

**O/1137/23**

**TRADE MARKS ACT 1994**

**IN THE MATTER OF REGISTRATION NUMBER 3366320  
IN THE NAME OF GLOBAL TRADEMARK SERVICES LIMITED**

**FOR THE TRADE MARK**



**IN CLASS 25**

**AND**

**THE APPLICATION FOR A DECLARATION OF INVALIDITY THERETO  
UNDER NUMBER 503425 BY HENRIK LARSSON**

**AND**

**SUPPLEMENTARY DECISION ON COSTS**

1. On 14 September 2023, I issued a decision (“the earlier decision”) partially invalidating trade mark registration 503425.<sup>1</sup> I found that the proprietor’s behaviour during the proceedings was unreasonable and that the applicant should receive an award of costs off the standard scale to take into account its costs in dealing with the proprietor’s unreasonable behaviour.<sup>2</sup>

2. At paragraph 172 of the earlier decision, and under rule 62(1)(a) of the Trade Marks Rule 2008 (as amended) (“the Rules”), I directed the applicant to file a schedule of costs within twenty-one days of the date of the decision. This was to be copied to the proprietor and Mr James Dear, who is the proprietor’s director and who has, for the duration of these proceedings, acted for the proprietor.<sup>3</sup> The proprietor then had twenty-one days to file any submissions in response. I directed that the schedule provide a breakdown of costs so that I can assess, and Mr Dear can understand/challenge, the reasonableness of time spent on particular activities. The breakdown was to include an estimate (at least) of the number of hours spent on various stages and/or issues that have arisen, and should also include the time spent preparing the required breakdown. I stated that I would then issue a supplementary final costs award, giving my reasons.

3. I set out my reasons for finding that costs off the scale were appropriate in the earlier decision.<sup>4</sup> The present decision is confined to assessing the quantum of costs, giving my reasons for the quantum, and setting the same appeal period for both this costs decision and for the decision issued on 14 September 2023.

4. The applicant’s representative, Mr Philip Hannay of Cloch Solicitors (“Cloch”), filed the applicant’s schedule of costs by email on 5 October 2023 (within the deadline), which was copied to Mr Dear. The covering email stated that the schedule, or account, had been prepared using the agreed charge-out rate of £350 p/h and the usage of the Scottish legal unit of 6 minutes as the minimum unit of time at £35. Mr Hannay

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<sup>1</sup> BL O/0872/23.

<sup>2</sup> The scale applicable to these proceedings is published as Tribunal Practice Notice 2/2016.

<sup>3</sup> Mr Dear was the original applicant for the trade mark, prior to assigning it to his company which is the present registered proprietor.

<sup>4</sup> Beginning at paragraph 133 of the decision.

explained that the schedule did not include the work of the applicant's initial representative, prior to Cloch being appointed.

5. The proprietor did not comment on the applicant's schedule of costs by the deadline of 26 October 2023.<sup>5</sup> On 29 October 2023, Mr Dear emailed the Tribunal saying that he was on holiday in Spain and did not have full access to his files. Mr Dear said that he would deal with Mr Hannay's costs submissions on his return to the UK on 4 November 2023. The Tribunal sought more information from Mr Dear in an email dated 30 October 2023; not least, how much more time Mr Dear required. Mr Dear replied on 6 November 2023 to say how long he had been on holiday and that he requested an extension of time until 17 November 2023. The Tribunal responded on 6 November 2023, extending the deadline for Mr Dear's submissions to 17 November 2023. The Tribunal stated:

“Notwithstanding the fact that you were in receipt of the cancellation applicant's schedule of costs before your holiday, given the size of the monetary amount claimed by the applicant, and because the deadline is administrative rather than statutory, you are allowed until 17 November 2023 to file submissions in response to the applicant's schedule of costs.”

6. Mr Dear filed submissions in response to the cancellation applicant's schedule of costs on 17 November 2023.

7. Although not strictly relevant to this decision on costs, I record here that Mr Dear, on behalf of the proprietor, filed a form TM55P which is the form for appealing a decision to the Appointed Person on 10 October 2023.<sup>6</sup> As set out in my earlier decision at paragraph 174, the appeal period for my earlier decision had not been set. I stated that it would be set once this decision on costs was issued, when the appeal period for both my earlier decision and this costs decision would commence on the same date. The Form TM55P did not address the issue of costs. It said (verbatim):

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<sup>5</sup> I specified in my earlier decision that the proprietor would have 21 days from receipt of the applicant's schedule of costs to file comments about the schedule, which was filed on 5 October 2023. The date of 26 October 2023 was confirmed in an email to the parties from the Tribunal on 10 October 2023 at 09:08.

<sup>6</sup> 10 October 2023 was the same day as the Tribunal's email was sent to the parties (footnote 5).

“The Hearing Officer got the decision wrong and acted in a similar manner to two previous decisions by the Appointed Person Geoffrey Hobbs KC where the Appointed Person found the IPO acted "I consider the cases before me a legally deficient practice statement was enforced by the Registry in a procedurally unacceptable manner." The previous decisions were on applications UK00003587268 and UK00003595047.

The IPO also lost documents, refused to accept evidence from my company, the original filer of CA000503425 was given legal advice by the IPO in direct conflict with the IPO's legal requirement to be impartial at all times. Later in the case an opposition solicitor took over the case and they too were given legal assistance by the IPO. The IPO for a 6 month plus period refused to reply to any correspondence.

The Hearing Officer ignored basic IPO rules and procedures as well as the law in reaching their decision.”

8. Mr Dear, in his covering email, said:

“a Decision has been released to the public, I am dealing with being defamed by the IPO a second time in the nation media. The TM55P form is very clear that it must be submitted within 28 days of the Decision. I have received contradictory guidance from the IPO as to when a Decision has be made.

Given the treatment I have received at the hands of the IPO in this (see the TM55P form) and previous cases I am deeply skeptical about the IPO guidance and I am filing the TM55P in accordance with IPO published guidance.”

9. The filing of the TM55P was procedurally irregular because there was no appeal period running. It would also have been procedurally unfair to Mr Dear, potentially, for the Tribunal to have kept it until appeal period was set and then activate the form because the proprietor/Mr Dear had not at the time of filing the form seen this costs decision. The grounds of appeal in the TM55P did not address costs, no cost decision

having been issued. Accordingly, the Tribunal wrote to the proprietor on 11 October 2023:

Dear Mr Dear

Thank you for your email.

Please see Hearing Officer's response below:

*"I refer to paragraph 174 of my decision BL o/0872/23 issued on 14 September 2023.*

*As the appeal period has not yet been set, the TM55P will not be processed, and I have made arrangements for £250.00 to be refunded to yourself.*

*If you wish to Appeal the decision, you must wait until the supplementary costs decision is issued, which will set the appeal period for both the substantive decision and the costs decision. At that point, you will need to file a Form TM55P and fee, along with your statement of reasons for the appeal, if you wish to appeal either or both decisions".*

10. Mr Dear replied on 12 October 2023 that it was on record that he filed the appeal within the correct timescales. Further emails were sent on 7 November 2023, 8 November 2023, 9 November 2023 and 10 November 2023, all in the same vein: that he filed a TM55P within 28 days of the earlier decision being issued.

11. Section 68 of the Trade Marks Act 1994 ("the Act") states:

"68. - (1) Provision may be made by rules empowering the registrar, in any proceedings before him under this Act-

(a) to award any party such costs as he may consider reasonable, and

(b) to direct how and by what parties they are to be paid."

12. Rule 67 of the Rules states:

**“Costs of proceedings; section 68**

67. The registrar may, in any proceedings under the Act or these Rules, by order award to any party such costs as the registrar may consider reasonable, and direct how and by what parties they are to be paid.”

13. Mr Dear’s written submissions dated 17 November 2023 are as follows:

“I would ask the Hearing Officer to remember that Mr Hannay has previously been fined by the IPO for improper filings. While you were not interested during the Hearing about Mr Hannay's pattern of behaviour because you perceived I was given the opportunity to raise the issue of fraudulent misrepresentation by the Examining Officer. However, I raised the issue of fraudulent misrepresentation from the day after CA000503425 was filed and continued throughout to claim fraudulent misrepresentation, it was not until well into the third year of this case that the IPO attempted address, (in a weak and half hearted manner in my opinion), after all if I was being taken seriously around the charge of fraudulent misrepresentation why wait two and a half years to do so?

By the time the IPO had attempted to take my claims seriously, (although it appeared to be a box ticking exercise), I was well down another path, firstly going to the Scottish Law Complaints Commission who referred me to the police. The police were at first very cynical of my claims but now believe it is highly probable that two of the three criteria required in Scottish Law for a fraud charge have been met and are now reviewing the Hearing Officer's decision to see if they believe the third criteria for a fraud charge has been met. The police in this area have very limited resources and everything takes them a considerable amount of time. Having had to go down the road of the police I could not withdraw without the fear of being accused of wasting police time.

It was Mr Hannay who was constantly changing charges which made a huge contribution to the time this case has taken. I would not expect to be held responsible for costs created by Mr Hannay's own actions. The largest piece of work Mr Hannay undertook was the Witness Statement purporting to be sales of Mr Henrik Larsson and during the Hearing Mr Hannay had to admit to the Hearing Officer that this substantial document had no connection to Mr Henrik Larsson at all. It was in fact yet another misrepresentation by Mr Hannay and really quite remarkable the Hearing Officer drew no conclusions as to Mr Hannay's veracity given his previous conduct and the filing of such a substantial document which had absolutely no bearing on the case CA000503425, I do not think I should be held liable for such a document.

I have been involved in CA000503425 since it's filing a lot longer time than Mr Hannay and even though I requested above the norm expenses I filed for £5,000.00 in costs for the entirety of the case which included a £2,500.00 solicitor bill for legal advice given during CA000503425.

Given Mr Hannay created the majority of his costs through his own actions and the fact he knowingly and willfully filed a Witness Statement in the full knowledge it was a misrepresentation of the facts I would expect the IPO to take all these factors into account and bring Mr Hannay's exaggerated costs down to a more realistic figure in line with my request for costs. I don't believe paper and paper clips cost that much more in Glasgow as they do in Arbroath."

14. It will be clear from what I said in my earlier decision that the cancellation applicant is entitled to compensatory costs for the volume of work caused by Mr Dear's continual and misguided allegations about 'misrepresentation'. For this reason, Mr Dear's continuing submissions regarding 'misrepresentation' are unpersuasive. I agree with Mr Dear that he/his company should not have to pay for the cancellation applicant's amended grounds. In relation to Mr Dear's sentence "The largest piece of work Mr Hannay undertook was the Witness Statement purporting to be sales of Mr Henrik Larsson and during the Hearing Mr Hannay had to admit to the Hearing Officer that this substantial document had no connection to Mr Henrik Larsson at all", this is not correct, as can be seen from the earlier decision at paragraphs 68 and 69. This part

of the submissions therefore has no bearing on this costs decision. In any event, it will be seen that I have awarded contributory costs to the cancellation applicant for its evidence on the normal scale.

15. I have been through the applicant's schedule of costs, which totals £60,319 (including VAT). Some of the items relate to 'normal' actions, for which an award on scale is appropriate; for example, the preparation and filing of the applicant's evidence-in-chief, diarising and administration, and researching other decisions. Researching background matters is part and parcel of a representative's job and is provided for by the scale of costs. As I explained in my earlier decision, it was the deluge of unnecessary or unreasonable correspondence from, and because of, Mr Dear that has forced up the applicant's costs beyond what could have reasonably been foreseen. I will map the costs schedule onto the official Intellectual Property Office ("IPO") file, review the documents and decide which were 'normal' activities, and which were in relation to Mr Dear's unreasonable behaviour for which the applicant should be awarded actual costs. I will list the items for which actual costs are awarded in the annex to this decision. Where several issues were addressed, only some of which are relevant to Mr Dear's unreasonable behaviour, I have reduced the award to what I consider would have been a reasonable amount of time to have spent on the issue(s).

16. I have not made awards for attending to and reporting to the cancellation applicant, since that is a normal activity and is not recoverable. I have also awarded scale costs for the preparation and consideration of the applicant's evidence-in-chief, since these were normal activities and the content of the evidence was regular. For the preparation of evidence-in-chief, the filing of accompanying submissions, and consideration of the proprietor's evidence, I award a contribution of £1600 (on scale). I have awarded off-scale costs in relation to the applicant's evidence-in-reply because it addressed Mr Dear's allegations about Mr Hannay (see the annex).

17. The applicant provided instructions to Cloch in January/February 2022. Some of this would have entailed 'normal' activities. Some of what was included in the initial instructions, amounting to £5,250, was reviewing correspondence from when Brian Hamill was the applicant's representative. It will be clear from my earlier decision that Mr Dear's unreasonable behaviour began prior to Cloch's involvement. The £5,250

includes itemisation of correspondence from that time, which Cloch reviewed. However, the £5,250 has not been broken down, although the individual letters have been listed (without amounts charged). I note that elsewhere in the schedule, costs for considering individual items of correspondence from Mr Dear have often been apportioned £35. For those activities included in the £5,250 which reflect unreasonable behaviour on Mr Dear's part, I will apportion £35 per letter as elsewhere, and for longer letters use this as a unit to decide on an amount which I consider reflects the time reasonably taken to read and consider them. I bear in mind that not all of Mr Dear's involvement in the proceedings at the very start was unreasonable behaviour because, as set out in my earlier decision, Mr Hamill and the IPO made mistakes during the initial pleadings stages. The list of letters reviewed as part of the £5,250 begins on 2 July 2021, which is identified as the TM8. It was the applicant who decided to amend his pleadings once Cloch was appointed and no costs are awarded for that. I will award costs at the top of the scale to take into account the initial filing of the application and for considering the defence and counterstatement (form TM8), which was lengthy and the amendments to which were lengthy and confused (filed 8 December 2021). This comes to £650. As for the other documents listed as part of the £5,250, I award actual costs as follows:

- Mr Dear's email of 23 November 2021, sent at 10:06, identified in paragraph 143 of the earlier decision: £35;
- Mr Dear's email of 28 November 2021, sent at 22:03, identified in paragraph 143 of the earlier decision: £35.

18. The complaints about Mr Hannay which were made by Mr Dear to the Scottish Legal Complaints Commission were intrinsically linked to his complaints about the authority to act for the applicant claim, which Mr Dear called misrepresentation, as detailed in my earlier decision. In this decision, I will also refer to this issue as "misrepresentation" (which is how it is referred to in Cloch's schedule of costs). The IPO was repeatedly informed about Mr Dear's complaints to the Scottish Legal Complaints Commission about misrepresentation, and Cloch was copied into those communications with the IPO. I have included these where appropriate in the annex.

The activity listed as relating to the Scottish Legal Complaints Commission which took place between 27 March 2023 and 31 March 2023 was part of the lead-up to filing evidence-in-reply, which contained content regarding the alleged misrepresentation complaint to the Scottish Legal Complaints Commission. This work is covered by the award of actual costs for evidence-in-reply of £700 (in the annex).

19. I have not awarded costs for the emails between Mr Hannay, Mr Hamill and Mr Dear on 22 March 2023 regarding representation for the cancellation application because I do not know their content. It would be wrong for me to guess.

20. I have awarded actual costs for the sales request to the IPO made on 3 January and the review of the IPO file. I referred to the exceptional amount of documentation in these proceedings in my earlier decision. I note that the Tribunal's letter of 19 December 2022 refers to emails sent by Mr Dear on 13 December 2022 at 8.49am and 10.54am, but the second of these was not copied to Cloch. I consider that, following this, Cloch was concerned to check all the correspondence on the IPO file, being aware that it had not seen one of these emails which resulted in a major letter from the Tribunal (as per my earlier decision at paragraphs 154 and 160). I commented in my earlier decision, at paragraph 147, that failure to copy the other side is in itself unreasonable behaviour.

21. I have not made an award for research into other cases in which Mr Dear is involved, which is normal activity; nor for correspondence in March 2023 between Mr Dear and Cloch regarding an infringement claim, which is outside of these proceedings.

22. Preparation for the hearing is covered by the actual award for reviewing the IPO file and filing the skeleton argument (£3,500 in the Annex). I will make a scale award for attendance at the hearing of £1500, taking into account Mr Dear's unreasonable behaviour in making submissions about misrepresentation and allegations about Mr Hannay (to which Mr Hannay had to listen and make a response), when the Tribunal had said the matter was closed (see my earlier decision).

23. The items in the annex total £19,995. Added to that amount are the two items of correspondence identified in paragraph 17 above at £35 each, making £20,065. I have not awarded VAT as there is no information to the effect that VAT is not recoverable by Mr Larsson.

24. The on-scale costs to be added to the off-scale costs are:

- £650 for filing the application and considering the counterstatement (paragraph 17 above)
- £200 official fee for the application (form TM26(I))
- £1,600 for preparation of the applicant's evidence-in-chief and submissions (paragraph 16 above)
- £1500 for attending the hearing (paragraph 22 above)

**25. The total amount of costs awarded to the cancellation applicant is therefore £24,015.**

## **Payment**

26. As set out in my earlier decision at paragraph 4, Mr Dear undertook to be the personal guarantor for the proprietor in an email of 11 April 2022, should an adverse cost award be made, and Mr Dear confirmed this in an email of 4 May 2022.

**27. I order Global Trademark Services Limited and James Robbie Dear to pay Henrik Larsson the sum of £24,015. Global Trademark Services Limited and James Robbie Dear shall be jointly and severally liable for these costs. The costs shall be paid within twenty-one days of the date of this decision or, if there is an appeal, within twenty-one days of the conclusion of the appeal proceedings (subject to any order of the appellate tribunal).**

**Status of this decision**

28. As set out at paragraph 174 of my earlier decision, the period for appeal against both my earlier decision and this decision on costs starts from the date shown below. The separation of proceedings to await the judgement of the Supreme Court in the *Sky CA* appeal has no effect on this appeal period. That part of the proceedings will be subject to a separate decision with its own appeal period once the decision is issued (see paragraph 173 of my earlier decision).

**Dated this 29<sup>th</sup> day of November 2023**

**Judi Pike  
For the Registrar,  
the Comptroller-General**

## Annex

Reviewing Mr Dear's email of 23 November 2021, sent at 10:06, identified in paragraph 143 of the earlier decision:	£35
Reviewing Mr Dear's email of 28 November 2021, sent at 22:03, identified in paragraph 143 of the earlier decision	£35
09.02.22 reviewing 06:20 email from Mr Dear re refusal to disclose material	£35
09.02.22 reviewing 08:32 email from Mr Dear mocking security for costs request	£35
25.02.22 reviewing 06:32 email from Mr Dear to IPO claiming threats made	£35
25.02.22 email to IPO and Mr Dear 08:53 regarding confused status of proceedings	£105
25.02.22 Reviewing Mr Dear's reply to the above at 09:23	£35
25.02.22 Reviewing Mr Dear's email 14:07 to IPO claiming bullying by Mr Hannay after the latter requested a copy of the TM8 from Mr Dear	£35
25.02.22 Reviewing Mr Dear's further email 15:04 to IPO alleging harassment by Mr Hannay	£35
25.02.22 email to Mr Dear stating that his refusal to provide a copy of the TM8 would be mentioned when costs is addressed at the end of proceedings	£35
09.03.22 reviewing email from Mr Dear 14:31 to the IPO re the IPO's conduct	£35
09.03.22 reviewing further email from Mr Dear 16:25 to the IPO re case issues, change of representation, misrepresentation (not showing in the IPO's file)	£35
10.03.22 reviewing email from Mr Dear to IPO 16:06 re how much he has spent at the IPO compared to Cloch; impartiality	£35
11.03.22 reviewing email from Mr Dear to IPO 14:39 re misrepresentation	£35
15.03.22 reviewing email from Mr Dear to IPO 11:32 re misrepresentation and allegations re IPO's impartiality	£35

20.04.22 reviewing email from Mr Dear to IPO 11:01 criticising IPO re impartiality	£35
04.05.22 reviewing email from Mr Dear to IPO 07:18 criticising IPO, reporting to ombudsman, complaint to MP	£35
06.05.22 reviewing email from Mr Dear to IPO 06:07 complaining about Mr Hannay contacting his solicitor	£70
08.05.22 reviewing email from Mr Dear to IPO 21:59 re criticisms of IPO	£70
08.5.22 reviewing email from Mr Dear to IPO 22:03 correcting previous email	£35
09.05.22 drafting and issuing email to IPO re voluminous correspondence (other issues in this email were 'normal' or were incorrect submissions from Cloch; award reduced accordingly from £175)	£70
09.05.22 reviewing email from Mr Dear 12:18 re Cloch's previous email re voluminous correspondence	£35
10.05.22 reviewing email from Mr Dear 06:15 criticisms of IPO and Cloch	£35
13.05.22 reviewing UKIPO letter re various issues and directions, 4 pages of which were as a result of Mr Dear's unreasonable behaviour, amount adjusted (from £350)	£200
18.05.22 reviewing email from Mr Dear to IPO 07:46 re confused criticisms re law and procedure	£140
18.05.22 drafting and issuing response to the above email	£35
18.05.22 reviewing email from Mr Dear to IPO 09:05 replying to the above, erroneous claim that Mr Hannay had conceded passing off no longer valid	£35
13.06.22 reviewing email from Mr Dear to IPO 11:22 alleging ex parte communications between IPO and Mr Hannay	£35
14.06.22 reviewing email from Mr Dear to IPO 07:38 re his confusion regarding non-use (see paragraph 160 of the earlier decision)	£35
14.06.22 reviewing further email from Mr Dear to IPO 09:14 regarding non-use	£35
07.07.22 reviewing letter from IPO re the 5 emails from Mr Dear (10, 13, 14 June 2022) re allegations of ex parte communications, no challenge to amended pleadings, non-use	£70

29.07.22 reviewing email from Mr Dear to IPO 17:56 re pleadings and non-use	£35
29.07.22 drafting and issuing email re pleadings and Mr Dear's confusion about processes	£70
29.07.22 reviewing email from Mr Dear 19:08 replying to the above	£35
29.07.22 reviewing email from Mr Dear 21:51 re non-use, pleadings and alleging IPO not being impartial	£35
16.09.22 reviewing letter from IPO re unacceptable TM8 and misrepresentation claims	£70
06.10.22 reviewing email from Mr Dear to IPO 15:17 warning the IPO not to remove Mr Hamill from the proceedings	£35
14.10.22 reviewing letter from IPO to Mr Dear confirming that Cloch represents the applicant and that he had already had a copy of the TM33P on 4 February 2022 which informed him of the same	£35
14.10.22 reviewing email from Mr Dear 16:13 re criticising IPO, misrepresentation, and involving the police.	£35
14.10.22 drafting and issuing email 17:33 re Mr Dear's misunderstandings about 'misrepresentation' and raising the issue of costs re Mr Dear's contravention of IPO directions and irrelevant claims	£140
14.10.22 reviewing email from Mr Dear 17:44 re criticisms of IPO	£35
19.10.22 reviewing email from Mr Dear 07:52 alleging contact with the police, Scottish Law Complaints Commission and HMRC re Cloch/Mr Hannay	£35
19.10.22 drafting and issuing email 09:30 to IPO re irrelevant, unsubstantiated and harmful comments by Mr Dear	£70
19.10.22 reviewing email from Mr Dear 09:39 re misrepresentation and suggestion that Mr Hannay would need a solicitor	£35
20.10.22 reviewing email from Mr Dear 06:53 re misrepresentation; confused questions about the non-UK status of the applicant, and asking where licensing agreements between the applicant and 'Signed Security' are.	£35
20.10.22 reviewing letter from IPO's Head of Tribunal Operations to Mr Dear re his unacceptable behaviour	£70

21.10.22 reviewing email from Mr Dear 13:14 re criticisms of Mr Hannay	£35
24.10.22 reviewing email from Mr Dear 06:34 re allegations of misrepresentation, fraud and demanding the proceedings are closed, will take matter to police, Scottish Legal Complaints Commission and HMRC	£35
26.10.22 reviewing email from Scottish Legal Complaints Commission that there is no complaint	£35
07.11.22 reviewing IPO letter re misrepresentation, repeating of information and directions (reduced as no award in relation to the section ordering disclosure)	£35
07.11.22 reviewing email from Mr Dear to IPO 16:25 alleging IPO acting fraudulently	£35
08.11.22 reviewing email from Mr Dear to IPO 07:57 re fraud and IPO conduct	£35
09.11.22 reviewing email from Mr Dear to IPO 07:47 re fraud, reporting matters to police, Police Intellectual Property Crime Unit, Scottish Legal Complaints Commission, Ombudsman, his MP and HMRC.	£35
09.11.22 reviewing email from Mr Dear to IPO 18:42 re meeting with his solicitor and fraudulent misrepresentation	£35
14.11.22 reviewing email from Mr Dear 06:27 to IPO criticising IPO, accusing IPO of acting as an agent for Mr Hannay	£35
14.11.22 drafting and issuing email 07:58 to IPO re Mr Dear's daily emails (costs) and his lack of understanding about law and process (refusal to seek legal advice)	£70
14.11.22 reviewing email from Mr Dear 08:40 re misrepresentation	£35
14.11.22 reviewing email from Mr Dear 14:14 about third win before the Appointed Person and his run of success	£35
22.11.22 drafting and issuing email 11:15 to Scottish Legal Complaints Commission checking Mr Dear's claims re case conduct (see paragraph 166 of the earlier decision)	£35
23.11.22 reviewing email from Scottish Legal Complaints Commission 16:31 re no complaint, plus Mr Hannay's response	£35

07.12.22 drafting and issuing email 15:26 to Scottish Legal Complaints Commission checking Mr Dear's claims re case conduct due to further comments from Mr Dear	£35
07.12.22 reviewing email from Scottish Legal Complaints Commission 15:33 re still no complaint	£35
07.12.22 telephone call with Scottish Legal Complaints Commission re Mr Dear's actions	£105
07.12.22 reviewing email from Mr Dear to IPO 15:39 re deadline, accusation of ex parte conversations	£35
07.12.22 reviewing email from Mr Dear to IPO 16:35 re statements about Mr Hannay and the Mr Dear had reported Mr Hannay to PIPCU and the legal Ombudsman	£35
07.12.22 Mr Hannay contacting insurers (see paragraph 166 of earlier decision)	£70
09.12.22 reviewing email from Mr Dear to IPO 06:15 re multiple complaints	£35
13.12.22 reviewing email from Mr Dear to IPO 08:49 re complaints	£35
13.12.22 reviewing letter from IPO re complaints about IPO administration, guidance regarding form TM21B, premature filing of evidence, failure to comply with disclosure, misrepresentation	£140
19.12.22 reviewing letter from IPO to Mr Dear re multiple issues (see paragraph 154 of earlier decision)	£175
02.01.23 reviewing email from Mr Dear to IPO re case deadlines, confused refusal to accept deadlines	£35
03.01.23 sales order to IPO for copy of the IPO file	£105
03.01.23 review of file (reduced by £500 from £3500 for filing submissions which is included in the scale award for evidence)	£3,000
11.01.23 reviewing prematurely filed submissions from Mr Dear, including accusations re misrepresentation	£700
16.01.23 reviewing email 01:18 re misrepresentation, Signed Security	£105
20.01.23 reviewing letter from IPO re multiple issues, including complaints filed against IPO and billing IPO by Mr Dear, deadlines, disclosure, and status of submissions filed prematurely on 11.01.23	£105

23.01.23 drafting and issuing email 08:51 to Scottish Legal Complaints Commission checking claims by Mr Dear due to his further comments	£35
23.01.23 reviewing email from Scottish Legal Complaints Commission re still no complaint	£35
07.02.23 reviewing email from Mr Dear 08:02 to Companies House, copied to IPO re allegations of breach of Companies Act	£35
07.02.23 reviewing further email from Mr Dear 08:07 re the above	£35
07.02.23 reviewing submissions attached to above email, fraudulent misrepresentation allegations	£350
07.02.23 drafting and issuing email to IPO 15:29 re the above submissions and their status	£35
07.02.23 reviewing email from Mr Dear 17:06 re misrepresentation	£35
08.02.23 signing for special delivery parcel from Mr Dear	£35
08.02.23 reviewing contents of above parcel re allegations about Mr Hannay, fraudulent misrepresentation claims, claims re breach of Companies Act	£700
03.03.23 reviewing email from Mr Dear to IPO (01.03.23 09:56) containing his further submissions, including re fraudulent misrepresentation	£350
14.03.23 reviewing email from Mr Dear to Companies House and IPO 19:06 re fraudulent misrepresentation	£35
15.03.23 reviewing email from Mr Dear to IPO re Company Names Tribunal decision and confused submissions as to closure of the present case on the basis of the outcome (see paragraph 160 of the earlier decision)	£35
21.03.23 reviewing email from Mr Dear to IPO 09:10 re confusion over witness statements	£35
21.03.23 reviewing email from Mr Dear to IPO 15:40 re Company Names Tribunal decision	£35
22.03.23 reviewing email from Mr Dear to IPO 17:51 objecting to the case being brought against his trade mark	£35
23.03.23 reviewing email from Mr Dear to IPO 06:32 complaining case against his trade mark is vexatious	£35

26.03.23 reviewing email from Mr Dear, copied to IPO, demanding the case is dropped	£35
24.04.23 drafting evidence in reply	£700
24.04.23 reviewing email from Mr Dear to IPO 12:39 re fraudulent misrepresentation and complaints to authorities	£35
30.05.23 reviewing email from Mr Dear to IPO 14:50, confused email as to deadlines and stating that Mr Hannay should not be allowed a hearing	£35
05.06.23 reviewing IPO letter to Mr Dear about his objection to Mr Hannay being heard	£35
06.06.23 reviewing email from Mr Dear to IPO 06:47 re allegations against Mr Hannay of improper conduct and fraud	£35
16.06.23 reviewing Mr Dear's 'final submissions' sent by email 15.06.23 at 17:43, most of which consisted of complaints about misrepresentation, statements about the IPO being overturned in the ex parte appeals, and confused statements about Signed Security, allegations about Mr Hannay, and submissions on costs	£350
21.06.23 reviewing email from IPO to Mr Dear 12:54 reiterating its letter of 05.06.23 and the applicant's right to a hearing	£35
21.06.23 reviewing email from Mr Dear to IPO 15:26 re the hearing going ahead and stating that he would report the IPO to the police	£35
04.07.23 file review, drafting skeleton argument	£3,500
05.07.23 reviewing Mr Dear's skeleton argument which consisted of arguments about fraudulent misrepresentation	£70
07.07.23 reviewing email from Mr Dear 07:30 requesting copy of hearing transcript and alleging Mr Hannay misled the Hearing Officer	£35
07.07.23 drafting and issuing email to IPO 09:04, part of which was to respond to the above allegations (award reduced accordingly, as the rest concerned directions given at the hearing)	£100
07.07.23 reviewing email from IPO to Mr Dear 13:13 confirming transcript will be sent and stating that the Hearing Officer did not expect to receive any more material beyond that directed at the hearing	£35

07.07.23 reviewing email from Mr Dear to IPO 13:19 criticising IPO, plus attachments re Scottish Legal Complaints Commission and police (these were attached to Mr Dear's email of 07:30 of the same date)	£105
08.07.23 reviewing email from Mr Dear to IPO 06:50 re conduct of Mr Hannay at the hearing	£35
12.07.23 reviewing email from IPO to Mr Dear 14:36 re complaints procedure	£35
12.07.23 reviewing email from Mr Dear to IPO 15:53 criticising IPO response to the above, repeated allegations that Mr Hannay misled the Hearing Officer	£35
24.08.23 reviewing email from Mr Dear to IPO 14:35 alleging harassment by Mr Hannay and Mr Hamill and referring to Signed Security Limited not having paid costs in the Company Names Tribunal case	£35
01.10.23 preparing account (schedule of costs)	£5,250
<b>Annex total</b>	<b>£19,995</b>