

O/826/22

TRADE MARKS ACT 1994

IN THE MATTER OF APPLICATION NUMBER 3565243

BY

CLEANHOME HOUSEHOLD INC

TO REGISTER THE FOLLOWING TRADE MARK

IN CLASSES 3, 16 and 35

**yocada**

AND

OPPOSITION THERETO UNDER NUMBER 424166

BY

OCADO INNOVATION LIMITED

## **Background and Pleadings**

1. On 8 December 2020, Cleanhome Household Inc. (“the Applicant”) applied to register in the UK, the trade mark numbered 3565243, namely “yocada” for goods and services in classes 3, 16 and 35 as set out in full in the annex attached hereto. It was accepted and published in the Trade Marks Journal on 5 February 2021.

2. On 28 April 2021, Ocado Innovation Limited (“the Opponent”) issued opposition proceedings against the application under sections 5(2)(b), 5(3) and 3(6) of the Trade Marks Act 1994 (“the Act”). It relies on its earlier UK Trade Mark (“UKTM”) numbered 3176492 for the purposes of its claim under the first two grounds as set out below:

UKTM no. 3176492

OCADO

Filed 25 July 2016 and registered on 23 December 2016 for goods and services in classes 3, 5, 6, 7, 9, 11, 12, 16, 20, 21, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 41, 42 and 45. For the purposes of this opposition it relies on all of the goods and services of its registration in classes 3, 16 and 35 (as set out in full in the annex).

3. Under section 5(2)(b) the Opponent claims that the applied for mark and the respective goods and services are highly similar/identical to the earlier mark leading to a likelihood of confusion including a likelihood of association.

4. Under section 5(3), it is claimed that use of the applied for mark by the Applicant will likely mislead and/or confuse the average consumer into believing that the respective marks are in some way associated or connected with the Opponent e.g. that they are part of the same ‘family’ or range of marks/brands and therefore that they have a common origin. Furthermore, it is pleaded that the Applicant will trade off and benefit from the goodwill and reputation that the Opponent has built up, constituting a misappropriation of the Opponent’s trade mark rights, causing damage including loss or dilution of such rights. It is claimed that the Opponent will incur financial losses and damage to its reputation as a result of the consumer’s mistaken belief that the goods/services of the Applicant are those of the Opponent and particularly if those goods and services are not of the same/comparable standard of quality as those of the Opponent.

5. Under section 3(6), it is contended that the Applicant has filed such an extensive and broad range of goods and services, that it cannot have a bona fide intention to use the mark in relation to all of the designated items and thus the application has been filed in bad faith.

6. The Applicant filed a defence and counterstatement denying each of the claims. It denies that the marks are similar causing confusion to consumers or that the filings were made in bad faith. Furthermore, it states in response to both the section 5(3) and 3(6) grounds that:

“The purpose of applying for trademarks is to protect applicant's own products. To defend its own rights. They are not bad faith filings. Applicant further affirmatively alleges that as a result of its continuous substantial usage of its mark yocada since adoption, this mark is a valuable asset of applicant and carries considerable goodwill and consumer acceptance of its products sold under the mark. Such goodwill and widespread usage has made the mark distinctive to the applicant.”

7. The UKTM relied upon by the Opponent is an earlier mark in accordance with section 6 of the Act. Since it was filed no more than five years prior to the filing date of the application, in accordance with section 6A of the Act, it is not required to provide proof of use of its mark and consequently may rely on the entirety of the goods and services of its registration without having to demonstrate use.

8. The Opponent is represented by Impetus IP Limited and the Applicant is represented by Gloria Qsing. Only the Opponent filed evidence and submissions during the evidence rounds. Whilst the Applicant filed submissions these were not admitted into the proceedings (I shall refer to this in more detail below). Neither party asked to be heard on the matter and neither filed submissions in lieu of hearing. This decision is taken, therefore, following a careful perusal of the papers.

9. Although the UK has left the EU, section 6(3)(a) of the European Union (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. That is why this decision continues to refer to the case law of the EU courts on trade mark matters.

## **Preliminary Issues**

10. During the evidence rounds the Applicant filed submissions headed “evidence” via email dated 1 May 2022. This document was not admitted into the proceedings as it was not filed in the correct format to be accepted as evidence, namely it was not signed by the author of the statement, nor did it include a statement of truth. The Applicant was given an opportunity to rectify the matter and was advised either to refile the document removing the factual information contained therein or to provide a witness statement in the correct format. The Applicant was given until 16 May 2022 to carry out this action, but failed to do so. Consequently, the document was not admitted into the proceedings and has not been taken into account in my assessment.

## **Evidence**

11. The Opponent’s evidence consists of the witness statement of Helen Rock dated 9 February 2022 accompanied by nineteen exhibits marked Annex 1-19. Ms Rock is the Senior IP Litigation Support Counsel at the Ocado Group PLC the parent company of the Opponent. She has been employed in this capacity since January 2004. The standard confirmation as to her capacity and authority to provide the statement is given.

12. Background information as to the history and the various incarnations of the Opponent’s name is given. Suffice to say it was originally incorporated in 1999 and following a restructure the Opponent became an owned subsidiary of the Ocado Group Plc in 2016, holding all intellectual property rights relied upon, which it licences to Ocado Retail Limited. The various incorporation certificates, change of name certificates and group structure details are produced dated 17 December 2021.<sup>1</sup>

13. It is said that the Opponent granted a licence to Ocado Retail Limited to use the mark OCADO in relation to retail services and own branded goods. Any goodwill generated therefore by the licensee accrues directly to the Opponent. A copy of the licence agreement/confirmatory licence between Ocado Innovation Limited and Ocado Retail Limited dated 5 December 2019 is produced.<sup>2</sup>

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<sup>1</sup> Annex 1

<sup>2</sup> Annex 11

## Partnerships

### Waitrose

14. In 2000, it is said that the Opponent entered into a sourcing arrangement with Waitrose supermarket to provide an operations and delivery service. This partnership ended on 1 September 2020. Various media sources relating to this partnership are produced dated 2002 to September 2020.<sup>3</sup> The extracts produced are taken from various publications and display the mark in combination with a device and in its word only form in the body of the text. A number of these publications rate the Opponent's website "www.ocado.com" as the best online grocery site.

15. An extract taken from an article on page 32 refers to "Ocado the home shopping arm of the supermarket Waitrose, distributed more than one million leaflets in June (2003) to attract customers. This was supported by ads on radio, posters London Underground and local press."<sup>4</sup>

### Morrisons

16. In 2013 the Opponent entered into a commercial agreement with Morrisons to provide operation and technology services to Morrisons to enable it to launch and operate its online grocery business website "www.morrisons.com". The Opponent was the architect and builder of the technology solutions powering Morrisons' online supermarket service. The Opponent provides technology, software, business management information, advisory and support services to Morrisons. Media coverage of the announcement and the subsequent relationship are produced<sup>5</sup> consisting of an article published in the Business section of the BBC online dated 17 May 2013 which, it is said, enabled Morrisons to "launch an online grocery service by January 2014. They are providing logistical support from its "Dordon distribution centre". A further article published in The Guardian on 18 July 2013 refers to Morrisons "buying Ocado's technology and warehouse, to launch a website by January" (presumably 2014 taking account of the date of the article) and that Ocado has been "approached by international companies keen to buy its software and expertise".

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<sup>3</sup> Annex 2

<sup>4</sup> Source: Marketing (Main) dated 12 February 2004

<sup>5</sup> Annex 6

17. A further article published in The Guardian refers to Morrison's expansion in signing a new deal with Ocado and refers to Ocado "running the technology and delivery network for Morrisons' online business" since its launch in 2014. Furthermore, this article refers to Ocado as an online specialist and that it offers "Ocado Smart Platform" services.

### Marks and Spencer ("M&S")

18. In 2019 the Opponent entered into a joint venture with Marks and Spencer whereby Marks and Spencer products were to be sold via the Ocado "www.ocado.com" website, alongside existing ranges and own brand goods stocked by the Opponent. Media coverage of the deal with Marks and Spencer and press releases are produced consisting of articles published online in The Guardian dated 27 February 2019 and 12 December 2019; Financial Times dated 21 August 2021: a screenshot taken from www.marksandspencer.com dated 1 September 2020 announcing the collaboration between the parties; The Daily Mail dated 16 September 2020 and promotional material.<sup>6</sup>

### Ocado's business

19. Ocado is described as a leading light in the online food delivery service since trading in 2002.<sup>7</sup> A document is produced titled "Our brand journey celebrating 20 years of Ocado" with images and text setting out by year the development of the brand from 2000 to 2020. An extract is reproduced below. It details the launch of its "Own Label range" in 2010, the sponsorship of the 2012 London Olympics and its partnership with Marks and Spencer in 2020. This document however appears to be an internal "storybook" document and it is not clear at whom it is directed. I accept, however, that the achievements, as described, occurred and that these would have been in the public domain and visible to consumers in the UK throughout these periods.

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<sup>6</sup> Annex 7

<sup>7</sup> www.hitc.com (print date 8 February 2022)



20. The Opponent's online supermarket "www.ocado.com" was launched in 2002. A copy of the website's homepage dated 29 November 2002 is produced as well as other material relating to the launch.<sup>8</sup> The mark in lower case in combination with a device is clearly displayed and shows other branded goods being offered for sale, e.g. Cranks bread and Duchy Originals bread.<sup>9</sup> The webpages are taken from the wayback machine archive tool and screenshots captured from 21 November 2005, 5 December 2006 and 26 February 2007, are produced showing various foodstuff and goods on offer as follows:

<sup>8</sup> Annex 3

<sup>9</sup> Page 72

Bakery, Biscuits & Cereal  
Beers, Wines & Spirits  
Confectionery & Snacks  
Delicatessen & Cold Meat  
Desserts  
Fresh Ready Meals & Pizza  
Frozen Foods  
Fruit, Vegetable & Salad  
Kitchen Cupboard & Free From  
Lunchbox  
Meat, Fish & Poultry  
Milk, Dairy & Eggs  
Organic Products  
Pasta, Rice & Sauces  
Soft Drinks, Tea & Coffee  
Tinned, Soup & Preserves



21. In 2009, the Opponent launched the first iPhone application for a UK supermarket and the following year (2010) the Android equivalent app was launched. Copies of the various media coverage relating to the launch all dated in 2009 are produced.<sup>10</sup> The “Ocado On The Go” shopping app launch was publicised on [www.foodbev.com](http://www.foodbev.com) in November 2011. It describes Ocado’s e-commerce platform expansion into “Android handsets, the iPad, Blackberry and Windows Phone 7 handsets.” Further, it discusses the sales data trends of customers using the app versus the website where “home baking products, wine, butter, fresh fruit, vegetables, fruit juice and salads” are the top buys on both platforms. An article published in [www.marketscreener.com](http://www.marketscreener.com) in April 2014 describes Ocado’s scan and shop app launch as creating the swiftest shopping experience for the online supermarket. In the online publication of the Retail Gazette dated April 2015 Ocado’s technology is described as having been developed further to include ‘the first grocery shopping app’ for the Apple watch. The Telegraph publication dated 29 October 2009 lists Ocado in its “Top 10 iPhone apps for shopping”.

### Own Branded Range Products

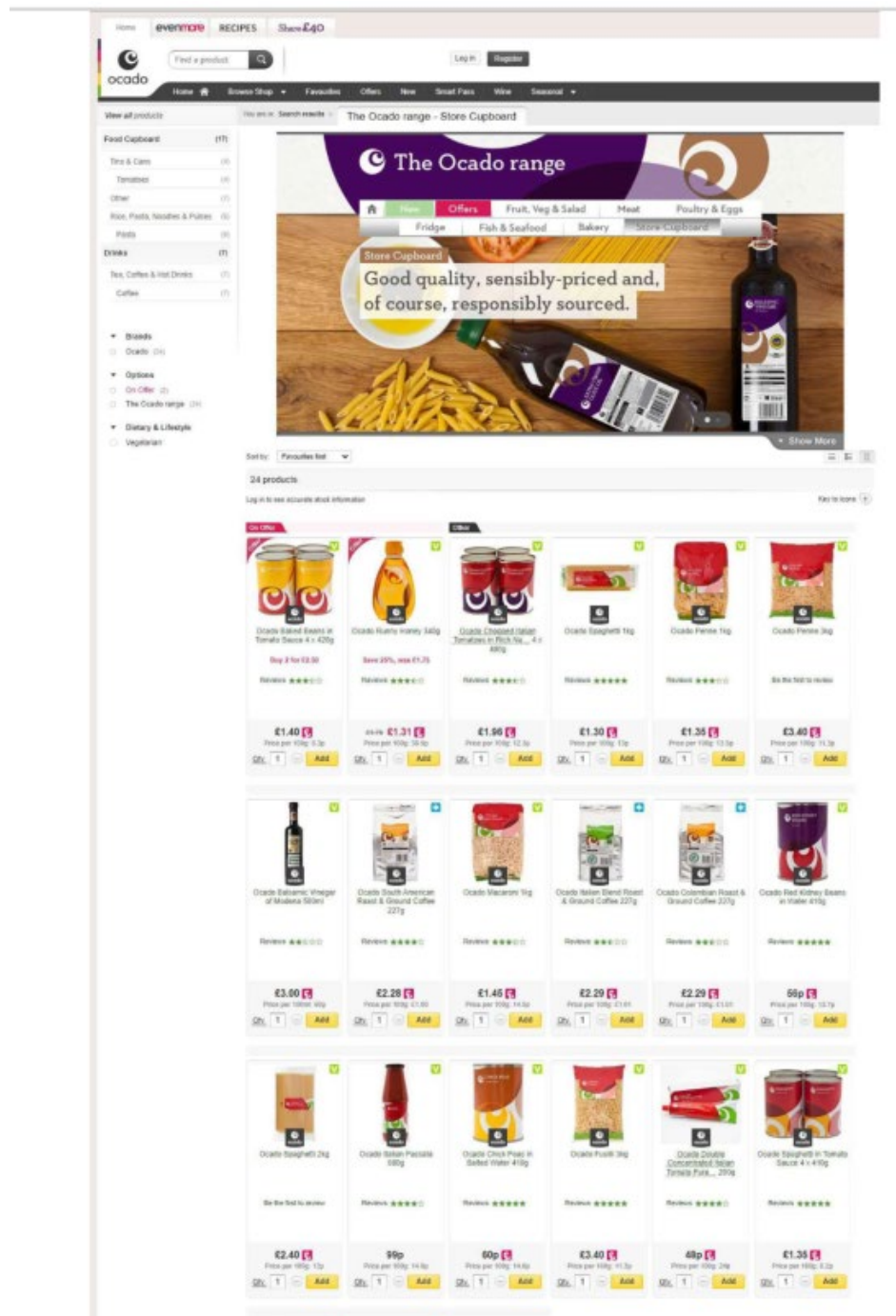
22. In 2010, the Opponent launched its own branded products, the sales of which reached £228.7 million in 2020. Archive examples are produced of the type of branded products which could be found on [www.ocado.com](http://www.ocado.com). It is said that the range of products includes over 600 items. Annex 5 consists of media coverage related to the

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<sup>10</sup> Annex 4



development of Ocado's own range from its launch in 2010 to 2021.<sup>11</sup> The article published in [www.marketingweek.com](http://www.marketingweek.com) dated September 2010, describes Ocado as building a "1,000 strong own brand range". Page 101 is a screenshot of various foodstuff products, to include cold meats, canned produce, dairy products, fresh fruit and vegetables, fish, baked goods, eggs, pasta and coffee, all displaying the mark on its website as follows:



<sup>11</sup> Annex 5

23. A marketing brochure is produced dated 2015, created by the company's rebranding designers. It is not clear, however, whether this document is for internal purposes or whether it has a wider circulation. It does, nevertheless, demonstrate the Opponent's marketing strategy and its market share.



**Business objectives:**

- To establish Ocado as a credible grocery brand.
- To get 75% of customer baskets to contain Ocado own brand.

**Marketing objectives:**

- To use own brand to drive customer affinity for Ocado.

**Design objectives:**

- Create an eye-catching, aspirational design that customers want to buy.
- Create a design system that is easily implemented at parity cost to its predecessor.

**Description**

Founded in 2000, Ocado is a hi-tech, online grocery shopping service that delivers food, drink and domestic goods directly into a customer's home. Sales are on target to exceed £800m in 2013.

In addition to stocking a large number of manufacturer brands, for 9 years Ocado was the exclusive online / home delivery service for Waitrose. However, in 2009, Waitrose decided to launch a rival service.

In 2010, Ocado launched their own brand in a functional design. Since November 2011 a new design, created by jkr, has been applied to all Ocado own brand products.

**Overview of the market**

In 2012, the online purchasing and delivery of grocery products accounted for less than £6bn of £163bn British grocery sales, but the channel is growing at about four times the rate of the grocery market as a whole. Ocado currently takes 14% of online groceries.

**Project launch date:** November 2011

**Size of design budget:** Confidential

24. Page 115 consists of an article taken from [www.thegrocer.co.uk](http://www.thegrocer.co.uk) dated 13 August 2019 announcing the joint venture between the Opponent and M&S. Within the same article reference is made to Ocado's Gold range of goods with an image displaying a selection of foodstuff and household products within the range, to include vegetables, meats cooked and fresh, coffee, oil, biscuits and eggs, cleaning products and toilet paper. The name "ocado" together with the word "gold" is clearly displayed on the labels and packaging.

25. A press release dated 17 March 2021 refers to the M&S partnership and refers to Ocado having "625,000 active customers" and is "the world's largest dedicated online supermarket" selling a range of over 49,000 products to include M&S and Ocado Own label. Its own brand is said to comprises of 530 products.<sup>12</sup> A similar press release is

















<sup>12</sup> Page 129

produced from packagingnews.co.uk; theguardian.com dated 17 March 2021. Further, an article published in The Grocer dated 20 September 2021 refers to Ocado's own label range of over 70 household essentials to include cleaning products, bin bags and washing detergents. Images of the products displaying the mark as follows accompany the article:



26. Pages 139-142 include an undated screenshot of the range of goods on offer bearing the mark as they currently appear on ocado's website. A selection are reproduced below:



Featured		On Offer & Value					
 <p>Ocado Shower Shine Spray 750ml</p> <p>★★★★☆ (77)</p> <p>90p 12p per 100ml</p> <p>Add to trolley</p>	 <p>Ocado Antibacterial Multi Surface Cleaner Spray 750ml</p> <p>Everyday Savers</p> <p>★★★★☆ (71)</p> <p>90p £ 12p per 100ml</p> <p>Add to trolley</p>	 <p>Ocado Window &amp; Glass Cleaner Spray 750ml</p> <p>★★★★☆ (56)</p> <p>90p 12p per 100ml</p> <p>Add to trolley</p>	 <p>Ocado Luxury Quilted Toilet Tissue 9 per pack</p> <p>Buy any 2 for £6 &gt;</p> <p>★★★★☆ (403)</p> <p>£3.50 38.9p each</p> <p>Add to trolley</p>	 <p>Ocado White Toilet Tissue 9 per pack</p> <p>Everyday Savers</p> <p>★★★★☆ (324)</p> <p>£3 £ 33.3p each</p> <p>Add to trolley</p>	 <p>Ocado Luxury Coconut Oil Toilet Tissue 9 per pack</p> <p>Buy any 2 for £6 &gt;</p> <p>★★★★☆ (256)</p> <p>£3.75 41.7p each</p> <p>Add to trolley</p>	 <p>Ocado Dishwasher Salt 3kg</p> <p>Buy any 2 for £5 &gt;</p> <p>★★★★☆ (88)</p> <p>£2.75 91.7p per kg</p> <p>Add to trolley</p>	 <p>Ocado Kitchen Towel 2 per pack</p> <p>Save 15% was £2 &gt;</p> <p>★★★★☆ (15)</p> <p>£1.70 £2 85p each</p> <p>Add to trolley</p>
 <p>Ocado Large Tie Handle Refuse Sacks 90L 15 per pack</p> <p>Buy any 2 for £5 &gt;</p> <p>★★★★☆ (38)</p> <p>£3.15 21p each</p> <p>Add to trolley</p>	 <p>Ocado Luxury Aloe Vera Toilet Tissue 9 per pack</p> <p>Buy any 2 for £6 &gt;</p> <p>★★★★☆ (108)</p> <p>£3.75 41.7p each</p> <p>Add to trolley</p>	 <p>Ocado Kitchen Foil 300mm 30m</p> <p>Buy any 2 for £6 &gt;</p> <p>★★★★☆ (18)</p> <p>£3.50 11.7p per 1m</p> <p>Add to trolley</p>	 <p>Ocado Greaseproof Baking Paper 300mm 20m</p> <p>Buy any 2 for £5 &gt;</p> <p>★★★★☆ (25)</p> <p>£2.90 14.5p per 1m</p> <p>Add to trolley</p>	 <p>Ocado Non-PVC Cling Film 350mm 50m</p> <p>Buy any 2 for £5 &gt;</p> <p>★★★★☆ (55)</p> <p>£2.90 5.8p per 1m</p> <p>Add to trolley</p>	 <p>Ocado Large Drawstring Refuse Sacks 90L 15 per pack</p> <p>Buy any 2 for £5 &gt;</p> <p>★★★★☆ (23)</p> <p>£3.15 21p each</p> <p>Add to trolley</p>	 <p>Ocado Antibacterial Multi Surface Citrus Wipes 120 per pack</p> <p>Buy any 2 for £4 &gt;</p> <p>★★★★☆ (36)</p> <p>£2.50 2.1p each</p> <p>Add to trolley</p>	 <p>Ocado Large Extra Strong Refuse Sacks 100L 15 per pack</p> <p>Buy any 2 for £6 &gt;</p> <p>★★★★☆ (40)</p> <p>£3.70 24.7p each</p> <p>Add to trolley</p>

















**Ocado OWN RANGE**

Top-rated quality at prices you love



Fruit, Vegetables & Salad	Bakery & Food Cupboard	Meat, Poultry & Fish	Dairy & Eggs	Delicatessen	Frozen	Household & Homecare
 <p>99p 10 pack</p>	 <p>60p 4 pack</p>	 <p>£1.80 10 pack</p>	 <p>89p 2 pints</p>	 <p>£1 200g</p>	 <p>£1.45 800g</p>	 <p>90p 750ml</p>

**About Own Range**

Featured							
 <p>Ocado Chestnut Mushrooms 250g</p> <p>Buy 2 for £1.80 &gt;</p> <p>★★★★☆ (134)</p> <p>£1.05 £4.20 per kg</p> <p>Add to trolley</p>	 <p>Ocado Large Cucumber LIFE 4d+</p> <p>Buy 2 for £1.40 &gt;</p> <p>★★★★☆ (195)</p> <p>75p</p> <p>Add to trolley</p>	 <p>Ocado Red Peppers 3 per pack</p> <p>Buy 2 for £3 &gt;</p> <p>★★★★☆ (322)</p> <p>£1.80 60p each</p> <p>Add to trolley</p>	 <p>Ocado Green Seedless Grapes 500g</p> <p>Buy any 2 for £3.50 &gt;</p> <p>★★★★☆ (227)</p> <p>£2 £4.00 per kg</p> <p>Add to trolley</p>	 <p>Ocado Coriander 30g</p> <p>Buy 2 for £1 &gt;</p> <p>★★★★☆ (131)</p> <p>60p 20p per 10g</p> <p>Add to trolley</p>	 <p>Ocado Leeks 500g</p> <p>Buy 2 for £2.05 &gt;</p> <p>★★★★☆ (106)</p> <p>£1.20 £2.40 per kg</p> <p>Add to trolley</p>	 <p>Ocado British Skimmed Milk 2 Pints 1.136L</p> <p>Buy 2 for £1.50 &gt;</p> <p>★★★★☆ (53)</p> <p>90p 79.2p per litre</p> <p>Add to trolley</p>	 <p>Ocado Organic Blueberries 150g</p> <p>Buy 2 for £4.20 &gt;</p> <p>★★★★☆ (129)</p> <p>£2.50 £16.67 per kg</p> <p>Add to trolley</p>
 <p>Ocado Baby Spinach LIFE 2d+</p>	 <p>Ocado Medium Free Range Eggs LIFE 5d+</p>	 <p>Ocado Fairtrade Bananas LIFE 2d+</p>	 <p>Ocado British Semi Skimmed Milk LIFE 5d+</p>	 <p>Ocado Carrots LIFE 2d+</p>	 <p>Ocado Antibacterial Multi Surface Citrus Wipes LIFE 2d+</p>	 <p>Ocado Tomatoes LIFE 2d+</p>	 <p>Ocado 10 Unsmoked Back Bacon Pack LIFE 1w+</p>

27. On 26 July 2010 the Opponent was listed on the London Stock Exchange and by 2022 has become a member of the FTSE 100 index and the highest valued UK technology company. Financial details from the London Stock Exchange and Financial Times are produced to include the Opponent's income, cash flow, balance sheet and growth rate from 2016 to 2020.<sup>13</sup> The section headed our story, describes OCADO GROUP PLC's industry classification as "consumer staples', 'personal care, drug and grocery stores', and 'food retailers and wholesalers'".

### Revenue and Sales

28. Ms Rock states that the Opponent's revenue in 2019/2020 amounted to £2.3 billion and earnings before interest, taxes, deprivation and amortization (EBITDA) of £73 million. It is said that the Opponent employs more than 21,000 employees across the UK. Extracts taken from the 2009-2020 Ocado Annual Reports are produced, which supports these figures.<sup>14</sup>

29. It is said that the estimated value of the grocery market within the UK in 2020 was £205 billion of which 14% was online. In 2019 the Opponent held 15% of the online grocery market. In September 2020 the Opponent's value reached £21.7 billion. Documents taken from "statistica" online, dated 24 September 2021, lists Ocado as third in the "top online stores in the Food and Beverages segment in the UK in 2020, by e-commerce net sales". An article dated 23 June 2020 published on "chargedretail" refers to Ocado as "achieving the largest market share of all time as online grocery sales jump 91%". Reference is made to Ocado supplying Morrisons with warehouse technology and software and that it has also struck deals with, among others, "Casino chain in France, Sobeys in Canada and Kroger in USA". These chains it is said "pay Ocado a licence fee for its robots and its software" (The Guardian 28 November 2020). It states that "most of Ocado's turnover comes from Ocado Retail, the vans delivering milk, hummus and ready meals to customers".<sup>15</sup>

30. In 2021, the website "www.ocado.com" attracted on average 921,000 unique monthly users, generating on average over 131 million page views. The Ocado website is ranked seventh in UK groceries by Similarweb (the leading web traffic

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<sup>13</sup> Annex 8

<sup>14</sup> Annex 9

<sup>15</sup> Annex 10

analytics service). Data in this regard pulled from the Opponent's data suite is produced.<sup>16</sup> The mark Ocado is displayed prominently on every page.

### Advertising

31. The Opponent has spent a substantial sum on advertising and publicity throughout the UK under the OCADO brand. This advertising it is said includes print media, electronic and audio-visual media, television and radio adverts and social media. Its social media presence includes accounts with (i) Facebook under the account name "ocado"; (ii) Instagram under the handle "ocadouk" (144,000 followers); (iii) Twitter under "@ocado" (258,000 tweets and 88,400 followers); (iv) Pinterest under "ocado.com" (6,200 followers and 10m+ monthly views) and (v) YouTube. Extracts (dated between 2004 and 2021) are produced taken from various printed and online publications to include magazines, newspapers, social media and tv advert stills.<sup>17</sup>

32. Over the past five years the Opponent's advertising expenditure is as follows:

Year	£ million
2016	25.9
2017	31.4
2018	35.3
2019	44.2
2020	36.2

33. It is said that Ocado has received wide ranging non-commissioned coverage by the media since its launch in 2002. Examples of such coverage is produced at Annex 14 and contains articles in various online publications to include The Financial Times dated 14 December 2005 and The Times April 2008. Of particular note, is the article published in the New Scientist online magazine dated December 2016 which describes Ocado as one of the most "technologically advanced online retailers in the world". The article refers to the company as being "at the leading edge of cloud based technology" and that it built and now manages Morrisons entire online grocery business and uses its expertise for other retail suppliers such as Fetch, Fabled and

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<sup>16</sup> Annex 12

<sup>17</sup> Annex 13

Sizzle. It describes how Ocado has an in house data science team which has developed complex AI algorithms to power its machines. An article in The Verge dated 8 May 2018 describes Ocado creating its hive grid machine to fully automate its warehouse in Andover. The article states that the Opponent “processes 3.5 million items a week or around 65,000 orders every week.”

### Awards

34. Ms Rock produces details of the awards won by the Opponent said to show the success and recognition of the Opponent’s brand.<sup>18</sup> These awards include The Grocer Gold award for Online retailer of the Year 2005; Consumer award for Best Organic Supermarket in 2014; FT ArcelorMittal Boldness in Business award 2019; Gold Award for Digital Impact 2021; E & T Innovation Award 2020 awarded to Ocado Technology.

### Reviews

35. It is said that the Opponent is recognised as a major online supermarket within the UK. Extracts from various media outlets are produced showing reviews and ratings of the Opponent’s website as an online supermarket.<sup>19</sup> Page 352 includes an extract of the typical reviews received from customers who gave Ocado a 4.15 rating out of 5 from 2,494 reviews.

### Geographic Scope

36. Ms Rock confirms that deliveries to customers are made using Ocado branded vans by employees wearing Ocado branded uniforms. The goods are delivered in Ocado branded carrier bags. In 2016 its fleet of branded vans totalled 2,966, which by 2021 had increased to 5,137 vehicles. Examples are produced showing photographs of vehicles, carrier bags and personnel displaying the earlier mark.<sup>20</sup> It is said that the Opponent delivers to cities throughout England and Wales and has opened various distribution sites to include Oxford in 2011, Dordon in 2013, Merseyside in 2014, Milton Keynes in 2015, Andover in 2016 and Bristol in 2021. Press releases and media coverage related to the expansion of the Opponent’s delivery network is produced.<sup>21</sup>

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<sup>18</sup> Annex 15

<sup>19</sup> Annex 16

<sup>20</sup> Annex 17

<sup>21</sup> Annex 18

37. This concludes the evidence summary. Whilst the Opponent filed submissions I do not propose to outline these here but shall refer to the salient points where necessary later in my decision.

## **Decision**

### **Section 5(2)(b)**

38. Section 5(2)(b) of the Act states as follows:

“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.”

39. 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 the goods and services**

40. Both parties' goods and services specifications are set out in full in the attached annex. In its pleadings, the Applicant did not address nor specifically deny the Opponent's position of identity/similarity as between the respective goods and services. Those goods contained in class 3 are all mainly non-medicated toiletry

preparations as well as cleaning preparations for use in the home and other environments. In class 16 the goods include paper and cardboard, printed matter, stationery and office requisites, adhesives for stationery and household purposes, drawing materials, paintbrushes, instructional and teaching materials, films and bags for wrapping and packaging. Furthermore, the provision of services within Class 35 include those related to advertising, business management, business administration and office functions and would include services rendered by individuals or organisations within the retail sector whether wholesale, online or otherwise.

41. Upon undertaking the comparison, I note in particular that the Applicant's terms in its class 3, 16 and 35 specifications (as outlined below) are all self-evidently identical to the Opponent's class 3, 16 and 35 goods and services upon which the opposition is based.

*Class 3: Chemical laundry preparations; Laundry bleaching preparations; Fabric softener for laundry use; Abrasive preparations; Scouring preparations; Cleaning preparations; Polishing preparations; Detergents; Chemical cleaning preparations for household purposes; Room fragrancing preparations; Destainers; Pet stain removers; Beauty care cosmetics; Toiletries, Sanitary preparations being toiletries; Deodorants for human beings.....;Almond soaps/aloe soaps/bath soaps/facial soaps/liquid soaps/perfumed soaps; Bath and shower gel; Bath creams; Perfumery; Essential oils; Hair lotions; Baby care products (Non-medicated -); Make-up pads of cotton wool; All-purpose cotton buds for personal use; Dentifrices.*

*Class 16: Advertising publications; Diaries [printed matter]; Magazines; Office stationery; Notepaper; Educational and instructional material; Educational publications; Cardboard containers/cartons/boxes; Packaging materials; Wrapping materials made of cardboard; Wrapping materials made of paper; Wrapping paper; Tubes (Cardboard -); Gift tags; Labels of paper or cardboard; Paper badges; Cardboard badges; Napkins of paper (Table -); Towels of paper; Bags and articles for packaging, wrapping and storage of paper, cardboard or plastics; Bags of plastics for lining refuse bins; Food wrapping plastic film; General purpose plastic bags; Waxed paper; Gift wrap.*

*Class 35: Mail order retail services related to foodstuffs; Online retail store services relating to cosmetic and beauty products; Retail services connected with stationery; Unmanned retail store services relating to food; Management of a retail enterprise for others; Ordering services [for others]; Ordering services for third parties; Retail purposes (Presentation of goods on communication media, for -); Retail services connected with stationery; Loyalty scheme services; Management of customer loyalty, incentive or promotional schemes; Organisation and management of business incentive and loyalty schemes; Organisation, operation and supervision of loyalty schemes and incentive schemes; Administration of sales and promotional incentive schemes; Administration of sales promotion incentive programs; Dissemination of advertising and promotional materials; Direct mail advertising services; Business and market research; File management (Computerized -); Information and data compiling and analyzing relating to business management; Comparison services (Price -); Statistical analysis and reporting; Rental of advertisement space; Sales promotion for others; Sample distribution; Business advisory and consultancy services; Data processing;*

42. On this basis, I do not propose to undertake a full comparison of the goods and services as listed in the annex. The examination of the opposition will proceed on the basis that the contested goods and services are identical to those covered by the earlier trade mark. If the opposition fails, even where the goods/services are identical, it follows that the opposition will also fail where the goods/services are only similar.

### **Average consumer**

43. When considering the opposing marks the average consumer is deemed reasonably informed and reasonably observant and circumspect. For the purposes of assessing the likelihood of confusion the average consumer's level of attention is likely to vary according to the category of goods/services in question.<sup>22</sup>

44. 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:

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<sup>22</sup> *Lloyd Schuhfabrik Meyer*, case c- 342/97.

“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 word “average” denotes that the person is typical. The term “average” does not denote some form of numerical mean, mode or median.”

45. The Opponent submits that the goods and services in question are directed at the public at large and that an average degree of attention will be undertaken in the selection process. By and large, I agree. The average consumer of the majority of the goods and services is predominantly a member of the general public. The goods are fairly low-cost consumable goods found on shelves of retail outlets or their online equivalent and purchased on a fairly frequent basis. The services are generally online retail services where the consumer can view and purchase goods via a website. Some of the services, however, are directed towards a business user namely the provision of *advisory services for business management*, for example. Visual considerations will dominate in either scenario, whether the general member of the public or the business user where they will be exposed to the respective brands either directly or online or following printed advertisements and via social media publicity. I accept that aural considerations may also play a part following requests made to sales staff or word of mouth recommendations. For the general member of the public, the level of attention will not be at the lowest degree, in my view an average level of attention will be undertaken, no higher or lower than the norm for such goods/services, since consumers will take into account cost, availability, suitability and ease of use, especially those with allergies/intolerances to certain ingredients such as gluten in foodstuff or chemicals in toiletries or household cleaners for example. For the business user a higher than average degree of attention is likely, but not significantly so, as comparable considerations such as cost and suitability will play a part in the considerations.

### **Comparison of the marks**

46. 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 the 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.”

47. It would be wrong, therefore, to dissect the trade marks artificially, although it is necessary to consider 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.

48. The respective marks are as follows:

Applicant's mark	Opponent's mark
yocada	OCADO

### **Overall Impressions of the trade marks**

49. Both marks are word only marks with no additional elements or stylisation and therefore the overall impression of each mark resides in the totality of the word itself.

### **Visual comparison**

50. First of all, the difference in casing between the two marks will have no bearing on the mark comparison assessment, given that a word trade mark protects notional use of the word itself, irrespective of font, capitalisation or otherwise, and therefore a trademark in capitals covers use in lower case and vice versa.<sup>23</sup> When undertaking

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<sup>23</sup> Bentley Motors Limited v Bentley 1962 Limited BL O/159/17

the visual similarity assessment, it is necessary for me to keep in mind the number of shared or differing letters, the order and position in which the letters appear and the overall structure of both words.

51. The Opponent submits that "...it is clear that the marks are highly similar. Both YOCADA and OCADO share the same four letter "OCAD" with the only difference between the marks being the last letter of "A" and "O" and the addition of a "Y" in the Subject Application. The marks are highly similar and with imperfect recollection the average consumer would be likely to confuse these marks for one another." Other than a denial, the Applicant did not advance any submissions as to the similarity or otherwise of the marks.

52. The trade marks coincide to the extent that they each contain the letters O-C-A-D in sequence, albeit at different positions. These letters are the first to fourth letters in the earlier mark, whereas they are the second to the fifth letters in the contested mark. Both marks begin and end with different letters; the letter 'Y' as opposed to the letter 'O' and the letter 'A' as opposed to the letter 'O'. The contested mark is six letters long, whereas the earlier mark is five letters long. Whilst there is not a great disparity in the overall length of the respective marks, visually there is a discernable difference between them, in so far as each mark begins and ends with different letters. In the English language, words are read from left to right, and caselaw suggests that greater emphasis is likely to be put on the beginning of words, rather than their central characters.<sup>24</sup> Differences, therefore, in relatively short marks have more visual impact, especially when those differences are presented at the beginning.

53. I do not accept the Opponent's suggestion that the element OCAD within the contested mark is the more dominant element. There is no logical reason why consumers would break down the contested mark without reference to the first letter Y or the last letter A and extract the middle letters in the way suggested. The degree of similarity between the marks, resulting from the shared letters 'O-C-A-D', is in my view likely to be reduced in the contested mark because due to their central position these letters will be swallowed up by the remaining letters on either side. Taking into account the overall impression of each mark, as a whole, the visual impact arising

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<sup>24</sup> *El Corte Inglés, SA v OHIM*, Cases T-183/02 and T-184/02

from the different first and last letters, are unlikely to be overlooked by consumers and consequently, the marks are visually similar to a low degree.

### **Aural Comparison**

54. The Opponent submits that “..aurally “OCADA and “OCADO” are near identical in pronunciation, with the A and O having a highly similar phonetic sound when combined with ‘CADO’ prefix. The “Y” at the beginning of the Subject Application is a soft sound and when pronounced as a full word, the dominant sound aurally is CADO, which is identical between both marks.”

55. Notwithstanding, that in the English language there may be a number of ways in which the respective marks are pronounced, following common parlance, in my view the majority of average consumers are likely to pronounce the contested mark as YO-CAH-DAH, whilst the earlier mark will be pronounced as OH-CAH-DOH. Again, shared common initial elements of signs are more persuasive than either shared common endings or middles, mainly because consumers place more emphasis on pronouncing initial elements. Here, however, the initial elements and the endings of the respective words are different, only coinciding in the sound of the middle syllable. The pronouncement of the first syllable in each mark will differ; an OH sound as opposed to a YO sound. The presence of the letter Y acts to elongate the vowel in the contested mark such that the letters YO will be pronounced in the same way as in the word Yoga for example, whereas the sound resulting from the letter ‘O’ followed immediately by a consonant is a short staccato “OH” sound. Weighing up the similarities and differences, I consider that the marks are aurally similar to between a low and medium degree.

### **Conceptual Comparison**

56. The Opponent submitted that “there can be no comparison between the marks [conceptually] because neither mark has any meaning. They are both made up marks.” I agree. Neither mark has a known dictionary meaning and both will be regarded as invented words by the average consumer. Since no conceptual comparison is possible then the marks are conceptually neutral.

## **Distinctiveness of the earlier mark**

57. 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).”

58. Registered trade marks possess varying degrees of inherent distinctive character; descriptive words tend to have a low level of inherent distinctiveness, whereas invented words are regarded as possessing a high level of distinctive character. The degree of distinctiveness is an important factor as it directly relates to whether there is a likelihood of confusion; the more distinctive the earlier mark the greater the likelihood of confusion. The distinctive character of a mark can also be enhanced by virtue of the use made of it.

59. The earlier mark already enjoys a high degree of inherent distinctive character by virtue of it being an invented word with no known meaning. The Opponent has not specifically pleaded an enhanced degree of distinctive character; however, it has filed



evidence which supports the position that it is well known in the UK for online retail services and related branded goods.

60. The evidence produced confirms that as at the relevant date, sales of its branded products, including over 600 items in a range of categories, reached £228.7 million. The Opponent's revenue under the mark amounted to £2.3 billion in 2019/2020. Whilst this figure is not specifically broken down by category, I am able to accept from the evidence filed that a significant proportion of this figure can be attributed to its online grocery service and related branded goods, as well as the provision of online retail services for third parties. This is supported by an article published in The Guardian (dated 28 November 2020) which describes most of Ocado's turnover as coming from Ocado Retail.<sup>25</sup> It is also said that in 2019 the Opponent held 15% of the online groceries market, which in a £163 billion industry is not an insubstantial sum. In September 2020, Ocado was listed in Statistica online as the third best online food and beverage store. In 2021 "www.ocado.com" is said to have attracted on average 921,000 unique monthly users, generating on average 131 million page views. This number would not have been generated overnight and is likely to have been built up over the preceding years. Within the industry, evidence has been produced to demonstrate that it also has a reputation for supporting other retailers by the provision of a range of advisory, support and business management services. Ms Rock's statement describes Ocado as having entered into high profile partnerships with Waitrose, Morrisons (since 2013) and Marks and Spencer (since 2020) which are all well known and established nationwide supermarket chains. Examples of printed and online advertisements and press releases are produced confirming these commercial relationships. Furthermore, the Opponent spent £36.2 million on advertising its brand in 2020 and won a number of awards between 2014 and 2021, said to show the success and recognition of the brand both with those within the industry and to members of the public.

61. As a result of the material produced, I have no hesitation in finding that at the relevant date, the evidence supports the view that the Opponent has enhanced its already high degree of inherent distinctive character in its mark, further to a very high degree in relation to the provision of online grocery services, related

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<sup>25</sup> Annex 10

foodstuff/household goods, and business management services as outlined in the specifications relied upon.

### **Likelihood of confusion**

62. When considering whether there is a likelihood of confusion between the marks I must consider whether there is direct confusion, where one mark is mistaken for the other or whether there is indirect confusion where the similarities between the marks lead the consumer to believe that the respective goods and services originate from the same or related source.

63. A number of factors must also be borne in mind when undertaking the assessment of confusion. 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 or services and vice versa. As I mentioned above, it is also necessary for me to keep in mind a global assessment of all relevant factors when undertaking the comparison and that the purpose of a trade mark is to distinguish the goods and services of one undertaking from another. In doing so, I must consider 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. Mr James Mellor, as the Appointed Person, directed that a common sense approach should be undertaken in any assessment where “every comparison must be conducted according to the approach laid down in the CJEU case law and every comparison will depend on its own facts” applying “the well-established propositions for assessing the visual, aural and conceptual similarities.”<sup>26</sup>

64. Earlier in my decision I found that the average consumer for the goods and services in question, was predominantly a member of the general public undertaking an average level of attention in the selection process. I also found in particular that for some of the services, the average consumer would include a business user undertaking a higher than average level of attention but not significantly so. I found that visual considerations dominated the purchasing process, although aural considerations could not be discounted. Visually, I found that the marks were similar to a low degree and that aurally the marks were similar to between a low and medium

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<sup>26</sup> *Robert Bosch GmbH v Bosco Brands UK Limited*, BL O/301/20

degree. Given that both marks would be regarded as invented, no conceptual comparison was possible, rendering them conceptually neutral. I proceeded with the comparison on the basis that the goods and services were identical. The Opponent's mark possessed a high degree of inherent distinctive character which was enhanced further as a result of the use it had made of its mark to a very high degree in relation to the goods and services of its specification relating to the provision of online grocery services, related foodstuff/household goods and business management services as I have already outlined.

65. Whilst aural considerations provide the Opponent with its best case, the aural similarity between the marks is not overwhelming. In *New Look Limited v OHIM*, joined cases T-117/03 to T-119/03 and T-171/03, the General Court stated that:

“49. ....it should be noted that in the global assessment of the likelihood of confusion, the visual, aural or conceptual aspects of the opposing signs do not always have the same weight. It is appropriate to examine the objective conditions under which the marks may be present on the market (*BUDMEN*, paragraph 57). The extent of the similarity or difference between the signs may depend, in particular, on the inherent qualities of the signs or the conditions under which the goods or services covered by the opposing signs are marketed. If the goods covered by the mark in question are usually sold in self-service stores where consumer choose the product themselves and must therefore rely primarily on the image of the trade mark applied to the product, the visual similarity between the signs will as a general rule be more important. If on the other hand the product covered is primarily sold orally, greater weight will usually be attributed to any aural similarity between the signs.”

66. I found that the goods/services were not selected solely via aural means and, therefore, any aural similarity would not offset the other considerations when undertaking a global assessment. I take particular note that the marks begin and end with different letters and the common letters are positioned within the middle of the contested mark. The marks are relatively short marks and whilst there is no special test for 'short' marks, differences in relatively short marks are more noticeable, especially where those differences lie at the beginning of words. This, coupled with the marks ending in different letters, will, in my view, have a significant impact on the

visual impression of the respective marks and will not be overlooked by the average consumer.

67. The Opponent argued that “consumers will retain in their minds the dominant elements of the signs namely the elements OCADA and OCADO”, which will lead them to imperfectly recall the marks. I disagree. I have taken into account the potential for consumers to imperfectly recall or mistake the marks one for the other, as suggested by the Opponent, but find this to be unlikely due to the common letters being positioned within the middle of the contested mark, and in accordance with settled caselaw the emphasis is more likely to be on the beginning of the respective marks. I do not consider that the dominant element of the applied for mark is OCADA omitting the letter Y. Consumers will regard the mark as a whole and there is no reason for them to dissect the mark in the way suggested by the Opponent and disregard the letter Y from that assessment when coming across the mark.

68. It is my view that the contested mark will be seen in its entirety and no one letter will dominate the other. The visual influence in the purchasing process will override the possibility of the marks being misheard, any similarity in sound will be put down to the marks coincidentally sounding similar. Notwithstanding, the interdependency principle and the high/very high distinctive character of the earlier mark, the difference created at the beginning of the contested mark is so noticeable, visually, that no consumer would misremember one mark for the other, even for identical goods/services. Given that there is no conceptual hook to assist either, I do not believe that a significant proportion of consumers will see yocada and directly confuse it with OCADO, despite the overlap in some letters.

69. Moving on to indirect confusion, I remind myself of the decision in *Liverpool Gin Distillery Ltd & Ors v Sazerac Brands*,<sup>27</sup> where Arnold LJ referred to the comments of James Mellor QC (as he then was), sitting as the Appointed Person in *Cheeky Italian Ltd v Sutaria*<sup>28</sup> where he said at [16] that “a finding of a likelihood of indirect confusion is not a consolation prize for those who fail to establish a likelihood of direct confusion”. Arnold LJ agreed, pointing out that there must be a “proper basis” for concluding that

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<sup>27</sup> *LLC & Ors* [2021] EWCA Civ 1207

<sup>28</sup> O/219/16

there is a likelihood of indirect confusion where there is no likelihood of direct confusion.

70. The Opponent argues that taking the global assessment of several factors, namely the high level of similarity between the marks the identical/highly similar goods/services, the relevant consumer is likely to confuse the marks and believe that the services in question come from the same or economically linked undertakings.<sup>29</sup> However, I do not consider that a finding of indirect confusion could be established. If consumers note that the marks are different, I find it improbable that they would then acknowledge those differences but conclude that the one mark is a brand extension or sub brand of the other or that the goods and services are provided by one and the same undertaking. It would be highly unusual for a company to rebrand its mark or launch a sub brand by adopting a different name to the original, other than some overlap in their letters. In my view there would be no logical reason for consumers to believe that there is an economic connection between them, sufficient for a finding of indirect confusion to be made. At best if the average consumer goes through this mental process, it would, in my view, merely bring to mind the other's mark, in a scenario as envisaged by Mr James Mellor in *Duebros Limited v Heirler Cenovis GmbH*,<sup>30</sup> rather than a belief that there is an economic connection between them.

71. Taking into account all the global factors I do not consider, overall, that consumers would either directly or indirectly confuse the two marks. The opposition based on the Opponent's claim under section 5(2)(b) of the Act fails.

72. For clarification, having come to this conclusion on the basis of goods and services that are identical, my view would not differ for those goods/services that are further away in terms of similarity and I need not consider the Applicant's remaining goods and services in the assessment as this will not improve the Opponent's position under this ground.

### **Section 5(3)**

73. Section 5(3) of the Act states:

“A trade mark which-

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<sup>29</sup> Page 69 Opponent's submissions

<sup>30</sup> BL O/547/17

(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.

(3A) Subsection (3) applies irrespective of whether the goods and services for which the trade mark is to be registered are identical with, similar to or not similar to those for which the earlier trade mark is protected.”

74. The relevant case law can be found in the following judgements of CJEU: Case C-375/97, *General Motors*, Case 252/07, *Intel*, Case C-408/01, *Addidas-Salomon*, Case C-487/07, *L’Oreal v Bellure* 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*).

75. The conditions of section 5(3) are cumulative. Firstly, the Opponent must show that the earlier mark is similar to the contested mark. Secondly, that the earlier mark has achieved a level of knowledge/reputation amongst a significant part of the public. Thirdly, it must be established that the level of reputation and the similarities between the marks will cause the public to make a link between them, in the sense of the earlier marks being brought to mind by the later mark. Fourthly, assuming that the first three

conditions have been met, section 5(3) requires that one or more of the types of damage claimed by the Opponent will be suffered. It is unnecessary for the purposes of section 5(3) for the goods and services to be similar, although the relative distance between them is one of the factors which must be assessed in deciding whether the public will make a link between them. For the purposes of section 5(3) the relevant date for the assessment is the date of filing of the application namely 8 December 2020.

76. The Opponent provided brief submissions regarding its claim under section 5(3). It submitted that it has a reputation in the OCADO mark in relation to a wide range of goods and services. It argues that the mark OCADO is “well recognised throughout the UK and possesses a high degree of recognition and therefore acquired distinctive character. The relevant public are accustomed to associating the OCADO brand with quality products and services.” It is said that the Applicant would take unfair advantage of the hard earned and well-deserved respect and reputation of the Opponent, confusing consumers to believe that the contested goods/services offered by the Applicant are related to the Opponent and allowing the Applicant to benefit from increased sales and revenue as a direct result of this confusion. Further if the Applicant provides inferior quality goods/services or becomes associated with a negative image, such a reputation may be transferred to the Opponent, resulting in loss of sales and revenue to the Opponent. The evidence filed by Ms Rock is said to demonstrate the Opponent’s extensive and valuable reputation in the OCADO trade mark.

### **Similarity of the marks**

77. For the reasons set out earlier, I found that the marks were similar visually to a low degree and aurally similar to between a low and medium degree. Conceptually I did not find that a comparison was possible given that they were both invented marks and as such were conceptually neutral.

### **Reputation**

78. In making the assessment consideration must be given as to whether the earlier mark enjoys a reputation with a significant number of consumers and the extent that it has demonstrated the “the market share held by the trademark, the intensity,



geographical extent and duration of use, and the size of the investment made by the undertaking in promoting it.”<sup>31</sup>

79. The Opponent’s evidence is unchallenged and as particularised earlier the revenue figures produced are significant, amounting to £2.3 billion in 2019/2020. The number of consumers accessing the Opponent’s website is equally significant. Ms Rock states that the Opponent’s website attracts 921,000 unique monthly users and it has 625,000 active customers, as of March 2021. The advertising expenditure for 2020 was also extensive, amounting to over £36.2 million. Material is produced to support the high profile partnerships it has enjoyed previously with Waitrose and since 2019 with Marks and Spencer. The company is said to hold 15% of the UK market share in the online grocery market, the grocery market as a whole amounting to £205 billion in 2020. The evidence provided supports the contention that the mark OCADO enjoys a significant market share in the UK for its online grocery services, its branded goods and the provision of those goods and services for others as included within its specification in classes 3, 16 and 35. Whilst it is noted that the revenue figures have not been broken down by individual category I accept that its own brand is said to comprise of over 600 products and in total it sells a range of over 49,000 products as at March 2021 making it the “the world’s largest dedicated online supermarket”. I take judicial notice of the fact that as an online grocery business, the goods sold under the mark would typically consist of an extensive range, and include the provision and distribution of printed material, containers, packaging and bags. From the evidence filed I am satisfied that the revenue figures and the Opponent’s reputation extends to all of the goods as listed in classes 3 and 16. Furthermore, in relation to the services, the evidence shows that within the industry the Opponent is recognised as a market leader in the provision of technological and business management consultation, advice and support services for others and services relating to advertising, distribution and promotion of goods for third parties and to its customers as set out in its specification in class 35.<sup>32</sup> No evidence has been produced, however, regarding the provision of incentive or loyalty schemes to consumers under the mark, and therefore I do not find that the Opponent’s reputation extends to such services. I am satisfied

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<sup>31</sup> *General Motors* para 28

<sup>32</sup> Annex 10

that the Opponent enjoys a significant reputation in those goods and services as I have referred to previously, particularly as an online retailer, which is sufficient to maintain its claim under section 5(3) in the UK in respect of the goods and services covered by its registration.

### **Link**

80. Moving on to the third factor, I must now consider whether the Opponent's reputation would give rise to the necessary mental link being made by the average consumer as between the trade marks, such that the later mark calls to mind the earlier mark. The relevant public on the whole is the general public at large but would include the business user, who are deemed reasonably informed and reasonably observant and circumspect. The factors to be taken into account are those as outlined in *Intel*.<sup>33</sup> Taking each of these in turn.

#### *The degree of similarity between the conflicting marks*

81. My findings at paragraph 77 apply equally here and I adopt those findings.

#### *The nature of the goods or services for which the conflicting marks are registered, or proposed to be registered, including the degree of closeness or dissimilarity between those goods or services and the relevant section of the public*

82. The Applicant has applied for the full alphabetical list of goods/services in classes 3, 16 and 35 and broadly speaking a good proportion of those goods/services are identical to the Opponent's, whereas some are only similar, in varying degrees. I identified some of the Applicant's goods and services as outlined in paragraph 41 as identical with the Opponent's goods and services and proceeded with the assessment under section 5(2)(b) on that basis. In terms of similarity the Applicant's *Adhesives for cosmetic purposes* (class 3) for example, are similar to the Opponent's *cosmetics* to a low degree, overlapping in provider, relevant public, and distribution channels but differing in nature and purpose. Similarly the Applicant's *handkerchiefs of paper* in class 16 are similar to a medium degree to the Opponent's *napkins, towels of paper*, whilst differing in purpose they overlap in nature, user and channels of trade. Whilst the Applicant has not denied identity/similarity as claimed by the Opponent, it is clear

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<sup>33</sup> *Intel Corporation Inc v CPM United Kingdom Ltd* - [2009] RPC 15 (CJEU)

that some of the Applicant's goods/services are dissimilar to those relied upon by the Opponent. For example I see no obvious similarity between the Applicant's *Flavorings for beverages* (class 3) and any of the Opponent's goods, nor its *Accountancy advice relating to the preparation of tax returns; Accounting services for pension funds; Accounting services relating to costs for farming enterprises; Accounting services relating to tax planning; Employment agency services relating to au pairs; Import and export agency services; Organization of trade fairs* in class 35 and any of the Opponent's services. In so far as the average consumer, I found them to be predominantly a member of the general public who pays an average degree of attention during the purchasing process but did not discount business users undertaking a higher than average degree of attention but not significantly so.

*The strength of the earlier marks' reputation*

83. I found that based upon the evidence filed, the Opponent has a significant reputation as I have already outlined in paragraph 79.

*The degree of the earlier marks' distinctive character, whether inherent or acquired through use*

84. The distinctive character of the mark resides in its totality, and it is possessed of a high degree of inherent distinctiveness by virtue of it being an invented word. I found that the evidence filed demonstrates that it has enhanced that level further to a very high degree in relation to the provision of online grocery services, related foodstuff/household goods and business management services as outlined in the specifications relied upon.

*Whether there is a likelihood of confusion*

85. For the reasons outlined above, I did not find that there was a likelihood of confusion under section 5(2)(b).

86. Noting that the level of similarity required for the public to make the necessary link between the marks, for the purposes of section 5(3), is less than the level of similarity

required to create a likelihood of confusion, it is not fatal to the Opponent's case that I did not find a likelihood of confusion under section 5(2)(b). However, it does nevertheless require the relevant section of the public to make a connection between those marks in order for the types of injury to arise.<sup>34</sup> Given that visual considerations will dominate the purchasing process the Opponent's reputation is sufficiently strong that despite there being no confusion, a significant part of the public will in my view, call to mind the earlier mark, and when encountering the contested mark will make the necessary association and link with the earlier mark. There is sufficient nexus between the respective marks as a result of the common letters OCAD present in both, for consumers to regard the later mark to be based on the earlier mark or at least bring it to mind sufficient for the relevant link to be made.

87. Even for those goods and services that are dissimilar, the extensive nature of the Opponent's business, the strength of the reputation and the distinctiveness of the earlier mark is such that it would counteract any dissimilarity between the goods and services, especially since consumers are accustomed to seeing supermarkets diverging into different fields of activity other than retail. In my view a link such as a bringing to mind, will still be made, given that OCADO is one of the biggest online retailers, holding 15% of the market share. I find a significant proportion of consumers, especially members of the general public, paying an average level of attention will be reminded of the earlier mark when faced with the contested mark, even when coming across goods and services which are not identical or similar.

### **Damage**

88. Having come to this conclusion I must now assess whether the types of damage claimed by the Opponent will arise.

### **Unfair Advantage**

89. In *Argos Limited v Argos Systems Inc.* [2018] EWCA Civ 2211, the Court of Appeal held that a change in the economic behaviour of the customers for the goods/services

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<sup>34</sup> *Intra-Press SAS v OHIM*, Joined cases C-581/13P & C-582/13P

offered under the later trade mark was required to establish unfair advantage. This may be inferred where the later trade mark would gain a commercial advantage from the transfer of the image of the earlier trade mark to the later mark.<sup>35</sup>

90. In *Jack Wills Limited v House of Fraser (Stores) Limited* [2014] EWHC 110 (Ch) Arnold J. (as he then was) considered the earlier case law and concluded that:

“80. The arguments in the present case give rise to two questions with regard to taking unfair advantage. The first concerns the relevance of the defendant's intention. It is clear both from the wording of Article 5(2) of the Directive and Article 9(1)(c) of the Regulation and from the case law of the Court of Justice interpreting these provisions that this aspect of the legislation is directed at a particular form of unfair competition. It is also clear from the case law both of the Court of Justice and of the Court of Appeal that the defendant's conduct is most likely to be regarded as unfair where he intends to benefit from the reputation and goodwill of the trade mark. In my judgment, however, there is nothing in the case law to preclude the court from concluding in an appropriate case that the use of a sign the objective effect of which is to enable the defendant to benefit from the reputation and goodwill of the trade mark amounts to unfair advantage even if it is not proved that the defendant subjectively intended to exploit that reputation and goodwill.”

91. In *Lonsdale Sports Limited v Erol*, [2013] EWHC 2956 (Ch), Norris J. rejected a claim that there was a likelihood of confusion between the appellant's mark and the respondent's mark. However, he found that:

“34. As I have said above, at a first glance the block of text in the Respondent's Mark looks like something that Lonsdale might be connected with (a first impression soon dispelled in the case of the average consumer). But that first glance is important. Those who look at the wearer of a product bearing the Respondent's Mark might not get more than a glance and might think the wearer was clad in a Lonsdale product. The creation of that illusion might be quite enough for the purchaser of a "look-alike" product: indeed who but such a person would knowingly buy a "pretend" product? Further, it undoubtedly dilutes the true

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<sup>35</sup> *Claridges Hotel Limited v Claridge Candles Limited and Anor*, [2019] EWHC 2003 (IPEC).

"Lonsdale" brand by putting into circulation products which do not proclaim distinctiveness but rather affinity with a reputable brand.

92. It is claimed that as a result of this reputation it will be easier for the Applicant to market its goods and services such that consumers are more likely to select the goods and services under the application than they would otherwise, had they not been reminded of the earlier mark. I find that this to be the position in the decision in suit. The Opponent has spent a considerable amount of money, in the millions, in establishing its reputation which it has built up over at least 20 years. Since consumers may well regard the Applicant's mark as being based upon the Opponent's, this will create a familiarity with consumers when confronted with the later mark, such that there is an increased chance of consumers buying the later mark's products (both the goods and the services) because of their perceived link with OCADO. In my view this would take unfair advantage of the earlier marks' reputation and gain a foothold in the industry quickly, without having to make an equivalent investment or marketing effort themselves. The economic behaviour of customers would change leading to a commercial advantage being gained by the Applicant.

93. Since I have found damage resulting from an unfair advantage being gained by the Applicant this is sufficient for the opposition based upon section 5(3) to succeed and I need not therefore consider whether any of the other heads of damage has arisen.

94. The opposition based upon section 5(3) succeeds in its entirety

### **Section 3(6)**

95. Section 3(6) of the Act states:

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

96. In *Sky Limited & Ors v Skykick, UK Ltd & Ors*, [2021] EWCA Civ 1121 the Court of Appeal considered the case law from *Chocoladefabriken Lindt & Sprüngli AG v Franz Hauswirth GmbH*, Case C-529/07 EU:C:2009:361, *Malaysia Dairy Industries Pte. Ltd v Ankenævnetfor Patenter Varemærker* Case C-320/12, EU:C:2013:435, *Koton Mağazacılık Tekstil Sanayi ve Ticaret AŞ*, Case C-104/18 P, EU:C:2019:724,

*Hasbro, Inc. v EUIPO, Kreativni Dogaaji d.o.o. intervening*, Case T-663/19, EU:2021:211, *pelicantravel.com s.r.o. v OHIM, Pelikan Vertriebsgesellschaft mbH & Co KG (intervening)*, Case T-136/11, EU:T:2012:689, and *Psytech International Ltd v OHIM, Institute for Personality & Ability Testing, Inc (intervening)*, Case T-507/08, EU:T:2011:46. It summarised the law as follows:

“68. The following points of relevance to this case can be gleaned from these CJEU authorities:

1. The allegation that a trade mark has been applied for in bad faith is one of the absolute grounds for invalidity of an EU trade mark which can be relied on before the EUIPO or by means of a counterclaim in infringement proceedings: *Lindt* at [34].

2. Bad faith is an autonomous concept of EU trade mark law which must be given a uniform interpretation in the EU: *Malaysia Dairy Industries* at [29].

3. The concept of bad faith presupposes the existence of a dishonest state of mind or intention, but dishonesty is to be understood in the context of trade mark law, i.e. the course of trade and having regard to the objectives of the law namely the establishment and functioning of the internal market, contributing to the system of undistorted competition in the Union, in which each undertaking must, in order to attract and retain customers by the quality of its goods or services, be able to have registered as trade marks signs which enable the consumer, without any possibility of confusion, to distinguish those goods or services from others which have a different origin: *Lindt* at [45]; *Koton Mağazacılık* at [45].

4. The concept of bad faith, so understood, relates to a subjective motivation on the part of the trade mark applicant, namely a dishonest intention or other sinister motive. It involves conduct which departs from accepted standards of ethical behaviour or honest commercial and business practices: *Hasbro* at [41].

5. The date for assessment of bad faith is the time of filing the application: *Lindt* at [35].

6. It is for the party alleging bad faith to prove it: good faith is presumed until the contrary is proved: *Pelikan* at [21] and [40].

7. Where the court or tribunal finds that the objective circumstances of a particular case raise a rebuttable presumption of lack of good faith, it is for the applicant to provide a plausible explanation of the objectives and commercial logic pursued by the application: *Hasbro* at [42].

8. Whether the applicant was acting in bad faith must be the subject of an overall assessment, taking into account all the factors relevant to the particular case: *Lindt* at [37].

9. For that purpose it is necessary to examine the applicant's intention at the time the mark was filed, which is a subjective factor which must be determined by reference to the objective circumstances of the particular case: *Lindt* at [41] – [42].

10. Even where there exist objective indicia pointing towards bad faith, however, it cannot be excluded that the applicant's objective was in pursuit of a legitimate objective, such as excluding copyists: *Lindt* at [49].

11. Bad faith can be established even in cases where no third party is specifically targeted, if the applicant's intention was to obtain the mark for purposes other than those falling within the functions of a trade mark: *Koton Mağazacılık* at [46].

12. It is relevant to consider the extent of the reputation enjoyed by the sign at the time when the application was filed: the extent of that reputation may justify the applicant's interest in seeking wider legal protection for its sign: *Lindt* at [51] to [52].

13. Bad faith cannot be established solely on the basis of the size of the list of goods and services in the application for registration: *Psytech* at [88], *Pelikan* at [54]".



97. The Opponent argues that the Applicant cannot have a bona fide intention to use the 'yocada' mark in relation to all of the designated goods and services as applied for and as such the application has been filed in bad faith.

98. In response to the allegation, the Applicant stated in its defence and counterstatement:

"They are not bad faith filings. Applicant further affirmatively alleges that as a result of its continuous substantial usage of its mark 'yocada' since adoption, this mark is a valuable asset of the Applicant and carries considerable goodwill and consumer acceptance of its products sold under the mark. Such goodwill and widespread suage has made the mark distinctive to the Applicant".

99. Whether it is bad faith to apply for a trade mark without any intention to use it in relation to the specified goods and services was considered in *Sky v Skykick*, CJEU, Case C-371/18, EU:C:2020:45 ("*Sky CJEU*") and *Sky Limited & Ors v Skykick, UK Ltd & Ors*, [2021] EWCA Civ 1121 ("*Sky CA*"). The law appears to be as follows:

a. Applying to register a trade mark without an intention to use it is not bad faith *per se*. Therefore, it is not necessary for the trade mark applicant to be using, or have plans to use, the mark in relation to all the goods/services covered by the specification: *Sky CJEU*.

b. The bad faith of the trade mark applicant cannot, therefore, be presumed on the basis of the mere finding that, at the time of filing his or her application, that applicant had no economic activity corresponding to the goods and services referred to in that application: *Sky CJEU*.

c. However, where the trade mark application is filed without an intention to use it in relation to the specified goods and services, and there is no rationale for the application under trade mark law, it may constitute bad faith. Such bad faith may be established where there are objective, relevant and consistent indications showing that the applicant had the intention either of undermining, in a manner inconsistent with honest practices, the interests of third parties, or of obtaining, without even targeting a specific third party, an exclusive right for

purposes other than those falling within the functions of a trade mark: *Sky CJEU*.

d. A trade mark may be applied for in good faith in relation to some of the goods/services covered by the application, and in bad faith as regards others: *Sky CJEU*.

e. It is not possible for there to be bad faith in respect of an entire category of goods or services where there was an intention to use the mark in relation to some goods or services within that category (*Sky CJEU*; *Sky CA*).

f. Each category of goods and services must be considered separately, taking into account legitimate use and factors such as an applicant's reputation, brand recognition and expansion which might justify a wide specification: *Sky CA*.

100. Whilst no evidence which was admissible was filed by the Applicant during the evidence rounds to support its claim, it is clear from the caselaw that the burden on proving bad faith lies with the Opponent. The Applicant is not required to provide a positive case of good faith unless and until the Opponent has presented evidence from which 'a rebuttable presumption of lack of good faith' can be drawn. The evidence filed by the Opponent specifically relates to its evidence of use and its claim to a reputation, Ms Rock's evidence, however, does not address the issue of bad faith. The extent of the Opponent's submissions regarding the application being filed in bad faith were outlined as follows:

"...the Applicant clearly has simply applied to register the mark in relation to all items on the alphabetical list in 3 classes covered and cannot have a genuine intention to use the mark in relation to all of the goods and services covered.

..the Applicant has filed the Subject Application in relation to a specification of goods and services that is far too broad for any one entity to have an intention to use and that the Subject Application has therefore been filed in bad faith or at least partial bad faith."

101. The rationale provided by the Applicant in response for filing the application was that it has gained its own goodwill and wished to “to defend its own rights” and products, as it uses the mark in other territories.

102. It is clear in accordance with the caselaw and in particular the decision in *Skykick* (CJEU) that there is no requirement for the Applicant to use or intend to use the mark for all the goods and services listed at the time it applied for the application. Bad faith cannot be established solely based on the size of the specification as applied for.

103. An allegation of this kind is, therefore, insufficient to establish bad faith without something more ie objective, relevant and consistent indications showing that the Applicant had the intention of undermining in a manner inconsistent with honest practices, the interests of third parties or obtaining without even targeting a specific third party an exclusive right for purposes other than those falling within the functions of a trade mark. Other than the allegation that the Applicant’s specification is too broad, no further argument was put forward to suggest that the Applicant was applying for the trade mark with a wide specification as a blocking strategy. Nothing further was submitted by the Opponent in this regard.

104. In *Equisafety Ltd v Battle, Hayward And Bower, Ltd & Anor*, [2021] EWHC 3296 (IPEC), although it was admitted that the registration included certain goods in respect of which the claimant had no intention to use the mark, there was insufficient evidence to show that the application had been made in bad faith. The judge pointed out that the registration included some goods in classes 9 and 18 in relation to which the claimant was using the mark, as well as classes it “may well want to move into” (at [38]). The judge said:

“39. Even if the application was made in bad faith in so far as it related to goods such as bicycle helmets and Fences (Electrified), it is clear from *Skykick* (see for example, at [108]-[109]), that that would not invalidate the application insofar as it related to goods such as the reflective products that [the claimant] was selling at the time. As [the claimant’s] infringement claim is based on that latter type of goods, the bad faith argument does not assist [the defendant].

40. I should say that, even as regards goods such as bicycle helmets and Fences (Electrified), it does not seem to me that the evidence is sufficient for me to conclude that the application was made in bad faith. As these goods were outside the scope of [the defendant's] activities, it does not appear that [the claimant's] motivation was to undermine [the defendant's] position. So, the allegation becomes simply one of too broad a specification of goods which is not sufficient to found a bad faith claim (see *SkyKick* at [67(13)] and [77])”.

105. I remind myself that the concept of bad faith presupposes the existence of a dishonest state of mind or intention, within the context of trade mark law. It is also a subjective motivation on the part of the Applicant namely a dishonest or other underhand motive. It involves conduct which departs from accepted standards of ethical behaviour or honest commercial and business practices. Nothing further was put before me by the Opponent other than to argue that the specification was too broad and therefore in accordance with the caselaw, this is not sufficient for the bad faith claim to succeed.

106. Accordingly the claim under section 3(6) fails.

## **Conclusion**

107. The opposition has failed under sections 5(2)(b) and 3(6) of the Act. However, the claim under section 5(3) has succeeded, subject to any successful appeal, the application is refused registration.

## **Costs**

108. The Opponent has been successful and is entitled to a contribution towards its costs based upon the scale published in Tribunal Practice Notice 2/2016. I note however that it only succeeded on one ground of opposition, and I have taken this into account when making the award of costs. Applying the guidance, I award costs on the following basis:

Preparing a statement and considering the other side's statement:	£300
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Preparing evidence and submissions:	£500
Official fee:	£200
<b>Total</b>	<b>£1000</b>

109. I order Cleanhome Household Inc. to pay Ocado Innovation Limited the sum of £1,000 as a contribution towards its costs. This sum is to be paid within 21 days of the expiry of the appeal period or within 21 days of the final determination of this case, if any appeal against this decision is unsuccessful.

Dated this 26<sup>th</sup> day of September 2022

Leisa Davies

For the Registrar

## Annex

### Opponent's goods and services as relied upon

Class 3: Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; detergent, household bleach, disinfectant; room fragrancing preparations; stain removers; cosmetics, toiletries, sanitary preparations, deodorants for humans; soaps, creams, shower and bath gels; perfumery, essential oils, hair lotions; baby care products; cotton wool for cosmetic purposes, cotton sticks for cosmetic purposes; dentifrices.

Class 16: Printed matter; printed publications; magazines; journals, stationery and educational supplies; containers, cartons, boxes, packaging, wrapping, tubes, tags, labels, badges, wine carriers made of paper or cardboard; napkins, towels of paper; household bags, plastic shopping bags, garbage bags; plastic or paper for packaging, cling film; toilet paper; waxed paper; gift wrapping.

Class 35: The bringing together, for the benefit of others, of a variety of goods all connected with the sale of foodstuffs, meat, fish, meat extracts, fresh fruits and vegetables, preserved fruits and vegetables, dried fruits and vegetables, cooked fruits and vegetables, dairy products, bread and pastry products, sweets and confectionery; pasta and noodle products, cereals, prepared meals and puddings, ingredients for making prepared meals and puddings, baby food, snack foods, foodstuff for pet animals, flowers, condiments, herbs, grains, nuts, preserves, eggs, edible oils, edible fats, beverages, alcoholic beverages, coffee, tea, milk, tobacco products, beauty products, cosmetics, soaps, creams, toiletries, cleaning and laundry products, bleaching preparations and other substances for laundry use, cleaning, detergent, disinfectant, stain removers, over-the-counter pharmaceutical preparations, sanitary preparations for medical purposes, plasters, balms, absorbent cotton, absorbent wadding, baby products, disposable diapers, napkins, towels of paper, vitamins and minerals, machines for household use, hand tools, photographic films, batteries, domestic electrical and electronic equipment, stationery and books, leather pet collars, leather pet leads, leather pet harnesses, leather bags, leather purses, luggage, furniture, household containers and utensils,

furnishings, textiles, clothing, haberdashery, toys and games enabling customers to conveniently view and purchase those goods from a general merchandise Internet web site; provision of information to customers and advice and assistance in the selection of goods brought together as above; organisation, operation and management of customer loyalty and incentive schemes; operation and supervision of sales incentive schemes; on-line administration and supervision of a discount, special offer and gift voucher schemes; organisation, operation and supervision of loyalty and incentive schemes via the internet and mobile devices; loyalty card services; advertising, marketing and promotional services; dissemination of advertising and promotional materials; direct mail advertising services; online advertising on a computer network; market research and marketing services; business information; advisory services for business management; computerised file management; compilation, storage, analysis and retrieval of information and data; compilation and systemisation of information into computer databases; compilation and arranging of statistical information; price comparison services; price analysis services; compilation and provision of price, feature and suitability information relating to goods and services; dissemination of statistical information; rental of advertising space; presentation of goods on communication media, for retail purposes; commercial information and advice for consumers; sales promotion for others; distribution of samples; information, advisory and consultancy services relating to the aforesaid services including the provision of such services on line from a computer database or via the Internet or extranets; processing of data and of information by electronic means.

### **Applicant's goods and services**

Class 3: Abrasive bands; Abrasive boards for use on fingernails; Abrasive cloth; Abrasive compounds; Abrasive emery paper; Abrasive emery paper for use on fingernails; Abrasive granules; Abrasive paper; Abrasive paper for use on the fingernails; Abrasive paper [sandpaper]; Abrasive paste; Abrasive preparations; Abrasive preparations for polishing; Abrasive preparations for use on the body; Abrasive preparations for vehicle care; Abrasive rolls; Abrasive sand; Abrasive

sanding sponges; Abrasive sheets; Abrasive strips; Abrasives; Acne cleansers, cosmetic; Adhesive removers; Adhesives for affixing artificial eyelashes; Adhesives for affixing artificial fingernails; Adhesives for affixing false eyebrows; Adhesives for affixing false eyelashes; Adhesives for affixing false hair; Adhesives for affixing false nails; Adhesives for artificial nails; Adhesives for cosmetic purposes; Adhesives for cosmetic use; Adhesives for false eyelashes, hair and nails; Adhesives for fixing false nails; After shave lotions; After sun creams; After sun moisturisers; Aftershave; After-shave; Aftershave balm; Aftershave balms; After-shave balms; Aftershave creams; After-shave creams; Aftershave emulsions; After-shave emulsions; After-shave gel; Aftershave gels; Aftershave lotions; After-shave lotions; Aftershave milk; Aftershave moisturising cream; Aftershave preparations; After-shave preparations; Aftershaves; After-sun creams; After-sun lotions; After-sun lotions [for cosmetic use]; After-sun milk; After-sun milk [cosmetics]; After-sun milk for cosmetic use; After-sun milks; After-sun milks [cosmetics]; After-sun oils [cosmetics]; After-sun preparations for cosmetic use; Age retardant gel; Age retardant lotion; Age spot reducing creams; Age spot reducing creams for cosmetic use; Agents for removing wax; Air (Canned pressurized -) for cleaning and dusting purposes; Air fragrance preparations; Air fragrance reed diffusers; Air fragrancng preparations; Alcoholic solvents being cleaning preparations; Alkali (Volatile -) [ammonia] detergent; All-purpose cotton buds for personal use; Almond milk for cosmetic purposes; Almond oil; Almond soap; Almond soaps; Aloe soap; Aloe soaps; Aloe vera gel for cosmetic purposes; Aloe vera preparations for cosmetic purposes; Alum blocks for shaving; Alum stones [astringents]; Amber [perfume]; Ambergris; Amla oil for cosmetic purposes; Ammonia for cleaning purposes; Ammonia [volatile alkali] [detergent]; Ammonia [volatile alkali] detergent; Animal grooming preparations; Anti-ageing creams; Anti-ageing creams [for cosmetic use]; Anti-ageing moisturiser; Anti-ageing serum; Anti-ageing serums for cosmetic purposes; Anti-aging cream; Babies' creams [non-medicated]; Baby bath mousse; Baby body milks; Baby bottom balm; Baby bubble bath; Baby care products (Non-medicated -); Baby hair conditioner; Baby lotion; Baby lotions; Baby oil; Baby oils; Baby powder; Baby powders; Baby shampoo; Baby shampoo mousse; Baby suncreams; Baby wipes; Baby wipes impregnated with cleaning preparations; Badian essence; Balms (Non-medicated -); Balms other than for medical purposes; Balms, other than for medical purposes;



Bar soap; Bark (Quillaia -) for washing; Barrier creams; Bars of soap; Base cream; Bases for flower perfumes; Basma [cosmetic dye]; Bath and shower foam; Bath and shower gel; Bath and shower gels; Bath and shower gels, not for medical purposes; Bath and shower oils [non-medicated]; Bath and shower preparations; Bath beads; Bath bombs; Bath concentrates (Non-medicated -); Bath cream; Bath creams; Bath creams (Non-medicated -); Bath crystals; Bath crystals (Non-medicated -); Bath crystals, not for medical use; Bath flakes; Bath foam; Bath foams; Bath foams (Non-medicated -); Bath gel; Bath gels; Bath gels (Non-medicated -); Bath herbs; Bath lotion; Bath lotions (Non-medicated -); Bath milk; Bath oil; Bath oil, not for medical use; Bath oils; Bath oils for cosmetic purposes; Bath oils (Non-medicated -); Bath pearls; Bath pearls (Non-medicated -); Bath powder; Bath powder [cosmetics]; Bath powders (Non-medicated -); Bath preparations; Bath preparations for animals; Bath preparations (Non-medicated -); Bath preparations, not for medical purposes; Bath preparations, not medicated; Bath salts; Bath salts, not for medical purposes; Bath soak for cosmetic use; Bath soap; Bath soaps; Bathing lotions; Baths (Cosmetic preparations for -); Bay rums; Bay rums for cosmetic use; Beard balm; Beard care preparations; Beard dyes; Beard oil; Beauty balm creams; Beauty care cosmetics; Beauty care preparations; Beauty creams; Beauty creams for body care; Beauty gels; Beauty lotions; Beauty masks; Beauty masks for hands; Beauty milk; Beauty milks; Beauty preparations for the hair; Beauty serums; Beauty serums with anti-ageing properties; Beauty soap; Beauty tonics for application to the body; Beauty tonics for application to the face; Cake flavorings [essential oils]; Cake flavourings [essential oils]; Cakes of soap; Cakes of soap for body washing; Cakes of soap for household cleaning purposes; Cakes of toilet soap; Camouflage cream; Canned pressurized air for cleaning and dusting purposes; Canned pressurized air for dusting and cleaning purposes; Car cleaning preparations; Car polish; Car shampoos; Car wax; Car wax with a paint sealant; Carbides of metal [abrasives]; Carboic soaps; Carnauba wax for automotive use; Carpet cleaners; Carpet cleaning preparations; Carpet freshening preparations; Carpet shampoo; Castor oil for cosmetic purposes; Caustic cleaning agents; Caustic soda; Cedarwood (Essential oils of -); Cedarwood perfumery; Chalk (Cleaning -); Chalk for cosmetic use; Chalk for make-up; Cheek colors; Cheek colours; Cheek rouges; Chemical cleaning preparations for household purposes; Chemical laundry preparations; Chewable

dentifrices; Chewable tooth cleaning preparations; Chrome cleaners; Chrome polish; Citron [Essential oils of -]; Citronella oil for cosmetic use; Clay skin masks; Cleaner for cosmetic brushes; Cleaners for litter trays; Cleaning agents for deep freezers; Cleaning agents for glass; Cleaning agents for household purposes; Cleaning agents for metal; Cleaning agents for stone; Cleaning agents for the hands; Cleaning and fragrancing preparations; Cleaning and shining preparations for plant leaves; Cleaning chalk; Cleaning compositions for spot removal; Cleaning dentures (Preparations for -); Cleaning fluid for typewriter type; Cleaning fluids; Cleaning fluids for camera lenses; Cleaning foam; Cleaning masks for the face; Cleaning pads impregnated with cosmetics; Cleaning preparations; Cleaning preparations for animal cages; Cleaning preparations for automobiles; Cleaning preparations for cleansing drains; Cleaning preparations for fabrics; Cleaning preparations for household purposes; Cleaning preparations for leather; Cleaning preparations for personal use; Cleaning preparations for plant leaves; Cleaning preparations for the teeth; Cleaning preparations for use in livestock farming; Cleaning preparations for use on masonry; Cleaning preparations for use on tiles; Cleaning preparations for use on vehicles; Cleaning preparations impregnated into pads; Cleaning preparations impregnated into tissues; Cleaning preparations in the form of foams; Cleaning solutions for dental ultrasonic sterilization apparatus; Cleaning sprays; Cleaning substances for household use; Cleansers for household purposes; Cleansers for intimate personal hygiene purposes, non medicated; Cleansing balm; Cleansing cream; Cleansing creams; Cleansing creams [cosmetic]; Cleansing foam; Cleansing gels; Cleansing lotions; Cleansing masks; Cleansing milk; Cleansing milk for cosmetic purposes; Cleansing milk for toilet purposes; Cleansing milks for skin care; Cleansing mousse; Cleansing oil; Cleansing products for the eyes; Cloths impregnated with a detergent for cleaning; Cloths impregnated with a detergent for cleaning camera lenses; Cloths impregnated with a skin cleanser; Dandruff shampoo; Dandruff shampoos, not for medical purposes; Day cream; Day creams; Day lotion; Decalcomanias for fingernails; Decorative cosmetics; Decorative transfers for cosmetic purposes; Degreasers other than for use in manufacturing processes; Degreasers, other than for use in manufacturing processes; Degreasing preparations for engines; Degreasing preparations for household purposes; De-greasing preparations for household purposes;

Degreasing preparations with a solvent base; Degreasing solvents, other than for use in manufacturing processes; Degreasing sprays; Dental bleaching gel; Dental bleaching gels; Dental care preparations for animals; Dental polish; Dental rinses for non-medical purposes; Dental rinses, non medicated; Dentifrice; Dentifrice powder; Dentifrices; Dentifrices and mouthwashes; Dentifrices in the form of chewing gum; Dentifrices in the form of solid tablets; Denture polishes; Dentures (Preparations for cleaning -); Deodorant for personal use; Deodorant preparations for personal use; Deodorant soap; Deodorants and antiperspirants; Deodorants for animals; Deodorants for body care; Deodorants for human beings; Deodorants for human beings or for animals; Deodorants for personal use; Deodorants, for personal use in the form of sticks; Deodorants for personal use [perfumery]; Deodorants for pets; Deodorants for the feet; Depilatories; Depilatory creams; Depilatory lotions; Depilatory preparations; Depilatory wax; Depilatory waxes; Dermatological creams [other than medicated]; Descalants for household use; Descaling preparations for household purposes; Destainers; Detanglers; Detergent compositions for cleaning golf clubs; Detergent compositions for cleaning shoes; Detergent soap; Detergent strengtheners; Detergents; Detergents for automobiles; Detergents for household use; Detergents for machine dishwashing; Detergents other than for use in manufacturing operations and for medical purposes; Detergents, other than for use in manufacturing operations and for medical purposes; Detergents prepared from petroleum; Dewaxing preparations; Dhoop; Diamantine [abrasive]; Disclosing tablets for personal use in indicating tartar on the teeth; Dishwasher detergents; Dishwasher detergents in gel form; Dishwasher powder; Dishwasher rinsing agents; Dishwasher tablets; Dishwashing detergents; Dishwashing liquid; Dishwashing preparations; Disposable wipes impregnated with cleansing compounds for use on the face; Distilled oils for beauty care; Double eyelid tapes; Douching preparations for personal sanitary or deodorant purposes [toiletries]; Drain and sink unblocking preparations; Drain cleaning preparations; Dry cleaning fluids; Dry cleaning preparations; Dry shampoos; Dry-cleaning preparations; Drying agents for dishwashing machines; Dusting powder; Dusting powder [for toilet use]; Dyes (Cosmetic -); Dyes for the hair; Eau de cologne; Eau de Cologne; Eau de cologne [cologne water]; Eau de colognes; Eau de parfum; Eau de toilette; Eau-de-cologne; Eau-de-toilette; Eaux de cologne; Eaux de Cologne; Eaux de toilette; Emery; Emery

cloth; Emery paper; Emollient preparations [cosmetics]; Emollient shampoos; Emollients; Emulsified essential oils; Emulsifying solvent cleaners; Epilating waxes; Essences (Ethereal -); Essences for skin care; Essential oils; Essential oils and aromatic extracts; Essential oils as fragrances for laundry use; Essential oils as perfume for laundry purposes; Essential oils for aromatherapy; Essential oils for aromatherapy use; Essential oils for cosmetic purposes; Essential oils for food flavorings; Essential oils for household purposes; Essential oils for household use; Essential oils for industrial use; Essential oils for personal use; Essential oils for soothing the nerves; Essential oils for the care of the skin; Essential oils for use in air fresheners; Essential oils for use in manufacturing processes; Essential oils for use in the manufacture of e-liquid; Essential oils for use in the manufacture of scented products; Essential oils of cedarwood; Essential oils of citron; Essential oils of lemon; Essential oils of sandalwood; Essential vegetable oils; Ethereal essences; Ethereal essences and oils; Ethereal oils; Etheric oils; Eucalyptus oil for cosmetic use; Exfoliant creams; Exfoliants; Exfoliants for the care of the skin; Exfoliants for the cleansing of the skin; Exfoliating body scrub; Exfoliating creams; Exfoliating scrubs for cosmetic purposes; Exfoliating scrubs for the body; Exfoliating scrubs for the face; Exfoliating scrubs for the feet; Exfoliating scrubs for the hands; Extracts of flowers; Extracts of flowers being perfumes; Extracts of flowers [perfumes]; Extracts of perfumes; Eye brightening correctors; Eye care products, non-medicated; Eye compresses for cosmetic purposes; Eye concealers; Eye correction serum; Eye cosmetics; Eye cream; Eye creams; Eye gel; Eye gels; Eye liner; Eye lotions; Eye make up remover; Eye makeup; Eye make-up; Eye makeup remover; Eye make-up removers; Eye pencils; Eye shadow; Eye shadows; Eye sticks; Eye stylers; Eye wrinkle lotions; Eyebrow colors; Eyebrow colors in the form of pencils and powders; Eyebrow cosmetics; Eyebrow gel; Eyebrow mascara; Eyebrow pencils; Eyebrow powder; Eyebrows [false]; Eyeglass lens cleaning solutions; Eyeglass wipes impregnated with a detergent; Eyelash dye; Eyelash tint; Fabric brighteners; Fabric conditioners; Fabric conditioning preparations; Fabric softener; Fabric softener for laundry; Fabric softener for laundry use; Fabric softeners; Fabric softeners for laundry; Fabric softeners for laundry use; Face and body creams; Face and body glitter; Face and body lotions; Face and body masks; Face blusher; Face cream (Non-medicated -); Face creams; Face creams for cosmetic use; Face dusting

powders; Face gels; Face glitter; Face lifting stickers for cosmetic use; Face masks; Face oils; Face packs; Face packs [cosmetic]; Face paint; Face paints; Face powder; Face powder [for cosmetic use]; Face powder in the form of powder-coated paper; Face powder (Non-medicated -); Face powders; Face powders [for cosmetic use]; Face scrub; Face scrubs (Non-medicated -); Face wash; Face wash [cosmetic]; Face wipes; Face-powder on paper; Facial beauty masks; Facial butters; Facial care preparations; Facial cleansers; Facial cleansers [cosmetic]; Facial cleansing grains; Facial cleansing milk; Facial concealer; Facial conditioning preparations; Facial cream; Facial cream [for cosmetic use]; Facial creams; Facial creams [cosmetic]; Facial creams [cosmetics]; Facial creams [for cosmetic use]; Facial emulsions; Facial gels [cosmetics]; Facial lotion; Facial lotions; Facial lotions [cosmetic]; Facial makeup; Facial masks; Facial masks [cosmetic]; Facial massage oils; Facial moisturisers [cosmetic]; Facial moisturizers; Facial oil; Facial oils; Facial packs; Facial packs [cosmetic]; Facial packs for toilet purposes; Facial peel preparations for cosmetic use; Facial preparations; Facial scrubs; Facial scrubs [cosmetic]; Facial serum for cosmetic use; Facial soaps; Facial toner; Facial toners [cosmetic]; Facial wash; Facial washes; Facial washes [cosmetic]; Facial wipes impregnated with cosmetics; Fair complexion cream; Fair complexion creams; Fake blood; Fake blood being theatrical make-up; False eyelashes; False fingernails; False hair (Adhesives for affixing -); False nails; False toenails; Feminine deodorant sprays; Feminine hygiene cleansing towelettes; Fingernail decals; Fingernail overlay material; Fingernail sculpturing overlays; Fingernail tips; Flavorings [flavourings] for beverages [essential oils]; Flavorings for beverages [essential oils]; Flavour enhancers for food [essential oils]; Gargles, not for medical purposes; Gaultheria oil; Gel eye masks; Gel eye patches for cosmetic purposes; Gel nail removers; Gel scrub; Gel sprays being styling aids; Gels (Dental bleaching -); Gels for cosmetic purposes; Gels for cosmetic use; Gels for fixing hair; Gels for use on the hair; General purpose scouring powder; Geraniol; Geraniol for cosmetic purposes; Geraniol for cosmetic use; Geraniol for fragrancng; Geraniol fragrancng compounds; Glass cleaners; Glass cleaning preparations; Glass cloth; Glass cloth [abrasive cloth]; Glass paper; Glaze (Laundry -); Glitter for cosmetic purposes; Glitter in spray form for use as a cosmetics; Glue for strengthening nails; Glue removers; Graffiti removing substances; Grains for buffing; Granular corundum;

Granulated soap; Granulated soaps; Greasepaint; Grease-removing preparations; Greases for cosmetic purposes; Grinding foils; Grinding preparations; Grinding preparations for semiconductors; Hair and body wash; Hair balm; Hair balms; Hair balsam; Hair bleach; Hair bleaches; Hair bleaching preparations; Hair care agents; Hair care creams; Hair care creams [for cosmetic use]; Hair care lotions; Hair care lotions [for cosmetic use]; Hair care masks; Hair care preparations; Hair care preparations, not for medical purposes; Hair care serum; Hair care serums; Hair chalks; Hair cleaning preparations; Hair color; Hair color removers; Hair colorants; Hair coloring preparations; Hair colour removers; Hair colourants; Hair colouring; Hair colouring and dyes; Hair colouring preparations; Hair conditioner; Hair conditioner bars; Hair conditioners; Hair conditioners for babies; Hair cosmetics; Hair cream; Hair creams; Hair curling preparations; Hair decolorant preparations; Hair decolorants; Hair desiccating treatments for cosmetic use; Hair dressings for men; Hair dye; Hair dyeing preparations; Hair dyes; Hair emollients; Hair fixers; Hair fixing oil; Hair frosts; Hair gel; Hair gels; Hair glaze; Hair glazes; Hair grooming preparations; Hair lacquer; Hair lacquers; Hair lighteners; Hair liquid; Hair liquids; Hair lotion; Hair lotions; Hair mascara; Hair masks; Hair moisturisers; Hair moisturising conditioners; Hair moisturizers; Hair mousse; Hair mousses; Hair neutralizers; Hair nourishers; Hair oil; Hair oils; Hair permanent treatments; Hair permanent wave kit; Hair piece bonding glue; Hair pomades; Hair powder; Hair preparations and treatments; Hair preservation treatments for cosmetic use; Hair protection creams; Hair protection gels; Hair protection lotions; Hair protection mousse; Hair relaxers; Hair relaxing preparations; Hair removal and shaving preparations; Hair removal preparations; Hair removing cream; Hair rinses; Hair rinses [for cosmetic use]; Hair rinses [shampoo-conditioners]; Hair serums; Hair shampoo; Hair shampoos; Hair spray; Hair sprays; Hair straightening preparations; Hair strengthening treatment lotions; Hair styling gel; Hair styling gels; Hair styling lotions; Hair styling preparations; Impregnated cleaning pads impregnated with cosmetics; Impregnated cleaning pads impregnated with toilet preparations; Impregnated cloths for cosmetic use; Impregnated cloths for polishing; Impregnated paper tissues for cleaning dishware; Impregnated tissues for cleaning [non-medicated, for use on the person]; Incense; Incense cones; Incense sachets; Incense spray; Incense sticks; Industrial abrasives; Industrial soap; Ionone

[perfumery]; Japanese hair fixing oil (bintsuke-abura); Jasmine oil; Javelle water; Jelly (Petroleum -) for cosmetic purposes; Jewellers' rouge; Joss sticks; Kettle cleaner; Kits (Cosmetic -); Lacquer for cosmetic purposes; Lacquer removing compositions; Lacquer-removing preparations; Laundry additives; Laundry additives for water softening; Laundry balls containing laundry detergent; Laundry bleach; Laundry bleaching preparations; Laundry blue; Laundry blueing; Laundry detergents; Laundry detergents for household cleaning use; Laundry fabric conditioner; Laundry glaze; Laundry liquids; Laundry powder; Laundry preparations; Laundry preparations for attracting dirt; Laundry preparations for attracting dyes; Laundry sizing; Laundry soaking preparations; Laundry soap; Laundry soaps; Laundry starch; Laundry wax; Lavatory cleaning compositions; Lavender gel; Lavender oil; Lavender oil for cosmetic use; Lavender water; Leather and shoe cleaning and polishing preparations; Leather bleaching preparations; Leather (Creams for -); Leather dressings; Leather polishes; Leather preservatives; Leather preservatives [polishes]; Leather preserving polishes; Leaves of plants (Preparations to make shiny the -); Lemon [Essential oils of -]; Lime removers; Linen (Sachets for perfuming -); Liners [cosmetics] for the eyes; Lint for cosmetic purposes; Lip balm; Lip balm [non-medicated]; Lip balms; Lip balms [non-medicated]; Lip care preparations; Lip coatings [cosmetic]; Lip coatings (Non-medicated -); Lip conditioners; Lip cosmetics; Lip cream; Lip gloss; Lip gloss palettes; Lip glosses; Lip liner; Lip liners; Lip makeup; Lip neutralizers; Lip pencils; Lip polisher; Lip pomades; Lip protectors [cosmetic]; Lip protectors (Non-medicated -); Lip rouge; Lip stains [cosmetics]; Lip stains for cosmetic purposes; Lip tints; Lipstick; Lipstick cases; Lipsticks; Liquid bath soap; Liquid bath soaps; Liquid dentifrice; Liquid dishwasher detergents; Liquid eyeliners; Liquid floor polishes; Liquid foundation; Liquid foundation (mizu-oshiroi); Liquid latex body paint for cosmetic purposes; Liquid laundry detergents; Liquid perfumes; Liquid rouge; Liquid rouges; Liquid soap; Liquid soap for dish washing; Liquid soap for laundry; Liquid soap used in foot bath; Liquid soap used in foot baths; Liquid soaps; Liquid soaps for hands and face; Liquid soaps for laundry; Liquids for floors (Non-slipping -); Litter tray cleaners incorporating a deodorizer; Long lash mascaras; Loofah soaps; Loose face powder; Lotions for beards; Make up foundations; Make up removing preparations; Makeup; Make-up; Make-up base; Make-up bases in the form of

pastes; Make-up for compacts; Make-up for the face; Make-up for the face and body; Make-up foundation; Make-up foundations; Make-up kits; Make-up pads of cotton wool; Make-up pencils; Make-up powder; Make-up preparations; Make-up preparations for the face and body; Make-up primer; Make-up primers; Make-up remover; Make-up removers; Make-up removing creams; Make-up removing gels; Make-up removing lotions; Make-up removing milk; Make-up removing milks; Make-up removing preparations; Makeup setting sprays; Mascara; Mascaras; Mask pack for cosmetic purposes; Masks (Beauty -); Massage candles for cosmetic purposes; Massage creams, not medicated; Massage gels other than for medical purposes; Massage gels, other than for medical purposes; Massage oil; Massage oils; Massage oils and lotions; Massage oils, not medicated; Massage waxes; Mattifying gel cream; Metal polish; Metal polishes; Micellar water; Microdermabrasion polish; Milk (Cleansing -) for toilet purposes; Milk for cosmetic purposes; Milks [cosmetics]; Milky lotions for skin care; Mineral oils [cosmetic]; Mineral water sprays for cosmetic purposes; Mint essence [essential oil]; Mint for perfumery; Moist paper hand towels impregnated with a cosmetic lotion; Moist wipes for sanitary and cosmetic purposes; Moist wipes impregnated with a cosmetic lotion; Moistened tooth powder; Moisture body lotion; Moisturiser; Moisturisers; Moisturisers [cosmetics]; Moisturising body lotion [cosmetic]; Moisturising concentrates [cosmetic]; Moisturising creams; Moisturising creams, lotions and gels; Moisturising gels [cosmetic]; Moisturising preparations; Moisturising skin creams [cosmetic]; Moisturising skin lotions [cosmetic]; Moisturizers; Moisturizing body lotions; Moisturizing creams; Moisturizing milk; Moisturizing preparations for the skin; Mould removing preparations; Mousses being hair styling aids; Mousses [cosmetics]; Mousses [toiletries] for use in styling the hair; Moustache wax; Mouth [breath] fresheners, not for medical use; Mouth sprays, not for medical use; Mouth washes; Mouth washes, not for medical purposes; Mouthwash; Mouthwashes; Mouthwashes, not for medical purposes; Multifunctional cosmetics; Multifunctional makeup; Musk [natural]; Musk [perfumery]; Mustache wax; Nail art stickers; Nail base coat [cosmetics]; Nail buffing preparations; Nail care preparations; Nail conditioners; Nail cosmetics; Nail cream; Nail decolorants; Nail enamel; Nail enamel remover; Nail enamel removers; Nail enamels; Nail gel; Nail glitter; Nail hardeners; Nail hardeners [cosmetics]; Nail makeup; Nail paint [cosmetics]; Nail polish; Nail polish base coat; Nail polish pens;



Nail polish remover; Nail polish remover pens; Nail polish removers; Nail polish removers [cosmetics]; Nail polish top coat; Nail polishing powder; Nail primer [cosmetics]; Nail repair preparations; Nail strengtheners; Nail tips; Nail tips [cosmetics]; Nail varnish; Nail varnish for cosmetic purposes; Nail varnish remover [cosmetics]; Nail varnish removers; Nail varnish removing preparations; Nail varnishes; Nail whiteners; Nail-polish removers; Nails (False -); Nappy cream [non-medicated]; Nasal cleaning preparations for personal sanitary purposes; Natural cosmetics; Natural essential oils; Natural floor polishes; Natural floor waxes; Natural makeup; Natural musk; Natural oils for cleaning purposes; Natural oils for cosmetic purposes; Natural oils for perfumes; Natural perfumery; Natural starches for laundry purposes; Neutralizers for permanent waving; Neutralizing hair preparations; Night cream; Night creams; Night creams [cosmetics]; Non medicated skin toners; Non-medicated antiperspirants; Non-medicated balm for hair; Non-medicated bath oils; Non-medicated bath preparations; Non-medicated bath salts; Non-medicated beauty preparations; Non-medicated body care preparations; Non-medicated body soaks; Non-medicated bubble bath preparations; Non-medicated cleansing creams; Non-medicated cosmetics; Non-medicated cosmetics and toiletry preparations; Non-medicated creams; Non-medicated dental rinse; Non-medicated dentifrices; Non-medicated diaper rash cream; Non-medicated douches; Non-medicated face care preparations; Non-medicated foot cream; Non-medicated foot lotions; Non-medicated foot soaks; Non-medicated hair lotions; Non-medicated hair shampoos; Non-medicated hair treatment preparations for cosmetic purposes; Non-medicated lip balms; Non-medicated lip care preparations; Non-medicated lotions; Non-medicated massage preparations; Non-medicated moisturisers; Non-medicated mouth rinse; Non-medicated mouth sprays; Non-medicated mouth washes; Non-medicated mouth washes for pets; Non-medicated mouthwashes; Non-medicated oils; Non-medicated pet shampoos; Non-medicated preparations for the relief of sunburn; Non-medicated scalp treatment cream; Non-medicated shampoos; Non-medicated shower oils; Odour fresheners for animals; Oil baths for hair care; Oil of turpentine for degreasing; Oils for cleaning purposes; Oils for cosmetic purposes; Oils for hair conditioning; Oils for moisturising the skin after sunbathing; Oils for perfumes and scents; Oils for the skin; Oils for toilet purposes; Oils for toiletry purposes; Ointments for cosmetic use; Oral care preparations [non-medicated]; Oral

hygiene preparations; Organic cosmetics; Organic makeup; Oven cleaners; Oven cleaners [preparations]; Oven cleaning preparations; Paint remover; Paint removers; Paint removing compositions; Paint removing preparations; Paint stripper; Paint strippers; Paint stripping preparations; Paper hand towels impregnated with cleaning agents; Paper hand towels impregnated with cosmetics; Paper soaps for personal uses; Parquet floor wax; Pastes for cleaning shoes; Pastes for razor strops; Patches containing sun screen and sun block for use on the skin; Pedicure preparations; Pencils (Cosmetic -); Pencils (Eyebrow -); Pencils for cosmetic purposes; Pencils for cosmetic use; Peppermint crude oil; Peppermint oil [perfumery]; Perfume; Perfume oils; Perfume oils for the manufacture of cosmetic preparations; Perfume water; Perfumed body lotions [toilet preparations]; Perfumed creams; Perfumed lotions [toilet preparations]; Perfumed oils for skin care; Perfumed potpourris; Perfumed powder; Perfumed powder [for cosmetic use]; Perfumed powders; Perfumed powders [for cosmetic use]; Perfumed sachets; Perfumed soap; Perfumed soaps; Perfumed tissues; Perfumed toilet waters; Perfumed water; Perfumeries; Perfumery; Perfumery and fragrances; Perfumery, essential oils; Perfumery products; Perfumes; Perfumes for cardboard; Perfumes for ceramics; Perfumes for industrial purposes; Perfumes in solid form; Perfuming preparations for the atmosphere; Perfuming sachets; Permanent wave preparations; Permanent waving and curling preparations; Permanent waving lotions; Permanent waving (Neutralizers for -); Permanent waving preparations; Personal deodorants; Pet odor removers; Pet shampoos; Pet stain removers; Petroleum jelly for cosmetic purposes; Pets (Shampoos for -); Phytocosmetic preparations; Pine oil; Pine oils for cleaning floors; Piperonal for cosmetic use; Piperonal fragrancng compounds; Plants (Preparations to make shiny the leaves of -); Polish; Polish for furniture and flooring; Polish for musical instruments; Polishes; Polishes (Denture -); Polishes for guitars; Polishing creams; Polishing paper; Polishing powders; Polishing preparations; Polishing rouge; Polishing stones; Polishing wax; Pomades for cosmetic purposes; Pomanders; Pomanders [aromatic substances]; Pores tightening mask packs used as cosmetics; Pot pourri; Potassium hypochloride; Potpourri; Pot-pourri; Potpourri sachets for incorporating in aromatherapy pillows; Potpourris; Potpourris [fragrances]; Powder compact refills [cosmetics]; Powder compacts [cosmetics]; Powder for forming sculpted finger nail

tips; Powder for laundry purposes; Powder for make-up; Powder laundry detergents; Powder (Make-up -); Quillaia bark for washing; Razor strops (Pastes for -); Recovery creams for cosmetic use; Reed diffusers; Refill packs for body cleansing product dispensers; Refill packs for cosmetics dispensers; Refill packs for hair fixer dispensers; Refill packs for hand soap dispensers; Refill packs for shampoo dispensers; Refill packs for shower gel dispensers; Refill packs for skin care cream dispensers; Refills for electric room fragrance dispensers; Removable tattoos for cosmetic purposes; Removers (Floor wax -) [scouring preparations]; Retinol cream for cosmetic purposes; Rinse aids; Rinsing agents for laundry; Rinsing aids for use when washing clothes; Roll-on deodorants [toiletries]; Room fragrances; Room fragrancing preparations; Room fragrancing products; Room perfume sprays; Room perfumes in spray form; Room scenting sprays; Rose oil; Rose oil for cosmetic purposes; Rosemary oil for cosmetic use; Rouge; Rouge (Jewellers' -); Rouges; Rust removers; Rust removing preparations; Sachets for perfuming linen; Saddle soap; Saddle soaps; Safrol; Salt crystal removers; Salves [non-medicated]; Sandcloth; Sanding gloves; Sandpaper; Sandpaper for sharpening drawing pencils; Sandpaper pads for sharpening drawing pencils; Sanitary preparations being toiletries; Scale removing preparations for household purposes; Scalp treatments (Non-medicated -); Scented bathing salts; Scented body creams; Scented body lotions; Scented body lotions and creams; Scented body spray; Scented ceramic stones; Scented fabric refresher spray; Scented fabric refresher sprays; Scented linen sprays; Scented linen water; Scented oils; Scented oils used to produce aromas when heated; Scented pine cones; Scented room sprays; Scented sachets; Scented soaps; Scented toilet waters; Scented water; Scented wax melts; Scented wood; Scents; Scouring liquids; Scouring powders; Scouring preparations; Scouring solutions; Scouring substances; Scrubbing powder; Seaweed for cosmetology; Seaweed gelatine for laundry use (funori); Seaweed gelatine for laundry use [funori]; Self tanning creams [cosmetic]; Self tanning lotions [cosmetic]; Self tanning preparations; Self-adhesive false eyebrows; Self-tanning preparations [cosmetic]; Self-tanning preparations [cosmetics]; Serums for cosmetic purposes; Sets of cosmetic oral care products; Shampoo; Shampoo bars; Shampoo for animals; Shampoo-conditioners; Shampoos; Shampoos for animals [non-medicated grooming preparations]; Shampoos for babies; Shampoos for human hair;

Shampoos for personal use; Shampoos for pets; Shampoos for pets [non-medicated grooming preparations]; Shampoos for vehicles; Sharpening preparations; Shave balm; Shave creams; Shave gel; Shaving balm; Shaving balms; Shaving cream; Shaving creams; Shaving foam; Shaving foams; Shaving gel; Shaving gels; Shaving lotion; Shaving lotions; Shaving mousse; Shaving oil; Shaving oils; Shaving preparations; Shaving preparations in liquid form; Shaving sets, comprised of shaving cream and aftershave; Shaving soap; Shaving soaps; Shaving sprays; Shaving sticks [preparations]; Shaving stones; Shaving stones [astringents]; Shaving stones [astringents for cosmetic purposes]; Shaving stones being astringents for cosmetic purposes; Shining preparations being polish; Shining preparations for fruit; Shining preparations for fruits; Shining preparations for plant leaves; Shining preparations [polish]; Shiny (Preparations to make the leaves of plants -); Shoe and boot cream; Shoe black [shoe polish]; Tailors' and cobblers' wax; Tailors' wax; Talc; Talc [toiletries]; Talcum powder; Talcum powder [for cosmetic use]; Talcum powder, for toilet use; Talcum powder [for toilet use]; Talcum powder (Non-medicated -) for babies; Talcum powders; Talcum powders [for cosmetic use]; Talcum powders for toilet use; Tanning creams; Tanning gels [cosmetics]; Tanning milks [cosmetics]; Tanning oils [cosmetics]; Tanning preparations; Tanning preparations [cosmetics]; Tea-tree oil; Teeth cleaning lotions; Teeth cleaning (Preparations for -); Teeth whitening preparations; Teeth whitening strips; Teeth whitening strips impregnated with teeth whitening preparations [cosmetics]; Temporary tattoo transfers for use as cosmetics; Temporary tattoos for cosmetic purposes; Terpenes [essential oils]; Theatrical makeup; Throat sprays [non-medicated]; Time-release solid drain detergent; Tints for the beard; Tints for the hair; Tissues impregnated with a skin cleanser; Tissues impregnated with cosmetic lotions; Tissues impregnated with cosmetics; Tissues impregnated with essential oils, for cosmetic use; Tissues impregnated with leather gloss agents; Tissues impregnated with make-up removing preparations; Tissues impregnated with preparations for cleaning; Toilet bowl detergents; Toilet cleaners; Toilet cleaning gels; Toilet milk for cleansing purposes; Toilet powders; Toilet preparations; Toilet soap; Toilet soaps; Toilet water; Toilet water containing snake oil; Toilet waters; Toiletries; Toiletry preparations; Toners for cosmetic use; Tonics [cosmetic]; Toning creams [cosmetic]; Toning lotion, for the face, body and hands; Toning spritz; Tooth

care preparations; Tooth cleaning preparations; Tooth gel; Tooth paste; Tooth polish; Tooth polishes; Tooth powder; Tooth powder [for cosmetic use]; Tooth powders; Tooth powders [for cosmetic use]; Tooth whitening creams; Tooth whitening pastes; Tooth whitening preparations; Toothpaste; Toothpaste in soft cake form; Toothpastes; Topical skin sprays for cosmetic purposes; Transfers (Decorative -) for cosmetic purposes; Tripoli stone for polishing; Turpentine, for degreasing; Turpentine for degreasing; Unblocking drain pipes (Preparations for -); Under eye correctors; Under-eye enhancers; Upholstery cleaners; Vaginal washes for personal sanitary or deodorant purposes; Vanilla perfumery; Varnish (Nail -); Varnish removers; Varnish-removing preparations; Vehicle cleaning preparations; Vehicle shampoos; Vehicle tyre polish; Volatile alkali [ammonia] [detergent]; Volcanic ash for cleaning; Wallpaper cleaning preparations; Washing agents for textiles; Washing conservation agents; Washing creams; Washing liquids; Washing powder; Washing preparations; Washing preparations for household purposes; Washing preparations for personal use; Washing soda, for cleaning; Washing-up detergent; Washing-up liquids; Waterless shampoo; Waterless shampoos; Waterless soap; Waterproof sunscreen; Water-resistant sunscreen; Wave-set lotions; Waving preparations for the hair; Wax (Cobblers' -); Wax (Depilatory -); Wax for floors (Non-slipping -); Wax for parquet floors; Wax (Laundry -); Wax (Moustache -); Wax (Parquet floor -); Wax (Polishing -); Wax stripping preparations; Wax strips for removing body hair; Wax (Tailors' -); Wax treatments for the hair; Waxes for leather; Whitening the skin (Cream for -); Whitewall cleaners; Whiting; Window cleaners in spray form; Window cleaners [polish]; Window cleaning compositions; Windscreen cleaning fluids; Windscreen cleaning liquids; Windscreen cleaning preparations; Windshield cleaner fluids; Windshield cleaning liquids; Windshield washing fluid; Wintergreen oil; Wipes impregnated with a cleaning preparation; Wipes impregnated with a skin cleanser; Wipes incorporating cleaning preparations; Wiping cloth impregnated with a cleaning preparation for cleaning eye glasses; Wood treatment preparations for polishing; Wrinkle removing skin care preparations; Wrinkle resistant cream; Wrinkle resistant creams; Wrinkle resistant creams [for cosmetic use]; Wrinkle-minimizing cosmetic preparations for topical facial use.

Class 16: Absorbent paper; Absorbent sheets of paper or plastic for foodstuff packaging; Account books; Account slip pads; Accounting forms; Acid-resistant paper; Activity books; Adding machine paper; Address books; Address labels; Address lists; Address plates; Address plates for addressing machines; Address stamps; Addressing machines; Adhesive bands for stationery or household purposes; Adhesive bands for stationery purposes; Adhesive corners for photographs; Adhesive foils stationery; Adhesive labels; Adhesive labels of paper; Adhesive lettering; Adhesive materials for office use; Adhesive note pads; Adhesive note paper; Adhesive notepads; Adhesive packaging tapes; Adhesive pads [stationery]; Adhesive paper; Adhesive plastic film for packaging; Adhesive plastic film for wrapping; Adhesive plastic film used for mounting images; Adhesive printed labels; Adhesive stickers; Adhesive tape cutters being stationery; Adhesive tape dispensers for household or stationery use; Adhesive tape dispensers [office requisites]; Adhesive tape dispensing machines [office requisites]; Adhesive tape for stationery purposes; Adhesive tapes for stationery or household purposes; Adhesive tapes for stationery purposes; Adhesive transfers; Adhesive wall decorations of paper; Adhesive-backed letters and numbers; Adhesive-backed vinyl letters and numbers; Adhesives for art use; Adhesives for do-it-yourself purposes; Adhesives for household purposes; Adhesives for stationery; Adhesives for stationery and household use; Adhesives for stationery or household purposes; Adhesives for stationery or household use; Adhesives for stationery purposes; Adhesives [glues] for stationery or household purposes; Advent calendars; Advertisement boards of card; Advertisement boards of cardboard; Advertisement boards of paper; Advertisement boards of paper or cardboard; Advertising pamphlets; Advertising posters; Advertising publications; Advertising signs of cardboard; Advertising signs of paper; Advertising signs of paper or cardboard; Agenda books; Agendas; Air bubble plastics for packaging; Air bubble plastics for wrapping; Airtight packaging of cardboard; Airtight packaging of paper; Albums; Albums for collecting magnetic cards; Albums for stickers; Almanacs; Anatomical models for instructional and educational purposes; Angle guides [drawing instruments]; Angle plotters [drawing instruments]; Animation cels; Anniversary cards; Announcement cards; Announcement cards [stationery]; Annuals [printed publications]; Apparatus for mounting photographs; Appliques in the form of decals;

Appliqués of paper; Appointment books; Aquarelles; Architects' models; Architectural models; Architectural plans; Archival storage pages; Arithmetical tables; Aromatic modeling materials; Art etchings; Art mounts; Art paper; Art pictures; Art prints; Artists' brushes; Babies' bibs of paper; Baby books; Baby books [storybooks]; Baby memory books; Badge holders of plastic [office requisites]; Badge holders [office requisites]; Baggage claim check tags of cardboard; Baggage claim check tags of paper; Baggage tags of paper; Bags and articles for packaging, wrapping and storage of paper, cardboard or plastics; Bags (Conical paper -); Bags [envelopes, pouches] of paper or plastics, for packaging; Bags for microwave cooking; Bags for packaging made of biodegradable paper; Bags for packaging made of biodegradable plastic; Bags (Garbage -) of paper or of plastics; Bags incorporating bubble plastics for packaging; Bags made of paper; Bags made of paper for packaging; Bags made of plastics for packaging; Bags of bubble plastics for packaging; Bags of paper; Bags of paper for foodstuffs; Bags of paper for roasting purposes; Bags of plastics for lining refuse bins; Baking paper; Baking parchment; Ball pens; Ball point pens; Ball-point pen and pencil sets; Ballpoint pen refills; Ballpoint pens; Ball-point pens; Ballpoint refill cartridges; Balls for ball-point pens; Bamboo rolls used as writing brush holders; Bank checks; Banknotes; Banners of paper; Bar code ribbons; Barcode ribbons; Baseball cards; Bathroom tissue; Bathroom tissues; Beer mats; Beer mats of paper; Betting slips; Bibles; Bibs of paper; Bibs, sleeved, of paper; Bill books; Billbooks; Bin liners of paper; Bin liners of plastics; Binder clips; Binder paper; Binders; Binders for office use; Binders for the office; Binders (Loose-leaf -); Binders [office supplies]; Binders (office supplies); Binders [stationery]; Binding materials for books and papers; Binding strips [bookbinding]; Biodegradable paper pulp-based to-go containers for food; Biological samples for use in microscopy [teaching materials]; Birthday books; Birthday cards; Blackboard erasers [chalk erasers]; Blackboard rulers; Blackboards; Blank cards; Blank flip charts; Blank forms; Blank journal books; Blank journals; Blank note cards; Blank paper computer tapes for recording programs; Blank paper notebooks; Blank writing journals; Blister cards; Blister packs for packaging; Block notepads; Blocks for printing; Blotter; Blotters; Blotting pads; Blotting paper; Blueprints; Bond paper; Book binders; Book binding material; Book binding materials; Book bindings; Book covers; Book ends; Book jackets; Book markers; Book markers of precious metal;

Cabinets for stationery [office requisites]; Calculating tables; Calendar desk pads; Calendar desk stands; Calendar refills; Calendar stands; Calendars; Calendered paper; Calender-finished paper; Calligraphic works; Calligraphy ink; Calligraphy paper; Canvas boards; Canvas for painting; Canvas panels for artists; Canvas prints; Canvas stretcher bars for artists; Cap erasers; Car stickers; Carbon paper; Carbon paper [finished products]; Carbonising base paper; Carbonless copying paper; Carbonless paper; Card files; Card indexes; Cardboard; Cardboard backing for binding books; Cardboard badges; Cardboard boxes; Cardboard cake boxes; Cardboard cartons; Cardboard containers; Cardboard gift boxes; Cardboard hangtags; Cardboard household storage boxes; Cardboard labels; Cardboard made from paper mulberry (senkasi); Cardboard mailing tubes; Cardboard packaging; Cardboard packaging boxes in collapsible form; Cardboard packaging boxes in made-up form; Cardboard picture mounts; Cardboard pizza boxes; Cardboard shipping containers; Cardboard tubes; Cards; Caricatures; Carrier bags; Carrying cases made of paper; Carrying cases specially adapted to hold collectible trading cards; Carrying cases specially adapted to hold sports trading cards; Cartons for eggs; Cartons made from corrugated board; Cartons of card for packaging; Cartons of cardboard for packaging; Cartoon prints; Cartoon strips; Cartoon strips [printed matter]; Cartridges (Ink -) for writing instruments; Cases for passports; Cases for pens; Cases for stamps [seals]; Cases for stationery; Cases made of corrugated cardboard; Cash receipt books; Cat box liners in the form of plastic bags; Catalogues; Catalogues relating to computer software; CD shredders for home or office use; Celestial globes; Cellulose acetate film for packaging; Cellulose acetate film for wrapping; Cellulose wipes; Chalk; Chalk boards; Chalk boards [blackboards]; Chalk erasers; Chalk for lithography; Chalk holders; Chalk (Marking -); Chalk sticks; Chalkboards; Chalks; Chalks for artists' use; Chalks for colouring; Chalks for drawing; Charcoal for drawing; Charcoal for painters; Charcoal pencils; Chart pointers, non-electronic; Charts; Check book cases; Check book covers; Check book holders; Check books; Checkbook cases; Checkbook covers; Checkbook holders; Checkbooks [cheque books] (Holders for -); Daily newspaper; Daily planners; Data books; Data processing programmes in printed form; Date books; Date indicators; Date stamps; Date stamps [daters]; Day planners; Debit cards without magnetic coding; Decalcomanias; Decals; Decoration and art materials and



media; Decorations for pencils; Decorations of cardboard for foodstuffs; Decorations of paper for foodstuffs; Decorative paper bows for wrapping; Decorative paper centerpieces; Decorative paper garlands for parties; Decorative pencil-top ornaments; Decorative stickers for cars; Decorative stickers for helmets; Decorative stickers for soles of shoes; Decorative wrapping paper; Decorators' paintbrushes; Dental tray covers made of paper; Dental tray covers of paper; Desk agendas; Desk baskets for desk accessories; Desk blotters; Desk calendars; Desk diaries; Desk mats; Desk organisers; Desk pads; Desk sets; Desk tidies; Desk top organizers; Desk top planners; Desk trays; Desktop business card holders; Desktop cabinets for stationery [office requisites]; Desktop document racks; Desktop document stands; Desktop organizers; Desktop revolving rotary card files; Diagrams; Diaries; Diaries [printed matter]; Dictation books; Dictionaries; Die-cut paper shapes; Digital printing paper; Dinner mats of card; Dinner mats of cardboard; Dinner mats of paper; Directories; Directory paper; Dispensers (Adhesive tape -) [office requisites]; Display banners made of cardboard; Display banners of paper; Display binders; Display boxes of cardboard; Disposable absorbent training pads for pets; Disposable absorbent underpads for pets; Disposable napkins; Document binding machines for office use; Document covers; Document destroyers [office machines]; Document file racks; Document files; Document files [stationery]; Document folders in the form of wallets; Document holders being articles of stationery; Document holders [stationery]; Document laminators for office use; Document markers; Document page markers; Document portfolios; Document stamp racks; Dot matrix printer ribbons; Double sided adhesive tapes for household use; Double sided adhesive tapes for stationery use; Double-sided adhesive tapes for household use; Drafting compasses; Drafting curves; Drafting instruments; Drafting rulers; Drafting squares; Drafting templates; Drafting triangles; Drawer liners made of scented paper; Drawer liners of paper, perfumed or not; Drawing board pins; Drawing boards; Drawing boards [painters' article]; Drawing boards [painters' articles]; Drawing books; Drawing brushes; Drawing compasses; Easel pads; Easels; Easels for use by artists; Easels (Painters' -); Educational and instructional material; Educational books; Educational equipment; Educational publications; Elastic bands for offices; Electric and electronic franking machines; Electric erasers; Electric hole punches; Electric letter openers; Electric pencil sharpeners; Electric staplers for offices;

Electric typewriters; Electrical and electronic typewriters; Electrical heat sealing apparatus for office use; Electrical wood burning artists' pens; Electrocardiograph paper; Electro-cardiograph paper; Electronic and electric franking machines; Electronic typewriters; Electrostatic paper; Electrotypes; Embroidery design patterns; Embroidery designs [patterns]; Encyclopaedias; Engraving plates; Engraving sheets; Engravings; Engravings and their reproductions; Engravings [prints]; Entry tickets; Envelope paper; Envelope papers; Envelope sealing machines, for offices; Envelope sealing machines for offices; Envelopes; Envelopes for stationery use; Envelopes [stationery]; Eraser dusting brushes; Erasers; Erasers (Writing board -); Erasing products; Erasing shields; Etching needles; Etching pens; Etching sheets; Etchings; Event albums; Event programs; Events albums; Events programmes; Exercise books; Exercise-book covers; Expanding files; Expense books; Extensions for pencils; Fabric glue for household use; Fabrics for bookbinding; Face cloths made of paper; Face tissues of paper; Face towels of paper; Facial tissue; Facial tissues of paper; Facsimile transmission paper; Fantasy books; Fanzines; Felt marking pens; Felt mats for calligraphy; Felt mats for Chinese calligraphy (stationery); Felt pens; Felt tip markers; Felt tip pens; Felt writing pens; Felt-tip pens; Fiber paper; Fiberboard boxes; Fiber-tip markers; Fibertip pens; Fiber-tip pens; Fibre-tip markers; Fibre-tip pens; Fiction books; Figures made of paper; Figurines made from cardboard; Figurines made from paper; Figurines of papier mâché; Figurines [statuettes] of papier mâché; File binders; File boxes for storage of business and personal records; File boxes for storage of magazines; File cards; File cases; File covers; File dividers; File folders; File guides; File indexes; File pockets for stationery use; File sorters; File sorters [office requisites]; File trays; Files [office requisites]; Files [stationery]; Filing cards; Filing cases; Filing containers; Filler paper; Film pens; Film (Plastic cling -) extensible, for palletization; Films for wrapping foodstuffs; Filter material of paper; Filter paper; Filtering materials of paper; Filtering materials [paper]; Filters of paper; Filters (Paper coffee -); Fine art prints; Fine paper; Finger moisteners; Finger tip moisteners being office requisites; Fingerprint kits; Fingerstalls being office requisites; Finger-stalls [office requisites]; Flags made from paper; Flags of paper; Flash cards; Flip books; Flip chart carrying cases; Flip chart cases; Flipcharts; Flow sheets [printed matter]; Flower-pot covers of paper; Fluorescent paper; Fluting paper [corrugating medium]; Flyers; Foils of

plastic for packaging; Foils of plastic for wrapping; Folders; Folders for blueprints; Folders for letters; Folders for papers; Folders [stationery]; Folios; Food bag tape for freezer use; Food waste bags of paper for household use; Food wrappers; Food wrapping plastic film; Food wrapping plastic film for household use; Food-wrapping paper; Forms, printed; Fountain pen ink cartridges; Fountain pens; Franking machines for office use; Freezer bags; French curves; Galley racks [printing]; Garbage bags of paper [for household use]; Garbage bags of paper or of plastics; Garbage bags of plastic; Garbage bags of plastics [for household use]; Garbage bags of vinyl for household use; Gazetteers; Gel roller pens; Gelatine glue for stationery or household purposes; General feature magazines; General purpose plastic bags; Geographical maps; Giclee prints; Gift bags; Gift books; Gift boxes; Gift boxes made of cardboard; Gift cards; Gift cartons; Gift cases for writing instruments; Gift certificates; Gift packaging; Gift paper; Gift tags; Gift vouchers; Gift wrap; Gift wrap cards; Gift wrap paper; Gift wrapping foil; Gift wrapping paper; Gift wraps; Giftwrapping paper; Gift-wrapping paper; Glassine paper; Glitter for stationery purposes; Glitter glue for stationery purposes; Glitter pens for stationery purposes; Globes; Globes (Terrestrial -); Glue for stationery or household purposes; Glue for stationery or household use; Glue for the office; Glue pens for stationery purposes; Glues for office use; Glues for the office; Gluten [glue] for stationery or household purposes; Golf scorecard holders; Golf scorecards; Golf yardage books; Graining combs; Graph paper; Graphic art books; Graphic art prints; Graphic art reproductions; Graphic drawings; Graphic novels; Graphic prints; Graphic prints and representations; Graphic representations; Graphic reproductions; Graphs; Greaseproof paper; Greeting cards; Greetings cards; Grocery paper; Guest books; Guide books; Guillotine machines for office use; Gum arabic glue for stationery or household purposes; Gummed cloth for stationery purposes; Gummed paper; Gummed tape [stationery]; Gums [adhesives] for stationery or household purposes; Gunpowder wrapping paper; Hand books; Hand labelling appliances; Hand towels of paper; Handbooks; Handbooks [manuals]; Handbooks relating to computers; Handheld label printers [office requisites]; Hand-held paper knives; Handkerchiefs made of paper; Handkerchiefs of paper; Handles made of plastics for paint brushes; Handpainted paper wine bottle labels; Hand-rests for painters; Handwriting specimens for copying; Hanging folders; Hat boxes of cardboard; Hat boxes of

paper; Headed notepaper; Heat sensitive paper; Heat transfer paper; Heat transfers; Hectographs; Highlighter pens; Highlighters; Highlighting markers; Highlighting pens; Histological sections for teaching purposes; Holders for adhesive tapes; Holders for checkbooks; Holders for checkbooks [cheque books]; Holders for cheque books; Holders for desk accessories; Holders for files; Holders for letters; Holders for notebooks; Holders for notepads; Holders for stamps [seals]; Holders (Passport -); Hole punchers for office use; Hole punches for office use; Hole punches [office requisites]; Holiday cards; Home shopping catalogs; Home shopping catalogues; Honeycomb paper; Hotel directories; House painters' roller brushes; House painters' rollers; Household paper; Humidity control sheets of paper or plastic for foodstuff packaging; Hygienic hand towels of paper; Hygienic paper; Hymn books; Ice cube bags; Illustrated notepads; Illustrated wall maps; Illustrated wall maps for educational purposes; Illustration boards; Imitation leather paper; Impression stamps; Imprinters (Credit card -), non-electric; Imprinters for office use; Index books; Index cards; Index cards [stationery]; Index files; Indexes; India ink; India ink pens; India paper; Indian inks; Industrial packaging containers of paper; Industrial paper; Industrial paper and cardboard; Inflight magazines; Information booklets; Information books; Informational flyers; Informational letters; Informational sheets; Ink; Ink blotters; Ink cartridges for fountain pens; Ink cartridges for pens; Ink erasers; Ink for fountain pens; Ink for pens; Ink for writing instruments; Ink pads; Ink pads for seals; Ink pen refill cartridges; Ink pens; Ink reservoirs; Ink ribbons; Ink rollers for office machines; Ink sheets for use in reproducing images in the printing industry; Ink stamps; Ink sticks; Ink sticks (sumi); Ink stones; Ink stones [ink reservoirs]; Inked ribbons for typewriters; Inking pads; Inking pads for seals; Inking ribbons; Inking ribbons for computer printers; Inking sheets for document reproducing machines; Inking sheets for duplicators; Inkless pens; Inks; Inks for pads; Inkstands; Inkstones; Inkstones [ink reservoirs]; Inkwells; Instruction manuals; Instruction manuals for exercise equipment; Instruction manuals for music synthesizers; Instruction manuals relating to computer software; Instruction sheets; Instructional and teaching material; Instructional and teaching material (except apparatus); Instructional and teaching materials; Instructional manuals; Instructional manuals for teaching purposes; Instructional material (except apparatus); Instructional materials; Invitation cards; Invitations; Iron-on transfers; Iron-on

transfers of paper; Isinglass for household purposes; Isinglass for stationery or household purposes; Ivory manilaboard; Ivory paper; Jackets for papers; Jackets of paper for books; Jacquard looms (Perforated cards for -); Japanese ceremonial paper strings (mizuhiki); Japanese handicraft paper; Japanese paper; Japanese paper (torinoko-gami); Japanese paper [torinoko-gami]; Jotters; Journals; Kitchen paper; Kitchen rolls [paper]; Knitting patterns; Kraft paper; Label paper; Label printing machines for household and stationery use; Labelling machines for office use; Labels, not of textile; Labels of paper; Labels of paper or cardboard; Laminated paper; Laminating machines for office use; Laminators (Document -) for office use; Laser cut paper; Laser print paper; Laser printing paper; Latex glue for stationery or household purposes; Lavatory paper; Law digests; Law reports; Lead holders [propelling pencils]; Leaflets; Leather appointment book covers; Leather book covers; Leather bookmarks; Leather covered diaries; Leather pencil cases; Ledger books; Ledgers [books]; Legal journals; Legal pads; Lenticular postcards; Letter clips; Letter files; Letter holders; Letter inserter machines for office use; Letter openers; Letter openers of precious metal; Letter paper; Letter paper [finished products]; Letter racks; Letter trays; Letterhead paper; Letterheads; Lettering guides; Lettering stencils; Letter-openers; Letters [type]; Lever arch files; Linerboard for corrugated cardboard; Liners of paper for toilet boxes for domestic animals; Liners of paper for toilet trays for domestic animals; Liners of plastic for toilet boxes for domestic animals; Liners of plastic for toilet trays for domestic animals; Lining paper; Lining papers for packaging; Lining papers for wrapping; Lithographic engravings; Lithographic prints; Lithographic stones; Lithographic works of art; Lithographs; Log books; Logbooks [aviation]; Logbooks [book-keeping]; Logbooks [ship's log]; Loose leaf binders; Loose leaf paper; Loose-leaf binders; Loose-leaf pads; Luggage tags of cardboard; Luggage tags of paper; Luminous paper; Machines for office use for folding documents; Machines for office use for sorting documents; Machines for office use for stamping mail; Machines for office use in addressing mail; Magazine covers; Magazine paper; Magazine supplements for newspapers; Magazines; Magazines featuring video and computer games; Magazines in the fields of games and gaming; Magazines [periodicals]; Magnetic boards for scheduling activities and appointments; Magnetic levitation floating globes; Magnetic paint brush holder clips; Magnetic three-ring binders; Mail order

catalogues; Mailing labels; Make-up pads of paper for removing make-up; Manga comic books; Manga graphic novels; Manifolds [stationery]; Manila board; Manila envelopes; Manila folders; Manila paper; Manually operated credit card imprinters; Manuals; Manuals for computer software; Manuals for instructional purposes; Manuals for use with software; Manuals [handbooks]; Manuscript books; Map cases; Map tacks; Mapping pins; Maps; Maps (Geographical -); Maps made of flexible plastics; Marine logs [printed matter]; Marker caddies; Marker pens; Marking chalk; Marking ink containing biologics for use in authentication of objects; Marking inks for stationery purposes; Marking pen refills; Marking pens; Marking pens [stationery]; Marking stamps; Marking tabs; Marking templates; Masking paper; Masking papers; Materials for artists; Mats for beer glasses; Mats of paper for beer glasses; Mats of paper for drinking glasses; Mechanical pencil sharpeners; Mechanical pencils; Mechanically operated pencils; Medical journals; Memo blocks; Memo pad holders; Memo pads; Memo sorters; Memorandum boards; Memorandum books; Memorandum pads; Menu cards; Menus; Metal drawing pins; Metal money clips; Metallic gift wrap; Metallic gift wrapping paper; Metallic paper party decorations; Microwave cooking bags; Microwave cooking (Bags for -); Mildewproof paper; Milk bottle caps [trading cards]; Millboard; Mimeograph apparatus and machines; Mimeograph paper; Mimeograph stencils; Mimeographs; Mini photo albums; Modeling clay; Modeling clay for children; Modeling compounds; Modeling paste; Modeling wax, not for dental purposes; Modelling clay; Modelling clays (Molds for -) [artists' materials]; Modelling clays (Moulds for -) [artists' materials]; Modelling materials; Modelling paste; Modelling wax, not for dental purposes; Models (Architects' -); Moisteners for gummed surfaces [office requisites]; Moisteners [office requisites]; Molds for modelling clays [artists' materials]; Money clips; Nail stencils; Name badge holders [office requisites]; Name badges [office requisites]; Name cards; Napkin paper; Napkins made of paper for household use; Napkins of cellulose for cosmetic purposes; Napkins of cellulose for household purposes; Napkins of paper; Napkins of paper for removing make-up; Napkins of paper (Table -); Navigation charts for use in sailing craft; News bulletins; Newsletters; Newsletters in the fields of games and gaming; Newspaper cartoons; Newspaper comic strips; Newspapers; Newsprint paper; Nibs; Nibs for writing instruments; Nibs of gold; Nibs of gold for writing instruments; Non metal money

clips; Non-electric chart pointers; Non-fiction books; Note books; Note cards; Note pad holders; Note pads; Note paper; Note papers; Noteboards; Notebook covers; Notebook dividers; Notebook paper; Notebooks; Notelets; Notepads; Notepaper; Novels; Numbering apparatus; Numbering guides; Numbering stamps; Numbers [type]; Obliterating stamps; Occasion cards; Office binders; Office decollating machines; Office glues; Office hole punchers; Office labeling machines; Office labelling machines; Office lettering machines; Office machines; Office paper drill machines; Office paper stationery; Office perforating machines; Office perforators; Office requisites; Office requisites, except furniture; Office seals; Office staplers; Office stationery; Offset paper; Offset printing paper for pamphlets; Oil pastels; Oiled paper for paper umbrellas (kasa-gami); Oilproof paper; Oleographs; Omikuji [sacred lots] [printed strips of paper used for fortune telling]; Onion skin paper; Opaque paper; Operating manuals for use with computers; Order forms; Order forms for use in home shopping; Organizers for stationery use; Origami folding paper; Ornamental sculptures made of papier mache; Ovenproof paper; Packaging bags of paper; Packaging boxes of card; Packaging boxes of cardboard; Packaging boxes of paper; Packaging cartons of card; Packaging cartons of cardboard; Packaging containers of card; Packaging containers of paper; Packaging containers of regenerated cellulose; Packaging material made of starches; Packaging materials; Packaging materials made from mineral-based paper substitutes; Packaging materials made of cardboard; Packaging materials made of recycled paper; Packaging materials of plastic for sandwiches; Packaging wrappers of plastic; Packing cardboard; Packing cardboard containers; Packing containers of cardboard; Packing [cushioning, stuffing] materials of paper or cardboard; Packing paper; Padded bags of card; Padded bags of paper; Padding materials of paper or cardboard; Pads for applying paint; Pads of paper; Pads of party invitations; Pads [stationery]; Pads (Writing -); Page holders; Page markers; Paint applicator pads; Paint applicator rollers; Paint applicators in the nature of sponges; Paint boxes; Paint boxes and brushes; Paint boxes [articles for use in school]; Paint boxes for use in schools; Paint brushes; Paint paddles; Paint roller covers; Paint roller handles; Paint roller trays; Paint rollers; Paint stick markers; Paint trays; Paintbrushes; Painters' brushes; Painters' easels; Painting books; Painting canvas; Painting mitts for applying paint; Painting pencils; Painting sets for artists; Painting sets for children; Paintings; Paintings and

calligraphic works; Paintings [pictures], framed or unframed; Palettes for painters; Pamphlets; Pantographs [drawing instruments]; Paper; Paper and cardboard; Paper baby bibs; Paper badges; Paper bags; Paper bags and sacks; Paper bags for household use; Paper bags for packaging; Paper bags for use in the sterilisation of medical instruments; Paper bags for use in the sterilization of medical instruments; Paper banners; Paper bibs; Paper bibs for babies; Paper binding machine for office use; Paper board; Paper book markers; Paper bows; Paper bows for gift wrap; Paper bows, other than haberdashery or hair decorations; Paper boxes; Paper boxes for storing greeting cards; Paper bunting; Paper cake decorations; Paper cake toppers; Paper carton sealing tape; Paper cartons for delivering goods; Paper clasps; Paper clip holders; Paper clips; Paper coasters; Paper coated with silicone oil for use on barbeque grills; Paper cocktail parasols; Paper coffee filters; Paper containers; Paper containing mica; Paper crafts materials; Paper creasers [office requisites]; Paper cutters; Paper cutters for office use; Quick reference pocket guides; Radiograms (Paper for -); Recipe binders; Recipe books; Record cards; Recycled bond paper; Recycled paper; Red algae gelatine glue, for stationery or household purposes (funori); Red algae gelatine glue, for stationery or household purposes [funori]; Red ink paste used for seals; Reel paper for printers; Reference books; Reference cards; Refills for ballpoint pens; Refuse bags of paper; Register files; Reinforced stationery tabs; Relief duplicators; Religious books; Religious circular letters; Removable self-stick notes; Removable tattoos [decalcomania]; Reporters' notebooks; Reproduction paper; Reproductions (Graphic -); Reproductions of paintings; Resource books; Retractable pencils; Retractable reels for name badge holders [office requisites]; Revolving circular charts; Ribbons for handheld label printers [office requisites]; Ribbons for typewriters; Ribbons of paper; Ribbons (Paper -); Rice paper; Ring binders; Ring files; Road maps; Role playing game equipment in the nature of manuals; Roller ball pens; Roller date stamps; Rollerball pens; Rollers for applying paint; Rollers for typewriters; Rollers (House painters' -); Rolls of plastic film for packaging; Roll-up pencil cases; Romance novels; Rosettes of paper; Rotary duplicators; Route maps; Rub down transfers; Rubber bands [office requisites]; Rubber bands [stationery]; Rubber cements for stationery; Rubber document stamps; Rubber erasers; Rubber finger tips; Rubber stamp; Rubber stamps; Rubbers for erasing written text; Rubbish bags; Rubbish



bags (made of paper or plastic materials); Rule books; Rule books for playing games; Ruled paper [finished products]; Rulers; Rulers (Drawing -); Rulers for drawing; Rulers (Square -); Safety paper; Sandwich bags; Sandwich bags [paper]; Saucers (Watercolor [watercolour] -) for artists; Savings stamps; Scented paper drawer liners; Scented stationery; School cones, empty; School photographs; School supplies [stationery]; School writing books; School yearbooks; Scoops made of card for the disposal of pet excrement; Score books; Score charts; Score pads; Score sheets; Score-books; Score-cards; Scoring cards; Scrap books; Scrapbook albums; Scrapbook pages; Scrapbooks; Scrapers [erasers] for offices; Scratch pads; Scribble pads; Scribbling pads; Sculptures made from papier mache; Seal ink pads; Sealing compounds for stationery purposes; Sealing machines for offices; Sealing stamps; Sealing tape for stationery use; Sealing wafers; Sealing wax; Seals for offices; Seals for the office; Seals [stamps]; Seals [stationery]; Seaweed glue for stationery; Self-adhesive paper for notes; Self-adhesive plastic sheets for lining shelves; Self-adhesive tapes for stationery and household purposes; Self-adhesive tapes for stationery or household purposes; Self-adhesive tapes for stationery use; Semi-processed paper; Series of computer game hint books; Series of fiction books; Series of non-fiction books; Serviettes of paper; Set squares for drawing; Sewing patterns; Sharpeners for cosmetic pencils; Sharpeners (Pencil -); Sheet music; Sheet music in printed form; Sheets for wrapping made of paper; Sheets for wrapping made of plastic material; Sheets of reclaimed cellulose for wrapping; Sheets of recycled cellulose for wrapping; Shelf paper; Shields (Erasing -); Shields of paper; Shields [paper seals]; Shipping labels; Ships logs [printed matter]; Shoji-gami [paper for Japanese sliding partitions]; Shredding machines for office use; Signature books; Signboards of paper or cardboard; Signed photographs; Silk canvas [painters' article]; Silk screen prints; Silver paper; Sketch boards; Sketch books; Sketch pads; Sketchbooks; Sketches; Sketching boards; Skin marker pens; Slate boards for writing; Slate pencils; Sleeves for holding and protecting stamps; Small blackboards; Social note cards; Software programmes in printed form; Song books; Souvenir event programs; Souvenir programmes; Spiral-bound notebooks; Spirit gum for household use; Spirit gum for stationery purposes; Spirit masters for mimeographing; Spools for inking ribbons; Spools for typewriters; Sports trading cards; Spray chalk; Square rulers; Table cloths of paper; Table decorations of paper;

Table linen of paper; Table mats of card; Table mats of cardboard; Table mats of paper; Table napkins of paper; Table place setting mats of card; Table place setting mats of cardboard; Table place setting mats paper; Table runners of cellulose; Table runners of paper; Tablecloths of paper; Tablemats of paper; Tables (Arithmetical -); Tables (Calculating -); Tags for index cards; Tailors' chalk; Tamper evident tapes of plastic; Tapes (adhesive -) [stationery]; Tapes for typewriters; Teaching manuals; Teaching materials; Teaching materials [except apparatus]; Tear-off calendars; Tee squares [drawing]; Telephone books; Telephone directories; Television listing magazines; Temporary tattoo transfers; Temporary tattoos; Terrestrial globes; Textbooks; Thank you cards; Thermal paper; Thick Japanese paper [hoshogami]; Three dimensional models for educational purposes; Three-dimensional decalcomanias for use on any surface; Thumb tacks; Thumbtacks; Thumbtacks [stationery]; Tickets; Till rolls; Timetables; Timetables (Printed -); Tips for ballpoint pens; Tissue paper; Tissue paper for making stencil paper; Tissue paper for use as material of stencil paper (ganpishi); Tissue papers; Tissues; Tissues of paper; Tissues of paper for removing make-up; Toilet paper; Toilet paper in roll form; Toilet rolls; Toilet tissue; Toilet tissue made of paper; Toilet tissues; Toilet tissues of paper; Towels of paper; Towels of paper for cleaning purposes; Towels of paper for removing make-up; Tracing cloth; Tracing needles for drawing purposes; Tracing paper; Tracing papers; Tracing patterns; Trade journals; Trading card milk bottle caps; Trading cards; Trading cards other than for games; Trading cards, other than for games; Training manuals; Transfer paper; Transfers; Transfers [decalcomanias]; Transparencies; Transparencies [stationery]; Transparent viscose wrapping film; Trash can liners; Travel books; Travel guide books; Travel guides; Travel magazines; Travellers' cheques; Trays for holding drafting instruments; Trays for holding drawing instruments; Trays for sorting and counting money; Treated paper for wrapping flowers and floral displays; Triangles being drawing instruments; Trimming machines for office use; Trivia cards; T-squares (Drawing -); T-squares for drawing; Tubes (Cardboard -); Type fonts for typewriters; Type [numerals and letters]; Typeface; Typefaces; Unfitted furniture covers of paper; Ungraduated rulers; Unmounted and mounted photographs; User manuals; UV ink markers; Vehicle bumper stickers; Vellum paper; Video game strategy guidebooks; Vignetting apparatus; Viscose sheets for wrapping; Visiting cards; Visitors books; Vouchers;

Vouchers of value; Wall calendars; Wall charts; Wall decals; Wall decorations of paper; Wall maps; Wall planners; Wallcoverings (Books containing samples of -); Wallpaper pattern books; Wallpaper sample book; Wallpaper stencils; Washi; Water colours [finished painting]; Water filters of paper; Watercolor boards; Watercolor moisturizing palettes; Watercolor paintings; Watercolor pictures; Watercolor saucers (Artists' -); Watercolor [watercolour] saucers for artists; Watercolors [paintings]; Watercolour paintings; Watercolour saucers (Artists' -); Watercolours [finished paintings]; Watercolours [paintings]; Waterproof paper; Waterproof paper [other than for use in building]; Waterproofing film (Plastic -) for packaging; Waterproofing film (Plastic -) for wrapping; Water-writing cloths for calligraphy practice; Wax bond paper; Wax paper; Wax (Sealing -); Waxed paper; Waxed paper [other than for use in building]; Wedding albums; Wedding books; Weekly planners; Wet erase markers; Wet erase paper labels; White paperboard; White papers; Whiteboard erasers; Whiteboards; Whiteboards having magnetic properties; Wirebound books; Wood glue for household use; Wood pulp board [stationery]; Wood pulp paper; Workbooks containing exercises; Works of art and figurines of paper and cardboard, and architects' models; Works of art made of paper; Works of art of paper; Wrappers [stationery]; Wrapping foils for books; Wrapping materials made of card; Wrapping materials made of cardboard; Wrapping materials made of paper; Wrapping paper; Wristbands for the retention of writing instruments; Writing and stamping implements; Writing board erasers; Writing books; Writing brush calligraphy copybooks; Writing brush for calligraphy; Writing brush for Shodo; Writing brush hangers; Writing brush holders; Writing brush washers; Writing brush washing saucers; Writing brushes; Writing brushes for calligraphy; Writing brushes for ground calligraphy; Writing cases [sets]; Writing cases [stationery]; Writing chalk; Writing grips; Writing implements; Writing implements [writing instruments]; Writing ink; Writing instruments; Writing materials; Writing or drawing books; Writing pads; Writing paper; Writing paper holders; Writing paper pads; Writing sets; Writing slates; Writing stationery; Writing tablets; Writing utensils; Writing utensils made of fibres; Xerographic paper; Xuan paper for Chinese painting and calligraphy; Year planners; Yearbooks in the field of soccer.

Class 35: Account auditing; Accountancy; Accountancy advice relating to tax preparation; Accountancy advice relating to taxation; Accountancy advice relating to the preparation of tax returns; Accountancy, book keeping and auditing; Accountancy services; Accountancy services relating to accounts receivable; Accounting; Accounting advisory services; Accounting consultancy relating to taxation; Accounting for third parties; Accounting, in particular book-keeping; Accounting services; Accounting services for mergers and acquisitions; Accounting services for pension funds; Accounting services relating to costs for farming enterprises; Accounting services relating to tax planning; Accounts (Drawing up of statements of -); Accounts (Preparation of -); Acquisition (Business -) searches; Acquisition of business information relating to company activities; Acquisition of business information relating to company status; Acquisition of commercial information; Acquisitions (Advice relating to -); Acquisitions (Business -) consulting services; Addressing envelopes; Addressing of envelopes; Administering medication reimbursement programs and services; Administering of professional competency testing; Administering of professional [vocational] certifications; Administering pharmacy reimbursement programs and services; Administration, billing and reconciliation of accounts on behalf of others; Administration (Business -) relating to statistical methods; Administration (Commercial -) of the licensing of the goods and services of others; Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; Administration of business affairs; Administration of business payroll for others; Administration of businesses; Administration of competitions for advertising purposes; Administration of consumer loyalty programs; Administration of contests for advertising purpose; Administration of cultural and educational exchange programs; Administration of customer loyalty and incentive schemes; Administration of employee benefit plans; Administration of employee pension plans; Administration of employee welfare benefit plans; Administration of foreign business affairs; Administration of frequent flyer programmes that allow members to redeem miles for points or awards offered by other loyalty programmes; Administration of frequent flyer programs; Administration of frequent flyer programs that allow members to redeem miles for points or awards offered by other loyalty programs; Administration of incentive award programs to promote the sale of the

goods and services of others; Administration of loyalty and incentive schemes; Administration of loyalty programs involving discounts or incentives; Administration of loyalty rewards programmes; Administration of loyalty rewards programs; Administration of loyalty rewards programs featuring trading stamps; Administration of membership schemes; Administration of newspaper subscription [for others]; Administration of patient reimbursement programs; Administration of preferred provider plans; Administration of prepaid health care plans; Administration of sales and promotional incentive schemes; Administration of sales promotion incentive programs; Administration of the business affairs of franchises; Administration of the business affairs of retail stores; Administration relating to business appraisal; Administration relating to business planning; Administration relating to marketing; Administration relating to sales methods; Administrative accounting; Administrative assistance in responding to calls for tenders; Administrative assistance in responding to requests for proposals [RFPs]; Administrative data processing; Administrative hotel management; Administrative loyalty card services; Administrative management of health care clinics; Administrative management of hospitals; Administrative order processing; Administrative processing and organising of mail order services; Administrative processing of computerized purchase orders; Administrative processing of orders; Administrative processing of purchase orders placed by telephone or computer; Administrative processing of purchase orders within the framework of services provided by mail-order companies; Administrative processing of warranty claims; Administrative services for medical referrals; Administrative services for the relocation of businesses; Administrative services relating to credit card registration; Administrative services relating to customs clearance; Administrative services relating to dental health insurance; Administrative services relating to employee stock plans; Administrative services relating to hospital referrals; Administrative services relating to referrals for general building contractors; Administrative services relating to referrals for insurance agents; Administrative services relating to the management of legal dockets; Administrative services relating to the referral of clients to lawyers; Administrative services relating to the referral of patients; Administrative services relating to the relocation of personnel; Administrative services relating to warranty claims processing; Balance sheet accounting; Banner

advertising; Benchmarking (evaluation of business organisation practices); Benchmarking services; Bidding quotation; Bill presentment services; Bill sticking; Billing; Billing services; Billing services in the field of energy; Billing services in the field of healthcare; Bill-posting; Blogger outreach services; Book club services retailing books to its members; Booking agent services for models; Bookkeeping; Book-keeping; Book-keeping and accounting; Book-keeping and accounting services; Bookkeeping for electronic funds transfer; Brand creation services; Brand creation services (advertising and promotion); Brand evaluation services; Brand positioning; Brand positioning services; Brand strategy services; Brand testing; Brokerage of name and address based lists; Business accounting advisory services; Business accounts management; Business acquisitions; Business acquisitions (Advice relating to -); Business acquisitions consultation; Business administration; Business administration and management; Business administration assistance; Business administration consultancy; Business administration for others; Business administration in the field of transport and delivery; Business administration of employee share schemes; Business administration services; Business administration services for processing sales made on the internet; Business administration services for the processing of sales made on a global computer network; Business administration services for the processing of sales made on the Internet; Business administration services in the field of healthcare; Business administration services in the field of transportation; Business administrative services for the relocation of businesses; Business administrative services for the relocation of personnel; Business advertising services relating to franchising; Business advice; Business advice and consultancy relating to franchising; Business advice, inquiries or information; Business advice relating to accounting; Business advice relating to acquisitions; Business advice relating to advertising; Business advice relating to disposals; Business advice relating to financial re-organisation; Business advice relating to franchising; Business advice relating to growth financing; Business advice relating to marketing; Business advice relating to marketing management consultations; Business advice relating to mergers; Business advice relating to restaurant franchising; Business advice relating to strategic marketing; Business advisory and consultancy services; Business advisory services; Business advisory services provided to determine pay and grading structures; Business

advisory services relating to business liquidations; Business advisory services relating to company performance; Business advisory services relating to franchising; Business advisory services relating to franchising of a motor dealership; Business advisory services relating to product development; Business advisory services relating to product manufacturing; Business advisory services relating to the establishment and operation of franchises; Business advisory services relating to the establishment of motor dealership; Business advisory services relating to the running of restaurants; Business advisory services relating to the running of sandwich bars; Business advisory services relating to the selection of computers; Business advisory services relating to the setting up of restaurants; Business advisory services relating to the setting up of sandwich bars; Business advisory services relating to the use of computers; Business advisory services to determine pay and grading structures by job evaluation; Business analysis; Business analysis and information services, and market research; Business analysis of markets; Business analysis services; Business and commercial information services; Business and market research; Business appraisal; Business appraisal consultancy; Business appraisal services; Business appraisals; Business appraisals and evaluations in business matters; Business assistance; Business assistance, management and administrative services; Business assistance relating to business image; Business assistance relating to corporate identity; Business assistance relating to franchising; Business assistance relating to starting and running a franchise; Business assistance relating to the establishment of franchises; Career advisory services (other than education and training advice); Career information and advisory services (other than educational and training advice); Career networking services; Career placement; Career placement consulting services; Career planning consultancy; Carrying out auction sales; Casting [recruitment] of performing artists; Chamber of commerce services for the promotion of businesses; Chamber of commerce services for the promotion of commerce; Chamber of commerce services for the promotion of trade; Chartered accountancy business services; Cinema advertising; Cinematographic film advertising; Classified advertising; Classified advertising services; Clerical employment agency services; Clerical services for making appointments; Clerical services for the handling of enquiries; Clerical services for the taking of sales orders; Collating of data in computer databases;

Collecting business information; Collecting business statistics; Collecting information for business; Collection and systematisation of information into computer databases; Collection of commercial information; Collection of data; Collection of information relating to advertising; Collection of information relating to market analysis; Collection of information relating to market research; Collection of information relating to market studies; Collection of market research information; Collection of personnel information; Collection of statistics for business; Commercial administration of the licensing of the goods and services of others; Commercial and industrial management assistance; Commercial assistance in business management; Commercial business management; Commercial consultancy; Commercial consultancy services; Commercial information; Commercial information agencies; Commercial information agencies [provides business information, e.g., marketing or demographic data]; Commercial information agency services; Commercial information and advice for consumers [consumer advice shop]; Commercial information and advice for consumers in the choice of products and services; Commercial information and advice services for consumers in the field of beauty products; Commercial information and advice services for consumers in the field of cosmetic products; Commercial information and advice services for consumers in the field of make-up products; Commercial information (Compilation of -); Commercial information provided by means of a computer database; Commercial information (Provision of -); Commercial information research studies; Commercial information services; Commercial information services provided by access to a computer database; Commercial information services relating to wine; Commercial information services, via the internet; Commercial intermediation for business purposes; Commercial intermediation services; Commercial lobbying services; Commercial management; Commercial management assistance; Commercial or industrial management assistance; Communication media (Presentation of goods on -), for retail purposes; Company information (Searches relating to -); Company management [for others]; Company management, including consultancy in demographic matters; Company office secretarial services; Company record keeping [for others]; Company record-keeping; Comparison services (Price -); Comparison shopping services; Competitive intelligence services; Compilation and input of information into computer databases; Compilation and provision of trade



and business price and statistical information; Compilation and systematisation of information in databanks; Compilation and systemisation of information into computer databases; Compilation and systemization of information into computer databases; Compilation and systemization of information used in electronic transmissions; Compilation and systemization of written communications and data; Compilation of advertisements; Compilation of advertisements for use as web pages; Compilation of advertisements for use as web pages on the Internet; Compilation of advertisements for use on internet web pages; Compilation of advertisements for use on the internet; Compilation of business data; Compilation of business directories; Compilation of business directories for publishing on the Internet; Compilation of business information; Compilation of business statistics; Compilation of business statistics and commercial information; Compilation of commercial registers; Compilation of company information; Compilation of computer data bases; Compilation of computer databases; Compilation of data; Compilation of data in computer databases; Compilation of direct mailing lists; Compilation of directories for publication on the internet; Compilation of directories for publishing on global computer networks or the internet; Data collection [for others]; Data collection services; Data compilation for others; Data entry and data processing; Data file administration; Data inputting services; Data management; Data management services; Data processing; Data processing for businesses; Data processing for the collection of data for business purposes; Data processing management; Data processing services; Data processing services in the field of healthcare; Data processing services in the field of payroll; Data processing services in the field of transportation; Data processing, systematisation and management; Data processing verification; Data retrieval services; Data search in computer files for others; Data searches in computerised files for others; Data transcription; Database management; Data-base management (Computerised -); Database management services; Database marketing; Data-based stock control; Data-based stock location services; Demonstration [for promotional/advertising purposes]; Demonstration of goods; Demonstration of goods and services by electronic means, also for the benefit of the so-called teleshopping and homeshopping services; Demonstration of goods for advertising purposes; Demonstration of goods for promotional purposes; Demonstration of photographic equipment [for advertising

purposes]; Demonstration of products; Design of advertising brochures; Design of advertising flyers; Design of advertising logos; Design of advertising materials; Design of marketing surveys; Design of public opinion surveys; Developing promotional campaigns for business; Developing promotional campaigns for businesses; Development and implementation of marketing strategies for others; Development of advertising concepts; Development of concepts for business economy; Development of hospital management systems; Development of marketing strategies and concepts; Development of promotional campaigns; Digital advertising services; Digital marketing; Direct mail advertising; Direct mail advertising services; Direct mail advertising services provided by lettershops; Direct mail advertising to attract new customers and to maintain the existing customer base; Direct market advertising; Direct marketing; Direct marketing consulting; Direct marketing services; Directories (Compilation of business -); Display services for merchandise; Displaying advertisements for others; Dissemination of advertisements; Dissemination of advertisements and of advertising material [flyers, brochures, leaflets and samples]; Dissemination of advertisements via the Internet; Dissemination of advertising and promotional materials; Dissemination of advertising for others; Dissemination of advertising for others via an on-line communications network on the internet; Dissemination of advertising for others via the Internet; Dissemination of advertising, marketing and publicity materials; Dissemination of advertising material; Dissemination of advertising material [leaflets, brochure and printed matter]; Dissemination of advertising material [leaflets, brochures and printed matter]; Dissemination of advertising materials; Dissemination of advertising matter; Dissemination of advertising matter by mail; Dissemination of advertising matter online; Dissemination of advertising via online communications networks; Dissemination of business information; Dissemination of commercial information; Dissemination of data relating to advertising; Dissemination of data relating to business; Dissemination of information relating to the recruitment of graduates; Dissemination services of advertisement matter; Distribution and dissemination of advertising materials [leaflets, prospectuses, printed material, samples]; Distribution of advertisements and commercial announcements; Distribution of advertising announcements; Distribution of advertising brochures; Distribution of advertising leaflets; Distribution of advertising mail and of advertising

supplements attached to regular editions; Distribution of advertising, marketing and promotional material; Distribution of advertising material; Distribution of advertising material by post; Distribution of advertising materials; Distribution of advertising matter; Distribution of advertising samples; Distribution of flyers, brochures, printed matter and samples for advertising purposes; Distribution of printed advertising matter; Distribution of printed promotional material by post; Distribution of products for advertising purposes; Economic analysis for business purposes; Economic forecasting; Economic forecasting analysis for business purposes; Economic forecasting and analysis; Economic forecasting for business purposes; Economic forecasting services; Economic information services for business purposes; Economic studies for business purposes; Editing of publicity texts; Efficiency (Business -) expert services; Efficiency expert services; Efficiency experts; Electricity meter reading for billing purposes; Electronic billboard advertising; Electronic data processing; Electronic order processing; Electronic publication of printed matter for advertising purposes; Electronic stock management services; Employee leasing; Employee record services; Employee relocation services; Employment agencies; Employment agency services; Employment agency services for people skilled in the use of computers; Employment agency services for personnel in general office positions; Employment agency services for temporary work assignments; Employment agency services provided for nannies; Employment agency services relating to au pairs; Employment agency services relating to bilingual staff; Employment agency services relating to nurses; Employment agency services relating to placement of medical and nursing personnel; Employment agency services the provision of staff for the manning of show houses; Employment booking services for film television technicians; Employment booking services for performing artists; Employment bureau services; Employment consultancy; Employment consultancy services; Employment consultancy services relating to data processing personnel; Employment counselling; Employment counselling and consultancy services; Employment counselling services; Employment management services for film television technicians; Employment outplacement services; Employment placement services for butlers; Employment placement services for housekeepers; Employment placement services for personal assistants; Employment recruiting consultancy; Employment recruiting consultation;

Employment recruiting services; Employment recruitment; Employment staffing consultation services; Energy price comparison services; Estimations for marketing purposes; Evaluating the impact of advertising on audiences; Evaluation of business opportunities; Evaluation of personnel requirements; Evaluations relating to business management in commercial enterprises; Evaluations relating to business management in industrial enterprises; Evaluations relating to business management in professional enterprises; Evaluations relating to commercial matters; Event marketing; Execution of stenographic work to order; Executive placement services; Executive recruiting services; Executive recruitment services; Executive search and placement services; Executive search and selection services; Executive search services; Executive selection services; Exhibitions (Arranging -) for advertising purposes; Exhibitions (Arranging -) for business purposes; Exhibitions (Arranging -) for commercial purposes; Exhibitions (Arranging -) for trade purposes; Exhibitions (Conducting -) for advertising purposes; Exhibitions (Conducting -) for business purposes; Exhibitions (Conducting -) for commercial purposes; Exhibitions (Conducting -) for trade purposes; Exhibitions for commercial or advertising purposes; Expert evaluations and reports relating to business matters; Export agency services; Export and import agencies; Export promotion services; Export-import agency services; Fashion show exhibitions for commercial purposes; Fashion shows for promotional purposes (Organization of -); File management (Computerized -); Filing documents or magnetic-tapes [office functions]; Financial auditing; Financial marketing; Financial records management; Financial statement preparation and analysis for businesses; Forecasting (Economic -); Forecasting (Economic -) for business purposes; Foreign trade consultancy services; Foreign trade information and consultation; Foreign trade information (Provision of -); Foreign trade information (Services for the provision of -); Forensic accounting services; Franchising (Business advice relating to -); Franchising (Business advisory services relating to -); Franchising services providing business assistance; Franchising services providing marketing assistance; Gas meter reading for billing purposes; Gift registry services; Goods import-export agencies; Goods or services price quotations; Grain market analysis; Graphic advertising services; Handbill distribution; Headhunting services; Health care cost management; Health care cost review; Help in the management of business affairs or commercial functions of an

industrial or commercial enterprise; Hire of advertising aids; Hire of advertising billboards; Hire of advertising equipment; Hire of advertising hoardings; Hire of office equipment; Hire of office machinery; Hiring of advertising materials; Hiring of machines or apparatus for offices; Hiring of office equipment; Hiring of publicity materials; Hiring of typewriters; Hospital management; Hotel management for others; Hotel management service [for others]; Hotels (Business management of -); Human resources consultancy; Human resources consultation; Human resources management; Human resources management and recruitment services; Import agency services; Import and export agencies; Import and export agencies services; Import and export agency services; Import and export services; Import-export agencies; Import-export agencies in the field of energy; Import-export agency services; Income tax returns (Preparation of -); Industrial management assistance (Commercial or -); Industrial management consultation including cost/yield analyses; Information about sales methods; Information agencies (Commercial -); Information and data compiling and analyzing relating to business management; Information and expert opinions relating to companies and business; Information (Business -); Information in business matters; Information or enquiries on business and marketing; Information services relating to advertising; Information services relating to business matters; Information services relating to businesses; Information services relating to data processing; Information services relating to jobs and career opportunities; Initiating telephone calls for others; Inquiries (Business -); Inserting printed matter into envelopes; Interim business management; Intermediary services relating to advertising; Intermediary services relating to the rental of advertising time and space; Internet marketing; Internship placement services; Interpretation of market research data; Interviewing for market research purposes; Interviewing for qualitative market research; Interviewing services [for personnel recruitment]; Inventories (Preparation of -); Inventory control; Inventory management; Inventory management of parts and components for manufacturers and suppliers; Inventory management services; Inventorying merchandise; Investigations (Business -); Investigations of marketing strategy; Invoicing; Invoicing services; Issuing and updating of advertising texts; Issuing of publicity leaflets; Job agency services; Job agency services for medical personnel; Job agency services for para-medical personnel; Job and personnel placement; Job matching services; Job placement;

Job placement consultancy; Key return registration; Key punching [office functions]; Labor exchanges; Labour exchange services; Layout services for advertising purposes; Leasing of advertising billboards; Leasing of advertising hoardings; Leasing of advertising space on pamphlets; Leasing of advertising space on railway properties; Leasing of advertising space on trains; Leasing of billboards; Leasing of office machines; Leasing of typewriters; Licensing of the goods and services of others (Commercial administration of the -); Lifecycle costing for business purposes; Literary agency services consisting of the negotiation of contracts; Loyalty, incentive and bonus program services; Loyalty scheme services; Magazine advertising; Mail order retail services connected with clothing accessories; Mail order retail services for clothing; Mail order retail services for clothing accessories; Mail order retail services for cosmetics; Mail order retail services related to alcoholic beverages (except beer); Mail order retail services related to beer; Mail order retail services related to foodstuffs; Mail order retail services related to non-alcoholic beverages; Mail sorting, handling and receiving; Mail sorting, handling and receiving [office functions]; Mailing list preparation services; Mailing lists (Compilation of -); Mail-order advertising; Maintaining a registry of animal breeds; Maintaining a registry of certified aerospace technicians; Maintaining a registry of certified medical technical professionals; Maintaining a registry of dog breeds; Maintaining a registry of information; Maintaining a registry of professional vocational evaluators; Maintaining files and records concerning the medical condition of individuals; Maintaining personal medical history records and files; Maintenance of asset registers [for others]; Maintenance of personnel records [for others]; Maintenance of registers [for others]; Management accounting; Management administration of commercial undertakings; Management advice; Management advice relating to the placing of staff; Management advice relating to the recruitment of staff; Management (Advisory services for business -); Management advisory services related to franchising; Management and compilation of computerised databases; Management and operation assistance to commercial businesses; Management assistance; Management assistance (Commercial or industrial -); Management assistance for industrial organisations; Management assistance for promoting business; Management assistance in business affairs; Management assistance in the establishment of commercial undertakings; Management assistance services;

Management assistance to commercial companies; Management assistance to commercial firms; Management (Computerized file -); Management consultancy (Personnel -); Management consultancy services; Management consulting; Management of a retail enterprise for others; Management of an airline company; Management of business [for others]; Management of business offices for others; Management of business projects [for others]; Management of computer databases; Management of computer files; Management of computerised files; Management of customer loyalty, incentive or promotional schemes; Management of health care clinics for others; Management of hotel incentive programs of others; Management of performing artists; Management of professional athletes; Management of telephone call centers for other; Management of telephone call centers for others; Management on behalf of industrial and commercial enterprises in terms of supplying them with office requisites; Market analysis; Market analysis and research; Market analysis and research services; Market analysis reports; Market analysis services; Market analysis services relating to the availability of antiques; Market analysis services relating to the availability of goods; Market analysis services relating to the sale of antiques; Market analysis services relating to the sale of goods; Market analysis studies; Market assessment consultancy; Market assessment services; Market campaigns; Market canvassing; Market forecasting; Market information services relating to index levels; Market information services relating to market statistics; Market information services relating to trade reports; Market intelligence services; Market investigation via the telephone; Market opinion polling studies; Market prospecting; Market reporting consultancy; Market reporting services; Market reports and studies; Market research; Market research and analysis; Market research and analysis services; Market research and business analyses; Market research and market analysis; Market research and marketing studies; Market research by means of a computer data base; Market research by means of a computer database; Market research consultancy; Market research data analysis; Market research data collection services; Market research data retrieval services; Nanny placement services; Negotiating and concluding commercial transactions for others; Negotiation and conclusion of commercial transactions for third parties; Negotiation and conclusion of commercial transactions for third parties via telecommunication systems; Negotiation and settlement of commercial

transactions for third parties; Negotiation of advertising contracts; Negotiation of business contracts for others; Negotiation of commercial transactions for performing artists; Negotiation of commercial transactions for third parties; Negotiation of contracts relating to the purchase and sale of goods; Negotiation of contracts with health care payors; News and current affairs clipping services; News clipping services; Newspaper advertising; Newspaper subscription services; Newspaper subscription services for others; Newspaper subscriptions; Newspaper subscriptions (Arranging -) for others; Obtaining business statistics [for others]; Office administration services [for others]; Office equipment rental services; Office functions; Office functions services; Office machine rental services; Office machines and equipment rental; Office machines (Rental of -); Office management services [for others]; Office services for electronically collating data; Office services for electronically collecting data; Office services for electronically manipulating data; Office support staff recruitment services; Online advertisements; Online advertising; On-line advertising; On-line advertising and marketing services; Online advertising network matching services for connecting advertisers to websites; Online advertising on a computer network; On-line advertising on a computer network; On-line advertising on computer communication networks; Online advertising on computer networks; On-line advertising on computer networks; Online advertising services; Online advertising via a computer communications network; On-line advertising via a computer communications network; On-line auction bidding for others; On-line auctioneering; On-line auctioneering services via the Internet; Online business networking services; Online community management services; Online data processing services; On-line data processing services; Online marketing; Online ordering services; On-line ordering services in the field of restaurant take-out and delivery; On-line promotion of computer networks and websites; Online retail services for downloadable and pre-recorded music and movies; Online retail services for downloadable digital music; Online retail services for downloadable ring tones; Online retail services relating to clothing; Online retail services relating to cosmetics; Online retail services relating to handbags; Online retail services relating to jewelry; Online retail services relating to luggage; Online retail services relating to toys; Online retail store services in relation to clothing; Online retail store services relating to clothing; Online retail store services relating to cosmetic and beauty



products; On-line trading services in which seller posts products to be auctioned and bidding is done via the Internet; Operation of a telephone switchboard for others; Operation of businesses [for others]; Operation of commercial businesses [for others]; Operational business assistance to enterprises; Opinion polling; Ordering services [for others]; Ordering services for third parties; Organisation and conducting of product presentations; Organisation and holding of fairs for commercial or advertising purposes; Organisation and management of business incentive and loyalty schemes; Organisation and management of customer loyalty programs; Organisation for a third party of telephone welcoming services and of telephone receptionist services; Organisation of customer loyalty programs for commercial, promotional or advertising purposes; Organisation of events for commercial and advertising purposes; Organisation of exhibitions and events for commercial or advertising purposes; Organisation of exhibitions and trade fairs for business and promotional purposes; Organisation of exhibitions and trade fairs for commercial and advertising purposes; Organisation of exhibitions and trade fairs for commercial or advertising purposes; Organisation of exhibitions for business or commerce; Organisation of exhibitions for commercial and advertising purposes; Organisation of exhibitions for commercial or advertising purposes; Organisation of exhibitions of flowers and plants for commercial or advertising purposes; Organisation of exhibitions or trade fairs for commercial or advertising purposes; Organisation of fashion shows for commercial purposes; Organisation of internet auctions; Organisation of prize draws for advertising purposes; Organisation of promotions using audiovisual media; Organisation of promotions using audio-visual media; Organisation of trade fairs; Organisation of trade fairs and exhibitions for commercial or advertising purposes; Organisation of trade fairs for advertising purposes; Organisation of trade fairs for commercial or advertising purposes; Organisation, operation and supervision of an incentive scheme; Organisation, operation and supervision of customer loyalty schemes; Organisation, operation and supervision of loyalty and incentive schemes; Organisation, operation and supervision of loyalty schemes and incentive schemes; Organisation, operation and supervision of sales and promotional incentive schemes; Organisational consultancy regarding customer loyalty programmes; Organising and conducting job fairs; Organising exhibitions for commercial or advertising purposes; Organization of art exhibitions for commercial

or advertising purposes; Organization of events, exhibitions, fairs and shows for commercial, promotional and advertising purposes; Organization of exhibitions and trade fairs for commercial or advertising purposes; Organization of exhibitions for commercial or advertising purposes; Organization of fairs and exhibitions for commercial and advertising purposes; Organization of fairs for commercial and advertising purposes; Organization of fashion shows for promotional purposes; Organization of trade fairs; Organization of trade fairs for commercial or advertising purposes; Organization, operation and supervision of loyalty and incentive schemes; Pay per click advertising; Payroll advisory services; Payroll assistance; Payroll preparation; Payroll processing services [for others]; Permanent staff recruitment; Personal management consultancy services; Personality testing for recruitment purposes; Personality testing for the selection of personnel; Personnel agency services relating to the electronics industry; Personnel consultancy; Personnel management; Personnel management advice; Personnel management and employment consultancy; Personnel management assistance; Personnel management assistance services; Personnel management consultancy; Personnel management consultancy services; Personnel management consultation; Personnel management consulting; Personnel management for advertising purposes; Personnel management of marketing personnel; Personnel management of sales personnel; Personnel management services; Personnel placement; Personnel placement and recruitment; Personnel placement consultancy; Personnel placement services; Personnel recruitment; Personnel recruitment advertising; Personnel recruitment agency services; Personnel recruitment consultancy; Personnel recruitment services; Personnel recruitment services and employment agencies; Personnel relocation; Personnel resources management; Personnel selection [for others]; Personnel selection using psychological testing; Personnel services; Photocopying; Photocopying services; Placement of design staff; Placement of permanent personnel; Placement of staff; Placement of temporary personnel; Placing advertisements for others; Planning and conducting of trade fairs, exhibitions and presentations for commercial or advertising purposes; Planning and conducting of trade fairs, exhibitions and presentations for economic or advertising purposes; Planning concerning business management, namely, searching for partners for amalgamations and business take-overs as well as for

business establishments; Planning of marketing strategies; Planning services for advertising; Planning services for marketing studies; Political advertising services; Political opinion polling; Polling (Opinion -); Preparation and compilation of business and commercial reports and information; Preparation and completion of income tax returns; Preparation and presentation of audio visual displays for advertising purposes; Preparation and realization of media and advertising plans and concepts; Preparation of accounts; Preparation of advertisements; Preparation of advertising campaigns; Preparation of advertising material; Preparation of advertising matter; Preparation of annual returns for business undertakings; Preparation of audio and/or visual displays for businesses; Preparation of business balances; Preparation of business reports; Preparation of business statistical data; Preparation of business statistics; Preparation of business surveys; Preparation of commercial reports; Preparation of custom advertisements for others; Preparation of documents relating to business; Preparation of documents relating to taxation; Preparation of economic reports; Preparation of expert evaluations and reports relating to business matters; Preparation of income tax returns; Preparation of inventories; Preparation of invoices; Preparation of mailing lists; Preparation of mailing lists for direct mail advertising services [other than selling]; Preparation of market analysis reports; Preparation of market reports and studies; Preparation of marketing plans; Preparation of marketing surveys; Preparation of pay packets; Preparation of payrolls [for others]; Preparation of project studies relating to business matters; Preparation of public opinion surveys; Preparation of publicity columns; Preparation of publicity documents; Preparation of publicity leaflets; Preparation of publicity material; Preparation of publicity publications; Preparation of reports for marketing; Preparation of résumés for others; Preparation of statements of accounts; Preparation of statistics [business]; Preparation of tax declarations; Radio advertising; Radio advertising and commercials; Radio and television advertising; Real estate marketing; Real estate marketing analysis; Records management services, namely, document indexing for others; Recruiting of office support staff; Recruitment advertising; Recruitment and personnel management services; Recruitment and placement services; Recruitment [casting] of actors; Recruitment consultancy for lawyers; Recruitment consultancy for legal secretaries; Recruitment consultancy services; Recruitment consultants in the financial services field;

Recruitment of airline personnel; Recruitment of airport ground staff; Recruitment of computer staff; Recruitment of executive staff; Recruitment of flight personnel; Recruitment of high-level management personnel; Recruitment of personnel; Recruitment of political operatives; Recruitment of political volunteers; Recruitment of temporary personnel; Recruitment of temporary technical personnel; Recruitment (Personnel -); Recruitment services; Recruitment services for sales and marketing personnel; Referral marketing; Registration and transcription of written communications; Registration of written communications and data; Relocation services (Employee -); Relocation services for business; Relocation services for businesses; Rental of advertisement billboards; Rental of advertisement hoardings; Rental of advertisement space; Rental of advertisement space and advertising material; Rental of advertising material; Rental of advertising matter; Rental of advertising space; Rental of advertising space on the internet; Rental of advertising space on the Internet for employment advertising; Rental of advertising space on web sites; Rental of advertising space on-line; Rental of advertising space, time and materials; Rental of advertising time in cinemas; Rental of advertising time on communication media; Rental of all publicity and marketing presentation materials; Rental of billboards; Rental of billboards [advertising boards]; Rental of card-operated vending machines; Rental of coin-operated vending machines; Rental of copying apparatus; Rental of digital billboards; Rental of electronic point of sale (EPOS) equipment; Rental of office equipment; Rental of office equipment in co-working facilities; Rental of office machinery and equipment; Rental of office machines; Rental of office machines and equipment; Rental of photocopiers; Rental of photocopying machines; Rental of publicity equipment; Rental of publicity material; Rental of publicity matter; Rental of sales stands; Rental of signs for advertising purposes; Rental of typewriters; Rental of typewriters and copying machines; Rental of vending machines; Rental [Office machines and equipment -]; Rental (Publicity material -); Renting of advertising spaces; Reproduction (Document -); Reproduction of advertising material; Reproduction of drawings; Reproduction of files [paper]; Reproduction of records [paper]; Reproduction services (Document -); Reprographic services; Research and analysis in the field of market manipulation; Research (Business -); Research for business purposes; Research (Market -); Research of business information; Research services relating

to advertising; Research services relating to advertising and marketing; Research services relating to business; Response advertising; Restaurant management for others; Retail of third-party pre-paid cards for the purchase of clothing; Retail of third-party pre-paid cards for the purchase of entertainment services; Retail of third-party pre-paid cards for the purchase of multimedia content; Retail of third-party pre-paid cards for the purchase of telecommunication services; Retail or wholesale services for pharmaceutical, veterinary and sanitary preparations and medical supplies; Retail purposes (Presentation of goods on communication media, for -); Retail services connected with stationery; Retail services connected with the sale of clothing and clothing accessories; Sales account management; Sales administration; Sales demonstration [for others]; Sales management services; Sales promotion; Sales promotion for others; Sales promotion for others by means of privileged user cards; Sales promotion for others provided through the distribution and the administration of privileged user cards; Sales promotion for others through trading stamp schemes; Sales promotion for third parties; Sales promotion services; Sales promotion services for third parties; Sales promotion through customer loyalty programs; Sales promotion using audiovisual media; Sales promotions at point of purchase or sale, for others; Sales volume tracking for others; Sample distribution; Samples (Distribution of -); School fee accounting services; School fee cost accounting services; Scriptwriting for advertising purposes; Search engine marketing services; Search engine optimisation; Search engine optimisation for sales promotion; Search engine optimisation services; Search engine optimization; Search engine optimization for sales promotion; Secretarial and clerical services; Secretarial employment agency services; Secretarial employment services; Secretarial services; Secretarial services provided by hotels; Secretariat services; Selection of executive personnel; Selection of personnel; Selection of staff; Services comprising the composition of statistical data; Services comprising the recording of statistical data; Services comprising the transcription of statistical data; Services for provision of foreign trade information; Services of advertising agencies; Services rendered by a franchisor, namely, assistance in the running or management of industrial or commercial enterprises; Services with regard to product presentation to the public; Serving as a human resources department for others; Shareholder record keeping services; Shop retail services connected with carpets; Shop window display

arrangement services; Shop window dressing; Shop window dressings; Shorthand; Shorthand secretarial services; Shorthand services; Shorthand typing; Shows (Arranging trade -); Shows (Conducting business -); Shows (Conducting trade -); Sponsorship search; Sponsorship search consultancy services; Staff placement services; Staff recruitment; Staff recruitment consultancy services; Staff recruitment services; Staff utilisation planning; Statements of account (Drawing up of -); Statements of accounts (Drawing up of -); Statistical analysis and reporting; Statistical analysis and reporting services for business purposes; Statistical evaluations of marketing data; Statistical information (Provision of business -); Statistical studies (Business -); Statistics (Compilation of -); Statistics (Preparation of business -); Stenographic transcription; Stenography; Stenotyping; Stock control services; Stock management services; Stocktaking; Strategic business analysis; Strategic business consultancy; Strategic business planning; Street dissemination of advertising materials; Subscription to a television channel; Subscription to an information media package; Subscriptions (arranging -) to a telematics, telephone or computer service [internet]; Subscriptions (Arranging -) to telecommunication services for others; Subscriptions (Arranging newspaper -) for others; Subscriptions (arranging of) to books, reviews, newspapers or comic books; Subscriptions for newspapers (Arranging of for others -); Subscriptions to electronic journals; Subscriptions to telecommunications database services; Supervision of businesses on behalf of others; Supply chain management services; Support for employees with regard to business matters; Surveys (Business -); Surveys for business purposes; Surveys (Market -); Systematization of data in computer databases; Systemisation of information into computer databases; Systemization of information into computer databases; Talent agency services [business management of performing artists]; Targeted marketing; Tariff information and advisory services; Tax advice [accountancy]; Tax assessment [accounts] preparation; Tax assessment preparation; Tax consultancy [accountancy]; Tax consultations [accountancy]; Tax declaration procedure services; Tax filing services; Tax planning [accountancy]; Tax preparation; Tax preparation and consulting services; Tax return advisory [accountancy] services; Tax return preparation; Tax returns (Preparation of -); Taxation [accountancy] advice; Taxation [accountancy] consultancy; Taxation [accountancy] consultation; Taxi top advertising; Telecommunication services

(Arranging subscriptions to -) for others; Telemarketing; Telemarketing services; Telephone and television auctions; Telephone answering and message handling services; Telephone answering [for others]; Telephone answering for unavailable subscribers; Telephone answering service; Telephone billing; Telephone marketing services [not selling]; Telephone order-taking services for others; Telephone switchboard services; Telephone welcoming services for third parties; Television advertising; Temporary assignment of employees; Temporary assignment of personnel; Temporary employment agencies; Temporary personnel employment services; Temporary personnel placement services; Temporary personnel services; Temporary placement of employees (Services for the -); Testing (Psychological -) for the selection of personnel; Testing to determine employment skills; Testing to determine job competency; Testing to determine professional competency; Texts (Publication of publicity -); Texts (Writing of publicity -); The bringing together, for the benefit of others, of a variety of insurance services, enabling consumers to conveniently compare and purchase those services; The bringing together, for the benefit of others, of a variety of telecommunications services, enabling consumers to conveniently compare and purchase those services; Theatrical casting agency; Tracking and monitoring energy consumption for others for account auditing purposes; Tracking and monitoring fluctuation in gasoline prices for others for account auditing purposes; Trade fair (Organization of -) for commercial or advertising purposes; Trade fairs (Organization of -) for commercial or advertising purposes; Trade information; Trade information (Provision of -); Trade marketing [other than selling]; Trade promotional services; Trade show and commercial exhibition services; Trade show and exhibition services; Trade show management services; Trade shows (Arranging of -); Trade shows (Conducting of -); Transcription; Transcription of communications; Transcription of communications [office functions]; Transcription of data; Transcription of messages; Transcription of recorded communications; Transcription services; Transportation fleet (business management of -) [for others]; Typewriters (Rental of -); Typewriting; Typewriting agency services; Typing; Typing agency services; Typing services; Unmanned retail store services relating to drink; Unmanned retail store services relating to food; Updating advertising material; Updating and maintenance of data in computer databases; Updating and maintenance of information in registries; Updating of

advertising information on a computer data base; Updating of advertising material; Updating of business information on a computer data base; Utility meter reading for billing purposes; Vehicle fleet (business management of a -) [for others]; Vehicular registration and title transfer; Vending machine rental services; Vending machines (Rental of -); Veterinary practice business management; Video recordings for advertising purposes (Production of -); Video recordings for marketing purposes (Production of -); Video recordings for publicity purposes (Production of -); Wage payroll preparation; Wage-packets (Preparation of -); Water meter reading for billing purposes; Web indexing for commercial or advertising purposes; Web site traffic optimisation; Web site traffic optimization; Website traffic optimisation; Website traffic optimization; Wholesale ordering services; Wholesale services for pharmaceutical, veterinary and sanitary preparations and medical supplies; Wholesale services in relation to agricultural equipment; Wholesale services in relation to alcoholic beverages (except beer); Wholesale services in relation to animal grooming preparations; Wholesale services in relation to art materials; Wholesale services in relation to articles for use with tobacco; Wholesale services in relation to audio-visual equipment; Wholesale services in relation to bags; Wholesale services in relation to baked goods; Wholesale services in relation to beauty implements for animals; Wholesale services in relation to beauty implements for humans; Wholesale services in relation to bedding for animals; Wholesale services in relation to beer; Wholesale services in relation to chemicals for use in agriculture; Wholesale services in relation to chemicals for use in forestry; Wholesale services in relation to chemicals for use in horticulture; Wholesale services in relation to chocolate; Wholesale services in relation to cleaning articles; Wholesale services in relation to cleaning preparations; Wholesale services in relation to clothing; Wholesale services in relation to cocoa; Wholesale services in relation to coffee; Wholesale services in relation to computer hardware; Wholesale services in relation to computer software; Wholesale services in relation to confectionery; Wholesale services in relation to construction equipment; Wholesale services in relation to cookware; Wholesale services in relation to cooling equipment; Wholesale services in relation to cups and glasses; Wholesale services in relation to cutlery; Wholesale services in relation to dairy products; Wholesale services in relation to desserts; Wholesale services in relation to dietary



supplements; Wholesale services in relation to dietetic preparations; Wholesale services in relation to domestic electrical equipment; Wholesale services in relation to domestic electronic equipment; Wholesale services in relation to earthmoving equipment; Wholesale services in relation to educational supplies; Wholesale services in relation to fabrics; Wholesale services in relation to festive decorations; Wholesale services in relation to floor coverings; Wholesale services in relation to fodder for animals; Wholesale services in relation to food cooking equipment; Wholesale services in relation to food preparation implements; Wholesale services in relation to foodstuffs; Wholesale services in relation to footwear; Wholesale services in relation to fragrancing preparations; Wholesale services in relation to freezing equipment; Wholesale services in relation to frozen yogurts; Wholesale services in relation to fuels; Wholesale services in relation to furnishings; Wholesale services in relation to furniture; Wholesale services in relation to games; Wholesale services in relation to hand-operated implements for construction; Wholesale services in relation to hand-operated tools for construction; Wholesale services in relation to headgear; Wholesale services in relation to heaters; Wholesale services in relation to heating equipment; Wholesale services in relation to horticulture equipment; Wholesale services in relation to horticulture products; Wholesale services in relation to hygienic implements for animals; Wholesale services in relation to hygienic implements for humans; Wholesale services in relation to ice creams; Wholesale services in relation to information technology equipment; Wholesale services in relation to jewellery; Wholesale services in relation to kitchen appliances; Wholesale services in relation to kitchen knives; Wholesale services in relation to lighting; Wholesale services in relation to litter for animals; Wholesale services in relation to lubricants; Wholesale services in relation to luggage; Wholesale services in relation to meats; Wholesale services in relation to medical apparatus; Wholesale services in relation to medical instruments; Wholesale services in relation to metal hardware; Wholesale services in relation to navigation devices; Wholesale services in relation to non-alcoholic beverages; Wholesale services in relation to pharmaceutical preparations; Wholesale services in relation to preparations for making alcoholic beverages; Wholesale services in relation to preparations for making beverages; Wholesale services in relation to printed matter; Wholesale services in relation to refrigerating equipment; Wholesale services in

relation to saddlery; Wholesale services in relation to sanitary installations; Wholesale services in relation to sanitation equipment; Wholesale services in relation to seafood; Wholesale services in relation to sewing articles; Wholesale services in relation to sorbets; Wholesale services in relation to sporting articles; Wholesale services in relation to sporting equipment; Wholesale services in relation to stationery supplies; Xerography.