

**IN THE MATTER OF THE TRADE MARKS ACT 1994**

**IN THE MATTER OF TRADE MARK APPLICATION  
NO 3235214 BY CLOCH SOLICITORS LIMITED  
TO REGISTER 'LEGAL ENGINEER'  
IN CLASSES 9, 16, 25, 35, 41, AND 42**

**AND IN THE MATTER OF THE APPEAL AGAINST THE DECISION OF  
MR ANDREW FELDON DATED 6 NOVEMBER 2018**

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**DECISION**

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1. This is an appeal from a decision of Mr Andrew Feldon on behalf of the Registrar, BL O/697/18, in which he partially rejected the trade mark application for the mark LEGAL ENGINEER in the name of Cloch Solicitors ("the Applicant") on the basis that it failed to qualify under section 3(1)(c) of the Act. The Applicant appeals, complaining that the Hearing Officer erred in a number of ways.

**Background**

2. On 5 June 2017, Mr Philip Hannay applied through the Right Start scheme to register the words LEGAL ENGINEER as a trade mark for the wide range of goods and services shown in Annex A hereto. The application took a fair amount of time to get through the application process and has since been transferred into the name of the Applicant.
3. The IPO's initial examination report, dated 8 June 2017, raised an objection to the application based upon s 3(1)(b). The letter stated that the application was not acceptable in all classes, and raised a query about the specification in Class 42, however, it did not state whether the objection was complete or partial, and if the latter, it was not explained to what extent the application was acceptable. Some

evidence of third party use of the term LEGAL ENGINEER was attached to the IPO's letter.

4. The Applicant immediately responded, which led to a further letter from the IPO dated 15 June 2017, stating "A search of the internet described a legal engineer as a person that works within the combined technology and law industry. Therefore when the term is applied to your client's goods and services it merely appears as a non-distinctive badge of origin." Further submissions were made by the Applicant, and on 16 June 2017 the IPO wrote to say that the section 3 objection would be waived as against the goods in Classes 9, 16 and 25, but maintained against the services in Classes 35, 41, 42 and 45.
5. The Applicant filed a Form TM 03S, and the IPO then sent it a longer reasoned letter dated 29 June 2017. At that point, the application was found to be acceptable for certain of the services in Classes 35, 41 and 42 in addition to the goods in all 3 Classes, with some small amendments to the Class 42 specification. See that specification in Annex B. The letter concluded by saying "If you do not reply by the date requested above, the application will be refused for the objectionable goods/services under the provisions of section 37(4) ..." The letter had not, in fact, specified a date, but had referred to the right to request a hearing in the usual way.
6. In any event, it appears that the Applicant did not seek a hearing, nor did it reply further contesting the position in relation to the services that had been rejected by the Registrar. It appears from the written submissions made by the Applicant on 29 March 2018 that it accepted that Class 45 should be dropped from the specification. No further letter was sent by the IPO formally refusing the application for those services. On 9 October, the IPO informed the Applicant that the application would be published for the specification for which it had been found acceptable – all of Classes 9, 16 and 25 and parts of Classes 35, 41 and 42. It was so published on 13 October 2017.

7. The IPO then received objections of various kinds from several third parties. On 8 November 2017 objections were received from Wavelength Law, who said that the term LEGAL ENGINEER is descriptive, and was used for that firm's business. They attached some exhibits, which are described in paragraphs 15 and 16 of the decision under appeal. The IPO's view was that the observations added nothing to the information already known to the IPO which had prompted the partial refusal, such that the specification did not need further amendment.
8. However, several TM7As were then filed, giving notice of threatened opposition:
  - a. On 6 December 2017, a Form TM7A was filed on behalf of Pinsent Mason LLP by Groom Wilkes & Wright LLP;
  - b. On 7 December another Form TM7A was filed by Wavelength Law Ltd;
  - c. On 12 December another Form TM7A was filed on behalf of HighQ Solutions Limited by Causeway Law; and
  - d. On 13 December a further Form TM7A was filed on behalf of The Law Society by Shoosmiths LLP.
9. Some Third Party Observations were then filed:
  - a. On 5 January 2018, a letter was sent by The Engineering Council as an "observer" pursuant to s 38(3) of the Act, objecting to the application.
  - b. On 12 January, The Engineering Council followed that up with lengthy written observations, supported by a witness statement of Alasdair Coates with around 50 pages of exhibits (although the IPO noted some distinction between the points raised on 5 and 12 January).
  - c. Meanwhile, on 11 January, observations were filed on behalf of HighQ Solutions Limited again by Causeway Law, raising objections under s 3(1)(b), (c) and (d); and
  - d. On 15 January 2018, lengthy observations with numerous annexures were filed by Shoosmiths LLP, raising objections under s 3(1)(b) and (d). I note that although the form TM7A filed by Shoosmiths on 13 December had been filed on behalf of the Law Society, the observations filed on 15 January were

not stated to have been filed on its behalf but appear to be in Shoosmiths' own name.

10. On 8 February 2018, the IPO wrote to the Applicant stating that in light of the information received the view was taken that the application had been accepted in error, and the objection under s 3(1)(b) and (c) applied more widely than previously thought. The range of both goods and services for which the application was deemed acceptable was therefore further restricted. The terms rejected on 8 February are listed in Annex C to this decision and those for which the application was accepted are in Annex D.
11. The letter of 8 February had sought a response from the Applicant by 8 March. None having been received, on 16 March 2018, the IPO wrote again to the Applicant stating that the application would proceed on the limited basis indicated on 8 February. The letter indicated that if the Applicant wished to appeal against this action, it would need to request a statement grounds by filing a TM5.
12. The Applicant asked for an extension of time to deal with the letter of 8 February, and complained that the letter had not enclosed copies of the observations. After they were sent, the Applicant responded at length in writing on 29 March 2018, challenging the descriptiveness of the term LEGAL ENGINEER but also querying the motivation of the third parties who had filed observations.
13. However, the examiner refused to waive the objection, stating in a letter of 6 April that  

"It has been established during the examination of this application that the term 'legal engineer' is a term used in the legal profession specifically when describing someone who combines IT skills to engineer and improve the delivery of legal services."

As a result, the objection was maintained.

14. The letter of 6 April 2018 reminded the Applicant of its right to request a hearing, which it duly did. A telephone hearing was held on 5 June at which the Applicant again complained that it had not seen all of the observations. These were sent again, and a response was sent by the Applicant by e-mail on 25 June 2018. No further hearing was requested. At that point the Hearing Officer maintained the objection on the same terms as on 8 February, on the basis of both sections 3(1)(b) and (c), as shown in the hearing report sent to the Applicant on 28 June. That report accepted that the term is not one used customarily in the trade, but that there were “enough examples of the term being used in a non-trade mark, descriptive manner, to persuade [the Hearing Officer] that the expression is unlikely, in the prima facie case, without education, to be perceived as the trade mark of one undertaking.”
15. The Applicant then requested a statement of grounds, leading to the decision under appeal, which is dated 6 November 2018. In that decision the same Hearing Officer maintained the partial rejection to the same extent as on 8 February and 28 June, but on the basis of section 3(1)(c) alone.

#### **Basis of the appeal**

16. An appeal against a decision taken by the Registrar is by way of review. Neither surprise at a Hearing Officer’s conclusion, nor a belief that he or she has reached the wrong decision suffice to justify interference in this sort of appeal. Before that is warranted, it is necessary for me to be satisfied that there was a distinct and material error of principle in the decision in question or that the Hearing Officer was wrong. See *Reef Trade Mark* [2003] RPC 5 and *Actavis Group PTC v. ICOS Corporation* [2019] UKSC 1671 at [78] to [81].
17. Moreover, where the decision below involves the making of a value judgment the decision maker on appeal must be especially cautious about interfering with that judgment on appeal: see recently *Actavis* (above):

“80. What is a question of principle in this context? An error of principle is not confined to an error as to the law but extends to certain types of error in the application of a legal standard to the facts in an evaluation of those facts. What is the nature of such an evaluative error? In this case we are not concerned

with any challenge to the trial judge's conclusions of primary fact but with the correctness of the judge's evaluation of the facts which he has found, in which he weighs a number of different factors against each other. This evaluative process is often a matter of degree upon which different judges can legitimately differ and an appellate court ought not to interfere unless it is satisfied that the judge's conclusion is outside the bounds within which reasonable disagreement is possible: *Assicurazioni Generali SpA v Arab Insurance Group (Practice Note)* [2002] EWCA Civ 1642; [2003] 1 WLR 577, paras 14- 17 per Clarke LJ, a statement which the House of Lords approved in *Datec Electronic Holdings Ltd v United Parcels Service Ltd* [2007] UKHL 23; [2007] 1 WLR 1325, para 46 per Lord Mance."

18. I have borne these principles in mind on this appeal.

### **The appeal**

19. There was no objection taken to the Hearing Officer's analysis of the applicable law on section 3(1)(c). Instead, the Grounds of Appeal can be summarised as follows:

- a. Ground 1 was headed "Overstepping the boundary of the Hearing Officer's duty." The Applicant alleged that the Hearing Officer went beyond his proper role in rejecting the mark for goods or services which did not have a "specific legal interest."
- b. Ground 2 alleged that the Hearing Officer's conclusion that the average consumer would understand the mark as applying to a legally qualified engineer *or* an engineer of the law meant that the mark was not objectionable under s 3(1)(c).
- c. Ground 3 alleged that the Hearing Officer failed to take into account the perspective of the relevant consumer of the goods within the specification, and failed correctly to identify the relevant consumer.
- d. Ground 4 alleged that the Hearing Officer had placed unreasonable weight on the third party observations.

20. A hearing was arranged for the appeal, which the Applicant decided not to attend, instead providing me with written submissions signed by Mr Hannay, for which I am grateful. Mr Mark Jefferis supplied written arguments and attended the appeal on behalf of the Registrar.

## Merits of the appeal

21. The principles applicable to section 3(1)(c) were summarised by the Court of Justice of the European Union in Case C-51/10 P *Agencja Wydawnicza Technopol sp z oo v OHIM* EU:C:2011:139; [2011] E.T.M.R. 34 as follows (citations omitted):

“33. A sign which, in relation to the goods or services for which its registration as a mark is applied for, has descriptive character for the purposes of Article 7(1)(c) of Regulation No 40/94 is - save where Article 7(3) applies - devoid of any distinctive character as regards those goods or services ...

36. ... due account must be taken of the objective pursued by Article 7(1)(c) of Regulation No 40/94. Each of the grounds for refusal listed in Article 7(1) must be interpreted in the light of the general interest underlying it....

37. The general interest underlying Article 7(1)(c) of Regulation No 40/94 is that of ensuring that descriptive signs relating to one or more characteristics of the goods or services in respect of which registration as a mark is sought may be freely used by all traders offering such goods or services....

38. With a view to ensuring that that objective of free use is fully met, the Court has stated that, in order for OHIM to refuse to register a sign on the basis of Article 7(1)(c) of Regulation No 40/94, it is not necessary that the sign in question actually be in use at the time of the application for registration in a way that is descriptive. It is sufficient that the sign could be used for such purposes ....

39. By the same token, the Court has stated that the application of that ground for refusal does not depend on there being a real, current or serious need to leave a sign or indication free and that it is therefore of no relevance to know the number of competitors who have an interest, or who might have an interest, in using the sign in question .. It is, furthermore, irrelevant whether there are other, more usual, signs than that at issue for designating the same characteristics of the goods or services referred to in the application for registration....

...

46. As was pointed out in paragraph 33 above, the descriptive signs referred to in Article 7(1)(c) of Regulation No 40/94 are also devoid of any distinctive character for the purposes of Article 7(1)(b) of that regulation. Conversely, a sign may be devoid of distinctive character for the purposes of Article 7(1)(b) for reasons other than the fact that it may be descriptive....

47. There is therefore a measure of overlap between the scope of Article 7(1)(b) of Regulation No 40/94 and the scope of Article 7(1)(c) of that regulation ., Article 7(1)(b) being distinguished from Article 7(1)(c) in that it covers all the circumstances in which a sign is not capable of distinguishing the goods or services of one undertaking from those of other undertakings.

48. In those circumstances, it is important for the correct application of Article 7(1) of Regulation No 40/94 to ensure that the ground for refusal set

out in Article 7(1)(c) of that regulation duly continues to be applied only to the situations specifically covered by that ground for refusal.

49. The situations specifically covered by Article 7(1)(c) of Regulation No 40/94 are those in which the sign in respect of which registration as a mark is sought is capable of designating a 'characteristic' of the goods or services referred to in the application. By using, in Article 7(1)(c) of Regulation No 40/94, the terms 'the kind, quality, quantity, intended purpose, value, geographical origin or the time of production of the goods or of rendering of the service, or other characteristics of the goods or service', the legislature made it clear, first, that the kind, quality, quantity, intended purpose, value, geographical origin or the time of production of the goods or of rendering of the service must all be regarded as characteristics of goods or services and, secondly, that that list is not exhaustive, since any other characteristics of goods or services may also be taken into account.

50. The fact that the legislature chose to use the word 'characteristic' highlights the fact that the signs referred to in Article 7(1)(c) of Regulation No 40/94 are merely those which serve to designate a property, easily recognisable by the relevant class of persons, of the goods or the services in respect of which registration is sought. As the Court has pointed out, a sign can be refused registration on the basis of Article 7(1)(c) of Regulation No 40/94 only if it is reasonable to believe that it will actually be recognised by the relevant class of persons as a description of one of those characteristics ..."

22. A sign will also be excluded from registration by s 3(1)(c) if at least one of its possible meanings designates a characteristic of the goods or services concerned: see Case C-191/01 P "*Doublemint*" EU:C:2003:579; [2004] R.P.C. 18 at [32] and Case C-363/99 "*Postkantoor*" EU:C:2004:86; [2006] Ch. 1 at [97].

#### **Ground 1**

23. In his written submissions, Mr Hannay adverted to the need for the Registrar to engage in a full and stringent examination of a trade mark application, in order to prevent trade marks from being improperly registered, by reference to *Agencja Wydawnicza Technopol* (*supra*, see [77] of that judgment). He noted that in this case the application was examined multiple times, searches were undertaken, observations received, and the Applicant filed objections to the observations. He concluded that what he described as the Registrar's "sudden 11th hour U-turn" was "grossly unfair and outside the public interest and the Registry's policy role in preventing the granting of undue monopolies."

24. This trade mark application undoubtedly took an unusual and rather convoluted course, with the submission of multiple observations and a series of decisions by the Registrar. In addition, Mr Jefferiss on behalf of the Registrar very properly pointed out at the hearing before me that no formal refusal was issued for the services for which registration was refused by the letter of 29 June 2017, so that the Applicant might be said never to have had an opportunity to appeal the refusal in relation thereto. It seems to me, as I have explained above, that the Applicant accepted that partial refusal long ago. However, if I am wrong on that then it is also clear to me that the position in relation to those services is not severable from the position in relation to the specification as a whole, the subject of this appeal. Mr Jefferiss invited me, on behalf the Registrar, to consider the registrability of those services in the light of the matters raised on appeal, alongside the rest of the specification, and I do so below. In the circumstances, it does not seem to me that there has been any failure of due process in this case which could be said to have affected the application or this appeal.
25. However, as the Applicant accepts, the Registrar is obliged under section 37 to examine whether an application satisfies the requirements of the Act. That obligation does not cease after the mark has been accepted for registration and published but continues until registration is complete. Under section 40, where an application has been accepted and no opposition has been received or any opposition has been resolved, the Registrar "shall register the trade mark, unless it appears to him having regard to matters coming to his notice since the application was accepted that the registration requirements ... were not met at that time." The Registrar is therefore obliged to consider observations supplied after publication and give them whatever seems to him to be the appropriate weight. Indeed, there would otherwise be no point in the capacity for third parties to file observations.
26. The fact that the parties lodging the observations in this case might instead have filed an opposition (and some in fact went on to do so) does not mean that the Registrar can ignore the observations: see for instance the decision of Mr Simon Thorley QC in BL O/15BL O/157/99, *Messiah from Scratch*, at paragraph 21. Mr Thorley held that the

weight to be given to such observations would depend on the facts, but observations might be given less weight than the sworn evidence of a witness in opposition proceedings which could, in an appropriate case, be tested in cross examination. See too *Wine Oh's application*, a decision of the EUIPO's 4th Board of Appeal, [2006] ETMR 95.

27. It does not seem to me that the Applicant has identified any way in which the Registrar's approach to this trade mark application fell outside the public interest which Mr Hannay identified in his written submissions. Suggesting that the course taken at the IPO amounted to a *volte-face* takes this point no further. I do not accept that the Registrar's decisions in February 2018 or his later decisions were unfair to the Applicant, as it was given ample opportunity to respond to the observations and did so at a telephone hearing and on two occasions in writing. There has never been any suggestion that the Applicant might wish to amend its specification of goods and services to resolve the IPO's objections.
  
28. Mr Hannay made a second and rather separate point as part of Ground 1, which was that the Hearing Officer's decision could only apply properly to goods or services within the specification which included a specific legal interest, and suggested that some parts of the specification (which he did not identify) were not legal in nature. In this respect, I consider that the Applicant has failed to take into account what the Hearing Officer said at paragraph 47 of the decision. He found that the goods and services which had been found to be unacceptable were "either directly stipulated as being legal in nature, or in the alternative, were so broad as to easily facilitate such a specific interest." In other words, he found that parts of the specification which were broadly worded would cover goods/services with a specific legal interest, and so were objectionable. I am satisfied that the Hearing Officer was entitled to come to that conclusion, and did not step outside his appropriate role in rejecting the application in relation to all such goods and services.

**Ground 2**

29. The Applicant pointed to the Hearing Officer's finding at paragraph 44 of the decision that the average consumer would understand LEGAL ENGINEER as applying to a legally qualified engineer *or* an engineer of the law, and submitted that it followed that LEGAL ENGINEER did not fall within the 3(1)(c) objection, because it would not have a sufficiently direct and specific relationship to the goods and services in question for the public to perceive it (without further thought) as descriptive.
30. I think that the Hearing Officer's reasoning at paragraph 44 could perhaps have been expressed more clearly, especially in his reference to the term being recognised in a "majority of instances" which may have been meant to refer either to the majority of the goods and services, or the majority of people coming across the term. It seems to me when this paragraph is read with paragraphs 47-9 it becomes clear that he meant the latter, as he reiterated his view that the public would be given "a clear message" by the combination of these terms.
31. The possibility that different meanings might be attributed to the term by different people does not take it outside the ambit of section 3(1)(c) (see *Doublemint, supra*). The Hearing Officer also adverted to the point that the term need not be one which is currently used descriptively, as long as it *may* serve in that way, whether or not alongside synonyms (see *Postkantoor, supra*). I do not consider that there was any error in that approach or in his conclusions.
32. The Hearing Officer also found at paragraphs 50-54 that there was adequate evidence before him that the term was in fact one which is already used in trade and would so be understood by the average consumer.
33. Two additional factual issues were raised by the Applicant. First, it submitted that the Hearing Officer's findings that the average consumer would immediately perceive the meaning of the term were contrary to his reliance on the fact that Southampton

University had run a course entitled “*What is a legal engineer and how do you become one?*” I do not consider that this showed that the public is ignorant of any descriptive meaning of the term, as the Applicant submitted, but the Hearing Officer was entitled to find that this supported his view that the term would be understood by the public as a description of some kind. There was no error in this regard.

34. Secondly, the Applicant pointed out that the Hearing Officer said at paragraph 52 that he had relied upon the various third party observations, including that from the Law Society, although there were no observations from the Law Society. I deal with this point when discussing Ground 4 below.
35. I am satisfied that there was no error in the Hearing Officer’s approach in relation to the way in which the term would be understood by the public.

### **Ground 3**

36. The Applicant suggested first of all that the Hearing Officer had failed to identify the average consumer of the goods within its specification. In my view, this is a misreading of paragraph 44 of the decision. This paragraph starts in terms applicable to all of the rejected parts of the specification, whether goods or services, and in the last sentence the Hearing Officer comments that the understanding of the term will be especially guaranteed by the average consumer of the services within the specification.
37. Secondly, the Applicant complained that the Hearing Officer had failed correctly to identify the relevant consumer and had wrongly held that everyone working in the legal field is a legal professional.
38. It is right that at paragraph 45 of the decision the Hearing Officer said, “I shall confirm that the relevant consumer is a legal professional (as concluded in the Hearing Report).” The Applicant complained that it was not clear which Hearing Report the Hearing Officer was referring to in paragraph 45, but in my judgment he was clearly

referring to the report of the hearing with Mr Hannay which was sent out under cover of the letter of 28 June 2018. In that Report the Hearing Officer had said "I am of the opinion that the term is descriptive and will be readily understood by the relevant public in the legal profession" and "I do not accept therefore, that the term is unique and distinctive or that the relevant legal public will perceive the term as a trade mark capable of distinguishing one undertaking from its competitors in the same area of business."

39. In my view, the Hearing Officer's reference to the relevant consumer as a legal professional does not quite reflect the passages I have quoted from the Hearing Report. However, at paragraph 47 of the Decision he added "The objected to goods were either directly stipulated as being legal in nature, or in the alternative, were so broad as to easily facilitate such a specific interest. With this in mind, I find it appropriate to conclude that the consumer is specialist, with an interest in the legal field. Considering my above opinion that the general consumer would be given a clear message by the combination of terms, such an understanding is certainly increased for a public who are involved in the relevant profession." In my judgment, this demonstrates that the Hearing Officer was not restricting his view of the relevant public to legally qualified professionals, but to the same rather wider range of people mentioned in the Hearing Report. This was not merely the Hearing Officer expressing an opinion, as the Applicant suggested, but a finding of fact. In the circumstances, I am not persuaded that there was any flaw in the Hearing Officer's approach to the identity of the relevant consumer.

#### **Ground 4**

40. The Applicant submitted that the Hearing Officer had given undue weight to the third party observations which had been filed. Mr Hannay said in his submissions that "The Hearing Officer's capitulation to Third Party Observers was unfounded, unwarranted and unreasonable."

41. The first point relied upon by the Applicant was the Hearing Officer's reference in paragraph 52 of the decision to observations submitted by the Law Society. As I have already said, whilst a Form TM7A was filed on behalf of The Law Society by Shoosmiths LLP on 13 December, no observations were filed on behalf of the Law Society. Instead, observations were filed by and in the name of Shoosmiths LLP. The Applicant referred to this as the "spectre of the Law Society" and suggested that the Hearing Officer had wrongly been influenced by it and placed too much weight upon it.
  
42. I accept that the reference in paragraph 52 to observations made on behalf of the Law Society is puzzling, but I think that the most likely explanation is that the Hearing Officer assumed (probably wrongly) that the lengthy observations and supporting documents filed by Shoosmiths LLP were filed on behalf of the Law Society, as had been the case for the Form TM7A filed on 13 December. If so, this was an error on the part of the Hearing Officer, in terms of the person he thought had filed the observations.
  
43. However, I see no reason to think that the Hearing Officer therefore erred in the weight which he thought it appropriate to give to those observations. In paragraph 53 the Hearing Officer explained that he had taken account of all of the observations which had been filed, "as a valuable reflection of opinion from people and organisations with a legitimate, genuine and honest interest in maintaining fairness and equilibrium in their relevant field." That comment applied to the observations filed by Shoosmiths as much as it would have done to observations filed on behalf of the Law Society. There is nothing to suggest that the Hearing Officer gave greater weight to the observations because he believed them to have been filed behalf of the Law Society, especially bearing in mind that there were observations from several other parties before him, including other firms of solicitors, and the Engineering Council. I therefore conclude that whilst this was an error on the Hearing Officer's part, this was not an error which vitiated his conclusions, or which would entitle me to revisit his decision on this point.

44. The Applicant objected that some of those who had filed observations also filed oppositions, which have been stayed. As explained above, I consider that this is an irrelevant point as the Hearing Officer was obliged to deal with the observations which had been filed.
  
45. The Applicant submitted that in the light of his findings about the relevant consumer the Hearing Officer ought not to have placed weight on comments about the descriptiveness of the trade mark made by observers who were not within the legal profession. In other words, the Applicant submitted that too much weight had been given to the submissions made on behalf of the Engineering Council. It is clear that the Hearing Officer did not accept everything that had been said in the evidence supplied in support of the Engineering Council's observations, but may have taken into account what it said about the descriptiveness of the term. In the circumstances, I do not accept this submission either.
  
46. For reasons given above, I consider that the Hearing Officer was right to take into account the observations which had been filed, and there is nothing in his decision which leads me to think that he gave any one party's observations undue weight, let alone that he "capitulated" to any third party observer.

### **Conclusion**

47. For the reasons I have given, the appeal is dismissed. The application may proceed only in relation to the goods and services identified in paragraph 59 of the Decision.
  
48. In accordance with the usual practice in relation to appeals against refusals of *ex parte* applications for registration, I make no order as to costs.

Amanda Michaels  
The Appointed Person  
2 August 2019

## Annex A

### Specification as Filed

#### **Class 09:**

Software; computer software; computer programs; computer software programs; application software; computer application software; computer databases; recorded tapes, discs, cassettes, cinematographic films; information stored on electronic, magnetic and/or by optical means; memory sticks; compact discs, DVDs and other digital recording media; electronic publications; downloadable electronic publications and documentation; electronically distributing advertising materials; computer software including packaged software; software provided from a computer network; computer software supplied from the Internet; interactive software; music, sound, images, text, signals, software, information, data and code provided by telecommunications networks, by online delivery and by way of the Internet and the worldwide web; computer game software; computer programs and software for image processing; computer software for mobile phones; software for mobile phones; GPS software; multi-media recordings; event recognition software; computer hardware for the collection of data; computer software for the collection of data; data collection apparatus; communication software; software drivers; education software; interface software; decoder software; data communications software; interactive computer software; data compression software; virtual reality software; computer software packages; data processing software; Process controlling software; Interactive video software; Computer interface software; Recorded computer software; Pre-recorded software; computer game software; computer games software; electronic game software; gesture recognition software; software for online messaging; computer games entertainment software; children's educational software; computer screen saver software; computer software for document management; computer software for database management; computer software for analysing market, contractual and legal information; computer software for processing market, contractual and legal information; data processing software for graphic representations; computer software relating to legal and financial history; computer software programs for spreadsheet management; computer software for creating dynamic images and websites; computer software for producing financial and process models; computer software designed to estimate costs; computer software for processing digital images; computer application software for mobile telephones and devices; computer software programs for database management; computer software to automate data warehousing; computer software to enable searching of data; computer software for application and database integration; computer software for communicating purposes between microcomputers; software for facilitating secure credit card transactions; computer software for processing digital sound files; software for processing images, graphics and text; computer software for use in remote meter monitoring; computer software to enable the searching of data; computer software for authorising access to data bases; computer software for use in computer access control; software to control building environmental, access and security systems; computer software for creating searchable databases of information and data; computer software for online databases (information) containing data, text, information, documents, bibles (being bundles of information), precedents (being prior examples of documents) and legal decisions;

computer software for organizing and viewing digital images and photographs; Computer game software for use on mobile and cellular phones; computer software for controlling the operation of audio and video devices; computer software to enable the transmission of photographs to mobile telephones; computer software for biometric systems for the identification and authentication of persons; computer programmes for interactive television and for interactive games and/or quizzes; cards encoded to access computer software; character recognition hardware, apparatus, systems and software; image recognition hardware, apparatus, systems and software; optical character recognition hardware, apparatus and systems; apparatus for data processing; apparatus for the processing of data; central processing units for processing information, data, sound or images; computer programmes for data processing; computer software for the processing of positioning data; data-processing apparatus; data processing equipment and accessories (electrical and mechanical); data processing equipment; data processing programs; data processing programs recorded on machine-readable data carriers; data processing software; data processing software for word processing; data processing software for graphic representations; data processing systems; data processing terminals; electronic data processing equipment; interface cards for data processing apparatus; interface cards for data processing equipment in the form of printed circuits; memories for data processing equipment; memory devices for use with data processing apparatus; mouse; readers; real-time data processing apparatus; scanners; analytical plotters; data analytics software; application software for wireless devices; computer software for wireless network communications; computer software for wireless content delivery; devices for streaming media content over local wireless networks; wireless communication apparatus, instruments and devices; wireless communication devices for voice, data, or image transmission; wireless controllers to remotely monitor and control the function and status of legal and administrative processes and procedures; wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems; wireless transmitters and receivers; parts and fittings for all the aforesaid goods.

**Class 16:**

Printed matter; printed publications; advertising and promotional materials; books; notes; notebooks; agendas; examination papers; study texts; revision notes; technical drawings; pop up stands; journals; diagrams; plans; drawings; flyers; magazines; newspapers; newsletters; periodicals; pamphlets; manuals; printed manuals; printed technical manuals, technical bulletins and technical advisories; reference guides; catalogues; periodical publications; brochures; booklets; posters and prints; stationery; bags; writing sets; writing paper; paper; marketing stands; containers made from cardboard; calendars; paper ornaments; postcards; trading cards; invitations; periodical publications; printed guides; printed programs; printed certificates; diaries; organisers; albums; boxes; greeting cards; CD covers; book jackets; pens and pencils; instructional and teaching materials; information books; promotional literature; programmes; leaflets; labels; stickers; tickets and passes (not magnetically encoded); photographs; posters; graphic drawings; graphic prints; graphic representations; graphic reproductions; reproductions (graphic -); animation cels; banners and wall hangings made of paper or cardboard; stickers; diaries; office requisites; goods made from paper and cardboard namely packing materials; packing materials; binders and folders book markers; envelopes; maps; napkins; scrap books; tokens; coasters made of paper or card; stationery and educational supplies; inkstands, pens, paint brushes, pencils; articles of stationery; articles for

drawing; instructional and teaching materials (other than apparatus) relating to engineering, law, intellectual property, copyright, software, coding, education, history, trade, business, management, the provision of legal or software related services, access to justice and commercial matters, all included in Class 16; bookbinding materials; sealing devices for office use, document files and printed forms; binding materials for books and papers; writing or drawing books; instructional and teaching materials; drawing pads; colouring books; address books; manuscript books; pocket memorandum books; activity books; log books; copy books; pocket books [stationery]; signature books; guide books; note books; writing or drawing books; writing or drawing books; parts and accessories for the aforesaid

**Class 25:**

Clothing; headgear; parts and fittings for all the aforesaid goods.

**Class 35:**

Agency services for the arrangement of contracts; business research in databases and on the Internet; maintaining and indexing of data and processes or legal products and/or services related thereto; collection and systematisation of information into computer databases; collection and systematisation of business data; collection of data; data collection [for others]; data processing for the collection of data for business purposes; collection and systematization of data; computerised data collection services (for others); data collection [for others]; data processing for the collection of data for business purposes; market research data collection services; market research data collection services; administrative data processing; advisory services relating to electronic data processing; advisory services relating to data processing; automated data processing; business consultancy services relating to data processing; computer data processing; computerised data processing; consultancy relating to data processing; data entry and data processing; data processing; data processing for businesses; data processing for the collection of data for business purposes; data processing management; data processing services; data processing services in the fields of law, engineering, business, intellectual property and justice; data processing services in the field of transportation; data processing services in the field of legal processes; data processing verification; electronic data processing; employment consultancy services relating to data processing personnel; information services relating to data processing; on-line data processing services; provision of information relating to data processing; subscriptions (arranging -) to a telephone or computer service [internet]; outsourcing services in the field of business analytics; comparison services; provision of online comparison services; provision and retrieval of business and commercial information; public relations services; publicity services; customer loyalty services and customer club services, for commercial, promotional and/or advertising purposes; conducting customer loyalty, reward, affinity and incentive programs for commercial promotion and for advertising purposes; compilation of statistics; commercial information and advice for consumers (consumer advice shop); commercial information agencies; statistical information; information in business matters; information services relating to data processing; marketing research; marketing, including on digital networks; market research; opinion polling; incentive schemes; news clipping services; systemization of information into computer databases; loyalty schemes; business consulting and management services in the field of law; advice for consumers; dissemination of advertisements; sales promotion, for others; advertising matter (dissemination of -); distribution of samples; advertising services, namely, promoting and marketing the goods and

services of others via electronic communication networks; advertising services relating to the recording, transmission, processing, controlling, management, interaction and analysis of data, and products and services related thereto; compilation of information into computer databases; digital data processing; management of data; advertising; office functions; business research; business inquiries; business management; business assistance; provision of business advice and information; business appraisals; business investigations and enquiries; business administration; commercial advice; compilation and provision of company information; statistical information, data processing, document reproduction; preparation of reports; advisory services relating to business management, business organisation and franchising; provision of information relating to commercial business and the preparation of reports; compilation and provision of business information; business analysis, research and information services; market research; collection and systemisation of business data; business management; business assistance; provision of business advice and information; business appraisals; business investigations and enquiries; business administration; commercial advice; compilation and provision of company information; statistical information, data processing, document reproduction; preparation of reports; maintaining and indexing; employee relocation services; consultancy relating to mergers and acquisitions; business enquiries and investigations; advisory services relating to business management, business organisation and franchising; provision of information relating to commercial business and the preparation of reports; compilation and provision of business information; services relating to the analysis, evaluation, creation and brand establishment of trademarks, trade names and domain names namely consultancy services for the aforesaid; business analysis, research and information services; market research; collection and systemisation of business data; wholesale services in relation to computer software; retail services in relation to computer software; advertisement via computer and mobile phone networks; the bringing together, for the benefit of others, of a variety of design services, software services, engineering services, legal services, financial services, administrative services, sales, marketing and advertisement services, and software and hardware maintenance and support services enabling customers to conveniently view and purchase those services; provision of consultancy, information and advisory services relating to the aforesaid, including such services provided online from a computer network and/or via a computer database or the Internet and/or extranets.

**Class 41**

Education; providing of training; education and training in the field of machine learning; education and training in the field of artificial intelligence; education and training in the field of law; education and training in the field of engineering; education and training in the field of software; education and training in the field of administration; education and training in the field of electronic data processing; education in the field of data processing; education services for imparting coding and data processing teaching methods; education services relating to software development and data processing; software and electronic data processing training; instructional services relating to software development and data processing; provision of instruction relating to data processing; services for data processing instruction; services for setting up data processing teaching programs; training in data processing techniques; training in the use of data processing programs; training relating to data processing techniques; training relating to data processing; tuition in data processing;

arranging, organising and conducting of conferences, congresses, seminars and symposia; arranging, organising and conducting of exhibitions for educational purposes; arranging, organising and conducting of competitions; production and publication of educational materials; provision of on-line electronic publications; distance learning courses; organising, arranging and conducting of education, training, coaching, apprenticeship and youth training scheme services; information, advisory and consultancy services relating to all the foregoing; publishing of books and reviews; electronic online publication of periodicals and books; publication and edition of books; on-line publication of electronic books and journals; on-line publication of electronic books and journals (non-downloadable); publication of books, magazines, almanacs and journals; lending of books relating to computer software; training relating to computer software; education services relating to computer software; training services relating to computer software; training courses relating to computer software; training in the development of software systems; training in the operation of software systems; training in the design of software systems; training services concerned with the use of computer software; education services relating to the application of computer software; training relating to computer programmes; provision of consultancy, information and advisory services relating to the aforesaid, including such services provided online from a computer network and/or via a computer database or the Internet and/or extranets.

**Class 42**

Big data and data mining services; software as a service; platform as a service; application platform as a service; infrastructure as a service; machine learning as a service; lawyers as a service; creating and maintaining websites; software development, programming and implementation; design and development of computer hardware and software; design of computer machine and computer software for commercial analysis and reporting; design services relating to computer hardware and to computer programmes; software engineering; software design; software installation; software creation; software authoring; software research; software design for others; programming of educational software; computer software programming services; image processing software design; design of virtual reality software; writing and updating computer software; custom design of software packages; development of virtual reality software; design of computer game software; development of computer software application solutions; design of software for multimedia data storing and recalling; design of computer programs and software relating to legal services, law and justice; services for the design of electronic data processing software; development of software solutions for internet providers and internet users; advisory services relating to man-machine interfaces for computer software; development and creation of computer programmes for data processing; analytical services relating to computer programmes; leasing of computer software for reading a data stream; design and development of wireless data transmission apparatus, instruments and equipment; compilation of data-processing programs; computer programming for data processing and communication systems; creation of computer programmes for data processing; design and development of systems for data input, output, processing, display and storage; design and development of data processing systems; design services for data processing systems; design services relating to data processing test tools; design services relating to data processing tools; designing of data processing programmes; designing of data processing systems; development and creation of computer programmes for data processing; development of data processing programs by order of third parties; development of programmes for data processing; development of

systems for the processing of data; engineering consultancy relating to data processing; engineering services relating to data processing; engineering services relating to data processing technology; engineering services relating to automatic data processing; evaluation of performance of data-processing against benchmark references; hiring out data processing equipment; installation and actualisation of programs for data processing; leasing of data processing systems; reparation of computer programs for data processing; preparation of data processing programmes; programming of data processing equipment; programming of data processing programs; rental of computer software, data processing equipment and computer peripheral devices; rental of computers, devices and software for data processing; rental of data processing equipment; rental of data processing equipment and computers; rental of data processing programs; rental of data processing apparatus and computers; rental of data processing apparatus; rental of software for data processing; rental services relating to data processing equipment and computers; research in the field of data processing technology; research relating to data processing; services for the design of electronic data processing software; software engineering services for data processing programs; technical advisory services relating to data processing; testing of electronic data processing systems; writing of data processing programs; analytical services relating to computers; analytical services relating to the determination of events; analytical services relating to computer programmes; provision of consultancy, information and advisory services relating to the aforesaid, including such services provided online from a computer network and/or via a computer database or the Internet and/or extranets.

**Class 45:**

Legal services (artificial intelligence); legal services by way of machine learning; services facilitating access to justice; solicitors services; legal services; legal advice; mediation services; legal research; legal advice and services by short message services, multimedia messaging, wireless communication, wireless digital messaging, and/or chatrooms or forums; data validation; monitoring, investigation and inspection services; identity validation services; establishment, maintenance and management of domain name registrations/protection; preparation of reports; professional legal research in relation to law, justice, software, intellectual property, hardware, technology or analysis of data, and products and services related thereto; preparation of legal reports in relation to law, justice, software, intellectual property, hardware, technology or analysis of data, and products and services related thereto; computer hardware licensing; computer software licensing; licensing of hardware and/or software; licensing of wireless communication systems; legal services for private clients; prosecution of applications for intellectual property rights; intellectual property, data and/or rights watching and analysis services; investigations in relation to intellectual property, data and/or rights; protection of intellectual property data and/or rights; research relating to intellectual property, data and/or rights; legal advice in the form of online databases (information) containing data, text, information, documents, bibles (being bundles of information), precedents (being prior examples of documents); certification of legal documents; arbitration, mediation, conciliation and other dispute resolution services; company formation and registration services; legal information and research services; professional consultation and advisory services in relation to, namely, intellectual property law, legal rights, legal procedure, legal compliance, legal fees, justice, technology, legal products, legal services; preparation of reports, provision of information and advisory services, all relating to the aforesaid services; provision of consultancy, information and

advisory services relating to the aforesaid, including such services provided online from a computer network and/or via a computer database or the Internet and/or extranets.

**Annex B**  
**Services found acceptable on 29 June 2017**

**Class 35:**

Data processing services in the field of transportation; public relations services; publicity services; customer loyalty services and customer club services, for commercial, promotional and/or advertising purposes; conducting customer loyalty, reward, affinity and incentive programs for commercial promotion and for advertising purposes; commercial information and advice for consumers (consumer advice shop); marketing research; marketing, including on digital networks; market research; opinion polling; incentive schemes; dissemination of advertisements; sales promotion, for others; advertising matter (dissemination of-); distribution of samples; advertising services, namely, promoting and marketing the goods and services of others via electronic communication networks; advertising services relating to the recording, transmission, processing, controlling, management, interaction and analysis of data, and products and services related thereto; advertising; office functions; wholesale services in relation to computer software; retail services in relation to computer software; the bringing together, for the benefit of others, of a variety of design services, software services, financial services, administrative services, sales, marketing and advertisement services, enabling customers to conveniently view and purchase those services.

**Class 41:**

Arranging, organising and conducting of competitions; production and publication of educational materials; publishing of books and reviews; electronic online publication of periodicals and books; publication and edition of books; on-line publication of electronic books and journals; on-line publication of electronic books and journals (non-downloadable); publication of books, magazines, almanacs and journals; lending of books relating to computer software.

**Class 42:**

Image processing software design; design of virtual reality software; design of computer game software; leasing of computer software for reading a data stream; hiring out data processing equipment; leasing of data processing systems; rental of computer software, data processing equipment and computer peripheral devices; rental of computers, devices and software for data processing; rental of data processing equipment; rental of data processing equipment and computers; rental of data processing programs; rental of data processing apparatus and computers; rental of data processing apparatus; rental of software for data processing; rental services relating to data processing equipment and computers.

**Annex C**  
**Goods and Services Refused in June and November 2018**

**Class 9**

Software; computer software; computer programs; computer software programs; application software; computer application software; computer databases; recorded tapes, discs, cassettes; information stored on electronic, magnetic and/or by optical means; compact

discs, DVDs and other digital recording media; electronic publications; downloadable electronic publications and documentation; electronically distributing advertising materials; computer software including packaged software; software provided from a computer network; computer software supplied from the Internet; interactive software; sound, images, text, signals, software, information, data and code provided by telecommunications networks, by online delivery and by way of the Internet and the worldwide web; computer programs and software for image processing; computer software for mobile phones; software for mobile phones; multi-media recordings; event recognition software; computer hardware for the collection of data; computer software for the collection of data; data collection apparatus; communication software; software drivers; education software; interface software; decoder software; data communications software; interactive computer software; data compression software; virtual reality software; computer software packages; data processing software; Process controlling software; Interactive video software; Computer interface software; Recorded computer software; Pre-recorded software; software for online messaging; computer screen saver software; computer software for document management; computer software for database management; computer software for analysing market, contractual and legal information; computer software for processing market, contractual and legal information; data processing software for graphic representations; computer software relating to legal and financial history; computer software programs for spreadsheet management; computer software for creating dynamic images and websites; computer software for producing financial and process models; computer software designed to estimate costs; computer software for processing digital images; computer application software for mobile telephones and devices; computer software programs for database management; computer software to automate data warehousing; computer software to enable searching of data; computer software for application and database integration; computer software for communicating purposes between microcomputers; software for facilitating secure credit card transactions; computer software for processing digital sound files; software for processing images, graphics and text; computer software for use in remote meter monitoring; computer software to enable the searching of data; computer software for authorising access to data bases; computer software for use in computer access control; computer software for creating searchable databases of information and data; computer software for online databases (information) containing data, text, information, documents, bibles (being bundles of information), precedents (being prior examples of documents) and legal decisions; computer software for organizing and viewing digital images and photographs; computer software for controlling the operation of audio and video devices; computer software to enable the transmission of photographs to mobile telephones; computer software for biometric systems for the identification and authentication of persons; computer programmes for interactive television; cards encoded to access computer software; character recognition hardware, apparatus, systems and software; image recognition hardware, apparatus, systems and software; optical character recognition hardware, apparatus and systems; apparatus for data processing; apparatus for the processing of data; central processing units for processing information, data, sound or images; computer programmes for data processing; computer software for the processing of positioning data; data-processing apparatus; data processing equipment and accessories (electrical and mechanical); data processing equipment; data processing programs; data processing programs recorded on machine-readable data carriers; data processing software; data processing software for word processing; data processing software for graphic

representations; data processing systems; data processing terminals; electronic data processing equipment; interface cards for data processing apparatus; interface cards for data processing equipment in the form of printed circuits; memories for data processing equipment; memory devices for use with data processing apparatus; readers; real-time data processing apparatus; analytical plotters; data analytics software; application software for wireless devices; computer software for wireless network communications; computer software for wireless content delivery; devices for streaming media content over local wireless networks; wireless communication apparatus, instruments and devices; wireless communication devices for voice, data, or image transmission; wireless controllers to remotely monitor and control the function and status of legal and administrative processes and procedures; wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems; wireless transmitters and receivers; parts and fittings for all the aforesaid goods.

**Class 16**

Printed matter; printed publications; advertising and promotional materials; books; notes; agendas; examination papers; study texts; revision notes; technical drawings; pop up stands; journals; diagrams; plans; drawings; flyers; magazines; newspapers; newsletters; periodicals; pamphlets; manuals; printed manuals; printed technical manuals, technical bulletins and technical advisories; reference guides; catalogues; periodical publications; brochures; booklets; posters and prints; marketing stands; periodical publications; printed guides; printed programs; printed certificates; book jackets; instructional and teaching materials; information books; promotional literature; programmes; leaflets; posters; graphic drawings; graphic prints; graphic representations; graphic reproductions; reproductions (graphic -); animation cels; banners and wall hangings made of paper or cardboard; educational supplies; articles for drawing; instructional and teaching materials (other than apparatus) relating to engineering, law, intellectual property, copyright, software, coding, education, history, trade, business, management, the provision of legal or software related services, access to justice and commercial matters, all included in Class 16; document files and printed forms; instructional and teaching materials; drawing pads; colouring books; address books; manuscript books; pocket memorandum books; log books; copy books; signature books; guide books; parts and accessories for the aforesaid.

**Class 35**

Agency services for the arrangement of contracts; business research in databases and on the Internet; maintaining and indexing of data and processes or legal products and/or services related thereto; collection and systematisation of information into computer databases; collection and systematisation of business data; collection of data; data collection [for others]; data processing for the collection of data for business purposes; collection and systematization of data; computerised data collection services (for others); data collection [for others]; data processing for the collection of data for business purposes; market research data collection services; market research data collection services; administrative data processing; advisory services relating to electronic data processing; advisory services relating to data processing; automated data processing; business consultancy services relating to data processing; computer data processing; computerised data processing; consultancy relating to

data processing; data entry and data processing; data processing; data processing for businesses; data processing for the collection of data for business purposes; data processing management; data processing services; data processing services in the fields of law, engineering, business, intellectual property and justice; data processing services in the field of transportation; data processing services in the field of legal processes; data processing verification; electronic data processing; employment consultancy services relating to data processing personnel; information services relating to data processing; on-line data processing services; provision of information relating to data processing; subscriptions (arranging -) to a telephone or computer service [internet]; outsourcing services in the field of business analytics; comparison services; provision of online comparison services; provision and retrieval of business and commercial inform; compilation of statistics; commercial information agencies; statistical information; information in business matters; information services relating to data processing; marketing research; marketing, including on digital networks; market research; opinion polling; incentive schemes; news clipping services; systemization of information into computer databases; loyalty schemes; business consulting and management services in the field of law; advice for consumers; dissemination of advertisements; sales promotion, for others; advertising matter (dissemination of -); distribution of samples; advertising services, namely, promoting and marketing the goods and services of others via electronic communication networks; advertising services relating to the recording, transmission, processing, controlling, management, interaction and analysis of data, and products and services related thereto; compilation of information into computer databases; digital data processing; management of data; advertising; office functions; business research; business inquiries; business management; business assistance; provision of business advice and information; business appraisals; business investigations and enquiries; business administration; commercial advice; compilation and provision of company information; statistical information, data processing, document reproduction; preparation of reports; advisory services relating to business management, business organisation and franchising; provision of information relating to commercial business and the preparation of reports; compilation and provision of business information; business analysis, research and information services; market research; collection and systemisation of business data; business management; business assistance; provision of business advice and information; business appraisals; business investigations and enquiries; business administration; commercial advice; compilation and provision of company information; statistical information, data processing, document reproduction; preparation of reports; maintaining and indexing; employee relocation services; consultancy relating to mergers and acquisitions; business enquiries and investigations; advisory services relating to business management, business organisation and franchising; provision of information relating to commercial business and the preparation of reports; compilation and provision of business information; services relating to the analysis, evaluation, creation and brand establishment of trademarks, trade names and domain names namely consultancy services for the aforesaid; business analysis, research and information services; market research; collection and systemisation of

business data; advertisement via computer and mobile phone networks; engineering services, legal services; software and hardware maintenance and support services; provision of consultancy, information and advisory services relating to the aforesaid, including such services provided online from a computer network and/or via a computer database or the Internet and/or extranets; public relations services; publicity services; commercial information and advice for consumers (consumer advice shop); dissemination of advertisements; advertising matter (dissemination of -); advertising services, namely, promoting and marketing the goods and services of others via electronic communication networks; advertising services relating to the recording, transmission, processing, controlling, management, interaction and analysis of data, and products and services related thereto; advertising; office functions; wholesale services in relation to computer software; retail services in relation to computer software; the bringing together, for the benefit of others, of a variety of design services, software services, administrative services, sales, advertisement services, enabling customers to conveniently view and purchase those services.

**Class 41**

Education; providing of training; education and training in the field of machine learning; education and training in the field of artificial intelligence; education and training in the field of law; education and training in the field of engineering; education and training in the field of software; education and training in the field of administration; education and training in the field of electronic data processing; education in the field of data processing; education services for imparting coding and data processing teaching methods; education services relating to software development and data processing; software and electronic data processing training; instructional services relating to software development and data processing; provision of instruction relating to data processing; services for data processing instruction; services for setting up data processing teaching programs; training in data processing techniques; training in the use of data processing programs; training relating to data processing techniques; training relating to data processing; tuition in data processing; arranging, organising and conducting of conferences, congresses, seminars and symposia; arranging, organising and conducting of exhibitions for educational purposes; arranging, organising and conducting of competitions; production and publication of educational materials; provision of on-line electronic publications; distance learning courses; organising, arranging and conducting of education, training, coaching, apprenticeship and youth training scheme services; information, advisory and consultancy services relating to all the foregoing; publishing of books and reviews; electronic online publication of periodicals and books; publication and edition of books; on-line publication of electronic books and journals; on-line publication of electronic books and journals (non-downloadable); publication of books, magazines, almanacs and journals; lending of books relating to computer software; training relating to computer software; education services relating to computer software; training services relating to computer software; training courses relating to computer software; training in the development of software systems; training in the operation of software

systems; training in the design of software systems; training services concerned with the use of computer software; education services relating to the application of computer software; training relating to computer programmes; provision of consultancy, information and advisory services relating to the aforesaid, including such services provided online from a computer network and/or via a computer database or the Internet and/or extranets; Arranging, organising and conducting of competitions; production and publication of educational materials; publishing of books and reviews; electronic online publication of periodicals and books; publication and edition of books; on-line publication of electronic books and journals; on-line publication of electronic books and journals (non-downloadable); publication of books, magazines, almanacs and journals; lending of books relating to computer software.

**Class 42**

Big data and data mining services; software as a service; platform as a service; application platform as a service; infrastructure as a service; machine learning as a service; lawyers as a service; creating and maintaining websites; software development, programming and implementation; design and development of computer hardware and software; design of computer machine and computer software for commercial analysis and reporting; design services relating to computer hardware and to computer programmes; software engineering; software design; software installation; software creation; software authoring; software research; software design for others; programming of educational software; computer software programming services; image processing software design; design of virtual reality software; writing and updating computer software; custom design of software packages; development of computer software application solutions; design of software for multimedia data storing and recalling; design of computer programs and software relating to legal services, law and justice; services for the design of electronic data processing software; development of software solutions for internet providers and internet users; advisory services relating to man-machine interfaces for computer software; development and creation of computer programmes for data processing; analytical services relating to computer programmes; leasing of computer software for reading a data stream; design and development of wireless data transmission apparatus, instruments and equipment; compilation of data-processing programs; computer programming for data processing and communication systems; creation of computer programmes for data processing; design and development of systems for data input, output, processing, display and storage; design and development of data processing systems; design services for data processing systems; design services relating to data processing test tools; design services relating to data processing tools; designing of data processing programmes; designing of data processing systems; development and creation of computer programmes for data processing; development of data processing programs by order of third parties; development of programmes for data processing; development of systems for the processing of data; engineering consultancy relating to data-processing; engineering services relating to data processing; engineering

services relating to data processing technology; engineering services relating to automatic data processing; evaluation of performance of data-processing against bench-mark references; hiring out data processing equipment; installation and actualisation of programs for data processing; leasing of data processing systems; reparation of computer programs for data processing; preparation of data processing programmes; programming of data processing equipment; programming of data processing programs; research in the field of data processing technology; research relating to data processing; services for the design of electronic data processing software; software engineering services for data processing programs; technical advisory services relating to data processing; testing of electronic data processing systems; writing of data processing programs; analytical services relating to computers; analytical services relating to the determination of events; analytical services relating to computer programmes; provision of consultancy, information and advisory services relating to the aforesaid, including such services provided online from a computer network and/or via a computer database or the Internet and/or extranets; Image processing software design; design of virtual reality software; leasing of computer software for reading a data stream; hiring out data processing equipment; leasing of data processing systems; rental of computer software, data processing equipment and computer peripheral devices; rental of computers, devices and software for data processing; rental of data processing equipment; rental of data processing equipment and computers; rental of data processing programs; rental of data processing apparatus and computers; rental of data processing apparatus; rental of software for data processing; rental services relating to data processing equipment and computers.

**Class 45**

Legal services (artificial intelligence); legal services by way of machine learning; services facilitating access to justice; solicitors services; legal services; legal advice; mediation services; legal research; legal advice and services by short message services, multimedia messaging, wireless communication, wireless digital messaging, and/or chatrooms or forums; data validation; monitoring, investigation and inspection services; identity validation services; establishment, maintenance and management of domain name registrations/protection; preparation of reports; professional legal research in relation to law, justice, software, intellectual property, hardware, technology or analysis of data, and products and services related thereto; preparation of legal reports in relation to law, justice, software, intellectual property, hardware, technology or analysis of data, and products and services related thereto; computer hardware licensing; computer software licensing; licensing of hardware and/or software; licensing of wireless communication systems; legal services for private clients; prosecution of applications for intellectual property rights; intellectual property, data and/or rights watching and analysis services; investigations in relation to intellectual property, data and/or rights; protection of intellectual property data and/or rights; research relating to intellectual property, data and/or rights; legal advice in the form of online databases (information) containing data, text, information, documents, bibles (being bundles of information), precedents (being prior examples of documents); certification of legal

documents; arbitration, mediation, conciliation and other dispute resolution services; company formation and registration services; legal information and research services; professional consultation and advisory services in relation to, namely, intellectual property, law, legal rights, legal procedure, legal compliance, legal fees, justice, technology, legal products, legal services; preparation of reports, provision of information and advisory services, all relating to the aforesaid services; provision of consultancy, information and advisory services relating to the aforesaid, including such services provided online from a computer network and/or via a computer database or the Internet and/or extranets.

## **Annex D**

### **Goods and services accepted in June and November 2018**

#### **Class 9**

Cinematographic films; memory sticks; music provided by telecommunications networks, by online delivery and by way of the internet and the worldwide web; computer game software; GPS software; computer games software; electronic game software; gesture recognition software; computer games entertainment software; children's educational software; software to control building environmental, access and security systems; computer game software for use on mobile and cellular phones; computer programmes for interactive games and/or quizzes; mouse; scanners; parts and fittings for all the aforesaid goods.

#### **Class 16**

Notebooks; stationery; bags; writing sets; writing paper; paper; containers made from cardboard; calendars; paper ornaments; postcards; trading cards; invitations; diaries; organisers; albums; boxes; greeting cards; CD covers; pens and pencils; labels; stickers; tickets and passes (not magnetically encoded); photographs; stickers; diaries; office requisites; goods made from paper and cardboard namely packing materials; packing materials; binders and folders book markers; envelopes; maps; napkins; scrap books; tokens; coasters made of paper or card; stationery; inkstands; pens, paint brushes, pencils; articles of stationery; bookbinding materials; sealing devices for office use; binding materials for books and papers; writing or drawing books; activity books; pocket books (stationery); note books; writing or drawing books; writing or drawing books; parts and accessories for the aforesaid.

#### **Class 25**

Clothing; headgear; parts and fittings for all the aforesaid goods.

#### **Class 35**

Data processing services in the field of transportation; customer loyalty services and customer club services, for commercial, promotional and/or advertising purposes; conducting customer loyalty, reward, affinity and incentive programs for commercial promotion and for advertising purposes; marketing research; marketing, including on digital networks; market research; opinion polling; incentive schemes; sales promotion, for others; distribution of samples; the bringing together, for the benefit of others, of a

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variety of financial services, marketing services, enabling customers to conveniently view and purchase those services.

**Class 42**

Design of computer game software.