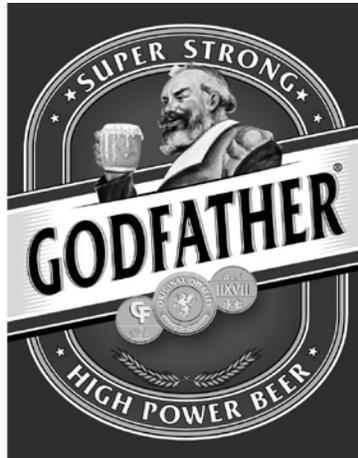


O-548-17

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION NO. 3181888 BY
DEVANS MODERN BREWERIES LIMITED
TO REGISTER:**



AS A TRADE MARK IN CLASS 32

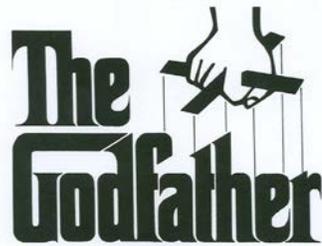
AND

**IN THE MATTER OF OPPOSITION THERETO
UNDER NO. 408057 BY PARAMOUNT PICTURES CORPORATION**

BACKGROUND & PLEADINGS

1. On 23 August 2016, Devans Modern Breweries Limited (“the applicant”) applied to register the trade mark shown on the cover page of this decision for “Beer” in class 32. The application was published for opposition purposes on 16 September 2016.

2. On 14 December 2016, the application was opposed by Paramount Pictures Corporation (“the opponent”). The opposition is based upon section 5(2)(b) of the Trade Marks Act 1994 (“the Act”). The opponent relies upon the United Kingdom and European Union Trade Mark (“EUTM”) registrations (shown in the Annex to this decision) which consist of the trade marks shown below for goods and services in classes 32 and 43.



And:



3. The applicant filed a counterstatement which consists, in essence, of a denial of the ground upon which the opposition is based.

4. In these proceedings, the opponent is represented by Maucher Jenkins and the applicant by Mewburn Ellis LLP. Whilst neither party filed evidence or asked to be heard, both elected to file written submission in lieu of attendance at a hearing. I will refer to these written submissions, as necessary, later in this decision.

DECISION

5. The opposition is based upon section 5(2)(b) of the Act which reads as follows:

“5 (2) A trade mark shall not be registered if because –

(b) it is similar to an earlier trade mark and is to be registered for goods or services identical with or similar to those for which the earlier trade mark is protected,

there exists a likelihood of confusion on the part of the public, which includes the likelihood of association with the earlier trade mark.”

6. An earlier trade mark is defined in section 6 of the Act, which states:

“6. - (1) In this Act an “earlier trade mark” means –

(a) a registered trade mark, international trade mark (UK), Community trade mark or international trade mark (EC) 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,

(2) References in this Act to an earlier trade mark include a trade mark in respect of which an application for registration has been made and which, if registered, would be an earlier trade mark by virtue of subsection (1)(a) or (b), subject to its being so registered.”

7. In these proceedings, the opponent is relying upon the four trade marks shown in the Annex to this decision, all of which qualify as earlier trade marks under the above provisions. As these earlier trade marks had not been registered for more than five years at the date when the application was published, they are not subject to proof of

use, as per section 6A of the Act. The opponent can, as a consequence, rely upon all the goods and services it has identified.

Section 5(2)(b) – case law

8. The following principles are gleaned from the decisions of the courts of the European Union in *Sabel BV v Puma AG*, Case C-251/95, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*, Case C-39/97, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* Case C-342/97, *Marca Mode CV v Adidas AG & Adidas Benelux BV*, Case C-425/98, *Matratzen Concord GmbH v OHIM*, Case C-3/03, *Medion AG v. Thomson Multimedia Sales Germany & Austria GmbH*, Case C-120/04, *Shaker di L. Laudato & C. Sas v OHIM*, Case C-334/05P and *Bimbo SA v OHIM*, Case C-591/12P.

The principles:

(a) The likelihood of confusion must be appreciated globally, taking account of all relevant factors;

(b) the matter must be judged through the eyes of the average consumer of the goods or services in question, who is deemed to be reasonably well informed and reasonably circumspect and observant, but who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them he has kept in his mind, and whose attention varies according to the category of goods or services in question;

(c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details;

(d) the visual, aural and conceptual similarities of the marks must normally be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components, but it is only when all other

components of a complex mark are negligible that it is permissible to make the comparison solely on the basis of the dominant elements;

(e) nevertheless, the overall impression conveyed to the public by a composite trade mark may be dominated by one or more of its components;

(f) however, it is also possible that in a particular case an element corresponding to an earlier trade mark may retain an independent distinctive role in a composite mark, without necessarily constituting a dominant element of that mark;

(g) a lesser degree of similarity between the goods or services may be offset by a greater degree of similarity between the marks, and vice versa;

(h) there is a greater likelihood of confusion where the earlier mark has a highly distinctive character, either per se or because of the use that has been made of it;

(i) mere association, in the strict sense that the later mark brings the earlier mark to mind, is not sufficient;

(j) the reputation of a mark does not give grounds for presuming a likelihood of confusion simply because of a likelihood of association in the strict sense;

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

Comparison of goods and services

9. The applicant elected not to comment upon this aspect of the case in its submissions. Had it done so, it would have been necessary for it to admit that as the applicant seeks

registration for beer in class 32 and beer is specifically included in EUTM registration nos. 9848763 and 15549181 the goods are identical. In its submissions, the opponent states:

“3.2.7 – It is common knowledge that pubs and bars in the UK sell [beer] and that breweries often own, manage operate, let or finance pubs and sell their own beers in such establishments.”

10. It concludes that such services “are similar to at least a medium degree to the opposed goods” i.e. beer. EUTM nos. 15549181 and 15533649 include “pub and bar services” in class 43. For, inter alia, the reasons the opponent explains, I agree that the services I have identified above are similar to beer to at least a medium degree.

The average consumer and the nature of the purchasing act

11. As the case law above indicates, it is necessary for me to determine who the average consumer is for the parties’ goods and services; I must then determine the manner in which these goods and services are likely to be selected by the average consumer in the course of trade. In *Hearst Holdings Inc, Fleischer Studios Inc v A.V.E.L.A. Inc, Poeticgem Limited, The Partnership (Trading) Limited, U Wear Limited, J Fox Limited*, [2014] EWHC 439 (Ch), Birss J. described the average consumer in these terms:

“60. The trade mark questions have to be approached from the point of view of the presumed expectations of the average consumer who is reasonably well informed and reasonably circumspect. The parties were agreed that the relevant person is a legal construct and that the test is to be applied objectively by the court from the point of view of that constructed person. The words “average” denotes that the person is typical. The term “average” does not denote some form of numerical mean, mode or median.”

12. The average consumer of the goods and services at issue is a member of the adult general public. Beer is sold through a range of channels, including retail premises such as supermarkets and off-licences (where it is normally displayed on shelves) and on-line; in such circumstances, the goods will be obtained by self-selection. Beer is also sold in public houses and bars (where it will be displayed on, for example, bottles and dispensers at the bar and where the trade mark will appear on drinks lists etc.) When beer is sold in public houses and bars, there will be an oral component to the selection process. However, there is nothing to suggest that the goods are sold in such a manner as to preclude a visual inspection. Consequently, while the goods may be ordered orally in public houses and bars, it is likely to be in the context of, for example, a visual inspection of the bottle, dispenser at the bar or drinks lists prior to the order being placed. Considered overall, the selection process will, in my view, be a predominantly visual one, although aural considerations will play their part. As to the level of attention that will be paid, the cost of the goods is likely to be relatively low. Nonetheless, the average consumer will still wish to ensure they are selecting the correct size, type, strength and flavour of beer. I agree with the opponent that in those circumstances, they will pay an average degree of attention to their selection, rather than a “relatively high level of attention” as the applicant suggests (although as I will explain later when I consider the likelihood of confusion, the difference between the two positions is not material to the outcome).

13. As to the services at issue, my own experience informs me that such services are most likely to be selected having considered, for example, promotional material (in hard copy and on-line) and signage appearing on the high street; once again visual considerations will be an important part of the selection process. However, as such services are also, in my experience, very likely to be the subject of word-of-mouth recommendations, aural considerations will be a not insignificant feature of the selection process. The degree of care the average consumer will display when selecting the services at issue is likely to be no higher than average and, in many cases, a good deal lower (consider for example, the selection of a pub or bar for an impromptu drink).

Comparison of trade marks

14. It is clear from *Sabel BV v. Puma AG* (particularly paragraph 23) that the average consumer normally perceives a trade mark as a whole and does not proceed to analyse its various details. The same case also explains that the visual, aural and conceptual similarities of the trade marks must be assessed by reference to the overall impressions created by them, bearing in mind their distinctive and dominant components. The Court of Justice of the European Union stated at paragraph 34 of its judgment in Case C-591/12P, *Bimbo SA v OHIM*, that:

“.....it is necessary to ascertain, in each individual case, the overall impression made on the target public by the sign for which registration is sought, by means of, inter alia, an analysis of the components of a sign and of their relative weight in the perception of the target public, and then, in the light of that overall impression and all factors relevant to the circumstances of the case, to assess the likelihood of confusion.”

15. It would be wrong, therefore, artificially to dissect the trade marks, although it is necessary to take into account their distinctive and dominant components and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions they create. The trade marks to be compared are:

Opponent's trade marks	Applicant's trade mark
 <p>(which I will refer to as the first trade mark)</p>  <p>(which I will refer to as the second trade mark)</p>	

16. In its submissions, the applicant describes its trade mark in the following terms:

“7...a highly stylised image of a bearded gentlemen holding a frothy beer; the words GODFATHER SUPER STRONG HIGH POWER BEER separated by stars; a decorative banner as well as an oval framing the mark; laurels; and three intricate badges depicting what appears to be a CF logo, ORIGINAL QUALITY and a winged horse logo, and ESTD IIXVII and a beetle logo respectively...”

17. Whilst I also note that there appears to be a device appearing below what the applicant describes as the CF logo, an ® symbol to the top right of the letter “R” in the word “GODFATHER” and the “laurels” are more likely to be regarded as ears of barley, I am content to adopt the applicant’s description of its trade mark.

18. In my view, the applicant’s trade mark looks like a fairly typical label of the sort found on, inter alia, cans and bottles of beer. The words “SUPER STRONG” and “HIGH POWER BEER” have no distinctive character and will make little or no contribution to the overall impression the trade mark conveys. The same applies to the devices of stars, an oval, the decorative banner, ears of barley and the “three badges”. Whilst the latter may contain elements capable of being trade marks in their own right, for example, the CF logo, the winged horse device and what the applicant’s describes as the “beetle” logo, that does not apply to the words “ORIGINAL QUALITY” and letters and numerals “Estb IIXVII” (the latter of which would be seen as a reference to a date of establishment). However, given the relative size of even those elements capable of being trade marks, they, together with the badges in which they appear, will make very little if any contribution to the overall impression the applicant’s trade mark conveys or its distinctiveness.

19. That leaves the device of a “bearded gentlemen drinking a frothy beer” and the word “GODFATHER” to consider. Although the device will contribute to the overall impression the trade mark conveys, as images of people enjoying the goods at issue is, in my experience, fairly typical of labels of this type, it is not, as the applicant suggests “highly

distinctive”. Any distinctive character it may possess is, in my view, fairly modest. As to the word “GODFATHER”, given its size and positioning in the context of the trade mark as a whole, it is this word which will make by far the greatest contribution to the overall impression the trade mark conveys and its distinctiveness.

20. Turning to the opponent’s trade marks, the first consist of the word “The” presented in title case in a slightly stylised (but unremarkable) heavy black font, together with a second component in which the letters “odfather” (presented in a similar stylised heavy black font) are readily identifiable. While I understand the applicant’s submission to the effect that in view of the degree of stylisation in the first letter it “is not readily decipherable as a letter G”, given the readily identifiable nature of the letters which follow it, I am satisfied that, despite the degree of stylisation, the second component will be understood by the average consumer as the word “Godfather”. The overall impression of the opponent’s first trade mark and its distinctiveness lies in its totality.

21. As to the opponent’s second trade mark, as this includes the opponent’s first trade mark (albeit with the word “The” presented above the word “Godfather”), my comments above are relevant to this component in the opponent’s second trade mark. It is accompanied by a device which the applicant describes as “in the nature of a puppeteer” (a description I am, once again, happy to adopt). As this “puppeteer” device is both distinctive and significant within the context of the trade mark as a whole, it will contribute to the overall impression the opponent’s second trade mark conveys. Regardless, given its size and positioning, it is the distinctive combination “The Godfather” that will make the most important contribution to the overall impression the opponent’s second trade mark conveys.

22. I must now apply those conclusions to the visual, aural and conceptual comparison. Despite the complex nature of the applicant’s trade mark, it is the word “GODFATHER” and to a much lesser extent the device of a man drinking beer, that will dominate the overall impression conveyed. That results in a medium degree of visual similarity with

the opponent's first trade mark and a lower than medium (but not low) degree of similarity with its second trade mark.

23. Turning to the aural comparison, it is well-established that when trade marks consist of a combination of words and figurative components, it is by the word components that the trade marks are most likely to be referred. Both of the opponent's trade marks will be referred to as "The Godfather" and the applicant's trade mark as "GODFATHER". If not aurally identical, the competing trade marks are aurally similar to the highest degree.

24. Finally, the conceptual comparison. The word "Godfather" and its meaning i.e. "a male godparent" or "a powerful man who is at the head of a criminal organization" (collinsdictionary.com refers) are likely to be known to the majority of average consumers. In its submissions, the applicant submits that if the average consumer identifies the opponent's trade marks as "The Godfather" (which I have already concluded they will), they would be "immediately reminded of the famous film trilogy" and "any reference to the godfather in any context would be instantaneously linked with the films." Having provided by way of submissions what is, in effect, evidence on the fame and impact of the film trilogy of that name, it concludes that the conceptual message conveyed by the opponent's trade marks would be linked to the key themes and characteristics of the films i.e. "power, struggles, crime, gangsters, New York, mafia, and violence". It further submits, that the word "GODFATHER" in its trade mark will be accorded its natural meaning conveying concepts of a man who presents a child for baptism and takes responsibility for its religious and moral education.

25. Although the applicant' has provided no evidence in support of its submissions in relation to The Godfather series of films, it would, I think, be unrealistic for me not to accept that a not insignificant number of average consumers will be familiar with the series of films to which the applicant refers. For those average consumers, when considered from a visual perspective, the opponent's trade marks and the applicant's trade mark may send the differing conceptual messages the applicant suggests.

However, even for those average consumers, the position is less clear when the competing trade marks are considered from an aural standpoint. However, regardless of the above, there is also, in my view, likely to be an equally significant number of average consumers who are unfamiliar with the series of films to which the applicant refers. Although the “puppeteer” device in the opponent’s second trade mark and, inter alia, the device of a “bearded gentlemen holding a frothy beer” in the applicant’s trade mark may create further concepts in the mind of the average consumer, as they do nothing to modify the meanings the word “Godfather” may convey, for a significant number of average consumers, the competing trade marks will still, in my view, be conceptually similar to a high degree.

Distinctive character of the earlier trade mark

26. The distinctive character of a trade mark can be appraised only, first, by reference to the goods and services in respect of which registration is sought and, secondly, by reference to the way it is perceived by the relevant public – *Rewe Zentral AG v OHIM (LITE)* [2002] ETMR 91. In determining the distinctive character of a trade mark and, accordingly, in assessing whether it is highly distinctive, it is necessary to make an overall assessment of the greater or lesser capacity of the trade mark to identify the goods and services for which it has been registered as coming from a particular undertaking and thus to distinguish those goods and services from those of other undertakings - *Windsurfing Chiemsee v Huber and Attenberger* Joined Cases C-108/97 and C-109/97 [1999] ETMR 585.

27. As the opponent has not provided any evidence of the use it may have made of its earlier trade marks, I have only their inherent characteristics to consider. In its submissions, the opponent states:

“4 The word “Godfather” has no specific meaning in relation to “beer”. The association is therefore fanciful so it gives the earlier mark a high distinctive character per se.”

28. Although that submission specifically refers to beer, I see no reason why it is not equally applicable to the opponent's pub and bar services. Although the word "Godfather" is well-known, when considered in relation to the goods and services I have identified, it is neither descriptive of nor non-distinctive for such goods and services. Considered absent use, the opponent's trade marks are, in my view, possessed of an above average degree of inherent distinctive character. However, as the opponent points out, it is the distinctiveness of the shared component that is crucial; I shall return to this point below.

Likelihood of confusion

29. In determining whether there is a likelihood of confusion, a number of factors need to be borne in mind. The first is the interdependency principle i.e. a lesser degree of similarity between the respective trade marks may be offset by a greater degree of similarity between the respective goods and services and vice versa. As I mentioned above, it is also necessary for me to keep in mind the distinctive character of the opponent's trade marks as the more distinctive they are, the greater the likelihood of confusion. I must also keep in mind the average consumer for the goods and services, the nature of the purchasing process and the fact that the average consumer rarely has the opportunity to make direct comparisons between trade marks and must instead rely upon the imperfect picture of them he has retained in his mind. Earlier in this decision I concluded that:

- the applicant's goods are either identical (to goods in the opponent's specifications) or similar to at least a medium degree to services in the opponent's specifications;
- the average consumer of the goods and services is a member of the adult general public;

- while such a consumer will select the goods and services at issue by predominantly visual means, aural considerations will also be a feature of the selection of the goods at issue and, to a greater extent, the services;
- the average consumer will display an average degree of attention when selecting the goods at issue and a no higher than average degree of attention to the selection of the services;
- having identified the competing trade mark's distinctive and dominant components and the overall impressions they convey, there is (at least) a lower than medium (but not low) degree of visual similarity, a high degree of aural similarity and for a significant number of consumers a high degree of conceptual similarity;
- considered as totalities, the opponent's trade marks are possessed of an above average degree of inherent distinctive character.

30. Insofar as the last bullet point is concerned, in *Kurt Geiger v A-List Corporate Limited*, BL O-075-13, Mr Iain Purvis Q.C. as the Appointed Person pointed out that the level of 'distinctive character' is only likely to increase the likelihood of confusion to the extent that it resides in the element(s) of the marks that are identical or similar. He stated:

"38. The Hearing Officer cited *Sabel v Puma* at paragraph 50 of her decision for the proposition that 'the more distinctive it is, either by inherent nature or by use, the greater the likelihood of confusion'. This is indeed what was said in *Sabel*. However, it is a far from complete statement which can lead to error if applied simplistically.

39. It is always important to bear in mind what it is about the earlier mark which gives it distinctive character. In particular, if distinctiveness is provided by an aspect of the mark which has no counterpart in the mark alleged to be

confusingly similar, then the distinctiveness will not increase the likelihood of confusion at all. If anything it will reduce it.”

31. In other words, simply considering the level of distinctive character possessed by the earlier trade marks is not enough. It is important to ask “in what does the distinctive character of the earlier trade marks lie?” Only after that has been done can a proper assessment of the likelihood of confusion be carried out.

32. Confusion can be direct or indirect. Direct confusion involves the average consumer mistaking one trade mark for the other, while indirect confusion is where the average consumer realises the trade marks are not the same but puts the similarity that exists between the trade marks and goods and services down to the responsible undertakings being the same or related.

33. In relation to the opponent’s second trade mark (which contains goods identical to those for which registration is sought), I have concluded that the competing trade marks are visually similar to a lower than medium (but now low) degree, aurally similar to at least a high degree and conceptually similar to a high degree. As the component in conflict i.e. the word “Godfather” is in itself inherently distinctive to an above average degree, I am satisfied that a consumer paying an average degree of attention to the selection of the goods at issue is likely to be confused (I reach the same conclusion even if, as the applicant suggests, the average consumer pays a “relatively high” degree of attention). Notwithstanding the complex nature of the applicant’s trade mark and the puppeteer device in the opponent’s trade mark, when one factors in the effects of imperfect recollection, this confusion is likely to be direct (particularly from an aural perspective). However, even if that is wrong, given the descriptive/non-distinctive nature of all but two of the components in the applicant’s trade mark (the device of a man drinking beer is only weakly distinctive), and the degree of distinctive character the word “Godfather” enjoys, the consumer is likely to assume the applicant’s trade mark is a variant trade mark under the control of the opponent or an undertaking linked to the opponent i.e. there will be indirect confusion.

34. As to the opponent's first trade mark, I have concluded that EUTM no. 15533649 contains services similar to at least a medium degree to the applicant's goods. That finding, together with, inter alia, the medium degree of visual similarity and high degree of aural and conceptual similarity, also leads to a likelihood of confusion on the basis indicated above. As a result of the above conclusions, the opposition succeeds.

Conclusion

35. The opposition has been successful, and, subject to any successful appeal, the application will be refused.

Costs

36. As the opponent has been successful, it is entitled to a contribution towards its costs. Awards of costs in proceedings commenced after 1 July 2016 are governed by Annex A of Tribunal Practice Notice ("TPN") 2 of 2016. Using the TPN mentioned as a guide, I award costs to the opponent on the following basis:

Preparing a Notice of Opposition and considering the applicant's counterstatement:	£200
Written submissions:	£300
Official fee:	£100
Total:	£600

37. I order Devans Modern Breweries Limited to pay to Paramount Pictures Corporation the sum of **£600**. This sum is to be paid within fourteen days of the expiry of the appeal period or within fourteen days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 31st day of October 2017

C J BOWEN

For the Registrar

EUTM No. 9848763 for the trade mark:



which was applied for on 29 March 2011 and entered in the register on 17 October 2011. The opponent relies upon the following goods and services:

Class 32 - Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages; energy drinks.

Class 43 - Services for providing food and drink; temporary accommodation; hotel and motel services; restaurant, catering, snack bar, café and bar services; provision of prepared meals; food and drink preparation and presentation services; services for the provision of coffee, tea and other non-alcoholic beverages; preparation of foodstuffs or meals for consumption off the premises; sandwich and salad bar services; wine bar services; provision of general-purpose facilities for meetings, conferences, conventions and exhibitions; provision of banquet and social function facilities for special occasions; provision and management of café, cafeteria, canteen, bar, coffee shop, snack-bar and restaurant services and facilities; provision of facilities for meetings, conferences and for exhibitions; reservation services for hotel accommodation and other accommodation; appraisal and grading of tourist accommodation; provision of campground and caravan facilities; arranging and letting holiday accommodation; letting of and reservation of tourist accommodation; tourist agency and tourist

office services for booking accommodation; electronic information services relating to hotels; arranging, planning and conducting of banquets; information, advice and consultancy relating to all the aforesaid services.

EUTM No. 15549181 for the trade mark:



which was applied for on 15 June 2016 and entered in the register on 3 November 2016. The opponent relies upon the following goods and services:

Class 32 - Non-alcoholic beverages; mineral and aerated waters; fruit drinks and fruit juices; smoothies; energy drinks; syrups and other preparations for making non-alcoholic beverages; beer.

Class 43 - Restaurant services; self-service restaurant services; food and drink catering services; mobile catering services; outside catering services; business catering services; take away fast food services; fish and chip shop (take away) services; snack bar services; coffee shop services; café services; pub and bar services; preparation of food and drink for consumption on or off the premises; provision of event facilities, temporary office facilities and meeting facilities; booking, reservation and rental of temporary accommodation including hotels, apartments and villas; providing appraisals, reviews and information relating to temporary accommodation including hotels, apartments and villas.

UK no. 3021825 for the trade mark:

The Godfather

which was applied for on 12 September 2013 and entered in the register on 17 January 2014. It is registered for the following services:

Class 43 - Services for providing food and drink; temporary accommodation; hotel and motel services; restaurant, catering and bar services; provision of general-purpose facilities for meetings, conferences, conventions and exhibitions; provision of banquet and social function facilities for special occasions; provision and management of café, cafeteria, canteen, bar, coffee shop, snack-bar, fish and chip shop and restaurant services and facilities; provision of facilities for meetings, conferences and for exhibitions; reservation services for hotel accommodation and other accommodation; appraisal and grading of tourist accommodation; provision of campground and caravan facilities; arranging and letting holiday accommodation; letting of and reservation of tourist accommodation; tourist agency and tourist office services for booking accommodation; electronic information services relating to hotels; arranging, planning and conducting of banquets; information, advice and consultancy relating to all the aforesaid services.

EUTM No. 15533649 for the trade mark:

The Godfather

which was applied for on 14 June 2016 and entered in the register on 14 October 2016.
It is registered for the following services:

Class 43 - Restaurant services; self-service restaurant services; food and drink catering services; mobile catering services; outside catering services; business catering services; take away fast food services; fish and chip shop (take away) services; snack bar services; coffee shop services; café services; pub and bar services; preparation of food and drink for consumption on or off the premises; provision of event facilities, temporary office facilities and meeting facilities; booking, reservation and rental of temporary accommodation including hotels, apartments and villas; providing appraisals, reviews and information relating to temporary accommodation including hotels, apartments and villas.