

O-081-04

**TRADE MARKS ACT 1994**

**IN THE MATTER OF APPLICATION No. 2290161  
BY VETATECH LIMITED TO REGISTER A SERIES OF  
TRADE MARKS IN CLASS 9**

**AND**

**IN THE MATTER OF OPPOSITION No. 90693  
BY MASTERCARD INTERNATIONAL INCORPORATED**

## TRADE MARKS ACT 1994

**IN THE MATTER OF Application No. 2290161  
by Vetatech Limited to register a series of Trade  
Marks in Class 9**

**and**

**IN THE MATTER OF Opposition No. 90693  
by Mastercard International Incorporated**

### BACKGROUND

1. On 16 January 2002 Vetatech Limited applied to register the following series of two marks:



I note that the applicants claim the colours red, green, orange, white and black as an element of the first mark in the series. The application is in respect of the following goods:

#### **Class 09:**

Alarm systems for use in vehicles; alarm systems for use in public transport; apparatus for recording; apparatus for remote surveying; electronic surveillance apparatus; security surveillance apparatus; video surveillance apparatus; electrical and electronic apparatus and instruments for tracking vehicles; electrical and electronic apparatus and instruments locatable in or on vehicles for providing information concerning the vehicles; electrical and electronic apparatus and instruments for monitoring vehicles; computer programs and

computer software for tracking vehicles; systems for controlling circulation/movement of vehicles; vehicle tracking apparatus and instruments; global positioning apparatus and instruments, bi-directional audio equipment; two-way audio equipment.

The application is numbered 2290161.

2. On 13 June 2002 Mastercard International Incorporated filed notice of opposition to this application. The opponents carry on business in the field of financial services and the development and management of technology in support of providing such services. They are the proprietors of a large number of UK and CTM registrations consisting of interlocking circle devices with or without the word MASTERCARD. In all, some 36 registrations are referred to.

3. The opponents claim that the mark applied for is similar to their UK and CTM marks. In particular they rely on:

-the visual identity between the application and the element incorporating the two interlocking circles design of their UK and CTM trade marks;

-the visual and conceptual similarities between the application and the UK and CTM trade marks, including the identity of a substantial portion of the application incorporating the two interlocking circles design to the UK and CTM trade marks.

4. They also claim that there is identity and/or similarity between the parties' respective sets of goods in Class 9 and similarity between the applicants' goods and the opponents' goods and services in Classes other than 9 especially where such goods and services enable an information management, controlling and tracking capability. Reference is also made to use of the opponents' marks since at least 1995 leading to an enhanced distinctive character and reputation.

5. On the basis of these claims the opponents raise objections under Section 5(2)(a), 5(2)(b), 5(3) and 5(4)(a).

6. The applicants filed a counterstatement denying the above grounds and offering what amount to submissions in relation to the issues at the heart of the dispute.

7. Only the opponents filed evidence in these proceedings. Neither side has asked to be heard or offered additional written submissions. Acting on behalf of the Registrar and after a careful study of the papers I give this decision.

### **Opponents' evidence**

8. The opponents filed evidence as follows:

John R Bushby	-	witness statement dated 27 May 2003
Tahir Amin	-	first witness statement dated 14 March 2003
Tahir Amin	-	second witness statement dated 14 May 2003
Tahir Amin	-	third witness statement dated 14 May 2003

9. In the circumstances of this case I do not propose to offer the normal summary of the evidence. My reasons for doing so are as follows:

- (i) the opponents have filed copious amounts of evidence but, particularly in the case of Mr Amin, without explanation as to the relevance of the material filed;
- (ii) Mr Bushby's witness statement, although correctly headed for these proceedings, indicates that this statutory declaration (sic) is made in support of the opponents' action against trade mark application No. 1741958 in Classes 35, 38, 41 and 42. That appears to be an action against a CTM application involving a different applicant, a different mark and services rather than goods;
- (iii) the contents of the exhibits to Mr Bushby's witness statement do not appear to marry up with the references in the witness statement itself;
- (iv) Mr Amin's first witness statement, though correctly headed, refers to the opposed mark here being in Classes 9, 16, 35 and 41 when in fact it covers Class 9 only. It closes with a reference to this being the second witness statement;
- (v) Mr Amin's second and third witness statements, though correctly headed, refer to their being filed in support of an opposition to a mark consisting of or containing the word MASTERCLASS in Classes 9, 16, 35 and 41.

10. The strong inference from this is that the opponents have recycled evidence filed in connection with other actions without proper regard to, or explanation of, the relevance of the material to this particular opposition.

11. I will confine my review of the contents of the opponents' evidence to what I think is undeniably the case, namely that the opponents enjoy a very significant reputation in relation to the business of operating credit card services. Mr Bushby, who was the General Manager for Europay International SA between December 1996 and January 2000, offers a detailed statement describing the nature and extent of the business (Europay is responsible for the Mastercard business in European countries). I note that he refers throughout to the MASTERCARD and interlocking circles design mark. The documentary evidence appears to confirm that use is primarily of the composite mark though, as might be expected, references in narrative text are usually to the word MASTERCARD alone. Mr Amin's evidence (he is a solicitor working for Field Fisher Waterhouse, the opponents' professional representatives), to the extent that its relevance is explained at all, adds little to Mr Bushby's.

## **DECISION**

12. I turn now to the individual grounds of opposition commencing with those under Section 5(2).

Section 5(2) reads as follows:

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

- (a) it is identical with an earlier trade mark and is to be registered for goods or services similar to those for which the earlier trade mark is protected, or
- (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.”

### **Section 5(2)(a)**

13. Success under this sub-section requires identity between the mark applied for and one or more of the opponents’ earlier trade marks. In *S A Société LTJ Diffusion v Sadas Vertbaudet SA* [2003] FSR 34 the European Court of Justice indicated that:

“Article 5(1)(a) of First Council Directive 89/104 EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks must be interpreted as meaning that a sign is identical with the trade mark where it reproduces, without any modification or addition, all the elements constituting the trade mark or where, viewed as a whole, it contains differences so insignificant that they may go unnoticed by an average consumer”.

14. The applied for mark is a composite one made up of overlapping circles containing the letters ‘i’ and ‘t’ and the words ‘intelligent transport’. The latter features have no counterpart in any of the opponents’ earlier trade marks. It is scarcely credible that the average consumer would regard them as so insignificant that they may go unnoticed. The claim under Section 5(2)(a) based on identical marks is, therefore, untenable in the light of the *LTJ Diffusion v Sadas* guidance. This objection must fail.

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

15. This calls for a global assessment of whether there are similarities between the marks and goods which combine to create a likelihood of confusion. The opponents have referred to some 36 UK and CTM registrations. In principle they are entitled to have their position tested against each of those earlier trade marks. For practical purposes (and as the opponents have given no hint as to where they consider their best case lies) I have selected two registrations which seem to me to contain features which combine to offer the opponents their best prospect of success. They are CTMs number 1345180 and 1346063. The basis for this selection is that:

- the opponents’ concern is with the device of interlocking circles;

- numbers 1345180 and 1346063 show two forms of the interlocking circle device (strictly No. 1346063 might be better described as overlapping rather than interlocking circles);
- their position is no stronger and probably significantly weaker where their marks have the word MASTERCARD contained in the interlocking circle device. The presence of this word serves as a strong additional distinguishing feature;
- the above-mentioned registrations cover, inter alia, goods in Class 9 and, therefore, places them in the same Class as the goods of the application in suit;
- finally they are registered without limitation as to colour.

16. Full details of Nos. 1345180 and 1346063 are given in the Annex to this decision.

17. In approaching the issues under this head I take into account the guidance provided by the European Court of Justice (ECJ) in *Sabel BV v Puma AG* [1998] R.P.C 199, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc* [1999] R.P.C 117, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* [2000] F.S.R. 77 and *Marca Mode CV v Adidas AG* [2000] E.T.M.R. 723.

### **Comparison of goods and services**

18. The *Canon* case referred to above is the principal authority on assessing the similarity of goods and services. In its judgment, the ECJ stated at paragraph 23:

“In assessing the similarity of the goods or services concerned, as the French and United Kingdom Governments and the Commission have pointed out, all the relevant factors relating to those goods or services themselves should be taken into account. Those factors include, inter alia, their nature, their end users and their method of use and whether they are in competition with each other or are complementary.”

19. In *British Sugar Plc v James Robertson & Sons Ltd (TREAT)* [1996] RPC 281 Mr Justice Jacob (as he was then) also considered that channels of trade should be brought into the reckoning. The respective specifications in Class 9 are:

#### **Applicants' goods**

Alarm systems for use in vehicles; alarm systems for use in public transport; apparatus for recording; apparatus for remote surveying; electronic surveillance apparatus; security surveillance apparatus; video surveillance apparatus; electrical and electronic apparatus and instruments for tracking vehicles; electrical and electronic apparatus and instruments locatable in or on vehicles for providing

#### **Opponents' goods**

Computer hardware, computer software and computer programs; computer hardware and encryption software, encryption keys, digital certificates, digital signatures, software for secure data storage and retrieval and transmission of confidential customer information used by individuals, banking and

information concerning the vehicles; electrical and electronic apparatus and instruments for monitoring vehicles; computer programs and computer software for tracking vehicles; systems for controlling circulation/movement of vehicles; vehicle tracking apparatus and instruments; global positioning apparatus and instruments, bi-directional audio equipment; two-way audio equipment.

financial institutions; magnetic encoded cards and cards containing an integrated circuit chip (“smart cards”); charge cards, bank cards, credit cards, debit cards and payment cards; card readers; computer software designed to enable smart cards to interact with terminals and readers; telecommunications equipment; point of sale transaction terminals and computer software for transmitting, displaying and storing transaction, identification and financial information for use in the financial services, banking and telecommunications industries; radio frequency identification devices (transponders); and electronic verification apparatus for verifying authentication of charge cards, bank cards, credit cards, debit cards and payment cards.

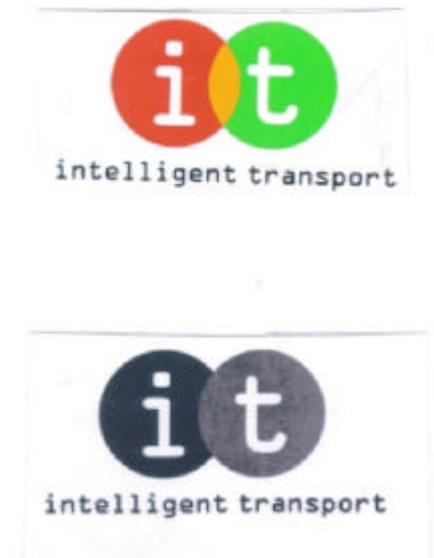
20. The applied for specification is in general terms focussed on a range of vehicle alarm, tracking and monitoring systems. The opponents’ goods can also be seen as reflecting the particular needs and circumstances of their business. However, the devil is in the detail. Whilst the general thrust of the respective specifications may well reflect the different nature of the underlying businesses there are points of overlap. This is most notably the case with computer software and computer programs. These items are restricted in the applicants’ specification to being “for tracking vehicles” but appear as unrestricted terms in the opponents’ specification. The general must be held to include the particular. I, therefore, find that the respective specifications must be held to encompass the same goods. No other obvious areas of identity arise in terms of the precise words used. However, depending on what is meant by the terms bi-directional audio equipment and two-way audio equipment, such goods may be considered to be a sub-set of the general term telecommunications equipment found in the opponents’ specifications. The position is by no means clear and would have benefited from submissions directed to the nature of the goods and the application of the *Canon/Treat* criteria. I regard further analysis of the position to be unnecessary at this point.

### **Comparison of marks**

21. For ease of reference I reproduce these below:

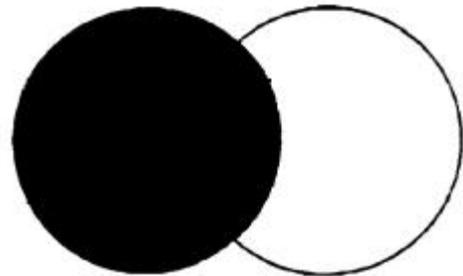
**Applicants' mark**

UK No. 2290161

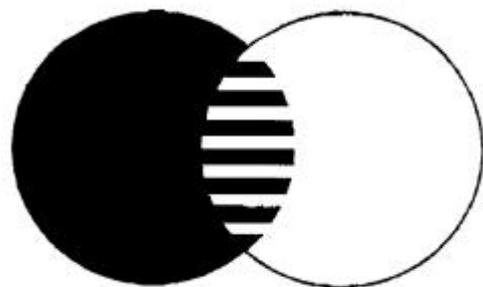


**Opponents' mark**

(CTM No. 1346063)



(CTM No. 1345180)



22. The guidance from the ECJ cases requires me to bear in mind that the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details (*Sabel BV v Puma AG*, paragraph 23). The visual, aural and conceptual similarities of the marks must, therefore, be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components (*Sabel BV v Puma AG*, paragraph 23). The average consumer 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 (*Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel BV*, paragraph 27).

23. The opponents' marks are figurative ones. It is reasonable to infer that the visual impact of such marks will override aural and conceptual considerations. Nevertheless the fact that the devices lend themselves to descriptions such as interlocking or overlapping circles suggests that they may be referred to this way in speech and that aural and conceptual considerations should not be completely discounted.

24. Simple geometric devices such as circles and squares do not display a significant amount of invention and, it seems to me, are unlikely to command more than a modest degree of distinctive character if, indeed, they are distinctive at all. Overlapping circles of contrasting tones such as depicted in CTM No. 1346063 are likely to have a somewhat stronger claim to distinctive character. Additional features such as the banding in the interlocking segments as in CTM No. 1345180 may be said to create a somewhat more complex and distinctive mark.

25. The applied for mark self-evidently employs a device of interlocking circles with the overlapping segment in different colours or tones to the circles themselves which are, in turn, in different colours or shading to each other. The effect is rather more pronounced in the first mark in the series which has the left hand circle in red, the right hand one in green and the overlapping segment in orange. The applicants make the point in their counterstatement that the colours are significant in that they represent traffic light colours in order to emphasise the connection with transport. I comment in passing that the same is not obviously the case with the second mark in the series where, presumably, different combinations of colours may be employed.

26. That, of course, is but one aspect of the applied for mark. It also contains the words “intelligent transport” and the letters ‘i’ and ‘t’. The latter have been placed in the main segment of the circles. It is well established that the average consumer does not pause to analyse marks (*Sabel v Puma*, paragraph 23) but that is not to say that he or she will not take due account of the elements of which a mark is composed and, subconsciously at least, ascribe distinctive character according to his or her perception of those elements. In *Lloyd Schuhfabrik* this point was put as follows:

“In determining the distinctive character of a mark, and accordingly in assessing whether it is highly distinctive, it is necessary to make a global 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 from those of other undertakings. In making that assessment account should be taken of all relevant factors and 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”.

27. It strikes me that the words “intelligent transport” are unlikely to have strong distinctiveness credentials in relation to goods whose purpose is to track, monitor and control vehicles or vehicle movement. If I am right in thinking that these words have descriptive or allusive connotations in relation to the goods (strictly no case has been made one way or the other) they are less likely to make a significant contribution to the overall character of the mark in the perceptions and recollections of consumers. The letters ‘i’ and ‘t’ may be seen as an abbreviation or acronym based on those words (if the consumer considered the point). However, there is no evidence before me that those letters are an accepted abbreviation for intelligent transport. It seems to me, therefore, that within the totality of the mark it is the letters that are most likely to engage the consumer’s attention in terms of distinctive character. The overlapping circles make a contribution to the overall visual impact but the strong impression is that they serve as a setting or background for the letters themselves.

28. Turning to a comparison of the parties' marks the opponents' grounds rely on the visual and conceptual identity/similarity between the respective interlocking circle devices. They do not elaborate on the matter beyond this. The applicants' counterstatement draws attention to the other features of their mark. They suggest that the three different colours they employ give the impression that the circles are overlapping rather than interlocking. They also say that the amount of the overlap is different as between the parties' marks (this latter point seems far too fine a distinction given that consumers are generally credited with remembering marks by general impressions rather than attention to detail).

29. It seems to me that this case demonstrates the dangers of dissecting marks and focussing attention on what is perceived to be a common or similar element to the exclusion of the other matter in (in this case) the applicants' mark. I have already suggested that, whilst interlocking or overlapping circles may have a degree of distinctiveness, they do not constitute a highly original or inventive image. The effect is that when other distinctive matter is present, as it is in the applicants' mark, that other matter is apt to attract rather greater attention than the circle device. Faced with the combination of features that go to make up the applied for mark (and allowing for the likely low level of distinctiveness attaching to the words "intelligent transport") I do not think that the average consumer would undertake a process of analysis which resulted in the view that the applicants' mark captures the distinctive character of the opponents' interlocking/overlapping circle devices. In *10 ROYAL BERKSHIRE POLO CLUB TRADE MARK* [2001] RPC 643 the Appointed Person said:

"I am satisfied that the use of the word POLO as part of the applicant's mark does not capture the distinctiveness of the opponent's earlier trade marks. I do not think that people exposed to the use of the applicant's mark would notice that it contained the word POLO without also noticing that it contained the words ROYAL BERKSHIRE and CLUB. The message of the mark comes from the words in combination and that is not something that I would expect people to overlook or ignore in the ordinary way of things."

30. Those remarks were made in the context of word marks but the underlying principle is not without relevance where the basis of an opponents' objection is a device rather than words.

31. I should also comment on the precise form in which the circles are represented and the issue of colour. The opponents' marks may be best described as overlapping circles (No. 1346063) and interlocking circles (No. 1345180). The latter have the interlocking area shown as alternate colour bars. The applied for series of marks is strictly neither of these as the overlapping segment of the circles is shown in a single block of colour which contrasts (less so in the second mark) with the colour of the circles themselves. Thus, the applicants refer to the first mark as representing traffic light colours. The possibility may exist for the parties to use their marks in similar colours. The opponents' evidence suggests that they most commonly use the interlocking circles (with bars) in the colours red and yellow though there are a small number of variants depicted in, for instance, exhibit JB6. Nevertheless neither No. 1345180 nor 1346063 is restricted as to colour. Furthermore I note that a number of the other registrations relied on show the interlocking circle devices in a variety of colours. Whilst I accept that use of similar colour schemes might improve the opponents' position I do not think it is sufficient to displace the

effect of the other elements in the applied for mark. I remain of the view that the marks are similar to a small degree only.

32. The opponents, rightly in my view, do not seek to make out a case on aural similarity. I find it highly improbable that the average consumer would find it necessary to refer to the overlapping circle device when the applied for mark lends itself to being described by reference to the letters and words.

33. That also carries over to conceptual considerations. Consumers will more readily recollect and refer to the applied for mark in terms of the letters and words than the device that is used to frame the letters as it were. If there is a concept to be gleaned from the device then use, as appears to be contemplated, in red, orange and green may indeed reinforce the connection with traffic lights and hence vehicles and transport systems contrary to any obvious indication in the opponents' marks.

### **Likelihood of confusion**

34. This is a matter of global appreciation taking all relevant factors into account (*Sabel v Puma*, paragraph 22).

35. I have found that the respective specifications are generally well separated but with some overlap at the margins to the extent that identical goods are involved at least in relation to computer software allowing for the notional scope of the opponents' specifications. But there is at most a low level of similarity between the marks when consideration is given to the whole of the applicants' mark. On a global view of the matter and bearing in mind the characteristics of the average consumer (reasonably well informed, circumspect and observant) I find no likelihood of confusion.

36. The opposition thus fails under Section 5(2) but before leaving this ground I should comment briefly on the opponents' use. I regard it as unarguable that the opponents' have a significant reputation in relation to credit card and related services under their MASTERCARD and interlocking circle mark. In terms of the related services, I note that Mr Amin's third witness statement deals, for instance, with the provision of travellers' cheques and associated travel documentation. It is not explained how this assists this particular opposition. Mr Bushby goes further and says:

“In order to facilitate the provision of the core services provided, the opponent also has developed, and trades in, computer software and hardware and various other goods required to support remote access facilities. For this reason the earlier rights claimed by the opponent cover a wide range of other goods and services provided to the public and customers of the opponent.”

37. The nature and extent of this trade in goods (as distinct from the core services) is not clear from the evidence and there has been no attempt to quantify it. There are generally rather poor quality photographs of cash machines etc. in, for instance, exhibit JB2. These show the MASTERCARD and interlocking circle device along with the trade marks of other banks. A

number of the photographs appear to have the mark IBM on the machine itself. In any case it seems probable that any use in relation to, for instance, computer software (if it is under the MASTERCARD and interlocking circle device) would be ancillary to and in support of the core activities. I am not persuaded that the evidence of use assists or is directly relevant to the opponents' case under Section 5(2).

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

38. This reads:

“(3) A trade mark which -

- (a) is identical with or similar to an earlier trade mark, and
- (b) is to be registered for goods or services which are not similar to those for which the earlier trade mark is protected,

shall not be registered if, or to the extent that, the earlier trade mark has a reputation in the United Kingdom (or, in the case of a Community trade mark, in the European Community) and the use of the later mark without due cause would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark.”

39. An underpinning minimum is that the opponents' mark or marks enjoy a reputation that meets the guidance set down in *General Motors v Yplon(Chevy)* [1999] ETMR 122 and [2000] RPC 572. The opponents clearly get to the starting blocks in this respect based on their very extensive use of their MASTERCARD and interlocking circle device in relation to credit card and related financial services. Strictly the evidence does not deal explicitly with independent recognition of the interlocking circle device. The opponents may have an arguable case in this respect but if, or to the extent that this is so, it is likely again to be in relation to the credit card etc services.

40. The opponents' case is based on there being dissimilar goods or services in play. That must also be the case given the considerable distance between credit card and related services and the goods applied for. The opponents' statement of grounds deals with Section 5(3) in terms which reflect the wording of the Act. They have not identified any particular advantage that will accrue to the applicants as a result of use of their mark. Nor have they explained the nature or extent of any detriment that they consider they will suffer. Given the gulf between the opponents' services and the applicants' goods taken in conjunction with the net affect of the similarities and differences between the marks I can see no basis on which the opponents can succeed under this head when they have failed under Section 5(2).

### **Section 5(4)(a)**

41. This reads:

“(4) A trade mark shall not be registered if, or to the extent that, its use in the United Kingdom is liable to be prevented -

- (a) by virtue of any rule of law (in particular, the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade, or
- (b) by virtue of an earlier right other than those referred to in subsections (1) to (3) or paragraph (a) above, in particular by virtue of the law of copyright, design right or registered designs.

A person thus entitled to prevent the use of a trade mark is referred to in this Act as the proprietor of an “earlier right” in relation to the trade mark.”

42. It is well established that the test under Section 5(4)(a) (passing off) requires me to consider the three elements of the action that is to say goodwill, misrepresentation and damage. An objection under Section 5(4)(a) may give rise to different issues to Section 5(2) or 5(3) and may succeed where objections under those heads have failed. I do not think this is a case where such an outcome is likely. In the light of my views on the respective marks I can see no circumstances where the opponents will be able to establish a misrepresentation by the applicants likely to lead to damage to their goodwill. This objection also fails.

### **Costs**

43. The applicants have been successful and are entitled to an award of costs in their favour. There are a number of factors influencing the award in this case. The applicants appear to have represented themselves throughout this inter partes action. In *Adrenalin Trade Mark*, O/040/02, the Appointed Person said that:

“It is correct to point out that the Registrar’s practice on costs does not specifically relate to litigants in person but in my judgment it could not be that a litigant in person before the Trade Mark Registry could be placed in any more favourable position than a litigant in person before the High Court as governed by the CPR. The correct approach to making an award of costs in the case of a litigant in person is considered in CPR Part 48.6.”

CPR Part 48.6 in turn indicates so far as is relevant that:

“**48.6-(1)** This rule applies where the court orders (whether by summary assessment or detailed assessment) that the costs of a litigant in person are to be paid by any other person.

(2) The costs allowed under this rule must not exceed, except in the case of a disbursement, two-thirds of the amount which would have been allowed if the litigant in person had been represented by a legal representative.”

44. The applicants have filed no evidence or written submissions of their own (save for the comments contained in their counterstatement). Nevertheless they have had to consider a considerable volume of evidence filed by the opponents, a large part of which has been of little (or at least unexplained) relevance to the main thrust of the opponents' case. Furthermore it is a reasonable inference from Mr Bushby's and Mr Amin's evidence that the material concerned was prepared in relation to other unrelated oppositions and recycled for this case. Whilst there is usually no objection to a party adopting evidence from other proceedings in suitable circumstances I take the view that the indiscriminate and unexplained nature of the opponents' actions here have placed an unnecessary burden on the (unrepresented) applicants.

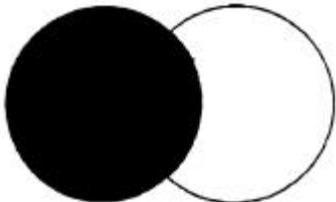
45. The applicants are entitled to an award of costs in respect of the filing of the counterstatement and reviewing the opponents' evidence. In the circumstances of this case I intend to make an award at the upper end of the scale in relation to that review process. Applying the two-thirds rule to the resulting sum (£1250) I order the opponents to pay the applicants the sum of £825 in total. This sum is to be paid within seven days of the expiry of the appeal period or within seven days of the final determination of this case if any appeal against this decision is unsuccessful.

**Dated this 25<sup>th</sup> day of March 2004**

**M REYNOLDS  
For the Registrar  
the Comptroller-General**



			journals and magazines, printed matter all relating to banking.
		35	Advertising, business management; business administration; office functions; commercial, industrial and business management assistance; business appraisals; advisory services for business management; market research; marketing studies; statistical information (business); preparation of statements of accounts; book-keeping; business research; public relations; publication of publicity texts; issuing of publicity leaflets.
		36	Financial services; automated teller machine services; banking and credit services; providing credit card, debit card, charge card and store value prepaid card services; stored value electronic purse services, providing electronic funds and currency transfer services, electronic payments services, prepaid telephone calling card systems, cash disbursement services, and transaction authorisation and settlement services; provision of debit and credit services by means of radio frequency identification devices (transponders); travel insurance services; cheque verification services; issuing and redemption services all relating to travellers' cheques and travel vouchers; advisory services relating to all the aforesaid services.
		38	Telecommunication services; Internet based telecommunication services; data communication services; on-line information services; electrical data transmission over a global remote data processing network, including the Internet; services for the transmission, provision or display of information from a computer-stored data bank or via the Internet; transmission of data through the use of electronic image processing by telephone

		39	link. Transport; arranging cruises; car rental; parking place rental; delivery of goods; storage of goods; transportation of goods; wrapping and packaging of goods; parcel delivery; parcel distribution; packaging and storage of goods; removal services; tourist office services; arranging of tours; travel agency services for booking accommodation; travel courier services; travel guide services; travel insurance; travel reservation; escorting of travellers; transport of travellers; transport of travellers; travel arrangement.
		42	Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; architectural consultation; provision of facilities for board meetings; providing facilities for exhibitions; tourist home services; retirement home services; nursing home services; marriage bureaux; marriage bureau services; packaging design; printing services; professional consultations; restaurants; cafes, cafeterias; translation services; computer programming; providing multi-user access to a secure computerised information network for the transfer and dissemination of a range of information in the field of financial services.
1346063		06	Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.

		09	<p>Computer hardware, computer software and computer programs; computer hardware and encryption software, encryption keys, digital certificates, digital signatures, software for secure data storage and retrieval and transmission of confidential customer information used by individuals, banking and financial institutions; magnetic encoded cards and cards containing an integrated circuit chip ("smart cards"); charge cards, bank cards, credit cards, debit cards and payment cards; card readers; computer software designed to enable smart cards to interact with terminals and readers; telecommunications equipment; point of sale transaction terminals and computer software for transmitting, displaying and storing transaction, identification and financial information for use in the financial services, banking and telecommunications industries; radio frequency identification devices (transponders); and electronic verification apparatus for verifying authentication of charge cards, bank cards, credit cards, debit cards and payment cards.</p>
		14	<p>Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones, horological and chronometric instruments.</p>
		16	<p>Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks; printed publications,</p>

			pamphlets, brochures, newspapers, journals and magazines, printed matter all relating to banking.
		18	Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.
		20	Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.
		21	Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; unworked or semi-worked glass (excluding glass used in building); glassware, porcelain and earthenware, not included in other classes.
		24	Textiles and textile goods, not included in other classes; bed and table covers.
		25	Clothing, footwear, headgear.
		28	Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.
		35	Advertising; business management; business administration; office functions; commercial, industrial and business management assistance; business appraisals; advisory services for business management; market research; marketing studies; statistical information (business); preparation of statements of accounts; book-keeping; business research; public

			relations; publication of publicity texts; issuing of publicity leaflets.
		36	Financial services; automated teller machine services; banking and credit services; providing credit card, debit card, charge card and stored value prepaid card services; stored value electronic purse services, providing electronic funds and currency transfer services, electronic payments services, prepaid telephone calling card systems, cash disbursement services, and transaction authorisation and settlement services; provision of debit and credit services by means of radio frequency identification devices (transponders); travel insurance services; cheque verification services; issuing and redemption services all relating to travellers' cheques and travel vouchers; advisory services relating to all the aforesaid services; travel insurance.
		38	Telecommunication services; Internet based telecommunication services; data communication services; provision of access to on-line computer networks where the browser finds a variety of information; electrical data transmission over a global remote data processing network, including the Internet; services for the transmission, provision or display of information from a computer-stored data bank or via the Internet; transmission of data through the use of electronic image processing by telephone link.
		39	Transport; arranging cruises; car rental; parking place rental; delivery of goods; storage of goods; transportation of goods; wrapping and packaging of goods; parcel delivery; parcel distribution; packaging and storage of goods; removal services; tourist office services; arranging of tours; travel agency services for booking accommodation; travel courier services;

			<p>travel guide services; travel reservation; escorting of travellers; transport of travellers; travel arrangement.</p>
		41	<p>Education; providing of training; entertainment; sporting and cultural activities; film production; rental of show scenery; rental of sound recordings; motion picture rental; movie studios; providing movie theatre facilities; publication of books; publication of text; radio and television entertainment; theatre productions.</p>
		42	<p>Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; architectural consultation; provision of facilities for board meetings; providing facilities for exhibitions; tourist home services; retirement home services; nursing home services; marriage bureaux; marriage bureau services; packaging design; printing services, professional consultations; restaurants; cafes; cafeterias; translation services; computer programming; providing multi-user access to a secure computerised information network for the transfer and dissemination of a range of information in the field of financial services.</p>