

BL O/0014/25

TRADE MARKS ACT 1994

**IN THE MATTER OF
TRADE MARK APPLICATION NUMBER 3828660
BY SENTINELONE, INC
TO REGISTER THE TRADE MARK:**

SINGULARITY

IN CLASSES 9 AND 42

AND

**IN THE MATTER OF OPPOSITION THERETO
UNDER NUMBER 438392
BY BRITISH PLC**

BACKGROUND AND PLEADINGS

1. On 12 September 2022, SentinelOne, Inc (“the applicant”) applied to register the trade mark shown on the cover page of this decision (“the contested mark”) in the UK. The application was published in the Trade Marks Journal for opposition purposes on 11 November 2022 in respect of the following goods and services:

Class 9 Downloadable software featuring a suite of cybersecurity software and tools; downloadable computer network security software for managing computer network endpoint security and predicting and monitoring security threats to computer networks using behavioural-based predictive execution modelling; computer software feature for computer security incident tracking, sold as an integral component of downloadable software; downloadable software for Internet of Things (IOT) device and end point discovery and management; downloadable software for connected device discovery and management; downloadable software for computer network mapping; downloadable software for managing the cyber security of environments combining computing devices and related networks; downloadable software for automated cyber threat protection, detection and remediation, and related data analytics and visualization capabilities in cyber environments combining computing devices and related networks; downloadable software and applications for managing the cyber security of environments combining computing devices and related networks; downloadable software and applications for automated cyber threat protection, detection and remediation, and related data analytics and visualization capabilities in cyber environments combining computing devices and related networks; computer software feature to search for and index electronic data relating to security incidents and threats, sold as an integral component of downloadable software for cybersecurity; computer software feature for ingesting, analysing, and providing cybersecurity threat intelligence information, sold as an integral component of downloadable software for cybersecurity; downloadable computer software for accessing third-party computer software and

associated data; downloadable software for creating and applying automated cybersecurity threat hunting rules, triggering automated alerts and responses, and automating application of new rules against existing data; downloadable cybersecurity software featuring technology for receiving, parsing, analysing, categorizing, securing, searching, saving, auditing, monitoring, transmitting, and sharing, computer log data received from external data sources.

Class 42 Platform as a Service (PaaS) services featuring a suite of cybersecurity software and tools; Software as a service (SAAS) services featuring computer network security software for managing computer network endpoint security and predicting and monitoring security threats to computer networks using behavioural-based predictive execution modelling; computer software feature for computer security incident tracking, sold as an integral component of online non-downloadable software; providing temporary use of on-line non-downloadable software for Internet of Things (IOT) device and end point discovery and management; providing temporary use of on-line non-downloadable software for connected device discovery and management; providing temporary use of on-line non-downloadable software for computer network mapping; providing a website featuring non-downloadable software for managing the cyber security of environments combining computing devices and related networks; providing a website featuring non-downloadable software for automated cyber threat protection, detection and remediation, and related data analytics and visualization capabilities in cyber environments combining computing devices and related networks; providing temporary use of on-line non-downloadable software and applications for managing the cyber security of environments combining computing devices and related networks; providing temporary use of on-line non-downloadable software and applications for automated cyber threat protection, detection and remediation, and related data analytics and visualization capabilities in cyber environments combining computing devices and related networks;

Computer software feature to search for and index electronic data relating to security incidents and threats, sold as an integral component of online non-downloadable software for cybersecurity; Computer software feature for ingesting, analysing, and providing cybersecurity threat intelligence information, sold as an integral component of online non-downloadable software for cybersecurity; Platform as a service (PAAS) services featuring computer software for accessing third-party computer software and associated data; providing temporary use of on-line non-downloadable software for creating and applying automated cybersecurity threat hunting rules, triggering automated alerts and responses, and automating application of new rules against existing data; providing non-downloadable cybersecurity software featuring technology for receiving, parsing, analysing, categorizing, securing, searching, saving, auditing, monitoring, transmitting, and sharing, computer log data received from external data sources; information, consultancy and advisory services relating to the aforesaid.

2. On 3 January 2023, British plc (“the opponent”) filed a notice of opposition, partially opposing the application, under section 5(2)(a) of the Trade Marks Act 1994 (“the Act”). The opponent relies upon its United Kingdom Trade Mark (“UKTM”) number 3525495, “SINGULARITY” (“the earlier mark”). The earlier mark was filed on 22 August 2020 and became registered on 11 December 2020. For the purpose of these proceedings the opponent relies upon all the services for which the mark is registered, namely:

Class 42: Technological services.

3. Upon review of the TM7, I note that in response to the question: “*Which goods or services in the application that you are opposing do you claim are identical or similar to those covered by the earlier mark which you have listed at Q1*”, the opponent ticked the box ‘some goods and services’ and stated: “*Platform as a Service and Software as a Service in class 42.*” However, these terms do not match those within the applied

for specification. Consequently, the Registry issued a letter to the parties informing them, subject to any objection raised by the parties, of the Tribunals intention to interpret the opponent's pleadings as opposing the following terms only:

Platform as a Service (PaaS) services featuring a suite of cybersecurity software and tools; Software as a service (SAAS) services featuring computer network security software for managing computer network endpoint security and predicting and monitoring security threats to computer networks using behavioural-based predictive execution modelling; Platform as a service (PAAS) services featuring computer software for accessing third-party computer software and associated data.

4. In response, the applicant agreed with the Registry's interpretation of the opponent's pleadings and filed an amended counterstatement to that effect.

5. As a result, I understand the opposition is directed against only some of the Applicant's services, namely:

Class 42: Platform as a Service (PaaS) services featuring a suite of cybersecurity software and tools; Software as a service (SAAS) services featuring computer network security software for managing computer network endpoint security and predicting and monitoring security threats to computer networks using behavioural-based predictive execution modelling; Platform as a service (PAAS) services featuring computer software for accessing third-party computer software and associated data.

6. The opponent claims that the marks at issue are identical and that the respective services are either identical or similar.

7. The applicant filed a counterstatement admitting that the parties' marks are identical but denying that this resulted in a likelihood of confusion under section 5(2)(a).

8. Given the filing date, the opponent's mark is an earlier mark, in accordance with section 6 of the Act. However, as it had not been registered for five years or more at the filing date of the application, it is not subject to the proof of use requirements specified within section 6A of the Act. As a consequence, the opponent may rely upon all of the services for which the earlier mark is registered without having to establish genuine use.

9. The opponent is unrepresented and the applicant is represented by Stratagem Intellectual Property Management Limited. Neither party filed evidence. Both parties were given the option of an oral hearing but neither requested to be heard on this matter, nor did they choose to file written submissions in lieu of a hearing. This decision is taken following a careful review of the papers before me.

RELEVANCE OF EU LAW

10. The provisions of the Act relied upon in these proceedings are assimilated law, as they are derived from EU law. Although the UK has left the EU, section 6(3)(a) of the European Union (Withdrawal) Act 2018 (as amended by Schedule 2 of the Retained EU Law (Revocation and Reform) Act 2023) requires tribunals applying assimilated law to follow assimilated EU case law. That is why this decision refers to decisions of the EU courts which predate the UK's withdrawal from the EU.

DECISION

Section 5(2)(a)

11. Section 5(2)(a) states that:

“A trade mark shall not be registered if because-

- (a) it is identical with an earlier trade mark and is to be registered for goods or services 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.”

12. Section 5A of the Act is as follows:

“5A Where grounds for refusal of an application for registration of a trade mark exist in respect of only some of the goods or services in respect of which the trade mark is applied for, the application is to be refused in relation to those goods and services only.”

13. The following principles are gleaned from the decisions of the EU courts 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:

(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;

[...]

(g) a lesser degree of similarity between the goods or services may be offset by a great 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 might believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

Identity of the marks

14. In *S.A. Société LTJ Diffusion v. Sadas Vertbaudet SA*, Case C-291/00, the Court of Justice of the European Union (“CJEU”) held that:

“54... a sign is identical with the trade mark where it reproduces, without any modification or addition, all the elements constituting the trade mark or where, viewed as a whole, it contains differences so insignificant that they may go unnoticed by the average consumer.”

15. The marks at issue are word only marks consisting of the single word “SINGULARITY”. Accordingly, I agree with the parties that the marks are identical.

Comparison of services

16. Section 60A of the Act provides:

“(1) For the purpose of this Act goods and services-

(a) are not to be regarded as being similar to each other on the ground that they appear in the same class under the Nice Classification.

(b) are not to be regarded as being dissimilar from each other on the ground that they appear in different classes under the Nice Classification.

(2) In subsection (1), the “Nice Classification” means the system of classification under the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of 15 June 1957, which was last amended on 28 September 1975.”

17. In *Canon*, the CJEU stated at paragraph 23 of its judgment that:

“In assessing the similarity of the goods or services concerned, [...] all the relevant factors relating to those goods or services themselves should be taken into account. Those factors include, inter alia, their nature, their intended purpose and their method of use and whether they are in competition with each other or are complementary”.

18. Guidance on this issue has also come from Jacob J. (as he then was) in the *Treat* case, [1996] R.P.C. 281, where he identified the factors for assessing similarity as:

(a) The respective uses of the respective goods or services;

(b) The respective users of the respective goods or services;

(c) The physical nature of the goods or acts of service;

(d) The respective trade channels through which the goods or services reach the market;

(e) In the case of self-serve consumer items, where in practice they are respectively found or likely to be found in supermarkets and, in particular, whether they are or are likely to be found on the same or different shelves;

(f) The extent to which the respective goods or services are competitive. This inquiry may take into account how those in trade classify goods, for instance, whether market research companies, who of course act for industry, put the goods or services in the same or different sectors.

19. In *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T-133/05, the General Court (“GC”) stated that:

“29. In addition, the goods can be considered as identical when the goods designated by the earlier mark are included in a more general category, designated by trade mark application (Case T-388/00 *Institut für Lernsysteme v OHIM – Educational Services (ELS)* [2002] ECR II-4301, paragraph 53) or where the goods designated by the trade mark application are included in a more general category designated by the earlier mark.”

20. In *YouView TV Ltd v Total Ltd* [2012] EWHC 3158 (Ch) at [12] Floyd J said:

“... Trade mark registrations should not be allowed such a liberal interpretation that their limits become fuzzy and imprecise: see the observations of the CJEU in Case C-307/10 *The Chartered Institute of Patent Attorneys (Trademarks) (IP TRANSLATOR)* [2012] ETMR 42 at [47]-[49]. Nevertheless the principle should not be taken too far. Treat was decided the way it was because the ordinary and natural, or core, meaning of 'dessert sauce' did not include jam, or because the ordinary and natural description of jam was not 'a dessert sauce'. Each involved a straining of the relevant language, which is incorrect. Where words or phrases in their ordinary and natural meaning are apt to cover the category of goods in question, there is equally no justification for straining the language unnaturally so as to produce a narrow meaning which does not cover the goods in question.”

21. The competing services are as follows:

Opponent's services	Applicant's services
Class 42: Technological services.	Class 42: Platform as a Service (PaaS) services featuring a suite of cybersecurity software and tools; Software as a service (SAAS) services featuring computer network security software for managing computer network endpoint security and predicting and monitoring security threats to computer networks using behavioural-based predictive execution modelling. <i>Platform as a service (PAAS) services featuring computer software for accessing third-party computer software and associated data.</i>

Platform as a Service (PaaS) services featuring a suite of cybersecurity software and tools; Platform as a service (PAAS) services featuring computer software for accessing third-party computer software and associated data.

22. From my understanding, 'Platform as a Service' provides the user with the means to build, develop and maintain a software application. The provider of this service will host the network, servers, databases, software and any development tools by way of a cloud access. The user of these services will generally pay for this service on a subscription basis. The above terms cover a range of services for the provision of platforms as a service specifically in relation to cybersecurity, whereby the software and tools identify vulnerabilities and threats to business systems, applications and networks from cyberattacks, with the aim of providing protection from these threats and the ability to access third-party computer software and data. The Opponent's term 'Technological Services' includes but is not limited to, professional services designed

to facilitate the use of technology including software development, hardware support and network administration. I find the Opponent's term to be a fairly broad term which is likely to incorporate services offered by the Applicant. The opponent states '*cybersecurity is a fundamental constituent of every credible technological service*'¹ and I am inclined to agree with that. Bearing this in mind, I find that these services are identical in line with the principle set out in *Meric*.

Software as a service (SAAS) services featuring computer network security software for managing computer network endpoint security and predicting and monitoring security threats to computer networks using behavioural-based predictive execution modelling.

23. In its simplest definition, Software as a Service is the provision of software, that is hosted by the service provider by means of the 'cloud', which the user typically purchases by subscription. For the same reasons as provided above at [22], I find that these services are identical in line with the principle set out in *Meric*.

The average consumer and the nature of the purchasing act

24. The average consumer is deemed to be reasonably well informed and reasonably observant and circumspect. For the purpose of assessing the likelihood of confusion, it must be borne in mind that the average consumer's level of attention is likely to vary according to the category of goods or services in question (see *Lloyd Schuhfabrik Meyer*, Case C-342/97).

25. 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

¹ Form TM7, Section A, Question 5.

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.”

26. With regards to the nature of the purchase the applicant states the following:

“The market for cybersecurity services is highly specialised and would not be considered as casual purchases made by the public. The Applicant states that the Contested Application covers specialist and specific goods and services, and that in light of the specialised nature of the products and services, it is likely that the relevant public would pay particular attention, such that confusion with other “technological services” would not occur”.²

27. The average consumers for the relevant class 42 services at issue are likely to include members of the general public as well as business and professional users. The services are likely to be purchased on a website or directory of services and will be a primarily visual process but I cannot discount that some of the services will be discussed aurally during the selection process, as word of mouth recommendations may be made following advice or consultation with the service provider. Various factors will be taken into account such as compatibility with the customers current IT systems, and for business or professional users, suitability to satisfy any specific business requirements. Some of the services will be fairly specialised and therefore likely to be expensive. This will depend on the specific needs of the customer who may be an individual who requires the service for personal use or a business who may be considering the purchase of a more sophisticated software package which may require a more bespoke approach. The level of attention taken by the prospective purchaser may be influenced by their own requirements. The general public purchasing the services for personal use may pay a lesser degree of attention than a business or professional user who may require a more specialist service, and will therefore, pay a higher degree of attention. Consequently, I consider that these services will likely be purchased with a level of attention ranging from a medium to a high degree.

² The applicant’s counterstatement, paragraph 15

Distinctive character of the earlier mark

28. The distinctive character of a trade mark can be measured only, first, by reference to the goods and/or services in respect of which registration is sought and, second, by reference to the way it is perceived by the relevant public. In *Lloyd Schuhfabrik Meyer*, the CJEU stated that:

“22. In determining the distinctive character of a mark and, accordingly, in assessing whether it is highly distinctive, the national court must make an overall assessment of the greater or lesser capacity of the mark to identify the goods or services for which it has been registered as coming from a particular undertaking, and thus to distinguish those goods or services from those of other undertakings (see, to that effect, judgment of 4 May 1999 in Joined Cases C-108/97 and C-109/97 *Windsurfing Chiemsee v Huber and Alternberger* [1999] ECR I-0000, paragraph 49).

23. In making that assessment, account should be taken, in particular, of the inherent characteristics of the mark, including the fact that it does or does not contain an element descriptive of the goods or services for which it has been registered, the market share held by the mark, how intensive, geographically widespread and long-standing use of the mark has been; the amount invested by the undertaking in promoting the mark, the proportion of the relevant section of the public which, because of the mark, identifies the goods or services as originating from a particular undertaking, and statements from chambers of commerce and industry or other trade and professional associations (see *Windsurfing Chiemsee*, paragraph 51).”

29. Registered trade marks possess varying degrees of inherent distinctive character, ranging from the very low, because they are suggestive or allusive of a characteristic of the services, to those with high inherent distinctive character, such as invented words which have no allusive qualities. The distinctive character of a mark can be enhanced by virtue of the use that has been made of it.

30. Although the distinctiveness of a mark can be enhanced by virtue of the use that has been made of it, the opponent has not filed any evidence of use in relation to its mark. Consequently, I have only the inherent position to consider.

31. In its pleadings, the opponent submits the following:

“Both marks are identical. The ‘singularity’ of something is a quality that is unique, or ‘one of a kind’. This is impossible if there are two identical marks”.

32. I accept that this statement reflects what ‘singularity’ means to the opponent however my assessment must be a notional and objective assessment based on the marks themselves.

33. The word ‘SINGULARITY’ is a dictionary defined word with multiple meanings such as ‘the state, fact, or quality of being singular’, ‘something distinguishing a person or thing from others’ or ‘something remarkable or unusual’. Or in mathematics and physics ‘a point at which a mathematical function or physical quantity takes an infinite value, such as at the centre of a black hole’.

34. I find that irrespective of its precise interpretation, the word ‘SINGULARITY’ has no clear relationship with the services relied upon. Accordingly, I find the earlier mark possesses a medium level of distinctive character.

Likelihood of confusion

35. In determining whether there is likelihood of confusion, I must take all of the above factors into account and consider if there is a likelihood of confusion for the average consumer.

36. Confusion can be direct or indirect. Direct confusion involves the average consumer mistaking one mark for the other. While indirect confusion is where the average consumer realises the marks are not the same but puts the similarity that exists between the marks and the services down to the responsible undertakings being the same or related. There is no scientific formula to apply in determining whether

there is a likelihood of confusion; rather, it is a global assessment where 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 services may be offset by a greater degree of similarity between the marks and vice versa. I must bear in mind the distinctive character of the earlier mark, the average consumer for the services and the nature of the purchasing act. To do so, I must recognise 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 that he has retained in his mind.

37. I have found the marks to be identical. I have found the earlier mark to be inherently distinctive to a medium degree. I have found the average consumer of the services will include members of the general public, as well as business users, who will purchase the services predominantly by visual means, although I do not discount an aural component. I have concluded that a medium to high degree of attention will be paid during the purchasing process. Furthermore, I have found the parties' services to be identical.

38. As the marks are identical, there is nothing to assist the average consumer in distinguishing between them. I therefore consider that there is a likelihood of direct confusion where the marks are used on identical services, even where consumers are paying a higher degree of attention.

Conclusion

39. The partial opposition under section 5(2)(a) of the Act is successful in its entirety for those services that were opposed, consequently the application is refused for the following services:

Class 42 Platform as a Service (PaaS) services featuring a suite of cybersecurity software and tools; Software as a service (SAAS) services featuring computer network security software for managing computer network endpoint security and predicting and monitoring security threats to computer networks using behavioural-based predictive execution modelling; Platform as a service (PAAS) services featuring computer

software for accessing third-party computer software and associated data.

40. The application will proceed to registration for the remaining goods and services which were unopposed:

Class 9 Downloadable software featuring a suite of cybersecurity software and tools; downloadable computer network security software for managing computer network endpoint security and predicting and monitoring security threats to computer networks using behavioural-based predictive execution modelling; computer software feature for computer security incident tracking, sold as an integral component of downloadable software; downloadable software for Internet of Things (IOT) device and end point discovery and management; downloadable software for connected device discovery and management; downloadable software for computer network mapping; downloadable software for managing the cyber security of environments combining computing devices and related networks; downloadable software for automated cyber threat protection, detection and remediation, and related data analytics and visualization capabilities in cyber environments combining computing devices and related networks; downloadable software and applications for managing the cyber security of environments combining computing devices and related networks; downloadable software and applications for automated cyber threat protection, detection and remediation, and related data analytics and visualization capabilities in cyber environments combining computing devices and related networks; computer software feature to search for and index electronic data relating to security incidents and threats, sold as an integral component of downloadable software for cybersecurity; computer software feature for ingesting, analysing, and providing cybersecurity threat intelligence information, sold as an integral component of downloadable software for cybersecurity; downloadable computer software for accessing third-party computer software and associated data; downloadable software for creating and applying

automated cybersecurity threat hunting rules, triggering automated alerts and responses, and automating application of new rules against existing data; downloadable cybersecurity software featuring technology for receiving, parsing, analysing, categorizing, securing, searching, saving, auditing, monitoring, transmitting, and sharing, computer log data received from external data sources.

Class 42 Computer software feature for computer security incident tracking, sold as an integral component of online non-downloadable software; providing temporary use of on-line non-downloadable software for Internet of Things (IOT) device and end point discovery and management; providing temporary use of on-line non-downloadable software for connected device discovery and management; providing temporary use of on-line non-downloadable software for computer network mapping; providing a website featuring non-downloadable software for managing the cyber security of environments combining computing devices and related networks; providing a website featuring non-downloadable software for automated cyber threat protection, detection and remediation, and related data analytics and visualization capabilities in cyber environments combining computing devices and related networks; providing temporary use of on-line non-downloadable software and applications for managing the cyber security of environments combining computing devices and related networks; providing temporary use of on-line non-downloadable software and applications for automated cyber threat protection, detection and remediation, and related data analytics and visualization capabilities in cyber environments combining computing devices and related networks; Computer software feature to search for and index electronic data relating to security incidents and threats, sold as an integral component of online non-downloadable software for cybersecurity; Computer software feature for ingesting, analysing, and providing cybersecurity threat intelligence information, sold as an integral component of online non-downloadable software for cybersecurity; providing temporary use of on-line non-downloadable software for creating and applying

automated cybersecurity threat hunting rules, triggering automated alerts and responses, and automating application of new rules against existing data; providing non downloadable cybersecurity software featuring technology for receiving, parsing, analysing, categorizing, securing, searching, saving, auditing, monitoring, transmitting, and sharing, computer log data received from external data sources; information, consultancy and advisory services relating to the aforesaid.

Costs

41. The opponent has been successful and is, therefore entitled to a contribution towards its costs. As the opponent is unrepresented, it was invited by the Tribunal on 11 December 2024 to indicate whether it intended to make a request for an award of costs in the event that it was successful, and if so was requested to complete a costs proforma including accurate estimates of the number of hours spent on a range of given activities relating to defending the proceedings. On the same day the opponent confirmed via email correspondence that in the event that British Plc were successful, it would only be seeking to recover the £100 in official fees. I therefore award costs to the opponent on the following basis:

Official fee	£100
TOTAL	£100

42. I therefore order SentinelOne, Inc to pay British Plc the sum of £100. The above sum should be paid within 21 days of the expiry of the appeal period or, if there is an appeal, within 21 days of the conclusion of the appeal proceedings.

Dated this 9th day of January 2025

Mrs Joanne Roberts
For the Registrar