

O/0825/26

TRADE MARKS ACT 1994

IN THE MATTER OF APPLICATION NO. 4127735

**IN THE NAME OF XPEL MARKETING LTD
TO REGISTER THE FOLLOWING TRADE MARK:**

LIP REVIVE

IN CLASSES 3 AND 21

AND

IN THE MATTER OF OPPOSITION THERETO

UNDER NO. 452972

BY

RV SKINCARE BRANDS LLC

BACKGROUND AND PLEADINGS

1. Xpel Marketing Ltd (“the applicant”) applied to register the trade mark shown on the front page of this decision (UK trade mark (“UKTM”) no: UK4127735) in the UK on 21 November 2024. It was accepted and published in the Trade Marks Journal on 13 December 2024 in respect of the following goods:

Class 3 - Non-medicated toilet preparations; lip balms; lip masks; lip scrubs; lip glosses; lip liners; lip make-up; lip tints; lip cream; lip cosmetics; lip rouge; lip pencils; lip gloss palettes; lip pomades; lip polisher; lip neutralisers; lip protectors (cosmetic); lip conditioners; lip coatings (cosmetic); lip care preparations; lipstick; lip oils; gift boxes containing non-medicated toilet preparations, lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick and/or lip oils; gift boxes containing lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick, lip oils, gift boxes containing lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick and/or lip oils.

Class 21 - Lip brushes; brushes; cosmetic brushes; applicators for cosmetics; gift boxes containing lip brushes, brushes, cosmetic brushes and/or applicators for cosmetics.

2. On 11 March 2025, RV Skincare Brands LLC (“the opponent”) opposed the trade mark on the basis of Section 5(2)(b) of the Trade Marks Act 1994 (“the Act”) for those Class 3 goods within the application. This is on the basis of its earlier comparable

trade mark, RéVive (UKTM No: UK917954986)¹ filed on 13 September 2018 and registered on 9 September 2019. The mark is registered for the following goods:

Class 3 - Non-medicated skin products, namely, creams, lotions, gels, toners, cleaners and peels.

3. Under section 5(2)(b) of the Act, the opponent claims that there is a likelihood of confusion on the basis that the marks are similar, and the goods are either identical or highly similar leading to a likelihood of confusion, including a likelihood of association, and that the contested mark should be refused registration.

4. The applicant filed a counterstatement denying the claims made and requesting that the opponent provide proof of use for the mark relied upon.

5. The mark relied upon by the opponent qualifies as an 'earlier mark' in accordance with section 6 of the Act. It had been registered for more than five years at the filing date of the applicant's mark and is, therefore, subject to the proof of use requirements in section 6A of the Act.

6. The provisions of the Act relied upon in these proceedings are assimilated law, as they are derived from EU law. Although the UK has left the EU, section 6(3)(a) of the European Union (Withdrawal) Act 2018 (as amended by Schedule 2 of the Retained EU Law (Revocation and Reform) Act 2023) requires tribunals applying assimilated law to follow assimilated EU case law. That is why this decision refers to decisions of the EU courts which predate the UK's withdrawal from the EU.

REPRESENTATION

7. The opponent is represented by Abion UK Limited, and the applicant is represented by TR Intellectual Property Ltd. Only the opponent filed evidence in these proceedings, although the applicant filed written submissions. Neither party requested a hearing,

¹ On 1 January 2021, the UK left the EU after the expiry of the transition period. Under Article 54 of the Withdrawal Agreement, the Registry created comparable UK trade marks for all right holders with an existing EU trade mark registrations. As a result of the opponent's EU trade mark being registered as at the end of the Implementation Period, a comparable UK trade mark was automatically created. The comparable UK mark is now recorded on the UK trade mark register, has the same legal status as if it had been applied for and registered under UK law, and retains its original priority date.

however, the opponent did file written submissions in lieu. This decision is taken following careful consideration of the papers filed.

EVIDENCE AND SUBMISSIONS

8. The opponent filed the witness statement of Ms Kara O'Rourke, dated 4 September 2025, which is accompanied by five exhibits (exhibit KO1 – KO5). Ms O'Rourke is the Senior Director of Operations at RV Skincare LLC, a position she has held since 2022, and she has provided evidence to show use of the opponent's mark.

9. The applicant filed written submissions dated 20 January 2026.

10. The opponent filed written submissions in lieu, dated 16 March 2026.

11. I have given due consideration to all of the documents filed but will only refer to the evidence/submissions as appropriate to the extent that is necessary in my decision.

PROOF OF USE

12. The relevant statutory provisions are as follows:

“6A(1) This section applies where

(a) an application for registration of a trade mark has been published,

(b) there is an earlier trade mark of a kind falling within section 6(1)(a),
(aa) or (ba) in relation to which the conditions set out in section 5(1),
(2) or (3) obtain, and

(c) the registration procedure for the earlier trade mark was completed
before the start of the relevant period.

(1A) In this section “the relevant period” means the period of 5 years ending with the date of the application for registration mentioned in subsection (1)(a) or (where applicable) the date of the priority claimed for that application.

(2) In opposition proceedings, the registrar shall not refuse to register the trade mark by reason of the earlier trade mark unless the use conditions are met.

(3) The use conditions are met if – (a) within the relevant period the earlier trade mark has been put to genuine use in the United Kingdom by the proprietor or with his consent in relation to the goods or services for which it is registered, or (b) the earlier trade mark has not been so used, but there are proper reasons for non- use.

(4) For these purposes – (a) use of a trade mark includes use in a form (the “variant form”) differing in elements which do not alter the distinctive character of the mark in the form in which it was registered (regardless of whether or not the trade mark in the variant form is also registered in the name of the proprietor), and (b) use in the United Kingdom includes affixing the trade mark to goods or to the packaging of goods in the United Kingdom solely for export purposes.

(5)-(5A) [Repealed]

(6) Where an earlier trade mark satisfies the use conditions in respect of some only of the goods or services for which it is registered, it shall be treated for the purposes of this section as if it were registered only in respect of those goods or services.”

13. As the opponent’s mark is a comparable mark, paragraph 7 of Part 1, Schedule 2A of the Act is also relevant. It reads:

“7.— (1) Section 6A applies where an earlier trade mark is a comparable trade mark (EU), subject to the modifications set out below.

(2) Where the relevant period referred to in section 6A(3)(a) (the “five-year period”) has expired before IP completion day—

(a) the references in section 6A(3) and (6) to the earlier trade mark are to be treated as references to the corresponding EUTM; and

(b) the references in section 6A(3) and (4) to the United Kingdom include the European Union.

(3) Where [IP completion day] falls within the five-year period, in respect of that part of the five-year period which falls before IP completion day —

(a) the references in section 6A(3) and (6) to the earlier trade mark are to be treated as references to the corresponding EUTM ; and

(b) the references in section 6A to the United Kingdom include the European Union”.

14. Section 100 of the Act states that:

“100. If in any civil proceedings under this Act a question arises as to the use to which a registered trade mark has been put, it is for the proprietor to show what use has been made of it.”

15. The relevant period for assessing genuine use is the five-year period ending with the filing date of the application in issue, i.e. 22 November 2019 – 21 November 2024. As the earlier mark is a comparable mark, in accordance with schedule 2A of the Act previously set out, EU use up until the end of the transition period on 31 December 2020 will be relevant.

16. In *easyGroup Ltd v Nuclei Ltd & Ors* [2023] EWCA Civ 1247, Arnold LJ summarised the law relating to genuine use as follows:

“105. The principles applicable to determining whether there has been genuine use of a trade mark have been considered by the CJEU in a considerable number of cases, the principal decisions being Case C-40/01 *Ansul BV v Ajax Brandbeveiliging BV* [2003] ECR I-2439, Case C-259/02 *La Mer Technology*

Inc v Laboratories Goemar SA [2004] ECR I-1159, Case C-416/04 *P Sunrider Corp v Office for Harmonisation in the Internal Market (Trade Marks and Designs)* [2006] ECR I-4237, Case C-442/07 *Verein Radetsky-Order v Bundervsvereinigung Kamaradschaft 'Feldmarschall Radetsky'* [2008] ECR I-9223, Case C-495/07 *Silberquelle GmbH v Maselli-Strickmode GmbH* [2009] ECR I-2759, Case C-149/11 *Leno Marken BV v Hagelkruis Beheer BV* [EU:C:2012:816], Case C-609/11 *Centrotherm Systemtechnik GmbH v Centrotherm Clean Solutions GmbH & Co KG* [EU:C:2013:592], Case C-141/13 *P Reber Holding & Co KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs)* [EU:C:2014:2089], Case C-689/15 *W.F. Gözze Frottierweberei GmbH v Verein Bremer Baumwollbörse* [EU:C:2017:434] and Joined Cases C-720/18 and C-721/18 *Ferrari SpA v DU* [EU:C:2020:854].

106. Ignoring issues which do not arise in the present case, such as use in relation to spare parts or second-hand goods and use in relation to a subcategory of goods or services, the principles may be summarised as follows:

(1) Genuine use means actual use of the trade mark by the proprietor or by a third party with authority to use the mark: *Ansul* at [35] and [37].

(2) The use must be more than merely token, that is to say, serving solely to preserve the rights conferred by the registration of the mark: *Ansul* at [36]; *Sunrider* at [70]; *Verein* at [13]; *Centrotherm* at [71]; *Leno* at [29]; *Ferrari* at [32].

(3) The use must be consistent with the essential function of a trade mark, which is to guarantee the identity of the origin of the goods or services to the consumer or end user by enabling him to distinguish the goods or services from others which have another origin: *Ansul* at [36]; *Sunrider* at [70]; *Verein* at [13]; *Silberquelle* at [17]; *Centrotherm* at [71]; *Leno* at [29]; *Gözze* at [37], [40]; *Ferrari* at [32].

(4) Use of the mark must relate to goods or services which are already marketed or which are about to be marketed and for which preparations to secure customers are under way, particularly in the form of advertising campaigns:

Ansul at [37]. Internal use by the proprietor does not suffice: *Ansul* at [37]; *Verein* at [14]. Nor does the distribution of promotional items as a reward for the purchase of other goods and to encourage the sale of the latter: *Silberquelle* at [20]-[21]. But use by a non-profit making association can constitute genuine use: *Verein* at [16]-[23].

(5) The use must be by way of real commercial exploitation of the mark on the market for the relevant goods or services, that is to say, use in accordance with the commercial *raison d'être* of the mark, which is to create or preserve an outlet for the goods or services that bear the mark: *Ansul* at [37]-[38]; *Verein* at [14]; *Silberquelle* at [18]; *Centrotherm* at [71].

(6) All the relevant facts and circumstances must be taken into account in determining whether there is real commercial exploitation of the mark, including: (a) whether such use is viewed as warranted in the economic sector concerned to maintain or create a share in the market for the goods and services in question; (b) the nature of the goods or services; (c) the characteristics of the market concerned; (d) the scale and frequency of use of the mark; (e) whether the mark is used for the purpose of marketing all the goods and services covered by the mark or just some of them; (f) the evidence that the proprietor is able to provide; and (g) the territorial extent of the use: *Ansul* at [38] and [39]; *La Mer* at [22]-[23]; *Sunrider* at [70]-[71], [76]; *Centrotherm* at [72]-[76]; *Reber* at [29], [32]-[34]; *Leno* at [29]-[30], [56]; *Ferrari* at [33].

(7) Use of the mark need not always be quantitatively significant for it to be deemed genuine. Even minimal use may qualify as genuine use if it is deemed to be justified in the economic sector concerned for the purpose of creating or preserving market share for the relevant goods or services. For example, use of the mark by a single client which imports the relevant goods can be sufficient to demonstrate that such use is genuine, if it appears that the import operation has a genuine commercial justification for the proprietor. Thus there is no de

minimis rule: *Ansul* at [39]; *La Mer* at [21], [24] and [25]; *Sunrider* at [72]; *Leno* at [55].

(8) It is not the case that every proven commercial use of the mark may automatically be deemed to constitute genuine use: *Reber* at [32].”

17. In *Dosenbach-Ochsner Ag Schuhe Und Sport v Continental Shelf 128 Ltd*, Case BL O/404/13, Mr Geoffrey Hobbs QC (as he then was), sitting as the Appointed Person stated that:

“22. When it comes to proof of use for the purpose of determining the extent (if any) to which the protection conferred by registration of a trade mark can legitimately be maintained, the decision taker must form a view as to what the evidence does and just as importantly what it does not ‘show’ (per Section 100 of the Act) with regard to the actuality of use in relation to goods or services covered by the registration. The evidence in question can properly be assessed for sufficiency (or the lack of it) by reference to the specificity (or lack of it) with which it addresses the actuality of use.”

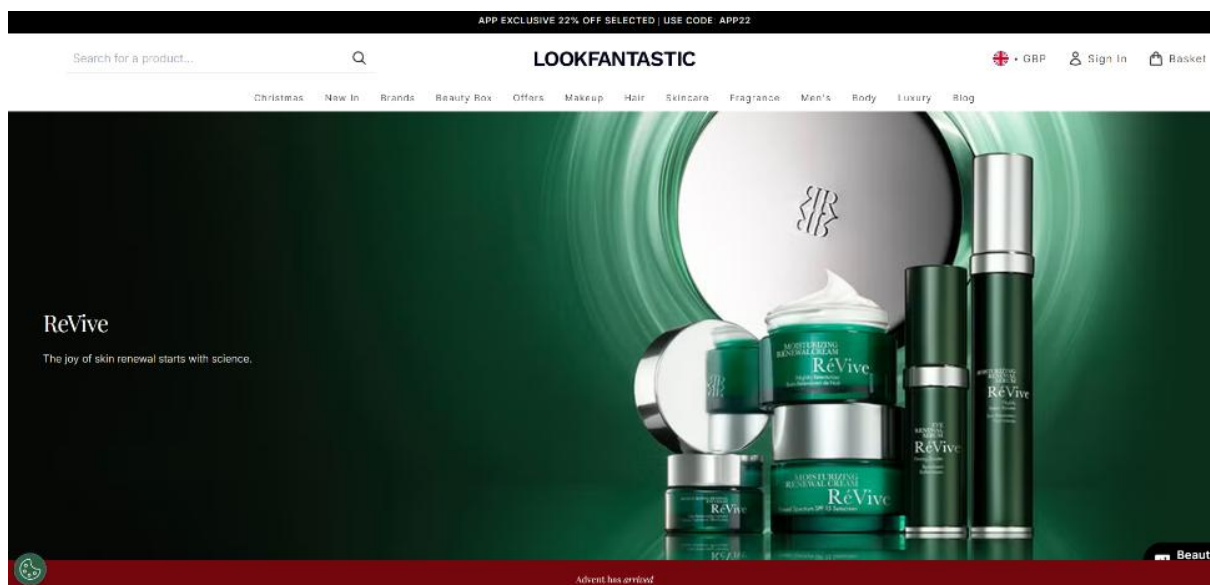
18. What I take from this case law is that there is no requirement to produce any specific form of evidence. I must consider what the evidence as a whole shows me, and whether on this basis I can reasonably be satisfied on the balance of probabilities that there has been genuine use of the contested mark.

The Opponent’s Evidence

19. In her witness statement, Ms O’Rourke states that she was first employed by RV Skincare LLC in 2017 as Director of Operations and was appointed Senior Director of Operations in 2022. The opponent is a subsidiary of RV Skincare LLC. Mr O’Rourke states that the RéVive brand was started in 1994 and the first product was sold in the USA in 1997.²

² Witness statement of Ms O’Rourke, para 2

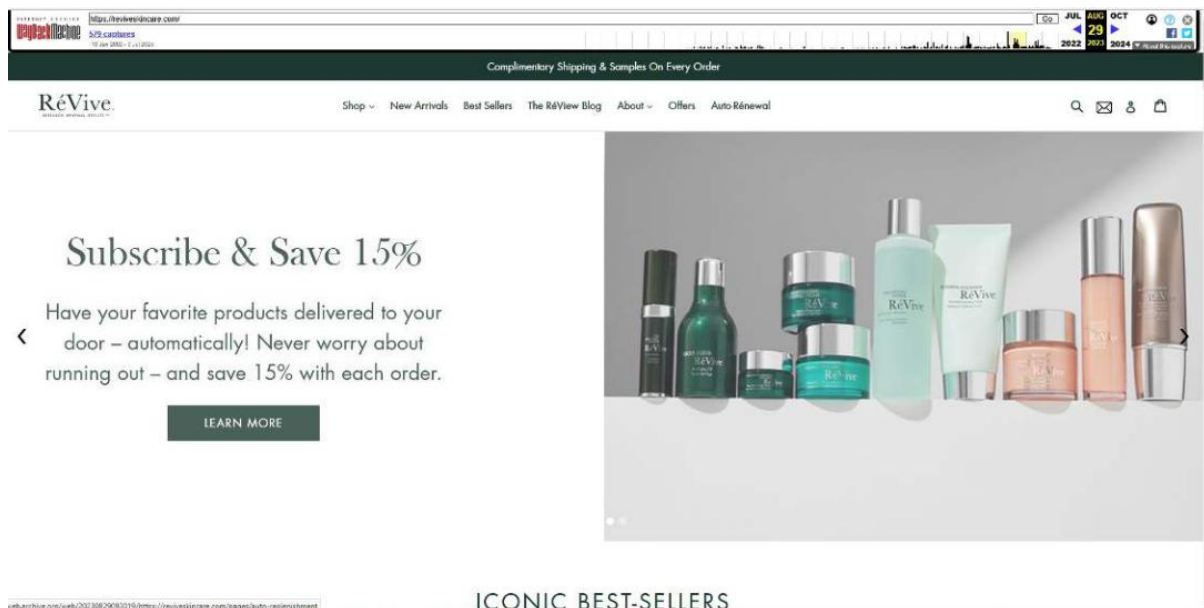
20. Ms O'Rourke states that products bearing the mark relied upon are sold at a variety of outlets within the UK, including Harrods, Space NK and John Bell Croydon. The products can also be purchased online via those retailers and at Look Fantastic, an online cosmetics retailer. Screenshots have been provided which show the goods for sale at these retailers.³ I note that the price of the products is in GBP and the web address on the Space NK screenshot is www.spacenk.com/uk. The screenshots were taken in 2025 and are otherwise undated. Ms O'Rourke states that these are reflective of the goods which were sold within the relevant period. An example of the screenshots is as follows:



21. A screenshot has also been provided from the Wayback Machine from the RéVive website, www.reviveskincare.com. The screenshot is dated 29 August 2023 and shows several of the products on display, however, it is not clear which territory this is aimed at, and as a '.com' website, it is not clear the extent to which this website actually targets the UK:⁴

³ Exhibit KO1

⁴ Exhibit KO2



22. I have before me, 24 commercial invoices showing the import of various products into the UK during the relevant period. All of the invoices are from RV Skincare LLC and are all shipped to a logistics address in the UK. Ms O'Rourke states that the invoices are redacted insofar as the unit value and total are concerned but show the number of units of each product which are imported into the UK.⁵ The relevant products have been highlighted by Ms O'Rourke and I note that they range from tens to hundreds of products imported per invoice. Ms O'Rourke states:

"The invoices exhibited at Exhibit KO3 refer to the following products:-
 Rescue Elixir (oil), Balancing Toner, Intensite Les Yeux (eye cream),
 Moisturizing Renewal Serum, Moisturizing Renewal Cream, Sensitif Renewal
 Cream and Soleil Superieur (sunscreen). There is produced to me as Exhibit
 KO4 photographs of each of these products that demonstrate that the mark
 relied on is applied to these products".⁶

Examples of the products are as follows:

⁵ Witness statement of Ms O'Rourke, para 5

⁶ Witness statement of Ms O'Rourke, para 6



23. Ms O'Rourke has provided turnover figures for the goods sold within the relevant period in the UK, which are as follows:⁷

2019 (Nov-Dec)	£184,000
2020	£967,000
2021	£771,000
2022	£913,000
2023	£888,000
2024	£719,000

22. Ms O'Rourke states that marketing expenditures are not tracked per country, however the products are widely marketed and have been published in well known magazines including:

“MarieClaire.com/MarieClaireUK.com, WWD.com (Women's Wear Daily), People.com, NewBeauty.com, CosmeticsBusiness.com, Allure.com,

⁷ Witness statement of Ms O'Rourke, para 7

Byrdie.com, VogueUK.com, WhoWhatWear.com/uk, Forbes.com, Glamour.com, Glossy.co, TheCut.com, and VanityFair.com".⁸

24. Ms O'Rourke has provided examples of articles published in the above under Exhibit KO5. A number of these articles appear to be aimed at consumers within the USA, as the prices of the goods being advertised are in dollars, however, some are also aimed at consumers within the UK, and I have before me articles from Marie Clare UK, Vogue and Cosmetics Business. All of the articles are dated within the relevant period.

SUFFICIENT EVIDENCE

25. An assessment of genuine use is a global assessment, which includes looking at the evidential picture as a whole, not whether each individual piece of evidence shows use by itself⁹.

26. I am satisfied that the evidence shows that the trade mark has been used as registered. The products are on sale via both the opponent's website, and the stores and websites of other national stores, such as Harrods and Space NK. The revenue figures are in the hundreds of thousands of pounds per annum and whilst the turnover is not broken down, I consider that the breadth of the goods covered is not so broad as to cause any issues in the allocation of turnover to the relevant goods. It is clear that the opponent has taken steps to promote the products sold under its mark. Taking the evidence as a whole into account, I am satisfied that the earlier marks have been put to genuine use during the relevant period in the UK.

FAIR SPECIFICATION

27. Having reached the above conclusion, I must now consider whether, or the extent to which, the evidence shows use of the earlier mark in relation to the goods relied upon. In *Euro Gida Sanayi Ve Ticaret Limited v Gima (UK) Limited*, BL O/345/10, Mr Geoffrey Hobbs Q.C. (as he then was) as the Appointed Person summed up the law as being:

⁸ Witness statement of Ms O'Rourke, para 8

⁹ *New Yorker SHK Jeans GmbH & Co KG v OHIM*, T-415/09

“In the present state of the law, fair protection is to be achieved by identifying and defining not the particular examples of goods or services for which there has been genuine use but the particular categories of goods or services they should realistically be taken to exemplify. For that purpose the terminology of the resulting specification should accord with the perceptions of the average consumer of the goods or services concerned.”

28. In *Merck KGaA v Merck Sharp & Dohme Corp & Ors* [2017] EWCA Civ 1834 the Court of Appeal set out the proper approach to partial revocation, as follows:

“245. First, it is necessary to identify the goods or services in relation to which the mark has been used during the relevant period.

246. Secondly, the goods or services for which the mark is registered must be considered. If the mark is registered for a category of goods or services which is sufficiently broad that it is possible to identify within it a number of subcategories capable of being viewed independently, use of the mark in relation to one or more of the subcategories will not constitute use of the mark in relation to all of the other subcategories.

247. Thirdly, it is not possible for a proprietor to use the mark in relation to all possible variations of a product or service. So care must be taken to ensure this exercise does not result in the proprietor being stripped of protection for goods or services which, though not the same as those for which use has been proved, are not in essence different from them and cannot be distinguished from them other than in an arbitrary way.

248. Fourthly, these issues are to be considered having regard to the perception of the average consumer and the purpose and intended use of the products or services in issue. Ultimately it is the task of the tribunal to arrive at a fair specification of goods or services having regard to the use which has been made of the mark.

249. This approach does strike an appropriate balance. It gives effect to the clear intention of the EU legislature that marks must actually be used or, if not

used, be subject to revocation. [...] It is also fair to proprietors for it does not require a proprietor to prove that he has used his mark in relation to all possible variations of the goods or services covered by its registration but only those which are sufficiently distinct to constitute coherent categories or subcategories. I am also satisfied that it gives appropriate protection to the legitimate interest of a proprietor in being able in the future to extend his range of goods or services within the scope of the terms describing the goods or services for which its mark is registered.”

29. The services for which proof of use has been sought are as follows:

Class 3 - Non-medicated skin products, namely, creams, lotions, gels, toners, cleaners and peels.

30. The term relied upon by the opponent is broad and would cover a wide range of goods. Whilst I am satisfied that the trade mark has been used as registered, I consider that the opponent has shown enough evidence for some of the goods within their term, such as creams, gels and toners, but not enough for some of the goods that they have within their specification. For example, I have no evidence of cleaners or peels. I consider that a lotion is essentially the same as a cream. Consequently, I consider a fair specification for the earlier mark to be:

Class 3 - Non-medicated skin products, namely, creams, lotions, gels and toners.

DECISION

Section 5(2)(b)

31. Section 5(2)(b) of the Act is 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”.

32. Section 5A of the Act states as follows:

“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.”

RELEVANT LAW

33. The following standard summary of the principles applicable to the assessment of the likelihood of confusion was approved by the Supreme Court in *Iconix Luxembourg Holdings SARL v Dream Pairs Europe Inc & Anor*, [2025] UKSC 25:

(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 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, in certain circumstances, be dominated by one or more of its components;

(f) and beyond the usual case, where the overall impression created by a mark depends heavily on the dominant features of the mark, it is quite 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 the earlier mark to mind, 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; and

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

COMPARISON OF GOODS

34. The competing goods are as follows:

The opponent's goods	The applicant's goods
Class 3 - Non-medicated skin products, namely, creams, lotions, gels and toners.	Class 3 - Non-medicated toilet preparations; lip balms; lip masks; lip scrubs; lip glosses; lip liners; lip make-up; lip tints; lip cream; lip cosmetics; lip rouge; lip pencils; lip gloss palettes; lip pomades; lip polisher; lip neutralisers; lip protectors (cosmetic); lip conditioners; lip coatings (cosmetic); lip care

	preparations; lipstick; lip oils; gift boxes containing non-medicated toilet preparations, lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick and/or lip oils; gift boxes containing lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick, lip oils, gift boxes containing lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick and/or lip oils.
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35. When making the comparison, all relevant factors relating to the goods and services in the specifications should be taken into account, as per *Canon*, where the CJEU stated at paragraph 23 of its judgement:

“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 intended purpose and their method of use and whether they are in competition with each other or are complementary.”

36. The relevant factors identified by Jacob J. (as he then was) in the *Treat* case, [1996] R.P.C. 281, for assessing similarity were:

- (a) The respective uses of the respective goods or services;
- (b) The respective users of the respective goods or services;
- (c) The physical nature of the goods or acts of service;
- (d) The respective trade channels through which the goods or services reach the market;
- (e) In the case of self-serve consumer items, where in practice they are respectively found or likely to be, found in supermarkets and in particular whether they are, or are likely to be, found on the same or different shelves;
- (f) The extent to which the respective goods or services are competitive. This inquiry may take into account how those in trade classify goods, for instance whether market research companies, who of course act for industry, put the goods or services in the same or different sectors.

37. In *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T- 133/05, the General Court (“GC”) stated that:

“29. 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.”

38. I bear in mind that it is permissible to group goods together for the purposes of the assessment¹⁰.

Class 3

Non-medicated toilet preparations

39. In the absence of submissions, I find that the applicant's term is wide ranging and would include substances aimed at cleansing, improving, or altering the complexion, skin, hair, or teeth. I consider that this term would include creams, lotions and serums. The opponent's specification includes the term *Non-medicated skin products, namely, creams, lotions, gels and toners* and I consider that this would be encompassed by the applicant's term on the principles outlined in *Meric*.

Lip balms; lip masks; lip scrubs; lip glosses; lip liners; lip make-up; lip tints; lip cream; lip cosmetics; lip rouge; lip pencils; lip gloss palettes; lip pomades; lip polisher; lip neutralisers; lip protectors (cosmetic); lip conditioners; lip coatings (cosmetic); lip care preparations; lipstick; lip oils; gift boxes containing non-medicated toilet preparations, lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick and/or lip oils; gift boxes containing lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick, lip oils, gift boxes containing lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick and/or lip oils.

40. The applicant's above products are all types of lip-care products and/or make up for the lips. Although make up is a cosmetic, and skin products are very similar to cosmetics or have cosmetic properties, that does not mean that the opponent's skin

¹⁰ *Separode Trade Mark O/399/10*

care products and the applicant's make up are necessarily similar.¹¹ In my view, the ordinary and natural meaning to the UK consumer of the applicant's above terms would extend to goods which add colour, decoration or definition to the lips. The nature of such goods is generally different to skin care products. The purpose of the parties' goods can be said to be beautification of the user, although the method by how that is achieved is different. They are not in competition, and there is no complementarity. Both parties' goods are sold in the personal care section of supermarkets and they are found in high street retailers. However, the parties' goods generally have their own discrete areas within such stores. Make up in large retail stores has its own area, sometimes with assistants dedicated to the various brands of make-up, and some make up brands have their own stores, selling only make up. I find that there is a low degree of similarity between the goods covered by the earlier marks and the above goods of the applicant.

AVERAGE CONSUMER AND THE PURCHASING ACT

41. The average consumer is deemed to be reasonably well informed and reasonably observant and circumspect. 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.

42. In *Iconix Luxembourg Holdings SARL v Dream Pairs Europe Inc & Anor*, [2025] UKSC 25, the Supreme Court approved the comments of Arnold LJ in *Lidl Great Britain Ltd & Anor v Tesco Stores Ltd & Anor (Rev1)* [2024] EWCA Civ 262, where he pointed out that:

(a) Consumers who are ill-informed or careless, or consumers with specialised knowledge or who are excessively careful are excluded from consideration;

¹¹ See *Novartis AG v OHIM*, Case T-444/12, GC, in which the court stated that specific goods within broad categories may be not similar to one another.

(b) The average consumer provides a standard which enables the courts to strike a balance between the competing interests involved, such as trade mark owners, their competitors and consumers;

(c) The average consumer is neither a single hypothetical person nor a mathematical average; assessment from the perspective of the average consumer does not involve a statistical test. There is no single meaning rule and if, having regard to the perceptions and expectations of the average consumer, the court considers that a significant proportion of the relevant public is likely to be confused, a finding of infringement may properly be made;

(d) Assessment from the perspective of the average consumer is intended to facilitate adjudication of trade mark disputes by providing an objective criterion, by promoting consistency of assessment and by enabling courts and tribunals to determine such issues so far as possible without the need for evidence;

(e) The average consumer's level of attention varies according to the category of goods or services in question; and

(f) the average consumer rarely has the opportunity to make direct comparisons between trade marks (or between trade marks and signs) and must instead rely upon the imperfect picture of the trade mark they have kept in their mind.

43. I consider that the average consumer of the respective goods will be the general public who use the products, and business professionals working in the beauty sector, for example, those running beauty salons or beauticians. The goods will be selected in varying degrees of frequency and the costs of the same will vary depending on the product. The selection process will involve mainly visual considerations, with consumers being exposed to the marks in-store in retail outlets, online, or via advertising. There is also the potential for aural considerations to be relevant on the basis of verbal recommendations or requests made to staff. Considerations such as cost, suitability, quality and reputation will be taken into account when purchasing the goods. I consider that the goods will all be used on the body/skin so will not be simple casual selections, and therefore I find that the average consumer is likely to pay a

medium level of attention to the goods in issue, for both members of the general public and professionals.

COMPARISON OF MARKS

44. 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 Court of Justice of the European Union stated at paragraph 34 of its judgment in Case C-591/12P, *Bimbo SA v OHIM*, 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.”

45. It would be wrong, therefore, to dissect the trade marks artificially, 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.

46. The respective trade marks are shown below:

Earlier trade mark	Contested trade mark
RéVive	LIP REVIVE

47. The applicant submits:

“6. The Applicant submits that its Mark is LIP REVIVE. This is clearly recognizable as a combination of two English words. The Opponent’s Mark is the French word RéVive.

7. The word REVIVE appearing in the Applicant’s Mark is aurally and visually different to the Opponent’s Mark.

8. The word REVIVE appearing in the Applicant’s Mark is phonetically pronounced as RI VAIV or RI VYV. The Opponent’s Mark is phonetically pronounced as RAY VEEV. For many years, French was the most popular (and often compulsory) second language taught in British schools. This has only in latter years been taken over by Spanish, although French is still widely taught. As such, it is highly likely that a large amount of the UK population (and as such, purchasing public) will be sufficiently informed to recognise the French word RéVive and know how to pronounce it correctly. It is very likely therefore that the purchasing public will pronounce it the correct way when purchasing products.

9. Visually, the Marks are different. The Applicant’s Mark is LIP REVIVE. The Opponent’s Mark is the word RéVive. It contains a capital R and V splitting the word into two parts and contains the accented letter “e”.

10. The Applicant’s specification only relates to products for “lips”. The Opponent’s specification appears to be restricted to “non-medicated skin products”. These are listed as “creams, lotions, gels, toners, cleaners and peels”. None of these products are listed within the Applicant’s specification.

11. The Applicant therefore submits and that the Marks are not similar and that there is no likelihood of confusion.”

48. The opponent submits:

“12. The Applicant claims in its counterstatement and in its written submission that the respective marks are not similar. It is difficult to see how this could be the case. The word LIP in the mark LIP REVIVE is purely descriptive of goods related to lip care. It would follow that a consumer familiar with the Opponent’s

mark would assume that the Opponent may be extending its product range from purely skincare to cover lip care by the addition of the word LIP to its established mark.

13. The distinctive element of the application is the word REVIVE which is essentially the same as the Opponent's mark RéVive. Whilst the respective marks must be compared as a whole as the word LIP is purely descriptive of the goods in class 3 it is the near identical terms REVIVE and RéVive that mean the respective marks are similar to a high degree.

14. The Applicant claims in its counterstatement that the Opponent's mark would be pronounced in a particular way and states that the mark would be regarded as a French word. Notwithstanding that assertion the Applicant has submitted no evidence to back it up. The average consumer cannot be assumed to have the understanding that is ascribed and is likely to regard the mark as the English word Revive notwithstanding the use of the acute accent over the letter e."

Overall impression

49. The opponent's mark consists of the word, RéVive. The overall impression of the mark lies in the word itself.

50. The applicant's mark consists of the words, LIP REVIVE. The overall impression of the mark lies in the combination of these words. In my opinion, REVIVE is the distinctive element of the mark, as LIP is allusive of the goods on offer.

Visual impression

51. A word trade mark protects the notional use of the word itself irrespective of font, capitalisation or otherwise and therefore the difference in casing will have no impact on the assessment. The competing marks are similar to the extent that they share the identical word REVIVE. I note that there is also an accent above the letter 'É' in the earlier mark which is not present in the contested mark, however, I consider that this is likely to be overlooked by at least a significant proportion of consumers. The difference in the marks comes from the addition of the word LIP at the beginning of

the contested mark. As a general rule the beginning of a mark tends to have more impact, as per the matter of *El Corte Inglés, SA v OHIM*,¹² however, I have found REVIVE to be the distinctive element of the applicant's mark for the reasons set out above. Weighing up the differences against the similarities, I consider there to be between a medium and high degree of visual similarity between the marks.

Aural Comparison

52. I note the applicant's submission that the opponent's mark is a French word and will be recognised as such, meaning that it will be pronounced "RAY VEEV". I do not agree with this submission. I have already found the accent above the letter 'É' may be overlooked, and as such, I consider that the opponent's mark will be pronounced as per the English word, REVIVE, namely RI VAIV. Therefore, the opponent's mark and the second word of the applicant's mark will be pronounced identically. The applied for mark also comprises of the word, LIP, which is an ordinary English word and would be pronounced as such. There is no comparator in the earlier mark, and this will be a point of difference between the marks, as the word will not go unnoticed. Overall, I find the marks to be aurally similar to a medium degree.

Conceptual Comparison

53. For a conceptual message to be relevant it must be capable of immediate grasp by the average consumer, as highlighted in numerous judgments of the GC and the CJEU.¹³

54. I consider that REVIVE will be understood as meaning "to come or bring something back to life, health, existence, or use".¹⁴ As above, I consider that for the majority of average consumers, the opponent's mark will be understood in the same way as the English word. In respect of average consumers who can speak French, the word, RéVive, has the same meaning and therefore I find that REVIVE is conceptually identical in both marks.

¹² Cases T-183/02 and T-184/02

¹³ *Ruiz Picasso v OHIM* [2006] e.c.r.-I-643; [2006] E.T.M.R 29

¹⁴ REVIVE | English meaning - Cambridge Dictionary

55. The applicants mark also includes the word, LIP, which will be understood as being a body part which forms the outer part of the mouth and will be interpreted as being allusive of the goods on offer. Therefore, the additional word does not create a distinctive conceptual difference between the two marks. Given that I have found REVIVE to be conceptually identical, and the use of LIP in the applicant's mark is allusive, I find that there is a high degree of conceptual similarity between the marks.

DISTINCTIVE CHARACTER OF THE EARLIER MARK

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

“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).”

57. Registered trade marks possess varying degrees of inherent distinctive character, ranging from the very low, because they are suggestive or allusive of a characteristic of the goods, to those with high inherent distinctive character, such as invented words

which have no allusive qualities. The earlier mark comprises of the word, RéVive. For the reasons that I have set out above, I consider that the average consumer would interpret the opponent's mark as referring to reviving the skin or bringing it back to life. The word REVIVE is commonly understood, and in this instance, may be interpreted as being laudatory (it will revive your skin). I consider that the earlier mark is inherently distinctive to between a low and medium degree.

58. The distinctiveness of a mark can be enhanced by virtue of the use that has been made of it, and such enhanced distinctiveness may affect the likelihood of confusion between that mark and a later mark including the same, or a similar, element.

59. As discussed in detail above, the opponent filed a witness statement by Ms O'Rourke to evidence its use of the earlier mark in the UK during the relevant period. Whilst I have determined that the opponent has provided sufficient evidence to illustrate use of the marks, I note that there are limitations to the evidence. I remind myself that the requirement for a finding of an enhanced distinctive character is considerably more onerous than that of genuine use. I say this on the basis that use need not be quantitatively significant in order for it to be genuine, whereas distinctive character is a measure of how strongly the mark identifies the goods/services of a single undertaking. The opponent has generated revenue of hundreds of thousands of pounds per annum since 2019, however there are no details in relation to the size of the relevant market, or the share of that market held by goods bearing the opponent's mark which makes it difficult for me to assess whether the scale of the use shown is sufficient for establishing enhanced distinctiveness. I also note that the opponent has provided limited marketing information in the form of articles which have appeared in magazines, however the majority of these appear to be aimed at the US consumer, rather than those in the UK. As noted, whilst I have found this evidence to be sufficient in respect of genuine use, I do not consider that it goes far enough to establish enhanced distinctiveness.

GLOBAL ASSESSMENT – Conclusions on Likelihood of Confusion

60. Confusion can be direct or indirect. Direct confusion involves the average consumer mistaking one mark for the other, while indirect confusion is where the average consumer realises the marks are not the same but puts the similarity that

exists between the marks and the goods down to the responsible undertakings being the same or related. There is no scientific formula to apply in determining whether there is a likelihood of confusion; rather, it is a global assessment where a number of factors need to be borne in mind. The first is the interdependency principle, 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. As I mentioned above, it is necessary for me to keep in mind the distinctive character of the opponent's trade mark, the average consumer for the goods and the nature of the purchasing process. In doing so, I must be alive to the fact 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 that he has retained in his mind.

61. I have found as follows:

- The goods at issue range from being either identical on the principles outlined in *Meric* to similar to a low degree;
- The average consumer will be members of the general public and professionals. They will select the services primarily by visual means, although I do not discount an aural component;
- A medium degree of attention will be paid;
- The marks are visually similar to between a medium and high degree;
- The marks are aurally similar to a medium degree;
- The use of REVIVE is conceptually identical in both marks. The word, LIP, in the applicant's mark is allusive of the goods on offer. Therefore, there is a high degree of conceptual similarity between the marks overall.
- The earlier mark is inherently distinctive to a low to medium degree but that the evidence did not sufficiently show that it had enhanced its distinctive character through use.¹⁵

¹⁵ Weaker distinctive character does not preclude a likelihood of confusion, as set out in *L'Oréal SA v OHIM*, Case C-235/05 P

62. I begin by considering a likelihood of direct confusion. The competing marks share the word REVIVE / RéVive; however, the contested mark also includes the word, LIP, making the mark LIP REVIVE. In respect of the applicant's mark, I have found REVIVE to be the dominant element of the contested mark, as the word LIP is allusive of the goods on offer and this element plays only a weak role in the overall impression of the mark. Although the opponent's mark has an accent above the letter 'E', I have found that this may be overlooked by the average consumer. REVIVE is the dominant element of the applicant's mark and the only element of the opponent's mark, and this gives rise to a visual, aural and conceptual similarity. Given this similarity and bearing in mind the principle of interdependence, I find that regardless of the fact that some of the respective goods are only similar to a low degree, consumers may mistake one mark for another. Taking all the above into account, and bearing in mind the principle of imperfect recollection, and that the marks will not be considered side by side, I consider that there exists a likelihood of direct confusion. In case I am wrong about that, I will move on to consider indirect confusion.

63. In *L.A. Sugar Limited v By Back Beat Inc*, BL O/375/10, Mr Iain Purvis Q.C., as the Appointed Person, explained that:

“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 recognised 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).”

64. The three categories set out in *L.A. Sugar* are not exhaustive; rather, they were intended to be illustrative of the general approach, as has been confirmed by the Court of Appeal¹⁶. I recognise that a finding of indirect confusion should not be made merely because the competing marks share a common element. In this connection, it is not sufficient that a mark merely calls to mind another mark; this is mere association not indirect confusion.¹⁷

65. When assessing indirect confusion, I find that as a result of the common word, REVIVE, consumers will be confused between the two entities. When considering the differences within the marks, I have found that the accent in the opponent’s mark may be overlooked. The inclusion of the word LIP in the contested mark is allusive of the goods on offer, and as such, I find that REVIVE will be considered as the dominant element of the mark. Therefore, I find that LIP REVIVE is likely to be interpreted as a sub-brand of specific goods or indicative of goods provided by the same or a linked undertaking. I do not consider that the similarity would be viewed as coincidental, as

¹⁶ *Liverpool Gin Distillery and others v Sazerac Brands, LLC and others* [2021] EWCA Civ 1207

¹⁷ *Duebros Limited v Heirler Cenovis GmbH*, BL O/547/17

the opponent's mark is distinctive between a low and medium degree (as opposed to low) and is not descriptive. I am satisfied that such is the similarity between the marks visually, aurally and conceptually, that there would be a likelihood of confusion, even on goods which I have found to be similar to a low degree. As a result of this, I find a likelihood of indirect confusion.

FINAL REMARKS

66. The opposition succeeds in full. Therefore, subject to any successful appeal, the application will be refused for the following goods:

Class 3 - Non-medicated toilet preparations; lip balms; lip masks; lip scrubs; lip glosses; lip liners; lip make-up; lip tints; lip cream; lip cosmetics; lip rouge; lip pencils; lip gloss palettes; lip pomades; lip polisher; lip neutralisers; lip protectors (cosmetic); lip conditioners; lip coatings (cosmetic); lip care preparations; lipstick; lip oils; gift boxes containing non-medicated toilet preparations, lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick and/or lip oils; gift boxes containing lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick, lip oils, gift boxes containing lip balms, lip masks, lip scrubs, lip glosses, lip liners, lip make-up, lip tints, lip cream, lip cosmetics, lip rouge, lip pencils, lip gloss palettes, lip pomades, lip polisher, lip neutralisers, lip protectors (cosmetic), lip conditioners, lip coatings (cosmetic), lip care preparations, lipstick and/or lip oils.

67. However, given that there was no opposition raised against all the applied for goods the application will proceed to registration in relation to the following:

Class 21 - Lip brushes; brushes; cosmetic brushes; applicators for cosmetics; gift boxes containing lip brushes, brushes, cosmetic brushes and/or applicators for cosmetics.

COSTS

68. The opponent has been successful and therefore, is entitled to a contribution towards its costs based upon the scale published in Tribunal Practice Notice 1/2023 which governs costs in proceedings issued after 1 February 2023. In the circumstances, I award the applicant the sum of £1,300.00 as a contribution towards the costs of proceedings. The sum is calculated as follows:

Filing a notice of opposition and considering the applicant's counterstatement:	£250.00
Preparing evidence	£600.00
Preparing submissions-in-lieu of a hearing	£350.00
Official fee:	£100.00
Total:	£1,300. 00

69. I therefore order Xpel Marketing Ltd to pay RV Skincare Brands LLC the sum of £1,300.00. The above sum should be paid within 21 days of the expiry of the appeal period or, if there is an appeal, within 21 days of the conclusion of the appeal proceedings.

Dated this 11th day of September 2026

LA Bailey

For the Registrar