

O/0288/23

TRADE MARKS ACT 1994

**IN THE MATTER OF
TRADE MARK APPLICATION NO. UK3456807
IN THE NAME OF Leigh Melanie Onslow, The Countess of Onslow (also
known as Viscountess Cranley ne Jones-Fenleigh) and Others**

TO REGISTER AS A SERIES OF 2 TRADE MARKS

Invicta Education



IN CLASSES 9, 16, 28 & 41

AND

**IN THE MATTER OF OPPOSITION THERETO
UNDER NUMBER 420853
BY INVICTA S.p.A.**

BACKGROUND AND PLEADINGS

1. On 09 January 2020, Leigh Melanie Onslow, The Countess of Onslow (also known as Viscountess Cranley ne Jones-Fenleigh); Shelley Louise Jones-Fenleigh; Aven Jones-Fenleigh; and Invicta Plastics Executive Benefit Scheme; (referred to collectively as “the applicant”), applied to register number UK3456807 as a series of two trade marks, for the marks shown on the cover page of this decision in the United Kingdom.

2. The application was accepted and was published for opposition purposes on 10 April 2020, in respect of goods and services in classes 9, 16, 28 and 41, as listed in Annex A of this decision.

3. The application is opposed by Invicta S.p.A. (“the opponent”). The opposition was filed on 29 July 2020 and is based upon Section 5(2)(b) of the Trade Marks Act 1994 (“the Act”). The opposition is directed against all of the goods and services in the application. The opponent relies upon the following word mark:

INVICTA

International Registration No. WE1201001¹

International Registration date: 13 December 2013

Date Protection Granted in the EU: 15 August 2018

Protected for goods and services in the EU in Classes 9, 16, 25 and 35.

Relying on goods and services in all classes, as listed in the table under paragraph 19 of this decision.

4. The opponent submits that the word “EDUCATION” in the applicant’s marks is entirely descriptive in relation to the goods and services it covers. It submits that the dominant and distinctive feature of the marks is the word “INVICTA”, which is identical to the opponent’s earlier registered mark. It further submits that the applicant’s goods

¹ Although the UK has left the EU and the transition period has now expired, EUTMs and International Marks which have designated the EU for protection are still relevant in these proceedings given the impact of the transitional provisions of The Trade Marks (Amendment etc.) (EU Exit) Regulations 2019 – please see Tribunal Practice Notice (“TPN”) 2/2020 for further information.

in classes 9 and 16 are all identical or similar to the opponent's goods in classes 9 and 16, while the applicant's goods in class 28 are similar to its own goods in either class 9 or class 25, or similar to the opponent's services in Class 35. Insofar as they relate to the field of education, it submits that the applicant's services in class 41 are similar to the class 16 goods of the earlier application, while the class 41 services which relate to entertainment and recreation are similar to the opponent's services in class 35. On account of what it describes as the very high degree of similarity between the marks, and the identity/similarity between the goods and services, the opponent submits that there exists a likelihood of confusion on the part of the public, and accordingly it seeks refusal of the application in its entirety and an award of costs in its own favour.

5. The applicant filed a counterstatement denying the claims. While it admits that there are similarities between the marks, the applicant submits that the mark must be considered as a whole and not broken down in to its constituent parts. It states that "the opponent's broad brush allegation that all of the goods and services of the application are identical or similar to those covered by the earlier registered mark is strongly denied", and it further submits that the majority of the goods claimed in class 9 are neither identical nor similar to the opponent's goods. The applicant denies that there is a likelihood of confusion on the part of the public, and it requests that the opposition be refused and that an award of costs is issued in favour of the applicant.

6. Only the opponent filed written submissions which will not be summarised. Neither party elected to file evidence and neither party requested a hearing, therefore this decision is taken following careful consideration of the papers.

7. In these proceedings, the opponent is represented by Bromhead Johnson and the applicant is represented by Mathys & Squire LLP.

Preliminary Issues

8. I note that the opposition was filed prior to IP Completion Day, with the opponent relying on the EU designation of the International Registration shown earlier in this decision.

9. Under Article 54 of the Withdrawal Agreement between the UK and the EU, the UK IPO created comparable UK trade marks for all right holders with an existing registered EUTM or International Trade Mark designating the EU. As a result, the opponent's mark, which is based on the EU designation of the International Registration ("IR") 1201001, was converted into a comparable UK trade mark. Comparable UK marks are now recorded in the UK trade mark register, have the same legal status as if they had been applied for and registered under UK law, and the original filing dates remain the same.²

10. Following the cooling off period, the opponent filed its (amended) written submissions on 8 August 2022, where it refers to the comparable mark, rather than the IR. However, TPN 2/2020 states that where tribunal proceedings were launched before IP Completion Day, "EUTMs and IR(EU)s will continue to constitute earlier trade marks for the purpose of these proceedings."³

11. While I note that the registration date of the comparable mark was 23 April 2018, while the date that protection of the IR was granted in the EU was 15 August 2018, the material particulars of the comparable mark are otherwise identical to those of the IR(EU). Accordingly, the opponent's submissions which refer to the comparable mark may be taken as being in reference to the IR(EU) on which this opposition is based.

DECISION

12. Although the UK has left the European Union, 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 Act relied on in these proceedings are derived from an EU Directive. Therefore, this decision contains references to the trade mark case-law of the European courts.

² See Tribunal Practice Notice ("TPN") 2/2020 End of Transition Period – impact on tribunal proceedings.

³ Ibid. See 3. - Practice for: All tribunal proceedings launched before IP Completion Day.

Section 5(2)(b)

13. The opposition is based upon Section 5(2)(b) of the Act, which read as follows:

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

...

(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”.

14. Section 5A states:

“Where grounds for refusal of an application for registration of a trade mark exist in respect of only some of the goods or services in respect of which the trade mark is applied for, the application is to be refused in relation to those goods and services only.”

15. An earlier trade mark is defined in section 6 of the Act, which at the time of filing the opposition, the relevant parts stated that:

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

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

...”

16. The trade mark upon which the opponent relies qualifies as an earlier trade mark under the above provisions. As the trade mark had not been protected for more than five years at the date the application was filed, it is not subject to the use provisions contained in section 6A of the Act⁴. The opponent is, therefore, entitled to rely upon it in relation to all of the goods and services indicated without having to prove that genuine use has been made of them.

17. I am guided by the following principles which are gleaned from the decisions of the EU courts in *Sabel BV v Puma AG*, Case C-251/95, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*, Case C-39/97, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* Case C-342/97, *Marca Mode CV v Adidas AG & Adidas Benelux BV*, Case C-425/98, *Matratzen Concord GmbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs) ("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

⁴ See paragraph 11 of this decision regarding the date protection was granted.

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 greater 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 to mind the earlier mark, is not sufficient;

(j) the reputation of a mark does not give grounds for presuming a likelihood of confusion simply because of a likelihood of association in the strict sense;

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

Comparison of goods and services

18. Section 60A of the Act provides:

“(1) For the purposes of this Act goods and services —

(a) are not to be regarded as being similar to each other on the ground that they appear in the same class under the Nice Classification;

(b) are not to be regarded as being dissimilar from each other on the ground that they appear in different classes under the Nice Classification.

(2) In subsection (1), the “Nice Classification” means the system of classification under the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of 15 June 1957, which was last amended on 28 September 1979.”

19. Due to the length of the applicant’s specifications, particularly in Classes 9 and 16, all the contested goods and services are listed accordingly at Annex A of this decision, while the opponent’s earlier goods and services are listed in the table below:

Opponent’s goods and services
<p><u>Class 9</u></p> <p><i>Optical apparatus and instruments, eyeglasses, sunglasses, spectacles, spectacles frames, goggles for sports; protection devices for personal use against accidents, irradiation and fire; cases for electronic diaries, for photographic apparatus, for glasses, for compact discs, DVD and video cassettes, for laptops, for telephones and mobile telephones, for smartphones; covers for mobile telephones, for smartphones, for tablet computers and for electronic and/or computer products; calculating machines; pocket calculators; cases for calculators; USB flash drivers.</i></p>
<p><u>Class 16</u></p> <p><i>Printed matter, including stationery articles, decalcomanias (transfers), bookmarkers, tickets, tag labels, cards, business cards, greetings cards, invitations, stickers, gift voucher, writing or drawing books, diaries, block note pads; posters, calendars, photographs; printed publications, books, periodicals, manuals and handbooks, magazines, newspapers, newsletters, catalogues, brochures and pamphlets; articles for the correspondence, including writing papers and envelopes; sets of stationery material,</i></p>

articles and instruments for writing and drawing, namely pens, ball-point pens, fountain pens, felt-tip markers, permanent markers, highlighters, markers for underlining, rollerball pens, fine tip pens; pencils, chalk, crayons, cases for pens and for drawing, daily and weekly planners, ring covers, folders for drawing, loose-leaf binders, gift wrapping paper, shopping bags of paper, plastic materials for packaging.

Class 25

Articles of clothing, footwear, headgear; active wear, sportswear, namely trousers, sport suits, shorts; swimwear, bathing suits, bikinis, slips, swimsuit shorts, swimming caps; pareos, bras, ponchos; underwear, namely bodies, boxers, T-shirts, tank tops, bras, culottes, leotards, shorts, slips, thongs; leather wear and lounge bathrobes, nightdresses, pajamas; apparel of any design and nature made from fabrics of any nature, namely, pants, trousers, work clothing and work overalls, jeans, shorts, jackets, coats, waistcoats, overcoats, raincoats, hosiery, knitwear, sweaters, cardigans, fleece tops and bottoms, jumpers, twin sets, woven shirts; dresses, training and track suits, bodies, shirts, plush shirts, polo shirts, nightshirts for men, T-shirts, undershirts, cut and sew tops, dresses, skirts, trousers-skirts, gowns; socks; dressing gowns; bands; balaclavas, scarves, silk scarves, neck and face masks (bands); gloves and mittens, ski gloves; headwear, namely hats, caps, bandanas, basques, visors, wrist bands; belts and ties; footwear, shoes, dress shoes, sneakers, boots, chaps, sandals, slippers, sport and athletic shoes, studded shoes, mountaineering shoes; ski boots and trekking boots, gaiters, heeled shoes, bands for protecting face and ear from cold.

Class 35

Retailing, wholesaling and online sales relating to optical apparatus and instruments, eyeglasses, sunglasses, spectacles, spectacles frames, goggles for sports, protection devices for personal use against accidents, irradiation and fire, cases for electronic diaries, for photographic apparatus, for glasses, for compact discs, DVD and video cassettes, for laptops, for telephones and mobile telephones, for smartphones, covers for mobile telephones, for smartphones, for tablet computers and for electronic and/or computer products, calculating machines, pocket calculators, cases for calculators, USB flash drivers, printed matter, including stationery articles, decalcomanias (transfers), bookmarkers, tickets, tag labels, cards, business cards, greetings cards, invitations, stickers, gift voucher, writing or drawing books, diaries, block note pads, posters, calendars, photographs, printed publications, books, periodicals, manuals and handbooks, magazines, newspapers, newsletters, catalogues, brochures and pamphlets,

articles for the correspondence, including writing papers and envelopes, sets of stationery material, articles and instruments for writing and drawing, namely pens, ball-point pens, fountain pens, felt-tip markers, permanent markers, highlighters, markers for underlining, rollerball pens, fine tip pens, pencils, chalk, crayons cases for pens and for drawing, daily and weekly planners, ring covers, folders for drawing, loose-leaf binders, gift wrapping paper, shopping bags of paper, plastic materials for packaging, rucksacks, backpacks, school bags, shoulder bags for carrying infants, bags, shopping bags, travelling bags and duffel bags for travel, bags and holdalls for sports, handbags, bags for campers, beach bags, backpacks for hiking and climbing, satchels, briefcases, pocket wallets, purses, key cases, hip bags, suitcases, umbrellas, trunks, walking sticks, overnight suitcases, vanity cases, sample bags, garment bags for clothing, wheeled bags, wheeled backpacks and wheeled suitcases, articles of clothing, footwear, headgear, active wear, sportswear, namely trousers, sport suits, shorts, swimwear, bathing suits, bikinis, slips, swimsuit shorts, swimming caps, pareos, bras, ponchos, underwear, namely bodies, boxers, T-shirts, tank tops, bras, culottes, leotards, shorts, slips, thongs, leather wear and lounge wear, bathrobes, nightdresses, pajamas, apparel of any design and nature made from fabrics of any nature, namely, pants, trousers, work clothing and work overalls, jeans, shorts, jackets, coats, waistcoats, overcoats, raincoats, hosiery, knitwear, sweaters, cardigans, fleece tops and bottoms jumpers, twin sets, woven shirts, dresses, training and track suits, bodies, shirts, plush shirts, polo shirts, nightshirts for men, T-shirts, undershirts, cut and sew tops, dresses, skirts, trousers-skirts, gowns, socks, dressing gowns, bands, balaclavas, scarves, silk scarves, neck and face masks (bands), gloves and mittens, ski gloves, headwear, namely hats, caps, bandanas, basques, visors, wrist bands, belts and ties, footwear, shoes, dress shoes, sneakers, boots, chaps, sandals, slippers, sport and athletic shoes, studded shoes, mountaineering shoes, ski boots and trekking boots, gaiters, heeled shoes, bands for protecting face and ear from cold, skis, protective padding for the practice of sports, namely shin guards, knee pads, elbow pads, gloves for sports, namely for football, soccer, hockey, rugby, golf, bicycle and motorcycle, bob-sleighs, sleighs (sports articles), roller skates, games, toys, skateboards (recreational equipment), ski and surf boards, parachutes for paragliding, paragliders, hang gliders.

20. In *Gérard Meric v OHIM*, Case T-133/05, the General Court (“GC”) stated that:

“In addition, the goods can be considered as identical when the goods designated by the earlier mark are included in a more general category,

designated by trade mark application (Case T-388/00 *Institut für Lernsysteme v OHIM - Educational Services (ELS)* [2002] ECR II-4301, paragraph 53) or where the goods designated by the trade mark application are included in a more general category designated by the earlier mark”.⁵

21. In *Canon*, Case C-39/97, the Court of Justice of the European Union (“CJEU”) stated that:

“In assessing the similarity of the goods or services concerned, ... all the relevant factors relating to those goods or services themselves should be taken into account. Those factors include, inter alia, their nature, their intended purpose and their method of use and whether they are in competition with each other or are complementary”.⁶

22. Additionally, the factors for assessing similarity between goods and services identified in *British Sugar Plc v James Robertson & Sons Limited (“Treat”)* [1996] R.P.C. 281 include an assessment of the channels of trade of the respective goods or services.

23. In *Kurt Hesse v OHIM*, Case C-50/15 P, the CJEU stated that complementarity is an autonomous criterion capable of being the sole basis for the existence of similarity between goods. In *Boston Scientific Ltd v OHIM*, Case T-325/06, the GC stated that “complementary” means:

“...there is a close connection between them, in the sense that one is indispensable or important for the use of the other in such a way that customers may think that the responsibility for those goods lies with the same undertaking”.⁷

24. For the purposes of considering the issue of similarity of goods, it is permissible to consider groups of terms collectively where appropriate. In *Separode Trade Mark*,

⁵ Paragraph 29

⁶ Paragraph 23

⁷ Paragraph 82

BL O-399-10, Mr Geoffrey Hobbs QC (as he then was), sitting as the Appointed Person, said:

“The determination must be made with reference to each of the different species of goods listed in the opposed application for registration; if and to the extent that the list includes goods which are sufficiently comparable to be assessable for registration in essentially the same way for essentially the same reasons, the decision taker may address them collectively in his or her decision.”⁸

25. While making my comparison, I bear in mind the comments of Floyd J. (as he then was) in *YouView TV Ltd v Total Ltd* [2012] EWHC 3158 (Ch):

“... Trade mark registrations should not be allowed such a liberal interpretation that their limits become fuzzy and imprecise. ... Nevertheless the principle should not be taken too far. ... Where words or phrases in their ordinary and natural meaning are apt to cover the category of goods in question, there is equally no justification for straining the language unnaturally so as to produce a narrow meaning which does not cover the goods in question.”⁹

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

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

27. In its written submissions, the opponent submits that the applicant “seems to seek registration ... for an extensive list of goods in class 9 and class 16 for which the bona fide intention of use of every single good may be questionable.”¹⁰ I agree that the

⁸ Paragraph 5

⁹ Paragraph 12

¹⁰ See paragraph 33 of the written submissions dated 8 August 2022.

applicant's specifications in Class 9 and Class 16 are particularly lengthy, however, these were deemed acceptable at the examination stage of the application, and the application was published accordingly. The opponent has provided a comparison table of the goods and services which it considers to be identical. It has also provided a second table comparing the goods and services which it submits are similar and overlapping, although it does not say to what degree it considers them similar.

28. In *RALEIGH INTERNATIONAL Trade Mark* [2001] RPC 11, Mr Geoffrey Hobbs QC (as he then was), sitting as the Appointed Person, observed that when goods or services are not identical or self-evidently similar, the opposition should be supported by evidence as to their similarity.¹¹

29. I do not intend to fully reproduce the opponent's submissions here, however, I have taken them into consideration in making my own comparisons. I also note the opponent's submission that certain goods and services within the applicant's specifications are repeated with a different spelling, or in a slightly different way but with the same meaning. For the avoidance of doubt, where an identical term has been included more than once within the specifications, I will refer to the relevant term only once in my comparison.

30. I am mindful of the fact that the appearance of respective goods and services in the same class is not sufficient in itself to find similarity between those goods and services, and that likewise, neither are goods and services to be automatically found to be dissimilar simply because they fall in a different class.

31. In view of the breadth of the applicant's specifications, I have taken a pragmatic approach to the comparison of goods and services, and, as per *Separode*, I have grouped the goods collectively in as few groups as I consider logical. Further, where the terms listed are particularly wide or vague, I have endeavoured to follow the principles outlined in both *YouView* and *Avnet* by comparing what I consider to be the core meaning of the goods and services, without affording them neither a too liberal, nor a superficially narrow, interpretation.

¹¹ Paragraph 20

Class 9

Action cameras; Angle viewfinder; Aperture gauges; Apparatus and instruments for processing images; Apparatus for amplifying images; Apparatus providing night vision; Astrophotography (Lenses for -); Binoculars; Camera goggles; Cinematographic apparatus; Cinematographic apparatus and instruments; Cinematographic cameras; Circle lens; Circle lenses; Close-up lenses; Condensers (Optical -); Correcting lenses [optics]; Cyclists' glasses; Devices providing night vision; Digital still cameras; Digital video cameras; Digital optical transmission apparatus; Disposable cameras; Dust goggles; Dust protective goggles; Dustproof glasses; Electro-optical sensors; Exposure meters; Exposure meters [light meters]; Eyeglasses for sports; Fibre optic periscopes; Fisheye lenses for cameras; Glasses for sports; Goggles; Goggles for sports; Goggles for use in sports; Infrared cameras; Interchangeable lenses; Laboratory optical apparatus; Lanterns (Optical -); Lens; Lens blanks; Lenses for astrophotography; Lenses for microscopes; Lenses for telescopes; Lenses (Optical -); Light meters; Magnifiers; Magnifying eyeglasses; Magnifying glasses; Magnifying glasses [optics]; Magnifying lenses; Mini projectors; Mirrorless cameras; Mirrors [optics]; Monoculars; Motion-activated cameras; Night vision goggles; Objectives [lenses] [optics].

32. I consider that the applicant's afore-listed goods are either self-evidently identical to the opponent's "*Optical apparatus and instruments, eyeglasses, sunglasses, spectacles, spectacles frames, goggles for sports*", or they would encompass/be encompassed by the earlier goods, rendering them identical as per the guidelines outlined by *Meric*.

Alarms and warning equipment; Alarms for the detection of inflammable gases; Anti theft warning devices; Anti-pollution masks for respiratory protection; Audible alarms [other than for vehicles]; Bells [warning devices]; Breathing apparatus, except for artificial respiration; Breathing masks; Combination carbon monoxide and smoke detectors; Dust masks; Dust protective masks; Elbow protectors (protective -) for use against accidents [other than sports articles]; Electric alarm bells; Electronic warning bells; Eye protection; Eye protection wear for sports; Eye protectors; Eyeglass

shields; Face guards for protection against accident or injury; Face shields, other than for medical purposes; Head guards for sports; Head protection; Inflatable apparatus for life-saving purposes; Inflatable jackets for use in life saving; Inflatable vests for use in life saving.

33. I consider the above goods to be covered by the opponent's wider term "*protection devices for personal use against accidents, irradiation and fire*", and as such they are identical as per the principles outlined in *Meric*.

Binders for CDs; Binocular covers; Boxes adapted for storing computer software disks; Camcorder waterproof cases; Carrying cases for mobile phones; Cases adapted for binoculars; Cases especially made for photographic apparatus and instruments; Cases for data storage devices; Cases for diskettes; Cases for pocket calculators; Cases for satellite navigation devices; Cases for smartphones; CD cases; CD storage wallets; Compact disc cases; Containers for films; Containers for microscope slides; Covers for computer keyboards; Covers for smartphones; Covers for tablet computers; Disc storage containers; Dust covers for computers; DVD cases; Electronic book reader covers; Jackets for computer disks; Lens cases.

34. In my view, the above binders, boxes, containers and covers serve the same purpose as, and are interchangeable with, the opponent's "*cases for electronic diaries, for photographic apparatus, for glasses, for compact discs, DVD and video cassettes, for laptops, for telephones and mobile telephones, for smartphones; covers for mobile telephones, for smartphones, for tablet computers and for electronic and/or computer products; cases for calculators*". Where the goods are not self-evidently identical, I consider them to be covered by the earlier goods and thus are *Meric* identical. If I am found to be wrong in interpreting the goods as being identical, then I consider them to be highly similar.

Calculating apparatus; Calculating devices; Calculating disks; Calculating machines; Calculating scales; Calculators; Electronic calculators; Electronic desk calculators; Electronic pocket calculators; Hand-held calculators; Handheld graphing calculators.

35. The aforementioned goods are self-evidently identical to the opponent's "calculating machines; pocket calculators", or they either encompass or are encompassed by the earlier goods and thus are *Merit* identical.

Blank USB flash drives.

36. These goods are self-evidently identical to the opponent's "USB flash drivers",

Apparatus for data storage; Blank flash memory cards; Blank tapes for storage of computer data; Data cards; Data storage apparatus; Data storage devices; Data storage devices and media; Data storage discs; Data storage media; Data storage programs; Electrical and electronic apparatus for processing data; Electrical and electronic apparatus for storing data; Electrical and electronic instruments for processing data; Electrical and electronic instruments for storing data; Electrical and electronic instruments for the reception of data; Electrical and electronic instruments for the transmission of data; Flash card readers; Flash memory; Flash memory card; Flash memory card readers; Flash memory cards; Memory apparatus; Memory cards; Memory devices; Memory sticks.

37. USB drives are commonly used for storage, data backup and transferring of files between devices. I consider there to be an overlap in users, purpose, nature and channels of trade between the applicant's above listed goods and the opponent's "USB flash drivers", to a degree that it would not be unreasonable for the average consumer to expect them to be provided by the same, or economically connected undertakings. Overall, I find the applicant's goods to be similar to "USB flash drivers" to a high degree.

Abacuses; Adding machines.

38. Although the opponent's "calculating machines; pocket calculators" are likely to be more sophisticated than the applicant's "Abacuses; Adding machines", the competing goods are used for the shared purpose of counting/calculating and are therefore similar to at least a medium degree.

Armbands [luminous] for protection against accident or injury; Bicycle helmets; Biohazard suits; Boots for protection against accidents; Boots [protective footwear]; Bullet-proof clothing; Chest protectors for the prevention of accident or injury [other than specifically adapted for sport]; Clothes for protection against injury; Clothing especially made for laboratories; Clothing for protection against accidents; Clothing for protection against biological hazards; Clothing for protection against chemicals; Crash helmets; Crash helmets for cyclists; Football helmets; Footwear for protection against accidents; Footwear for protection against chemical spills; Gloves for protection against accidents; Gloves for protection against injury; Headgear being protective helmets; Headgear for protection against accident; Headgear for protection against injury; Helmets (Protective -) for sports; Hi vis safety clothing; High-visibility safety clothing; Hockey helmets; Insulated clothing for protection against accident or injury; Knee-pads for workers; Laboratories (Clothing especially made for -).

39. While the above goods would be classified as (protective) clothing, footwear or headgear, rather than *devices*, and are therefore different in nature, they share the same core purpose of protection against injury as the opponent's "*protection devices for personal use against accidents, irradiation and fire*". The methods of use will differ, but there is an overlap in users and channels of trade. Overall, I consider them to be similar to a medium degree.

Downloadable educational course materials; Audio books; Books recorded on disc; Books recorded on tape; Digital books downloadable from the Internet; Digital notepads; Downloadable digital photos; Downloadable e-books; Downloadable educational media; Downloadable electronic books; Downloadable electronic brochures; Downloadable electronic maps; Downloadable electronic newsletters; Downloadable electronic publications; Downloadable electronic reports; Downloadable information relating to games and gaming; Downloadable instruction manuals in electronic form; Downloadable publications; Downloadable publications in electronic form; Downloadable templates for designing audiovisual presentations; E-books; Electronic publications; Electronic publications (downloadable); Electronic publications, downloadable; Electronic publications, downloadable, relating to games and gaming; Electronic publications recorded on computer media; Instruction manuals in electronic format.

40. I consider that there will be an overlap in users of the applicant's above listed goods and the opponent's "*Printed matter, including ... ; ... photographs; printed publications ...*" in Class 16, and although they differ in physical nature and method of use, the overall purpose of the goods will be the same. There will also be an element of competition between the goods, with the consumer making an informed choice between the format of the goods it wishes to purchase. Overall, I consider the applicant's aforementioned goods in Class 9 to be similar to the opponent's goods in Class 16 to a medium degree.

Apparatus and instruments for processing sound; Apparatus and instruments for recording of data; Apparatus and instruments for recording of images; Apparatus and instruments for recording sound; Apparatus and instruments for reproducing of data; Apparatus and instruments for reproducing of images; Apparatus and instruments for reproducing of sound; Apparatus and instruments for transmitting data; Apparatus and instruments for transmitting images; Apparatus and instruments for transmitting sound; Apparatus for broadcasting sound, data or images; Apparatus for recording images; Apparatus for recording information; Apparatus for recording of images; Apparatus for recording of sound; Audio compact discs; Audio digital discs; Audio digital tapes; Audio/visual and photographic devices; Audio visual recordings; Blank audio cassette tapes; Blank CD-ROMs for sound or video recording; Blank CDs; Blank compact discs; Blank computer discs; Blank digital audio tapes; Blank digital recording media; Blank digital storage media; Blank diskettes; Blank DVDs; Blank floppy computer discs; Blank hard disks for computers; Blank magnetic disks; Blank optical discs; Blank recordable DVDs; Camera mounts; Camera tripods; CD players; CD rom drives; CD ROMs; CD-rom writers; Cell phones having large keys and numbers that assist users having impaired vision or dexterity; Compact disc players; Compact disc players for use with computers; Compact disc recorders; Compact disc writers; Compact discs; Compact discs [audio-video]; Compact discs [read-only memory]; Computer apparatus; Computer apparatus for remote meter reading; Computer discs; Computer display monitors; Computer game cartridges; Computer game cassettes; Computer game discs; Computer games; Digital book readers; Digital tablets; Digital video discs; Digital video recorders; Digital voice recorders; DVD discs; Ear buds; Earbuds; Earpieces for remote communication; Ebook readers;

Electronic book readers; Electronic dictionaries; Electronic pocket translators; Flash gun apparatus; Handheld communication devices; Hand-held electronic dictionaries; Hand-held electronic scales; Headphones; Headsets; Headsets for virtual reality games; Interactive DVDs; Memo books [electronic]; Mobile telecommunications handsets.

41. The applicant's goods may all be used in conjunction with the opponent's "cases for electronic diaries, for photographic apparatus, for glasses, for compact discs, DVD and video cassettes, for laptops, for telephones and mobile telephones, for smartphones; covers for mobile telephones, for smartphones, for tablet computers and for electronic and/or computer products; cases for calculators". However, the purpose, physical nature and method of use of the respective goods are different, although there will be an overlap in users and trade channels. I accept that some manufacturers will offer both the applicant's goods and compatible cases, although there will be other providers who offer the cases as stand-alone goods. I do not consider the goods to be indispensable to each other and as such they are not complementary in a trade mark sense, as outlined in *Boston Scientific*. Overall, I consider them to be similar to a low degree.

42. As per *RALEIGH*, in the absence of evidence to the contrary, I find nothing to suggest that the average consumer would make the link between any of the following listed goods and any of the opponent's earlier goods and services. I therefore find them to be dissimilar:

Accumulator jars; Accumulators; Accumulators for photovoltaic power; Acid hydrometers; Acidity analysers; Acidity meters; Acoustic meters; Acoustic sound alarms; Actinometers; Active infra-red sensors; Adjustable desktop mounts for tablet computers; Aerial amplifiers; Aerometers; Aiming sights [telescopic]; Aiming telescopes; Air current measuring apparatus; Air current testing apparatus; Air measuring apparatus; Air pollution measuring devices; Air quality sensors; Air temperature sensors; Airborne data acquisition instruments; Air-gas producers for scientific experiments in laboratories; Alcohol testing apparatus; Alcoholmeters; Altimeters; Ammeters; Anaerobic chambers for laboratory or scientific use; Anemometers; Angle dividing protractors; Angle gauges; Animated cartoons;

Annunciators; Antenna parameter measuring apparatus; Apparatus and instruments controlling electricity; Apparatus and instruments for accumulating and storing electricity; Apparatus and instruments for astronomy; Apparatus and instruments for conducting electricity; Apparatus and instruments for conducting the use of electricity; Apparatus and instruments for controlling electricity; Apparatus and instruments for geolocation; Apparatus and instruments for microscopy; Apparatus and instruments for physics; Apparatus and instruments for scanning ion conductance microscopy; Apparatus and instruments for scanning probe microscopy; Apparatus and instruments for weighing; Apparatus for amplifying sound; Apparatus for analysing gases; Apparatus for automatic chromatography; Apparatus for automatic chromatography for laboratory use; Apparatus for controlling static electricity; Apparatus for fermentation [laboratory apparatus]; Apparatus for generating virtual images; Apparatus for measuring, monitoring and analyzing electricity consumption; Apparatus for measuring the thickness of skins; Apparatus for monitoring electrical energy consumption; Apparatus for monitoring gas consumption; Apparatus for monitoring heat consumption; Apparatus for monitoring water consumption; Apparatus for recording data; Apparatus for recording distance; Apparatus for testing carbon monoxide detectors using an aerosol spray; Apparatus for testing heat detectors using an aerosol spray; Apparatus for testing smoke detectors using an aerosol spray; Apparatus for wireless transmission of acoustic information; Application software for cloud computing services; Application software for mobile devices; Application software for mobile phones; Application software for smart phones; Application software for smart TV; Application software for social networking services via internet; Application software for wireless devices; Application suites [software]; Approximation detectors; Aqualungs; Arm rests for use with computers; Artificial intelligence and machine learning software; Artificial intelligence apparatus; Artificial intelligence software for analysis; Artificial intelligence software for surveillance; Artificial limbs for medical instruction purposes [teaching apparatus]; Assistive software; Astrometric measuring apparatus and instruments; Astronomical spectrographs; Astronomy (Apparatus and instruments for -); Atmospheric oxygen monitors; Attenuators; Audio analyzers; Audio circuit boards; Audio conference apparatus; Audio conferencing equipment; Audio devices and radio receivers; Audio dubbing apparatus; Audio effects apparatus; Audio electronic apparatus; Audio equipment; Audio frequency amplifiers; Audio mixers; Audio receivers; Audio

recorders; Audio recording apparatus; Audio recording equipment; Audio testing apparatus; Audio transmitters; Audio visual teaching apparatus; Audio-sensitive controls for lighting apparatus and instruments; Audiovisual apparatus and instruments; Audiovisual headsets for playing video games; Audiovisual instruments; Audiovisual teaching apparatus; Audio-visual teaching apparatus; Augmented reality game software; Augmented reality software; Augmented reality software for creating maps; Augmented reality software for education; Augmented reality software for simulation; Augmented reality software for use in mobile devices; Augmented reality software for use in mobile devices for integrating electronic data with real world environments; Aural monitoring apparatus; Automatic altitude indicators; Automatic cash registers; Automatic cash sorting and counting machines; Automatic chromatography apparatus for laboratory use; Automatic control apparatus; Automatic control apparatus and instruments; Automatic dialling apparatus; Automatic dosage apparatus; Automatic focusing projectors; Automatic ion exchange chromatography apparatus for laboratory use; Automatic ion-exchange chromatography apparatus for laboratory use; Automatic solar tracking sensors; Automatic telegraph apparatus; Automatic time switches; Automatic timing switches; Autotransformers; Azimuth instruments; Baby alarms; Baby monitors; Baby scales; Balance installations; Balances (Precision -); Balancing apparatus; Balloons (Meteorological -); Balun blocks; Baluns; Bar code decoders; Bar code readers; Bar code scanners; Barcode scanner; Barometers; Baroscopes; Base plates for surveying purposes; Bathroom scales; Battery adapters; Battery boxes; Battery charge devices; Battery chargers; Battery charging equipment; Battery testers; Battery testing apparatus; Beacon lamps; Beakers [laboratory glassware]; Bell pushes; Bells (Signal -); Benzine meters; Betatrons; Bevels [measuring apparatus]; Bicycle speedometers; Binaural microphones; Biological glassware; Biological microscopes; Biological safety cabinets; Biometric fingerprint door locks; Biometric fingerprint readers; Biometric hand readers; Biometric identification apparatus; Biometric identification systems; Biometric identity cards; Biometric scanners; Biometric voice recognition systems; Biomicroscopes; Bioreactor for cell culturing; Bioreactors for cell culture; Bioreactors for laboratory use; Bioreactors for research use; Bio-sensors; Blank analogue recording media; Blank analogue storage media; Blank electronic chip cards; Blank integrated circuit cards; Blinkers [signalling lights]; Body fat scales for household use; Body-tubes for microscopes [lens-barrels];

tubes for telescopes [lens-barrels]; Booms for microphones; Bore testing instruments; Borehole surveying apparatus; Borescopes; Borescopes for inspecting work; Bracelets (Encoded identification -), magnetic; Broadcasting equipment; Bubble levels; Buffer memory devices; Building management software; Bulletin boards (Electronic -); Bulletin boards (Illuminated -); Bullhorns; Buoys (Marking -); Business application software; Buzzers; Cabinets adapted to hold electrical apparatus; Cable covers [conduits]; Cable harnesses; CAD software; Calibrated photovoltaic reference cells; Calibrating apparatus; Calibrating rings; Calibration devices; Calibrators; Calipers; Calorimeters; Candy thermometers; Capacitance boxes; Capacitance meters; Capacitators; Capacitors; Capillary tubes; Capillary tubing; Carbon dioxide detectors; Carbon monoxide detectors; Card readers; Cards containing microprocessors; Cards (Encoded magnetic -); Carpenters' folding rules; Carpenter's levels; Carpenters' rules; Cartographic apparatus; Cartoons (Animated -); Cases fitted with dissecting instruments for scientific or research purposes; Cases fitted with dissecting instruments [microscopy]; Cases fitted with dissecting instruments not for medical use; Cash cards [encoded]; Cash cards [magnetic]; Cash registers; CD-rom writers; Cell culture apparatus for laboratory use; Central processing units for processing information, data, sound or images; Centrifuge separators for laboratory use; Centrifuges for laboratory use; Centrifuges used as laboratory apparatus; Ceramic capacitors; Character recognition apparatus; Character recognition software; Character verification apparatus; Character verification instruments; Charging appliances for rechargeable equipment; Charging docks; Chart recorders; Checking (supervision) apparatus and instruments; Checkweighers; Chemical reactors; Chemistry apparatus and instruments; Children's educational software; Chips (DNA -); Chromatogram analyzers for scientific or laboratory use; Chromatographs for scientific or laboratory use; Chromatography apparatus for laboratory use; Chromatography columns; Chromatography instruments for scientific or laboratory use; Chronographs for use as specialized time recording apparatus; Chronographs [time recording apparatus]; Circuit boards; Circuit boards provided with integrated circuits; Circuit breakers; Circuit cards; Circuit testing instruments; Circular slide rules; Clapperboards; Cleaning apparatus for magnetic or optical data media; Climate control digital thermostats; Clinometer; Clinometers; Clocks (Time -) [time recording devices]; Closed circuit television apparatus; Closed circuit television cameras; Closed circuit television systems; Closed circuit television

systems (CCTV); Closed circuit TV [CCTV] software; Coded identification cards; Coding modulators; Coffee measures; Coin accumulators [totalisers]; Coin change dispensers; Coin changers; Coin counting or sorting machines; Collaboration management software platforms; Collaboration software; Collaboration software platforms [software]; Collaboration tools [software]; Collaborative software; Color filters for liquid crystal displays; Colour monitors; Combustible gas concentration detectors; Combustion gas detectors; Combustion spoons; Commercial monitors; Communication apparatus and instruments; Communication, networking and social networking software; Communications apparatus; Communications equipment; Communications head sets; Communications instruments; Community software; Comparators; Compasses; Compasses [directional]; Compasses (Directional -); Compasses for measuring; Compasses [measuring instruments]; Components for electric circuits; Computer add-on boards; Computer application software featuring games and gaming; Computer application software for mobile phones; Computer application software for streaming audio-visual media content via the internet; Computer application software for use with wearable computer devices; Computer circuit boards; Computer digital maps; Computer disc drives; Computer documentation in electronic form; Computer game programmes; Computer game software; Computer game software, downloadable; Computer games programmes downloaded via the internet; Computer groupware; Computer hardware for games and gaming; Computer hardware for signal processing of audio and video; Computer hardware for the collection of positioning data; Computer hardware for the compilation of positioning data; Computer hardware for the dissemination of positioning data; Computer housings; Computer interfaces; Computer keyboards; Computer keypads; Computer memory apparatus; Computer mice; Computer mouse pads; Computer peripheral apparatus; Computer peripheral equipment; Computer plotters; Computer programmes for data processing; Computer programmes for document management; Computer programmes for image processing; Computer programmes for interactive television and for interactive games and/or quizzes; Computer programmes for playing games; Computer programmes, recorded; Computer programs and software for image processing used for mobile phones; Computer programs, downloadable; Computer programs [downloadable software]; Computer programs for editing images, sound and video; Computer programs for enabling access or entrance control; Computer programs for playing games; Computer programs for pre-recorded

games; Computer programs for project management; Computer programs for use in the autonomous navigation of vehicles; Computer programs for user interface design; Computer screen filters; Computer screens; Computer software applications; Computer software concerned with children's education; Computer software designed to estimate resource requirements; Computer software downloadable from the internet; Computer software for administration of local area networks; Computer software for biometric systems for the identification and authentication of persons; Computer software for communicating with users of hand-held computers; Computer software for communication between computers over a local network; Computer software for creating and editing music and sounds; Computer software for education; Computer software for electronic bulletin boards; Computer software for Global Positioning Systems; Computer software for interpreting fingerprints or palm prints; Computer software for organizing and viewing digital images and photographs; Computer software for processing digital images; Computer software for recording sound; Computer software for scanning images and documents; Computer software for the administration of on-line games and gaming; Computer software for the collection of positioning data; Computer software for the compilation of positioning data; Computer software for the display of digital media; Computer software for the transmission of positioning data; Computer software for time control; Computer software for use in creating and designing websites; Computer software for use in remote meter monitoring; Computer software for use in remote meter reading; Computer software for wireless content delivery; Computer software packages; Computer software platforms for social networking; Computer software platforms, recorded or downloadable; Computer software relating to the medical field; Computer software supplied from the Internet; Computer software supplied on the Internet; Computer software to enable teleconferencing, videoconferencing and videophone services; Computer software to enhance the audio-visual capabilities of multimedia applications; Computer software to enhance the audio-visual capabilities of multimedia applications, namely, for the integration of text, audio, graphics, still images and moving pictures; Computer swivelling stands; Computer video game software; Computer whiteboard software; Computer whiteboards; Computerized time clocks with fingerprint recognition; Computers; Computers for use in data management; Computers for use with bicycles; Computing visual display units; Concentration meters; Condensers [capacitors]; Conductivity meters; Connected

bracelets [measuring instruments]; Consistometers; Constant humidity incubators for laboratory use; Constant temperature incubators for laboratory use; Contents gauges; Continuity testers; Control devices (Automatic -); Control stations (Remote, electric or electronic -); Coolant-temperature sensors; Coordinate measuring instruments; Cosmographic instruments; Countdown timers; Counter balance weights; Counter-operated apparatus (Mechanisms for -); Counters; Coupling capacitors; Covers for electric outlets; Crash test dummies; Cross beam depth gauges; Crucibles for laboratory use; Crucibles [laboratory]; Cryomonitors; Crystal oscillators; Crystalline silicon solar cells; Crystalline silicon solar power cells; Culture dishes; Culture plates; Cupels [laboratory]; Current breakers; Current testers; Current-meters; Cyclometers; Cryogenic turbine meters; Cytometers; Daisy wheel printers; Data capture apparatus; Data carriers for computers having software recorded thereon; Data collection apparatus; Data loggers; Data loggers and recorders; Data processing equipment and accessories (electrical and mechanical); Data processing programs recorded on machine-readable data carriers; Decibel meters; Decoders; Decoding apparatus; Decompression chambers; Decorative dials for thermostats; Decorative magnets; Decorative magnets in the shape of animals; Decorative magnets in the shape of letters; Decorative magnets in the shape of numbers; Decorative refrigerator magnets; Decorative wind socks for indicating wind direction; Demagnetisers; Densimeters; Densitometers; Densitometers not for medical use; Depth gauges; Depth sounders; Desktop computers; Detecting apparatus and instruments; Detection apparatus; Detectors; Detectors for electric meters; Detectors (Smoke -); Development environment software; Development kits; Devices for analyzing genome information; Devices for analyzing protein sequence used as laboratory apparatus; Devices for hands-free use of mobile phones; Devices for the projection of virtual keyboards; Devices for wireless radio transmission; Dewing sensors; Diagnostic apparatus for testing food; Diagnostic apparatus, not for medical purposes; Diagnostic ultrasound apparatus, other than for medical use; Dial gauge instruments; Diaphragms [acoustics]; Diaphragms for scientific apparatus; Diesel oil emission testers; Diffraction apparatus [microscopy]; Digital amplifiers; Digital bathroom scales; Digital data recording media; Digital egg timers; Digital force gauges; Digital functional generators; Digital indicators; Digital measuring apparatus; Digital meat thermometers; Digital media streaming devices; Digital multimeters; Digital multi-meters; Digital organizers; Digital panel meters; Digital pH meters; Digital

photo frames; Digital picture frames; Digital plotters; Digital potentiometers; Digital projectors; Digital recordings; Digital sensors; Digital sensory devices; Digital signage; Digital sound processors; Digital spoon scales; Digital thermometers, not for medical purposes; Digital thermometers, other than for medical purposes; Digital torque gauges; Digital transmitters; Digital voice signal processors; Digital weather stations; Digitizers; Direction beacons; Direction finders; Directional compasses; Directional signage [luminous or mechanical]; Display monitors; Display screen filters adapted for use with computer monitors; Display screens; Display signs of metal [luminous or mechanical]; Disposable dispenser syringes for laboratory use; Disposable gloves for laboratory use; Disposable latex gloves for laboratory use; Disposable plastic bioreactors for cell culture; Disposable plastic gloves for laboratory use; Distance and dimension measuring instruments; Distance measurers; Distance measuring apparatus; Distance meters; Distance recording apparatus; Distance sensors; Distillation apparatus for scientific purposes; Distillation columns for laboratory use; Docking stations; Dog whistles; Door opening and closing detecting sensors; Door viewers [peepholes]; Dosage dispensers; Dosimeters; Double layer capacitors; Downloadable computer game programs; Downloadable computer game software; Downloadable computer games; Downloadable computer software for designing and modelling of three dimensional printable products; Downloadable computer software for remote monitoring and analysis; Downloadable computer software for the management of data; Downloadable electronic game programs; Downloadable electronic games; Downloadable films; Downloadable game related software applications; Downloadable image files; Downloadable interactive entertainment software for playing computer games; Downloadable interactive entertainment software for playing video games; Downloadable media; Downloadable multimedia files; Downloadable mobile applications; Downloadable mobile applications for use with wearable computer devices; Downloadable software; Downloadable software applications; Downloadable software applications for use with three dimensional printers; Downloadable video game programs; Downloadable video recordings; Drafting plotters; Drawing apparatus and instruments adapted for use with computers; Dressmakers' measures; Droppers for measuring, other than for medical or household purposes; Drunkometers; Drying ovens for laboratory use; Dual amplifier balancers; Ductility testers; Dummy sensors; Dust emission monitors; Dust measuring apparatus; Dynamic tomography apparatus, other than for medical use;

Dynamometers; Echo sounders; Echo sounding devices; Education software; Educational computer applications; Educational computer software; Educational mobile applications; Educational software; Educational tablet applications; Egg timers; Egg timers [sandglasses]; Eggcandlers; Egg-candlers; Electric and electronic components; Electric and electronic effects units for musical instruments; Electric and electronic musical effects equipment; Electric and electronic video surveillance installations; Electric apparatus for remote ignition; Electric buzzers; Electric capacitors; Electric circuit boards; Electric circuit testers; Electric communication apparatus; Electric condensers; Electric control devices for energy management; Electric converters; Electric luminescent display panels; Electric measuring apparatus; Electric measuring devices; Electric measuring instruments; Electric monitoring apparatus; Electric motor checking [monitoring or supervision] apparatus; Electric navigational instruments; Electric power analyzers; Electric sensors; Electric signs; Electric thermostats; Electric timers; Electrical access control apparatus; Electrical alarm instruments (anti-theft -) [other than for vehicles]; Electrical amplifiers for sound signals; Electrical and electronic apparatus for logging data; Electrical and electronic apparatus for processing data; Electrical and electronic components; Electrical and electronic instruments for logging data; Electrical and electronic test apparatus and instruments; Electrical control instruments; Electrical extension leads; Electrical measuring equipment; Electrical meters; Electrical receivers; Electrical remote control apparatus; Electrical scales; Electrical sensors; Electrical tape jigs [measuring instruments]; Electrical telegraph wires; Electrical test apparatus; Electrical transmitters; Electrical weighing apparatus; Electricity indicators; Electricity measuring instruments; Electricity metering apparatus; Electrochemical gas sensors; Electrodes for laboratory research; Electro-dynamic apparatus for the remote control of signals; Electrolysers; Electrolysers [electrolytic cells]; Electromagnetic measuring detectors; Electrometers; Electron capture detectors; Electron microscopes; Electronic amplifiers; Electronic animal identification apparatus; Electronic apparatus for testing the sterility of medical equipment; Electronic apparatus for testing the sterility of pharmaceuticals and injectable solutions; Electronic apparatus for the remote control of signals; Electronic baby monitoring devices; Electronic baby monitoring listening devices; Electronic balances; Electronic bulletin boards; Electronic buzzers; Electronic carbon dioxide monitors [other than for medical purposes]; Electronic carbon dioxide monitors, other than for medical purposes;

Electronic carbon dioxide recorders [other than for medical purposes]; Electronic coding apparatus; Electronic colour analyzers; Electronic communication equipment and instruments; Electronic components used in apparatus; Electronic components used in machines; Electronic control circuits for electric fans; Electronic control instruments; Electronic control sensors for motors; Electronic decoders; Electronic device software drivers that allow computer hardware and electronic devices to communicate with each other; Electronic devices used to locate lost articles employing the global positioning system or cellular communication networks; Electronic digital signboards; Electronic display boards; Electronic displays; Electronic distance meters; Electronic dynamometers; Electronic entry systems; Electronic game programs; Electronic game software; Electronic game software for handheld electronic devices; Electronic game software for mobile phones; Electronic game software for wireless devices; Electronic global positioning systems; Electronic heart rate recorders [other than for medical use]; Electronic ID cards; Electronic identification cards; Electronic indicator boards; Electronic indicator panels; Electronic instructional and teaching apparatus and instruments; Electronic interactive whiteboards; Electronic key fobs being remote control apparatus; Electronic kitchen timers; Electronic logic circuits; Electronic magnetic recording media; Electronic marking gauges; Electronic measurement sensors; Electronic meters; Electronic metronomes; Electronic monitoring instruments, other than for medical use; Electronic motion sensitive switches; Electronic navigation apparatus; Electronic navigation systems; Electronic navigational and positioning apparatus and instruments; Electronic number generators; Electronic numeric displays; Electronic panels for displaying messages; Electronic paper being display devices; Electronic paper (display devices); Electronic pens; Electronic pens [visual display units]; Electronic photo albums; Electronic photometers; Electronic plotters; Electronic pressure sensors; Electronic rain gauges; Electronic regulators; Electronic scale rules; Electronic scales; Electronic scanners; Electronic scoreboards; Electronic security tags; Electronic sensors; Electronic sensors for measuring solar radiation; Electronic signal transmitters; Electronic signs; Electronic sliding callipers; Electronic speed recorders; Electronic spell-checkers; Electronic sports training simulators [computer hardware and software-based teaching apparatus]; Electronic styluses; Electronic surveillance apparatus; Electronic tablets; Electronic tags; Electronic tags for goods; Electronic taximeters; Electronic temperature monitors, other than for

medical use; Electronic temperature recorders, other than for medical use; Electronic thermometers, other than for medical use; Electronic timing apparatus; Electronic timing control instruments; Electronic touch sensitive switches; Electronic tracking apparatus and instruments; Electronic units for transmitting audio signals; Electronic visual display units; Electronic weighing scales; Electronic weighing scales for kitchen use; Electronic weighing scales for personal use; Electronic word processors; Electronical sensors for measuring solar radiation; Electronically encoded identity bracelets; Electronically encoded identity wristbands; Electro-optical sensors; Electrophoresis apparatus, not for medical purposes; Electrostatic plotters; Electrostatic precipitators; Electrotechnical components; Electrotechnical vibration meters; Emergency eyewash station; Emergency signal transmitters; Encoded identification bracelets, magnetic; Encoded identity cards; Encoded key cards; Encoding and decoding apparatus; Encoding and decoding apparatus and instruments; Encoding apparatus; Endoscopic equipment for industrial purposes; Endoscopy cameras for industrial purposes; Endurance testing machines; Energy control devices; Energy regulators; Engineers' rules; Enlargers; Environmental control software; Environmental monitoring software; Environmental test chamber (temperature simulation equipment); Epidiascopes; Equatorial telescopes; Ergometers; Event recorders; Exhaust gas temperature gauges; Exposed films; Exposed photographic slides; Exposed x-ray films, other than for medical use; Eyepieces (Instruments containing -); Eyewear pouches; Facial recognition apparatus; Facial recognition software; Fathometers; Feeler gauges; Fermentation (Apparatus for -) [laboratory apparatus]; Fibrescopes, other than for medical use; Field-glasses; Film recorders; Film recording apparatus; Filters for blood and blood components for laboratory experiments; Filters for blood and blood components for laboratory use; Filters for optical devices; Filters for respiratory masks; Fine dust analyzing apparatus; Fine dust measuring apparatus; Fingerprint door locks; Fingerprint imagers; Fingerprint scanners; Flash card adapters; Flashing lights [luminous signals]; Flashlight apparatus; Flasks for laboratory use; Flat panel electroluminescent display screens; Flatbed plotters; Flatness testers; Flatness testing apparatus; Flotation clothing; Flow gauges; Flow measuring apparatus; Flow meters; Flowmeters; Flue gas analyzers; Fluid flow meters; Fluid level sensors; Fluorescence analyzers; Fluorescence microscopes; Fluorescent screens; Fluorometers; Focusing circuits; Folding multimeters; Folding rulers; Food analysis

apparatus; Food timers; Frequency counters; Frequency indicators; Frequency meters; Frequency reference crystals; Frequency synthesizers; Fridge magnets; Fuel consumption measuring apparatus; Fuel consumption meters; Fume cupboards for laboratory use; Furnaces for laboratory use; Furniture especially made for laboratories; Galena crystals [detectors]; Galvanometers; Game development software; Games software; Games software for use with computers; Gaming software that generates or displays wager outcomes of gaming machines; Gamma counters; Gamma radiation detectors; Gas alarms; Gas detecting apparatus; Gas flow meters; Gas flow monitors; Gas masks; Gas meters; Gas mixers for laboratory use; Gas sensors; Gas testing instruments; Gasifiers for laboratory use; Gasometers [measuring instruments]; Gauge blocks; Gauge rods; Gauges; Gauges for discomfort index; Gauges with digital readout; Geiger counters; Generators (Signal -); Geophysic apparatus; Geophysical research apparatus; Geoseismic apparatus; Gesture recognition software; Glass driers for laboratory purposes; Glass graduated scales; Glass tubes for scientific purposes; Glassware for scientific experiments in laboratories; Glassware for scientific use [specifically adapted]; Glassware for use in a laboratory; Glassware (Graduated -); Global positioning apparatus; Global positioning system (GPS) devices; Global positioning systems; Global positioning systems for use with bicycles; Go/no-go gauges; Go ring gauges; Goniometers; GPS navigation devices; Gradient indicators; Graduated glassware; Graduated rulers; Graduation checkers [calibration checkers]; Graphic art software; Graphical plotters; Graphics cards; Graphics software; Graphics tablets; Gravimeters; Gravity meters; Grip size gauges; Gyrocompasses; Gyrometers; Gyroscopes; Hairdressing training head [teaching apparatus]; Hairdressing training heads [teaching apparatus]; Hands free kits for phones; Hands-free headsets for cell phones; Haptic communications apparatus; Head mounted 2D monoscopic displays; Head mounted 3D stereoscopic displays; Head mounted augmented reality displays; Head mounted monoscopic displays; Head mounted stereoscopic displays; Head-mounted display apparatus; Head-mounted holographic displays; Head-mounted video display apparatus; Head-mounted video displays; Health monitoring software; Heat detecting apparatus; Heat detectors; Heat exchange crucibles for scientific use; Heat sensing identification indicators; Heat sensors; Heating furnaces specifically adapted for laboratory experiments; Heating meters; Height charts; Height gauges; Height measuring instruments; Heliographic apparatus; Helmet camera mounts; Helmet cameras;

Helmet communications systems; High pressure manometers; Holders for test tubes; Hollow glass containers for laboratory use; Hollow glass containers for measuring; Hollow glassware for laboratory use; Holographic apparatus; Holographic images; Holographic projectors; Horns for loudspeakers; Hourglasses; Hourglasses [time measuring apparatus]; Household thermometers; Housings for electrical apparatus; Housings for measuring apparatus; Humanoid robots with artificial intelligence; Humidity measuring apparatus; Humidity meters; Humidity sensors; Humidity switches; Hunting binoculars; Hydrometers; Hydrophones; Hygrometers; Hyperbaric oxygen chambers for non-medical purposes; Hyperbaric oxygen chambers, not for medical purposes; Identification bracelets (Encoded -), magnetic; Identification labels [machine readable]; Illuminated exit signs; Illuminated signposts; Illuminated signs; Illuminometers; Image amplifiers; Image analyzers; Image identifier night vision devices; Image intensifiers; Image processing apparatus; Image projectors; Image recording apparatus; Imaging devices for scientific purposes; Immersion probes; Immunostaining instruments [for scientific purposes]; Inclinometers; Incubation dishes for scientific or laboratory use; Incubation plates for scientific or laboratory use; Incubators for bacteria culture; Incubators for bacteria cultures; Incubators for laboratory use; Indication panels; Indicator panels; Indicators (Quantity -); Indicators (Speed -); Indicators (Water level -); Infrared detection apparatus; Infrared detectors; Infrared sensors; Infrared thermometers; Infra-red thermometers; Infrared thermometers, not for medical purposes; Inspecting apparatus and instruments; Inspection mirrors; Instructional and teaching apparatus and instruments; Instructional apparatus; Instrument dials; Instrumentation simulators; Instruments containing eyepieces; Instruments for amplifying images; Instruments for amplifying sound; Instruments for detecting traffic; Instruments for diagnosis [for scientific use]; Instruments for indicating directions; Instruments for measuring angles; Instruments for measuring length; Instruments for measuring levels of fluids; Instruments for measuring milk quality parameters; Instruments for measuring pressure; Instruments for measuring speed; Instruments for measuring velocities; Instruments for monitoring traffic; Instruments for recording heart activity [for scientific purposes]; Instruments for recording images; Instruments for recording information; Instruments for recording sound; Instruments for signalling; Instruments for surveying physical data; Instruments for temperature control; Instruments for testing metals; Instruments for the reduction of noise in systems for recording audio signals; Instruments for the

transmission of images; Instruments for weighing; Insulated bottles [flasks] for laboratory use; Insulating vessels for laboratory use; Insulation resistance meters; Insulation testers; Integrated audio amplifiers; Integrated circuit cards [smart cards]; Integrated circuit memory cards; Intelligent gateways for communication; Intelligent gateways for real-time data analysis; Intensifying screens for x-ray films; Interactive computer game programs; Interactive computer software; Interactive computer software that provides navigational and travel information; Interactive entertainment software for use with computers; Interactive game software; Interactive multimedia software for playing games; Interfaces for detectors; Interferometers; Intruder detecting apparatus [other than for vehicles]; Intruder detection apparatus; Intruder identification apparatus [other than for vehicles]; Intrusion detection system [IDS] software; Invader sensors; Inverters used in solar power generation; Ionization apparatus for scientific or laboratory use; Jars (Accumulator -); Jigs [measuring instruments]; Job performance recorders; Joint meters; Keyboards; Keyboards for mobile phones; Keypads; Kitchen scales; Kitchen weighing scales; Labels carrying optically recorded or encoded information; Labels with integrated RFID chips; Laboratory apparatus and instruments; Laboratory beakers; Laboratory centrifuges; Laboratory countertops; Laboratory filters; Laboratory furniture [specifically adapted]; Laboratory glassware; Laboratory incubators [other than for medical use]; Laboratory instrument for the detection of pathogens and toxins in a biological sample for research use; Laboratory instruments [other than for medical use]; Laboratory mixers; Laboratory oscilloscopes; Laboratory pipettes; Laboratory robots; Laboratory storage tubes; Laboratory swabs [laboratory instruments]; Laboratory thermometers; Laboratory trays; Lactodensimeters; Lactometers; Laminar flow cabinets for laboratory use; Laminar flow hoods for laboratory use; Lamps for use as warning beacons; Language translating apparatus; Lanterns (Magic -); Laser level measuring apparatus; Laser measuring systems; Laser range finders; Laser speed detectors; Lasers for measuring; Lasers for measuring purposes; Lasers for non-medical purposes; Lasers for scientific use; Lasers, not for medical purposes; LED [light-emitting diode] displays; LED Microscopes; LED monitors; Length measuring apparatus; Length measuring gauges; Lens caps; Letter scales; Level gauges; Level gauging poles; Level indicators; Level indicators [spirit levels]; Level measuring machines [for surveying]; Level meters; Level sensors; Levelling instruments; Levelling rods [for surveying]; Levelling staffs [surveying instruments]; Levels

[instruments for determining the horizontal]; Lifting magnets; Light boxes; Light Detection and Ranging [LIDAR] apparatus; Light sensors; Liquid chromatography apparatus for laboratory use; Liquid chromatography columns for scientific use; Liquid chromatography injectors for scientific use; Liquid crystal display [LCD] monitors; Liquid crystal display (LCD) televisions; Liquid crystal display screens; Liquid crystal displays; Liquid dosage devices that measure the amounts to be dispensed; Liquid level meters; Liquid level monitoring apparatus; Liquid level sensors; Loft gauges; Logic probes; Logs [measuring instruments]; Lorgnettes; Loud hailers; Loudspeakers with built in amplifiers; Lumber testers; Lumber testing machines; Luminescence measuring devices; Luminoflux meters; Luminous indicators; Luminous pointers; Machine learning software for surveillance; Macroscopes; Magic lanterns; Magnet plates for laboratory use; Magnetic agitators for laboratory use; Magnetic compasses; Magnetic compasses for surveying; Magnetic detectors; Magnetic field generators, other than for medical use; Magnetic gyrocompasses; Magnetic metal detector monitors; Magnetic object detectors; Magnetic pens; Magnetic recording charts; Magnetic separators for scientific use; Magnetometers; Magnets; Magnets (Decorative -); Magnets, magnetizers and demagnetizers; Magnifying glasses; Mannequins (Resuscitation -) [teaching apparatus]; Manual telegraph apparatus; Marine compasses; Marine depth finders; Marine depth sounders; Marking gauges; Marking gauges for joinery purposes; Marking gauges [joinery]; Masks [Protective -]; Mass flow meters; Mass flow sensors; Mass spectrometers; Master of Education software; Material testing apparatus; Material testing instruments and machines; Math coprocessor; Mathematical instruments; Mats for use with a computer mouse; Measurement apparatus; Measures; Measuring and control devices for air conditioning technology; Measuring apparatus; Measuring apparatus and instruments; Measuring apparatus not for medical purposes; Measuring buckets; Measuring cables; Measuring converters; Measuring, counting, alignment and calibrating instruments; Measuring cups; Measuring, detecting and monitoring instruments, indicators and controllers; Measuring, detecting, monitoring and controlling devices; Measuring devices; Measuring devices, electric; Measuring glassware; Measuring instruments; Measuring jugs; Measuring rods; Measuring rulers; Measuring rules; Measuring sensors; Measuring spoons; Measuring stands; Measuring tapes; Measuring transducers; Measuring tubes; Measuring wheels; Meat thermometers; Mechanical egg timers; Mechanical life saving apparatus; Mechanical

room thermostats; Mechanised coding apparatus; Media content; Media streaming software; Medical simulators [teaching aids]; Megaphones; Membranes for filtration [scientific]; Memo boards [electronic]; Memory boards; Memory modules; Mercury levels; Mercury thermometers [other than for medical use]; Meridian transit telescopes; Metal bells for alarms; Metal compression testing machines; Metal detectors; Metal hardness testing machines; Metal strength testing machines; Metallurgical microscopes; Meteorological apparatus; Meteorological balloons; Meteorological instruments; Meter testing apparatus; Meters; Metric converters; Metronomes; Microarray slides; Microhardness testers; Micrometer gauges; Micrometers; Microscope illuminating devices; Microscope lamps; Microscope objectives; Microscope slides; Microscope slides (Containers for -); Microscope video processors; Microscopes; Microscopes for medical use; Microtitration instruments [other than for medical use]; Millivolt meters; Mirrors for inspecting work; Mobile apps; Mobile data apparatus; Mobile radio receiving apparatus; Mobile radio transmitting apparatus; Mobile radios; Models for scientific experiments in laboratories; Modules for photovoltaic power generation; Moisture meters; Money counting apparatus; Monitor screens; Monitoring apparatus and instruments; Monitoring apparatus, other than for medical purposes; Monitoring control apparatus [electric]; Monitoring instruments; Monitoring units [electric]; Monitors; Monitors for commercial purposes; Mortise gauges; Motion detectors; Mouse mats; Mouse pads; Multiaxis directional detectors; Multifunction keyboards; Multimedia apparatus and instruments; Multimedia devices; Multimeters; Multispectral Fluorescence Imaging System [MFIS] for scientific use; Nanoparticle size analysers; Natural gas alarms; Naval signalling apparatus; Navigating apparatus [compasses]; Navigating apparatus (Electric -); Navigating apparatus (Electronic -); Navigating apparatus [sextants]; Navigation apparatus and instruments; Navigation compasses; Navigation, guidance, tracking, targeting and map making devices; Navigation software; Navigational instruments; Needles for surveying compasses; Network monitoring cameras for surveillance; Networking devices; Newton dynamometers; Noise level meters; Noisemeters; Non-destructive testing apparatus; Nuclear detectors for detecting radiation particles; Nucleic acid sequencers for scientific purposes; Numerical counters; Object detecting sensors; Observation instruments; Octants; Odometers.

43. I note that the terms “including” and “namely” have been used within the opponent’s specification in this class. The word “including” is merely indicative of an example of the type of goods covered, rather than limiting the goods to those listed following the term. However, where the term “namely”, has been used, the scope of protection is restricted to those named goods only, rather than encompassing all goods under the preceding wider term.

Printed educational materials; 3D decals for use on any surface; 3D wall art made of card; 3D wall art made of paper; Activity books; Adhesive stickers; Adhesive transfers; Appliques in the form of decals; Appliqués of paper; Arithmetical tables; Baby books [storybooks]; Banknotes; Banners of paper; Book markers; Booklets; Booklets relating to games; Bookmarks; Bookmarks, not of precious metal; Books; Books for children; Books in the fields of games and gaming; Brochures; Bulletins; Bunting of paper; Calculating tables; Calendar desk pads; Calendar refills; Calendars; Cards; Cartoon prints; Cartoon strips [printed matter]; Catalogues; Charts; Cheque books; Chequebook covers; Cheques; Children's activity books; Children's books; Children's books incorporating an audio component; Children's storybooks; Collectable cards; Collectable trading cards; Color prints; Coloring books; Colour charts; Colour sample cards; Colouring books; Comic strips' comic features; Comic strips [printed matter]; Composition books; Computer game hint books; Computer game instruction manuals; Computer game strategy guidebooks; Cook books; Coupon books; Coupons; Covers for weekly planners; Covers of paper for flower pots; Crossword puzzles; Day planners; Decals; Decorative paper garlands for parties; Decorative stickers for soles of shoes; Desk agendas; Desk calendars; Desk diaries; Desk top planners; Diagrams; Display banners made of cardboard; Display banners of paper; Document covers; Drawing templates; Educational and instructional material; Educational books; Educational publications; Exercise books; Exercise-book covers; Flags made from paper; Flash cards; Flip books; Flipcharts; Geographical maps; Gift certificates; Graph paper; Graphs; Greeting cards; Hand books; Handbooks [manuals]; Handwriting specimens for copying; Illustrated wall maps; Illustrated wall maps for educational purposes; Illustration boards; Index cards; Index files; Information booklets; Instruction manuals; 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; Iron-on transfers; Jotters; Leaflets; Mail order catalogues; Manuals; Manuals for instructional purposes; Maps; Maps (Geographical -); Menu cards; Monographs; Monthly planners; Motivational cards; Mounted and unmounted photographs; Mounted posters; Music note books; Name cards; Navigation charts for use in sailing craft; News bulletins; Newsletters; Newsletters in the fields of games and gaming; Non-fiction books; Note books; Note cards; Note pads; Oleographs; Order forms; Painting books; Pamphlets; Paper banners; Paper book markers; Paper bunting; Paper flags; Paper garlands; Paper patterns; Paper pennants; Paper pennons; Paper signs; Paper teaching materials; Partially printed forms; Pen calligraphy copybooks; Pennants of paper; Plans; Pop-up books; Posters; Price lists; Printed answer sheets; Printed award certificates; Printed awards; Printed booklets; Printed books; Printed brochures; Printed certificates; Printed charts; Printed correspondence course materials; Printed coupons; Printed curricula; Printed diagrams; Printed diplomas; Printed educational materials; Printed emblems; Printed emblems [decalcomanias]; Printed flip charts; Printed flyers; Printed guides; Printed information sheets; Printed informational cards; Printed informational flyers; Printed informational folders; Printed informational sheets; Printed leaflets; Printed lectures; Printed lessons; Printed mail response cards; Printed manuals; Printed material in the nature of color samples; Printed matter; Printed matter for instructional purposes; Printed news releases; Printed newsletters; Printed pamphlets; Printed paper labels; Printed paper signs featuring names for use for special events; Printed paper signs featuring table numbers for use for special events; Printed patterns; Printed photographs; Printed plans; Printed promotional material; Printed publications; Printed questionnaires; Printed recipe cards; Printed reports; Printed stationery; Printed survey answer sheets; Printed tables; Printed teaching activity guides; Printed teaching material; Printed teaching materials; Printed training materials; Printed transfers for embroidery or fabric appliqués; Printed visuals; Printed vouchers; Promotional publications; Prospectuses; Recipe books; Reference books; Reporters' notebooks; Revolving circular charts; Role playing game equipment in the nature of manuals; Rub down transfers; Rule books for playing games; Ruled paper [finished products]; School writing books; School yearbooks; Score charts; Score pads; Scrap books; Sketch boards; Sketch books; Sketch pads; Sketchbooks; Spiral-bound notebooks; Sticker

books; Stickers; Stickers [decalcomanias]; Strategy guide books for card games; Study guides; Tables (Arithmetical -); Tables (Calculating -); Teaching manuals; Teaching materials; Teaching materials [except apparatus]; Textbooks; Three dimensional models for educational purposes; Tracing patterns; Training manuals; Transfer paper; Transfers; Transfers [decalcomanias]; Trivia cards; User manuals; Video game strategy guidebooks; Vouchers; Vouchers of value; Wall charts; Wall decals; Wall maps; Wall planners; Writing books; Writing or drawing books; Writing tablets.

44. I consider that all of the applicant's above goods could be construed as printed matter. I note that certain goods which are not intrinsically so, and which are not qualified as "printed", such as banners, flags and flip charts, could also include plain, unprinted goods. However, as these types of goods often also comprise a printed element, I consider that they would still be encompassed within the opponent's wider term "*Printed matter, including...*". Consequently, I find the applicant's aforementioned goods to be identical to the opponent's "*Printed matter, including...*", as per the principle outlined in *Meric*.

Blank cards; Blank flip charts; Blank forms; Blank journal books; Blank note cards; Blank paper notebooks; Blank writing journals.

45. Although these goods are qualified as "blank", they are likely to comprise a printed element, such as on the cover or front/back page (cards and note cards), or in the way of gridlines on goods such as forms. I therefore consider "*Blank cards; Blank flip charts; Blank forms; Blank journal books; Blank note cards; Blank paper notebooks; Blank writing journals*" to be encompassed by "*Printed matter, including...*", and are therefore identical as per *Meric*, or at least highly similar to the earlier goods.

Artists' pencils; Artists' pens; Ball-point pen and pencil sets; Ball-point pens; Brush pens; Chalk; Chalk for lithography; Chalk (Marking -); Chalk sticks; Chalks; Chalks for artists' use; Chalks for colouring; Chalks for drawing; Charcoal pencils; Color pencils; Colour pencils; Colour pens; Coloured chalk; Coloured lead pencils; Coloured pencils; Coloured pens; Colouring crayons; Colouring pencils; Colouring pens; Correcting and erasing implements; Correcting pencils; Correction pens; Crayons;

Drafting instruments; Drawing instruments; Drawing instruments for blackboards; Drawing materials; Drawing pencils; Drawing pens; Drawing sets; Etching pens; Felt marking pens; Felt pens; Felt tip markers; Felt tip pens; Felt writing pens; Fiber-tip pens; Gel roller pens; Glitter pens for stationery purposes; Highlighter pens; Marker pens; Marking chalk; Painting pencils; Pastel crayons; Pastels; Pastels [crayons]; School supplies [stationery]; Slate pencils; Spray chalk; Stationery; Stationery and educational supplies; Writing ... implements; Writing chalk.

46. While I am mindful of the guidance in *YouView* not to apply too liberal an interpretation to goods within the specifications, I consider that the applicant's afore-listed goods are either self-evidently identical to, or would encompass/be encompassed by the opponent's "*sets of stationery material, articles and instruments for writing and drawing, namely pens, ball-point pens, fountain pens, felt-tip markers, permanent markers, highlighters, markers for underlining, rollerball pens, fine tip pens*" and "*pencils, chalk, crayons,...*", I therefore finds the competing goods to be identical/*Meri*c identical.

Boxes for pens; Cases for pens; Pouches for writing instruments.

47. I consider that the above goods are either analogous with, would encompass or be encompassed by the opponent's "... *cases for pens and for drawing, ...*", and as such they are *Meri*c identical.

Binders (Loose-leaf -); Binders [stationery]; Box files; Document files; Document folders in the form of wallets; Document portfolios; Expanding files; File binders; File boxes for storage of business and personal records; File folders; Folders; Lever arch files; Loose-leaf binders; Recipe binders; Register files.

48. I consider the terms binder, file, folder and portfolio to be synonymous in the context of the goods at issue. Consequently, the applicant's above listed terms would either encompass, or be encompassed by, the opponent's "... *folders for drawing, loose-leaf binders, ...*", rendering the competing goods *Meri*c identical. If I am wrong in this, then I find them to be similar to a high degree, being comparable in nature and method of use, with the shared purpose of holding documents and papers.

Bags for packaging made of biodegradable paper; Bags (Garbage -) of paper or of plastics; Bags made of paper; Packaging materials made of recycled paper.

49. The above goods are of the same nature, purpose and method of use as the opponent's "... gift wrapping paper, shopping bags of paper, ...", i.e. for use in holding, carrying or wrapping goods. Overall, I consider them to be if not *Meric* identical, then similar to a high degree.

Absorbent paper; Adhesive labels; Adhesives for do-it-yourself purposes; Attachments for pencils; Blackboard erasers [chalk erasers]; Blackboard rulers; Blackboards; Blotter; Blotting pads; Blotting paper; Cap erasers; Cardboard labels; Chalk boards; Chalk boards [blackboards]; Chalk erasers; Chalk holders; Chalkboards; Clip boards; Clipboards; Corkboard pins; Correction sticks; Crepe paper; Crepe paper streamers; Decorations for pencils; Desk baskets for desk accessories; Desk mats; Desk organisers; Desk tidies; Desk top organizers; Desk trays; Desktop document racks; Desktop document stands; Desktop organizers; Document file racks; Erasers; Erasing products; Fabric glue for household use; File dividers; File trays; Glitter for stationery purposes; Glitter glue for stationery purposes; Impression stamps; Ink erasers; Ink reservoirs; Inking pads; Inkwells; Letter racks; Letter trays; Magnetic boards for scheduling activities and appointments; Memorandum boards; Metal drawing pins; Noteboards; Page markers; Paper fasteners; Paper ribbons, other than haberdashery or hair decorations; Paper-clips; Pastes and other adhesives for stationery or household purposes; Pencil sharpeners, electric or non-electric; Protractors [for stationery and office use]; Push pins; Red algae gelatine glue, for stationery or household purposes (funori); Removable self-stick notes; Rubber document stamps; Rubber finger tips; Rulers; Rulers (Square -); Seaweed glue for stationery; Sharpeners (Pencil -); Silver paper; Slate boards for writing; Small blackboards; Square rulers; Stamp holders; Stamp inks; Stamp mounts; Stamp pad inks; Stamp pads; Stamp stands; Stamps; Stamps [seals]; Stick markers; Straight edges; Thumb tacks; Whiteboards; Whiteboards having magnetic properties; Wristbands for the retention of writing instruments; stamping implements.

50. I consider the applicant's aforementioned goods to be relatively ordinary stationery items which would be used by the same consumer as for the opponent's "sets of stationery material, articles and instruments for writing and drawing, namely ...". Although the exact nature and purpose of the respective goods differs, they would share trade channels, and it would not be unreasonable for the average consumer to expect the competing goods to be provided from the same or economically linked undertakings. Overall, I consider there to be no more than a medium degree of similarity between the opposing goods.

Adhesives for art use; Angle guides [drawing instruments]; Angle plotters [drawing instruments]; Aquarelles; Architects' models; Architectural models; Aromatic modeling materials; Art paper; Artists' brushes; Artists' canvas; Artists' charcoals; Artists' easels; Artists' materials; Artists' modelling materials; Artists' paint brushes; Artists' pastels; Artists' water colour saucers; Arts and craft paint kits; Arts, crafts and modelling equipment; Brushes for the application of paints; Calligraphy ink; Calligraphy paper; Canvas boards; Canvas for painting; Canvas panels for artists; Canvas stretcher bars for artists; Charcoal for drawing; Charcoal for painters; Children's paint-boxes; Children's slates; Colored craft and art sand; Compasses for drawing; Craft paper; Curve templates [drawing instruments]; Decoration and art materials and media; Drafting compasses; Drafting curves; Drafting rulers; Drafting squares; Drafting templates; Drafting triangles; Drawing board pins; Drawing boards; Drawing boards [painters' article]; Drawing brushes; Drawing compasses; Drawing curves; Drawing ink; Drawing pads; Drawing paper; Drawing pins; Drawing protractors; Drawing rulers; Drawing shields; Drawing squares; Drawing stencils; Drawing tablets [drawing pads]; Drawing triangles; Drawing T-squares; Dry erase markers; Dry erase writing boards; Dry transfer lettering; Easel pads; Easels; Easels for use by artists; Easels (Painters' -); Electrical wood burning artists' pens; Etching needles; Etching sheets; Felt mats for calligraphy; Fingerprint kits; French curves; Graining combs; Hand-rests for painters; Japanese ceremonial paper strings (mizuhiki); Japanese handicraft paper; Japanese paper; Japanese paper (torinoko-gami); Japanese paper [torinoko-gami]; Kraft paper; Lettering guides; Lettering stencils; Materials for artists; 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]; Models (Architects' -); Molds for modelling clays [artists' materials]; Oil pastels; Oiled paper for paper umbrellas (kasa-gami); Origami folding paper; Pads for applying paint; 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 canvas; Painting mitts for applying paint; Painting pencils; Painting sets for artists; Painting sets for children; Palettes for painters; Pantographs [drawing instruments]; Paper crafts materials; Paper for use in the graphic arts industry; Paper ribbons, other than haberdashery or hair decorations; Papers for painting and calligraphy; Papers for use in the graphic arts industry; Papier mâché; Parchment paper; Paste for handicraft, for stationery or household purposes (banjaku-nori); Proofing paper; Protractors as drawing instruments; Rollers for applying paint; Rulers (Drawing -); Rulers for drawing; Saucers (Watercolor [watercolour] -) for artists; Set squares for drawing; Silk canvas [painters' article]; Square rulers for drawing; Squares (Drawing -); Squares for drawing; Stencil cases; Stencil paper; Stencil paper [finished product]; Stencil paper [mimeograph paper]; Stencil plates; Stencils; Stencils for face painting; Stencils [stationery]; Stipple applicators for use by painters; Straight edges for drawing; Strips of fancy paper (tanzaku); Tee squares [drawing]; Thick Japanese paper [hosho-gami]; Tissue paper for making stencil paper; Tissue paper for use as material of stencil paper (ganpishi); Tracing cloth; Tracing needles for drawing purposes; Tracing paper; Trays for holding drafting instruments; Trays for holding drawing instruments; Triangles being drawing instruments; T-squares (Drawing -); T-squares for drawing; Ungraduated rulers; Vellum paper; Watercolor boards; Watercolor saucers (Artists' -); Water-writing cloths for calligraphy practice; Writing brush for calligraphy.

51. In my view, all of the above goods are specific to either architecture, art, crafts (including, inter alia, modelling and paper folding), drawing, etching, painting or writing. The opponent's goods include the term "*sets of stationery material, articles and instruments for writing and drawing,...*" however, this has been limited by use of the word "*namely...*". I consider that there will be an overlap in users, as well as in the broad purpose of the competing goods, such as for writing and drawing. While some of the applicant's above listed goods are likely to be provided by specialist

suppliers, many of its goods will be available through general retailers. Overall, I consider the above goods to be similar to the opponent's "*sets of stationery material, articles and instruments for writing and drawing, namely ...*" to a medium degree.

Albums for collecting magnetic cards; Albums for stickers; Carrying cases specially adapted to hold collectible trading cards; Coin albums; Collector albums.

52. These goods are similar in purpose to the opponent's "... *folders for drawing, loose-leaf binders, ...*" inasmuch that they are used for presentation or storage purposes. However, given the specific nature of the applicant's "*Albums for collecting magnetic cards; Albums for stickers; Carrying cases specially adapted to hold collectible trading cards; Coin albums; Collector albums*" against the general nature of the opponent's goods, while they may share channels of trade, the respective goods are likely to be targeted at different users. Overall, I consider the link to be insufficient for a finding of similarity.

Babies' bibs of paper; Bibs of paper; Coasters made of paper; Coasters of cardboard; Dinner mats of card; Dinner mats of paper; Disposable napkins; Drying towels of paper; Dustbin bags; Facial tissues of paper; Flower-pot covers of paper; Hand towels of paper; Handkerchiefs made of paper; Hygienic paper; Paper bibs; Paper hand-towels; Paper wipes for cleaning; 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 runners of paper; Towels of paper for cleaning purposes; Unfitted furniture covers of paper.

53. While the above goods may either be unadorned or could feasibly comprise a printed element, unlike those goods identified earlier in paragraph 44, I consider them to be of a different nature to the examples of printed matter included under the opponent's "*Printed matter, including*". I am again mindful that as per *YouView*, I must not apply too liberal an interpretation to the goods. Overall, I do not consider them to be printed matter, per se, and therefore I find the applicant's above goods to be dissimilar to the earlier "*Printed matter, including*".

Bulk paper; Carbonless copying paper; Coated paper; Colorboard [colored paperboard]; Copying paper; Filter material of paper; Filter paper; Fluorescent paper; Heat sensitive paper; Loose leaf paper; Loose-leaf pads; Luminous paper; Paper for printing photographs; Printing paper; Recycled paper; Reproduction paper; White paperboard.

54. While the above goods may be used by the public at large, and as such there will be an overlap in users with the opponent's "*sets of stationery material, articles and instruments for writing and drawing, namely ...*", the essential purpose of the goods at issue are different. I consider that some of the aforementioned paper goods would be used in a printer, rather than for writing and drawing, although where pens and paper are used together, this does not make them complimentary in a trade mark sense, as outlined in *Boston Scientific*. Further, although the applicant's goods such as "*Printing paper*" will be used in the production of the opponent's "*printed matter, including...*", I do not consider that the average consumer would expect the competing goods to be provided from the same or economically linked undertakings. As Mr Daniel Alexander Q.C. (as he then was) noted as the Appointed Person in *Sandra Amalia Mary Elliot v LRC Holdings Limited* BL-O-255-13:

"It may well be the case that wine glasses are almost always used with wine – and are, on any normal view, complementary in that sense - but it does not follow that wine and glassware are similar goods for trade mark purposes."¹²

I therefore find any link between the respective goods to be insufficient for a finding of similarity.

Anatomical models for instructional and educational purposes; Biological samples for use in microscopy [teaching materials]; Chart pointers, non-electronic; Educational equipment; Histological sections for teaching purposes; Non-electric chart pointers; School cones, empty.

¹² Paragraph 18

55. To my mind, the above goods are targeted towards educational establishments, rather than the public at large. Further, I do not consider the core meaning of “equipment” to include such goods as the opponent’s printed matter. While there may be an overlap in users, I do not consider that the average consumer would expect the applicant’s *“Anatomical models for instructional and educational purposes; Biological samples for use in microscopy [teaching materials]; Chart pointers, non-electronic; Educational equipment; Histological sections for teaching purposes; Non-electric chart pointers; School cones, empty”* to originate from the same or economically linked undertakings as for the opponent’s Class 16 goods. Overall, I consider the competing goods to be dissimilar.

Cabinets for stationery [office requisites]; Clips for name badge holders [office requisites]; Cutters (Paper -) [office requisites]; Desktop cabinets for stationery [office requisites]; Elastic bands for offices; Name badge holders [office requisites]; Office machines; Office requisites; Paper embossers [office requisites]; Paper racks [office requisites]; Pigeon holes.

56. The above goods are designed for use in offices, and while the opponent’s *“sets of stationery material, articles and instruments for writing and drawing, namely ...”* may also be used in an office environment, resulting in an overlap in user, I consider the core nature and purpose of the opposing goods to be different, to the extent that the average consumer would not expect the competing goods to emanate from the same source. I therefore find them to be dissimilar.

Blocks for printing; Composing frames [printing]; Folios; Ink sheets for use in reproducing images in the printing industry; Portable printing sets; Print blocks; Print characters; Print letters; Print wheels; Printing and bookbinding equipment; Printing blocks; Printing sets.

57. The above goods are very specific in nature, and as such they are likely to be targeted towards a particular consumer, e.g. users from within the printing industry. I consider that they are different in nature, method of use, intended purpose and target user to the opponent’s earlier goods in Class 16. Overall, I find the goods at issue to be dissimilar.

Boxes made of cardboard; Boxes of cardboard; Cardboard cartons; Cardboard containers; Cardboard household storage boxes; Cardboard packaging boxes in collapsible form; Cardboard packaging boxes in made-up form; Carrying cases made of paper; Cartons made from corrugated board; Cases made of corrugated cardboard; Collapsible cardboard boxes; Display boxes of cardboard.

58. These goods are essentially different in nature, purpose and method of use to the opponent's goods in Class 16, although there is a tenuous link with its "...cases for pens and for drawing...", such that both sets of goods are intended to store or carry other items. However, I find nothing to suggest that the average consumer would make the link between the above listed goods and any of the opponent's earlier goods. I therefore find them to be dissimilar.

Book ends; Bookends; Cardboard badges; Cardboard picture mounts; Celestial globes; Coin mats; Collages; Composing sticks; Figurines made from cardboard; Globes; Globes (Terrestrial -); Hectographs; House painters' roller brushes; Map cases; Map tacks; Mapping pins; Marking ink containing biologics for use in authentication of objects; Marking stamps; Mimeograph apparatus and machines; Mimeograph paper; Mimeograph stencils; Mimeographs; Mounts for X-ray negatives for non-medical purposes; Nail stencils; Numbering apparatus; Numbering guides; Numbering stamps; Numbers [type]; Paper emblems; Paper for Japanese indoor sliding partitions (fusuma-gami); Paper for Japanese sliding screens (shoji-gami); Paper for use in the manufacture of wallpaper; Paper passe-partouts; Paper pet crate mats; Paper picture mounts; Paper (Waxed -); Photographic or art mounts; Red ink paste used for seals; Relief duplicators; Rice paper; Rotary duplicators; Sealing wax; Terrestrial globes; Trays for sorting and counting money; Tubes (Cardboard -); Vignetting apparatus; Waterproof paper; Waterproof paper [other than for use in building]; Wax (Sealing -).

59. As per *RALEIGH*, in the absence of evidence to the contrary, I find nothing to suggest that the average consumer would connect any of the above listed goods with the undertaking responsible for providing the earlier goods and services. I therefore find them to be dissimilar.

Class 28

Arm pads adapted for use in sporting activities; Athletic protective sportswear.

60. I construe the term “*protective sportswear*” in Class 28 to include goods such as knee pads and wrist supports, rather than articles of clothing *per se*. The applicant’s goods are particular to use during sporting activities, and as such there is an overlap with the users of the opponent’s “*active wear, sportswear, namely trousers, sport suits, shorts*” in Class 25. However, the goods are not of the same, specific nature, although both sets of goods are worn on the body. There is an overlap in trade channels with the respective goods being sold through a sport and fitness retailers or through a department store or a ‘catalogue’ retailer where they are likely to be found in relatively close proximity to each other. Balancing the similarities and the differences, I consider the applicant’s “*Arm pads adapted for use in sporting activities; Athletic protective sportswear*” to be similar to a medium degree to the opponent’s “*active wear, sportswear, namely trousers, sport suits, shorts*” in Class 25.

Targets for sporting use; Aerobic steps; Apparatus for achieving physical fitness [for non-medical use].

61. The applicant’s goods all relate to sports and fitness equipment, and as such, they will be used for the purpose of participating in such activities. The physical nature of the goods is different to the opponent’s “*active wear, sportswear, namely trousers, sport suits, shorts*” in Class 25. Although the clothing will be worn to participate in sporting activities, including whilst using the equipment provided under the applicant’s Class 28, the link is somewhat tenuous. However, I acknowledge that in the *Monster Energy* case, the Second Board of Appeal found “*Gymnastic and sporting articles*” and other fitness/sporting equipment to be similar to “*Clothing*” to a low degree on the basis that “these goods may be sold through the same trade channels, such as fitness shops and sports shops, they may be manufactured by the same undertakings, and they

target the same relevant public”¹³. Whilst I acknowledge that the findings of the Boards of Appeal are not binding on me, taking all of the various factors into consideration, I find there to be a low degree of similarity between the respective goods.

Educational playthings; Educational toys; Scale model figures; Sketching toys; Water toys; Action skill games; Animal replicas as playthings; Assembly toys.

62. As per *RALEIGH*, in the absence of evidence to the contrary, I find nothing to suggest that the average consumer would make the link between the applicant’s above listed goods and any of the opponent’s earlier goods and services. I therefore find them to be dissimilar.

Class 41

Publication of educational materials; Publication of educational teaching materials; Book and review publishing; Book publishing; Desk top publishing; Electronic publication of texts and printed matter, other than publicity texts, on the Internet; Online publication of electronic books and journals; On-line publication of electronic books and journals [not downloadable]; Providing electronic publications; Providing electronic publications from a global computer network or the Internet, not downloadable; Providing electronic publications [not downloadable]; Providing non-downloadable electronic publications; Publication and editing of printed matter; Publication of booklets; Publication of books; Publication of brochures; Publication of documents in the field of training, science, public law and social affairs; Publication of educational and training guides; Publication of educational books; Publication of educational materials; Publication of educational printed matter; Publication of educational teaching materials; Publication of educational texts; Publication of electronic books and journals online; Publication of fact sheets; Publication of instructional literature; Publication of leaflets; Publication of printed matter;

¹³ Case R 272/2020-2 *ZEG Zweirad-Einkaufs-Genossenschaft eG v Monster Energy Company* [2020], at [46].

Publication of printed matter and printed publications; Publication of printed matter in electronic form; Publication of printed matter relating to education.

63. The nature of goods and services are clearly different. However, I consider there to be a complementary relationship between the aforementioned publication services and the opponent's "*printed publications, books, periodicals, manuals and handbooks, magazines, newspapers, newsletters, catalogues, brochures and pamphlets*" in Class 16, which may also include goods specifically for educational purposes. Without the publication services, such goods could not exist, and as such, I consider the services to be indispensable to the provision of the goods. In the case of online publishing services, there may be an element of competition between the services and the goods, with the consumer selecting to purchase either the physical goods under class 16, or alternatively, choosing to access them electronically. Overall, I find the applicant's aforementioned services to be highly similar to the opponent's "*printed publications, books, periodicals, manuals and handbooks, magazines, newspapers, newsletters, catalogues, brochures and pamphlets*".

Editing of printed matter containing pictures, other than for advertising purposes; Editing of written texts.

64. The opponent's "*printed publications, books, periodicals, manuals and handbooks, magazines, newspapers, newsletters, catalogues, brochures and pamphlets*" in Class 16 will have been edited before being printed. I consider that this would either be undertaken "in house" by the publishing company, or the services would be procured by the publishing house through a specialist provider, in which case the target market of the respective goods and services would be different, as is the nature of the goods and services at issue, although in my view, there is a complementary relationship between the goods and services. Overall, I consider there to be a medium degree of similarity between "*Editing of printed matter containing pictures, other than for advertising purposes; Editing of written texts*" and "*printed publications, books, periodicals, manuals and handbooks, magazines, newspapers, newsletters, catalogues, brochures and pamphlets*".

Publication of audio books.

65. I consider there to be a degree of competition between the applicant's "*Publication of audio books*" and the opponent's "*printed publications, books, ...*" in Class 16, with the consumer making an informed choice between the opponent's (printed) books in Class 16 and the audio books which have been published under the applicant's Class 41 services. Although the physical nature and method of use of the respective goods and services are different, it would not be unreasonable for the average consumer to expect the competing goods and services to be provided from the same or economically linked undertakings. I therefore consider there to be no more than a medium degree of similarity between the goods and services at issue.

Abacus instruction; Academic examination services; Accreditation of educational services; Adult education services relating to environmental issues; Arrangement of conferences for educational purposes; Arrangement of seminars for educational purposes; Arrangement of training courses in teaching institutes; Arranging and conducting education fairs; Arranging and conducting of classes; Arranging and conducting of competitions [education or entertainment]; Arranging and conducting of displays for educational purposes; Arranging and conducting of educational discussion groups, not on-line; Arranging and conducting of educational events; Arranging and conducting of educational events for charitable purposes; Arranging and conducting workshops; Career and vocational counselling; Club education services; Education; Education and training consultancy; Education and training relating to nature conservation and the environment; Education information; Education services; Educational research; Educational services; Educational services provided for teachers of children; Educational services relating to first aid; Educational services relating to road safety; Educational services relating to the conservation of nature; Educational services relating to zoology; Exhibition services for educational purposes; Exhibitions (Conducting -) for educational purposes; Festivals (Organisation of -) for educational purposes; Information (Education -); Information services relating to education; Online education services; Online reference library services; Organisation and holding of fairs for cultural or educational purposes; Organising of meetings in the field of education; Planning of lectures for educational purposes; Planning of seminars for educational purposes; Professional consultancy relating to education; Providing courses in the field of water

management; Providing courses of instruction; Providing courses of instruction for young people; Providing courses of training; Providing educational demonstrations; Providing information in the field of entertainment.

66. I consider that goods such as the opponent's "*printed publications, books, periodicals, manuals and handbooks, magazines, newspapers, newsletters, catalogues, brochures and pamphlets*" in Class 16 are likely to be utilised in the course of providing the applicant's above listed services. In *Commercy AG v OHIM* Case T-316/07, the Board of Appeal ("BOA") found that just because goods are used by an undertaking in order to provide its services, the respective goods and services are targeted at different consumers, and as such, there can be no complementary connection between them.¹⁴ As per *Commercy*, although the opponent's goods may support the provision of the applicant's services, they are different in nature, method of use, intended purpose and target user. Consequently, I consider the respective goods and services to be dissimilar.

Educational materials or apparatus (Rental of -); Hire of educational materials; ... and rental of educational and instructional materials; Hire of printed matter; Hire of teaching materials; Lease of instructional materials; Lease of teaching materials; Leasing of educational material.

67. I note that the above rental, hire, production and leasing services could include the provision of the printed matter/printed publications covered under Class 16 of the opponent's earlier registration. However, although there may be an overlap in users, and an element of competition whereby the user may choose to rent the materials rather than purchase them outright, the physical goods are different in nature to the services in question, and I do not consider that the average consumer would expect the goods and services to emanate from the same or economically linked undertakings. Once again, any link between the goods and services is insufficient for a finding of similarity.

¹⁴ At [49-62].

Development of educational materials; Production ... of educational and instructional materials; Developing educational manuals.

68. The end result of development and/or production of educational and instructional materials or manuals may include the opponent's Class 16 goods such as printed matter/printed publications. Although the goods stemming from the development and production services may ultimately be used by the same consumer as the earlier goods, I consider that the respective goods and services are targeted at different consumers. Consequently, I find the opponent's goods and the above listed services provided by the applicant in Class 41 to be dissimilar.

Creation [writing] of educational content for podcasts; DVD and CD-ROM film production; Production of educational sound and video recordings; Production of films for educational purposes; Production of training films; Production of training videos.

69. I consider the applicant's services listed above to be specialist services which have no connection with any of the goods or services relied upon by the opponent to the extent that consumers would mistakenly believe that they originate from the same source. Consequently, I find "*Creation [writing] of educational content for podcasts; DVD and CD-ROM film production; Production of educational sound and video recordings; Production of films for educational purposes; Production of training films; Production of training videos*" to be dissimilar to the goods and services covered by the earlier mark.

Adventure training for children; Arranging and conducting competitions; Competitions (Organization of -) [education or entertainment]; Electronic games services, including provision of computer games on-line or by means of a global computer network; Entertainment in the nature of competitions in the field of spelling; Entertainment services relating to quizzes; Hire of educational apparatus; Hire of equipment for games; Hire of equipment for sports; Holiday camp amusement centre services; Organisation of competitions (education or entertainment); Providing translation services.

70. As per *RALEIGH*, without evidence to the contrary, I find nothing within the specifications relied upon by the opponent which immediately strikes me as being self-evidently similar to the above listed services. I therefore find the applicant's services to be dissimilar to the opponent's earlier goods and services.

71. A degree of similarity between the goods and services is essential for there to be a finding of likelihood of confusion: see paragraph 49 of *eSure Insurance v Direct Line Insurance*, [2008] ETMR 77 CA.

72. In relation to the goods and services which I have found to be dissimilar, as there can be no likelihood of confusion under section 5(2)(b), I will take no further account of such goods and services, with the opposition failing to that extent.

The average consumer and the nature of the purchasing act

73. 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. (as he was then) described the average consumer in these terms:

“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”.¹⁵

74. For the purpose of assessing the likelihood of confusion, it must be borne in mind that the average consumer's level of attention is likely to vary according to the category of goods or services in question: *Lloyd Schuhfabrik Meyer*, Case C-342/97.

¹⁵ Paragraph 60

75. In its written submissions, the opponent submits that the contested goods and services, and those covered by the opponent's earlier rights, are directed at the public at large.


76. I agree with the opponent that the average consumer for many of the goods and services at issue will be the general public. I also acknowledge that certain goods, such as educational materials, may equally be targeted towards a professional user, for example, teachers and educational establishments. For the services in common, being publication services and the like, while the publications themselves would be consumed by both the general public and businesses, I consider the consumer availing themselves of the publishing service itself would be professionals, who are likely to pay a high degree of attention during the selection of those services.

77. The goods are sold through a range of channels including high street retail outlets or via the internet, as well as through specialist suppliers, where visual considerations are likely to dominate, with the goods being self-selected from the shelves of bricks and mortar establishments or from the pages of online catalogues, although aural considerations cannot be ignored, such as verbal advice and recommendations from sales representatives. The frequency of the purchase will vary on the individual nature of the goods, which will vary in cost, from low for "pocket money" goods such as note pads and pencils, to relatively expensive for goods such as certain educational books. The level of attention will vary accordingly, ranging from low to comparatively high, depending on the importance of the purchase to the consumer.

Comparison of marks

78. The respective trade marks are shown below:

Opponent's trade mark	Applicant's trade marks
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INVICTA	<u>Series of 2:</u> Invicta Education 
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79. 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 in *Bimbo SA v OHIM* Case C-591/12P, 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.”¹⁶

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

81. The opponent submits that the term “Education” in the applicant’s marks is entirely descriptive of the goods and services applied for and therefore should be neglected for the assessment of the signs. It submits that “the distinctive element of the respective marks – INVICTA – is present in both signs” and that “INVICTA” “is a Latin

¹⁶ Paragraph 34

word meaning undefeated or unconquered” and that the marks are accordingly identical from a conceptual perspective.¹⁷

82. In its Counterstatement, the applicant admits that there are similarities in the marks, but submits that the additional word “EDUCATION” in its marks cannot be ignored, and further submits that the visual differences introduced by the applicant’s stylised mark of the series must be given due consideration.

Overall impression

83. The opponent’s mark consists of the single word “INVICTA”, presented in a standard typeface in capital letters. As the mark contains no other elements, the overall impression therefore rests in the word itself.

84. The applicant’s mark has been accepted and published as a series of two marks, pursuant to section 41(2) of the Act. In *LOGICA* Trade Mark BL O/068/03, Professor Ruth Annand, sitting as the Appointed Person, outlined the conditions that need to be met under Section 41(2) of the Act, which states that:

“A series of trade marks means a number of trade marks which resemble each other as to their material particulars and differ only as to matters of a non-distinctive character not substantially affecting the identity of the trade mark.”

85. As shown above, the first mark in the series consists of two words, “Invicta” and “Education”, presented side by side in a standard typeface in title case. The second mark in the series comprises the same two words, presented in a relatively standard typeface in capital letters, with the word “INVICTA”, which is presented in the colour blue, positioned directly above the word “EDUCATION” which is written in a smaller white typeface situated over a blue rectangular background. In spite of the differences in stylisation of the marks, as referred to by the applicant, it has been deemed that the two marks meet the criteria to be accepted as a series. For convenience, I will from

¹⁷ See, in particular, paragraphs 16 and 23 - 24 of the opponent’s written submissions dated 8 August 2022.

this point refer to the series in the singular, though my comments should be taken as referring equally to both marks in the series, unless expressed otherwise.

86. To my mind, the average consumer will view the word “EDUCATION” in the contested mark as being allusive of the provision of goods and services which relate to the field of education. I therefore consider that it is the word “INVICTA” which will make the greatest contribution to the overall impression, although the word “EDUCATION” will not be entirely overlooked.

Visual comparison

87. The opponent’s mark and the contested mark share visual similarity by way of the word “INVICTA”, which makes up the entirety of the earlier mark and is wholly incorporated in the applicant’s mark. However, the word “INVICTA” in the contested mark is followed by the word “EDUCATION”, an element which I consider will be noticed by the average consumer, and which reduces the visual similarities between the contested marks. Considering the marks as a whole, I find there to be a medium degree of visual similarity between them.

Aural comparison

88. The common element in the competing marks is the word “INVICTA”, which would be pronounced equally as three syllables, IN-VIC-TUR. It is the only element to be voiced in the opponent’s mark, and is also the first word of the applicant’s mark. I consider that both word elements in the contested mark would be articulated by some consumers, the whole being voiced as seven syllables, IN-VIC-TUR-ED-YOU-KAY-SHUN, and to those consumers, the marks are aurally similar to no more than a medium degree. However, I also consider that there will be some consumers who will not articulate the word “EDUCATION” in the applicant’s mark, and to those consumers, the competing marks will be aurally identical.

Conceptual comparison

89. For a conceptual message to be relevant, it must be capable of immediate grasp by the average consumer - Case C-361/04 P *Ruiz-Picasso and others v OHIM* [2006]¹⁸.

90. The word “INVICTA” does not have a defined meaning in British English, and is likely to be perceived by a significant proportion of the average consumer as an invented word with no conceptual meaning. I also consider that, as mentioned by the opponent, some consumers will recognise it as a Latin word, although they may be less sure of the meaning of the word, being “unconquered”¹⁹ or “invincible”.²⁰ I consider that the word “EDUCATION” in the applicant’s mark will be readily understood and as such, the average consumer will assume that the word relates directly to the type of goods and services being provided, i.e. those relating to the field of education.

91. As I consider that the common element of the marks “INVICTA” will not have any clear and recognisable semantic content to a significant proportion of the average consumer, in such circumstances, a conceptual comparison cannot be made. However, to those consumers who understand the meaning of the word “INVICTA” in English, I consider there to be a very high degree of conceptual similarity between the marks, owing to this distinctive and dominant common element.

Distinctive character of the earlier marks

92. The distinctive character of a trade mark can be appraised only, first, by reference to the goods in respect of which registration is sought and, secondly, by reference to the way it is perceived by the relevant public – *Rewe Zentral AG v OHIM (LITE)* [2002] ETMR 91.

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

¹⁸ Paragraph 56.

¹⁹ Source: www.latin-is-simple.com, accessed on 07 March 2023.

²⁰ Source: translate.google.co.uk, accessed on 07 March 2023.

“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).”

94. Registered trade marks possess varying degrees of inherent distinctive character, being lower where they are allusive or suggestive of a characteristic of the goods and services, ranging up to those with high inherent distinctive character, such as invented words which have no allusive qualities. The distinctiveness of a mark can be enhanced by virtue of the use made of it. The opponent has not claimed that its mark has enhanced distinctiveness and no evidence of use has been filed. Therefore, I only have the inherent characteristics of the mark to consider.

95. As mentioned earlier in this decision, the earlier mark comprises the single word “INVICTA”, which does not have a defined meaning in British English. Even to those consumers who understand the meaning of the Latin word as either “unconquered” or “invincible”, I do not consider the mark to be either descriptive or allusive of the goods and services at issue. To those consumers who consider it to be an invented word,

the mark is inherently distinctive to a high degree, and to those who recognise the significance of the Latin word, then it is inherently distinctive to a medium degree.

Likelihood of confusion

96. There is no simple formula for determining whether there is a likelihood of confusion. It is clear that I must make a global assessment of the competing factors (*Sabel* at [22]), keeping in mind the interdependency between them i.e. a lesser degree of similarity between the respective trade marks may be offset by a greater degree of similarity between the respective goods and services and vice versa (*Canon* at [17]). I must consider the various factors from the perspective of the average consumer, bearing in mind that the average consumer rarely has the opportunity to make direct comparisons between trade marks and must instead rely upon the imperfect picture of them he has retained in his mind (*Lloyd Schuhfabrik* at [26]).

97. There are two types of possible confusion: direct, where the average consumer mistakes one mark for the other, or indirect, where the average consumer recognises that the marks are different, but assumes that the goods and services are the responsibility of the same or connected undertakings. The distinction between these was explained by Mr Iain Purvis Q.C. (as he then was), sitting as the Appointed Person, in *L.A. Sugar Limited v Back Beat Inc*, Case BL-O/375/10. He said:

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

17. Instances where one may expect the average consumer to reach such a conclusion tend to fall into one or more of three categories:

(a) where the common element is so strikingly distinctive (either inherently or through use) that the average consumer would assume that no-one else but the brand owner would be using it in a trade mark at all. This may apply even where the other elements of the later mark are quite distinctive in their own right (“26 RED TESCO” would no doubt be such a case).

(b) where the later mark simply adds a non-distinctive element to the earlier mark, of the kind which one would expect to find in a sub-brand or brand extension (terms such as “LITE”, “EXPRESS”, “WORLDWIDE”, “MINI” etc.).

(c) where the earlier mark comprises a number of elements, and a change of one element appears entirely logical and consistent with a brand extension (“FAT FACE” to “BRAT FACE” for example).”

98. The above are examples only which are intended to be illustrative of the general approach. These examples are not exhaustive but provide helpful focus.

99. Earlier in this decision, I found identity/similarity between some of the opposing goods and services, however, I found other goods and services to be dissimilar. I found the competing marks to be visually similar to a medium degree and, where the contested mark is articulated in full, to be aurally similar to no more than a medium degree, but aurally identical where the word “EDUCATION” in the applicant’s mark is not voiced. Where the common element “INVICTA” is considered an invented word with no clear and recognisable semantic content, a conceptual comparison could not be made, but I found there to be a very high degree of conceptual similarity between the marks to those consumers who understand the meaning of the Latin word “INVICTA” in English. I considered the average consumer of the goods and services in common to be the general public where the level of attention paid during the selection process would range from low to comparatively high, commensurate with the importance of the particular purchase, as well as business users, who are likely to pay

a high degree of attention during the selection of the services. Overall, I considered the earlier mark to possess a high degree of inherent distinctive character where it is seen as an invented word.

100. Although the average consumer views the mark as a whole, case law also directs me to bear in mind the dominant and distinctive elements of the marks. It is settled case-law that the average consumer is unlikely to see the marks side-by-side and will therefore be reliant on the imperfect picture of them they have kept in their mind.

101. I have weighed up each of the competing factors in my decision, not least the differences as well as the similarities between the competing marks, including the degree of aural and visual similarity between them, as identified above, both of which play a part. In my view, the consumer would be likely to recall the dominant and distinctive word “INVICTA”, but be less certain about the exact presentation of the words or about the additional element “EDUCATION” present in the contested marks. Even given the medium degree of inherent distinctive character of the earlier mark where it’s meaning in English is understood, I consider the differences between the marks to be insufficient to avoid them being mistakenly recalled as each other, and particularly where a lesser degree of attention is paid during the selection process, although as mentioned previously, I acknowledge that this will vary. Consequently, I find that there is a likelihood of direct confusion between the marks for those goods and services which were considered to be identical or similar.

102. I accept that there will be some consumers who note the differences between the marks, therefore, taking into account the previously outlined guidance of Mr Iain Purvis Q.C. (as he then was), in *L.A. Sugar*, I will now consider whether there might be a likelihood of indirect confusion.

103. In *Duebros Limited v Heirler Cenovis GmbH*, BL O/547/17, Mr James Mellor Q.C. (as he then was), as the Appointed Person, stressed that a finding of indirect confusion should not be made merely because the two marks share a common element. In this connection, he pointed out that it is not sufficient that a mark merely calls to mind another mark. This is mere association not indirect confusion.

104. In *Liverpool Gin Distillery Ltd and others v Sazerac Brands, LLC and others* [2021] EWCA Civ 1207, the Court of Appeal dismissed an appeal against a ruling of the High Court that trade marks for the words EAGLE RARE registered for whisky and bourbon whiskey were infringed by the launch of a bourbon whiskey under the sign "American Eagle". In his decision, Lord Justice Arnold stated that:

“13. As James Mellor QC sitting as the Appointed Person pointed out in *Cheeky Italian Ltd v Sutaria* (O/219/16) at [16] "a finding of a likelihood of indirect confusion is not a consolation prize for those who fail to establish a likelihood of direct confusion". Mr Mellor went on to say that, if there is no likelihood of direct confusion, "one needs a reasonably special set of circumstances for a finding of a likelihood of indirect confusion". I would prefer to say that there must be a proper basis for concluding that there is a likelihood of indirect confusion given that there is no likelihood of direct confusion.”

105. Keeping in mind the global assessment of the competing factors in my decision, given that the contested mark is dominated by the word “INVICTA”, being the element in common with the earlier mark, it is my view that those consumers who notice the differences between the marks will conclude that they are attributable to variant brands from the same, or economically connected, undertakings. Consequently, I consider there to be a likelihood of indirect confusion in relation to all goods and services for which I found identity/similarity.

106. The opposition under section 5(2)(b) succeeds in respect of the following goods and services only:

Class 9

Downloadable educational course materials; Abacuses; Action cameras; Adding machines; Alarms and warning equipment; Alarms for the detection of inflammable gases; Angle viewfinder; Anti theft warning devices; Anti-pollution masks for respiratory protection; Aperture gauges; Apparatus and instruments for processing images; Apparatus and instruments for processing sound; Apparatus and instruments for recording of data; Apparatus and instruments for recording of images; Apparatus and instruments for recording sound; Apparatus and instruments for reproducing of

data; Apparatus and instruments for reproducing of images; Apparatus and instruments for reproducing of sound; Apparatus and instruments for transmitting data; Apparatus and instruments for transmitting images; Apparatus and instruments for transmitting sound; Apparatus for amplifying images; Apparatus for broadcasting sound, data or images; Apparatus for data storage; Apparatus for recording images; Apparatus for recording information; Apparatus for recording of images; Apparatus for recording of sound; Apparatus providing night vision; Armbands [luminous] for protection against accident or injury; Astrophotography (Lenses for -); Audible alarms [other than for vehicles]; Audio books; Audio compact discs; Audio digital discs; Audio digital tapes; Audio/visual and photographic devices; Audio visual recordings; Bells [warning devices]; Bicycle helmets; Binders for CDs; Binocular covers; Binoculars; Biohazard suits; Blank audio cassette tapes; Blank CD-ROMs for sound or video recording; Blank CDs; Blank compact discs; Blank computer discs; Blank digital audio tapes; Blank digital recording media; Blank digital storage media; Blank diskettes; Blank DVDs; Blank flash memory cards; Blank floppy computer discs; Blank hard disks for computers; Blank magnetic disks; Blank optical discs; Blank recordable DVDs; Blank tapes for storage of computer data; Blank USB flash drives; Books recorded on disc; Books recorded on tape; Boots for protection against accidents; Boots [protective footwear]; Boxes adapted for storing computer software disks; Breathing apparatus, except for artificial respiration; Breathing masks; Bullet-proof clothing; Calculating apparatus; Calculating devices; Calculating disks; Calculating machines; Calculating scales; Calculators; Camcorder waterproof cases; Camera goggles; Camera mounts; Camera tripods; Carrying cases for mobile phones; Cases adapted for binoculars; Cases especially made for photographic apparatus and instruments; Cases for data storage devices; Cases for diskettes; Cases for pocket calculators; Cases for satellite navigation devices; Cases for smartphones; CD cases; CD players; CD rom drives; CD ROMs; CD storage wallets; CD-rom writers; Cell phones having large keys and numbers that assist users having impaired vision or dexterity; Chest protectors for the prevention of accident or injury [other than specifically adapted for sport]; Cinematographic apparatus; Cinematographic apparatus and instruments; Cinematographic cameras; Circle lens; Circle lenses; Close-up lenses; Clothes for protection against injury; Clothing especially made for laboratories; Clothing for protection against accidents; Clothing for protection against biological hazards; Clothing for protection against chemicals; Combination carbon monoxide and smoke

detectors; Compact disc cases; Compact disc players; Compact disc players for use with computers; Compact disc recorders; Compact disc writers; Compact discs; Compact discs [audio-video]; Compact discs [read-only memory]; Computer apparatus; Computer apparatus for remote meter reading; Computer discs; Computer display monitors; Computer game cartridges; Computer game cassettes; Computer game discs; Computer games; Condensers (Optical -); Containers for films; Containers for microscope slides; Correcting lenses [optics]; Covers for computer keyboards; Covers for smartphones; Covers for tablet computers; Crash helmets; Crash helmets for cyclists; Cyclists' glasses; Data cards; Data storage apparatus; Data storage devices; Data storage devices and media; Data storage discs; Data storage media; Data storage programs; Devices providing night vision; Digital book readers; Digital books downloadable from the Internet; Digital notepads; Digital optical transmission apparatus; Digital still cameras; Digital tablets; Digital video cameras; Digital video discs; Digital video recorders; Digital voice recorders; Disc storage containers; Disposable cameras; Downloadable digital photos; Downloadable e-books; Downloadable educational course materials; Downloadable educational media; Downloadable electronic books; Downloadable electronic brochures; Downloadable electronic maps; Downloadable electronic newsletters; Downloadable electronic publications; Downloadable electronic reports; Downloadable information relating to games and gaming; Downloadable instruction manuals in electronic form; Downloadable publications; Downloadable publications in electronic form; Downloadable templates for designing audiovisual presentations; Dust covers for computers; Dust goggles; Dust masks; Dust protective goggles; Dust protective masks; Dustproof glasses; DVD cases; DVD discs; Ear buds; Earbuds; Earpieces for remote communication; Ebook readers; E-books; Elbow protectors (protective -) for use against accidents [other than sports articles]; Electric alarm bells; Electrical and electronic apparatus for processing data; Electrical and electronic apparatus for storing data; Electrical and electronic instruments for processing data; Electrical and electronic instruments for storing data; Electrical and electronic instruments for the reception of data; Electrical and electronic instruments for the transmission of data; Electronic book reader covers; Electronic book readers; Electronic calculators; Electronic desk calculators; Electronic dictionaries; Electronic pocket calculators; Electronic pocket translators; Electronic publications; Electronic publications (downloadable); Electronic publications, downloadable; Electronic publications,

downloadable, relating to games and gaming; Electronic publications recorded on computer media; Electronic warning bells; Exposure meters; Exposure meters [light meters]; Eye protection; Eye protection wear for sports; Eye protectors; Eyeglass shields; Eyeglasses for sports; Face guards for protection against accident or injury; Face shields, other than for medical purposes; Fibre optic periscopes; Fisheye lenses for cameras; Flash card readers; Flash gun apparatus; Flash memory; Flash memory card; Flash memory card readers; Flash memory cards; Football helmets; Footwear for protection against accidents; Footwear for protection against chemical spills; Glasses for sports; Gloves for protection against accidents; Gloves for protection against injury; Goggles; Goggles for sports; Goggles for use in sports; Hand-held calculators; Handheld communication devices; Hand-held electronic dictionaries; Hand-held electronic scales; Handheld graphing calculators; Head guards for sports; Headgear being protective helmets; Headgear for protection against accident; Headgear for protection against injury; Headphones; Headsets; Headsets for virtual reality games; Helmets (Protective -) for sports; Hi vis safety clothing; High-visibility safety clothing; Hockey helmets; Inflatable apparatus for life-saving purposes; Inflatable jackets for use in life saving; Inflatable vests for use in life saving; Infrared cameras; Instruction manuals in electronic format; Insulated clothing for protection against accident or injury; Interactive DVDs; Interchangeable lenses; Jackets for computer disks; Knee-pads for workers; Laboratories (Clothing especially made for -); Laboratory optical apparatus; Lanterns (Optical -); Lens; Lens blanks; Lens cases; Lenses for astrophotography; Lenses for microscopes; Lenses for telescopes; Lenses (Optical -); Light meters; Magnifiers; Magnifying eyeglasses; Magnifying glasses; Magnifying glasses [optics]; Magnifying lenses; Memo books [electronic]; Memory apparatus; Memory cards; Memory devices; Memory sticks; Mini projectors; Mirrorless cameras; Mirrors [optics]; Mobile telecommunications handsets; Monoculars; Motion-activated cameras; Night vision goggles; Objectives [lenses] [optics]; Objectives [lenses] optics.

Class 16

Printed educational materials; 3D decals for use on any surface; 3D wall art made of card; 3D wall art made of paper; Absorbent paper; Activity books; Adhesive labels; Adhesive stickers; Adhesive transfers; Adhesives for art use; Adhesives for do-it-yourself purposes; Angle guides [drawing instruments]; Angle plotters [drawing

instruments]; Appliques in the form of decals; Appliqués of paper; Aquarelles; Architects' models; Architectural models; Arithmetical tables; Aromatic modeling materials; Art paper; Artists' brushes; Artists' canvas; Artists' charcoals; Artists' easels; Artists' materials; Artists' modelling materials; Artists' paint brushes; Artists' pastels; Artists' pencils; Artists' pens; Artists' water colour saucers; Arts and craft paint kits; Arts, crafts and modelling equipment; Attachments for pencils; Baby books [storybooks]; Bags for packaging made of biodegradable paper; Bags (Garbage -) of paper or of plastics; Bags made of paper; Ball-point pen and pencil sets; Ball-point pens; Banknotes; Banners of paper; Binders (Loose-leaf -); Binders [stationery]; Blackboard erasers [chalk erasers]; Blackboard rulers; Blackboards; Blank cards; Blank flip charts; Blank forms; Blank journal books; Blank note cards; Blank paper notebooks; Blank writing journals; Blotters; Blotting pads; Blotting paper; Book markers; Booklets; Booklets relating to games; Bookmarks; Bookmarks, not of precious metal; Books; Books for children; Books in the fields of games and gaming; Box files; Boxes for pens; Brochures; Brush pens; Brushes for the application of paints; Bulletins; Bunting of paper; Calculating tables; Calendar desk pads; Calendar refills; Calendars; Calligraphy ink; Calligraphy paper; Canvas boards; Canvas for painting; Canvas panels for artists; Canvas stretcher bars for artists; Cap erasers; Cardboard labels; Cards; Cartoon prints; Cartoon strips [printed matter]; Cases for pens; Catalogues; 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; Charts; Cheque books; Chequebook covers; Cheques; Children's activity books; Children's books; Children's books incorporating an audio component; Children's paint-boxes; Children's slates; Children's storybooks; Clip boards; Clipboards; Collectable cards; Collectable trading cards; Color pencils; Color prints; Colored craft and art sand; Coloring books; Colour charts; Colour pencils; Colour pens; Colour sample cards; Coloured chalk; Coloured lead pencils; Coloured pencils; Coloured pens; Colouring books; Colouring crayons; Colouring pencils; Colouring pens; Comic strips' comic features; Comic strips [printed matter]; Compasses for drawing; Composition books; Computer game hint books; Computer game instruction manuals; Computer game strategy guidebooks; Cook books; Corkboard pins; Correcting and erasing implements; Correcting pencils; Correction pens; Correction sticks; Coupon books; Coupons; Covers for weekly planners; Covers

of paper for flower pots; Craft paper; Crayons; Crepe paper; Crepe paper streamers; Crossword puzzles; Curve templates [drawing instruments]; Day planners; Decals; Decoration and art materials and media; Decorations for pencils; Decorative paper garlands for parties; Decorative stickers for soles of shoes; Desk agendas; Desk baskets for desk accessories; Desk calendars; Desk diaries; Desk mats; Desk organisers; Desk tidies; Desk top organizers; Desk top planners; Desk trays; Desktop document racks; Desktop document stands; Desktop organizers; Diagrams; Display banners made of cardboard; Display banners of paper; Document covers; Document file racks; Document files; Document folders in the form of wallets; Document portfolios; Drafting compasses; Drafting curves; Drafting instruments; Drafting rulers; Drafting squares; Drafting templates; Drafting triangles; Drawing board pins; Drawing boards; Drawing boards [painters' article]; Drawing brushes; Drawing compasses; Drawing curves; Drawing ink; Drawing instruments; Drawing instruments for blackboards; Drawing materials; Drawing pads; Drawing paper; Drawing pencils; Drawing pens; Drawing pins; Drawing protractors; Drawing rulers; Drawing sets; Drawing shields; Drawing squares; Drawing stencils; Drawing tablets [drawing pads]; Drawing templates; Drawing triangles; Drawing T-squares; Dry erase markers; Dry erase writing boards; Dry transfer lettering; Easel pads; Easels; Easels for use by artists; Easels (Painters' -); Educational and instructional material; Educational books; Educational publications; Electrical wood burning artists' pens; Erasers; Erasing products; Etching needles; Etching pens; Etching sheets; Exercise books; Exercise-book covers; Expanding files; Fabric glue for household use; Felt marking pens; Felt mats for calligraphy; Felt pens; Felt tip markers; Felt tip pens; Felt writing pens; Fiber-tip pens; File binders; File boxes for storage of business and personal records; File dividers; File folders; File trays; Fingerprint kits; Flags made from paper; Flash cards; Flip books; Flipcharts; Folders; French curves; Gel roller pens; Geographical maps; Gift certificates; Glitter for stationery purposes; Glitter glue for stationery purposes; Glitter pens for stationery purposes; Graining combs; Graph paper; Graphs; Greeting cards; Hand books; Handbooks [manuals]; Hand-rests for painters; Handwriting specimens for copying; Highlighter pens; Illustrated wall maps; Illustrated wall maps for educational purposes; Illustration boards; Impression stamps; Index cards; Index files; Information booklets; Ink erasers; Ink reservoirs; Inking pads; Inkwells; Instruction manuals; 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; Iron-on transfers; Japanese ceremonial paper strings (mizuhiki); Japanese handicraft paper; Japanese paper; Japanese paper (torinoko-gami); Japanese paper [torinoko-gami]; Jotters; Kraft paper; Leaflets; Letter racks; Letter trays; Lettering guides; Lettering stencils; Lever arch files; Loose-leaf binders; Magnetic boards for scheduling activities and appointments; Mail order catalogues; Manuals; Manuals for instructional purposes; Maps; Maps (Geographical -); Marker pens; Marking chalk; Materials for artists; Memorandum boards; Menu cards; Metal drawing pins; 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]; Models (Architects' -); Molds for modelling clays [artists' materials]; Monographs; Monthly planners; Motivational cards; Mounted and unmounted photographs; Mounted posters; Music note books; Name cards; Navigation charts for use in sailing craft; News bulletins; Newsletters; Newsletters in the fields of games and gaming; Non-fiction books; Note books; Note cards; Note pads; Noteboards; Oil pastels; Oiled paper for paper umbrellas (kasa-gami); Oleographs; Order forms; Origami folding paper; Packaging materials made of recycled paper; Pads for applying paint; 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; Palettes for painters; Pamphlets; Pantographs [drawing instruments]; Paper banners; Paper book markers; Paper bunting; Paper crafts materials; Paper fasteners; Paper flags; Paper for use in the graphic arts industry; Paper garlands; Paper patterns; Paper pennants; Paper pennons; Paper ribbons, other than haberdashery or hair decorations; Paper signs; Paper teaching materials; Paper-clips; Papers for painting and calligraphy; Papers for use in the graphic arts industry; Papier mâché; Parchment paper; Partially printed forms; Paste for handicraft, for stationery or household purposes (banjaku-nori); Pastel crayons; Pastels; Pastels [crayons]; Pastes and other adhesives for stationery or household purposes; Pen calligraphy copybooks; Pencil sharpeners,

electric or non-electric; Pennants of paper; Plans; Pop-up books; Posters; Pouches for writing instruments; Price lists; Printed answer sheets; Printed award certificates; Printed awards; Printed booklets; Printed books; Printed brochures; Printed certificates; Printed charts; Printed correspondence course materials; Printed coupons; Printed curricula; Printed diagrams; Printed diplomas; Printed educational materials; Printed emblems; Printed emblems [decalcomanias]; Printed flip charts; Printed flyers; Printed guides; Printed information sheets; Printed informational cards; Printed informational flyers; Printed informational folders; Printed informational sheets; Printed leaflets; Printed lectures; Printed lessons; Printed mail response cards; Printed manuals; Printed material in the nature of color samples; Printed matter; Printed matter for instructional purposes; Printed news releases; Printed newsletters; Printed pamphlets; Printed paper labels; Printed paper signs featuring names for use for special events; Printed paper signs featuring table numbers for use for special events; Printed patterns; Printed photographs; Printed plans; Printed promotional material; Printed publications; Printed questionnaires; Printed recipe cards; Printed reports; Printed stationery; Printed survey answer sheets; Printed tables; Printed teaching activity guides; Printed teaching material; Printed teaching materials; Printed training materials; Printed transfers for embroidery or fabric appliqués; Printed visuals; Printed vouchers; Promotional publications; Proofing paper; Prospectuses; Protractors as drawing instruments; Protractors [for stationery and office use]; Push pins; Recipe binders; Recipe books; Red algae gelatine glue, for stationery or household purposes (funori); Reference books; Register files; Removable self-stick notes; Reporters' notebooks; Revolving circular charts; Role playing game equipment in the nature of manuals; Rollers for applying paint; Rub down transfers; Rubber document stamps; Rubber finger tips; Rule books for playing games; Ruled paper [finished products]; Rulers; Rulers (Drawing -); Rulers for drawing; Rulers (Square -); Saucers (Watercolor [watercolour] -) for artists; School supplies [stationery]; School writing books; School yearbooks; Score charts; Score pads; Scrap books; Seaweed glue for stationery; Set squares for drawing; Sharpeners (Pencil -); Silk canvas [painters' article]; Silver paper; Sketch boards; Sketch books; Sketch pads; Sketchbooks; Slate boards for writing; Slate pencils; Small blackboards; Spiral-bound notebooks; Spray chalk; Square rulers; Square rulers for drawing; Squares (Drawing -); Squares for drawing; Stamp holders; Stamp inks; Stamp mounts; Stamp pad inks; Stamp pads; Stamp stands; Stamps; Stamps [seals]; Stationery; Stationery and educational supplies; Stencil cases; Stencil

paper; Stencil paper [finished product]; Stencil paper [mimeograph paper]; Stencil plates; Stencils; Stencils for face painting; Stencils [stationery]; Stick markers; Sticker books; Stickers; Stickers [decalcomanias]; Stipple applicators for use by painters; Straight edges; Straight edges for drawing; Strategy guide books for card games; Strips of fancy paper (tanzaku); Study guides; Tables (Arithmetical -); Tables (Calculating -); Teaching manuals; Teaching materials; Teaching materials [except apparatus]; Tee squares [drawing]; Textbooks; Thick Japanese paper [hosho-gami]; Three dimensional models for educational purposes; Thumb tacks; Tissue paper for making stencil paper; Tissue paper for use as material of stencil paper (ganpishi); Tracing cloth; Tracing needles for drawing purposes; Tracing paper; Tracing patterns; Training manuals; Transfer paper; Transfers; Transfers [decalcomanias]; Trays for holding drafting instruments; Trays for holding drawing instruments; Triangles being drawing instruments; Trivia cards; T-squares (Drawing -); T-squares for drawing; Ungraduated rulers; User manuals; Vellum paper; Video game strategy guidebooks; Vouchers; Vouchers of value; Wall charts; Wall decals; Wall maps; Wall planners; Watercolor boards; Watercolor saucers (Artists' -); Water-writing cloths for calligraphy practice; Whiteboards; Whiteboards having magnetic properties; Wristbands for the retention of writing instruments; Writing and stamping implements; Writing books; Writing brush for calligraphy; Writing chalk; Writing or drawing books; Writing tablets.

Class 28

Targets for sporting use; Aerobic steps; Apparatus for achieving physical fitness [for non-medical use]; Arm pads adapted for use in sporting activities; Athletic protective sportswear.

Class 41

Publication of educational materials; Publication of educational teaching materials; Book and review publishing; Book publishing; Desk top publishing; Editing of printed matter containing pictures, other than for advertising purposes; Editing of written texts; Electronic publication of texts and printed matter, other than publicity texts, on the Internet; Online publication of electronic books and journals; On-line publication of electronic books and journals [not downloadable]; Providing electronic publications; Providing electronic publications from a global computer network or the Internet, not downloadable; Providing electronic publications [not downloadable]; Providing non-

downloadable electronic publications; Publication and editing of printed matter; Publication of audio books; Publication of booklets; Publication of books; Publication of brochures; Publication of documents in the field of training, science, public law and social affairs; Publication of educational and training guides; Publication of educational books; Publication of educational materials; Publication of educational printed matter; Publication of educational teaching materials; Publication of educational texts; Publication of electronic books and journals online; Publication of fact sheets; Publication of instructional literature; Publication of leaflets; Publication of printed matter; Publication of printed matter and printed publications; Publication of printed matter in electronic form; Publication of printed matter relating to education.

107. The opposition fails in respect of the remaining goods and services.

CONCLUSION

108. The applicant has been partially successful. Subject to any successful appeal, the application by Leigh Melanie Onslow, The Countess of Onslow (also known as Viscountess Cranley ne Jones-Fenleigh) and Others may proceed to registration in respect of the following goods and services only:

Class 9

Accumulator jars; Accumulators; Accumulators for photovoltaic power; Acid hydrometers; Acidity analysers; Acidity meters; Acoustic meters; Acoustic sound alarms; Actinometers; Active infra-red sensors; Adjustable desktop mounts for tablet computers; Aerial amplifiers; Aerometers; Aiming sights [telescopic]; Aiming telescopes; Air current measuring apparatus; Air current testing apparatus; Air measuring apparatus; Air pollution measuring devices; Air quality sensors; Air temperature sensors; Airborne data acquisition instruments; Air-gas producers for scientific experiments in laboratories; Alcohol testing apparatus; Alcoholmeters; Altimeters; Ammeters; Anaerobic chambers for laboratory or scientific use; Anemometers; Angle dividing protractors; Angle gauges; Animated cartoons; Annunciators; Antenna parameter measuring apparatus; Apparatus and instruments controlling electricity; Apparatus and instruments for accumulating and storing electricity; Apparatus and instruments for astronomy; Apparatus and instruments for

conducting electricity; Apparatus and instruments for conducting the use of electricity; Apparatus and instruments for controlling electricity; Apparatus and instruments for geolocation; Apparatus and instruments for microscopy; Apparatus and instruments for physics; Apparatus and instruments for scanning ion conductance microscopy; Apparatus and instruments for scanning probe microscopy; Apparatus and instruments for weighing; Apparatus for amplifying sound; Apparatus for analysing gases; Apparatus for automatic chromatography; Apparatus for automatic chromatography for laboratory use; Apparatus for controlling static electricity; Apparatus for fermentation [laboratory apparatus]; Apparatus for generating virtual images; Apparatus for measuring, monitoring and analyzing electricity consumption; Apparatus for measuring the thickness of skins; Apparatus for monitoring electrical energy consumption; Apparatus for monitoring gas consumption; Apparatus for monitoring heat consumption; Apparatus for monitoring water consumption; Apparatus for recording data; Apparatus for recording distance; Apparatus for testing carbon monoxide detectors using an aerosol spray; Apparatus for testing heat detectors using an aerosol spray; Apparatus for testing smoke detectors using an aerosol spray; Apparatus for wireless transmission of acoustic information; Application software for cloud computing services; Application software for mobile devices; Application software for mobile phones; Application software for smart phones; Application software for smart TV; Application software for social networking services via internet; Application software for wireless devices; Application suites [software]; Approximation detectors; Aqualungs; Arm rests for use with computers; Artificial intelligence and machine learning software; Artificial intelligence apparatus; Artificial intelligence software for analysis; Artificial intelligence software for surveillance; Artificial limbs for medical instruction purposes [teaching apparatus]; Assistive software; Astrometric measuring apparatus and instruments; Astronomical spectrographs; Astronomy (Apparatus and instruments for -); Atmospheric oxygen monitors; Attenuators; Audio analyzers; Audio circuit boards; Audio conference apparatus; Audio conferencing equipment; Audio devices and radio receivers; Audio dubbing apparatus; Audio effects apparatus; Audio electronic apparatus; Audio equipment; Audio frequency amplifiers; Audio mixers; Audio receivers; Audio recorders; Audio recording apparatus; Audio recording equipment; Audio testing apparatus; Audio transmitters; Audio visual teaching apparatus; Audio-sensitive controls for lighting apparatus and instruments; Audiovisual apparatus and instruments; Audiovisual headsets for playing

video games; Audiovisual instruments; Audiovisual teaching apparatus; Audio-visual teaching apparatus; Augmented reality game software; Augmented reality software; Augmented reality software for creating maps; Augmented reality software for education; Augmented reality software for simulation; Augmented reality software for use in mobile devices; Augmented reality software for use in mobile devices for integrating electronic data with real world environments; Aural monitoring apparatus; Automatic altitude indicators; Automatic cash registers; Automatic cash sorting and counting machines; Automatic chromatography apparatus for laboratory use; Automatic control apparatus; Automatic control apparatus and instruments; Automatic dialling apparatus; Automatic dosage apparatus; Automatic focusing projectors; Automatic ion exchange chromatography apparatus for laboratory use; Automatic ion-exchange chromatography apparatus for laboratory use; Automatic solar tracking sensors; Automatic telegraph apparatus; Automatic time switches; Automatic timing switches; Autotransformers; Azimuth instruments; Baby alarms; Baby monitors; Baby scales; Balance installations; Balances (Precision -); Balancing apparatus; Balloons (Meteorological -); Balun blocks; Baluns; Bar code decoders; Bar code readers; Bar code scanners; Barcode scanner; Barometers; Baroscopes; Base plates for surveying purposes; Bathroom scales; Battery adapters; Battery boxes; Battery charge devices; Battery chargers; Battery charging equipment; Battery testers; Battery testing apparatus; Beacon lamps; Beakers [laboratory glassware]; Bell pushes; Bells (Signal -); Benzine meters; Betatrons; Bevels [measuring apparatus]; Bicycle speedometers; Binaural microphones; Biological glassware; Biological microscopes; Biological safety cabinets; Biometric fingerprint door locks; Biometric fingerprint readers; Biometric hand readers; Biometric identification apparatus; Biometric identification systems; Biometric identity cards; Biometric scanners; Biometric voice recognition systems; Biomicroscopes; Bioreactor for cell culturing; Bioreactors for cell culture; Bioreactors for laboratory use; Bioreactors for research use; Bio-sensors; Blank analogue recording media; Blank analogue storage media; Blank electronic chip cards; Blank integrated circuit cards; Blinkers [signalling lights]; Body fat scales for household use; Body-tubes for microscopes [lens-barrels]; Body-tubes for telescopes [lens-barrels]; Booms for microphones; Bore testing instruments; Borehole surveying apparatus; Borescopes; Borescopes for inspecting work; Bracelets (Encoded identification -), magnetic; Broadcasting equipment; Bubble levels; Buffer memory devices; Building management software; Bulletin boards (Electronic -); Bulletin boards (Illuminated -);

Bullhorns; Buoys (Marking -); Business application software; Buzzers; Cabinets adapted to hold electrical apparatus; Cable covers [conduits]; Cable harnesses; CAD software; Calibrated photovoltaic reference cells; Calibrating apparatus; Calibrating rings; Calibration devices; Calibrators; Calipers; Calorimeters; Candy thermometers; Capacitance boxes; Capacitance meters; Capacitators; Capacitors; Capillary tubes; Capillary tubing; Carbon dioxide detectors; Carbon monoxide detectors; Card readers; Cards containing microprocessors; Cards (Encoded magnetic -); Carpenters' folding rules; Carpenter's levels; Carpenters' rules; Cartographic apparatus; Cartoons (Animated -); Cases fitted with dissecting instruments for scientific or research purposes; Cases fitted with dissecting instruments [microscopy]; Cases fitted with dissecting instruments not for medical use; Cash cards [encoded]; Cash cards [magnetic]; Cash registers; Cell culture apparatus for laboratory use; Central processing units for processing information, data, sound or images; Centrifuge separators for laboratory use; Centrifuges for laboratory use; Centrifuges used as laboratory apparatus; Ceramic capacitors; Character recognition apparatus; Character recognition software; Character verification apparatus; Character verification instruments; Charging appliances for rechargeable equipment; Charging docks; Chart recorders; Checking (supervision) apparatus and instruments; Checkweighers; Chemical reactors; Chemistry apparatus and instruments; Children's educational software; Chips (DNA -); Chromatogram analyzers for scientific or laboratory use; Chromatographs for scientific or laboratory use; Chromatography apparatus for laboratory use; Chromatography columns; Chromatography instruments for scientific or laboratory use; Chronographs for use as specialized time recording apparatus; Chronographs [time recording apparatus]; Circuit boards; Circuit boards provided with integrated circuits; Circuit breakers; Circuit cards; Circuit testing instruments; Circular slide rules; Clapperboards; Cleaning apparatus for magnetic or optical data media; Climate control digital thermostats; Clinometer; Clinometers; Clocks (Time -) [time recording devices]; Closed circuit television apparatus; Closed circuit television cameras; Closed circuit television systems; Closed circuit television systems (CCTV); Closed circuit TV [CCTV] software; Coded identification cards; Coding modulators; Coffee measures; Coin accumulators [totalisers]; Coin change dispensers; Coin changers; Coin counting or sorting machines; Collaboration management software platforms; Collaboration software; Collaboration software platforms [software]; Collaboration tools [software]; Collaborative software; Color filters for liquid crystal

displays; Colour monitors; Combustible gas concentration detectors; Combustion gas detectors; Combustion spoons; Commercial monitors; Communication apparatus and instruments; Communication, networking and social networking software; Communications apparatus; Communications equipment; Communications head sets; Communications instruments; Community software; Comparators; Compasses; Compasses [directional]; Compasses (Directional -); Compasses for measuring; Compasses [measuring instruments]; Components for electric circuits; Computer add-on boards; Computer application software featuring games and gaming; Computer application software for mobile phones; Computer application software for streaming audio-visual media content via the internet; Computer application software for use with wearable computer devices; Computer circuit boards; Computer digital maps; Computer disc drives; Computer documentation in electronic form; Computer game programmes; Computer game software; Computer game software, downloadable; Computer games programmes downloaded via the internet; Computer groupware; Computer hardware for games and gaming; Computer hardware for signal processing of audio and video; Computer hardware for the collection of positioning data; Computer hardware for the compilation of positioning data; Computer hardware for the dissemination of positioning data; Computer housings; Computer interfaces; Computer keyboards; Computer keypads; Computer memory apparatus; Computer mice; Computer mouse pads; Computer peripheral apparatus; Computer peripheral equipment; Computer plotters; Computer programmes for data processing; Computer programmes for document management; Computer programmes for image processing; Computer programmes for interactive television and for interactive games and/or quizzes; Computer programmes for playing games; Computer programmes, recorded; Computer programs and software for image processing used for mobile phones; Computer programs, downloadable; Computer programs [downloadable software]; Computer programs for editing images, sound and video; Computer programs for enabling access or entrance control; Computer programs for playing games; Computer programs for pre-recorded games; Computer programs for project management; Computer programs for use in the autonomous navigation of vehicles; Computer programs for user interface design; Computer screen filters; Computer screens; Computer software applications; Computer software concerned with children's education; Computer software designed to estimate resource requirements; Computer software downloadable from the internet; Computer software for

administration of local area networks; Computer software for biometric systems for the identification and authentication of persons; Computer software for communicating with users of hand-held computers; Computer software for communication between computers over a local network; Computer software for creating and editing music and sounds; Computer software for education; Computer software for electronic bulletin boards; Computer software for Global Positioning Systems; Computer software for interpreting fingerprints or palm prints; Computer software for organizing and viewing digital images and photographs; Computer software for processing digital images; Computer software for recording sound; Computer software for scanning images and documents; Computer software for the administration of on-line games and gaming; Computer software for the collection of positioning data; Computer software for the compilation of positioning data; Computer software for the display of digital media; Computer software for the transmission of positioning data; Computer software for time control; Computer software for use in creating and designing websites; Computer software for use in remote meter monitoring; Computer software for use in remote meter reading; Computer software for wireless content delivery; Computer software packages; Computer software platforms for social networking; Computer software platforms, recorded or downloadable; Computer software relating to the medical field; Computer software supplied from the Internet; Computer software supplied on the Internet; Computer software to enable teleconferencing, videoconferencing and videophone services; Computer software to enhance the audio-visual capabilities of multimedia applications; Computer software to enhance the audio-visual capabilities of multimedia applications, namely, for the integration of text, audio, graphics, still images and moving pictures; Computer swivelling stands; Computer video game software; Computer whiteboard software; Computer whiteboards; Computerized time clocks with fingerprint recognition; Computers; Computers for use in data management; Computers for use with bicycles; Computing visual display units; Concentration meters; Condensers [capacitors]; Conductivity meters; Connected bracelets [measuring instruments]; Consistometers; Constant humidity incubators for laboratory use; Constant temperature incubators for laboratory use; Contents gauges; Continuity testers; Control devices (Automatic -); Control stations (Remote, electric or electronic -); Coolant-temperature sensors; Coordinate measuring instruments; Cosmographic instruments; Countdown timers; Counter balance weights; Counter-operated apparatus (Mechanisms for -); Counters; Coupling capacitors; Covers for

electric outlets; Crash test dummies; Cross beam depth gauges; Crucibles for laboratory use; Crucibles [laboratory]; Cryomonitors; Crystal oscillators; Crystalline silicon solar cells; Crystalline silicon solar power cells; Culture dishes; Culture plates; Cupels [laboratory]; Current breakers; Current testers; Current-meters; Cyclometers; Cyrogenic turbine meters; Cytometers; Daisy wheel printers; Data capture apparatus; Data carriers for computers having software recorded thereon; Data collection apparatus; Data loggers; Data loggers and recorders; Data processing equipment and accessories (electrical and mechanical); Data processing programs recorded on machine-readable data carriers; Decibel meters; Decoders; Decoding apparatus; Decompression chambers; Decorative dials for thermostats; Decorative magnets; Decorative magnets in the shape of animals; Decorative magnets in the shape of letters; Decorative magnets in the shape of numbers; Decorative refrigerator magnets; Decorative wind socks for indicating wind direction; Demagnetisers; Densimeters; Densitometers; Densitometers not for medical use; Depth gauges; Depth sounders; Desktop computers; Detecting apparatus and instruments; Detection apparatus; Detectors; Detectors for electric meters; Detectors (Smoke -); Development environment software; Development kits; Devices for analyzing genome information; Devices for analyzing protein sequence used as laboratory apparatus; Devices for hands-free use of mobile phones; Devices for the projection of virtual keyboards; Devices for wireless radio transmission; Dewing sensors; Diagnostic apparatus for testing food; Diagnostic apparatus, not for medical purposes; Diagnostic ultrasound apparatus, other than for medical use; Dial gauge instruments; Diaphragms [acoustics]; Diaphragms for scientific apparatus; Diesel oil emission testers; Diffraction apparatus [microscopy]; Digital amplifiers; Digital bathroom scales; Digital data recording media; Digital egg timers; Digital force gauges; Digital functional generators; Digital indicators; Digital measuring apparatus; Digital meat thermometers; Digital media streaming devices; Digital multimeters; Digital multi-meters; Digital organizers; Digital panel meters; Digital pH meters; Digital photo frames; Digital picture frames; Digital plotters; Digital potentiometers; Digital projectors; Digital recordings; Digital sensors; Digital sensory devices; Digital signage; Digital sound processors; Digital spoon scales; Digital thermometers, not for medical purposes; Digital thermometers, other than for medical purposes; Digital torque gauges; Digital transmitters; Digital voice signal processors; Digital weather stations; Digitizers; Direction beacons; Direction finders; Directional compasses; Directional signage [luminous or

mechanical]; Display monitors; Display screen filters adapted for use with computer monitors; Display screens; Display signs of metal [luminous or mechanical]; Disposable dispenser syringes for laboratory use; Disposable gloves for laboratory use; Disposable latex gloves for laboratory use; Disposable plastic bioreactors for cell culture; Disposable plastic gloves for laboratory use; Distance and dimension measuring instruments; Distance measurers; Distance measuring apparatus; Distance meters; Distance recording apparatus; Distance sensors; Distillation apparatus for scientific purposes; Distillation columns for laboratory use; Docking stations; Dog whistles; Door opening and closing detecting sensors; Door viewers [peepholes]; Dosage dispensers; Dosimeters; Double layer capacitors; Downloadable computer game programs; Downloadable computer game software; Downloadable computer games; Downloadable computer software for designing and modelling of three dimensional printable products; Downloadable computer software for remote monitoring and analysis; Downloadable computer software for the management of data; Downloadable electronic game programs; Downloadable electronic games; Downloadable films; Downloadable game related software applications; Downloadable image files; Downloadable interactive entertainment software for playing computer games; Downloadable interactive entertainment software for playing video games; Downloadable media; Downloadable mobile applications; Downloadable mobile applications for use with wearable computer devices; Downloadable multimedia files; Downloadable software; Downloadable software applications; Downloadable software applications for use with three dimensional printers; Downloadable video game programs; Downloadable video recordings; Drafting plotters; Drawing apparatus and instruments adapted for use with computers; Dressmakers' measures; Droppers for measuring, other than for medical or household purposes; Drunkometers; Drying ovens for laboratory use; Dual amplifier balancers; Ductility testers; Dummy sensors; Dust emission monitors; Dust measuring apparatus; Dynamic tomography apparatus, other than for medical use; Dynamometers; Echo sounders; Echo sounding devices; Education software; Educational computer applications; Educational computer software; Educational mobile applications; Educational software; Educational tablet applications; Egg timers; Egg timers [sandglasses]; Eggcandlers; Egg-candlers; Electric and electronic components; Electric and electronic effects units for musical instruments; Electric and electronic musical effects equipment; Electric and electronic video surveillance installations;

Electric apparatus for remote ignition; Electric buzzers; Electric capacitors; Electric circuit boards; Electric circuit testers; Electric communication apparatus; Electric condensers; Electric control devices for energy management; Electric converters; Electric luminescent display panels; Electric measuring apparatus; Electric measuring devices; Electric measuring instruments; Electric monitoring apparatus; Electric motor checking [monitoring or supervision] apparatus; Electric navigational instruments; Electric power analyzers; Electric sensors; Electric signs; Electric thermostats; Electric timers; Electrical access control apparatus; Electrical alarm instruments (anti-theft -) [other than for vehicles]; Electrical amplifiers for sound signals; Electrical and electronic apparatus for logging data; Electrical and electronic components; Electrical and electronic instruments for logging data; Electrical and electronic test apparatus and instruments; Electrical control instruments; Electrical extension leads; Electrical measuring equipment; Electrical meters; Electrical receivers; Electrical remote control apparatus; Electrical scales; Electrical sensors; Electrical tape jigs [measuring instruments]; Electrical telegraph wires; Electrical test apparatus; Electrical transmitters; Electrical weighing apparatus; Electricity indicators; Electricity measuring instruments; Electricity metering apparatus; Electrochemical gas sensors; Electrodes for laboratory research; Electro-dynamic apparatus for the remote control of signals; Electrolysers; Electrolysers [electrolytic cells]; Electromagnetic measuring detectors; Electrometers; Electron capture detectors; Electron microscopes; Electronic amplifiers; Electronic animal identification apparatus; Electronic apparatus for testing the sterility of medical equipment; Electronic apparatus for testing the sterility of pharmaceuticals and injectable solutions; Electronic apparatus for the remote control of signals; Electronic baby monitoring devices; Electronic baby monitoring listening devices; Electronic balances; Electronic bulletin boards; Electronic buzzers; Electronic carbon dioxide monitors [other than for medical purposes]; Electronic carbon dioxide monitors, other than for medical purposes; Electronic carbon dioxide recorders [other than for medical purposes]; Electronic coding apparatus; Electronic colour analyzers; Electronic communication equipment and instruments; Electronic components used in apparatus; Electronic components used in machines; Electronic control circuits for electric fans; Electronic control instruments; Electronic control sensors for motors; Electronic decoders; Electronic device software drivers that allow computer hardware and electronic devices to communicate with each other; Electronic devices used to locate lost articles employing the global positioning system or cellular

communication networks; Electronic digital signboards; Electronic display boards; Electronic displays; Electronic distance meters; Electronic dynamometers; Electronic entry systems; Electronic game programs; Electronic game software; Electronic game software for handheld electronic devices; Electronic game software for mobile phones; Electronic game software for wireless devices; Electronic global positioning systems; Electronic heart rate recorders [other than for medical use]; Electronic ID cards; Electronic identification cards; Electronic indicator boards; Electronic indicator panels; Electronic instructional and teaching apparatus and instruments; Electronic interactive whiteboards; Electronic key fobs being remote control apparatus; Electronic kitchen timers; Electronic logic circuits; Electronic magnetic recording media; Electronic marking gauges; Electronic measurement sensors; Electronic meters; Electronic metronomes; Electronic monitoring instruments, other than for medical use; Electronic motion sensitive switches; Electronic navigation apparatus; Electronic navigation systems; Electronic navigational and positioning apparatus and instruments; Electronic number generators; Electronic numeric displays; Electronic panels for displaying messages; Electronic paper being display devices; Electronic paper (display devices); Electronic pens; Electronic pens [visual display units]; Electronic photo albums; Electronic photometers; Electronic plotters; Electronic pressure sensors; Electronic rain gauges; Electronic regulators; Electronic scale rules; Electronic scales; Electronic scanners; Electronic scoreboards; Electronic security tags; Electronic sensors; Electronic sensors for measuring solar radiation; Electronic signal transmitters; Electronic signs; Electronic sliding callipers; Electronic speed recorders; Electronic spell-checkers; Electronic sports training simulators [computer hardware and software-based teaching apparatus]; Electronic styluses; Electronic surveillance apparatus; Electronic tablets; Electronic tags; Electronic tags for goods; Electronic taximeters; Electronic temperature monitors, other than for medical use; Electronic temperature recorders, other than for medical use; Electronic thermometers, other than for medical use; Electronic timing apparatus; Electronic timing control instruments; Electronic touch sensitive switches; Electronic tracking apparatus and instruments; Electronic units for transmitting audio signals; Electronic visual display units; Electronic weighing scales; Electronic weighing scales for kitchen use; Electronic weighing scales for personal use; Electronic word processors; Electronical sensors for measuring solar radiation; Electronically encoded identity bracelets; Electronically encoded identity wristbands; Electro-optical sensors;

Electrophoresis apparatus, not for medical purposes; Electrostatic plotters; Electrostatic precipitators; Electrotechnical components; Electrotechnical vibration meters; Emergency eyewash station; Emergency signal transmitters; Encoded identification bracelets, magnetic; Encoded identity cards; Encoded key cards; Encoding and decoding apparatus; Encoding and decoding apparatus and instruments; Encoding apparatus; Endoscopic equipment for industrial purposes; Endoscopy cameras for industrial purposes; Endurance testing machines; Energy control devices; Energy regulators; Engineers' rules; Enlargers; Environmental control software; Environmental monitoring software; Environmental test chamber (temperature simulation equipment); Epidiascopes; Equatorial telescopes; Ergometers; Event recorders; Exhaust gas temperature gauges; Exposed films; Exposed photographic slides; Exposed x-ray films, other than for medical use; Eyepieces (Instruments containing -); Eyewear pouches; Facial recognition apparatus; Facial recognition software; Fathometers; Feeler gauges; Fermentation (Apparatus for -) [laboratory apparatus]; Fibrescopes, other than for medical use; Field-glasses; Film recorders; Film recording apparatus; Filters for blood and blood components for laboratory experiments; Filters for blood and blood components for laboratory use; Filters for optical devices; Filters for respiratory masks; Fine dust analyzing apparatus; Fine dust measuring apparatus; Fingerprint door locks; Fingerprint imagers; Fingerprint scanners; Flash card adapters; Flashing lights [luminous signals]; Flashlight apparatus; Flasks for laboratory use; Flat panel electroluminescent display screens; Flatbed plotters; Flatness testers; Flatness testing apparatus; Flotation clothing; Flow gauges; Flow measuring apparatus; Flow meters; Flowmeters; Flue gas analyzers; Fluid flow meters; Fluid level sensors; Fluorescence analyzers; Fluorescence microscopes; Fluorescent screens; Fluorometers; Focusing circuits; Folding multimeters; Folding rulers; Food analysis apparatus; Food timers; Frequency counters; Frequency indicators; Frequency meters; Frequency reference crystals; Frequency synthesizers; Fridge magnets; Fuel consumption measuring apparatus; Fuel consumption meters; Fume cupboards for laboratory use; Furnaces for laboratory use; Furniture especially made for laboratories; Galena crystals [detectors]; Galvanometers; Game development software; Games software; Games software for use with computers; Gaming software that generates or displays wager outcomes of gaming machines; Gamma counters; Gamma radiation detectors; Gas alarms; Gas detecting apparatus; Gas flow meters; Gas flow monitors; Gas masks; Gas meters;

Gas mixers for laboratory use; Gas sensors; Gas testing instruments; Gasifiers for laboratory use; Gasometers [measuring instruments]; Gauge blocks; Gauge rods; Gauges; Gauges for discomfort index; Gauges with digital readout; Geiger counters; Generators (Signal -); Geophysic apparatus; Geophysical research apparatus; Geoseismic apparatus; Gesture recognition software; Glass driers for laboratory purposes; Glass graduated scales; Glass tubes for scientific purposes; Glassware for scientific experiments in laboratories; Glassware for scientific use [specifically adapted]; Glassware for use in a laboratory; Glassware (Graduated -); Global positioning apparatus; Global positioning system (GPS) devices; Global positioning systems; Global positioning systems for use with bicycles; Go/no-go gauges; Go ring gauges; Goniometers; GPS navigation devices; Gradient indicators; Graduated glassware; Graduated rulers; Graduation checkers [calibration checkers]; Graphic art software; Graphical plotters; Graphics cards; Graphics software; Graphics tablets; Gravimeters; Gravity meters; Grip size gauges; Gyrocompasses; Gyrometers; Gyroscopes; Hairdressing training head [teaching apparatus]; Hairdressing training heads [teaching apparatus]; Hands free kits for phones; Hands-free headsets for cell phones; Haptic communications apparatus; Head mounted 2D monoscopic displays; Head mounted 3D stereoscopic displays; Head mounted augmented reality displays; Head mounted monoscopic displays; Head mounted stereoscopic displays; Head protection; Head-mounted display apparatus; Head-mounted holographic displays; Head-mounted video display apparatus; Head-mounted video displays; Health monitoring software; Heat detecting apparatus; Heat detectors; Heat exchange crucibles for scientific use; Heat sensing identification indicators; Heat sensors; Heating furnaces specifically adapted for laboratory experiments; Heating meters; Height charts; Height gauges; Height measuring instruments; Heliographic apparatus; Helmet camera mounts; Helmet cameras; Helmet communications systems; High pressure manometers; Holders for test tubes; Hollow glass containers for laboratory use; Hollow glass containers for measuring; Hollow glassware for laboratory use; Holographic apparatus; Holographic images; Holographic projectors; Horns for loudspeakers; Hourglasses; Hourglasses [time measuring apparatus]; Household thermometers; Housings for electrical apparatus; Housings for measuring apparatus; Humanoid robots with artificial intelligence; Humidity measuring apparatus; Humidity meters; Humidity sensors; Humidity switches; Hunting binoculars; Hydrometers; Hydrophones; Hygrometers; Hyperbaric oxygen chambers for non-medical purposes;

Hyperbaric oxygen chambers, not for medical purposes; Identification bracelets (Encoded -), magnetic; Identification labels [machine readable]; Illuminated exit signs; Illuminated signposts; Illuminated signs; Illuminometers; Image amplifiers; Image analyzers; Image identifier night vision devices; Image intensifiers; Image processing apparatus; Image projectors; Image recording apparatus; Imaging devices for scientific purposes; Immersion probes; Immunostaining instruments [for scientific purposes]; Inclinometers; Incubation dishes for scientific or laboratory use; Incubation plates for scientific or laboratory use; Incubators for bacteria culture; Incubators for bacteria cultures; Incubators for laboratory use; Indication panels; Indicator panels; Indicators (Quantity -); Indicators (Speed -); Indicators (Water level -); Infrared detection apparatus; Infrared detectors; Infrared sensors; Infrared thermometers; Infra-red thermometers; Infrared thermometers, not for medical purposes; Inspecting apparatus and instruments; Inspection mirrors; Instructional and teaching apparatus and instruments; Instructional apparatus; Instrument dials; Instrumentation simulators; Instruments containing eyepieces; Instruments for amplifying images; Instruments for amplifying sound; Instruments for detecting traffic; Instruments for diagnosis [for scientific use]; Instruments for indicating directions; Instruments for measuring angles; Instruments for measuring length; Instruments for measuring levels of fluids; Instruments for measuring milk quality parameters; Instruments for measuring pressure; Instruments for measuring speed; Instruments for measuring velocities; Instruments for monitoring traffic; Instruments for recording heart activity [for scientific purposes]; Instruments for recording images; Instruments for recording information; Instruments for recording sound; Instruments for signalling; Instruments for surveying physical data; Instruments for temperature control; Instruments for testing metals; Instruments for the reduction of noise in systems for recording audio signals; Instruments for the transmission of images; Instruments for weighing; Insulated bottles [flasks] for laboratory use; Insulating vessels for laboratory use; Insulation resistance meters; Insulation testers; Integrated audio amplifiers; Integrated circuit cards [smart cards]; Integrated circuit memory cards; Intelligent gateways for communication; Intelligent gateways for real-time data analysis; Intensifying screens for x-ray films; Interactive computer game programs; Interactive computer software; Interactive computer software that provides navigational and travel information; Interactive entertainment software for use with computers; Interactive game software; Interactive multimedia software for playing games; Interfaces for detectors; Interferometers;

Intruder detecting apparatus [other than for vehicles]; Intruder detection apparatus; Intruder identification apparatus [other than for vehicles]; Intrusion detection system [IDS] software; Invader sensors; Inverters used in solar power generation; Ionization apparatus for scientific or laboratory use; Jars (Accumulator -); Jigs [measuring instruments]; Job performance recorders; Joint meters; Keyboards; Keyboards for mobile phones; Keypads; Kitchen scales; Kitchen weighing scales; Labels carrying optically recorded or encoded information; Labels with integrated RFID chips; Laboratory apparatus and instruments; Laboratory beakers; Laboratory centrifuges; Laboratory countertops; Laboratory filters; Laboratory furniture [specifically adapted]; Laboratory glassware; Laboratory incubators [other than for medical use]; Laboratory instrument for the detection of pathogens and toxins in a biological sample for research use; Laboratory instruments [other than for medical use]; Laboratory mixers; Laboratory oscilloscopes; Laboratory pipettes; Laboratory robots; Laboratory storage tubes; Laboratory swabs [laboratory instruments]; Laboratory thermometers; Laboratory trays; Lactodensimeters; Lactometers; Laminar flow cabinets for laboratory use; Laminar flow hoods for laboratory use; Lamps for use as warning beacons; Language translating apparatus; Lanterns (Magic -); Laser level measuring apparatus; Laser measuring systems; Laser range finders; Laser speed detectors; Lasers for measuring; Lasers for measuring purposes; Lasers for non-medical purposes; Lasers for scientific use; Lasers, not for medical purposes; LED [light-emitting diode] displays; LED Microscopes; LED monitors; Length measuring apparatus; Length measuring gauges; Lens caps; Letter scales; Level gauges; Level gauging poles; Level indicators; Level indicators [spirit levels]; Level measuring machines [for surveying]; Level meters; Level sensors; Levelling instruments; Levelling rods [for surveying]; Levelling staffs [surveying instruments]; Levels [instruments for determining the horizontal]; Lifting magnets; Light boxes; Light Detection and Ranging [LIDAR] apparatus; Light sensors; Liquid chromatography apparatus for laboratory use; Liquid chromatography columns for scientific use; Liquid chromatography injectors for scientific use; Liquid crystal display [LCD] monitors; Liquid crystal display (LCD) televisions; Liquid crystal display screens; Liquid crystal displays; Liquid dosage devices that measure the amounts to be dispensed; Liquid level meters; Liquid level monitoring apparatus; Liquid level sensors; Loft gauges; Logic probes; Logs [measuring instruments]; Lorgnettes; Loud hailers; Loudspeakers with built in amplifiers; Lumber testers; Lumber testing machines; Luminescence measuring devices; Luminoflux meters; Luminous

indicators; Luminous pointers; Machine learning software for surveillance; Macroscopes; Magic lanterns; Magnet plates for laboratory use; Magnetic agitators for laboratory use; Magnetic compasses; Magnetic compasses for surveying; Magnetic detectors; Magnetic field generators, other than for medical use; Magnetic gyrocompasses; Magnetic metal detector monitors; Magnetic object detectors; Magnetic pens; Magnetic recording charts; Magnetic separators for scientific use; Magnetometers; Magnets; Magnets (Decorative -); Magnets, magnetizers and demagnetizers; Mannequins (Resuscitation -) [teaching apparatus]; Manual telegraph apparatus; Marine compasses; Marine depth finders; Marine depth sounders; Marking gauges; Marking gauges for joinery purposes; Marking gauges [joinery]; Masks [Protective -]; Mass flow meters; Mass flow sensors; Mass spectrometers; Master of Education software; Material testing apparatus; Material testing instruments and machines; Math coprocessor; Mathematical instruments; Mats for use with a computer mouse; Measurement apparatus; Measures; Measuring and control devices for air conditioning technology; Measuring apparatus; Measuring apparatus and instruments; Measuring apparatus not for medical purposes; Measuring buckets; Measuring cables; Measuring converters; Measuring, counting, alignment and calibrating instruments; Measuring cups; Measuring, detecting and monitoring instruments, indicators and controllers; Measuring, detecting, monitoring and controlling devices; Measuring devices; Measuring devices, electric; Measuring glassware; Measuring instruments; Measuring jugs; Measuring rods; Measuring rulers; Measuring rules; Measuring sensors; Measuring spoons; Measuring stands; Measuring tapes; Measuring transducers; Measuring tubes; Measuring wheels; Meat thermometers; Mechanical egg timers; Mechanical life saving apparatus; Mechanical room thermostats; Mechanised coding apparatus; Media content; Media streaming software; Medical simulators [teaching aids]; Megaphones; Membranes for filtration [scientific]; Memo boards [electronic]; Memory boards; Memory modules; Mercury levels; Mercury thermometers [other than for medical use]; Meridian transit telescopes; Metal bells for alarms; Metal compression testing machines; Metal detectors; Metal hardness testing machines; Metal strength testing machines; Metallurgical microscopes; Meteorological apparatus; Meteorological balloons; Meteorological instruments; Meter testing apparatus; Meters; Metric converters; Metronomes; Microarray slides; Microhardness testers; Micrometer gauges; Micrometers; Microscope illuminating devices; Microscope lamps; Microscope objectives;

Microscope slides; Microscope slides (Containers for -); Microscope video processors; Microscopes; Microscopes for medical use; Microtitration instruments [other than for medical use]; Millivolt meters; Mirrors for inspecting work; Mobile apps; Mobile data apparatus; Mobile radio receiving apparatus; Mobile radio transmitting apparatus; Mobile radios; Models for scientific experiments in laboratories; Modules for photovoltaic power generation; Moisture meters; Money counting apparatus; Monitor screens; Monitoring apparatus and instruments; Monitoring apparatus, other than for medical purposes; Monitoring control apparatus [electric]; Monitoring instruments; Monitoring units [electric]; Monitors; Monitors for commercial purposes; Mortise gauges; Motion detectors; Mouse mats; Mouse pads; Multiaxis directional detectors; Multifunction keyboards; Multimedia apparatus and instruments; Multimedia devices; Multimeters; Multispectral Fluorescence Imaging System [MFIS] for scientific use; Nanoparticle size analysers; Natural gas alarms; Naval signalling apparatus; Navigating apparatus [compasses]; Navigating apparatus (Electric -); Navigating apparatus (Electronic -); Navigating apparatus [sextants]; Navigation apparatus and instruments; Navigation compasses; Navigation, guidance, tracking, targeting and map making devices; Navigation software; Navigational instruments; Needles for surveying compasses; Network monitoring cameras for surveillance; Networking devices; Newton dynamometers; Noise level meters; Noisemeters; Non-destructive testing apparatus; Nuclear detectors for detecting radiation particles; Nucleic acid sequencers for scientific purposes; Numerical counters; Object detecting sensors; Observation instruments; Octants; Odometers.

Class 16

Albums for collecting magnetic cards; Albums for stickers; Anatomical models for instructional and educational purposes; Babies' bibs of paper; Bibs of paper; Biological samples for use in microscopy [teaching materials]; Blocks for printing; Book ends; Bookends; Boxes made of cardboard; Boxes of cardboard; Bulk paper; Cabinets for stationery [office requisites]; Carbonless copying paper; Cardboard badges; Cardboard cartons; Cardboard containers; Cardboard household storage boxes; Cardboard packaging boxes in collapsible form; Cardboard packaging boxes in made-up form; Cardboard picture mounts; Carrying cases made of paper; Carrying cases specially adapted to hold collectible trading cards; Cartons made from corrugated board; Cases made of corrugated cardboard; Celestial globes; Chart pointers, non-

electronic; Clips for name badge holders [office requisites]; Coasters made of paper; Coasters of cardboard; Coated paper; Coin albums; Coin mats; Collages; Collapsible cardboard boxes; Collector albums; Colorboard [colored paperboard]; Composing frames [printing]; Composing sticks; Copying paper; Cutters (Paper -) [office requisites]; Desktop cabinets for stationery [office requisites]; Dinner mats of card; Dinner mats of paper; Display boxes of cardboard; Disposable napkins; Drying towels of paper; Dustbin bags; Educational equipment; Elastic bands for offices; Facial tissues of paper; Figurines made from cardboard; Filter material of paper; Filter paper; Flower-pot covers of paper; Fluorescent paper; Folios; Globes; Globes (Terrestrial -); Hand towels of paper; Handkerchiefs made of paper; Heat sensitive paper; Hectographs; Histological sections for teaching purposes; House painters' roller brushes; Hygienic paper; Ink sheets for use in reproducing images in the printing industry; Loose leaf paper; Loose-leaf pads; Luminous paper; Map cases; Map tacks; Mapping pins; Marking ink containing biologics for use in authentication of objects; Marking stamps; Mimeograph apparatus and machines; Mimeograph paper; Mimeograph stencils; Mimeographs; Mounts for X-ray negatives for non-medical purposes; Nail stencils; Name badge holders [office requisites]; Non-electric chart pointers; Numbering apparatus; Numbering guides; Numbering stamps; Numbers [type]; Office machines; Office requisites; Paper bibs; Paper emblems; Paper embossers [office requisites]; Paper for Japanese indoor sliding partitions (fusuma-gami); Paper for Japanese sliding screens (shoji-gami); Paper for printing photographs; Paper for use in the manufacture of wallpaper; Paper hand-towels; Paper passe-partouts; Paper pet crate mats; Paper picture mounts; Paper racks [office requisites]; Paper (Waxed -); Paper wipes for cleaning; Photographic or art mounts; Pigeon holes; Portable printing sets; Print blocks; Print characters; Print letters; Print wheels; Printing and bookbinding equipment; Printing blocks; Printing paper; Printing sets; Recycled paper; Red ink paste used for seals; Relief duplicators; Reproduction paper; Rice paper; Rotary duplicators; School cones, empty; Sealing wax; 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 runners of paper; Terrestrial globes; Towels of paper for cleaning purposes; Trays for sorting and counting money; Tubes (Cardboard -); Unfitted furniture covers of paper; Vignetting apparatus; Waterproof paper; Waterproof paper [other than for use in building]; Wax (Sealing -); White paperboard.

Class 28

Educational playthings; Educational toys; Scale model figures; Sketching toys; Water toys; Action skill games; Animal replicas as playthings; Assembly toys.

Class 41

Educational materials or apparatus (Rental of -); Development of educational materials; Hire of educational materials; Production and rental of educational and instructional materials; Abacus instruction; Academic examination services; Accreditation of educational services; Adult education services relating to environmental issues; Adventure training for children; Arrangement of conferences for educational purposes; Arrangement of seminars for educational purposes; Arrangement of training courses in teaching institutes; Arranging and conducting competitions; Arranging and conducting education fairs; Arranging and conducting of classes; Arranging and conducting of competitions [education or entertainment]; Arranging and conducting of displays for educational purposes; Arranging and conducting of educational discussion groups, not on-line; Arranging and conducting of educational events; Arranging and conducting of educational events for charitable purposes; Arranging and conducting workshops; Career and vocational counselling; Club education services; Competitions (Organization of -) [education or entertainment]; Creation [writing] of educational content for podcasts; Developing educational manuals; DVD and CD-ROM film production; Education; Education and training consultancy; Education and training relating to nature conservation and the environment; Education information; Education services; Educational materials or apparatus (Rental of -); Educational research; Educational services; Educational services provided for teachers of children; Educational services relating to first aid; Educational services relating to road safety; Educational services relating to the conservation of nature; Educational services relating to zoology; Electronic games services, including provision of computer games on-line or by means of a global computer network; Entertainment in the nature of competitions in the field of spelling; Entertainment services relating to quizzes; Exhibition services for educational purposes; Exhibitions (Conducting -) for educational purposes; Festivals (Organisation of -) for educational purposes; Hire of educational apparatus; Hire of educational materials; Hire of equipment for games; Hire of equipment for sports; Hire of printed

matter; Hire of teaching materials; Holiday camp amusement centre services; Information (Education -); Information services relating to education; Lease of instructional materials; Lease of teaching materials; Leasing of educational material; Online education services; Online reference library services; Organisation and holding of fairs for cultural or educational purposes; Organisation of competitions (education or entertainment); Organising of meetings in the field of education; Planning of lectures for educational purposes; Planning of seminars for educational purposes; Production and rental of educational and instructional materials; Production of educational sound and video recordings; Production of films for educational purposes; Production of training films; Production of training videos; Professional consultancy relating to education; Providing courses in the field of water management; Providing courses of instruction; Providing courses of instruction for young people; Providing courses of training; Providing educational demonstrations; Providing information in the field of entertainment; Providing translation services.

COSTS

109. Both parties have enjoyed a share of success. Considering the balance of success is roughly equal, adopting a “rough and ready” approach to the matter, I have concluded that both parties should bear their own costs.

Dated this 20th day of March 2023

Suzanne Hitchings
For the Registrar,
the Comptroller-General

Annex A

Applicant's goods and services

Class 9

Downloadable educational course materials; Abacuses; Accumulator jars; Accumulators; Accumulators for photovoltaic power; Acid hydrometers; Acidity analysers; Acidity meters; Acoustic meters; Acoustic sound alarms; Actinometers; Action cameras; Active infra-red sensors; Adding machines; Adjustable desktop mounts for tablet computers; Aerial amplifiers; Aerometers; Aiming sights [telescopic]; Aiming telescopes; Air current measuring apparatus; Air current testing apparatus; Air measuring apparatus; Air pollution measuring devices; Air quality sensors; Air temperature sensors; Airborne data acquisition instruments; Air-gas producers for scientific experiments in laboratories; Alarms and warning equipment; Alarms for the detection of inflammable gases; Alcohol testing apparatus; Alcoholmeters; Altimeters; Ammeters; Anaerobic chambers for laboratory or scientific use; Anemometers; Angle dividing protractors; Angle gauges; Angle viewfinder; Animated cartoons; Annunciators; Antenna parameter measuring apparatus; Anti theft warning devices; Anti-pollution masks for respiratory protection; Aperture gauges; Apparatus and instruments controlling electricity; Apparatus and instruments for accumulating and storing electricity; Apparatus and instruments for astronomy; Apparatus and instruments for conducting electricity; Apparatus and instruments for conducting the use of electricity; Apparatus and instruments for controlling electricity; Apparatus and instruments for geolocation; Apparatus and instruments for microscopy; Apparatus and instruments for physics; Apparatus and instruments for processing images; Apparatus and instruments for processing sound; Apparatus and instruments for recording of data; Apparatus and instruments for recording of images; Apparatus and instruments for recording sound; Apparatus and instruments for reproducing of data; Apparatus and instruments for reproducing of images; Apparatus and instruments for reproducing of sound; Apparatus and instruments for scanning ion conductance microscopy; Apparatus and instruments for scanning probe microscopy; Apparatus and instruments for transmitting data; Apparatus and instruments for transmitting images; Apparatus and instruments for transmitting sound; Apparatus and instruments for weighing; Apparatus for amplifying images; Apparatus for amplifying sound; Apparatus for analysing gases; Apparatus for automatic chromatography; Apparatus for automatic chromatography for laboratory use; Apparatus for broadcasting sound, data or images; Apparatus for controlling static electricity; Apparatus for data storage; Apparatus for fermentation [laboratory apparatus]; Apparatus for generating virtual images; Apparatus for measuring, monitoring and analyzing electricity

consumption; Apparatus for measuring the thickness of skins; Apparatus for monitoring electrical energy consumption; Apparatus for monitoring gas consumption; Apparatus for monitoring heat consumption; Apparatus for monitoring water consumption; Apparatus for recording data; Apparatus for recording distance; Apparatus for recording images; Apparatus for recording information; Apparatus for recording of images; Apparatus for recording of sound; Apparatus for testing carbon monoxide detectors using an aerosol spray; Apparatus for testing heat detectors using an aerosol spray; Apparatus for testing smoke detectors using an aerosol spray; Apparatus for wireless transmission of acoustic information; Apparatus providing night vision; Application software for cloud computing services; Application software for mobile devices; Application software for mobile phones; Application software for smart phones; Application software for smart TV; Application software for social networking services via internet; Application software for wireless devices; Application suites [software]; Approximation detectors; Aqualungs; Arm rests for use with computers; Armbands [luminous] for protection against accident or injury; Artificial intelligence and machine learning software; Artificial intelligence apparatus; Artificial intelligence software for analysis; Artificial intelligence software for surveillance; Artificial limbs for medical instruction purposes [teaching apparatus]; Assistive software; Astrometric measuring apparatus and instruments; Astronomical spectrographs; Astronomy (Apparatus and instruments for -); Astrophotography (Lenses for -); Atmospheric oxygen monitors; Attenuators; Audible alarms [other than for vehicles]; Audio analyzers; Audio books; Audio circuit boards; Audio compact discs; Audio conference apparatus; Audio conferencing equipment; Audio devices and radio receivers; Audio digital discs; Audio digital tapes; Audio dubbing apparatus; Audio effects apparatus; Audio electronic apparatus; Audio equipment; Audio frequency amplifiers; Audio mixers; Audio receivers; Audio recorders; Audio recording apparatus; Audio recording equipment; Audio testing apparatus; Audio transmitters; Audio/visual and photographic devices; Audio visual recordings; Audio visual teaching apparatus; Audio-sensitive controls for lighting apparatus and instruments; Audiovisual apparatus and instruments; Audiovisual headsets for playing video games; Audiovisual instruments; Audiovisual teaching apparatus; Audio-visual teaching apparatus; Augmented reality game software; Augmented reality software; Augmented reality software for creating maps; Augmented reality software for education; Augmented reality software for simulation; Augmented reality software for use in mobile devices; Augmented reality software for use in mobile devices for integrating electronic data with real world environments; Aural monitoring apparatus; Automatic altitude indicators; Automatic cash registers; Automatic cash sorting and counting machines; Automatic chromatography apparatus for laboratory use; Automatic control apparatus; Automatic control apparatus and instruments; Automatic dialling apparatus; Automatic dosage apparatus; Automatic focusing projectors; Automatic ion exchange chromatography apparatus for laboratory use; Automatic

ion-exchange chromatography apparatus for laboratory use; Automatic solar tracking sensors; Automatic telegraph apparatus; Automatic time switches; Automatic timing switches; Autotransformers; Azimuth instruments; Baby alarms; Baby monitors; Baby scales; Balance installations; Balances (Precision -); Balancing apparatus; Balloons (Meteorological -); Balun blocks; Baluns; Bar code decoders; Bar code readers; Bar code scanners; Barcode scanner; Barometers; Baroscopes; Base plates for surveying purposes; Bathroom scales; Battery adapters; Battery boxes; Battery charge devices; Battery chargers; Battery charging equipment; Battery testers; Battery testing apparatus; Beacon lamps; Beakers [laboratory glassware]; Bell pushes; Bells (Signal -); Bells [warning devices]; Benzine meters; Betatrons; Bevels [measuring apparatus]; Bicycle helmets; Bicycle speedometers; Binaural microphones; Binders for CDs; Binocular covers; Binoculars; Biohazard suits; Biological glassware; Biological microscopes; Biological safety cabinets; Biometric fingerprint door locks; Biometric fingerprint readers; Biometric hand readers; Biometric identification apparatus; Biometric identification systems; Biometric identity cards; Biometric scanners; Biometric voice recognition systems; Biomicroscopes; Bioreactor for cell culturing; Bioreactors for cell culture; Bioreactors for laboratory use; Bioreactors for research use; Bio-sensors; Blank analogue recording media; Blank analogue storage media; Blank audio cassette tapes; Blank CD-ROMs for sound or video recording; Blank CDs; Blank compact discs; Blank computer discs; Blank digital audio tapes; Blank digital recording media; Blank digital storage media; Blank diskettes; Blank DVDs; Blank electronic chip cards; Blank flash memory cards; Blank floppy computer discs; Blank hard disks for computers; Blank integrated circuit cards; Blank magnetic disks; Blank optical discs; Blank recordable DVDs; Blank tapes for storage of computer data; Blank USB flash drives; Blinkers [signalling lights]; Body fat scales for household use; Body-tubes for microscopes [lens-barrels]; Body-tubes for telescopes [lens-barrels]; Books recorded on disc; Books recorded on tape; Booms for microphones; Boots for protection against accidents; Boots [protective footwear]; Bore testing instruments; Borehole surveying apparatus; Borescopes; Borescopes for inspecting work; Boxes adapted for storing computer software disks; Bracelets (Encoded identification -), magnetic; Breathing apparatus, except for artificial respiration; Breathing masks; Broadcasting equipment; Bubble levels; Buffer memory devices; Building management software; Bulletin boards (Electronic -); Bulletin boards (Illuminated -); Bullet-proof clothing; Bullhorns; Buoys (Marking -); Business application software; Buzzers; Cabinets adapted to hold electrical apparatus; Cable covers [conduits]; Cable harnesses; CAD software; Calculating apparatus; Calculating devices; Calculating disks; Calculating machines; Calculating scales; Calculators; Calibrated photovoltaic reference cells; Calibrating apparatus; Calibrating rings; Calibration devices; Calibrators; Calipers; Calorimeters; Camcorder waterproof cases; Camera goggles; Camera mounts; Camera tripods; Candy thermometers; Capacitance boxes; Capacitance meters; Capacitators; Capacitors; Capillary tubes; Capillary

tubing; Carbon dioxide detectors; Carbon monoxide detectors; Card readers; Cards containing microprocessors; Cards (Encoded magnetic -); Carpenters' folding rules; Carpenter's levels; Carpenters' rules; Carrying cases for mobile phones; Cartographic apparatus; Cartoons (Animated -); Cases adapted for binoculars; Cases especially made for photographic apparatus and instruments; Cases fitted with dissecting instruments for scientific or research purposes; Cases fitted with dissecting instruments [microscopy]; Cases fitted with dissecting instruments not for medical use; Cases for data storage devices; Cases for diskettes; Cases for pocket calculators; Cases for satellite navigation devices; Cases for smartphones; Cash cards [encoded]; Cash cards [magnetic]; Cash registers; CD cases; CD players; CD rom drives; CD ROMs; CD storage wallets; CD-rom writers; Cell culture apparatus for laboratory use; Cell phones having large keys and numbers that assist users having impaired vision or dexterity; Central processing units for processing information, data, sound or images; Centrifuge separators for laboratory use; Centrifuges for laboratory use; Centrifuges used as laboratory apparatus; Ceramic capacitors; Character recognition apparatus; Character recognition software; Character verification apparatus; Character verification instruments; Charging appliances for rechargeable equipment; Charging docks; Chart recorders; Checking (supervision) apparatus and instruments; Checkweighers; Chemical reactors; Chemistry apparatus and instruments; Chest protectors for the prevention of accident or injury [other than specifically adapted for sport]; Children's educational software; Chips (DNA -); Chromatogram analyzers for scientific or laboratory use; Chromatographs for scientific or laboratory use; Chromatography apparatus for laboratory use; Chromatography columns; Chromatography instruments for scientific or laboratory use; Chronographs for use as specialized time recording apparatus; Chronographs [time recording apparatus]; Cinematographic apparatus; Cinematographic apparatus and instruments; Cinematographic cameras; Circle lens; Circle lenses; Circuit boards; Circuit boards provided with integrated circuits; Circuit breakers; Circuit cards; Circuit testing instruments; Circular slide rules; Clapperboards; Cleaning apparatus for magnetic or optical data media; Climate control digital thermostats; Clinometer; Clinometers; Clocks (Time -) [time recording devices]; Closed circuit television apparatus; Closed circuit television cameras; Closed circuit television systems; Closed circuit television systems (CCTV); Closed circuit TV [CCTV] software; Close-up lenses; Clothes for protection against injury; Clothing especially made for laboratories; Clothing for protection against accidents; Clothing for protection against biological hazards; Clothing for protection against chemicals; Coded identification cards; Coding modulators; Coffee measures; Coin accumulators [totalisers]; Coin change dispensers; Coin changers; Coin counting or sorting machines; Collaboration management software platforms; Collaboration software; Collaboration software platforms [software]; Collaboration tools [software]; Collaborative software; Color filters for liquid crystal displays; Colour monitors; Combination carbon monoxide and smoke detectors;

Combustible gas concentration detectors; Combustion gas detectors; Combustion spoons; Commercial monitors; Communication apparatus and instruments; Communication, networking and social networking software; Communications apparatus; Communications equipment; Communications head sets; Communications instruments; Community software; Compact disc cases; Compact disc players; Compact disc players for use with computers; Compact disc recorders; Compact disc writers; Compact discs; Compact discs [audio-video]; Compact discs [read-only memory]; Comparators; Compasses; Compasses [directional]; Compasses (Directional -); Compasses for measuring; Compasses [measuring instruments]; Components for electric circuits; Computer add-on boards; Computer apparatus; Computer apparatus for remote meter reading; Computer application software featuring games and gaming; Computer application software for mobile phones; Computer application software for streaming audio-visual media content via the internet; Computer application software for use with wearable computer devices; Computer circuit boards; Computer digital maps; Computer disc drives; Computer discs; Computer display monitors; Computer documentation in electronic form; Computer game cartridges; Computer game cassettes; Computer game discs; Computer game programmes; Computer game software; Computer game software, downloadable; Computer games; Computer games programmes downloaded via the internet; Computer groupware; Computer hardware for games and gaming; Computer hardware for signal processing of audio and video; Computer hardware for the collection of positioning data; Computer hardware for the compilation of positioning data; Computer hardware for the dissemination of positioning data; Computer housings; Computer interfaces; Computer keyboards; Computer keypads; Computer memory apparatus; Computer mice; Computer mouse pads; Computer peripheral apparatus; Computer peripheral equipment; Computer plotters; Computer programmes for data processing; Computer programmes for document management; Computer programmes for image processing; Computer programmes for interactive television and for interactive games and/or quizzes; Computer programmes for playing games; Computer programmes, recorded; Computer programs and software for image processing used for mobile phones; Computer programs, downloadable; Computer programs [downloadable software]; Computer programs for editing images, sound and video; Computer programs for enabling access or entrance control; Computer programs for playing games; Computer programs for pre-recorded games; Computer programs for project management; Computer programs for use in the autonomous navigation of vehicles; Computer programs for user interface design; Computer screen filters; Computer screens; Computer software applications; Computer software concerned with children's education; Computer software designed to estimate resource requirements; Computer software downloadable from the internet; Computer software for administration of local area networks; Computer software for biometric systems for the identification and authentication of persons; Computer software for

communicating with users of hand-held computers; Computer software for communication between computers over a local network; Computer software for creating and editing music and sounds; Computer software for education; Computer software for electronic bulletin boards; Computer software for Global Positioning Systems; Computer software for interpreting fingerprints or palm prints; Computer software for organizing and viewing digital images and photographs; Computer software for processing digital images; Computer software for recording sound; Computer software for scanning images and documents; Computer software for the administration of on-line games and gaming; Computer software for the collection of positioning data; Computer software for the compilation of positioning data; Computer software for the display of digital media; Computer software for the transmission of positioning data; Computer software for time control; Computer software for use in creating and designing websites; Computer software for use in remote meter monitoring; Computer software for use in remote meter reading; Computer software for wireless content delivery; Computer software packages; Computer software platforms for social networking; Computer software platforms, recorded or downloadable; Computer software relating to the medical field; Computer software supplied from the Internet; Computer software supplied on the Internet; Computer software to enable teleconferencing, videoconferencing and videophone services; Computer software to enhance the audio-visual capabilities of multimedia applications; Computer software to enhance the audio-visual capabilities of multimedia applications, namely, for the integration of text, audio, graphics, still images and moving pictures; Computer swivelling stands; Computer video game software; Computer whiteboard software; Computer whiteboards; Computerized time clocks with fingerprint recognition; Computers; Computers for use in data management; Computers for use with bicycles; Computing visual display units; Concentration meters; Condensers [capacitors]; Condensers (Optical -); Conductivity meters; Connected bracelets [measuring instruments]; Consistometers; Constant humidity incubators for laboratory use; Constant temperature incubators for laboratory use; Containers for films; Containers for microscope slides; Contents gauges; Continuity testers; Control devices (Automatic -); Control stations (Remote, electric or electronic -); Coolant-temperature sensors; Coordinate measuring instruments; Correcting lenses [optics]; Cosmographic instruments; Countdown timers; Counter balance weights; Counter-operated apparatus (Mechanisms for -); Counters; Coupling capacitors; Covers for computer keyboards; Covers for electric outlets; Covers for smartphones; Covers for tablet computers; Crash helmets; Crash helmets for cyclists; Crash test dummies; Cross beam depth gauges; Crucibles for laboratory use; Crucibles [laboratory]; Cryomonitors; Crystal oscillators; Crystalline silicon solar cells; Crystalline silicon solar power cells; Culture dishes; Culture plates; Cupels [laboratory]; Current breakers; Current testers; Current-meters; Cyclists' glasses; Cyclometers; Cryogenic turbine meters; Cytometers; Daisy wheel printers; Data capture apparatus; Data cards; Data carriers for computers having

software recorded thereon; Data collection apparatus; Data loggers; Data loggers and recorders; Data processing equipment and accessories (electrical and mechanical); Data processing programs recorded on machine-readable data carriers; Data storage apparatus; Data storage devices; Data storage devices and media; Data storage discs; Data storage media; Data storage programs; Decibel meters; Decoders; Decoding apparatus; Decompression chambers; Decorative dials for thermostats; Decorative magnets; Decorative magnets in the shape of animals; Decorative magnets in the shape of letters; Decorative magnets in the shape of numbers; Decorative refrigerator magnets; Decorative wind socks for indicating wind direction; Demagnetisers; Densimeters; Densitometers; Densitometers not for medical use; Depth gauges; Depth sounders; Desktop computers; Detecting apparatus and instruments; Detection apparatus; Detectors; Detectors for electric meters; Detectors (Smoke -); Development environment software; Development kits; Devices for analyzing genome information; Devices for analyzing protein sequence used as laboratory apparatus; Devices for hands-free use of mobile phones; Devices for the projection of virtual keyboards; Devices for wireless radio transmission; Devices providing night vision; Dewing sensors; Diagnostic apparatus for testing food; Diagnostic apparatus, not for medical purposes; Diagnostic ultrasound apparatus, other than for medical use; Dial gauge instruments; Diaphragms [acoustics]; Diaphragms for scientific apparatus; Diesel oil emission testers; Diffraction apparatus [microscopy]; Digital amplifiers; Digital bathroom scales; Digital book readers; Digital books downloadable from the Internet; Digital data recording media; Digital egg timers; Digital force gauges; Digital functional generators; Digital indicators; Digital measuring apparatus; Digital meat thermometers; Digital media streaming devices; Digital multimeters; Digital multi-meters; Digital notepads; Digital optical transmission apparatus; Digital organizers; Digital panel meters; Digital pH meters; Digital photo frames; Digital picture frames; Digital plotters; Digital potentiometers; Digital projectors; Digital recordings; Digital sensors; Digital sensory devices; Digital signage; Digital sound processors; Digital spoon scales; Digital still cameras; Digital tablets; Digital thermometers, not for medical purposes; Digital thermometers, other than for medical purposes; Digital torque gauges; Digital transmitters; Digital video cameras; Digital video discs; Digital video recorders; Digital voice recorders; Digital voice signal processors; Digital weather stations; Digitizers; Direction beacons; Direction finders; Directional compasses; Directional signage [luminous or mechanical]; Disc storage containers; Display monitors; Display screen filters adapted for use with computer monitors; Display screens; Display signs of metal [luminous or mechanical]; Disposable cameras; Disposable dispenser syringes for laboratory use; Disposable gloves for laboratory use; Disposable latex gloves for laboratory use; Disposable plastic bioreactors for cell culture; Disposable plastic gloves for laboratory use; Distance and dimension measuring instruments; Distance measurers; Distance measuring apparatus; Distance meters; Distance

recording apparatus; Distance sensors; Distillation apparatus for scientific purposes; Distillation columns for laboratory use; Docking stations; Dog whistles; Door opening and closing detecting sensors; Door viewers [peepholes]; Dosage dispensers; Dosimeters; Double layer capacitors; Downloadable computer game programs; Downloadable computer game software; Downloadable computer games; Downloadable computer software for designing and modelling of three dimensional printable products; Downloadable computer software for remote monitoring and analysis; Downloadable computer software for the management of data; Downloadable digital photos; Downloadable e-books; Downloadable educational course materials; Downloadable educational media; Downloadable electronic books; Downloadable electronic brochures; Downloadable electronic game programs; Downloadable electronic games; Downloadable electronic maps; Downloadable electronic newsletters; Downloadable electronic publications; Downloadable electronic reports; Downloadable films; Downloadable game related software applications; Downloadable image files; Downloadable information relating to games and gaming; Downloadable instruction manuals in electronic form; Downloadable interactive entertainment software for playing computer games; Downloadable interactive entertainment software for playing video games; Downloadable media; Downloadable mobile applications; Downloadable mobile applications for use with wearable computer devices; Downloadable multimedia files; Downloadable publications; Downloadable publications in electronic form; Downloadable software; Downloadable software applications; Downloadable software applications for use with three dimensional printers; Downloadable templates for designing audiovisual presentations; Downloadable video game programs; Downloadable video recordings; Drafting plotters; Drawing apparatus and instruments adapted for use with computers; Dressmakers' measures; Droppers for measuring, other than for medical or household purposes; Drunkometers; Drying ovens for laboratory use; Dual amplifier balancers; Ductility testers; Dummy sensors; Dust covers for computers; Dust emission monitors; Dust goggles; Dust masks; Dust measuring apparatus; Dust protective goggles; Dust protective masks; Dustproof glasses; DVD cases; DVD discs; Dynamic tomography apparatus, other than for medical use; Dynamometers; Ear buds; Earbuds; Earpieces for remote communication; Ebook readers; E-books; Echo sounders; Echo sounding devices; Education software; Educational computer applications; Educational computer software; Educational mobile applications; Educational software; Educational tablet applications; Egg timers; Egg timers [sandglasses]; Eggcandlers; Egg-candlers; Elbow protectors (protective -) for use against accidents [other than sports articles]; Electric alarm bells; Electric and electronic components; Electric and electronic effects units for musical instruments; Electric and electronic musical effects equipment; Electric and electronic video surveillance installations; Electric apparatus for remote ignition; Electric buzzers; Electric capacitors; Electric circuit boards; Electric circuit testers; Electric communication apparatus;

Electric condensers; Electric control devices for energy management; Electric converters; Electric luminescent display panels; Electric measuring apparatus; Electric measuring devices; Electric measuring instruments; Electric monitoring apparatus; Electric motor checking [monitoring or supervision] apparatus; Electric navigational instruments; Electric power analyzers; Electric sensors; Electric signs; Electric thermostats; Electric timers; Electrical access control apparatus; Electrical alarm instruments (anti-theft -) [other than for vehicles]; Electrical amplifiers for sound signals; Electrical and electronic apparatus for logging data; Electrical and electronic apparatus for processing data; Electrical and electronic apparatus for storing data; Electrical and electronic components; Electrical and electronic instruments for logging data; Electrical and electronic instruments for processing data; Electrical and electronic instruments for storing data; Electrical and electronic instruments for the reception of data; Electrical and electronic instruments for the transmission of data; Electrical and electronic test apparatus and instruments; Electrical control instruments; Electrical extension leads; Electrical measuring equipment; Electrical meters; Electrical receivers; Electrical remote control apparatus; Electrical scales; Electrical sensors; Electrical tape jigs [measuring instruments]; Electrical telegraph wires; Electrical test apparatus; Electrical transmitters; Electrical weighing apparatus; Electricity indicators; Electricity measuring instruments; Electricity metering apparatus; Electrochemical gas sensors; Electrodes for laboratory research; Electro-dynamic apparatus for the remote control of signals; Electrolysers; Electrolysers [electrolytic cells]; Electromagnetic measuring detectors; Electrometers; Electron capture detectors; Electron microscopes; Electronic amplifiers; Electronic animal identification apparatus; Electronic apparatus for testing the sterility of medical equipment; Electronic apparatus for testing the sterility of pharmaceuticals and injectable solutions; Electronic apparatus for the remote control of signals; Electronic baby monitoring devices; Electronic baby monitoring listening devices; Electronic balances; Electronic book reader covers; Electronic book readers; Electronic bulletin boards; Electronic buzzers; Electronic calculators; Electronic carbon dioxide monitors [other than for medical purposes]; Electronic carbon dioxide monitors, other than for medical purposes; Electronic carbon dioxide recorders [other than for medical purposes]; Electronic coding apparatus; Electronic colour analyzers; Electronic communication equipment and instruments; Electronic components used in apparatus; Electronic components used in machines; Electronic control circuits for electric fans; Electronic control instruments; Electronic control sensors for motors; Electronic decoders; Electronic desk calculators; Electronic device software drivers that allow computer hardware and electronic devices to communicate with each other; Electronic devices used to locate lost articles employing the global positioning system or cellular communication networks; Electronic dictionaries; Electronic digital signboards; Electronic display boards; Electronic displays; Electronic distance meters; Electronic dynamometers;

Electronic entry systems; Electronic game programs; Electronic game software; Electronic game software for handheld electronic devices; Electronic game software for mobile phones; Electronic game software for wireless devices; Electronic global positioning systems; Electronic heart rate recorders [other than for medical use]; Electronic ID cards; Electronic identification cards; Electronic indicator boards; Electronic indicator panels; Electronic instructional and teaching apparatus and instruments; Electronic interactive whiteboards; Electronic key fobs being remote control apparatus; Electronic kitchen timers; Electronic logic circuits; Electronic magnetic recording media; Electronic marking gauges; Electronic measurement sensors; Electronic meters; Electronic metronomes; Electronic monitoring instruments, other than for medical use; Electronic motion sensitive switches; Electronic navigation apparatus; Electronic navigation systems; Electronic navigational and positioning apparatus and instruments; Electronic number generators; Electronic numeric displays; Electronic panels for displaying messages; Electronic paper being display devices; Electronic paper (display devices); Electronic pens; Electronic pens [visual display units]; Electronic photo albums; Electronic photometers; Electronic plotters; Electronic pocket calculators; Electronic pocket translators; Electronic pressure sensors; Electronic publications; Electronic publications (downloadable); Electronic publications, downloadable; Electronic publications, downloadable, relating to games and gaming; Electronic publications recorded on computer media; Electronic rain gauges; Electronic regulators; Electronic scale rules; Electronic scales; Electronic scanners; Electronic scoreboards; Electronic security tags; Electronic sensors; Electronic sensors for measuring solar radiation; Electronic signal transmitters; Electronic signs; Electronic sliding callipers; Electronic speed recorders; Electronic spell-checkers; Electronic sports training simulators [computer hardware and software-based teaching apparatus]; Electronic styluses; Electronic surveillance apparatus; Electronic tablets; Electronic tags; Electronic tags for goods; Electronic taximeters; Electronic temperature monitors, other than for medical use; Electronic temperature recorders, other than for medical use; Electronic thermometers, other than for medical use; Electronic timing apparatus; Electronic timing control instruments; Electronic touch sensitive switches; Electronic tracking apparatus and instruments; Electronic units for transmitting audio signals; Electronic visual display units; Electronic warning bells; Electronic weighing scales; Electronic weighing scales for kitchen use; Electronic weighing scales for personal use; Electronic word processors; Electronical sensors for measuring solar radiation; Electronically encoded identity bracelets; Electronically encoded identity wristbands; Electro-optical sensors; Electrophoresis apparatus, not for medical purposes; Electrostatic plotters; Electrostatic precipitators; Electrotechnical components; Electrotechnical vibration meters; Emergency eyewash station; Emergency signal transmitters; Encoded identification bracelets, magnetic; Encoded identity cards; Encoded key cards; Encoding and decoding apparatus; Encoding and decoding

apparatus and instruments; Encoding apparatus; Endoscopic equipment for industrial purposes; Endoscopy cameras for industrial purposes; Endurance testing machines; Energy control devices; Energy regulators; Engineers' rules; Enlargers; Environmental control software; Environmental monitoring software; Environmental test chamber (temperature simulation equipment); Epidiascopes; Equatorial telescopes; Ergometers; Event recorders; Exhaust gas temperature gauges; Exposed films; Exposed photographic slides; Exposed x-ray films, other than for medical use; Exposure meters; Exposure meters [light meters]; Eye protection; Eye protection wear for sports; Eye protectors; Eyeglass shields; Eyeglasses for sports; Eyepieces (Instruments containing -); Eyewear pouches; Face guards for protection against accident or injury; Face shields, other than for medical purposes; Facial recognition apparatus; Facial recognition software; Fathometers; Feeler gauges; Fermentation (Apparatus for -) [laboratory apparatus]; Fibre optic periscopes; Fibrescopes, other than for medical use; Field-glasses; Film recorders; Film recording apparatus; Filters for blood and blood components for laboratory experiments; Filters for blood and blood components for laboratory use; Filters for optical devices; Filters for respiratory masks; Fine dust analyzing apparatus; Fine dust measuring apparatus; Fingerprint door locks; Fingerprint imagers; Fingerprint scanners; Fisheye lenses for cameras; Flash card adapters; Flash card readers; Flash gun apparatus; Flash memory; Flash memory card; Flash memory card readers; Flash memory cards; Flashing lights [luminous signals]; Flashlight apparatus; Flasks for laboratory use; Flat panel electroluminescent display screens; Flatbed plotters; Flatness testers; Flatness testing apparatus; Flotation clothing; Flow gauges; Flow measuring apparatus; Flow meters; Flowmeters; Flue gas analyzers; Fluid flow meters; Fluid level sensors; Fluorescence analyzers; Fluorescence microscopes; Fluorescent screens; Fluorometers; Focusing circuits; Folding multimeters; Folding rulers; Food analysis apparatus; Food timers; Football helmets; Footwear for protection against accidents; Footwear for protection against chemical spills; Frequency counters; Frequency indicators; Frequency meters; Frequency reference crystals; Frequency synthesizers; Fridge magnets; Fuel consumption measuring apparatus; Fuel consumption meters; Fume cupboards for laboratory use; Furnaces for laboratory use; Furniture especially made for laboratories; Galena crystals [detectors]; Galvanometers; Game development software; Games software; Games software for use with computers; Gaming software that generates or displays wager outcomes of gaming machines; Gamma counters; Gamma radiation detectors; Gas alarms; Gas detecting apparatus; Gas flow meters; Gas flow monitors; Gas masks; Gas meters; Gas mixers for laboratory use; Gas sensors; Gas testing instruments; Gasifiers for laboratory use; Gasometers [measuring instruments]; Gauge blocks; Gauge rods; Gauges; Gauges for discomfort index; Gauges with digital readout; Geiger counters; Generators (Signal -); Geophysic apparatus; Geophysical research apparatus; Geoseismic apparatus; Gesture recognition software; Glass driers for laboratory purposes;

Glass graduated scales; Glass tubes for scientific purposes; Glasses for sports; Glassware for scientific experiments in laboratories; Glassware for scientific use [specifically adapted]; Glassware for use in a laboratory; Glassware (Graduated -); Global positioning apparatus; Global positioning system (GPS) devices; Global positioning systems; Global positioning systems for use with bicycles; Gloves for protection against accidents; Gloves for protection against injury; Go/no-go gauges; Go ring gauges; Goggles; Goggles for sports; Goggles for use in sports; Goniometers; GPS navigation devices; Gradient indicators; Graduated glassware; Graduated rulers; Graduation checkers [calibration checkers]; Graphic art software; Graphical plotters; Graphics cards; Graphics software; Graphics tablets; Gravimeters; Gravity meters; Grip size gauges; Gyrocompasses; Gyrometers; Gyroscopes; Hairdressing training head [teaching apparatus]; Hairdressing training heads [teaching apparatus]; Hand-held calculators; Handheld communication devices; Hand-held electronic dictionaries; Hand-held electronic scales; Handheld graphing calculators; Hands free kits for phones; Hands-free headsets for cell phones; Haptic communications apparatus; Head guards for sports; Head mounted 2D monoscopic displays; Head mounted 3D stereoscopic displays; Head mounted augmented reality displays; Head mounted monoscopic displays; Head mounted stereoscopic displays; Head protection; Headgear being protective helmets; Headgear for protection against accident; Headgear for protection against injury; Head-mounted display apparatus; Head-mounted holographic displays; Head-mounted video display apparatus; Head-mounted video displays; Headphones; Headsets; Headsets for virtual reality games; Health monitoring software; Heat detecting apparatus; Heat detectors; Heat exchange crucibles for scientific use; Heat sensing identification indicators; Heat sensors; Heating furnaces specifically adapted for laboratory experiments; Heating meters; Height charts; Height gauges; Height measuring instruments; Heliographic apparatus; Helmet camera mounts; Helmet cameras; Helmet communications systems; Helmets (Protective -) for sports; Hi vis safety clothing; High pressure manometers; High-visibility safety clothing; Hockey helmets; Holders for test tubes; Hollow glass containers for laboratory use; Hollow glass containers for measuring; Hollow glassware for laboratory use; Holographic apparatus; Holographic images; Holographic projectors; Horns for loudspeakers; Hourglasses; Hourglasses [time measuring apparatus]; Household thermometers; Housings for electrical apparatus; Housings for measuring apparatus; Humanoid robots with artificial intelligence; Humidity measuring apparatus; Humidity meters; Humidity sensors; Humidity switches; Hunting binoculars; Hydrometers; Hydrophones; Hygrometers; Hyperbaric oxygen chambers for non-medical purposes; Hyperbaric oxygen chambers, not for medical purposes; Identification bracelets (Encoded -), magnetic; Identification labels [machine readable]; Illuminated exit signs; Illuminated signposts; Illuminated signs; Illuminometers; Image amplifiers; Image analyzers; Image identifier night vision devices; Image intensifiers; Image

processing apparatus; Image projectors; Image recording apparatus; Imaging devices for scientific purposes; Immersion probes; Immunostaining instruments [for scientific purposes]; Inclinometers; Incubation dishes for scientific or laboratory use; Incubation plates for scientific or laboratory use; Incubators for bacteria culture; Incubators for bacteria cultures; Incubators for laboratory use; Indication panels; Indicator panels; Indicators (Quantity -); Indicators (Speed -); Indicators (Water level -); Inflatable apparatus for life-saving purposes; Inflatable jackets for use in life saving; Inflatable vests for use in life saving; Infrared cameras; Infrared detection apparatus; Infrared detectors; Infrared sensors; Infrared thermometers; Infra-red thermometers; Infrared thermometers, not for medical purposes; Inspecting apparatus and instruments; Inspection mirrors; Instruction manuals in electronic format; Instructional and teaching apparatus and instruments; Instructional apparatus; Instrument dials; Instrumentation simulators; Instruments containing eyepieces; Instruments for amplifying images; Instruments for amplifying sound; Instruments for detecting traffic; Instruments for diagnosis [for scientific use]; Instruments for indicating directions; Instruments for measuring angles; Instruments for measuring length; Instruments for measuring levels of fluids; Instruments for measuring milk quality parameters; Instruments for measuring pressure; Instruments for measuring speed; Instruments for measuring velocities; Instruments for monitoring traffic; Instruments for recording heart activity [for scientific purposes]; Instruments for recording images; Instruments for recording information; Instruments for recording sound; Instruments for signalling; Instruments for surveying physical data; Instruments for temperature control; Instruments for testing metals; Instruments for the reduction of noise in systems for recording audio signals; Instruments for the transmission of images; Instruments for weighing; Insulated bottles [flasks] for laboratory use; Insulated clothing for protection against accident or injury; Insulating vessels for laboratory use; Insulation resistance meters; Insulation testers; Integrated audio amplifiers; Integrated circuit cards [smart cards]; Integrated circuit memory cards; Intelligent gateways for communication; Intelligent gateways for real-time data analysis; Intensifying screens for x-ray films; Interactive computer game programs; Interactive computer software; Interactive computer software that provides navigational and travel information; Interactive DVDs; Interactive entertainment software for use with computers; Interactive game software; Interactive multimedia software for playing games; Interchangeable lenses; Interfaces for detectors; Interferometers; Intruder detecting apparatus [other than for vehicles]; Intruder detection apparatus; Intruder identification apparatus [other than for vehicles]; Intrusion detection system [IDS] software; Invader sensors; Inverters used in solar power generation; Ionization apparatus for scientific or laboratory use; Jackets for computer disks; Jars (Accumulator -); Jigs [measuring instruments]; Job performance recorders; Joint meters; Keyboards; Keyboards for mobile phones; Keypads; Kitchen scales; Kitchen weighing scales; Knee-pads for workers; Labels carrying optically recorded or

encoded information; Labels with integrated RFID chips; Laboratories (Clothing especially made for -); Laboratory apparatus and instruments; Laboratory beakers; Laboratory centrifuges; Laboratory countertops; Laboratory filters; Laboratory furniture [specifically adapted]; Laboratory glassware; Laboratory incubators [other than for medical use]; Laboratory instrument for the detection of pathogens and toxins in a biological sample for research use; Laboratory instruments [other than for medical use]; Laboratory mixers; Laboratory optical apparatus; Laboratory oscilloscopes; Laboratory pipettes; Laboratory robots; Laboratory storage tubes; Laboratory swabs [laboratory instruments]; Laboratory thermometers; Laboratory trays; Lactodensimeters; Lactometers; Laminar flow cabinets for laboratory use; Laminar flow hoods for laboratory use; Lamps for use as warning beacons; Language translating apparatus; Lanterns (Magic -); Lanterns (Optical -); Laser level measuring apparatus; Laser measuring systems; Laser range finders; Laser speed detectors; Lasers for measuring; Lasers for measuring purposes; Lasers for non-medical purposes; Lasers for scientific use; Lasers, not for medical purposes; LED [light-emitting diode] displays; LED Microscopes; LED monitors; Length measuring apparatus; Length measuring gauges; Lens; Lens blanks; Lens caps; Lens cases; Lenses for astrophotography; Lenses for microscopes; Lenses for telescopes; Lenses (Optical -); Letter scales; Level gauges; Level gauging poles; Level indicators; Level indicators [spirit levels]; Level measuring machines [for surveying]; Level meters; Level sensors; Levelling instruments; Levelling rods [for surveying]; Levelling staffs [surveying instruments]; Levels [instruments for determining the horizontal]; Lifting magnets; Light boxes; Light Detection and Ranging [LIDAR] apparatus; Light meters; Light sensors; Liquid chromatography apparatus for laboratory use; Liquid chromatography columns for scientific use; Liquid chromatography injectors for scientific use; Liquid crystal display [LCD] monitors; Liquid crystal display (LCD) televisions; Liquid crystal display screens; Liquid crystal displays; Liquid dosage devices that measure the amounts to be dispensed; Liquid level meters; Liquid level monitoring apparatus; Liquid level sensors; Loft gauges; Logic probes; Logs [measuring instruments]; Lorgnettes; Loud hailers; Loudspeakers with built in amplifiers; Lumber testers; Lumber testing machines; Luminescence measuring devices; Luminoflux meters; Luminous indicators; Luminous pointers; Machine learning software for surveillance; Macroscopes; Magic lanterns; Magnet plates for laboratory use; Magnetic agitators for laboratory use; Magnetic compasses; Magnetic compasses for surveying; Magnetic detectors; Magnetic field generators, other than for medical use; Magnetic gyrocompasses; Magnetic metal detector monitors; Magnetic object detectors; Magnetic pens; Magnetic recording charts; Magnetic separators for scientific use; Magnetometers; Magnets; Magnets (Decorative -); Magnets, magnetizers and demagnetizers; Magnifiers; Magnifying eyeglasses; Magnifying glasses; Magnifying glasses [optics]; Magnifying lenses; Mannequins (Resuscitation -) [teaching apparatus]; Manual telegraph apparatus; Marine compasses;

Marine depth finders; Marine depth sounders; Marking gauges; Marking gauges for joinery purposes; Marking gauges [joinery]; Masks [Protective -]; Mass flow meters; Mass flow sensors; Mass spectrometers; Master of Education software; Material testing apparatus; Material testing instruments and machines; Math coprocessor; Mathematical instruments; Mats for use with a computer mouse; Measurement apparatus; Measures; Measuring and control devices for air conditioning technology; Measuring apparatus; Measuring apparatus and instruments; Measuring apparatus not for medical purposes; Measuring buckets; Measuring cables; Measuring converters; Measuring, counting, alignment and calibrating instruments; Measuring cups; Measuring, detecting and monitoring instruments, indicators and controllers; Measuring, detecting, monitoring and controlling devices; Measuring devices; Measuring devices, electric; Measuring glassware; Measuring instruments; Measuring jugs; Measuring rods; Measuring rulers; Measuring rules; Measuring sensors; Measuring spoons; Measuring stands; Measuring tapes; Measuring transducers; Measuring tubes; Measuring wheels; Meat thermometers; Mechanical egg timers; Mechanical life saving apparatus; Mechanical room thermostats; Mechanised coding apparatus; Media content; Media streaming software; Medical simulators [teaching aids]; Megaphones; Membranes for filtration [scientific]; Memo boards [electronic]; Memo books [electronic]; Memory apparatus; Memory boards; Memory cards; Memory devices; Memory modules; Memory sticks; Mercury levels; Mercury thermometers [other than for medical use]; Meridian transit telescopes; Metal bells for alarms; Metal compression testing machines; Metal detectors; Metal hardness testing machines; Metal strength testing machines; Metallurgical microscopes; Meteorological apparatus; Meteorological balloons; Meteorological instruments; Meter testing apparatus; Meters; Metric converters; Metronomes; Microarray slides; Microhardness testers; Micrometer gauges; Micrometers; Microscope illuminating devices; Microscope lamps; Microscope objectives; Microscope slides; Microscope slides (Containers for -); Microscope video processors; Microscopes; Microscopes for medical use; Microtitration instruments [other than for medical use]; Millivolt meters; Mini projectors; Mirrorless cameras; Mirrors for inspecting work; Mirrors [optics]; Mobile apps; Mobile data apparatus; Mobile radio receiving apparatus; Mobile radio transmitting apparatus; Mobile radios; Mobile telecommunications handsets; Models for scientific experiments in laboratories; Modules for photovoltaic power generation; Moisture meters; Money counting apparatus; Monitor screens; Monitoring apparatus and instruments; Monitoring apparatus, other than for medical purposes; Monitoring control apparatus [electric]; Monitoring instruments; Monitoring units [electric]; Monitors; Monitors for commercial purposes; Monoculars; Mortise gauges; Motion detectors; Motion-activated cameras; Mouse mats; Mouse pads; Multiaxis directional detectors; Multifunction keyboards; Multimedia apparatus and instruments; Multimedia devices; Multimeters; Multispectral Fluorescence Imaging System [MFIS] for scientific use; Nanoparticle size analysers; Natural

gas alarms; Naval signalling apparatus; Navigating apparatus [compasses]; Navigating apparatus (Electric -); Navigating apparatus (Electronic -); Navigating apparatus [sextants]; Navigation apparatus and instruments; Navigation compasses; Navigation, guidance, tracking, targeting and map making devices; Navigation software; Navigational instruments; Needles for surveying compasses; Network monitoring cameras for surveillance; Networking devices; Newton dynamometers; Night vision goggles; Noise level meters; Noisemeters; Non-destructive testing apparatus; Nuclear detectors for detecting radiation particles; Nucleic acid sequencers for scientific purposes; Numerical counters; Object detecting sensors; Objectives [lenses] [optics]; Objectives [lenses] optics; Observation instruments; Octants; Odometers.

Class 16

Printed educational materials; 3D decals for use on any surface; 3D wall art made of card; 3D wall art made of paper; Absorbent paper; Activity books; Adhesive labels; Adhesive stickers; Adhesive transfers; Adhesives for art use; Adhesives for do-it-yourself purposes; Albums for collecting magnetic cards; Albums for stickers; Anatomical models for instructional and educational purposes; Angle guides [drawing instruments]; Angle plotters [drawing instruments]; Appliques in the form of decals; Appliqués of paper; Aquarelles; Architects' models; Architectural models; Arithmetical tables; Aromatic modeling materials; Art paper; Artists' brushes; Artists' canvas; Artists' charcoals; Artists' easels; Artists' materials; Artists' modelling materials; Artists' paint brushes; Artists' pastels; Artists' pencils; Artists' pens; Artists' water colour saucers; Arts and craft paint kits; Arts, crafts and modelling equipment; Attachments for pencils; Babies' bibs of paper; Baby books [storybooks]; Bags for packaging made of biodegradable paper; Bags (Garbage -) of paper or of plastics; Bags made of paper; Ball-point pen and pencil sets; Ball-point pens; Banknotes; Banners of paper; Bibs of paper; Binders (Loose-leaf -); Binders [stationery]; Biological samples for use in microscopy [teaching materials]; Blackboard erasers [chalk erasers]; Blackboard rulers; Blackboards; Blank cards; Blank flip charts; Blank forms; Blank journal books; Blank note cards; Blank paper notebooks; Blank writing journals; Blocks for printing; Blotters; Blotting pads; Blotting paper; Book ends; Book markers; Bookends; Booklets; Booklets relating to games; Bookmarks; Bookmarks, not of precious metal; Books; Books for children; Books in the fields of games and gaming; Box files; Boxes for pens; Boxes made of cardboard; Boxes of cardboard; Brochures; Brush pens; Brushes for the application of paints; Bulk paper; Bulletins; Bunting of paper; Cabinets for stationery [office requisites]; Calculating tables; Calendar desk pads; Calendar refills; Calendars; Calligraphy ink; Calligraphy paper; Canvas boards; Canvas for painting; Canvas panels for artists; Canvas stretcher bars for artists; Cap erasers; Carbonless copying paper; Cardboard badges; Cardboard cartons; Cardboard containers; Cardboard household storage

boxes; Cardboard labels; Cardboard packaging boxes in collapsible form; Cardboard packaging boxes in made-up form; Cardboard picture mounts; Cards; Carrying cases made of paper; Carrying cases specially adapted to hold collectible trading cards; Cartons made from corrugated board; Cartoon prints; Cartoon strips [printed matter]; Cases for pens; Cases made of corrugated cardboard; Catalogues; Celestial globes; 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; Cheque books; Chequebook covers; Cheques; Children's activity books; Children's books; Children's books incorporating an audio component; Children's paint-boxes; Children's slates; Children's storybooks; Clip boards; Clipboards; Clips for name badge holders [office requisites]; Coasters made of paper; Coasters of cardboard; Coated paper; Coin albums; Coin mats; Collages; Collapsible cardboard boxes; Collectable cards; Collectable trading cards; Collector albums; Color pencils; Color prints; Colorboard [colored paperboard]; Colored craft and art sand; Coloring books; Colour charts; Colour pencils; Colour pens; Colour sample cards; Coloured chalk; Coloured lead pencils; Coloured pencils; Coloured pens; Colouring books; Colouring crayons; Colouring pencils; Colouring pens; Comic strips' comic features; Comic strips [printed matter]; Compasses for drawing; Composing frames [printing]; Composing sticks; Composition books; Computer game hint books; Computer game instruction manuals; Computer game strategy guidebooks; Cook books; Copying paper; Corkboard pins; Correcting and erasing implements; Correcting pencils; Correction pens; Correction sticks; Coupon books; Coupons; Covers for weekly planners; Covers of paper for flower pots; Craft paper; Crayons; Crepe paper; Crepe paper streamers; Crossword puzzles; Curve templates [drawing instruments]; Cutters (Paper -) [office requisites]; Day planners; Decals; Decoration and art materials and media; Decorations for pencils; Decorative paper garlands for parties; Decorative stickers for soles of shoes; Desk agendas; Desk baskets for desk accessories; Desk calendars; Desk diaries; Desk mats; Desk organisers; Desk tidies; Desk top organizers; Desk top planners; Desk trays; Desktop cabinets for stationery [office requisites]; Desktop document racks; Desktop document stands; Desktop organizers; Diagrams; Dinner mats of card; Dinner mats of paper; Display banners made of cardboard; Display banners of paper; Display boxes of cardboard; Disposable napkins; Document covers; Document file racks; Document files; Document folders in the form of wallets; Document portfolios; Drafting compasses; Drafting curves; Drafting instruments; Drafting rulers; Drafting squares; Drafting templates; Drafting triangles; Drawing board pins; Drawing boards; Drawing boards [painters' article]; Drawing brushes; Drawing compasses; Drawing curves; Drawing ink; Drawing instruments; Drawing instruments for blackboards; Drawing materials; Drawing pads; Drawing paper; Drawing pencils; Drawing pens; Drawing

pins; Drawing protractors; Drawing rulers; Drawing sets; Drawing shields; Drawing squares; Drawing stencils; Drawing tablets [drawing pads]; Drawing templates; Drawing triangles; Drawing T-squares; Dry erase markers; Dry erase writing boards; Dry transfer lettering; Drying towels of paper; Dustbin bags; Easel pads; Easels; Easels for use by artists; Easels (Painters' -); Educational and instructional material; Educational books; Educational equipment; Educational publications; Elastic bands for offices; Electrical wood burning artists' pens; Erasers; Erasing products; Etching needles; Etching pens; Etching sheets; Exercise books; Exercise-book covers; Expanding files; Fabric glue for household use; Facial tissues of paper; Felt marking pens; Felt mats for calligraphy; Felt pens; Felt tip markers; Felt tip pens; Felt writing pens; Fiber-tip pens; Figurines made from cardboard; File binders; File boxes for storage of business and personal records; File dividers; File folders; File trays; Filter material of paper; Filter paper; Fingerprint kits; Flags made from paper; Flash cards; Flip books; Flipcharts; Flower-pot covers of paper; Fluorescent paper; Folders; Folios; French curves; Gel roller pens; Geographical maps; Gift certificates; Glitter for stationery purposes; Glitter glue for stationery purposes; Glitter pens for stationery purposes; Globes; Globes (Terrestrial -); Graining combs; Graph paper; Graphs; Greeting cards; Hand books; Hand towels of paper; Handbooks [manuals]; Handkerchiefs made of paper; Hand-rests for painters; Handwriting specimens for copying; Heat sensitive paper; Hectographs; Highlighter pens; Histological sections for teaching purposes; House painters' roller brushes; Hygienic paper; Illustrated wall maps; Illustrated wall maps for educational purposes; Illustration boards; Impression stamps; Index cards; Index files; Information booklets; Ink erasers; Ink reservoirs; Ink sheets for use in reproducing images in the printing industry; Inking pads; Inkwells; Instruction manuals; 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; Iron-on transfers; Japanese ceremonial paper strings (mizuhiki); Japanese handicraft paper; Japanese paper; Japanese paper (torinoko-gami); Japanese paper [torinoko-gami]; Jotters; Kraft paper; Leaflets; Letter racks; Letter trays; Lettering guides; Lettering stencils; Lever arch files; Loose leaf paper; Loose-leaf binders; Loose-leaf pads; Luminous paper; Magnetic boards for scheduling activities and appointments; Mail order catalogues; Manuals; Manuals for instructional purposes; Map cases; Map tacks; Mapping pins; Maps; Maps (Geographical -); Marker pens; Marking chalk; Marking ink containing biologics for use in authentication of objects; Marking stamps; Materials for artists; Memorandum boards; Menu cards; Metal drawing pins; Mimeograph apparatus and machines; Mimeograph paper; Mimeograph stencils; Mimeographs; 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]; Models (Architects' -); Molds for modelling clays [artists' materials]; Monographs; Monthly planners; Motivational cards; Mounted and unmounted photographs; Mounted posters; Mounts for X-ray negatives for non-medical purposes; Music note books; Nail stencils; Name badge holders [office requisites]; Name cards; Navigation charts for use in sailing craft; News bulletins; Newsletters; Newsletters in the fields of games and gaming; Non-electric chart pointers; Non-fiction books; Note books; Note cards; Note pads; Noteboards; Numbering apparatus; Numbering guides; Numbering stamps; Numbers [type]; Office machines; Office requisites; Oil pastels; Oiled paper for paper umbrellas (kasa-gami); Oleographs; Order forms; Origami folding paper; Packaging materials made of recycled paper; Pads for applying paint; 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; Palettes for painters; Pamphlets; Pantographs [drawing instruments]; Paper banners; Paper bibs; Paper book markers; Paper bunting; Paper crafts materials; Paper emblems; Paper embossers [office requisites]; Paper fasteners; Paper flags; Paper for Japanese indoor sliding partitions (fusuma-gami); Paper for Japanese sliding screens (shoji-gami); Paper for printing photographs; Paper for use in the graphic arts industry; Paper for use in the manufacture of wallpaper; Paper garlands; Paper hand-towels; Paper passe-partouts; Paper patterns; Paper pennants; Paper pennons; Paper pet crate mats; Paper picture mounts; Paper racks [office requisites]; Paper ribbons, other than haberdashery or hair decorations; Paper signs; Paper teaching materials; Paper (Waxed -); Paper wipes for cleaning; Paper-clips; Papers for painting and calligraphy; Papers for use in the graphic arts industry; Papier mâché; Parchment paper; Partially printed forms; Paste for handicraft, for stationery or household purposes (banjaku-nori); Pastel crayons; Pastels; Pastels [crayons]; Pastes and other adhesives for stationery or household purposes; Pen calligraphy copybooks; Pencil sharpeners, electric or non-electric; Pennants of paper; Photographic or art mounts; Pigeon holes; Plans; Pop-up books; Portable printing sets; Posters; Pouches for writing instruments; Price lists; Print blocks; Print characters; Print letters; Print wheels; Printed answer sheets; Printed award certificates; Printed awards; Printed booklets; Printed books; Printed brochures; Printed certificates; Printed charts; Printed correspondence course materials; Printed coupons; Printed curricula; Printed diagrams; Printed diplomas; Printed educational materials; Printed emblems; Printed emblems [decalcomanias]; Printed flip charts; Printed flyers; Printed guides; Printed information sheets; Printed informational cards; Printed informational flyers; Printed informational folders; Printed informational sheets; Printed leaflets; Printed lectures;

Printed lessons; Printed mail response cards; Printed manuals; Printed material in the nature of color samples; Printed matter; Printed matter for instructional purposes; Printed news releases; Printed newsletters; Printed pamphlets; Printed paper labels; Printed paper signs featuring names for use for special events; Printed paper signs featuring table numbers for use for special events; Printed patterns; Printed photographs; Printed plans; Printed promotional material; Printed publications; Printed questionnaires; Printed recipe cards; Printed reports; Printed stationery; Printed survey answer sheets; Printed tables; Printed teaching activity guides; Printed teaching material; Printed teaching materials; Printed training materials; Printed transfers for embroidery or fabric appliqués; Printed visuals; Printed vouchers; Printing and bookbinding equipment; Printing blocks; Printing paper; Printing sets; Promotional publications; Proofing paper; Prospectuses; Protractors as drawing instruments; Protractors [for stationery and office use]; Push pins; Recipe binders; Recipe books; Recycled paper; Red algae gelatine glue, for stationery or household purposes (funori); Red ink paste used for seals; Reference books; Register files; Relief duplicators; Removable self-stick notes; Reporters' notebooks; Reproduction paper; Revolving circular charts; Rice paper; Role playing game equipment in the nature of manuals; Rollers for applying paint; Rotary duplicators; Rub down transfers; Rubber document stamps; Rubber finger tips; Rule books for playing games; Ruled paper [finished products]; Rulers; Rulers (Drawing -); Rulers for drawing; Rulers (Square -); Saucers (Watercolor [watercolour] -) for artists; School cones, empty; School supplies [stationery]; School writing books; School yearbooks; Score charts; Score pads; Scrap books; Sealing wax; Seaweed glue for stationery; Set squares for drawing; Sharpeners (Pencil -); Silk canvas [painters' article]; Silver paper; Sketch boards; Sketch books; Sketch pads; Sketchbooks; Slate boards for writing; Slate pencils; Small blackboards; Spiral-bound notebooks; Spray chalk; Square rulers; Square rulers for drawing; Squares (Drawing -); Squares for drawing; Stamp holders; Stamp inks; Stamp mounts; Stamp pad inks; Stamp pads; Stamp stands; Stamps; Stamps [seals]; Stationery; Stationery and educational supplies; Stencil cases; Stencil paper; Stencil paper [finished product]; Stencil paper [mimeograph paper]; Stencil plates; Stencils; Stencils for face painting; Stencils [stationery]; Stick markers; Sticker books; Stickers; Stickers [decalcomanias]; Stipple applicators for use by painters; Straight edges; Straight edges for drawing; Strategy guide books for card games; Strips of fancy paper (tanzaku); Study guides; 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 runners of paper; Tables (Arithmetical -); Tables (Calculating -); Teaching manuals; Teaching materials; Teaching materials [except apparatus]; Tee squares [drawing]; Terrestrial globes; Textbooks; Thick Japanese paper [hosho-gami]; Three dimensional models for educational purposes; Thumb tacks; Tissue paper for making stencil paper; Tissue paper for use as material of stencil paper (ganpishi); Towels of paper for cleaning purposes; Tracing cloth;

Tracing needles for drawing purposes; Tracing paper; Tracing patterns; Training manuals; Transfer paper; Transfers; Transfers [decalcomanias]; Trays for holding drafting instruments; Trays for holding drawing instruments; Trays for sorting and counting money; Triangles being drawing instruments; Trivia cards; T-squares (Drawing -); T-squares for drawing; Tubes (Cardboard -); Unfitted furniture covers of paper; Ungraduated rulers; User manuals; Vellum paper; Video game strategy guidebooks; Vignetting apparatus; Vouchers; Vouchers of value; Wall charts; Wall decals; Wall maps; Wall planners; Watercolor boards; Watercolor saucers (Artists' -); Waterproof paper; Waterproof paper [other than for use in building]; Water-writing cloths for calligraphy practice; Wax (Sealing -); White paperboard; Whiteboards; Whiteboards having magnetic properties; Wristbands for the retention of writing instruments; Writing and stamping implements; Writing books; Writing brush for calligraphy; Writing chalk; Writing or drawing books; Writing tablets.

Class 28

Educational playthings; Educational toys; Targets for sporting use; Scale model figures; Sketching toys; Water toys; Action skill games; Aerobic steps; Animal replicas as playthings; Apparatus for achieving physical fitness [for non-medical use]; Arm pads adapted for use in sporting activities; Assembly toys; Athletic protective sportswear.

Class 41

Educational materials or apparatus (Rental of -); Development of educational materials; Hire of educational materials; Production and rental of educational and instructional materials; Publication of educational materials; Publication of educational teaching materials; Abacus instruction; Academic examination services; Accreditation of educational services; Adult education services relating to environmental issues; Adventure training for children; Arrangement of conferences for educational purposes; Arrangement of seminars for educational purposes; Arrangement of training courses in teaching institutes; Arranging and conducting competitions; Arranging and conducting education fairs; Arranging and conducting of classes; Arranging and conducting of competitions [education or entertainment]; Arranging and conducting of displays for educational purposes; Arranging and conducting of educational discussion groups, not on-line; Arranging and conducting of educational events; Arranging and conducting of educational events for charitable purposes; Arranging and conducting workshops; Book and review publishing; Book publishing; Career and vocational counselling; Club education services; Competitions (Organization of -) [education or entertainment]; Creation [writing] of educational content for podcasts; Desk top publishing; Developing educational manuals; DVD and CD-ROM film production; Editing of printed matter containing

pictures, other than for advertising purposes; Editing of written texts; Education; Education and training consultancy; Education and training relating to nature conservation and the environment; Education information; Education services; Educational materials or apparatus (Rental of -); Educational research; Educational services; Educational services provided for teachers of children; Educational services relating to first aid; Educational services relating to road safety; Educational services relating to the conservation of nature; Educational services relating to zoology; Electronic games services, including provision of computer games on-line or by means of a global computer network; Electronic publication of texts and printed matter, other than publicity texts, on the Internet; Entertainment in the nature of competitions in the field of spelling; Entertainment services relating to quizzes; Exhibition services for educational purposes; Exhibitions (Conducting -) for educational purposes; Festivals (Organisation of -) for educational purposes; Hire of educational apparatus; Hire of educational materials; Hire of equipment for games; Hire of equipment for sports; Hire of printed matter; Hire of teaching materials; Holiday camp amusement centre services; Information (Education -); Information services relating to education; Lease of instructional materials; Lease of teaching materials; Leasing of educational material; Online education services; Online publication of electronic books and journals; On-line publication of electronic books and journals [not downloadable]; Online reference library services; Organisation and holding of fairs for cultural or educational purposes; Organisation of competitions (education or entertainment); Organising of meetings in the field of education; Planning of lectures for educational purposes; Planning of seminars for educational purposes; Production and rental of educational and instructional materials; Production of educational sound and video recordings; Production of films for educational purposes; Production of training films; Production of training videos; Professional consultancy relating to education; Providing courses in the field of water management; Providing courses of instruction; Providing courses of instruction for young people; Providing courses of training; Providing educational demonstrations; Providing electronic publications; Providing electronic publications from a global computer network or the Internet, not downloadable; Providing electronic publications [not downloadable]; Providing information in the field of entertainment; Providing non-downloadable electronic publications; Providing translation services; Publication and editing of printed matter; Publication of audio books; Publication of booklets; Publication of books; Publication of brochures; Publication of documents in the field of training, science, public law and social affairs; Publication of educational and training guides; Publication of educational books; Publication of educational materials; Publication of educational printed matter; Publication of educational teaching materials; Publication of educational texts; Publication of electronic books and journals online; Publication of fact sheets; Publication of instructional literature; Publication of leaflets; Publication of printed

matter; Publication of printed matter and printed publications; Publication of printed matter in electronic form; Publication of printed matter relating to education.