

TRADE MARKS ACT 1994
IN THE MATTER OF INTERNATIONAL REGISTRATION NO. 701234
AND THE REQUEST BY DEUTSCHE SEETOURISTIK GMBH
TO PROTECT A TRADE MARK
IN CLASSES 16, 30, 32, 33 & 42

AND IN THE MATTER OF OPPOSITION THERETO
UNDER NUMBER 70268
BY ASDA STORES LIMITED.

BACKGROUND

1) On 7 September 1998, Deutsche Seetouristik GmbH, of 1, Am Seehafen, D-18147, Rostock, Germany on the basis of an international registration, requested protection in the United Kingdom of the trade mark AIDA under the provisions of the Madrid Protocol.

2) The international registration is numbered 701234 and protection was sought for the following:

In Class 16: “Printed matter, photographs, paper, pamphlets, pictures, flags (of paper), graphic reproductions, geographic maps, greeting cards, cards (playing cards), catalogues, magazines (periodicals), photographs, posters, postcards, drawing materials, stationery.”

In Class 30: “Coffee, tea, cocoa, chocolate, pastry, cakes, bread, ices, honey, food preparations based on cereals, pizza, pudding, rusk.”

In Class 32: “Non-alcoholic drinks and fruit extracts, beer.”

In Class 33: “Alcoholic drinks (except beers).”

In Class 42: “Providing of food and drink for guests in restaurants, cafeterias and cafes, catering, operation of holiday camps (accommodation), services of a florist, room reservation, operation of hotels, operation of day nurseries, operation of bars, manicure services, services of beauty parlours, massage services, providing translations, weather forecast.”

3) The United Kingdom Trade Marks Registry considered that the request satisfied the requirements for protection in accordance with Article 3 of the Trade Marks (International Registration) Order 1996 and particulars of the international registration were published in accordance with Article 10.

4) On the 30 October 2001 the International Registration was transferred to Seetours-German Branch of P & O Princess Cruises International Limited, 1, Am Seehafen, D-18147 Rostock, Germany.

5) On 8 March 2000 Asda Stores limited of Asda House, Southbank, Great Wilson Street, Leeds, LS11 5AD filed notice of opposition, subsequently amended, to the conferring of protection on this international registration based on their proprietorship of the marks set out in the Annex to this decision. The amended grounds of opposition are in summary:

a) The applicant's goods and services conflict with goods and services in the opponent's registrations as set out below:

Applicant's Goods	Conflict with opponent's registration No.
<p>Class 16: Printed matter, photographs, paper, pamphlets, pictures, flags (of paper), graphic reproductions, geographic maps, greeting cards, cards (playing cards), catalogues, magazines (periodicals), photographs, posters, postcards, drawing materials, stationery.</p>	<p>1284399: Class 16: Stationery, paper articles, cardboard articles, books, albums, writing instruments, files, ring binders, wrapping paper, Christmas cards, greetings cards, birthday cards, posters, photographs, paper towels, paper handkerchiefs, facial tissues, napkins, products for carnival and party purposes, paint brushes; office requisites; toilet paper; all included in Class 16.</p>
	<p>Stylised Mark 1426175: Class 16: Printed matter, printed publications; brochures, leaflets, catalogues, books, calendars, diaries, posters, wrapping paper; stationery; all included in Class 16.</p>
<p>Class 30: Coffee, tea, cocoa, chocolate, pastry, cakes, bread, ices, honey, food preparations based on cereals, pizza, pudding, rusk.</p>	<p>1284404: Class 29: All goods included in Class 29.</p>
	<p>980606: Class 30: Coffee, tea, flour, biscuits (other than biscuits for animals), bread, bread rolls, flour confectionery, flans, fruit pies, meat pies, sausage rolls, pasties and rice pudding.</p>
	<p>1583337: Class 30: All goods included in Class 30.</p>
<p>Class 32: Non-alcoholic drinks and fruit extracts, beer.</p>	<p>1068345: Class 32: Beer, ale; non-alcoholic beverages and preparations for making such beverages, all included in Class 32; and fruit juices.</p>
	<p>1057557: Class 33: Alcoholic beverages included in Class 33.</p>

	1284406: Class 33: Preparations for use in wine making, in the form of kits; alcoholic beverages; all included in Class 33.
Class 33:Alcoholic drinks (except beers).	1068345: Class 32: Beer, ale; non-alcoholic beverages and preparations for making such beverages, all included in Class 32; and fruit juices.
	1057557: Class 32: Beer, ale; non-alcoholic beverages and preparations for making such beverages, all included in Class 32; and fruit juices.
	1284406: Class 33: Preparations for use in wine making, in the form of kits; alcoholic beverages; all included in Class 33.
Class 42: Providing food and drink for guests in restaurants, cafeterias, cafes, catering.	2043106: Class 42 : Café, cafeteria, catering and restaurant services.
	1284404: Class 29: All goods included in Class 29.
	980606: Class 30: Coffee, tea, flour, biscuits (other than biscuits for animals), bread, bread rolls, flour confectionery, flans, fruit pies, meat pies, sausage rolls, pasties and rice pudding.
	1583337: Class 30: All goods included in Class 30.
	1284405: Class 31: Trees, shrubs, plants, seeds, bulbs, animal foodstuffs, all included in Class 31.
	1465883: Class 31: Fresh fruit and fresh vegetables; all included in Class 31.
	1068345:Class 32: Beer, ale; non-alcoholic beverages and preparations for making such beverages, all included in Class 32; and fruit juices.
	1057557:Class 32: Beer, ale; non-alcoholic beverages and preparations for making such beverages, all included in Class 32; and fruit juices.

	1284406: Class 33: Preparations for use in wine making, in the form of kits; alcoholic beverages; all included in Class 33.
Class 42: Operation of holiday camps.	2176830: Class 41: Organisation of competitions; organisation of exhibitions; recreational services; arranging of competitions for entertainment purposes; arranging of demonstrations for entertainment purposes; arranging of displays for entertainment purposes; arranging of musical entertainment; arranging of visual entertainment; audio entertainment services; childrens' entertainment services; entertainment by film; entertainment by means of concerts; entertainment by means of radio; entertainment by means of roadshows; entertainment by means of telephone; entertainment by means of television; entertainment services relating to sport; information services relating to entertainment; live demonstrations for entertainment; organisation of outings for entertainment; sporting activities; education services relating to health care and health related matters; provision of training; exercise classes; entertainment services relating to home shopping; television entertainment services relating to home shopping; education and information services, all relating to home shopping or to products or services offered for sale or supply.
	2043106: Class 42: Cafe, cafeteria, catering and restaurant services; hairdressing services; beauty care services; optician services; pharmacy advice.
	2043106: Class 39: Travel agency services; travel arrangement services.
Class 42: Services of a florist.	2043106: Class 26: Artificial flowers.
	1284405: Class 31: Trees, shrubs, plants, seeds and bulbs.

Class 42: Room reservation, operation of hotels.	2043106: Class 39: Travel agency services, travel arrangement services.
	2043106: Class 42: Cafe, cafeteria, catering and restaurant services; hairdressing services; beauty care services; optician services; pharmacy advice.
Class 42: Operation of day nurseries.	2176830: Class 41: Recreational services; children's entertainment services.
Class 42: Operation of bars.	1068345: Class 32: Beer, ale; non-alcoholic beverages and preparations for making such beverages, all included in Class 32; and fruit juices.
	1057557: Class 33: Beer, ale; non-alcoholic beverages and preparations for making such beverages, all included in Class 32; and fruit juices.
	1284406: Class 33: Preparations for use in wine making, in the form of kits; alcoholic beverages; all included in Class 33.
	2043106: Class 42: Restaurant Services.
Class 42: Manicure services, services of beauty parlours, massage services.	2043106: Class 42: Hairdressing services; beauty care services.
Class 42: Providing translations.	Stylised Mark: 1426175: Class 16: Printed publications.
Class 42: Weather forecast.	2043106: Class 38: Broadcasting services; communication services.

b) The opponent has used its trade mark ASDA for more than ten years and has reputation and goodwill in the UK. As such the application offends against Sections 5(2), 5(3) and 5(4).

6) The applicant subsequently filed a counterstatement denying the above grounds, although accepting that “the opponent is a substantial UK retailer that provides a wide range of goods and/or services in the UK with reference to the mark ASDA”.

7) Both sides ask for an award of costs.

8) Only the opponent filed evidence in these proceedings. Neither side wished to be heard, although both provided written submissions. I shall refer to these submissions as and when necessary in my decision.

OPPONENTS' EVIDENCE

9) The opponent filed a declaration, dated 22 January 2001, by Anthony Paul Brierley the opponent's Trade Mark Attorney. Mr Brierley provides at exhibit APB1 details of his client's UK Trade Mark Registrations.

10) That concludes my review of the evidence. I now turn to the decision.

DECISION

11) In their written submissions the opponent withdrew their opposition under Section 5(4)(a).

12) I turn first to the ground of opposition under Section 5(2)(b) which 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 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."

13) An earlier right is defined in Section 6, the relevant parts of which state:

"6.- (1) In this Act an 'earlier trade mark' means -

(a) a registered trade mark, international trade mark (UK) or Community trade mark which has a date of application for registration earlier than that of the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks,"

14) In determining the question under section 5(2), I take into account the guidance provided by the European Court of Justice (ECJ) in *Sabel BV v. Puma AG* [1998] R.P.C. 199, *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* [1999] R.P.C. 117, *Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel B.V.* [2000] F.S.R. 77 and *Marca Mode CV v. Adidas AG* [2000] E.T.M.R. 723. It is clear from these cases that:

- (a) the likelihood of confusion must be appreciated globally, taking account of all relevant factors; *Sabel BV v. Puma AG* page 224;
- (b) the matter must be judged through the eyes of the average consumer of the goods/services in question; *Sabel BV v. Puma AG* page 224, 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; *Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel B.V.* page 84, paragraph 27;

- (c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details; *Sabel BV v. Puma AG* page 224;
- (d) the visual, aural and conceptual similarities of the marks must therefore be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components; *Sabel BV v. Puma AG* page 224;
- (e) a lesser degree of similarity between the marks may be offset by a greater degree of similarity between the goods, and vice versa; *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* page 132, paragraph 17;
- (f) there is a greater likelihood of confusion where the earlier trade mark has a highly distinctive character, either per se or because of the use that has been made of it; *Sabel BV v. Puma AG* page 224;
- (g) mere association, in the sense that the later mark brings the earlier mark to mind, is not sufficient for the purposes of Section 5(2); *Sabel BV v. Puma AG* page 224;
- (h) further, 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; *Marca Mode CV v. Adidas AG* page 732, paragraph 41;
- (i) but if the association between the marks causes the public to wrongly believe that the respective goods come from the same or economically linked undertakings, there is a likelihood of confusion within the meaning of the section; *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* page 133 paragraph 29.

15) Firstly, all the opponent's trade marks listed at annex A are earlier trade marks within the definition of Section 6 of the Act. The goods and services encompassed by the specifications of the earlier trade marks are wide ranging. The opponent has provided a detailed list of goods and services which it claims are identical or similar. On a plain and simple reading of the respective specifications set out in paragraph 4 above the applicant's specification in Classes 16, 30, 32 and 33 are identical or very similar to the opponent's specification. In Class 42 the applicant's specification is identical or very similar to that of the opponent with regard to "Providing food and drink for guests in restaurants, cafeterias, cafes, catering; operation of holiday camps; room reservation, operation of hotels; operation of day nurseries; operation of bars; manicure services, services of beauty parlours, massage services."

16) I will consider first these identical and closely similar goods and services.

17) It is clear from the above cases that in the overall assessment of a likelihood of confusion, the similarity of goods is but one aspect. Due regard should be given to the closeness of the respective marks, the reputation the earlier mark enjoys in respect of the services for which it is registered, and any other relevant factors.

18) The opponent's goods and services which are regarded as identical or very similar to those of the applicant are, with the exception of part of the Class 16 goods, represented by a straightforward printed version of the opponent's ASDA mark. The exception goods are protected by the word ASDA in a slightly stylised version. For ease of reference the marks to be compared are shown below.

Applicant's mark	Opponent's marks
AIDA	ASDA
	

19) In assessing the similarity of the trade marks, I must consider the aural, visual and conceptual similarities and overall impression created.

20) Visually the marks differ only in that the second letter of the applicant's mark is an "T" whereas in the opponent's mark it is an "S". However, it is accepted that in short marks differences, particularly at the start of words, assume greater significance. The opponent has contended that in certain fonts the difference between an "T" and an "S" becomes less marked. Notwithstanding this and the fact that the marks share certain letters I believe that the marks are not visually confusable.

21) Phonetically the marks are quite different. Although there is no evidence on the matter it seems clear that the applicant's mark can be pronounced in two ways. For those who do not recognise it as the title of an opera it would be pronounced in two syllables "A - DA" in a similar fashion to the name Ada. Those who do recognise the mark would pronounce it "AEYEE- DA". The opponent's mark would seem to offer only one method of pronunciation "AS- DA". In my view the marks are not aurally similar whichever way the applicant's mark is pronounced.

22) Conceptually the opponent's mark has no meaning being a made up word. The applicant's mark may also be seen as a made up word in which case there is no similarity. Alternatively the applicant's mark may be seen as the name of an opera. If this is seen by the average consumer there is no similarity, but also a clear distinction.

23) The opponent contended that the average consumer for the goods and services included in the applicant's specification would be the average member of the public. They also contend that the application generally relates to cheap items on which the public would not exercise the

same level of care as when purchasing an expensive item such as a motor vehicle. Whilst I am willing to accept that the average consumer for the applicant's goods and services would be an ordinary member of the public it is too much of a generalisation to state that the goods and services applied for would be "cheap" and on which the consumer would not exercise care when selecting. It is clear from *Lloyd Schuhfabrik* that the average consumer is "deemed to be reasonably well informed and reasonably circumspect and observant".

24) The opponent contends that the goods and services sought to be registered would be selected primarily by eye. This seems a rather sweeping statement given the extent of the specification, particularly as the opponent has provided no evidence to back up this assertion. However, even if I were to accept that contention, the average consumer would exercise some consideration even when choosing the more mundane items included in the applicant's specification. When considering services, such as the operation of day nurseries, I would expect the average consumer to exercise extreme care.

25) I also have to consider whether the opponent's mark has a particularly distinctive character either arising from the inherent characteristics of the mark or because of the use made of it. No evidence has been filed as to use of the mark in the UK. Despite the applicant's acceptance in its counterstatement that "the opponent is a substantial UK retailer that provides a wide range of goods and/or services in the UK with reference to the mark ASDA" I cannot accept the opponent's contention that they have a substantial reputation and goodwill in the mark by virtue of use in the UK. The opponent's registrations cover a huge range of goods and services such that whilst the applicant may have accepted that the opponent has a reputation as a retailer, it has not accepted that the opponent has a reputation for any particular goods or services other than as a retailer. However, I regard it as an inherently strong mark as it is an invented word.

26) The differences are sufficient in my view to hold, even taking account of imperfect recollection, that the applicant's mark in this case is not similar to that of the opponent's trade mark such that there exists a likelihood of confusion, even where identical goods/ services are concerned. The same result automatically follows where the respective goods / services are less similar. The ground of opposition in respect of Section 5(2)(b) fails.

27) The opponent has not shown that, at the relevant date, they had a reputation in the UK in the mark ASDA. I have already considered the marks when used on identical goods and found that there is no likelihood of confusion because of the dissimilarities between them. In the circumstances the opposition under Section 5(3) fails.

28) Following the appointment of a hearing date the opponent decided not to attend but to provide written submissions. These submissions were received on 24 April 2002, the day before the hearing. The applicant then also decided not to attend the hearing but also to provide written submissions. The opponent's agent subsequently wrote in requesting that the applicant be penalised for not submitting skeleton arguments or written submissions 24 hours prior to the hearing. As there was to be no hearing, I cannot see any reason to penalise the applicant for not sending in a skeleton argument or written submission 24hrs prior to the hearing.

29) The opposition having failed the applicant is entitled to a contribution towards costs. I order the opponent to pay the applicant the sum of £235. This sum to be paid within seven days of the expiry of the appeal period or within seven days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 1ST day of August 2002

George W Salthouse
For the Registrar
The Comptroller General

ANNEX A

Mark	Number	Effective Date	Class	Specification
     	2160195	07.03.98	1	Chemical products for vehicles; additives for oils, lubricants and for fuels; preparations for repairing leaks in silencers and exhaust pipes of internal combustion engines; compositions for treating petrol to prevent pinking; chemical preparations for addition to the water of internal combustion engines to inhibit corrosion; de-icing preparations; anti-freeze; battery fluids; repairing compositions for sealing tyres; water softening preparations; artificial sweeteners; plant foods; chemical products for garden, horticultural, forestry and agricultural use; peat; compost; manure; fertilizers; photographic chemicals and photographic film.
			2	Food colorants; anti-rust oils; paints, varnishes, lacquers, preservatives against rust and against deterioration of wood; dyestuffs.
			4	Greases; lubricants; fire lighters; candles; oils; additives for oils; tapers; night lights; wicks; motor oil; motor fuel; coal; charcoal briquettes; fuel for barbecue cooking apparatus.
			9	Batteries; fire extinguishers; smoke detectors; smoke and anti theft alarms; guards for electric sockets; refrigerator magnets; thermometers; plugs; sun shields; sunglasses; household electrical apparatus and instruments; electric flat irons; encoded financial, shopping and identification cards; parts and fittings for vehicles; fuses; tyre gauges; booster cables; radio transmitting apparatus; electrical intercommunication apparatus and instruments; sound amplifying apparatus and instruments; sound and/or video recording apparatus; carriers for the reproduction of sound and/or images; gramophone records; compact discs; digital audio cassettes; video tapes; cassette tapes; teaching apparatus and instruments; photographic and cinematographic apparatus and instruments; radios; television receivers; calculators; computers; computer software; electrically operated lighters (non-pyrophoric) for smokers.

			10	Teats; breast pumps; condoms; bandages; massage gloves; support stockings and tights; supports; teething rings; babies feeding apparatus.
			11	Barbecues; lighting apparatus; lamps; bulbs; cookers; heaters; refrigerators; freezers; fans; coffee makers; kettles.
			12	Bicycles; perambulators; pushchairs (baby carriages); wheelchairs; wheelbarrows; trolleys (carriages); parts and fittings for the aforesaid goods; parts and fittings for vehicles.
			13	Fireworks.
			18	Umbrellas; parasols; walking sticks; articles made of leather; chews for dogs; child harnesses; articles of clothing, collars, leads and harnesses, for pets; bags; articles of luggage.
			19	Portable sheds, cloches, huts, greenhouses, all being wholly or principally non-metallic; ceramic tiles; concrete gardens ponds; plaster, cement, non-metallic sealing or filling compositions; non-metallic compositions for use in building repair or for the repair of plaster work, brick work, woodwork, floors and of ceilings.
			20	Furniture; mirrors; picture frames; drinking straws; ornaments made of wood, wax, plaster or of plastics material; sleeping bags; pillows; ladders and barrels, all made of wood or of plastics materials; poles and work benches, all made of wood; baskets; hooks; clips; pegs; coat hangers; cushions; broom handles; containers; L-plates; plate racks; trays.
			23	Yarns and threads.
			24	Textiles and textile goods; bed and table covers.
			28	Toy and playthings; Christmas tree decorations; carnival and party products; games; sporting articles.

			31	Cat litter; malt; agricultural, horticultural and forestry products and grain trees; shrubs; plants; seeds; bulbs; animal foodstuffs; fresh fruit and fresh vegetables.
ASDA	1284390	08.10.86	1	Chemical products for garden, horticultural, forestry and agricultural use; peat; compost; manure, fertilizers; photographic chemicals and photographic film; all included in Class 1.
ASDA	1284391	08.10.86	2	Paints, varnishes, lacquers, preservatives against rust and against deterioration of wood, dyestuffs, all included in Class 2.
ASDA	1284392	08.10.86	3	Cosmetics, toilet preparations, cleaning preparations, polishing preparations, dyestuffs; all included in Class 3.
ASDA	2101524	31.05.96	3	Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.
ASDA	1284393	08.10.86	4	Motor oil, motor fuel, coal, charcoal briquettes, fuel for barbecue cooking apparatus, all included in Class 4.
ASDA	1583334	25.08.94	5	All goods included in Class 5, but not including diagnostic products for in vitro medical and laboratory use and diagnostic preparations and substances, all for in vivo use.
ASDA	1000934	31.10.72	6	Nails, screws, nuts, bolts and hooks; and articles included in Class 6; all made of common metal; but not including any such goods for use in textile machinery.
ASDA	1426173	24.04.90	6	Signs of metal; all included in Class 6.
ASDA	1284395	08.10.86	7	Machines and apparatus, all for kitchen, domestic and/or household use; ironing machines, food processors, can-openers, electric knives and electric mixers; fittings for all the aforesaid goods; all included in Class 7.
ASDA	1284396	08.10.86	8	Hand tools, cutlery, forks and spoons; garden tools; razors; all included in Class 8.

ASDA	1284397	08.10.86	9	Kettles, coffee makers, vacuum cleaners, polishers and flat irons all being electric; radios, television receivers, video recorders, video players, audio tape recorders, audio tape players and record and disc players; all included in Class 9.
ASDA	1284398	08.10.86	11	Barbecues, lighting apparatus, lamps, bulbs, cookers, heaters, refrigerators, freezers, fans and coffee makers, all included in Class 11.
ASDA	2043106	01.11.95	14	Jewellery, watches and clocks, small domestic utensils of precious metal.
			21	Small domestic utensils and containers (not of precious metals or coated therewith); combs; sponges; brushes; articles for cleaning purposes; steel wool; glassware; porcelain; earthenware.
			26	Artificial flowers; haberdashery.
			35	Advertising; promotion services; dissemination of advertising materials; demonstration of goods; direct mail advertising; document reproduction; market research; marketing; publicity; distribution of samples; shop window dressing.
			37	Dry cleaning services.
			38	Broadcasting services; communication services; transmission, storage and processing of data.
			39	Transportation, storage, packaging and delivery of goods; travel agency services; travel arrangement services.
			42	Cafe, cafeteria, catering and restaurant services; hairdressing services; beauty care services; optician services; pharmacy advice.
ASDA	1284399	08.10.86	16	Stationery, paper articles, cardboard articles, books, albums, writing instruments, files, ring binders, wrapping paper, Christmas cards, greetings cards, birthday cards, posters, photographs, paper towels, paper handkerchiefs, facial tissues, napkins, products for carnival and party purposes, paint brushes; office requisites; toilet paper; all included in Class 16.

ASDA	1426175	24.4.90	16	Printed matter, printed publications; brochures, leaflets, catalogues, books, calendars, diaries, posters, wrapping paper; stationery; all included in Class 16.
ASDA	1284400	08.10.86	18	Articles made of leather, bags, articles of luggage, all included in Class 18.
ASDA	1284401	08.10.86	20	Furniture, mirrors and photographic frames (in the nature of picture frames), all included in Class 20.
ASDA	1000936	31.10.72	24	Bed sheets, bed blankets, pillow cases, quilts, bedspreads, towels (textile) and face cloths, table cloths (textile), cushion covers, curtains; perambulator rugs, and perambulator sets, all being textile articles included in Class 24
ASDA	980605	20.09.71	25	Articles of outerclothing, vests and pants, but not including boots or shoes.
ASDA	1583335	25.08.94	25	All goods included in Class 25.
ASDA	1583336	25.08.94	27	All goods included in Class 27.
ASDA	1284403	08.10.86	28	Toys and playthings, Christmas tree decorations, carnival and party products, all included in Class 28.
ASDA	1284404	08.10.86	29	All goods included in Class 29.
ASDA	980606	20.09.71	30	Coffee, tea, flour, biscuits (other than biscuits for animals), bread, bread rolls, flour confectionery, flans, fruit pies, meat pies, sausage rolls, pasties and rice pudding.
ASDA	1583337	25.08.94	30	All goods included in Class 30.
ASDA	1284405	08.10.86	31	Trees, shrubs, plants, seeds, bulbs, animal foodstuffs, all included in Class 31.
ASDA	1465883	30.05.91	31	Fresh fruit and fresh vegetables; all included in Class 31.
ASDA	1068345	1509.76	32	Beer, ale; non-alcoholic beverages and preparations for making such beverages, all included in Class 32; and fruit juices.
ASDA	1057557	16.01.76	33	Alcoholic beverages included in Class 33.

ASDA	1284406	08.10.86	33	Preparations for use in wine making, in the form of kits; alcoholic beverages; all included in Class 33.
ASDA	1284407	08.10.86	34	Cigarettes, cigars, tobacco, smokers' articles, matches, all included in Class 34.
ASDA	1361827	27.10.88	36	Life assurance services; loan services; insurance services; mortgage broking; pension advisory and planning services; estate agency services; banking services; credit card services; debit card services; financial services for private individuals; financing services; investment services; savings accounts; personal equity plans; tax-exempt special savings accounts; purchase of shares; sale of shares; stocks and bonds brokerage; securities brokerage.
ASDA	2055955	08.02.96	36	Life assurance services; loan services; insurance services; mortgage broking; pension advisory and planning services; estate agency services; banking services; credit card services; debit card services; financial services for private individuals; financing services; investment services; savings accounts; personal equity plans; tax-exempt special savings accounts; purchase of shares; sale of shares; stocks and bonds brokerage; securities brokerage.

ASDA	2176830	08.09.98	41	<p>Organisation of competitions; organisation of exhibitions; recreational services; arranging of competitions for entertainment purposes; arranging of demonstrations for entertainment purposes; arranging of displays for entertainment purposes; arranging of musical entertainment; arranging of visual entertainment; audio entertainment services; childrens' entertainment services; entertainment by film; entertainment by means of concerts; entertainment by means of radio; entertainment by means of roadshows; entertainment by means of telephone; entertainment by means of television; entertainment services relating to sport; information services relating to entertainment; live demonstrations for entertainment; organisation of outings for entertainment; sporting activities; education services relating to health care and health related matters; provision of training; exercise classes; entertainment services relating to home shopping; television entertainment services relating to home shopping; education and information services, all relating to home shopping or to products or services offered for sale or supply.</p>
------	---------	----------	----	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------