

O/0856/23

TRADE MARKS ACT 1994

SUPPLEMENTARY DECISION ON COSTS

IN THE MATTER OF APPLICATION NO. UK00003751703

BY HONGKONG TOPHUNTER CO., LIMITED

TO REGISTER THE TRADE MARK:

TOPHUNTER

IN CLASS 9

AND

IN THE MATTER OF OPPOSITION THERETO

UNDER NO. 433752 BY

HUNTER BOOT LIMITED

1. I issued a decision in these proceedings on 6 April 2023 (BL O/0345/23).

2. In relation to costs, I stated as follows:

“62. The applicant has enjoyed the greater degree of success and so would ordinarily be entitled to a contribution towards their costs. As the applicant is unrepresented it would ordinarily be invited to file a costs proforma if it wished to claim costs in these proceedings. This has not yet been done and so **the applicant is given a period of 14 days from the date of this decision in which to file a costs proforma if it wishes to claim costs.** I will then issue a supplementary costs decision.”

3. No costs proforma has been filed by the applicant.

4. Consequently, I make no order as to costs.

5. The appeal period for both this, and the substantive decision, will run from the date of this supplementary decision.

Dated this 11th day of September 2023

S WILSON

For the Registrar