

O/0150/26

TRADE MARKS ACT 1994

SUPPLEMENTARY DECISION

IN THE MATTER OF APPLICATION NO. UK00003824626

BY MCG HOLDING B.V. TO REGISTER THE FOLLOWING TRADE MARK:



IN CLASSES 9, 35, 38 AND 42

AND

IN THE MATTER OF OPPOSITION THERETO UNDER NO. 439346

BY TUNSTALL INTEGRATED HEALTH & CARE LIMITED

1. On 11 February 2026, I issued a decision in the above referenced proceedings, BL Number O/0107/26. It has been brought to my attention that my decision contained a typographical error by way of the omission of a contested term from the table at paragraph [172].
2. Whereas I made a finding at paragraph [61] of my decision that the contested term *life-saving [...] apparatus and instruments* was identical to the Opponent's goods, I erroneously omitted it from the table enumerating the contested terms for which I found a likelihood of confusion.
3. The table at paragraph [172] should have included the contested term *life-saving [...] apparatus and instruments* as follows (remedial wording shown here in bold and underline):

Class 9:

*Scientific [...]photographic, [...]signalling, [...] **life-saving [...]** apparatus and instruments; Apparatus and instruments for conducting, switching, transforming, [...] regulating or controlling electricity; Apparatus for recording, transmission or reproduction of sound or images; Data-processing equipment and computers; Computer peripheral devices; Computer programs for accessing databases and portals; Computer software, software packages, Computer software applications, downloadable, Mobile applications and web applications; Application software; computer software, software packages, downloadable computer software applications, mobile applications, web applications and application software in relation to communications, group communications, wireless broadband communications, telecommunications and bodycam technology, and related control room solutions; Applied software for businesses; Communication and networking software; VoIP software; Office and business applications; System and system support software, and firmware; Web application and server software; Communication apparatus; Telecommunications apparatus; Point-to-point communications equipment; Telecommunications networks; not including remote monitoring and emergency telecare alarms for use in the home by the disabled or elderly to enable them to receive care and live independently.*

Parts for: Scientific, nautical, surveying, photographic, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; Apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; Apparatus for recording, transmission or reproduction of sound or images; Data-processing equipment and computers; Computer peripheral devices; Communication apparatus; Telecommunications apparatus; Point-to-point communications equipment; Telecommunications networks; not including remote monitoring and emergency telecare alarms for use in the home by the disabled or elderly to enable them to receive care and live independently.

Class 35:

retail services and wholesale services connected with the sale of apparatus for recording, transmission or reproduction of sound or images, data processing equipment and computers, computer peripherals, communication devices, telecommunication apparatus, device-to-device communication apparatus, communications technology–equipment, information technology equipment, and parts for the aforesaid goods; Consultancy and information regarding the aforesaid services;

The aforesaid services also provided via electronic networks, such as the Internet; none of the aforesaid including retail services and wholesale services connected with the sale of remote monitoring and emergency telecare alarms for use in the home by the disabled or elderly to enable them to receive care and live independently.

Class 38:

Telecommunication services; Transfer, distribution, transmission and sending_of data, images and sound; Providing access to and making available of electronic communication networks, including wireless, websites, portals, electronic databases and online communication facilities; Electronic data transfer; Computer communication and Internet access; Voice over Internet Protocol [VoIP]

communication services; Consultancy and information regarding the aforesaid services.

Telephone and mobile telephone services;

The aforesaid services also provided via electronic networks, such as the Internet; not including communication services linked to remote monitoring and emergency telecare alarms for use in the home by the disabled or elderly to enable them to receive care and live independently.

Class 42:

[...] technological services and research and design relating thereto; Design, Creation, Updating, Implementing [...] In connection with the following goods: Software, Computer software packages, software applications (apps), Mobile applications and web applications, telecommunication services, telecommunication networks and Telecommunications equipment; Design services for data processing systems; Cloud computing; Data warehousing; Design, development and updating of computer systems, computer networks and computers; Computer programming; Computer system analysis; Automation services; IT specialists, ICT specialists, information analysts and system developers, The aforesaid services also by means of a helpdesk; Design, development, programming, implementation, maintenance, management and hosting of websites; Hosting of computer sites (websites); Data mining; Electronic storage of files, data and documents; Platform as a service [PaaS]; Infrastructure as a Service [IaaS]; Software as a service [SaaS]; Development of computer systems for the internet of things (IoT); Consultancy and information regarding the aforesaid services.

Including the aforesaid services provided via electronic networks, including the Internet; none of the aforesaid services relating to remote monitoring and emergency telecare alarms for use in the home by the disabled or elderly to enable them to receive care and live independently.

4. I regard the above as an irregularity in procedure and capable of being corrected under Rule 74(1) of the Trade Marks Rules 2008.
5. This supplementary decision hereby corrects the omission, noted above at [2], such that the table at paragraph [172] of the decision is to be read as set out above at [3].

Dated this 25th day of February 2026

N. R. MORRIS

For the Registrar

the Comptroller-General