

**O/852/21**

**TRADE MARKS ACT 1994**

**SUPPLEMENTARY DECISION**

**IN THE MATTER OF REGISTRATION UK00003473375  
IN THE NAME OF THE ELITE WATCH COMPANY LTD  
FOR THE TRADE MARK**

**BYTTRON**

**IN CLASS 9**

**AND**

**THE APPLICATION FOR A DECLARATION OF INVALIDITY THERETO  
UNDER NUMBER 503490 BY SHENZHEN ZESTNATION TECHNOLOGY CO.,  
LTD**

1. On 10 November 2021, I issued a decision in the above referenced proceedings. It has been brought to my attention that my decision contained a typographical error at paragraph 65 in which I make the order as to costs. I erroneously ordered the Elite Watch Company Ltd to pay to Shenzhen Zestnation Technology Co., Ltd 'the sum of £700'. I should have ordered the sum of £658, which was correctly stated in paragraph 64 and reflected in the accompanying table.

2. I regard the above as an irregularity in procedure and capable of being corrected under Rule 74(1) of the Trade Marks Rules 2008.

3. This supplementary decision merely corrects that typographical error to the extent that paragraph 65 is hereby corrected to read:

'65. I therefore order The Elite Watch Company Ltd to pay to Shenzhen Zestnation Technology Co., Ltd **the sum of £658**. This sum is to be paid within twenty-one days of the expiry of the appeal period or within twenty-one days of the final determination of this case if any appeal against this decision is unsuccessful.'

4. The above correction does not affect the appeal period, nor is there any impact on costs.

**Dated this 18<sup>th</sup> day of November 2021**

**Mx N. R. Morris**  
**For the Registrar,**  
**the Comptroller-General**