

O/0041/25

SUPPLEMENTARY DECISION

CONSOLIDATED PROCEEDINGS

TRADE MARKS ACT 1994

IN THE MATTER OF APPLICATION NOS. UK00003735385, UK00003777349,
UK00003738343, UK00003737680, UK00003737674, UK00003737981 &
UK00003914115 BY META PLATFORMS, INC. TO REGISTER:

META

META PLATFORMS

AS TRADE MARKS IN CLASSES 9, 28, 35, 36, 38, 41, 42 & 45

META HORIZON

META PORTAL

META QUEST

AS TRADE MARKS IN CLASSES 9, 28, 35, 38, 41, 42 & 45



AS A TRADE MARK IN CLASSES 9, 28, 35, 36, 38, 41, 42 & 45

AND

META VIEW

AS A TRADE MARK IN CLASSES 9, 41, 42 & 45

AND

IN THE MATTER OF OPPOSITIONS THERETO UNDER NOS. OP600002415,
OP600002424, OP600002425, OP600002426, OP600002427, OP600002428 &
OP600003007 BY META CAMERA LTD

BACKGROUND

1. On 4 June 2021, a decision in the above opposition proceedings was published under reference number BL O/0469/24 (“my decision”). The oppositions were all partially successful to the extent summarised at paragraph 91 of my decision. Whilst the oppositions were partially upheld, my decision was provisional due to the fact that the Meta Camera Limited’s (“the opponent”) marks were all subject to cancellation applications brought by Meta Platforms, Inc. (“the applicant”) (under cancellation numbers 506839, 506840 and 506841 (“the cancellation applications”). At the conclusion of my decision, I confirmed that I would issue a supplementary decision once those proceedings had concluded.
2. Since the issuance of my decision, it was confirmed to the Tribunal by way of correspondence from the applicant’s legal representatives dated 16 October 2024 that the parties had reached a settlement agreement. In this correspondence, it was confirmed that part of this agreement was for the parties to withdraw all pending opposition and cancellation applications against one another. As such, it was requested that because my decision was only provisional, it be set aside or annulled.
3. The applicant formally withdrew the cancellation applications by way of an email from its representatives dated 24 December 2024.

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4. As my decision was pending the outcome of the cancellation applications, it was not final. As a result, the Tribunal had not formally discharged its function in respect of the present proceedings. Therefore, the Tribunal is not *functus officio* and, as such, I am entitled to set aside my decision at the request of the parties.
5. As a result of the above, I have no objection to the request of the parties and hereby make an order in the requested terms. Decision No. BL O/0469/24 is annulled in full. Therefore, application numbers UK00003735385, UK00003777349,

UK00003738343, UK00003737680, UK00003737674, UK00003737981 & UK00003914115 in the name of Meta Platforms, Inc. shall proceed as if no oppositions thereto were filed.

COSTS

6. At paragraph 93 of my decision, I set out that I would reserve any order as to costs until the issuing of my supplementary decision. In light of the request from the parties, the Tribunal wrote to the parties on 31 October 2024 seeking confirmation as to their position in respect of costs. On that same day, the opponent's representative confirmed that so long as the applicant withdrew its cancellation applications by 11 November 2024 then the opponent agreed to bear its own costs as per the settlement agreement between the parties.
7. In a follow up email from the opponent's representative on 5 December 2024 it was confirmed, again, that the parties had agreed to bear their own costs. In the applicant's email wherein it formally withdrew the cancellation applications on 24 December 2024, I noted that the applicant confirmed the aforementioned position of the opponent in that the parties in these proceedings had agreed to bear their own costs.
8. In light of the above, I hereby make no order as to costs.

Dated this 16th day of January 2025

A COOPER
For the Registrar