

O-015-05

**TRADE MARKS ACT 1994**

**IN THE MATTER OF APPLICATION No.**

**2355620**

**BY LYNNET LEISURE PROPERTIES LTD**

**TO REGISTER A TRADE MARK**

**IN CLASS 43**

## **TRADE MARKS ACT 1994**

### **IN THE MATTER OF APPLICATION NO. 2355620 BY LYNNET LEISURE PROPERTIES LTD TO REGISTER A TRADE MARK IN CLASS 43**

## **DECISION AND GROUNDS OF DECISION**

### **Background**

On 12 February 2004, Lynnet Leisure Properties Ltd, 40 Fox Street, Glasgow G2 4AY, United Kingdom applied under the Trade Marks Act 1994 to register the trade mark 'THE OLD FIRM' in Class 43 for the following specification of goods:

‘Services for providing food and drink; temporary accommodation.’

### **Case for Registration**

The application was examined under the provisions of Section 37(1) of the Act and the applicant informed that the requirements were not met because objections arose under Sections 5(2) of the Act. The examination report was issued on 10 March 2004.

### **Decision**

A period of 6 months was allowed for the applicant to respond under Section 37(3) of the Act. However, by the 13 October 2004 no response had been received and the application was therefore refused in accordance with Section 37(4) of the Act.

Dated this 13<sup>th</sup> day of January 2005

Dan Anthony  
For the Registrar  
The Comptroller-General