

O/0371/26

**SUPPLEMENTARY DECISION**

**TRADE MARKS ACT 1994**

**IN THE MATTER OF INTERNATIONAL REGISTRATION**

**NO. WO0000001781974 IN THE NAME OF**

**PARC GLOBAL PTE. LTD.**

**FOR THE FOLLOWING MARK:**

**GOLD FARM**

**IN CLASS 31**

**AND**

**IN THE MATTER OF OPPOSITION THERETO**

**UNDER NO. OP000449701 BY**

**EAGLE FOODS LIMITED**

## BACKGROUND

1. On 31 March 2026, I issued a decision on behalf of the Registry in the above identified proceedings.<sup>1</sup> The opposition was partially successful in relation to the class 31 goods, with the holder's mark being allowed to proceed to registration for the class 31 goods I found dissimilar.

2. In paragraph 9 of my aforementioned decision, I stated:

“9. On 28 November 2024, the Tribunal issued a preliminary indication wherein it found that the identity/similarity between the respective marks and the goods at issue was sufficient to result in a likelihood of confusion in relation to the goods in classes 29 and 30 of the designation. For the goods in class 31 of the designation, the Tribunal considered that a more in-depth comparison was needed and therefore a preliminary indication was not appropriate on this occasion. In giving its preliminary indication that the designation should be refused for some of the goods, the Tribunal provided the holder with the opportunity to give notice of its intention to proceed for those goods via a Form TM53, which was to be filed on or before 30 December 2024. The Tribunal set out that if the holder did not file a Form TM53, it would be deemed to have withdrawn its designation for the goods for which the Hearing Officer indicated that the designation should be refused. As the holder did not file a Form TM53 by the specified deadline, the Tribunal deemed the holder to have withdrawn those goods for which the Hearing Officer indicated the designation be refused and therefore classes 29 and 30 were removed and the international registration proceeded under the class 31 goods only. This was confirmed to the parties by way of written correspondence dated 27 January 2025. Consequently, I have only the holder's class 31 goods to consider.”

3. On 20 April 2026, Dolleymores, the representative for the opponent in the aforementioned decision, contacted the Tribunal to ask that the costs section of my decision be updated to reflect the partial success resulting from the deemed withdrawal.

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<sup>1</sup> O/0288/26

4. Having reviewed the costs section of my decision, being paragraphs 60 to 62, I note that I have omitted any reference to the impact of the deemed withdrawal of the application in relation to the class 29 and 30 goods. It is my view that this irregularity can be rectified under Rule 74 of the Trade Mark Rules 2008, and I write this supplementary decision to rectify the error made.

#### **SUPPLEMENTARY DECISION**

5. Paragraphs 60 to 62 as expressed in my decision are to be replaced as follows:

“60. On balance, I consider that both parties have achieved a measure of success. The holder was deemed to have withdrawn the application relating to the class 29 and class 30 goods following the filing of the Notice of opposition. However, the holder enjoyed a greater degree of success in relation to the class 31 goods and the written submissions filed by the opponent related to that class alone. In this case, as both parties have achieved a measure of success, I find it appropriate that each party bears its own costs

**Dated this 30<sup>th</sup> day of April 2026**

**N Barratt  
For the Registrar**