisable dictionary word. There are no other elements to contribute to the overall impression which lies in the word itself.

45. The Second Earlier Registration consists of the word “Unimetal” with the wording “Trusted Universally” underneath in a silver/grey colour, presented against a black background. Given its size, I consider the word “Unimetal” to play the greater role in the overall impression of the mark, with the stylisation, background and words “Trusted Universally” playing a lesser role.

46. The applicant’s mark consists of text intended to represent the word UNIMETAL LTD. However, the letters “I” and “T” in the word UNIMETAL are replaced and made up of the blue device which sits behind the letters. The overall impression of the mark lies in the combination of these elements.

Visual Comparison

The First Earlier Registration and the Applicant’s Mark

47. Visually, to the extent that the applicant’s mark will be recognised as containing the word UNIMETAL, the marks will overlap. I consider that a significant proportion of average consumers will recognise it as such. The blue device acts as a point of visual difference between the two, as does the additional word “LTD” in the applicant’s mark. For that significant proportion of average consumers, I consider the marks to be visually similar to between a medium and high degree.

The Second Earlier Registration and the Applicant’s Mark

48. Registration of a mark in black and white covers use in any colour. I do not, therefore, consider that the use of colour in the applicant’s mark creates a point of real difference between them. There is of course, the addition of the device in the applicant’s mark which has no counterpart in the Second Earlier Registration. Furthermore, the wording “Trusted Universally” and the background in the Second Earlier Registration act as points of visual difference between the marks. I consider these marks to be visually similar to a medium degree.

Aural Comparison

The First Earlier Registration and the Applicant's Mark

49. For the significant proportion of average consumers who would read the applicant's mark as "UNIMETAL LTD" it will be pronounced YOU-KNEE MET-ALL L T D or YOU-KNEE MET-ALL LIM-ET-TID. The First Earlier Registration would also be pronounced as YOU-KNEE MET-ALL, meaning the aural difference created between the marks is the "L T D" or "LIM-ET-TID" element. Consequently, I consider the marks to be aurally similar to a high degree.

The Second Earlier Registration and the Applicant's Mark

50. I consider that the average consumer would not pronounce the "Trusted Universally" element of the Second Earlier Registration because they would see it as a slogan. In that case, the Second Earlier Registration would be pronounced as YOU-KNEE MET-ALL. I consider the marks to be aurally similar to a high degree. If the slogan is pronounced, then it would be pronounced as YOU-KNEE MET-ALL TRUSTED YOU-KNEE-VERSE-AL-EE. In that case, I consider the marks to be aurally similar to a medium degree.

Conceptual Comparison

51. For the significant proportion of average consumers who recognise the applicant's mark as the word UNIMETAL, the conceptual similarity lies in the common element of "Unimetal"/"UNIMETAL" which is likely to be given the same meaning in all three marks. I consider that the invented word is composed of two recognisable elements; the common abbreviation of the word universal (UNI) and the ordinary dictionary word metal. The mark as a whole is likely to allude to 'universal metal', i.e. metal which can be used anywhere by anyone.

The First Earlier Registration and the Applicant's Mark

52. A conceptual point of difference between the two marks is the added "LTD" element within the applicant's mark, which will be viewed as a reference to the fact that the undertaking is a limited company. If the blue device in the applicant's mark is

recognised as the letters “U” and “M” they are likely to be perceived as standing for “uni” and “metal” which reinforces the conceptual meaning of the word. If they are not, the device will convey no particular meaning. I consider the marks to be conceptually similar to a high degree.

The Second Earlier Registration and the Applicant’s Mark

53. The same applies to the comparison with the Second Earlier Registration. However, in the Second Earlier Registration, the element “Trusted Universally” is an additional point of conceptual difference. Taking this all into account, I consider the marks to be conceptually similar to between a medium and high degree.

Distinctive character of the earlier trade marks

54. 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 C108/97 and C-109/97 *Windsurfing Chiemsee v Huber and Attenberger* [1999] ECR I-2779, 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 promotion of 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).”

55. Registered trade marks possess varying degrees of inherent distinctive character, ranging from the very low, because they are suggestive or allusive of a characteristic of the goods or services, to those with high inherent distinctive character, such as invented words which have no allusive qualities. The distinctiveness of a mark can be enhanced by virtue of the use that has been made of it.

56. As the opponent has not filed any evidence to show that the distinctiveness of its marks has been enhanced through use, I only have the inherent position to consider. I have no submissions from the opponent or applicant on the distinctiveness of its marks.

First Earlier Registration

57. I must make an assessment of the inherent distinctiveness of the First Earlier Registration as a whole. The mark is an invented word which is made up of a combination of the words “UNI” which can be seen as the shortened word ‘universal’ and the ordinary dictionary word “METAL”. Although this is an invented word, it is allusive in that it suggests the goods for which the mark is used are metal, which can be used for universal purposes. I find the First Earlier Registration has between a low and medium degree of inherent distinctiveness.

Second Earlier Registration

58. As highlighted above, the word UNIMETAL has between a low and medium degree of inherent distinctiveness. However, the Second Earlier Registration has additional elements such as a black background, the stylised silver/grey font, with the addition of the wording “Trusted Universally”. I consider the contribution of these elements to be minimal. Consequently, I consider that the Second Earlier Registration has between a low and medium degree of inherent distinctiveness.

Likelihood of Confusion

59. Confusion can be direct or indirect. Direct confusion involves the average consumer mistaking one mark for the other, while indirect confusion is where the average consumer realises the marks are not the same but puts the similarity that exists between the marks and the goods or services down to the responsible undertakings being the same or related. There is no scientific formula to apply in determining whether there is a likelihood of confusion; rather, it is a global assessment where 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 goods and services and vice versa. It is necessary for me to keep in mind the distinctive character of the earlier marks, the average consumer for the goods and services and the nature of the purchasing process. In doing so, I must be alive to 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 that he has retained in his mind.

60. The following factors must be considered to determine if a likelihood of confusion can be established:

The First Earlier Registration and the Applicant's Mark

- I have found the marks to be visually similar to between a medium and high degree.
- I have found the marks to be aurally similar to a high degree.
- I have found the marks to be conceptually highly similar.
- I have found the earlier mark to be inherently distinctive to between a low and medium degree.
- I have identified the average consumer to be members of the general public, tradesmen and professionals within the field.
- I have concluded that the average consumer will pay a medium degree of attention to the purchasing process.
- I have found the parties' goods and services to be similar to a medium degree.

61. Taking the above factors into account, I recognise that there is potential for there to be direct confusion. For the significant proportion of average consumers who recognise the word UNIMETAL in the applicant's mark, they may overlook the device (as it is incorporated into the word) and may overlook the word "LTD" given its size and descriptive meaning. As the First Earlier Registration is registered in black and white it could be used in any colour. Consequently, I consider there to be a likelihood of direct confusion between the two marks.

62. In the event that I am wrong in that regard, and for the sake of completeness, I will also assess if there is a likelihood of indirect confusion. Indirect confusion was described in the following terms by Iain Purvis Q.C., sitting as the Appointed Person, in *L.A. Sugar Limited v By Back Beat Inc*, Case BL-O/375/10:

"16. Although direct confusion and indirect confusion both involve mistakes on the part of the consumer, it is important to remember that these mistakes are very different in nature. Direct confusion involves no process of reasoning – it is a simple matter of mistaking one mark for another. Indirect confusion, on the other hand, only arises where the consumer has actually recognized that the later mark is different from the earlier mark. It therefore requires a mental process of some kind on the part of the consumer when he or she sees the later mark, which may be conscious or subconscious but, analysed in formal terms, is something along the following lines: "The later mark is different from the earlier mark, but also has something in common with it. Taking account of the common element in the context of the later mark as a whole, I conclude that it is another brand of the owner of the earlier mark."

63. If the average consumer recalls the applicant's blue device, or the word "LTD" as a point of visual difference between the marks, then the common word UNIMETAL in both marks will lead the average consumer to conclude that the marks originate from the same or economically linked undertakings. I consider that the average consumer will see the addition of the device and perceive it as a different mark being used by the same or economically linked undertakings. I consider there to be a likelihood of indirect confusion.

The Second Earlier Registration and the Applicant's Mark

- I have found the marks to be visually similar to a medium degree.
- I have found the marks to be aurally similar to a medium or high degree, depending on how the earlier mark is pronounced.
- I have found the marks to be conceptually similar to between a medium and high degree.
- I have found the earlier mark to be inherently distinctive to between a low and medium degree.
- I have identified the average consumer to be tradesmen, professionals within the field and the general public.
- I have concluded that a medium degree of attention will be paid during the purchasing process.
- I have found the parties' goods and services to be similar to a medium degree.

64. Taking all of the above factors into account, and notwithstanding the principle of imperfect recollection, I do not consider there to be a likelihood of direct confusion. The average consumer selects the goods and services primarily by visual means, whilst paying a medium degree of attention. In these circumstances, the marks will be distinguished on the basis of the different font stylisations, additional words and background. I do not consider that the average consumer will mistake one mark for the other and consequently find that there is no likelihood of direct confusion.

65. It now falls to me to consider the likelihood of indirect confusion, applying the definition from *L.A. Sugar Limited v By Back Beat In*.³ The common use of UNIMETAL will lead the consumer to conclude that the marks are being used by the same or economically linked undertakings. They are likely to be viewed as alternative marks being used by the same or economically linked undertakings. I consider there to be a likelihood of indirect confusion.

³ Case BL-O/375/10

Conclusion

66. The opposition based on section 5(2)(b) is successful in its entirety and the application is refused.

Costs

67. Awards of costs in fast track proceedings are governed by TPN 2/2015. The opponent has been successful and would normally be entitled to a contribution towards its costs.

68. However, as the opponent is unrepresented, at the conclusion of the evidence rounds the tribunal wrote to the opponent and invited it to indicate whether it intended to make a request for an award of costs. The opponent was informed that, if so, it should complete a Pro Forma, providing details of its actual costs and accurate estimates of the amount of time spent on various activities in the opposition. The opponent was informed that “if the pro-forma is not completed and returned, costs, other than official fees arising from the action (excluding extensions of time) may not be awarded”.

69. The opponent did not file a completed Pro Forma. That being the case I award the opponent the sum of £100 in respect of the official fee only.

70. I therefore order Unimetal LTD to pay August Industries Pvt LTD the sum of **£100**. This sum is to be paid within 21 days of the expiry of the appeal period or within 21 days of the determination of this case if any appeal against this decision is unsuccessful.

Dated this 5th day of February 2021

L FAYTER

For the Registrar

ANNEX

First Earlier Registration

Class 6

Racking [structures] of metal for supporting cables; Cable supports made of metal; Metal supports for cables; Screw threaded fasteners of metal; Metal threaded fasteners; Fasteners of common metal; Nuts, bolts and fasteners; Metal bolts [fasteners]; Nuts, bolts and fasteners, of metal; Fittings of metal for compressed air ducts; Fittings of metal for furniture; Fittings of metal for pipes; Fittings of metal for beds; Fittings of metal for windows; Fittings of metal for doors; Fittings of metal for building; Fittings of metal for buildings; Fittings of metal for compressed air lines; Anchors; Marine anchors; Masonry anchors of metal; Metal fastening anchors [for securing pictures to walls]; Anchors of metal; Metal anchors; Wood screws made of metal; Self-tapping metal screws; Set screws of metal; Metal expanding sleeves for affixing screws; Caps (Metal -) for screws; Binding screws of metal for cables; Screws of metal; Metal dead bolts; Self-tapping metal bolts; Window casing bolts of metal; Expansion bolts of metal; Anchor bolts of metal; Window casement bolts of metal; Casement bolts (Metal -); Cremone bolts of metal for windows; Nuts, bolts and fasteners; Nuts, bolts and fasteners, of metal; Eye bolts; Eye bolts of metal; Metal eye bolts; Metal door bolts; Door bolts of metal; Bolts (Door -) of metal; Flat bolts; Bolts, flat; Bolts (Lock -); Lock bolts of metal; Lock bolts; Screw bolts of metal; Metal bolts [fasteners]; Fixing bolts of metal; Bolts of metal; Nuts [metal hardware]; Nuts, bolts and fasteners; Lock nuts of metal; Pipe nuts of metal; Nuts of metal; Metal nuts; Lock washers of metal; Spring washers of metal; Washers [metal hardware]; Washers of metal; Metal washers.

Class 20

Cable supports made of plastics; Nuts [fasteners], not of metal; Non-metallic nuts [fasteners]; Non-metallic fasteners for pipes; Non-metallic fasteners; Non-metallic fasteners for cables; Fasteners; Non-metal threaded fasteners; Anchors (wall plugs not of metal); Screws, not of metal; Self-tapping non-metallic screws; Wood screws (Non-metallic -); Socket head shoulder screws, not of metal; Socket head cap screws,

not of metal; Set screws, not of metal; Threaded screws of plastic; Self-drilling screws in non-metallic materials; Caps (Non-metallic -) for screws; Square set screws of non-metallic materials; Binding screws, not of metal, for cables; Non-metal expanding sleeves for affixing screws; Bolts, not of metal; Window casement bolts (Non-metallic -); Window casing bolts (Non-metallic -); Self-tapping non-metallic bolts; Self-drilling non-metallic bolts; Rock bolts, not of metal; Cremone bolts of non-metallic materials for locks; Cremone bolts, not of metal for windows; Shackle bolts, not of metal; Stripper bolts (Non-metallic -) ;Bolts (Door -) not of metal; Door bolts not of metal; Door bolts, not of metal; Anchor bolts, not of metal; Anchor bolts, not of metal, for use in bridge construction; Screw bolts, not of metal; Casement bolts (Non-metallic -); Self-locking protective plastic caps for use with bolts; Fixing bolts, not of metal; Lock bolts, not of metal; Toggle bolts (Non-metallic -); Nuts [fasteners], not of metal; Nuts, not of metal; Spring washers of plastic; Plastic washers.

Second Earlier Registration

Class 6

Anchors; Marine anchors; Masonry anchors of metal; Metal fastening anchors [for securing pictures to walls]; Boat anchors of metal; Anchors of metal; Metal anchors; Window casement bolts; Metal dead bolts; Self-tapping metal bolts; Window casing bolts of metal; Expansion bolts of metal; Anchor bolts of metal; Window casement bolts of metal; Casement bolts (Metal -); Cremone bolts of metal for windows; Nuts, bolts and fasteners; Nuts, bolts and fasteners, of metal; Anchor bolts of metal for bridge connection; Eye bolts; Eye bolts of metal; Metal eye bolts; Metal door bolts; Door bolts of metal; Bolts (Door -) of metal; Flat bolts; Bolts, flat; Bolts (Lock -); Lock bolts of metal; Lock bolts; Metal bolts for locking doors; Screw bolts of metal; Metal bolts [fasteners]; Fixing bolts of metal; Bolts of metal; Metal hexagon head bolts; Racking [structures] of metal for supporting cables; Cable supports made of metal; Metal supports for cables; Screw threaded fasteners of metal; Metal threaded fasteners; Box fasteners of metal; Clevis fasteners of metal; Architectural fasteners of metal; Fasteners of common metal; Machine belt fasteners of metal; Blind bolt fasteners of metal; Metal window fasteners; Nuts, bolts and fasteners; Metal bolts [fasteners];Nuts, bolts and fasteners, of metal; Bottle fasteners of metal; Door

fasteners of metal; Sash fasteners of metal for windows; Sash fasteners of metal; Metal sash fasteners for windows; Metal fasteners for scaffolds; Fasteners of metal for casement windows; Metallic numberplate fasteners; Fittings of metal for compressed air ducts; Compressed air pipe fittings of metal; Cupboard fittings of metal; Fittings of metal for coffins; Coffins (Fittings of metal for -); Fittings of metal for furniture; Fittings of metal for pipes; Branch outlet fittings of metal; Fittings of metal for beds; Fittings of metal for windows; Bulkhead fittings of metal [other than vehicles]; Door fittings, of metal; Door fittings of metal; Fittings of metal for doors; Fittings of metal for building; Fittings of metal for buildings; Buildings (Fittings of metal for -); Fittings of metal for compressed air lines; Nuts [metal hardware]; Nuts, bolts and fasteners; Nuts, bolts and fasteners, of metal; Lock nuts of metal; Pipe nuts of metal; Nuts of metal; Metal nuts; Wood screws made of metal; Metal expanding sleeves for affixing screws; Ice screws of metal; Caps (Metal -) for screws; Binding screws of metal for cables; Screws of metal; Small items of metal hardware; Screw threaded fasteners of metal; Metal threaded fasteners; Box fasteners of metal; Clevis fasteners of metal; Architectural fasteners of metal; Fasteners of common metal; Machine belt fasteners of metal; Blind bolt fasteners of metal; Metal window fasteners; Nuts, bolts and fasteners; Metal bolts [fasteners]; Nuts, bolts and fasteners, of metal; Bottle fasteners of metal; Door fasteners of metal; Sash fasteners of metal for windows; Sash fasteners of metal; Metal sash fasteners for windows; Metal fasteners for scaffolds; Fasteners of metal for casement windows; Metallic numberplate fasteners; Thumbscrews [fasteners] of metal; Snap rings [fasteners] of metal; Window fasteners of metal; Window sash fasteners of metal; Fixing bolts of metal; Retaining [fixing] devices of metal; Brackets of metal used for fixing plaques; Fixing plates of metal; Fixing devices of metal; Fixing nails of metal; Shoring struts of metal; Threaded metal rods; Metal studs [other than for football boots, clothing or vehicle tyres]; Suspension clamps of metal; Joist clamps of metal; Metal wheel clamps; Metal hose clamps; Clip clamps of metal; Wheel clamps [boots]; Wheel clamps; Clamps (wheel -) [boots]; Wheel clamps of metal [other than anti-theft for vehicles]; Cable clamps of metal; Metal clamps.

Class 20

Anchors (wall plugs not of metal); Bolts, not of metal; Window casement bolts (Non-metallic -); Window casing bolts (Non-metallic -); Self-tapping non-metallic bolts; Self-drilling non-metallic bolts; Rock bolts, not of metal; Cremona bolts of non-metallic

materials for locks; Cremona bolts, not of metal for windows; Shackle bolts, not of metal; Stripper bolts (Non-metallic -); Non-metal door bolts; Bolts (Door -) not of metal; Door bolts not of metal; Door bolts, not of metal; Anchor bolts, not of metal; Anchor bolts, not of metal, for use in bridge construction; Screw bolts, not of metal; Casement bolts (Non-metallic -); Self-locking protective plastic caps for use with bolts; Fixing bolts, not of metal; Lock bolts, not of metal; Toggle bolts (Non-metallic -); Cable supports made of plastics; Nuts [fasteners], not of metal; Non-metallic nuts [fasteners]; Non-metallic fasteners for pipes; Architectural fasteners of non-metallic materials; Non-metallic fasteners; Fasteners, non-metallic; Blind bolt fasteners of non-metallic materials; Non-metallic fasteners for cables; Cable fasteners, connectors and holders, non-metallic; Pipe fasteners, connectors and holders, non-metallic; Fasteners; Pipe fasteners, connectors and holders; Cable fasteners, connectors and holders; Screw threaded fasteners, not of metal; Sash fasteners, not of metal for windows; Sash fasteners, not of metal, for windows; Non-metallic numberplate fasteners; Door fasteners, not of metal; Non-metal threaded fasteners; Bathroom fittings in the nature of furniture; Coffin fittings, not of metal; Fittings, not of metal (Coffin -); Bed fittings, not of metal; Fittings, not of metal (Bed -); Fittings (Non-metallic -) for cupboards; Fittings (Non-metallic -) for cabinets; Cabinet fittings [not of metal]; Cupboard fittings (Non-metallic -); Door fittings, not of metal; Fittings, not of metal (Door -); Corner fittings (Non-metallic -) for containers; Curtain suspension fittings; Decorative edging strips of plastic for use with door fittings; Fittings for curtains; Curtain fittings; Door fittings made of plastics; Display fittings [furniture] of metal; Beams for display fittings; Decorative edging strips of wood for use with window fittings; Fittings, not of metal (Furniture -); Fittings, not of metal (Window -); Decorative edging strips of plastic for use with window fittings; Door, gate and window fittings, non-metallic; Door, gate and window fittings; Nuts, not of metal; Nuts [fasteners], not of metal; Screws, not of metal; Self-tapping non-metallic screws; Wood screws (Non-metallic -); Socket head shoulder screws, not of metal; Socket head cap screws, not of metal; Set screws, not of metal; Threaded screws of plastic; Self-drilling screws in non-metallic materials; Caps (Non-metallic -) for screws; Square set screws of non-metallic materials; Binding screws, not of metal, for cables; Non-metal expanding sleeves for affixing screws; Nuts [fasteners], not of metal; Non-metallic nuts [fasteners]; Non-metallic fasteners for pipes; Architectural fasteners of non-metallic materials; Non-metallic fasteners; Fasteners, non-metallic; Blind bolt fasteners of non-metallic materials; Non-metallic

fasteners for cables; Cable fasteners, connectors and holders, non-metallic; Pipe fasteners, connectors and holders, non-metallic; Fasteners; Pipe fasteners, connectors and holders; Cable fasteners, connectors and holders; Screw threaded fasteners, not of metal; Sash fasteners, not of metal for windows; Sash fasteners, not of metal, for windows; Non-metallic numberplate fasteners; Door fasteners, not of metal; Non-metal threaded fasteners; Threaded fasteners made of plastic; Thumbturns [fasteners], not of metal; Turn-button fasteners (Non-metallic -); Stud buttons [fasteners] of plastic for tentage; Window fasteners (Non-metallic -); Window fasteners, not of metal; Fixings, not of metal for furniture; Fixings, not of metal for shelves; Suction pads [fixings]; Fixing nails, not of metal; Clamps (Non-metallic -) for fixing blinds; Fixings, not of metal for shelves; Fixings, not of metal for furniture; Brackets of (Non-metallic -) used for fixing plaques; Hinges, not of metal for the fixing of pipes; Clamps (Non-metallic -) for fixing windows; Supports for fixing curtain poles; Supports for fixing curtain rods; Suction pads [fixings]; Tiles (Mirror -) for fixing to walls; Fixing bolts, not of metal; Fixing plugs, not of metal; Clamps (Non-metallic -) for fixing awnings; Clamps (Non-metallic -) for fixing doors; Clamps (Non-metallic -) for fixing insect screens; Clamps (Non-metallic -) for fixing pleated blinds; Clamps (Non-metallic -) for fixing insect screens; Clamps (Non-metallic -) for fixing pleated blinds; Plastic cover for metal hose clamps; Plastic covers for metal hose clamps; Clamps (Non-metallic -) for fixing awnings; Clamps (Non-metallic -) for fixing doors; Clamps (Non-metallic -) for fixing windows; Clamps (Non-metallic -) for fixing blinds; Hinge clamps of non-metallic materials; Hose clamps (Non-metallic -); Non-metal clamps; Non-metal cable clamps; Pipe clamps of plastics; Clip clamps, not of metal.