

O/0301/26

TRADE MARKS ACT 1994

CONSOLIDATED PROCEEDINGS

IN THE MATTER OF REGISTRATION NOS. UK00002249939, UK00002249965, UK00002432644, UK00002528241, UK00002528310, UK00003066798, UK00002621369, UK00003066799, UK00003066800, UK00003066804, WO0000001459238, UK00003316938, UK00801459238, UK00917033903, UK00917197716, UK00801457599, UK801446195, WO0000001446195 AND WO0000001457599 IN THE NAME OF FRASERS PROPERTY LIMITED

WHICH ARE SUBJECT TO APPLICATIONS FOR REVOCATION ON THE GROUNDS OF NON-USE AND/OR APPLICATIONS FOR DECLARATIONS OF INVALIDITY UNDER NOS. 503533, 503534, 503553, 503536, 503554, 503537, 503538, 503539, 503541, 503558, 503543, 503546, 503547, 503562, 503563, 503572, 503573, 503574, 503575, 503615, 503624 AND 503625 BY HOUSE OF FRASER BRANDS LIMITED

AND IN THE MATTER OF REGISTRATION NOS. UK00001286014, UK00002206967, UK00002220284, UK00002242905, UK00910919223, UK00003240006 AND UK00916925166 IN THE NAME OF HOUSE OF FRASER BRANDS LIMITED

WHICH ARE SUBJECT TO APPLICATIONS FOR REVOCATION ON THE GROUNDS OF NON-USE UNDER NOS. 507255, 507256, 507257, 507258, 507259, 507260 AND 507261 BY FRASERS PROPERTY LIMITED

AND IN THE MATTER OF APPLICATION NOS. UK00003347575 AND UK00003703970 BY HOUSE OF FRASER BRANDS LIMITED

AND OPPOSITIONS THERETO UNDER NOS. 415923 AND 433584 BY FRASERS PROPERTY LIMITED

AND IN THE MATTER OF APPLICATION NOS. UK00003924953 AND UK00003924964 BY FRASERS GROUP FINANCIAL SERVICES LIMITED

AND OPPOSITIONS THERETO UNDER NOS. 443699 AND 443704 BY HOUSE OF FRASER BRANDS LIMITED

AND IN THE MATTER OF APPLICATION NOS. UK00003942805, UK00003942748, UK00003944536, UK00003944584 AND UK00003944586

BY FRASERS PROPERTY LIMITED

AND OPPOSITIONS THERETO UNDER NOS. 445514, 445515, 445516, 445827 AND 445831 BY HOUSE OF FRASER BRANDS LIMITED

BACKGROUND AND PLEADINGS

1. This case concerns multiple consolidated cases between House of Fraser Brands Limited (“HOF”), Frasers Group Financial Services Limited (“FGFS”) and Frasers Property Limited (“FPL”). The former two companies are related. It is helpful to begin by setting out the background to these cases in chronological order.

The first opposition by FPL

2. On 22 October 2018, HOF applied to register the trade mark FRASERS in the UK under application no. 3347575 (“UK575”). The application was published for opposition purposes on 4 January 2019. The goods and services for which protection is sought can be found in Annex 1 to this decision.

3. On 4 April 2019, that application was opposed by FPL (under opposition no. 415923) on the basis of sections 5(2)(b) and 5(3) of the Trade Marks Act 1994 (“the Act”). Under section 5(2)(b) of the Act, FPL relies upon four earlier trade marks for the sign FRASERS PROPERTY (UKTM no. 3316938, IR designating the UK no. 1459238, IR designating the EU no. 1459238 and EUTM no. 17033903). It also relies upon a registration for the sign FRASER SUITES (UKTM no. 2249965) and a registration for the sign FRASER WORLD (UKTM no. 2621369). In addition to these word marks, FPL relies upon a registration for a series of two figurative marks (UKTM no. 2432644):¹



4. I will refer to these earlier marks as UK938, IRUK238, IREU238, EU903, UK965, UK369 and UK644, respectively. Details of these marks can be found in Annex 2 to

¹ Each earlier mark is relied upon to oppose different parts of the specification of UK575. I will return to this as necessary below.

this decision. FPL claims that the marks are similar, and the goods and services are identical or similar, with the result that there is a likelihood of confusion.

5. Under section 5(3) of the Act, FPL relies upon IRUK238, UK965, EU903, UK369 and UK644. FPL claims that use of HOF's mark would, without due cause, take unfair advantage of, and/or be detrimental to, the distinctive character and/or repute of the marks relied upon.

6. HOF filed a counterstatement denying the grounds of opposition in full and putting FPL to proof of use of UK965, UK369 and UK644.

Revocations filed by HOF against FPL Marks

7. Following this, on 7 January 2021, HOF filed a number of revocation for non-use actions against marks owned by FPL.² These are as follows:³

- a. Revocation actions no. 503533 against UKTM no. 2249939 ("UK939") and 503534 against UK965. The relevant periods of alleged non-use are the same for both:

27 October 2001 to 26 October 2006, with an effective date of revocation 27 October 2006

7 January 2006 to 6 January 2011, with an effective date of revocation of 7 January 2011

7 January 2011 to 6 January 2016, with an effective date of revocation of 7 January 2016

7 January 2016 to 6 January 2021, with an effective date of revocation of 7 January 2021

² Further details of the attacked marks can be found in Annex 2 to this decision.

³ In each revocation action, HOF relies upon subsections 46(1)(a) and (b) of the Act.

b. Revocation action no. 503536 against UK644. The relevant periods are:

5 January 2008 to 4 January 2013, with an effective date of revocation of 5 January 2013

7 January 2011 to 6 January 2016, with an effective date of revocation of 7 January 2016

7 January 2016 to 6 January 2021, with an effective date of revocation of 7 January 2021

c. Revocation action no. 503537 against UKTM no. 2528241 ("UK241"). The relevant periods are as follows:

27 March 2010 to 26 March 2015, with an effective date of revocation of 27 March 2015

7 January 2011 to 6 January 2016, with an effective date of revocation of 7 January 2016

7 January 2016 to 6 January 2021, with an effective date of revocation of 7 January 2021

d. Revocation action no. 503538 against UKTM no. 2528310 ("UK310"). The relevant periods are as follows:

16 January 2010 to 15 January 2015, with an effective date of revocation of 16 January 2015

7 January 2011 to 6 January 2016, with an effective date of revocation of 7 January 2016

7 January 2016 to 6 January 2021, with an effective date of revocation of 7 January 2021

- e. Revocation action no. 503539 against UKTM no. 3066798 (“UK798”). The relevant periods are as follows:

7 January 2015 to 6 January 2020, with an effective date of revocation of 7 January 2020

7 January 2016 to 6 January 2021, with an effective date of revocation of 7 January 2021

- f. Revocation action no. 503541 against UK369. The relevant periods are as follows:

24 November 2012 to 23 November 2017, with an effective date of revocation of 24 November 2017

7 January 2016 to 6 January 2021, with an effective date of revocation of 7 January 2021

- g. Revocation action no. 503543 against UKTM no. 3066799 (“UK799”). The relevant periods are as follows:

7 February 2015 to 6 February 2020, with an effective date of revocation of 7 February 2020

7 January 2016 to 6 January 2021, with an effective date of revocation of 7 January 2021

- h. Revocation nos. 503546 and 503547 against UKTM nos. 3066800 (“UK800”) and 3066804 respectively (“UK804”). The relevant periods are the same for both:

21 February 2015 to 20 February 2020, with an effective date of revocation of 21 February 2020

7 January 2016 to 6 January 2021, with an effective date of revocation of 7 January 2021

8. FPL filed counterstatements denying the grounds of revocation.

The invalidations filed by HOF against FPL marks

9. In addition to the revocation actions listed above, HOF filed a number of invalidation actions against marks owned by FPL based upon sections 5(2)(b), 5(3), 5(4)(a) and 3(6) of the Act.⁴

10. On 12 January 2021, HOF filed invalidation actions nos. 503553, 503554 and 503558 against UK965, UK644 and UK369 respectively. Under sections 5(2)(b) and 5(3) of the Act, HOF relies upon earlier UKTM nos. 1286014 (“UK014”), 2220284 (“UK284”), 2206967 (“UK967”) and 2242905 (“UK905”).⁵

11. Between 13 January 2021 and 3 February 2021, HOF filed invalidation actions nos. 503562, 503563, 503572, 503573, 503574, 503575, 503615, 503624 and 503625 against UKIR238, UK938, UKTM no. 801459238 (“UK238”), UKTM no. 917033903 (“UK903”), UKTM no. 917197716 (“UK716”), UKTM no. 801457599 (“UK599”), UKTM no. 801446195 (“UK195”), IR designating the UK no. 1446195 (“IRUK195”) and IR designating the UK no. 1457599 (“IRUK599”) respectively. Under sections 5(2)(b) and 5(3) of the Act, HOF relies upon earlier marks UK014, UK967, UK284, UK905, UKTM no. 910919223 (“UK223”), UKTM no. 3240006 (“UK006”) and UKTM no. 916925166 (“UK166”).⁶

⁴ Further details of the attacked marks can be found in Annex 2 to this decision.

⁵ Further details of the marks relied upon can be found in Annex 1 to this decision. It should be noted that UK967 and UK905 are relied upon under section 5(3) only for case 503553.

⁶ It should be noted that for 503572, 503573, 503574, 503575, 503615 and 503625 all of these earlier marks are relied upon under both grounds. However, in invalidation no. 503624, UK166 is relied upon under section 5(2)(b) only. For invalidation no. 503563, whilst all earlier marks listed here are relied upon under section 5(3), only UK166, UK284 and UK905 are relied upon under section 5(2)(b).

12. In all of the invalidations, under section 5(4)(a) of the Act, HOF relies upon the signs HOUSE OF FRASER (which it claims to have been using throughout the UK since 1941) and FRASERS (which it claims to have been using throughout the UK since 1976). HOF claims to have goodwill in relation to a whole host of goods and services, as set out in Annex 3 to this decision. It claims that use of FPL's marks would amount to passing off.

13. In all of the invalidations, under section 3(6) of the Act, HOF claims that FPL had no intention to use the marks under attack. As such, HOF claims that they were filed in bad faith.

14. FPL filed counterstatements denying the claims made against them and putting HOF to proof of use.

The second opposition by FPL

15. On 29 September 2021, HOF applied to register the mark FRASERS under application no. 3703970 ("UK970"). A priority date is claimed of 22 October 2018. The application for UK970 was published for opposition purposes on 18 March 2022 and registration is sought in respect of the goods and services set out in Annex 1 to this decision.

16. FPL opposed the application for UK970 under opposition no. 433584 based upon sections 5(2)(b) and 5(3) of the Act. FPL relies upon earlier marks UK938, IRUK238, UK965, UK369, UK939 and UK310 under both grounds.

17. HOF filed a counterstatement denying the grounds of opposition and putting FPL to proof of use of UK965, UK369, UK939 and UK310.

The oppositions against FGFS marks

18. On 20 June 2023, FGFS filed two applications under nos. 3924953 (“UK953”) and 3924964 (“UK964”).⁷ These applications were opposed by FPL under nos. 443699 and 443704 on 19 October 2023. The oppositions are based upon sections 5(2)(b), 5(3) and 5(4)(a) of the Act.

19. Under sections 5(2)(b) and 5(3) of the Act, FPL relies upon earlier marks UK195, UK644, UK804, UK238, UK799, UK798, UK800, UK599, UK903, UK241, UK965 and UK369.

20. Under section 5(4)(a) of the Act, FPL relies upon the signs FRASERS PROPERTY, FRASERS HOSPITALITY, FRASER SUITES and FRASER WORLD, which they claim to have used throughout the UK since 2000, 2001, 2001 and 2012 respectively. FPL claims that use of FGFS’s marks would be contrary to the law of passing off.

21. FGFS filed counterstatements denying the grounds of opposition and putting FPL to proof of use of marks UK644, UK804, UK799, UK798, UK800, UK903, UK241, UK965 and UK369.

The oppositions filed by HOF against FPL marks

22. On 7 August 2023, FPL filed applications for the trade marks Capri by Fraser (given application no. 3942748 (“UK748”)) and the following series of figurative marks (given application no. 3942805 (“UK805”)):⁸

The logo for 'capri BY FRASER' is displayed. The word 'capri' is in a lowercase, purple, sans-serif font. Below it, the words 'BY FRASER' are in a smaller, uppercase, purple, sans-serif font.

⁷ Details of the applications can be found in Annex 1 to this decision.

⁸ Further details of these applications can be found in Annex 2 to this decision.

23. On 11 August 2023, FPL filed applications for the trade marks FRASERS HOSPITALITY (given application no. 3944536 (“UK536”)), FRASER WORLD (given application no. 3944584 (“UK584”)) and the following series of two figurative marks (given application no. 3944586 (“UK586”)):⁹



24. On 26 January 2024 and 12 February 2024, HOF opposed these applications under nos. 445515, 445514, 445516, 445827 and 445831. All of these oppositions are based upon sections 5(2)(b), 5(3), 5(4)(a) and 3(6) of the Act.

25. Under sections 5(2)(b) and 5(3), HOF relies upon earlier marks UK905, UK284 and UK575 (with UK575 relied upon under section 5(2)(b) only). In respect of the oppositions against UK805, UK748 and UK536, HOF also relies upon UK166 under both grounds. The section 5(4)(a) and 3(6) grounds are materially identical to those discussed above.

26. FPL filed counterstatements denying the grounds of opposition and putting HOF to proof of use of UK905, UK284 and UK166.

⁹ Further details of these applications can be found in Annex 2 to this decision.

The Revocations filed by FPL against HOF marks

27. On 23 April 2024, FPL filed a number of non-use revocation actions against marks owned by HOF based upon subsections 46(1)(a) and (b) of the Act. The details of these are set out below:¹⁰

- a. Revocation action no. 507255 against UKTM no. UK014. The relevant periods are:

8 December 1990 to 7 December 1995, with an effective date of revocation of 8 December 1995

23 October 1995 to 22 October 2000, with an effective date of revocation of 23 October 2000

12 December 2012 to 11 December 2017, with an effective date of revocation of 12 December 2017

23 April 2019 to 22 April 2024, with an effective date of revocation of 23 April 2024

- b. Revocation action no. 507256 against UK967. The relevant periods are:

3 June 2000 to 2 June 2005, with an effective date of revocation of 3 June 2005

26 July 2012 to 25 July 2017, with an effective date of revocation of 26 July 2017

12 December 2012 to 11 December 2017, with an effective date of revocation of 12 December 2017

¹⁰ Further details of the attacked marks can be found in Annex 1 to this decision.

23 April 2019 to 22 April 2024, with an effective date of revocation of 23 April 2024

- c. Revocation action no. 507257 against UK284. The relevant periods are:

12 August 2000 to 11 August 2005, with an effective date of revocation of 12 August 2005

26 July 2012 to 25 July 2017, with an effective date of revocation of 26 July 2017

12 December 2012 to 11 December 2017, with an effective date of revocation of 12 December 2017

23 April 2019 to 22 April 2024, with an effective date of revocation of 23 April 2024

- d. Revocation action no. 507258 against UK905. The relevant periods are:

28 April 2001 to 27 April 2006, with an effective date of revocation of 28 April 2006

26 July 2012 to 25 July 2017, with an effective date of revocation of 26 July 2017

12 December 2012 to 11 December 2017, with an effective date of revocation of 12 December 2017

23 April 2019 to 22 April 2024, with an effective date of revocation of 23 April 2024

- e. Revocation action no. 507259 against UK223. The relevant periods are:

26 October 2012 to 25 October 2017, with an effective date of revocation of 26 October 2017

12 December 2012 to 11 December 2017, with an effective date of revocation of 12 December 2017

23 April 2019 to 22 April 2024, with an effective date of revocation of 23 April 2024

f. Revocation action no. 507260 against UK006. The relevant periods are:

30 September 2017 to 29 September 2022, with an effective date of revocation of 30 September 2022

23 April 2019 to 22 April 2024, with an effective date of revocation of 23 April 2024

g. Revocation action no. 507261 against UK166. The relevant periods are:

3 November 2017 to 2 November 2022, with an effective date of revocation of 3 November 2022

23 April 2019 to 22 April 2024, with an effective date of revocation of 23 April 2024

28. HOF filed counterstatements denying the grounds of revocation.

THE HEARING AND REPRESENTATION

29. A two-day hearing took place before me on 18th and 19th August 2025, by video link.

30. FPL was represented by Guy Hollingworth and Sam Grimley of Counsel, instructed by D Young & Co LLP.

31. HOF and FGFS were represented by Nicholas Caddick KC and Ben Longstaff of Counsel, instructed by Abion UK Limited.

32. Both filed skeleton arguments in advance of the hearing.

EVIDENCE

33. HOF filed evidence in chief and in reply. This took the form of:

- a. The first witness statement of Steven Lane dated 31 October 2024, which is accompanied by 26 exhibits (Annexes 1 to 26). Mr Lane is a director at HOF's representatives.
- b. The second witness statement of Steven Lane dated 31 January 2025, which is accompanied by 25 exhibits (Annexes 1 to 25).
- c. The third witness statement of Steven Lane dated 12 March 2025.
- d. The fourth witness statement of Steven Lane dated 21 March 2025, which is accompanied by 3 exhibits (confidential annexes 4.1, 4.2 and 4.3).

34. In addition to this HOF filed the witness statement of Robert Snell dated 21 August 2025. Mr Snell is a Chartered Trade Mark Attorney acting on behalf of HOF in these proceedings. This was filed in response to my directions identified at paragraph 43 below.

35. FPL filed evidence in chief and in reply. This took the form of:

- a. The witness statement of Chia Khong Shoong dated 9 December 2020, which is accompanied by 37 exhibits (Exhibits CKS1 to CKS37). Exhibits CKS10 and CKS11 are confidential. Mr Shoong is the Chief Corporate Officer of FPL, a position he has held since July 2016.

- b. The witness statement of Ilaria Del Beato dated 29 October 2024, which is accompanied by 31 exhibits (Exhibits IDB1 to IDB31). Ms Del Beato is Chief Executive Officer for Frasers Property UK and is employed by Frasers Management (UK) Limited, which is a wholly owned subsidiary of Frasers Property (UK) Limited, whose ultimate parent company is FPL. This is a position that Ms Del Beato has held since January 2018.
- c. The first witness statement of Heather McNamee dated 31 October 2024, which is accompanied by 83 exhibits (Exhibits HMN1 to HM83). Exhibits HMN5, HMN8, HMN17, HMN18, HMN35, HMN37, HMN40, HMN50, HMN59, HMN67 and HMN78 are confidential. Ms McNamee is the Area General Manager for FPL's hospitality business in the UK. This is a role she has been in since April 2014, but she has been with the business since July 2007.
- d. The second witness statement of Heather McNamee dated 30 January 2025, which is accompanied by 3 exhibits (Exhibits HMN84 to HMN86).
- e. The witness statement of Caris Ang dated 30 October 2024, which is accompanied by 15 exhibits (Exhibits CXG1 to CXG15). The witness statement itself, as well as exhibits CXG4 and CXG9 are confidential. Ms Ang is Senior Vice President, Head of Asset Management at Frasers Hospitality Asset Management Pte. Ltd, which is a subsidiary of FPL. Ms Ang has been with the business since August 2012.
- f. The witness statement of Adeline Ong dated 30 October 2024, which is accompanied by 1 exhibit (Exhibit AX01). Ms Ong is Senior Vice President, Head of Group, Strategic Communications and Branding at FPL. This is a position she has held since 2019.
- g. The first witness statement of Peter David Byrd dated 30 October 2024, which is accompanied by 4 exhibits (Exhibits PDB1 to PDB4). Mr Byrd is a Solicitor representing FPL in these proceedings.

- h. The second witness statement of Mr Byrd dated 30 January 2025, which is accompanied by 10 exhibits (Exhibits PDB5 to PDB14).
- i. The witness statement of Peter Martin Aldis dated 28 January 2025, which is accompanied by 3 exhibits (Exhibits PMA1 to PMA3). Mr Aldis is General Counsel for Frasers Management (UK) Limited, which is a subsidiary of FPL. He has been with the business since 2016.

36. I have taken the evidence into consideration in reaching this decision and will refer to it where, and to the extent that I consider necessary, below.

37. I note at this point that the criticisms raised by HOF at the hearing regarding the ability of some of FPL's witnesses to give evidence (in particular, the criticisms of Ms Ang who was not employed by FPL until 2019) were not raised prior to the hearing. In my view, it is entirely unfair to raise such criticisms at the hearing for the first time, thus depriving the witnesses of an opportunity to respond.¹¹ For example, if the point had been put to her, Ms Ang may have said that her evidence of events prior to 2019 comes from the appropriate records. In this regard, I note that in her witness statement she confirms that she relies upon the records of FPL in addition to her own knowledge. Consequently, I have proceeded on the basis that there is a proper basis for the evidence given by those witnesses, and I will accept it at face value unless I have been given another reason to do otherwise.

PRELIMINARY MATTERS

Late Evidence

38. On Friday 15th August 2025 at 8:31pm, HOF filed an email attached to which was an updated version of its skeleton argument, along with: 1) a Zip file containing meta data for various images already forming part of HOF's evidence and 2) a table which was an updated version of the one provided within Annex 7 to Mr Lane's first witness statement. The table in question set out details of HOF's stores. According to their

¹¹ O/167/07

representative, some of the details originally provided had been identified as incorrect and information pertaining to a store in Edinburgh had been omitted. The request from HOF was that I substitute the attachments to that email for those originally provided in evidence.

39. I received written comments from FPL's representatives the following day. Having taken these comments into consideration, I responded on Sunday 17th August 2025, as follows:

"I acknowledge receipt of the updated version of Party B's skeleton argument, which I will take as the correct version of the skeleton to be used at the hearing tomorrow. I also acknowledge receipt of the correspondence filed by both parties on Friday/Saturday evening.

New Evidence

With regard to the new evidence filed (being the metadata for the photographs and the information relating to Frasers, previously omitted from the table in Annex 7), I agree with Party A, that this should form the subject of an application to file new evidence. In this regard, my preliminary view is as follows:

1. Document [08] is refused because it appears to relate to use in relation to goods in class 16. However, it seems to me that use of a mark on your own packaging is not an attempt to create or maintain a share of the market in relation to those goods. Balancing this lack of materiality against the lateness of the request, it should not be admitted.
2. Documents [05], [06], [07], [23], [25] and [26] appear to relate to use of the House of Fraser marks in relation to retail services. However, as Party A have conceded this point, I do not see that there is any benefit to be gained by admitting it. Balancing this lack of materiality against the lateness of the request, they should not be admitted.
3. Documents [03], [04], [09] and [17] and the new information in the table relating to the Frasers store do appear to be material. Whilst I appreciate

the lateness of the request, I consider that the materiality of this evidence and the need for all relevant information to be before the decision maker in the interests of justice means that this should be admitted. This is subject to the caveats below regarding formatting and costs.

Corrections to Evidence

With regard to the request by Party B to correct evidence already filed, my preliminary view is that they must be given an opportunity to do so. This is because it cannot be correct to require a party to stand by evidence that they have identified is incorrect (whether or not those inaccuracies should have been identified earlier). My preliminary view is, therefore, to allow the other amendments to the table in Annex 7, again, subject to the points below regarding formatting and costs.

Format of the Evidence

The issue with all of this information filed by Party B is that it has not been provided in the correct evidential format. In respect of the new evidence, the proper course of action is to prepare a witness statement setting out this information as the subject of the application. In respect of the corrections, the witness should provide a further witness statement explaining the inaccuracies, why they occurred and making the corrections. Clearly, the latter presents a problem for Party B given Mr Lane's absence. However, there must be someone available in his absence who has identified these issues and is able to make the required statement. If my preliminary view is upheld, I will give directions for Party B to file this information in the correct evidential format within 2 days. Only once it is provided in the correct evidential format, will this evidence be admitted.

Costs

Whether or not these applications have merit, they are certainly late. As such, Party A cannot be expected to prepare to comment upon this evidence at the hearing tomorrow with such short notice. My preliminary view is that Party A should, therefore, be given an opportunity to comment upon the new/corrected evidence in writing after the hearing and that Party B should bear the actual

costs of that (subject to an assessment by me as to the reasonableness of the costs claimed), regardless of the outcome of the case.

As identified above, these views are preliminary, and I will take submissions from both parties on them at the start of the hearing tomorrow. I will then give a final decision on the matter before we proceed with the substantive issues.”

40. At the beginning of the hearing, I invited submissions from both parties. Mr Caddick simply stated that he agreed with the preliminary view and felt it should be upheld. Mr Hollingworth strongly, and understandably, objected to the admission of the evidence given its lateness.

41. I gave my decision on the matter at the hearing, which I confirmed in writing after the hearing (in order to confirm my directions for both parties):

“I write further to the decision given at today’s hearing regarding the further evidence filed by House of Fraser (“HOF”). To confirm, I directed as follows:

1. The preliminary view given in my email dated 17th August (timed at 19:28) is upheld.
2. HOF has 2 days from the conclusion of the hearing (i.e. until close of play on 21st August 2025) to file the evidence in the correct evidential format.
3. Fraser Property (“FP”) will have 14 days from receipt in which to: a) file any written submissions in response, or if it considers written submissions to be insufficient, to request a hearing on the matter and b) to confirm if it needs to file evidence in reply.
4. If FP wishes to file evidence in reply, then it will need to be filed on or before 30th September 2025.
5. If a hearing is requested by FP then we will reconvene at an agreed date and time for a short hearing to deal with this point only.

As noted, the costs that FP incurs in complying with the above directions (subject to a reasonableness assessment) will be borne by HOF, irrespective of the outcome of the case.

I will give full reasons in my substantive decision.

As I noted at today's hearing, this is an interim decision and is not appealable independent of the substantive decision (subject to any request for leave to appeal) (see rule 70(2) of the Trade Marks Rules 2008)."

42. In reaching this decision, I gave consideration to the relevant factors.¹² I have set out my reasons in full below:

- a. The materiality of the evidence – the evidence that I admitted seemed to me to be material to HOF's case. Without it, there was a complete lack of dated evidence in respect of some of the goods and services and, given the need for HOF to show use of both HOUSE OF FRASER and FRASERS, the information contained in the table seemed to me to be relevant.
- b. The justice and fairness of subjecting FPL to the burden of the evidence – whilst it is undoubtedly a burden upon FPL to have to deal with the evidence at the late stage at which it was filed, it seemed to me that this could be compensated for in costs and any potential unfairness could be mitigated by providing FPL with an opportunity to file evidence in response (and to be heard on the matter), if they wished.
- c. Whether the admission of the evidence would prejudice FPL in ways that could not be compensated for in costs – given the directions provided, there was no need to adjourn the hearing and, as a result, I did not consider that there was

¹² *Property Renaissance Ltd (t/a Titanic Spa) v Stanley Dock Hotel Ltd (t/a Titanic Hotel Liverpool) & Ors* [2016] EWHC 3103 (Ch)

any prejudice caused that was incapable of being compensated by way of costs.

- d. The fairness to HOF of excluding the evidence – given its materiality, this struck me as an important factor in favour of admitting the evidence in question.

43. HOF duly filed the witness statement as directed (see paragraph 34 above).

44. FPL filed submissions in response to HOF's evidence on 3 September 2025. They did not request to be heard, nor did they request to file any evidence in response.

Cross-Examination

45. FPL requested, and were granted, permission to cross-examine Mr Lane in relation to:

- a. The branding of HOF's stores in Scotland;
- b. The timing and extent of rebranding and use of the FRASERS name;
- c. His evidence as to rental/concessions;
- d. His evidence as to "own label" goods;
- e. The directness or otherwise of his knowledge and his sources of information as to the foregoing points and, hence, the credibility and reliability of his evidence.

46. Unfortunately, due to personal circumstances, Mr Lane was unable to attend the hearing for cross-examination. HOF informed FPL and the Tribunal of this on 5th August 2025. Due to the circumstances, it was unclear for how long Mr Lane would be unavailable to attend for cross-examination. As such, FPL decided to proceed with the hearing and to make submissions on the weight that could be attributed to Mr Lane's evidence, rather than adjourning the hearing.

47. At the hearing, Mr Caddick accepted that Mr Lane had “no first-hand knowledge”. I, therefore, will not be relying on any narrative evidence given by him unless he has satisfactorily explained the source of the evidence.

Concessions

48. Both parties made various concessions in advance of, or during, the hearing.

49. A number of these concessions were made in schedules filed by both parties. The purpose of the schedules was to identify which part of the evidence was relied upon in relation to each part of the specification for the various different marks with which these proceedings are concerned. I have reviewed those schedules in full and have taken them into consideration in reaching this decision.

50. For the avoidance of doubt, I have used these schedules to guide my review of the evidence in conjunction with the skeleton arguments. Given that the parties have been given an opportunity to draw my attention to the relevant parts of their evidence, and bearing in mind the extent of the evidence that has been filed, I have not made any significant attempts to go behind these schedules (in terms of searching out any other parts of the evidence that might be of assistance to the parties).

RELEVANCE OF EU LAW

51. 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

52. I will begin by assessing the revocation actions against HOF’s marks. The evidence of use filed in relation to those marks will be relevant both in relation to the

revocations and in relation to HOF's ability to prove use for the purposes of the section 5(2)(b) and 5(3) grounds of attack. I will, therefore, begin by discussing what use has been shown of HOF's marks, across all relevant classes.

REVOCATIONS AGAINST THE HOUSE OF FRASER MARKS

53. The marks in issue are identical i.e. HOUSE OF FRASER; the detail of these registrations can be seen in Annex 1 to this decision. As noted above, HOF filed a schedule identifying which parts of its evidence it relies upon for each term within its specifications. Within that schedule, HOF accepted that it had not used its marks in relation to a number of terms within its specifications. I have struck through those terms in Annex 1 to this decision where they relate to marks which are subject to revocation on non-use grounds and/or proof of use. As such, I need to consider only those terms that remain in issue.

54. The relevant parts of the legislation are as follows:

“46. - (1) The registration of a trade mark may be revoked on any of the following grounds-

(a) that within the period of five years following the date of completion of the registration procedure it has not been put to genuine use in the United Kingdom, by the proprietor or with his consent, in relation to the goods or services for which it is registered, and there are no proper reasons for non-use;

(b) that such use has been suspended for an uninterrupted period of five years, and there are no proper reasons for non-use;

(c) [...]

(d) [...]

(2) For the purpose of subsection (1) use of a trade mark includes use in a form (the “variant form”) differing in elements which do not alter the distinctive character of the mark in the form in which it was registered (regardless of whether or not the trade mark in the variant form is also registered in the name of the proprietor), and use in the United Kingdom includes affixing the trade mark to goods or to the packaging of goods in the United Kingdom solely for export purposes.

(3) The registration of a trade mark shall not be revoked on the ground mentioned in subsection (1)(a) or (b) if such use as is referred to in that paragraph is commenced or resumed after the expiry of the five year period and before the application for revocation is made:

Provided that, any such commencement or resumption of use after the expiry of the five year period but within the period of three months before the making of the application shall be disregarded unless preparations for the commencement or resumption began before the proprietor became aware that the application might be made.

(4) [...]

(5) Where grounds for revocation exist in respect of only some of the goods or services for which the trade mark is registered, revocation shall relate to those goods or services only.

(6) Where the registration of a trade mark is revoked to any extent, the rights of the proprietor shall be deemed to have ceased to that extent as from-

(a) the date of the application for revocation, or

(b) if the registrar or court is satisfied that the grounds for revocation existing at an earlier date, that date”.

55. Section 100 is also relevant, which reads:

“If in any civil proceedings under this Act a question arises as to the use to which a registered trade mark has been put, it is for the proprietor to show what use has been made of it.”

Variant Use

56. In *Colloseum Holdings AG v Levi Strauss & Co.*, Case C-12/12, which concerned the use of one mark with, or as part of, another mark, the Court of Justice of the European Union (“CJEU”) found that:

“31. It is true that the ‘use’ through which a sign acquires a distinctive character under Article 7(3) of Regulation No 40/94 relates to the period before its registration as a trade mark, whereas ‘genuine use’, within the meaning of Article 15(1) of that regulation, relates to a five-year period following registration and, accordingly, ‘use’ within the meaning of Article 7(3) for the purpose of registration may not be relied on as such to establish ‘use’ within the meaning of Article 15(1) for the purpose of preserving the rights of the proprietor of the registered trade mark.

32. Nevertheless, as is apparent from paragraphs 27 to 30 of the judgment in *Nestlé*, the ‘use’ of a mark, in its literal sense, generally encompasses both its independent use and its use as part of another mark taken as a whole or in conjunction with that other mark.

33. As the German and United Kingdom Governments pointed out at the hearing before the Court, the criterion of use, which continues to be fundamental, cannot be assessed in the light of different considerations according to whether the issue to be decided is whether use is capable of giving rise to rights relating to a mark or of ensuring that such rights are preserved. If it is possible to acquire trade mark protection for a sign through a specific use made of the sign, that same form of use must also be capable of ensuring that such protection is preserved.

34. Therefore, the requirements that apply to verification of the genuine use of a mark, within the meaning of Article 15(1) of Regulation No 40/94, are analogous to those concerning the acquisition by a sign of distinctive character through use for the purpose of its registration, within the meaning of Article 7(3) of the regulation.

35. Nevertheless, as pointed out by the German Government, the United Kingdom Government and the European Commission, a registered trade mark that is used only as part of a composite mark or in conjunction with another mark must continue to be perceived as indicative of the origin of the product at issue for that use to be covered by the term 'genuine use' within the meaning of Article 15(1)." (emphasis added)

57. In *Lactalis McLelland Limited v Arla Foods AMBA*, BL O/265/22, Phillip Johnson, sitting as the Appointed Person, considered the correct approach to the test under s. 46(2). He said:

"13. [...] While the law has developed since *Nirvana* [BL O/262/06], the recent case law still requires a comparison of the marks to identify elements of the mark added (or subtracted) which have led to the alteration of the mark (that is, the differences) (see for instance, T-598/18 *Grupo Textil Brownie v EU*IPO*, EU:T:2020:22, [63 and 64]).

14. The courts, and particularly the General Court, have developed certain principles which apply to assess whether a mark is an acceptable variant and the following appear relevant to this case.

15. First, when comparing the alterations between the mark as registered and used it is clear that the alteration or omission of a non-distinctive element does not alter the distinctive character of the mark as a whole: T-146/15 *Hypen v EUIPO*, EU:T:2016:469, [30]. Secondly, where a mark contains words and a figurative element the word element will usually be more distinctive: T-171/17 *M & K v EUIPO*, EU:T:2018:683, [41]. This suggests that changes in figurative

elements are usually less likely to change the distinctive character than those related to the word elements.

16. Thirdly, where a trade mark comprises two (or more) distinctive elements (eg a house mark and a sub-brand) it is not sufficient to prove use of only one of those distinctive elements: T-297/20 *Fashioneast v AM.VI. Srl*, EU:T:2021:432, [40] (I note that this case is only persuasive, but I see no reason to disagree with it). Fourthly, the addition of descriptive or suggestive words (or it is suppose figurative elements) is unlikely to change the distinctive character of the mark: compare, T-258/13 *Artkis*, EU:T:2015:207, [27] (ARKTIS registered and use of ARKTIS LINE sufficient) and T-209/09 *Alder*, EU:T:2011:169, [58] (HALDER registered and use of HALDER I, HALDER II etc sufficient) with R 89/2000-1 CAPTAIN (23 April 2001) (CAPTAIN registered and use of CAPTAIN BIRDS EYE insufficient).

17. It is also worth highlighting the recent case of T-615/20 *Mood Media v EUIPO*, EU:T:2022:109 where the General Court was considering whether the use of various marks amounted to the use of the registered mark MOOD MEDIA. It took the view that the omission of the word “MEDIA” would affect the distinctive character of the mark (see [61 and 62]) because MOOD and MEDIA were in combination weakly distinctive, and the word MOOD alone was less distinctive still.”

58. Some of the evidence relied upon by HOF to show use of these marks is use made under the sign FRASERS or FRASERS PLUS. At the hearing, Mr Caddick argued that these were acceptable variant uses of the HOUSE OF FRASER marks. I disagree. Firstly, the marks in issue are HOUSE OF FRASER not HOUSE OF FRASERS. Further, and most importantly, the addition/removal of the words HOUSE OF at the beginning of the mark plainly change the distinctive character of the marks. FRASERS on its own, appears as a name, or a possessive version of the name without an apostrophe. The words HOUSE OF FRASER refer to some sort of building belonging to FRASER. As such, I do not consider that HOF can rely upon use of the sign FRASERS to show use of the HOUSE OF FRASER marks. I will, therefore, discount any evidence which relates to FRASERS (or, indeed FRASERSPLUS) solus.

Evidence of Use

59. In light of the concessions referred to above, HOF seeks to maintain its registrations in relation to classes 3, 4, 9, 16, 18, 20, 21, 24, 25, 28, 35, 36 and 42. In relation to the class 35 retail services, FPL have conceded that the HOUSE OF FRASER marks have been genuinely used in relation to those services; the only remaining point in issue is the wording that should be applied to one of the retail services specifications in issue. I will return to this issue below.

60. I will summarise the evidence which relates to the remaining classes in turn.

Class 3

61. I note that Mr Caddick drew my attention to an Instagram post from a third party which stated:¹³

“While visiting the House of Fraser in London, England last week, I picked up this awesome Nails Inc. gift set. Each cracker contains one of two possible nail polish choices.”

62. The image displayed is of what appears to be a House of Fraser bag. However, the product itself is not visible. To my knowledge, “Nails Inc” is a well-known brand which sells nail polish goods

63. I also note that there are two examples of products sold under the FRASERS mark (which, as discussed above, is not use upon which HOF can rely).¹⁴ These are a “Festive Beauty Box” and a “Christmas Cracker”, which both appear to contain cosmetic products. The website address through which these products could be accessed was houseoffraser.co.uk. A screen shot of a webpage from December 2023

¹³ Annex 10 to Mr Lane’s first witness statement, page 190

¹⁴ Annex 20 to Mr Lane’s first witness statement, pages 421 and 422

shows the Christmas Cracker listed under the HOUSE OF FRASER mark, even though the product itself is branded with the FRASERS mark.¹⁵

Class 4

64. The evidence in relation to this class consists of various goods branded with trade marks such as LINEA and BIBA available for sale through the House of Fraser website (the images shown are dated December 2023).¹⁶ I note that both of these trade marks are owned by HOF.¹⁷

Class 9

65. The evidence in relation to this class relates to five mobile applications:

- a. The FRASERS app.¹⁸ A print out from Google Play dated October 2024 is provided. The description of the app includes the words “This is the House of Fraser you know and love... but with a refresh. A new look, a new approach and a new way to shop. [...] Playing on our beginnings [...] we’re reclaiming the FRASERS name...”.

There is no information on the page as to when the app was released, although it is described as having been updated in August 2024. Three reviews of this app are visible, two are from October 2024 and one is from November 2020. The app is described as having over 100,000 downloads (presumably, as of October 2024 when the webpage was printed).

Another print out from the Google Play store also appears in evidence; again, the date is October 2024.¹⁹ This is described as having an “install range” of between 100,000 and 500,000. It seems likely to me that “install range” is synonymous with “downloads” (particularly given the correlation between the

¹⁵ Annex 20 to Mr Lane’s first witness statement, page 424

¹⁶ Annex 20 to Mr Lane’s first witness statement, pages 430 to 433

¹⁷ Annex 18 to Mr Lane’s first witness statement, page 313

¹⁸ Annex 15 to Mr Lane’s first witness statement, page 260

¹⁹ Annex 20 to Mr Lane’s first witness statement, page 441

numbers listed here and in the previous print out). The app is described as being number 222 in the United Kingdom for 'shopping-downloads' as of that date. This print out confirms that the app had a "country release date" of October 2014. Given the other references on this page to the United Kingdom, I understand "country" to be a reference to the UK.

- b. The FRASERS PLUS app.²⁰ A print out from Google Play is provided which is dated October 2024. This app appears to enable customers to spread the cost of their shopping, to "buy now, pay later" and to earn rewards.

The app is described as having over 100,000 downloads and was last updated in October 2024. There is one review of this app visible dated October 2024.²¹ The same app can be seen in the Apple app store, a print out of which is provided (also dated October 2024).²² There are two reviews visible on this page, which are dated July and August 2024. The dates of these reviews are important because it is not otherwise visible from the print outs when this application was first made available.

- c. The FRASERS.COM app.²³ A print out from the Apple app store is provided, again dated October 2024. This contains the same description as the FRASERS app. There are two reviews visible dated 2018 and 2020. Again, this is important because there is no other information regarding when this app was first made available.
- d. The HOUSE OF FRASER CARD app.²⁴ A print out from the Apple app store is provided, again dated October 2024. This app enables customers to manage their account. The app has a "country release date" of April 2018. Again, given the other references to the United Kingdom, I understand the reference to "country" to be a reference to the UK. The app was updated in 2022, but the status of the app is described as "inactive" (as of the print date of October 2024).

²⁰ Annex 15 to Mr Lane's first witness statement, page 265

²¹ See also page 274 of Annex 15.

²² Annex 15 to Mr Lane's first witness statement, page 272

²³ Annex 15 to Mr Lane's first witness statement, page 268

²⁴ Annex 20 to Mr Lane's first witness statement, page 437

I note that the app is described as having fewer than 5,000 downloads “last month” (which I take to be September 2024).

- e. The HOUSE OF FRASER UK app.²⁵ A print out from Google Play is provided, again dated October 2024. This is a mobile shopping application, but also allows customers to access a rewards system and loyalty card. This has a “country release date” of September 2018, which I understand to refer to its release in the UK. Once again, the status of the app is listed as “inactive”, as of the print date (being October 2024). It has an “install range” of between 500 and 1000, which I take to refer to the total number of downloads of the app.

Class 16

66. All of the evidence in relation to this class is based upon the fact that goods sold via HOUSE OF FRASER retail stores are provided in packaging branded with the HOUSE OF FRASER mark (such as plastic or paper shopping bags, card board boxes etc.).²⁶

Class 18

67. The evidence that HOF relies upon in relation to this class is astonishingly thin. It consists of just two pages dated February 2019 which show a BIBA purse available for sale via the HOUSE OF FRASER website.²⁷

Classes 20, 21 and 24

68. HOF relies upon various examples of furniture and homeware items offered for sale under marks BIBA, LINEA, ARTHUR PRICE, JOULES, RALPH LAUREN, SHERIDAN and LSA via the HOUSE OF FRASER website.²⁸ I have no evidence before me as to the quantity of sales made.

²⁵ Annex 20 to Mr Lane’s first witness statement, page 439

²⁶ See Annexes 10, 12 and 20 to Mr Lane’s first witness statement.

²⁷ Annex 20 to Mr Lane’s first witness statement, pages 472 and 473

²⁸ Annex 20 to Mr Lane’s first witness statement, pages 479 to 481, 485 to 489, 493, 499 and 502 to 505

69. I note that there is evidence of a HOUSE OF FRASER festive ceramic bowl and HOUSE OF FRASER cushion.²⁹ There is also a photograph of the packaging for what appears to be a double duvet set which displays the text “houseoffraser.co.uk” on the packaging.³⁰ The same can also be seen on the packaging of a guest towel; however, in relation to this product, the words HOUSE OF FRASER also appear on the label:³¹



70. The only evidence regarding the date of this image that I have comes from the witness statement of Robert Snell and the accompanying exhibit. This shows that the photograph was available at least as early as 5 October 2023 when it was copied into a word document.

Class 25

71. HOF relies upon screenshots from the Wayback Machine Archive which show BIBA and CRIMINAL clothing for sale via the HOUSE OF FRASER website between July 2012 and March 2017.³² There are also some pages available which are not from the Wayback Machine Archive, but which are dated February 2019.

72. There is one example provided of a HOUSE OF FRASER label on a clothing item. This comes from a listing on eBay of what is described as a “Womens House of Fraser Issa Velvet Tie Midi V Neck Purple Lined Dress UK 14”.³³ This appears as follows:

²⁹ Annex 20 to Mr Lane’s first witness statement, pages 483 and 495

³⁰ Annex 20 to Mr Lane’s first witness statement, page 500

³¹ Annex 20 to Mr Lane’s first witness statement, page 501

³² Annex 20 to Mr Lane’s first witness statement, pages 507 to 509, and 511 to 535

³³ Annex 20 to Mr Lane’s first witness statement, page 510



73. As far as I can see, HOUSE OF FRASER is the only trade mark that appears on that label. The print out is dated October 2023.

Class 28

74. The only evidence relied upon by HOF in relation to this class is a printout of an eBay listing (made by a third party) of a teddy bear described as “Fraser Bear” dated October 2024. Nowhere on this bear (or the listing associated with it) are the words HOUSE OF FRASER visible.

Class 36

Credit Card Services

75. The FraserCard was introduced in 1983.³⁴ There is a Strategic Report provided by Mr Lane which states that a HOUSE OF FRASER credit card was introduced under the terms of a financial services agreement which was entered into in 2009.³⁵ At the time of the report (January 2015), income from the HOUSE OF FRASER credit card was clearly an important source of income because a reduction in usage of that credit card was listed under “principal risks and uncertainties”. I also note that there are examples of what appears to be an application which enables users to manage their

³⁴ Annex 1 to Mr Lane’s first statement, page 12

³⁵ Annex 18 to Mr Lane’s first witness statement

HOUSE OF FRASER credit card in evidence.³⁶ However, the only date that I can see (and it is extremely small, so very hard to read) appears to be a country release date which is 2015. This appears to me to refer to the United Kingdom. Presumably, there would have been no need for HOF to develop such an app, were it not for a reasonable amount of interest in its credit card offering.

The FrasersPlus Credit Scheme

76. There is an article dated July 2024 which discusses the launch of the Fraser Plus credit scheme, which suggests it must have occurred some time around then.³⁷ An undated photograph of a promotional stand shows that customers could sign up for the Fraser Plus scheme via the HOUSE OF FRASER website.³⁸ I have discussed the app that related to this scheme above. Adverts from the Frasers Plus scheme can be seen on the HOUSE OF FRASER website throughout the evidence, although these pages are not dated and appear to be fairly recent (given that the branding on the website is FRASERS, rather than HOUSE OF FRASER).³⁹

77. There is also evidence that HOF has been pitching to third party retailers for them to offer the scheme to their customers too, at least as of June 2024, but there is very little evidence regarding the actions taken in this regard or whether HOF had had any success as a result.⁴⁰ There is evidence that FGFS is planning to offer financial services.⁴¹ However, there is nothing in the evidence to suggest that it is doing so under the HOUSE OF FRASER marks.

Loyalty Card/Scheme

78. There is an article which confirms that HOF trialled its first loyalty card, the Recognition Card, in 2000.⁴² There is an article dated 1 November 2011, which

³⁶ Annex 20 to Mr Lane's first statement, page 572 to 573

³⁷ Annex 6 to Mr Lane's first witness statement, page 162

³⁸ Annex 9 to Mr Lane's first witness statement, page 183 and Annex 22 to Mr Lane's first witness statement, page 658

³⁹ See, for example, page 422 of Annex 20 to Mr Lane's first witness statement

⁴⁰ Annex 20 to Mr Lane's first witness statement, page 593

⁴¹ Annex 20 to Mr Lane's first witness statement, page 593

⁴² Annex 16 to Mr Lane's first witness statement, page 281

confirms the launch of a “new reward scheme” called Recognition Reward Card.⁴³ It is not clear to me whether this is the launch of the scheme that was trialled in 2000 or if the scheme was launched shortly after the trial in 2000 and the 2011 launch related to a new type of scheme with the same name. There is evidence of the Recognition scheme being live in March 2014.⁴⁴

79. By 2020, there was a Recognition Rewards Card (which was simply a loyalty card) and a Recognition MasterCard (which was a credit card).⁴⁵ By that time, the latter was no longer available to new customers. Images of the cards are as follows:



80. The Recognition loyalty scheme came to an end on 31 December 2022.⁴⁶

Gift cards

81. There are examples of gift cards on sale dating back to 17 July 2017.⁴⁷ An article from *The Telegraph* dated 6 November 2014 also explains that HOF was, at that time, offering reloadable gift cards to businesses as an employee benefit.⁴⁸ The author of the article describes this as something that was “especially popular”.

Class 42

Cafes/restaurants

⁴³ Annex 16 to Mr Lane’s first witness statement, page 283

⁴⁴ Annex 20 to Mr Lane’s first witness statement, page 571

⁴⁵ Annex 16 to Mr Lane’s first witness statement, page 285

⁴⁶ Annex 16 to Mr Lane’s first witness statement, page 293

⁴⁷ Annex 20 to Mr Lane’s first witness statement, page 574

⁴⁸ Annex 20 to Mr Lane’s first witness statement, page 577

82. With regard to café/restaurant services, I have surprisingly little evidence before me, particularly in light of the issues with Mr Lane's narrative evidence. Part of the narrative evidence provided by Mr Lane, being the table at Annex 7 to Mr Lane's first witness statement, was relied upon by HOF to show that many of its stores had café/restaurant provisions. As noted above, a number of errors were identified with this evidence and Mr Snell provided a new witness statement making corrections/additions to it. In that statement, Mr Snell states:

"I do not have personal or direct knowledge of the facts relating to the corrections/additions, but I have been shown material from various public record sources which has been located by my colleagues."

83. However, he provides no information as to what those public record sources are. In the absence of any firsthand knowledge of his own, it seems to me that this evidence suffers from the same issues that Mr Lane's evidence suffered from. This is perhaps reflected in the fact that Mr Caddick did not seek to rely upon this part of the evidence in his submissions at the hearing and stated:

"But the table annex 7, that was filed largely, the corrected version was filed in order to correct what seemed to be errors which were noted by the trade mark representatives. We have not relied on it in our skeleton and I do not propose to place any reliance on it in my submissions now. So I will not be asking you to look at it. In fact, I will be asking you to ignore it when you are going through the evidence."

84. Turning to the documentary evidence, there is evidence that a restaurant was first introduced to a store by HOF in 1927.⁴⁹ There is evidence of such offerings being made available in stores since that date.⁵⁰ In some cases, it appears that these have been offered by well known third parties. For example, there is evidence of HOUSE OF FRASER in use on a till receipt for restaurant services which relate to *Yo! Sushi*.⁵¹

⁴⁹ Annex 1 to Mr Lane's first witness statement, page 11.

⁵⁰ See, for example, Annex 5 to Mr Lane's first witness statement.

⁵¹ Annex 20 to Mr Lane's first witness statement, page 628

There is also a print out from Trip Advisor which relates to a café/restaurant called The Tea Terrace, which is located in HOF's Oxford Street store.⁵²

Personal shopping services

85. It is plain that there had been personal shopping services offered under the HOUSE OF FRASER brand, at least by 2016.⁵³ However, no effort is made by HOF to clarify how many of its stores offer this service or how many customers have been served during the relevant periods.

Beauty salons

86. An image dated June 2017 has been provided of a beauty/hair salon, upon which HOF relies.⁵⁴



87. This is described as “Regis Salon, House of Fraser”. A “hair service menu” is also provided which lists the services offered by the salon, also dated 2017. It is not clear to me from the images, which House of Fraser store this relates to.

⁵² Annex 20 to Mr Lane's first witness statement, pages 596 to 604.

⁵³ Annex 20 to Mr Lane's first witness statement, pages 618 to 626

⁵⁴ Annex 20 to Mr Lane's first witness statement, page 605

Has there been genuine use of the HOUSE OF FRASER marks and, if so, what is a fair specification?

88. In *easyGroup Ltd v Nuclei Ltd & Ors* [2023] EWCA Civ 1247, Arnold LJ summarised the law relating to genuine use as follows:

“105. The principles applicable to determining whether there has been genuine use of a trade mark have been considered by the CJEU in a considerable number of cases, the principal decisions being Case C-40/01 *Ansul BV v Ajax Brandbeveiliging BV* [2003] ECR I-2439, Case C-259/02 *La Mer Technology Inc v Laboratories Goemar SA* [2004] ECR I-1159, Case C-416/04 *P Sunrider Corp v Office for Harmonisation in the Internal Market (Trade Marks and Designs)* [2006] ECR I-4237, Case C-442/07 *Verein Radetsky-Order v Bunderversvereinigung Kamaradschaft 'Feldmarschall Radetsky'*[2008] ECR I-9223, Case C-495/07 *Silberquelle GmbH v Maselli-Strickmode GmbH* [2009] ECR I-2759, Case C-149/11 *Leno Merken BV v Hagelkruis Beheer BV* [EU:C:2012:816], Case C-609/11 *Centrotherm Systemtechnik GmbH v Centrotherm Clean Solutions GmbH & Co KG* [EU:C:2013:592], Case C-141/13 *P Reber Holding & Co KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs)* [EU:C:2014:2089], Case C-689/15 *W.F. Gözze Frottierweberei GmbH v Verein Bremer Baumwollbörse* [EU:C:2017:434] and Joined Cases C-720/18 and C-721/18 *Ferrari SpA v DU* [EU:C:2020:854].

106. Ignoring issues which do not arise in the present case, such as use in relation to spare parts or second-hand goods and use in relation to a sub-category of goods or services, the principles may be summarised as follows:

(1) Genuine use means actual use of the trade mark by the proprietor or by a third party with authority to use the mark: *Ansul* at [35] and [37].

(2) The use must be more than merely token, that is to say, serving solely to preserve the rights conferred by the registration of the mark: *Ansul* at [36]; *Sunrider* at [70]; *Verein* at [13]; *Centrotherm* at [71]; *Leno* at [29]; *Ferrari* at [32].

(3) The use must be consistent with the essential function of a trade mark, which is to guarantee the identity of the origin of the goods or services to the consumer or end user by enabling him to distinguish the goods or services from others which have another origin: *Ansul* at [36]; *Sunrider* at [70]; *Verein* at [13]; *Silberquelle* at [17]; *Centrotherm* at [71]; *Leno* at [29]; *Gözze* at [37], [40]; *Ferrari* at [32].

(4) Use of the mark must relate to goods or services which are already marketed or which are about to be marketed and for which preparations to secure customers are under way, particularly in the form of advertising campaigns: *Ansul* at [37]. Internal use by the proprietor does not suffice: *Ansul* at [37]; *Verein* at [14]. Nor does the distribution of promotional items as a reward for the purchase of other goods and to encourage the sale of the latter: *Silberquelle* at [20]-[21]. But use by a non-profit making association can constitute genuine use: *Verein* at [16]-[23].

(5) The use must be by way of real commercial exploitation of the mark on the market for the relevant goods or services, that is to say, use in accordance with the commercial *raison d'être* of the mark, which is to create or preserve an outlet for the goods or services that bear the mark: *Ansul* at [37]-[38]; *Verein* at [14]; *Silberquelle* at [18]; *Centrotherm* at [71].

(6) All the relevant facts and circumstances must be taken into account in determining whether there is real commercial exploitation of the mark, including: (a) whether such use is viewed as warranted in the economic sector concerned to maintain or create a share in the market for the goods and services in question; (b) the nature of the goods or services; (c) the characteristics of the market concerned; (d) the scale and frequency of use of the mark; (e) whether the mark is used for the purpose of marketing all the goods and services covered by the mark or just some of them; (f) the evidence that the proprietor is able to provide; and (g) the territorial extent of the use: *Ansul* at [38] and [39]; *La Mer* at [22]-[23]; *Sunrider* at [70]-[71], [76];

Centrotherm at [72]-[76]; *Reber* at [29], [32]-[34]; *Leno* at [29]-[30], [56]; *Ferrari* at [33].

(7) Use of the mark need not always be quantitatively significant for it to be deemed genuine. Even minimal use may qualify as genuine use if it is deemed to be justified in the economic sector concerned for the purpose of creating or preserving market share for the relevant goods or services. For example, use of the mark by a single client which imports the relevant goods can be sufficient to demonstrate that such use is genuine, if it appears that the import operation has a genuine commercial justification for the proprietor. Thus there is no *de minimis* rule: *Ansul* at [39]; *La Mer* at [21], [24] and [25]; *Sunrider* at [72]; *Leno* at [55].

(8) It is not the case that every proven commercial use of the mark may automatically be deemed to constitute genuine use: *Reber* at [32].”

89. It is important to bear in mind that the burden is on the proprietor to prove use.⁵⁵

90. In *Merck KGaA v Merck Sharp & Dohme Corp & Ors* [2017] EWCA Civ 1834 the Court of Appeal set out the proper approach to partial revocation, as follows:

“245. First, it is necessary to identify the goods or services in relation to which the mark has been used during the relevant period.

246. Secondly, the goods or services for which the mark is registered must be considered. If the mark is registered for a category of goods or services which is sufficiently broad that it is possible to identify within it a number of subcategories capable of being viewed independently, use of the mark in relation to one or more of the subcategories will not constitute use of the mark in relation to all of the other subcategories.

⁵⁵ *Awareness Limited v Plymouth City Council*, Case BL O/236/13

247. Thirdly, it is not possible for a proprietor to use the mark in relation to all possible variations of a product or service. So care must be taken to ensure this exercise does not result in the proprietor being stripped of protection for goods or services which, though not the same as those for which use has been proved, are not in essence different from them and cannot be distinguished from them other than in an arbitrary way.

248. Fourthly, these issues are to be considered having regard to the perception of the average consumer and the purpose and intended use of the products or services in issue. Ultimately it is the task of the tribunal to arrive at a fair specification of goods or services having regard to the use which has been made of the mark.

249. This approach does strike an appropriate balance. It gives effect to the clear intention of the EU legislature that marks must actually be used or, if not used, be subject to revocation. [...] It is also fair to proprietors for it does not require a proprietor to prove that he has used his mark in relation to all possible variations of the goods or services covered by its registration but only those which are sufficiently distinct to constitute coherent categories or subcategories. I am also satisfied that it gives appropriate protection to the legitimate interest of a proprietor in being able in the future to extend his range of goods or services within the scope of the terms describing the goods or services for which its mark is registered.”

91. In *Property Renaissance Ltd (t/a Titanic Spa) v Stanley Dock Hotel Ltd (t/a Titanic Hotel Liverpool) & Ors* [2016] EWHC 3103 (Ch) at [47], the late Carr J pointed out that it is not the task of the court to describe the use made by the trade mark proprietor in the narrowest possible terms unless that is what the average consumer would do; for example, in *Pan World Brands v Tripp Ltd (Extreme Trade Mark)* [2008] RPC 2 it was held that use in relation to holdalls justified a registration for luggage generally.

92. I also bear in mind the judgment of Jacob J (as he then was) in *Euromarket Designs Incorporated v Peters & Anor* [2000] EWHC 453 (Ch), in which he stated:

“...Much may turn on the public conception of the use. For instance, if you buy Kodak film in Boots and it is put into a bag labelled “Boots”, only a trade mark lawyer might say that Boots is being used as a trade mark for film. Mere physical proximity between sign and goods may not make the use of the sign “in relation to” the goods. Perception matters too.”

93. In *Aegon UK Property Fund Limited v The Light Aparthotel LLP*, BL O/472/11, Mr Daniel Alexander K.C. as the Appointed Person stated that:

“17. unless it is obvious, the proprietor must prove that the use was in relation to the particular goods or services for which the registration is sought to be maintained.

18. In *Céline SARL v. Céline SA*, Case C-17/06 (*Céline*), the Court of Justice gave guidance as to the meaning of “use in relation to” goods for the purpose of the infringement provisions in Article 5(1) of the Directive. Considering a situation where the mark is not physically affixed to the goods, the court said at [23]:

“...even where the sign is not affixed, there is use “in relation to goods or services” within the meaning of that provision where the third party uses that sign in such a way that a link is established between the sign which constitutes the company, trade or shop name of the third party and the goods marketed or the services provided by the third party.”

19. The General Court has, on more than one occasion, proceeded on the basis that a similar approach applies to the non-use provisions in what is now Article 42 of the European Union Trade Mark Regulation. For example, in *Strategi Group*, Case T-92/091, the General Court said:

“23. In that regard, the Court of Justice has stated, with regard to Article 5(1) of First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks (OJ 1989, L 40, p. 1), that the purpose of a company, trade or shop name is

not, of itself, to distinguish goods or services. The purpose of a company name is to identify a company, whereas the purpose of a trade name or a shop name is to designate a business which is being carried on. Accordingly, where the use of a company name, trade name or shop name is limited to identifying a company or designating a business which is being carried on, such use cannot be considered as being 'in relation to goods or services' (*Céline*, paragraph 21).

24. Conversely, there is use 'in relation to goods' where a third party affixes the sign constituting his company name, trade name or shop name to the goods which he markets. In addition, even where the sign is not affixed, there is use 'in relation to goods or services' within the meaning of that provision where the third party uses that sign in such a way that a link is established between the sign which constitutes the company, trade or shop name of the third party and the goods marketed or the services provided by the third party (see *Céline*, paragraphs 22 and 23)."

Revocation action no. 507255 against UK014

94. HOF seeks to maintain its registration for this mark in class 36.

95. There has clearly been a credit card offered by HOF and a corresponding mobile application has been available to support these services (plainly, the application would not have been needed had there been no credit card services available). It appears to have, at one time, been called The FraserCard, but when the card was offered as part of the Recognition scheme, it can be seen that the HOUSE OF FRASER branding appeared prominently on the card. There is also evidence of this being referred to as "the HOUSE OF FRASER card". Mr Hollingworth drew my attention in his skeleton argument to the fact that Mr Lane's evidence (which as noted above, I treat with caution) is that such services were contracted out to third parties until 2022.⁵⁶ However, even if this is true, that does not prevent HOF from relying on that use if

⁵⁶ Paragraph 98 of Mr Lane's first witness statement

those services were provided by a third party under the HOUSE OF FRASER mark with HOF's consent.

96. I have given a great deal of thought as to whether the evidence before me is sufficient to constitute genuine use. It is certainly thin and information that it should have been easy for HOF to provide is missing (such as the number of customers that took up the credit card services offered during the relevant period). However, on balance, taking into account the fact that there is evidence of the mark in use on credit cards, and the clear connection between the HOUSE OF FRASER shop and the card services offered, I find that the average consumer would perceive there to be use of HOUSE OF FRASER to maintain or create a share in the market for those services. Whilst I bear in mind that the evidence regarding the scale of the use shown is very limited, given the size of the HOUSE OF FRASER retail operation (for which use has been conceded) and the fact that a potential reduction in income from the scheme is listed under 'principal risks and uncertainties' in the Strategic Report, it seems to me a reasonable inference that there has been use on a sufficient scale to justify a finding of genuine use at least up until 2015 (being the date of the Strategic Report). This falls squarely within the relevant period which runs from 12 December 2012 to 11 December 2017. I am satisfied that there was genuine use during that relevant period. It is important to note here that use in that relevant period is sufficient to avoid revocation of a mark in the earlier two relevant periods pursuant to section 46(3) of the Act.

97. However, the evidence shows that by 2020 the scheme was no longer available to new customers, and it is unclear to me to what degree that credit card service was still being offered to existing customers. It seems to me that this was information that it should have been easy for HOF to provide. Bearing in mind that the most recent relevant period is 23 April 2019 to 22 April 2024, the evidence during this period is, in my view, simply too thin to conclude that there has been genuine use.

98. For the avoidance of doubt, it is also clear that HOF provides finance for credit sales as part of the Frasers Plus scheme. However, for the reasons given above, I do not consider that the mark in issue has been used in relation to that scheme. I accept that the service was accessible via the website branded with the HOUSE OF FRASER

mark, but it appears to me that the retail service was offered under the HOUSE OF FRASER mark, and the credit services offered under the FRASERPLUS mark. In any event, this scheme was not offered until July 2024, which is after the end of the most recent relevant period.

99. Taking all of this into account, UK014 is revoked with effect from 8 December 1995 in respect of all services except for:

Class 36 Credit card services.

100. UK014 is revoked in its entirety with effect from 23 April 2024.

Revocation action no. 507256 against UK967

101. HOF seeks to maintain its registration for classes 3, 18, 20, 21, 24 and 25.

102. With regard to the class 3 goods, HOF cannot rely upon use of goods sold under the FRASERS brand, for the reasons given above. In any event, I have no evidence regarding the scale of sales made of these goods. With regard to the Nails Inc. product, in the absence of any evidence to clarify how the product was presented, I see no reason to conclude that the product would have been branded with the House of Fraser mark and in circumstances where the product itself bears the mark of a third party, I do not consider that use of HOUSE OF FRASER in relation to the store, or on the shopping bag provided by the store, would be regarded by relevant average consumers as use of the mark in relation to the product itself (as opposed to use of the mark for retail services). I do not, therefore, consider that this evidence assists HOF.

103. In relation to the goods in classes 18, 20, 21, 24 and 25, the vast majority of the evidence shows use in relation to goods branded with other marks (BIBA, LINEA etc.). The mere fact that some of the brands used are owned by HOF does not mean that they evidence use of HOUSE OF FRASER. Indeed, there is no evidence before me to suggest that the relevant public would be aware of this connection. To my mind, the use shown of House of Fraser plainly reflects use in relation to the services of retailing

of the goods, but not the goods themselves. Therefore, there is not a sufficient connection between the name of the stores and the goods for use of HOUSE OF FRASER as a shop name (or as part of the website of the shop) to be perceived by average consumers as use 'in relation' to the goods.

104. The high point of the evidence relates to a label for a towel and a label for a dress which bear the mark HOUSE OF FRASER, either on its own or alongside another brand. However, there is a clear lack of evidence as to the number of these goods sold during the relevant periods or whether the branding shown in these examples was typical of the way the goods were marketed. I note that general turnover figures have been provided, which have been broken down to a degree (for example, it states that house brands – which I assume includes LINEA and other in-house brands - accounted for 15% of sales), in HOF's accounts.⁵⁷ However, they are not broken down in any way by product category. Mr Phillip Johnson, sitting as the Appointed Person in *EROS BODYGLIDE Trade Mark* described the issue with this as follows:⁵⁸

“26. Where global sales figures are provided for multiple goods sold under one trade mark this is not going to be evidence of use for any of those goods. The sales could all be in relation to good A or all in relation to good B or split between the two. This is why particularisation is so important as without it the figures provide no evidence of use for either good A or good B. The same applies where the same good is sold under trade mark A or trade mark B.”

105. In light of the lack of evidence in this regard, I am unable to conclude that there has been genuine use in relation to the goods. As such, the mark stands to be revoked in its entirety. The effective date of revocation is 3 June 2005.

Revocation action no. 507257 against UK284

106. HOF seeks to maintain its registration in classes 4, 9, 16, 28 and 42.⁵⁹

⁵⁷ See, for example, page 313 of Annex 18 to Mr Lane's first witness statement

⁵⁸ BL O/0984/25

⁵⁹ I note that in his skeleton argument Mr Caddick argued that there was use in relation to class 14 also, despite HOF having confirmed that they did not intend to maintain their registration in this class. In any event, I would

107. The class 4 goods suffer from the same issues discussed above. They are plainly being retailed under the HOUSE OF FRASER mark, but the goods themselves are branded with different marks. In any event, I have no evidence as to the extent of the use in relation to these goods.

108. The class 9 specification that HOF seeks to maintain is “computer software; parts and fittings for all the aforesaid goods”. It is not clear to me what parts and fittings for computer software could be; that term appears to me to be nonsensical. In relation to software, the evidence filed is, again, very thin. It is clear that HOF have been offering mobile applications to their customers for some time, but there is very little evidence that enables me to assess the extent of the use. For those offered under the FRASERS mark, this will not assist HOF for the reasons already given. Whilst I note that HOUSE OF FRASER is mentioned in the product description, it is used in the context of making it clear that this is a new brand replacing HOUSE OF FRASER. I do not, therefore, consider this to be an attempt to create or maintain a share in the market for the HOUSE OF FRASER brand.

109. With regard to the HOUSE OF FRASER UK app, I note that it has been possible to purchase goods from HOF via a mobile application since at least 2015.⁶⁰ With that in mind, combined with the evidence that the application has been downloaded between 500 and 1000 times, and the size of the physical retail operation (which has been conceded), I am satisfied that there has been genuine use in relation to a mobile retail app. While I note that there is no pre-2015 evidence in relation to these goods, use in the later relevant periods is sufficient to avoid revocation in the earlier periods pursuant to section 46(3) of the Act.

110. I bear in mind that there was also a mobile app which corresponded to the credit card services that I have discussed above. However, there is nothing before me to suggest that use of the app was required for use of the credit card services. Presumably, the latter could be used without the former. I note that the app store

have found no genuine use due to the absence of evidence regarding the extent of use (number of sales etc.) during the relevant period. Consequently, nothing will turn on this.

⁶⁰ Annex 18 to Mr Lane’s first witness statement, page 313

suggests that there were “fewer than 5,000 downloads” but this could mean that there is anywhere from 0 to 5,000 downloads applicable to the app. In the absence of anything further to suggest that it was actually used/downloaded by customers, I am not prepared to find genuine use in respect of that application.

111. In relation to the class 16 goods, the use that has been shown is not commercial use; it is not an attempt to maintain or create a share in the market for the goods, but simply that goods sold through HOF’s retail services come in plastic bags or boxes for ease of transportation. I do not, therefore, consider that there has been any genuine use shown “in relation to” (as opposed to simply “upon”) goods in class 16.

112. The evidence in relation to the class 28 goods falls well short of establishing genuine use. The mark HOUSE OF FRASER cannot be seen in relation to the teddy bear shown in the evidence and, in any event, there is a total absence of any other information as to the extent of use in relation to these goods (if any).

113. With regard to class 42, my understanding is that it is not in dispute between the parties that HOUSE OF FRASER stores have had cafes and restaurants within them. However, the dispute between the parties is about whether the HOUSE OF FRASER mark has been used in relation to those cafes and restaurants, or whether they have been offered under third party brands. In my view, where the services have been provided by well known third parties (such as *Yo! Sushi*, which I am prepared to take on judicial notice is a well known sushi restaurant chain), the average consumer is likely to perceive these services as being offered by a different undertaking to HOF. In those circumstances, it is far more likely that HOF will be perceived as simply bringing those services together as part of its retail offering. Whilst I bear in mind that the Kodak example given by Jacob J (as he then was) in the *Euromarket* case cited above related to goods, the same must also be true in relation to services. In this context, the average consumer would no more perceive HOF to be responsible for the restaurant services offered by *Yo! Sushi* than they would think Tesco was responsible for *Yo! Sushi* goods purchased there; rather, it would be viewed as part and parcel of the ‘bringing together’ that is inherent in the nature of a retail service.

114. I accept that the position is less clear cut in relation to less well known (or unknown) brands, such as The Tea Terrace. However, the evidence in this regard is astonishingly thin. I have only one print out from Trip Advisor; there is nothing in the evidence to confirm whether this is a service in fact offered by HOF (as opposed to a third party). I have no evidence regarding the scale of the use. In the absence of any detailed evidence on the point, I am not prepared to find that the average consumer would perceive these services as being offered under the HOUSE OF FRASER mark. To my mind, this would require me to draw a number of inferences in favour of HOF to make up for the lack of evidence on the point, which would not be appropriate.

115. There is very little evidence in relation to hair dressing and the operation of beauty salons. To my mind, the only evidence that is before me makes it clear that they are offered under other trade marks (such as REGIS), within HOUSE OF FRASER stores. Again, this is evidence of the bringing together of goods and services in a retail environment, rather than the offering of those services under the HOUSE OF FRASER mark.

116. In relation to personal shopping, I have no evidence to enable me to assess the extent of the use made of the mark. It should have been fairly straightforward to provide information regarding the number of customers served or, at the very least, the stores that provided this service and during what time period. In the absence of any such evidence, and bearing in mind that the burden of proof is on HOF, I find there to be no genuine use shown in relation to these services.

117. Taking all of this into account, I consider a fair specification to be:

Class 9 Mobile applications (downloadable) for the retail of goods.

118. The effective date of revocation for the remainder of the specification is 12 August 2005.

Revocation action no. 507258 against UK905

119. HOF seeks to maintain its registration for this mark in class 35. The specification currently reads:

“The bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in a department store.”

120. FPL accepts that HOF has genuinely used its mark in relation to class 35 retail services. As noted by Mr Hollingworth, the CJEU made clear in *Praktiker Bau* that registrations for retail services should be specific as to which goods they relate.⁶¹ The above specification is, of course, not in line with the law in that regard.

121. FPL has confirmed that it would be prepared to accept this specification being brought in line with the retail services specification in UK223. Mr Caddick suggested that the specification should be broader than that, perhaps referring to the retail of “consumer goods”. To my mind, that would lack the requisite clarity and precision. Indeed, if I were to draft the specification myself given the evidence before me, it would be significantly narrower than the one contained within UK223. As such, I will allow the specification to be amended to reflect the class 35 specification of UK223, as that has been conceded by FPL (see paragraph 124 below). This will take effect from the earliest date of revocation claimed i.e. 28 April 2006.

Revocation action no. 507259 against UK223

122. HOF seeks to maintain its registration for classes 18, 25 and 35.

123. For the same reasons already given above, I am not satisfied that it has shown genuine use in relation to classes 18 and 25.

⁶¹ Case C-418/02

124. FPL has accepted that HOF has shown genuine use in relation to its class 35 services. The mark can, therefore, remain registered for the following specification:

Class 35 Department store services connected with the sale of beauty products, cosmetics, skin care products, toiletries, Incense, essential oils, perfumery, perfume sachets, perfumed items, Candles, night lights, jewellery, watches, Leather goods and goods made of imitation leather, trunks and travel bags, luggage, umbrellas, purses, wallets, key fobs, Furniture, mirrors, picture frames, racks and shelves, storage boxes, figurines, Domestic utensils and containers, ceramics, glassware, candle holders, incense holders, baskets, storage boxes, vases and bowls, Textiles and textile articles, bedding and bed clothing, bed canopies and hangings, wall hangings, throws and spreads, towels and towelling sets, blinds, curtains and drapes, table-cloths and table linens, soft furnishings, clothing, footwear and headgear.

125. The effective date of partial revocation is 26 October 2017.

Revocation action no. 507260 against UK006

126. HOF seeks to maintain its registration in class 36 only. I have summarised my findings above regarding the use of credit card services. However, in relation to this mark, both relevant periods fall after 2015. After that time, I have very little evidence to enable me to assess the extent of the use shown. Consequently, I am unable to find that there was genuine use of the mark in relation to credit card services in either relevant period.

127. The effective date of revocation is 30 September 2022.

Revocation action no. 507261 against UK166

128. HOF seeks to maintain its registration in classes 3, 4, 9, 16, 20, 21, 24, 28 and 36.

129. I make the same findings here as made above in relation to these classes. With regard to class 36, HOF faces the same challenges described in paragraph 126 above. Consequently, I consider a fair specification to be:

Class 9 Mobile applications (downloadable) for the retail of goods.

130. The effective date of revocation for the remainder of the specification is 3 November 2022.

USE OF FPL'S MARKS

131. FPL made various concessions in their evidence schedule that the marks had not been used across the breadth of their specifications. In relation to the marks which are subject to revocation/proof of use, these are clearly very important concessions and I have struck through the abandoned terms in Annex 2 to this decision.⁶² However, the schedule also identified terms that had not been used in relation to marks which are not yet subject to use requirements. In respect of those marks, it appears that these concessions have been made in an attempt to clarify the scope of FPL's claimed goodwill/reputation.⁶³ To avoid confusion, I have not struck those terms through but have borne in mind the concessions at the relevant points of this decision (where necessary).

132. It is also worth noting that, having reviewed FPL's evidence schedule in detail, it contains various references which do not relate to the mark in relation to which FPL purports to show use. This is presumably due to their position on variant use, which I address below). As explained above, given that the parties have been given a clear opportunity to draw my attention to the relevant parts of their (very copious) evidence, I have not made any significant attempts to go behind the schedule (in terms of looking for other evidence that might be of assistance to them), and where they have relied

⁶² I note that some parts (in some cases, entire classes) of the specification have not been addressed in FPL's schedule and, in some cases, terms have been addressed which do not appear (such as "window dressing"). Where classes have not been addressed at all, I have presumed that they are still in issue. Where terms have been addressed that are not within the specification, I have disregarded them.

⁶³ See a clarificatory email sent by D Young & Co LLP on 31 July 2025, timed at 13:31.

upon evidence which is completely irrelevant to the mark in issue, I have disregarded it, unless I have found one mark to be an acceptable variant of another.

133. I have set out the case law and legislation relevant to this assessment above. I have applied the same here.

Intra-group use

134. The parties disagree as to whether FPL is entitled to rely upon use where the recipient of the goods/services is an entity within the same group of companies. In this regard, Mr Hollingworth referred me to a decision of the General Court (“GC”) in which use between companies within the same group was considered.⁶⁴ In that case, there had been sales directly to a company within the same group, but also sales made via an intermediary who was outside of the group. In my view, that case is not authority for the proposition that intra-group use can be relied upon as the GC was not considering a scenario in which there was only intra-group use; rather, the intra-group use was part of a picture which included sales to an unrelated third party. However, I do accept Mr Hollingworth’s position that use cannot be discounted merely because it is made to a related company; it is necessary to look at whether there has been commercial exploitation of the mark so as to create or maintain a share in the market. That is a matter which will turn on the individual facts of the case. I will deal with this further below, where necessary.

Variant Use

135. In reaching the decisions below, I have considered whether use of any of FPL’s marks amount to acceptable variant use of the others (for example, can use of FRASERS HOSPITALITY be relied upon to show use of FRASERS PROPERTY). In my view, except as specified below, they cannot because the replacement of the second words alters the distinctive character of the marks, identifying a different type of business conveying a difference conceptual meaning overall (such as FRASER PLACE, which is likely to be viewed as a street name). In this regard, I accept that the

⁶⁴ *W B Studio Sas di Wivian Bodini & C v EUIPO*, Case T-50/23

words HOSPITALITY and PROPERTY are non-distinctive words in the context of hospitality and property services respectively. However, the converse is not true. So, in the context of property services, the word HOSPITALITY would have some distinctiveness, and in the context of hospitality services, the word PROPERTY would have some distinctiveness. They are not, therefore, non-distinctive additions in relation to services which might extend the scope of protection beyond those for which they have actually been used. In my view, when viewed as a whole, these words would create different conceptual meanings which are not interchangeable in this context. This is particularly important given that FRASERS is not particularly distinctive in itself (see below).

FRASER PLACE UK939 (Revocation no. 503533)

136. HOF has conceded that this mark has been used in relation to:

Class 43 Rental of temporary accommodation (hotels).

137. I will, therefore, be approaching this assessment to identify whether there has been genuine use in relation to any of the other terms within the specification for UK939.

138. Ms McNamee gives evidence that three properties have been operated under the mark FRASER PLACE in Canary Wharf, Chelsea and Queens Gate, London. The latter two ceased being operated under the FRASER PLACE mark in 2012, but the former was still in use at the date of Ms McNamee's evidence (October 2024). It seems that FRASER PLACE offers serviced apartments for guests to stay in.⁶⁵ [REDACTED]
[REDACTED]⁶⁶ By way of example, the revenue generated by this property in 2019 alone was in excess of €5million.⁶⁷ In my view, there has plainly been genuine use of this mark in relation to the renting of serviced apartments.

⁶⁵ Exhibit HMN64

⁶⁶ Confidential exhibit HMN59

⁶⁷ Exhibit CKS20

139. In terms of a fair specification, to my mind, the vast majority of the other terms in the specification of UK939 are too broad to maintain (such as, real estate affairs or leasing of accommodation) or have not been used at all (such as accommodation letting agency). There is no evidence before me to suggest that the mark in issue has been used commercially in relation to services such as rent collection; the use that has been shown by FPL in relation to rent collection amounts, in my view, to no more than issuing an invoice for the services it rendered. This is not a rent collection service provided to anyone else. Consequently, I consider a fair specification to be:

Class 36 Renting of serviced apartments.

Class 43 Rental of temporary accommodation (hotels).

140. As use has been demonstrated in the most recent period (being 7 January 2016 to 6 January 2021), the mark will also not be revoked for these services for the earlier relevant periods due to the operation of section 46(3) of the Act.

141. The effective date of partial revocation is 27 October 2006.

FRASER SUITES UK965 (Revocation no. 503534)

142. In relation to this mark, HOF has conceded that there has been use for:

Class 36 Renting of serviced apartments; arranging of letting of serviced apartments.

Class 43 Rental of temporary accommodation (hotels).

143. I note that FPL also claims to have used UK965 in relation to rent collection and relies upon exhibit HMN9 which includes, inter alia, a rent request letter with a figurative version of the FRASER SUITES mark visible at the top. This does not appear to me to evidence commercial use in relation to rent collection services; it is merely the issuing of, essentially, an invoice, requesting payment for the accommodation services provided. Whilst I note that FPL has provided services such as property

management to third parties (as discussed below) there is nothing in the evidence which convinces me that UK965 has been used in relation to such services. I also note that Mr Hollingworth drew attention to the fact that conference facilities are provided under UK965. However, those services are not covered by the specification of this mark and so it does not take FPL any further forward.

144. There are various other terms in the specification which are either too broad (such as real estate affairs) or for which the mark has not been used (such as accommodation letting agency). Consequently, I consider the concessions made by HOF above to represent a fair specification for UK965.

145. The effective date of partial revocation is 27 October 2006.



UK644 (Revocation no. 503536)

146. I will deal with each class in turn.

Class 35

147. It is only some of the business management and related services in this class that FPL seeks to maintain its registration for. In my view, whilst there is evidence that FPL does, of course, manage its own business, there is no evidence of it providing these services commercially to third parties under the marks included in UK644. As such, I am not satisfied that there is any genuine use in this class.

Class 36

148. HOF has conceded that there has been genuine use for:

Class 36 Real estate affairs, namely, rental of work spaces in office business parks and offices and the sale of residential apartments.

149. In my view, this concession construes the use that has been shown by FPL too narrowly. I agree that it is clear that FPL has used UK644 in relation to the rental of workspaces, which includes offices and units on business parks. This can be seen from FPL's website.⁶⁸ However, in *Property Renaissance Ltd (t/a Titanic Spa) v Stanley Dock Hotel Ltd (t/a Titanic Hotel Liverpool) & Ors* [2016] EWHC 3103 (Ch) at [47], the late Carr J pointed out that it is not the task of the court to describe the use made by the trade mark proprietor in the narrowest possible terms unless that is what the average consumer would do. I do not consider that the average consumer would describe the use shown as narrowly as describing the specific type of business premises offered; in my view, it would not be described as anything other than "real estate affairs, namely, rental of commercial property".

150. Another aspect of the work undertaken by FPL is property development. Ms del Beato gives unchallenged evidence that FPL has developed more than 1,100 homes over the last 20 years.⁶⁹ A brochure which is for Spring/Summer 2016 explains that FRASER PROPERTY UK has a flagship London development at Riverside Quarter of more than 700 homes, as well as commercial units.⁷⁰ This is in addition to a 36-storey tower in London called Sky Gardens which incorporates both residential and commercial space. They have also launched Camberwell on the Green, which is a development of more than 90 apartments in London. There are three other projects identified: Islington on the Green, Vincent Square and Stanhope Gardens. The marks covered by UK644 have appeared on promotional materials from 2016, 2017 and 2018 for these developments, including some displayed in the *Evening Standard* and *The Sunday Times*.⁷¹ In 2018, over 65,000 users visited FPL's webpages for the Camberwell on the Green development.⁷² In my view, all of this demonstrates that FPL has engaged in the sale of both residential and commercial property. As such, I

⁶⁸ Exhibit IDB4, page 4

⁶⁹ See paragraph 15 of Ms del Beato's statement

⁷⁰ Exhibit CKS7

⁷¹ Exhibit CKS8

⁷² Exhibit CKS9

consider that the average consumer would describe this as “the sale of residential and commercial property”.

151. There are various other services listed in class 36 of the UK644 specification for which, in my view, no genuine use has been shown. For example, I accept that FPL has a portfolio of properties. However, that does not justify a registration for portfolio management services or supervision of building construction; whilst it might do these things in the course of its own business, it does not provide those services commercially. For example, FPL relies upon evidence in the form of a job description for a Development Manager.⁷³ This is a position within FPL and appears to relate to the management of FPL’s own developments. Clearly, that is not an outward facing service. I note that there is also evidence of property management services being provided to related trusts.⁷⁴ There is some debate as to whether I can accept this as arms-length use or whether this is internal use given the relationship between the parties involved. However, even leaving aside that issue, it is not clear to me which mark these services have been provided under because the agreement in question is not explicit on the point. I would have expected such evidence to be available if UK644 had been used to create or maintain a market for the services. It does not, therefore, take FPL any further forward.

152. A similar problem arises in relation to the various agency-related services (real estate agency services, accommodation letting agency services etc.) because whilst FPL lets its own properties to tenants, there is no evidence that it acts as an agent (i.e. intermediary) in third party transactions. To the contrary, there is evidence that FPL uses third-party agents for this purpose.⁷⁵ Whilst I note that FPL relies upon “co-branded” documents between itself and these agents, it is plain from these documents that it is FPL that is providing the letting of property and the agent that is providing the agency services between FPL and the tenant.⁷⁶

⁷³ Exhibit IDB10

⁷⁴ Exhibit IDB26

⁷⁵ See paragraph 47 of Ms del Beato’s statement.

⁷⁶ Exhibit IDB13

153. I do accept that there is evidence of FPL providing services to tenants in the form of property estate management services.⁷⁷ There has plainly been genuine use in relation to these services at more than one of FPL's properties (including Vauxhall Sky Gardens and Riverside Quarter). I note that invoices bearing the marks covered by UK644 for these services are as recent as 2019, which falls squarely within the most recent of the relevant periods.

154. Taking all of the evidence into account, I consider a fair specification to be:

Class 36 Real estate affairs, namely, rental of commercial property, the sale of residential and commercial property, and property estate management services.

Classes 37 and 42

155. To my mind, the only services for which FPL can arguably expect to maintain its registration in class 37 are *property maintenance* services. This is because, as discussed above, there is evidence of FPL using the UK644 mark for the purpose of collecting property estate management fees; my understanding is that such fees would typically be used for the purpose of maintaining the estate for the benefit of the tenants. In my view, property maintenance is part and parcel of the estate management services being offered by FPL and the evidence supports a finding that they should be entitled to retain this term.

156. With regard to the other services in classes 37 and 42, whilst I have no doubt that FPL does these activities (I am sure that it manages its building projects, supervises any construction work it has commissioned, restores and renovates its properties and plans any future real estate development projects, for example), it is not providing these services commercially to a customer(s) under UK644. Consequently, it cannot hope to show that it has sought to create or maintain a share in the market for such services. As such, I consider a fair specification to be:

⁷⁷ Exhibits IDB30 and IDB31 and paragraph 70 of Ms del Beato's statement

Class 37 Property maintenance.

Class 43

157. Whilst I recognise that FPL provides class 43 services, these are typically provided under other brands (FRASER SUITES, FRASER PLACE etc.). For example, whilst I accept Mr Hollingworth's submission that use of a mark in relation to reservation services can be relied upon to show genuine use of that mark, even where it has only been used in relation to one's own properties (as opposed to third party properties),⁷⁸ there is no evidence that UK644 has actually been used in relation to those services. The examples of booking facilities provided through FPL's website appear to be offered under the FRASERS HOSPITALITY mark.⁷⁹ There is nothing in the evidence to convince me that UK644 has been put to genuine use in relation to such services during the relevant periods.

158. The effective date of partial revocation is 5 January 2013.

FRASERS HOSPITALITY UK241 (Revocation no. 503537)

159. HOF conceded that there has been use in relation to the following:

Class 36 Arranging letting of serviced apartments; letting and leasing of serviced apartments; serviced apartment house management services.

Class 43 Rental of temporary accommodation (hotels); provision of accommodation by way of hotels.

160. In addition to these services offered, there is evidence that FPL provides property management services to property owners under UK241. [REDACTED]

⁷⁸ *Easygroup Ltd v Easyfundraising Ltd* [2024] ETMR 44

⁷⁹ Exhibit HMN6

⁸⁰ [REDACTED] ⁸¹ There is nothing in the evidence to suggest that the property owner is, in any way, connected to FPL. As such, it seems to me that there is also genuine use in relation to *Real estate affairs, namely, managing serviced apartments*. I am fortified in this finding by Exhibit HMN2 which is the 2019 Annual Report for FPL; it lists 5 UK-based properties which are described as “managed properties”, as opposed to those owned directly by FPL.

161. I also note that the management agreement discussed above confirms that FPL is required to provide marketing services for the property owner in relation to the serviced apartments. However, as UK241 does not include these services, this does not take FPL any further forward. Mr Hollingworth drew my attention to two documents which are brochures issued under UK241 which appear to be targeted at property owners; they discuss the services that FPL can offer to property owners (such as marketing, sales, the Fraser World Loyalty programme and property audits).⁸² However, I have no information about how widely circulated (to UK customers) these brochures were, how many businesses took up these services or whether these services would have automatically been provided to all property partners or if these are a selection of services from which property partners could pick and choose. It seems to me that this is the sort of information which it should have been easy for FPL to provide and, in its absence, I am not prepared to find genuine use in relation to any broader range of services than those already discussed above.

162. I note that there is evidence of FPL offering a platform for reservation bookings through its website, upon which UK241 (or an acceptable variant thereof) appears.⁸³ I have no direct evidence as to the extent of use that has been made of this platform (how many bookings have been placed through it etc.). However, when reviewing the evidence in the round, particularly the information regarding the scale of FPL’s hospitality business, it seems reasonable to me to infer that at least a proportion of these bookings would have been made through FPL’s own website (as opposed to

⁸⁰ Confidential exhibit HMN35

⁸¹ Confidential exhibit HMN5

⁸² See, for example, Exhibit CKS22

⁸³ Exhibit HMN6

third parties such as Booking.com). As such, I find that there has been genuine use in relation to *hotel and temporary accommodation reservation services*.

163. I bear in mind that some of the properties operated by FPL on the hospitality side of the business have restaurants and/or bars within them. For example, there is evidence that one Fraser Suites property in London has a bar called the Magenta Lobby Bar within it.⁸⁴ Mr Hollingworth submitted that the fact that a restaurant has a name does not prevent it from also being offered under the mark in question; a distinction should be drawn, he said, between this scenario and a scenario (as was seen in relation to some House of Fraser properties) where a well-known third party chain was providing food and beverage services through one of HOF's retail establishments. I agree in principle that the fact a restaurant has a name (such as Magenta Lobby Bar) does not mean that it cannot also be provided under another mark; this will all be a question of fact on the specific evidence provided. However, in this case, it seems to me that the high point of FPL's case is that such services would be provided under the name of the particular residence (such as Fraser Suites, Fraser Residences, Fraser Place etc.). I have seen nothing in the evidence which convinces me that the relevant public would consider such services to have been offered under UK241.

164. In my view, the remaining services in the specification for this mark suffer from the same issues discussed above i.e. they are either not provided at all under UK241, and/or the only evidence is that FPL does these activities for its own business e.g. it manages its own property portfolios rather than providing these services to third parties. Alternatively, for broad terms that would encompass the use shown by FPL, my view is that these are too broad to justify on the basis of the use shown and the average consumer would fairly describe the use in the terms identified below. Consequently, I consider a fair specification to be:

Class 36 Real estate affairs, namely, managing serviced apartments; arranging letting of serviced apartments; letting and leasing of serviced apartments; serviced apartment house management services.

⁸⁴ See, for example, page 55 of Exhibit HMN31

Class 43 Hotel and temporary accommodation reservation services; Rental of temporary accommodation (hotels); provision of accommodation by way of hotels.

165. The effective date of partial revocation is 27 March 2015.

FRASER RESIDENCE UK310 (Revocation no. 503538)

Class 36

166. HOF concedes that there has been genuine use for:

Class 36 Arranging letting of serviced apartments; letting and leasing of serviced apartments.

167. Ms McNamee gives evidence that each of the four FRASER RESIDENCE properties located in London were owned by third parties, and FPL managed the properties on their behalf. An example of such an agreement is in evidence.⁸⁵ However, I can see nothing in that agreement (or elsewhere) to suggest that UK310 has been used in relation to those services. Whilst there is reference in the agreement to the fact that the property will be known by the name FRASER RESIDENCE, which shows that the letting and leasing of serviced apartments was conducted under that name, it does not confirm that the management services were rendered under that mark. Whilst FRASER RESIDENCE is, of course, referenced in the agreement (as the name of the property), it is not clear what mark is being used for the provision of the services. I note that examples of correspondence concerning property management have been provided by Ms McNamee.⁸⁶ However, these are dated 2002 and 2003 and does not, therefore, assist in showing the position during the relevant periods. I also note that there is confirmation in the evidence that the FRASER RESIDENCE properties were 'managed properties' during the relevant period.⁸⁷ However, in the

⁸⁵ Confidential Exhibit HMN35

⁸⁶ Exhibit HMN45

⁸⁷ Exhibit HMN2

absence of more detail as to how these services are marketed to the customer base (being the property owners), specifically which mark is used in relation to them, I am not convinced that there has been genuine use.

168. The only evidence relied upon in relation to rent collection services is one rent request dated 13 July 2010.⁸⁸ This displays the following mark in the header, and is addressed to an individual (although the name is redacted):



169. Ms McNamee confirms that FRASER RESIDENCE City is owned by a third party outside of FPL's group of companies and operated under a management agreement.⁸⁹ It seems likely to me that FPL has been providing rent collection services as part of the management services that it has undertaken for the property owners. However, whilst the above image appeared on the letterhead used for the rent request, I am not convinced that this does anything other than identify the property to which the rent request relates. In any event, the person to whom the rent request is addressed is not the most important consumer for the rent collection services, in my view; the most important consumer is the property owner who is effectively paying for the rent collection as part of the management services. I have no evidence before me as to what mark was used in any correspondence with property owners. Consequently, I am not satisfied that there is genuine use of UK310 for rent collection services.

Class 43

170. HOF concedes that there has been genuine use for:

⁸⁸ Exhibit HMN44

⁸⁹ See paragraph 72 of Ms McNamee's first witness statement.

Class 43 Rental of temporary accommodation (hotels).

171. It seems to me that the term *provision of accommodation by way of [...] hotels and rooms* is just another way of phrasing the same service. Consequently, I see no reason why FPL should not retain this term also. I have seen no evidence to suggest that FPL provides housing more broadly under this mark to enable it to retain the broader term.

172. In terms of the reservation services for which this mark has protection, it seems to me that inevitably FPL must offer some mechanism by which customers can reserve rooms within the FRASER RESIDENCE properties. Plainly, these are services that are being provided commercially (as opposed to something that FPL is doing for itself) because it is making reservations within a property owned by a third party on behalf of the end user. Whilst I have no evidence as to what mark has been used in relation to these services with the business owner, there are two consumers groups for reservation services (being the property owner and the person staying in the room). For the latter group, UK310 has plainly been used. Consequently, I also consider that FPL should be entitled to retain the term *hotel and serviced apartment reservation services*. I do not consider that it should retain reservation services for temporary accommodation more generally.

173. That leaves the services which relate to the provision of food and drink. The only parts of the evidence identified within FPL's schedule for these services is paragraph 71 of Ms McNamee's first statement and exhibit HMN34. The former provides no information relating to the relevant services, and simply serves to introduce the latter. Exhibit HMN34 consists of examples of brochures for the FRASER RESIDENCE properties. These confirm that FPL provides "extended food and beverage welcome packs", an "order-in restaurant facility", "welcome tray with hot beverages" and "welcome hamper". I bear in mind that these brochures are from the period 2010 to 2012, and so are not indicative (necessarily) of the position during the most recent relevant period. However, in any event, they do not clarify under what mark these services are offered. For example, are the services in question a concierge type service by which food is sourced from a third party (and thus provided under a third-party sign)? Are the welcome packs/hampers created by a third party (under a third-

party sign) and simply placed in the room? I am not satisfied that the very limited evidence provided is sufficient to establish genuine use.

174. Taking all of the above into account, I consider a fair specification to be:

Class 36 Arranging letting of serviced apartments; letting and leasing of serviced apartments.

Class 43 Rental of temporary accommodation (hotels); provision of accommodation by way of hotels and rooms; hotel and serviced apartment reservation services.

175. The effective date of partial revocation is 16 January 2015.

FRASER WORLD UK369 (Revocation no. 503541)

176. I note that there is some evidence of use of the words FRASER WORLD. There is also use of the following mark:



177. I note that the letter 'O' has been replaced by a device. However, in my view, this does not change the distinctive character of the mark as a whole, as it will still be recognised as the words FRASER WORLD. Consequently, I will proceed on the basis that FPL can rely upon use of the above mark (including where it is used in different colour ways) for the purposes of showing genuine use of UK369.

Class 16

178. There is no evidence of genuine use of UK369 on goods in this class. The best that can be said is that FPL has displayed printed matter bearing the sign in its properties and had it printed on materials to hand to members (such as membership cards); that is not genuine use in relation to class 16 goods as FPL is not attempting to create or maintain a share in the market for those goods.⁹⁰ I note that there is evidence of electronic communications being sent under the FRASER WORLD mark.⁹¹ These are monthly statements, which I am not convinced would qualify as newsletters per se, but as they are electronic they would not fall within this class in any event. Consequently, I find that there is no genuine use of the mark shown in this class.

Class 35

179. In relation to this mark, HOF concedes that there has been genuine use for the following services in this class:

Class 35 Customer loyalty services, namely providing a travel and hotel loyalty program featuring loyalty points, discount rates, and recognition benefits for commercial, promotional and/or advertising purposes.

180. It seems to me that the terms *issuing of tokens of value in relation to customer loyalty schemes*, *issuing of benefits of value in connection with travel incentive schemes* and *issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty schemes* are also plainly services offered by FPL in line with the above concession, subject to the specification being amended where appropriate to reflect that use has only been in relation to travel and hotel loyalty schemes.

181. Ms McNamee gives evidence that whilst there are loyalty services provided under this mark, other services are also provided. She states:

⁹⁰ See, for example, exhibit CKS27

⁹¹ See, for example, exhibit HMN57

“For example, all of the city portfolio properties were part of the loyalty scheme during the Relevant Period and thus by marketing these properties under the FRASER WORLD brand we technically provided services, b2b, to the third party owners of those properties. Given our role in the management of those properties, and the fact that we provide general marketing, and business administration type services to the owners of those properties – we have used the FRASER WORLD brand for these services...”

182. I am not convinced that UK369 has been used to create or maintain a share in the market for any of these business-to-business services referred to. Whilst I note that FPL may provide some of these services to its customers, it does not seem to me that they are provided under the FRASER WORLD mark; there is nothing in the evidence which demonstrates this. Indeed, even on business-to-business facing pages of FPL’s website, reference is only made to FRASER WORLD in the context of loyalty scheme services.⁹²

183. With regard to the business/market analysis services in this class, whilst I recognise that the customer information obtained through the scheme might be used for these purposes by FPL, it does not provide these services commercially. Similarly, services such as *compilation of mailing lists* and *dissemination of advertising matter* (and related advertising-type services) are activities that FPL might carry out for its own benefit as part of the administration of a loyalty scheme, but they are not a service actually provided under the FRASER WORLD mark commercially. Consequently, there is no genuine use in relation to those services.

184. In addition to the actual provision of a loyalty scheme, there are various services within the specification for UK369 which relate to the organisation and administration of a loyalty scheme (for example, *organisation and management of customer loyalty programmes*). Whilst FPL may organise and manage its own customer loyalty scheme (which it offers under the FRASER WORLD mark) it does not provide these

⁹² Exhibit HMN6

organisation/administration services commercially. As such, it is not attempting to create or maintain a market for those services, and there can be no genuine use.

Class 43

185. I accept that the FRASER WORLD loyalty scheme is advertised within FPL's hotels/serviced apartments. However, the only evidence of a service being provided under this mark in this class is in relation to reservation services. There is evidence of an online reservation portal being offered via FPL's website under UK369 during the later relevant period.⁹³ However, I have no evidence before me as to the extent of use of that platform to enable me to assess whether use has been genuine or merely token. It seems to me that it should have been easy for FPL to provide information regarding the number of bookings made via this page, or even, the number of UK visitors to that page. Consequently, I find no genuine use of the mark has been shown in this class.

186. Taking all of the above into account, I consider a fair specification to be:

Class 35 Customer loyalty services, namely providing a travel and hotel loyalty program featuring loyalty points, discount rates, and recognition benefits for commercial, promotional and/or advertising purposes; issuing of tokens of value in relation to travel and hotel customer loyalty schemes, issuing of benefits of value in connection with travel incentive schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty schemes in relation to hotels and travel.

187. The effective date of partial revocation is 24 November 2017.

⁹³ Exhibit HMN52

(Revocation nos. 503539 and 503543)

188. It seems to me that use of UK799 can be relied upon by FPL to show use of UK798 as per *Colloseum*. I will take this into account in reaching my decision. I have also considered whether use of UK241 (FRASERS HOSPITALITY) can be relied upon as variant use of these marks. However, in my view, it cannot. This is because the addition of the word TRUST, whilst not particularly distinctive in itself, changes the overall meaning that would otherwise be taken from the words FRASERS HOSPITALITY by converting the meaning of the words into part of the name of a trust; it therefore changes the distinctive character of the mark and is not, therefore, acceptable variant use. With that in mind, I will consider the use that has been shown for each class in turn.

Class 35

189. The evidence relied upon by FPL in relation to business/market research and analysis services is Exhibits CXG6 and CXG11. The first document is an Annual Report for the Frasers Hospitality Trust business, which includes information about portfolio valuation and financial highlights. However, it is not clear to me to whom this document was distributed; was it used purely for internal reporting or was it provided for the benefit of third parties? The latter seems unlikely to me given that it is purely related to the business of Frasers Hospitality Trust (rather than the market generally, for example). The same is true of the second document, which is a Business Update. Further, even if this could be said to be commercial use, I have no evidence as to the scale of the use shown. In the absence of this information, I am not prepared to find genuine use of the mark in relation to these services. In respect of the remaining services in this class, whilst FPL might manage its own businesses, compile information about its own properties etc., these are not services provided commercially and I find no genuine use.

Class 36

190. HOF has conceded genuine use in relation to the following services:

Class 36 Letting and leasing of hotels.

191. Ms Ang explains that the main purpose of the trusts is to invest in income producing real estate which is used for hospitality purposes.⁹⁴ The value of assets managed by the trust is confidential, but I note that it is significant; these assets include some of the properties from which FPL operates its hospitality business. In relation to real estate affairs, the concession made by HOF, to my mind, captures the best case scenario for FPL on the evidence before me. Consequently, I do not consider that the use shown could maintain any of the broader terms within the specification.

192. In terms of capital investment/fund management services, I accept the point made by Mr Hollingworth in his submissions that it does not necessarily matter where, for example, the fund is managed, as long as there has been use of the mark in the UK.⁹⁵ [REDACTED]

[REDACTED]⁹⁶ A list of UK investors is also provided, which includes more than 25 businesses located in the UK. UK799 can be seen on investor presentations from the most recent relevant period (dated 2019), as can the word mark UK798.⁹⁷ This presentation focuses upon multiple markets, including the UK. Taking the evidence as a whole into account and bearing in mind the number of investors in the UK, I infer that the mark must have been used in the UK in order to attract them. In light of this, I am satisfied that there is evidence of genuine use in relation to *corporate fund management, investment fund management, placement of funds and information and advisory services relating to the aforesaid.*

193. I am not satisfied that the evidence shown justifies a finding of genuine use in relation to any of the other financial services (either because there is no compelling

⁹⁴ See paragraph 13 of Ms Ang's witness statement

⁹⁵ *Standard International Management v EUIPO*, Case T-768/20

⁹⁶ Confidential exhibit CXG9

⁹⁷ Exhibit CXG10

evidence of use which relates to them or because there is no justification for retention of the broader terms within which the use shown would fall).

Classes 37, 42 and 43

194. I am not satisfied that UK798 or UK799 have been used commercially in relation to these services. There is either no evidence that FPL has provided these services at all, or they have been provided under other marks. Consequently, I find no genuine use in relation to services in this class.

195. Taking all of this into account, I find a fair specification to be:

Class 36 Letting and leasing of hotels; corporate fund management, investment fund management, placement of funds provided in relation to real estate and hospitality; information and advisory services relating to the aforesaid.

196. The effective date of partial revocation for UK798 is 7 January 2020.

197. The effective date of partial revocation for UK799 is 7 February 2020.

Frasers Hospitality Real Estate Investment Trust UK800 and Frasers Hospitality Business Trust UK804 (Revocation nos. 503546 and 503547)

198. I have considered whether FPL can rely upon use of either of the FRASER HOSPITALITY TRUST marks (UK798 or UK799) to show use of these marks. In my view, they can. This is because the case law is clear that the addition/subtraction of descriptive words will not usually alter the distinctive character of a mark (see *Lactalis* cited above) unless it changes the meaning of the marks. The additional words REAL ESTATE and BUSINESS in this case do nothing more than identify the specific nature of the trust in question. As such, I will consider the use shown in relation to UK798 and UK799.

199. My understanding is that both Frasers Hospitality Real Estate Investment Trust and Frasers Hospitality Business Trust are names of trusts which operate as part of Fraser Hospitality Trust. In contrast to the evidence described above, I have no satisfactory evidence to explain how many customers within the jurisdiction would have come into contact with these trade marks. In the absence of any evidence on this, I am not prepared to find that the marks have been put to genuine use for any services other than those for which use has been found in relation to UK798 and UK799. Consequently, I find a fair specification to be:

Class 36 Letting and leasing of hotels; corporate fund management, investment fund management, placement of funds provided in relation to real estate and hospitality; information and advisory services relating to the aforesaid.

200. The effective date of partial revocation for UK800 and UK804 is 21 February 2020.

THE INVALIDATIONS FILED BY HOF (503553, 503554, 503558, 503562, 503563, 503572, 503573, 503574, 503575, 503615, 503624 and 503625)

201. I will now turn to consider the invalidations filed by HOF against FPL's marks. The invalidations are directed at UK965, UK644, UK369, IRUK238, UK938, UK238, UK903, UK716, UK599, UK195, IRUK195 and IRUK599.

202. Sections 3 and 5 of the Act have application in invalidation proceedings by virtue of section 47 of the Act, which states:

“47. (1) The registration of a trade mark may be declared invalid on the grounds that the trade mark was registered in breach of section 3 or any of the provisions referred to in that section (absolute grounds for refusal of registration). [...]

(2) Subject to subsections (2A) and (2G), the registration of a trade mark may be declared invalid on the ground-

(a) that there is an earlier trade mark in relation to which the conditions set out in section 5(1), (2) or (3) obtain, or

(b) that there is an earlier right in relation to which the condition set out in section 5(4) is satisfied,

unless the proprietor of that earlier trade mark or other earlier right has consented to the registration.

(2ZA) The registration of a trade mark may be declared invalid on the ground that the trade mark was registered in breach of section 5(6).

(2A) The registration of a trade mark may not be declared invalid on the ground that there is an earlier trade mark unless –

(a) the registration procedure for the earlier trade mark was completed within the period of five years ending with the date of the application for the declaration,

(b) the registration procedure for the earlier trade mark was not completed before that date, or

(c) the use conditions are met.

(2B) The use conditions are met if –

(a) the earlier trade mark has been put to genuine use in the United Kingdom by the proprietor or with their consent in relation to the goods or services for which it is registered-

(i) within the period of 5 years ending with the date of application for the declaration, and

(ii) within the period of 5 years ending with the date of filing of the application for registration of the later trade mark or (where applicable) the date of the priority claimed in respect of that application where, at that date, the five year period within which the earlier trade mark should have been put to genuine use as provided in section 46(1)(a) has expired, or

(b) it has not been so used, but there are proper reasons for non-use.

(2C) For these purposes –

(a) use of a trade mark includes use in a form (the “variant form”) differing in elements which do not alter the distinctive character of the mark in the form in which it was registered (regardless of whether or not the trade mark in the variant form is also registered in the name of the proprietor), and

(b) use in the United Kingdom includes affixing the trade mark to goods or to the packaging of goods in the United Kingdom solely for export purposes.

(2D)-(2DA) [Repealed]

(2E) Where an earlier trade mark satisfies the use conditions in respect of some only of the goods or services for which it is registered, it shall be treated for the purposes of this section as if it were registered only in respect of those goods or services.

(2F) Subsection (2A) does not apply where the earlier trade mark is a trade mark within section 6(1)(c)

(2G) An application for a declaration of invalidity on the basis of an earlier trade mark must be refused if it would have been refused, for any of the reasons set out in subsection (2H), had the application for the declaration been made on

the date of filing of the application for registration of the later trade mark or (where applicable) the date of the priority claimed in respect of that application.

(2H) The reasons referred to in subsection (2G) are-

(a) that on the date in question the earlier trade mark was liable to be declared invalid by virtue of section 3(1)(b), (c) or (d), (and had not yet acquired a distinctive character as mentioned in the words after paragraph (d) in section 3(1));

(b) that the application for a declaration of invalidity is based on section 5(2) and the earlier trade mark had not yet become sufficiently distinctive to support a finding of likelihood of confusion within the meaning of section 5(2);

(c) that the application for a declaration of invalidity is based on section 5(3)(a) and the earlier trade mark had not yet acquired a reputation within the meaning of section 5(3).

(3) [...]

(4) [...]

(5) Where the grounds of invalidity exist in respect of only some of the goods or services for which the trade mark is registered, the trade mark shall be declared invalid as regards those goods or services only.

(5A) An application for a declaration of invalidity may be filed on the basis of one or more earlier trade marks or other earlier rights provided they all belong to the same proprietor.

(6) Where the registration of a trade mark is declared invalid to any extent, the registration shall to that extent be deemed never to have been made: Provided that this shall not affect transactions past and closed.”

The scope of the 5(2)/5(3) invalidations as a result of the evidence of use

203. I have found that a number of marks relied upon by HOF should be revoked on the grounds of non-use. This has an impact upon the scope of the invalidations.

204. UK967 is revoked with effect from 3 June 2005. This is after the relevant date in invalidation no. 503553. This means that it was a valid earlier right for the purposes of invalidation no. 503553 against UK965, but not in respect of any of the other invalidations.

205. UK014 is relied upon for all of the invalidations. As this was partially revoked with effect from 8 December 1995, and was not revoked in its entirety until 23 April 2024, UK014 remained a valid earlier right at the relevant dates in relation to the class 36 services that survived the revocation. All of the other earlier marks relied upon in some or all of the invalidations (UK284, UK905, UK223, UK006 and UK166) remained registered rights (with the benefit of their full specifications) at the filing date for the marks in issue.

206. However, that is, of course, not the end of the matter. This is because HOF is required to show proof of use in relation to UK014, UK284, UK967, UK905, UK223, UK006 and UK166 as part of the invalidation proceedings. It is important to bear in mind, in this regard, that there are two relevant periods for showing genuine use of earlier marks for the purposes of invalidation claims: 1) the five-year period ending with the filing or priority date of the contested mark and 2) the five-year period ending with the filing date of the application for invalidation. HOF must show genuine use in relation to both relevant periods in order to be able to rely upon the marks identified.

207. I have summarised HOF's evidence of use above. As noted above, the only proceedings in which UK967 could still be relied upon is 503553 against UK965. However, the first relevant period for the purposes of the invalidation proceedings in that case is 25 October 1995 to 24 October 2000. There is no evidence of genuine use of UK967 during that period. Consequently, the invalidation based upon that mark falls at the first hurdle.

208. In respect of UK006 and UK014, I found that there had been genuine use in relation to *credit card services* in class 36 between 2009 and 2015, but not after that date. Given that the most recent relevant period for all of the invalidations is between January/February 2016 and January/February 2021, there is no evidence of use in that relevant period and, consequently, these marks cannot be relied upon by HOF.

209. I have summarised the evidence of use in relation to UK166 and UK284 above. As explained, these marks only survived the revocation actions in respect of *Mobile applications (downloadable) for the retail of goods* in class 9. The evidence of use in this regard dates back to 2015. There is, therefore, no evidence of use of UK166 and UK284 in the earlier of the relevant periods for applications 503553, 503554 and 503558 against UK965, UK644 and UK369. As such, they cannot be relied upon for those applications and I will consider them no further. The use shown from 2015 onwards falls squarely within both relevant periods for the other invalidation applications (being 503562, 503563, 503572, 503573, 503574, 503575, 503615, 503624 and 503625). UK166 and UK284 can, therefore, be relied upon for these applications but only in relation to the limited use shown in class 9.

210. In relation to UK905 and UK223, use has been conceded in respect of the more limited specification of retail services discussed above. As such, these marks can be relied upon to that extent for each of the invalidations (to the extent that they are pleaded).

211. The result of these findings is that the 5(2) and 5(3) grounds proceed as follows:

- a. Application no. 503553 must fail in so far as it is based upon section 5(2)(b). This is because the only earlier mark to survive the revocation/proof of use assessments is UK905 which is relied upon under section 5(3) only. The section 5(3) ground will proceed on the basis of that mark only.
- b. Application nos. 503554 and 503558 proceed on the basis of UK905 alone and in relation to the limited retail services specification discussed above.

- c. Application nos. 503562, 503563, 503572, 503573, 503574, 503575, 503615, 503624 and 503625 proceed on the basis of UK284, UK905, UK223 and UK166, but only in relation to the limited specifications discussed above. As noted above, for 503624, UK166 is relied upon under section 5(2)(b) only and for 503563, UK223 is relied upon for section 5(3) only.

Section 5(2)

212. Section 5(2)(b) of the Act reads as follows:

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

(a)...

(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.”

213. 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.”

214. The following standard summary of the principles applicable to the assessment of the likelihood of confusion was approved by the Supreme Court in *Iconix Luxembourg Holdings SARL v Dream Paris Europe Inc & Anor*, [2025] UKSC 25:

(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, in certain circumstances, be dominated by one or more of its components;

(f) and beyond the usual case, where the overall impression created by a mark depends heavily on the dominant features of the mark, it is quite 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; and

(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.

Comparison of goods and services

215. My findings in the revocation actions will have a bearing on the scope of the specifications in issue for HOF's marks. However, the same is not true for FPL's marks. This is because the invalidation actions have the potential to restrict the specifications of FPL's marks from the filing date, whereas the revocation actions cannot. Consequently, I must consider the full breadth of FPL's specifications as of the time of filing (unless otherwise restricted). Further, as the concessions made by FPL in their schedules of evidence relate only to the question of use of their marks, they have not made any concessions in relation to their defence of the invalidations. As such, the full specifications (including the terms that are struck through in Annex 2 to this decision) must be considered. With that in mind, the goods and services for each of the parties' respective marks can be found in Annex 4 to this decision.

216. In *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T- 133/05, the 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 for 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.”

217. When making the comparison, all relevant factors relating to the goods/services in the specifications should be taken into account. In the judgment of the CJEU in *Canon*, Case C-39/97, the court stated at paragraph 23 that:

“In assessing the similarity of the goods or services concerned, as the French and United Kingdom Governments and the Commission have pointed out, 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.”

218. 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.

219. In *Kurt Hesse v OHIM*, Case C-50/15 P, the CJEU stated that complementarity is an autonomous criterion capable of being the sole basis for the existence of

similarity between goods. In *Boston Scientific Ltd v Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM)*, Case T-325/06, the GC stated that “complementary” means:

“...there is a close connection between them, in the sense that one is indispensable or important for the use of the other in such a way that customers may think that the responsibility for those goods lies with the same undertaking.”

Class 9

220. FPL’s UK938, UK238, UK195, IRUK195, IRUK599 and UK599 all have protection in this class.

221. Plainly, the terms *computer software applications, downloadable* and *downloadable applications for use with mobile devices* are identical on the principle outlined in *Meric* to the mobile applications in the specifications of HOF’s UK284 and UK166. I accept that there may also be some overlap in trade channels, method of use, nature and user with the other class 9 goods in the specifications for both of HOF’s marks. However, these are at a very general level, simply on the basis that they are all types of software. The purpose of the respective goods is different and there is no competition or complementarity. In my view, there is a low degree of similarity between the class 9 goods covered by HOF’s marks and *downloadable computer graphics, downloadable electronic publications, downloadable website design templates, downloadable image files* and *downloadable video recordings*.

222. For reasons that will become clear below, I will also compare FPL’s goods in this class to HOF’s retail services. There is plainly an overlap in user, as all of the goods and services could be used by members of the general public. However, the nature, method of use and purpose of the goods and services clearly differ. There is potential for an overlap in trade channels with regard to the broad terms *computer software applications, downloadable* and *downloadable applications for use with mobile devices* because retailers may also provide software for the purposes of accessing their retail services from mobile devices. I am mindful that this is a very general level

of overlap. However, there may also be an overlap in purpose, where both are used for retail functions. There is also complementarity as, to the extent that the broad software terms include retail applications, the goods and services are important for one another and the average consumer would perceive the same undertaking to be responsible. There is no competition. In my view, the goods and services are similar to a medium degree. I can see no point of similarity between HOF's retail services specifications and FPL's other, more specific, software goods listed above (other than at a very general level, sharing an overlap in users) and, consequently, I find them to be dissimilar.

Class 16

223. FPL's UK369, IRUK238, UK238, UK195, IRUK195, IRUK599 and UK599 all have protection in this class.

224. I note, in particular, that the specifications include the following terms:

Cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

225. All of these are terms which might include store cards (whether that be credit cards, loyalty cards or otherwise). Consequently, I find that there is an overlap in trade channels and user with HOF's retail services. The method of use, nature and purpose of the goods and services will clearly differ. There is no competition. However, there is complementarity, as the retail services are important for the use of the store-linked cards and the average consumer is likely to perceive the same undertaking as being

responsible for both. In my view, the goods and services are similar to a medium degree. For the avoidance of doubt, I have not included *debit cards (other than encoded or magnetic)* in this list because, to my knowledge, these are cards that are typically linked directly with the user's bank account and are, therefore, issued by banks rather than retailers. Consequently, the same overlaps do not apply.

226. I also accept that some of FPL's goods in class 16, such as *notebooks for writing, pens and greetings cards* might be sold through the same trade channels as the retail services in the specifications of UK905 and UK223, i.e. department stores. Plainly, they would also be sold to the same users. However, this could be said about any goods that might be found in a department store, which would defeat the object of requiring retail services registrations to be linked to the goods they provide. The surviving specifications of UK905 and UK223 do not cover the retailing of class 16 goods. I conclude that the purpose, method of use and nature of the goods/services would differ. There is no competition or complementarity. Consequently, I find the similarity to be at a very low degree at best; for the vast majority of the terms in this class, there will be no similarity at all.

Class 35

227. FPL's UK644, UK369, IRUK238, UK903, UK195 and UK599 have protection in this class.

228. I note that the specification of IRUK238 includes retail services, which are plainly identical to those services covered by the specifications of UK905 and UK223. To the extent that they are not identical (such as where FPL's services include mail order services, these will still be highly similar).

229. With regard to the advertising/publicity services covered by the specifications of the marks listed at paragraph 226 above, I accept that there is some overlap in purpose at a very general level with the retail services covered by the specifications of UK905 and UK223 because part of the purpose of retail services is the promotion of third party goods. However, the services are clearly different in nature, method of use and trade channels. There may be some overlap in user, but this is at a very

general level. There is no competition or complementarity. In my view, the similarity is at a low degree. HOF's class 9 goods do not put it in any stronger position.

230. However, in relation to the terms *display services for merchandise* which appears in the specifications of UK644, IRUK238, UK903, UK195 and UK599 and *demonstration of goods and samples* in the specification of UK644 and *distribution and demonstration of goods and samples for advertising purposes* in the specifications of IRUK238, UK195 and UK599, I recognise that these are more closely aligned with the services provided by a retailer. Consequently, there is a pronounced overlap in both purpose and nature, which results in similarity of the services to a medium degree.

231. I recognise that some of the services in class 35 might be provided to retailers (such as window dressing services and leasing of retail outlets). However, the user of the services differ, as retail services are provided to the general public and FPL's services are provided to retailers. The trade channels will not overlap and the services clearly differ in nature, method of use and purpose. There is no competition or complementarity. In my view, they are dissimilar.

232. I note that the class 35 specifications of FPL's marks include terms relating to the management/operation of promotional and loyalty schemes. Where these are not limited to being for others, this will include the provision of a loyalty scheme itself (such as *organisation, operation and supervision of sales and promotional schemes* in the specifications of UK644 and UK903, *promotional services in the nature of reward programs for customers and customer loyalty schemes* in the specification of UK369 and *organisation and management of customer loyalty programmes* and *organisation, operation and supervision of customer loyalty schemes and incentive schemes* in the specification of UK369). These are not limited to a particular sector and so could be provided by the same undertaking as HOF's retail services, to the same users. There may also be complementarity. Consequently, they are similar to a medium degree. By contrast, where the services are limited to being for others (such as *sales promotion through customer loyalty programmes for others* in the specification of IRUK238, *sales promotion through customer loyalty programmes (for others)* and *sales promotion through promotional activities and incentive award programs (for others)* in the

specification of UK369) these would be provided by third parties to the businesses that offer loyalty schemes to their customers. Consequently, the trade channels and users differ. The method of use, nature and purpose of the services is different and there is no competition or complementarity. In my view, they are dissimilar. If I am wrong in that finding, then any similarity is at a low degree.

233. The term *promotional information and advisory services provided to members and subscribers of incentive loyalty schemes and travel reward programs, including the provision of promotional information via electronic mail* involves the provision of information and advice to members of a loyalty scheme. This is a service which, to the extent that it is not limited to travel reward programs, could be provided by retailers who offer a loyalty service. There is, therefore, an overlap in trade channels and user. The method of use, nature and purpose of the services differ, and there is neither competition nor complementarity. In my view, these services are similar to a low degree.

234. The specifications of IRUK238, UK903, UK195 and UK599 include the term *business organisation, management, performance monitoring and facilitation of sales via a global computer network*. The underlined part of this term (only) will be similar to HOF's retail services in purpose and nature, both involving the facilitation of sales on behalf of third parties. Consequently, they are similar to a medium degree.

235. I have reviewed the rest of the class 35 specification and I can see no other point of overlap in terms of nature, method of use, purpose or trade channels. There does not appear to be any competition or complementarity. If there is any overlap in user, that is not sufficient on its own for a finding of similarity. I find the remaining services in this class to be dissimilar to HOF's goods and services.

Class 36

236. FPL's UK644, UK369, IRUK238, UK903, UK195 and UK599 have protection in this class.

237. With regard to the real estate services in this class, I note Mr Longstaff's submission that there is an overlap with HOF's retail services in class 35 because part of the retail service is the allocation of space within a retail environment to third parties for the purposes of operating their concession. I bear in mind that FPL's specifications include the letting and leasing of commercial properties, which is the high point of Mr Longstaff's case. However, the retailing of goods in class 35 does not cover the renting of commercial concession space. Rather, what is being referred to is that act of 'bringing together' goods or services for the benefit of the public, which is the fundamental function of a retail service, and such ancillary retail services that attract the public to one retailer as opposed to another. To the extent that I am wrong about this on the basis that both services can be provided by department stores, they are very distinct in nature, purpose and method of use. They are also provided to different users, with the user for the retail services being the general public and the user for the class 36 services being retailers looking to rent concession space. There is therefore no competition or complementarity. I find the services to be dissimilar. If I am wrong in that finding, then any similarity is at a low degree.

238. The services covered by the terms *issuing of tokens of value in relation to customer loyalty schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes* in the specification of UK369 could be provided by a retailer as part of their loyalty scheme. Consequently, there is an overlap in user and trade channels. There is complementarity, as one is important or indispensable for the other and you would expect the same undertaking to be responsible for both. In my view, they are similar to a medium degree. The same is not true of *issuing of benefits of value in connection with travel incentive schemes* because this relates to a travel-specific scheme which you would not expect to be provided by a retailer.

239. I have reviewed the remaining services in this class and I am unable to identify any point of overlap in trade channels, method of use, nature or purpose with HOF's goods and services. There is no competition or complementarity. If there is any overlap in user, it is insufficient on its own to result in similarity. I find the remaining services in FPL's specifications to be dissimilar to HOF's goods and services.

Classes 37 and 42

240. UK644, IRUK238, UK903, UK195 and UK599 have protection in these classes.

241. I have reviewed this specification in full and I am unable to find any point of similarity in terms of nature, method of use, purpose or trade channels with HOF's goods and services. There is no competition or complementarity. Any overlap in user is insufficient on its own to result in a finding of similarity. I find the goods and services to be dissimilar.

Class 43

242. FPL's UK644, UK369, IRUK238, UK716, UK195 and UK599 have protection in this class.

243. With regard to the various provision of food and drink services for which FPL has protection in this class, these are often provided within department stores and so there is sometimes an overlap in trade channels with HOF's retail services in UK905 and UK223. Plainly, there is an overlap in user (the general public). Further, although food and drink services provided in department stores are frequently provided by third parties under well-known third party brands, I accept that there are some circumstances in which the average consumer might perceive the responsibility for services to lie with the same undertaking as the retail services. However, I do not consider one service to be important or indispensable for the other. There is no evidence that retailers in general provide food and drink services, or that providers of food and drink services generally also provide retail services. Therefore, the public do not normally expect these services to be provided by the same undertaking. As such, I do not consider them to be complementary. Alternatively, the degree of complementarity is low. The purpose of the services differs, given that one is for providing food and the other is for bringing together goods/services for the benefit of others. The method of use will also differ, as will the nature. There is no competition, given the differing purposes. In my view, the services are, at best, similar to only a low degree. I can see no other point of similarity which puts HOF in any stronger position.

244. I note that the specification of UK369 includes some loyalty scheme services in this class, but these are specific to hospitality and, consequently, there is no overlap with HOF's goods and services, for the same reasons given above.

245. I can see no other point of overlap in nature, method of use, purpose or trade channels with HOF's goods and services. There is neither competition, nor complementarity. Any overlap in user is insufficient on its own to result in a finding of similarity. I consider the goods and services to be dissimilar.

246. The invalidation based upon section 5(2)(b) of the Act against UK716 fails in its entirety, and large parts of the invalidations under this ground fail against the remaining marks, due to a lack of similarity of goods and services.⁹⁸

The average consumer and the nature of the purchasing act

247. 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: *Lloyd Schuhfabrik Meyer*, Case C-342/97.

248. In *Iconix Luxembourg Holdings SARL v Dream Paris Europe Inc & Anor*, [2025] UKSC 25, the Supreme Court approved the comments of Arnold LJ in *Lidl Great Britain Ltd & Anor v Tesco Stores Ltd & Anor (Rev1)* [2024] EWCA Civ 262, where he pointed out that:

(a) Consumers who are ill-informed or careless, or consumers with specialised knowledge or who are excessively careful are excluded from consideration;

(b) The average consumer provides a standard which enables the courts to strike a balance between the competing interests involved, such as trade mark owners, their competitors and consumers;

⁹⁸ *eSure Insurance v Direct Line Insurance*, [2008] ETMR 77 CA

(c) The average consumer is neither a single hypothetical person nor a mathematical average; assessment from the perspective of the average consumer does not involve a statistical test. There is no single meaning rule and if, having regard to the perceptions and expectations of the average consumer, the court considers that a significant proportion of the relevant public is likely to be confused, a finding of infringement may properly be made;

(d) Assessment from the perspective of the average consumer is intended to facilitate adjudication of trade mark disputes by providing an objective criterion, by promoting consistency of assessment and by enabling courts and tribunals to determine such issues so far as possible without the need for evidence;

(e) The average consumer's level of attention varies according to the category of goods or services in question; and

(f) the average consumer rarely has the opportunity to make direct comparisons between trade marks (or between trade marks and signs) and must instead rely upon the imperfect picture of the trade mark they have kept in their mind.

249. The average consumer for the parties' goods and services will be either a member of the general public or a business user. The goods and services are likely to be purchased with varying degrees of frequency, and varying costs will be associated with them (from pens which are very inexpensive to advertising services which might attract a higher cost). In my view, this results in the level of attention paid varying from low to slightly higher than medium.

250. The goods and services are likely to be selected following perusal of signage on physical premises or on websites. Consequently, visual considerations will dominate the purchasing process. However, I do not discount an aural component to the purchase given that there may be word-of-mouth recommendations or advice sought from retail assistants.


Comparison of trade marks




251. It is clear from *Sabel* 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 impression created by the trade marks, bearing in mind their distinctive and dominant components. The CJEU 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.”

252. It would be wrong, therefore, to dissect the trade marks artificially, although it is necessary to take into account the distinctive and dominant components of the marks and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions created by the marks.

253. The respective trade marks are shown below:

HOF's trade marks (applicant for invalidation)	FPL's trade marks (proprietor)
<p style="text-align: center;">HOUSE OF FRASER (UK284, UK905, UK223 and UK166)</p>	<p style="text-align: center;">FRASERS PROPERTY (IRUK238, UK238, UK938 and UK903)</p> <div style="text-align: center;">  </div> <p style="text-align: center;">(UK599 and IRUK599)</p>

	 <p>(UK195 and IRUK195)</p>   <p>(series of 2) (UK644)</p> <p>FRASER WORLD (UK369)</p>
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Overall Impression

254. As set out above, HOF’s marks are all identical – the words HOUSE OF FRASER. The same findings will, therefore, apply across the board; for the purpose of this comparison, I will refer to them collectively as “HOF’s marks”. The overall impression lies in the combination of the three words HOUSE OF FRASER, with the word FRASER being the most distinctive element.

255. IRUK238, UK238, UK938 and UK903 consist of the words FRASERS PROPERTY. The overall impression lies in the combination of these words, with the word FRASERS being the most distinctive element.

256. UK195 and IRUK195 also consist of the words FRASERS PROPERTY alongside a diamond shaped device. The eye is naturally drawn to the element of the mark that can be read and the word FRASERS appears the larger of the two. In my view, the

word FRASERS plays the greater role in the overall impression, with the word PROPERTY and the device playing a lesser role.

257. The same finding applies to UK599, IRUK599 and UK644, with the use of colour also playing a lesser role.

258. UK369 consists of the words FRASER WORLD. They form a unit. However, the word FRASER is the more distinctive element as it qualifies the word WORLD.

Visual Comparison

259. The marks clearly all overlap in the presence of the word FRASER (albeit pluralised in FPL's marks), which is the most distinctive element of all of them. They differ in the presence of the words HOUSE OF in HOF's marks and in the word PROPERTY across all of FPL's marks. UK599, IRUK599, UK195, IRUK195 and UK644 also have the additional difference created by the device element. In my view, IRUK238, UK238, UK938 and UK903 are visually similar to HOF's marks to a medium degree, and the remaining marks of FPL are visually similar to between a low and medium degree.

Aural Comparison

260. The devices in UK599, IRUK599, UK195, IRUK195 and UK644 will not be articulated. Consequently, all of FPL's marks (with the exception of UK369) will be pronounced in the same way i.e. as the ordinary words FRASERS PROPERTY. In my view, they are aurally similar to HOF's marks to a medium degree.

261. UK369 is similar to between a low and medium degree, due to the difference created by the presence of the word WORLD.

Conceptual Comparison

262. All of HOF's marks convey the message of a building/structure belonging to a person called FRASER. IRUK238, UK238, UK938, UK903, UK599, IRUK599, UK195,

IRUK195 and UK644 all convey the meaning of a property or property service, provided by or belonging to someone called FRASERS. In my view, there is an above medium degree of conceptual overlap between the marks. I do not consider that any meaning will be conveyed by the device in UK599, IRUK599, UK195, IRUK195 and UK644.

263. UK369 conveys the impression of a world created by FRASER or of a particular group which, collectively, are known as FRASER. In my view, there is between a low and medium degree of conceptual similarity.

Distinctive character of the earlier marks

264. In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, Case C-342/97 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 Attenberger* [1999] ECR I-2779, 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).”

265. 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 goods, 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.

266. As the distinctiveness of the common element is key to my assessment, I will begin by making a finding as to the distinctiveness of the word FRASER.⁹⁹ The distinctiveness of a surname will be affected by how common it is (or not, as the case may be).¹⁰⁰ In my view, the name FRASER is likely to be recognised as a common surname in the UK. Consequently, I find it to be inherently distinctive to between a low and medium degree. Turning now to the earlier marks as a whole, the word FRASER is the more distinctive element of the marks, but the addition of the words HOUSE OF do contribute to the distinctiveness. In my view, the mark HOUSE OF FRASER is inherently distinctive to a medium (or average) degree overall. It does not appear to me that there is any real dispute that there was enhanced distinctiveness of the sign HOUSE OF FRASER in relation to the retail services for which UK905 and UK223 are registered at the relevant dates. The evidence falls well short of establishing enhanced distinctiveness for the class 9 goods.

Likelihood of confusion

267. 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 them and the goods/services down to the responsible undertaking 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 goods/services may be offset by a greater

⁹⁹ *Kurt Geiger v A-List Corporate Limited*, BL O-075-13

¹⁰⁰ *Harman International Industries, Inc v OHIM*, Case C-51/09P

degree of similarity between the marks, and vice versa. As I mentioned above, it is necessary for me to keep in mind the distinctive character of the earlier marks, the average consumer for the goods/services and the nature of the purchasing act. In doing so, I must be alive to the fact that the average consumer rarely has an 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.

268. I have found as follows:

- a. The goods and services vary from similar to very a low degree to identical (except where I have found them to be dissimilar).
- b. The average consumer is a member of the general public or a business user, who will pay a varying degree of attention from low to slightly higher than medium, depending on the goods/services.
- c. The purchasing process is predominantly visual, although I do not discount an aural component to the purchase.
- d. The marks are visually and aurally similar to either a medium or between low and medium degree. The marks are conceptually similar to an above medium degree, or to between a low and medium degree for UK369.
- e. The earlier marks are distinctive to a medium degree, which has been enhanced through use to a high degree for retail services. The common element is distinctive to between a low and medium degree.

269. In *L.A. Sugar Limited v By Back Beat Inc*, Case BL O/375/10, Mr Iain Purvis Q.C., as the Appointed Person, explained the different types of confusion as follows:

“16. Although direct confusion and indirect confusion both involve mistakes on the part of the consumer, it is important to remember that these mistakes are very different in nature. Direct confusion involves no process of reasoning – it is a simple matter of mistaking one mark for another. Indirect confusion, on the

other hand, only arises where the consumer has actually recognized that the later mark is different from the earlier mark. It therefore requires a mental process of some kind on the part of the consumer when he or she sees the later mark, which may be conscious or subconscious but, analysed in formal terms, is something along the following lines: 'The later mark is different from the earlier mark, but also has something in common with it. Taking account of the common element in the context of the later mark as a whole, I conclude that it is another brand of the owner of the earlier mark'.

17. Instances where one may expect the average consumer to reach such a conclusion tend to fall into one or more of three categories:

- (a) where the common element is so strikingly distinctive (either inherently or through use) that the average consumer would assume that no-one else but the brand owner would be using it in a trade mark at all. This may apply even where the other elements of the later mark are quite distinctive in their own right ('26 RED TESCO' would no doubt be such a case).
- (b) where the later mark simply adds a non-distinctive element to the earlier mark, of the kind which one would expect to find in a sub-brand or brand extension (terms such as 'LITE', 'EXPRESS', 'WORLDWIDE', 'MINI' etc.).
- (c) where the earlier mark comprises a number of elements, and a change of one element appears entirely logical and consistent with a brand extension ('FAT FACE' to 'BRAT FACE' for example)".

270. Mr Hollingworth drew my attention to a previous decision of this Tribunal, in which the Hearing Officer made an assessment between the marks ZARA and HOUSE OF ZANA.¹⁰¹ In particular, Mr Hollingworth drew my attention to the fact that the words HOUSE OF were found to have some degree of distinctiveness and were "flavoured

¹⁰¹ BL O/658/22

with a gentle grandeur". I agree with the Hearing Officer in that case, as discussed above, that the words HOUSE OF are not descriptive or non-distinctive. However, I have found them to be less distinctive than FRASER.

271. In my view, there is no risk of one mark being mistaken for the other, even where a lower than medium degree of attention is being paid by the average consumer. Clearly, there are sufficient differences between them (the words HOUSE OF in HOF's marks and the word PROPERTY, WORLD and/or device in FPL's marks) that they will not be misremembered. There is no likelihood of direct confusion.

272. I now turn to consider indirect confusion, bearing in mind the principles set out in *LA SUGAR* above, which I acknowledge are not intended to be an exhaustive list. I have considered Mr Hollingworth's submission that the presence of a common surname is not automatically sufficient to give rise to confusion; plainly that is true. However, I find that the pluralisation of FRASERS in FPL's marks (or lack thereof in HOF's marks) is likely to be overlooked. The common use of the name FRASER/S, which in this case is combined with less distinctive elements (HOUSE OF, the devices and PROPERTY) is likely to be seen as indicating different marks being used by the same undertaking, in circumstances where the distinctiveness of the earlier mark has been enhanced through use and where the goods and services are similar to a medium degree or higher. However, where there is no enhanced distinctiveness and/or where the goods and services share only a low degree of similarity, the common use of the name FRASER/S will be perceived as a coincidence rather than indicating an economic connection.

Section 5(3)

273. Section 5(3) of the Act states:

"5(3) A trade mark which -

(a) is identical with or similar to an earlier trade mark, [...] shall not be registered if, or to the extent that, the earlier trade mark has a reputation in the United Kingdom and the use of the later mark without due cause

would take unfair advantage of, or be detrimental to, the distinctive character or repute of the earlier trade mark.”

274. Section 5(3A) of the Act states:

“Subsection (3) applies irrespective of whether the goods and services for which the trade mark is to be registered are identical with, similar to or not similar to those for which the earlier trade mark is protected.”

275. The relevant case law can be found in the following judgments of the CJEU: *Case C-375/97, General Motors, Case 252/07, Intel, Case C-408/01, Adidas-Salomon, Case C-487/07, L’Oreal v Bellure and Case C-323/09, Marks and Spencer v Interflora and Case C383/12P, Environmental Manufacturing LLP v OHIM*. I have borne that in mind in my consideration of this ground.

276. I can deal with this ground relatively swiftly. As explained above, I do not consider that it can really be in issue that HOF has a reputation for retail services. I do not understand that to be in dispute between the parties. Whilst similarity of goods and services is not required under section 5(3) it is a relevant factor to the link assessment. In my view, this ground would stand or fall with the 5(2)(b) grounds discussed above. It will succeed in relation to those goods and services for which the 5(2)(b) ground has succeeded (plainly, if there is confusion then there will be link and unfair advantage). However, in relation to those goods and services that I have found to be dissimilar or similar to only a low degree, it seems to me that the common presence of the word FRASER/S will be put down to mere coincidence and no link will be made; if a link is made it will be too fleeting to result in any relevant advantage or damage.

277. I bear in mind that for invalidation action no. 503553 against UK965, the only mark capable of being relied upon by HOF was UK905, which was relied upon under section 5(3) only. However, the class 36 and 43 services for which UK965 is registered are dissimilar to those in the specification of UK905 for the reasons already discussed above. In my view, the distance between the parties’ goods/services is sufficient to offset the similarity of the marks and the reputation of HOF. As such, no link leading

to a relevant advantage or damage would arise. The invalidation under this ground fails.

Section 5(4)(a)

278. Section 5(4)(a) of the Act states as follows:

“5(4) A trade mark shall not be registered if, or to the extent that, its use in the United Kingdom is liable to be prevented -

a) by virtue of any rule of law (in particular, the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade, where the condition in subsection (4A) is met,

aa)...

b) ...

A person thus entitled to prevent the use of a trade mark is referred to in this Act as the proprietor of “an earlier right” in relation to the trade mark.”

279. Subsection (4A) of section 5 of the Act states:

“(4A) The condition mentioned in subsection (4)(a) is that the rights to the unregistered trade mark or other sign were acquired prior to the date of application for registration of the trade mark or date of the priority claimed for that application.”

280. I can also deal with this ground swiftly. FPL accepts that HOF has a protectable goodwill in relation to retail/department store services; plainly this is true. Whilst I accept that the test for misrepresentation is different from that for likelihood of confusion in that it entails “deception of a substantial number of members of the public” rather than “confusion of the average consumer”, and is not limited to similar goods/services, it has been acknowledged that they are unlikely to produce different

outcomes in practice.¹⁰² Certainly, I believe that to be the case here to the extent that HOF is relying upon the sign HOUSE OF FRASER. In my view, the distance between the parties' fields of activity is simply too great for misrepresentation or damage to occur to any greater extent than HOF has already succeeded under 5(2)(b).

281. In this regard, I have borne in mind the argument raised by HOF that it has goodwill in relation to real estate/property services by virtue of the fact that it has been entering into concession agreements with the third party businesses that sell their goods from its retail stores. I do not consider that this line of argument can succeed for a number of reasons. Even if it could be said that HOF's activities constitute a real estate service, it is an extremely niche form of real estate service (being the offering of concession space within its stores). In my view, the evidence simply is not sufficient to support a finding of protectable goodwill in that regard. Whilst I have evidence of concession agreements, there is no evidence before me which explains how this service (if, indeed, it is a service in itself) was operated, how retailers were attracted or whether they sought out these spaces themselves or how the sign HOUSE OF FRASER was used in the act of offering those services to other would-be retailers. This is information that it should have been easy for HOF to provide to support its claim and the burden of proof lies with HOF. Given the sparsity of the evidence, the niche nature of the services offered by HOF and the differences between the respective marks/signs, I do not consider that misrepresentation/damage would occur. This finding is supported by the fact that there is absolutely no evidence of confusion before me, despite the fact that the parties have both been offering these services (concessions being offered by HOF and real estate services being offered by FPL) for a number of years. Consequently, I dismiss this line of argument and it does not take HOF's section 5(4)(a) claims any further forward.

282. I note that HOF is also relying upon the sign FRASERS under this ground. However, in my view, that does not put HOF in any stronger position. This is because the evidence filed in relation to that sign is very thin and, to the extent that there is any goodwill shown, it would be in relation to retail services only. As such, HOF faces the

¹⁰² *Marks and Spencer PLC v Interflora* [2012] EWCA (Civ) 1501

same issue in terms of the distance between the parties' respective fields of activity as discussed above.

Section 3(6)

283. Section 3(6) of the Act states:

“(6) A trade mark shall not be registered if or to the extent that the application is made in bad faith.”

284. In *SkyKick UK Ltd & Anor v Sky Ltd & Ors (Rev1)* [2024] UKSC 36, Lord Kitchin summarised the general principles applicable to bad faith at [240] as follows:

“(i) [...]”

(ii) The date for assessing whether an application to register [a] trade mark was made in bad faith is the date the application for registration was made (*Lindt*, para 35).

(iii) Bad faith in this context is an autonomous concept of EU law which must be given a uniform interpretation [...], and must be interpreted in the context of Directive 89/104 in the same manner as in the context of Regulation 40/94 (*[Malaysia Dairy Industries Pte Ltd v Ankenævnet for Patenter og Varemaerker (C-320/12) EU:C:2013:435 (“Malaysia Dairy”)]*, para 29; *[Sky plc v SkyKick UK Ltd (C-371/18) EU:C:2020:45 (“Sky CJEU”)]*, para 73).

(iv) While, in accordance with its usual meaning in everyday language, the concept of bad faith presupposes the presence of a dishonest state of mind or intention, the concept must also be understood in the context of trade mark law, which involves the use of marks in the course of trade. Further, it must have regard to the objectives of the [...] law of trade marks, namely the establishment and functioning of [...] a system of undistorted competition in which each undertaking must, in order to attract and retain customers by the quality of its goods or services, be able to have registered as trade marks signs which

enable consumers, without any possibility of confusion, to distinguish those goods or services from those which have a different origin (*Lindt*, para 45; [*Koton Mağazacılık Tekstil Sanayi ve Ticaret AS v European Union Intellectual Property Office (EUIPO)* (C-104/18) EU:C:2019:724 (“*Koton*”), para 45).

(v) Consequently, the objection will be made out where the proprietor made the application for registration, not with the aim of engaging fairly in competition but either (a) with the intention of undermining, in a manner inconsistent with honest practices, the interests of third parties; or (b) with the intention of obtaining, without even targeting a specific third party, an exclusive right for purposes other than those falling within the functions of a trade mark, and in particular the essential function of indicating origin (*Koton*, para 46; *Sky CJEU*, para 75).

(vi) The intention of the applicant is a subjective matter, but it must be capable of being established objectively by the competent administrative or judicial authorities having regard to the objective circumstances of the case (*[Hasbro Inc v EUIPO, Kreativni Dogaaji d.o.o. (intervening)* (Case T-663/19) EU:T:2021:211 (“*Hasbro*”), paras 39 and 40; *Koton*, para 47).

(vii) The burden of proving that an application for a registered mark was made in bad faith lies on the party making the allegation. But where the circumstances of the case may lead to a rebuttal of the presumption of good faith, it is for the proprietor of the mark to explain and provide a plausible explanation of the objectives and commercial logic pursued by the application for registration (*Hasbro*, paras 42 and 43).

(viii) Whether the applicant was acting in bad faith must be the subject of an overall assessment, taking into account all of the factors relevant to the particular case (*Lindt*, para 37).

(ix) The applicant for a trade mark is not required to indicate or to know precisely when the application is filed or examined, the use that will be made of it (*Sky CJEU*, para 76; [*AS v Deutsches Patent-und Markenamt* (C-541/18) EU:C:2019:725], para 22).

(x) Nevertheless, the registration by an applicant of a mark without any intention to use it in relation to the goods and services covered by the registration may constitute bad faith where there is no rationale for the application in the light of the aims referred to in Regulation 40/94 and Directive 89/104 (*Sky CJEU*, para 77).

(xi) Such bad faith may, however, be established only where there are objective, relevant and consistent indicia tending to show that, when the application was filed, the applicant for registration had the intention either of undermining, in a manner inconsistent with honest practices, the interests of third parties, or of obtaining, without targeting a specific third party, an exclusive right for purposes other than those falling within the functions of a trade mark (*Sky CJEU*, para 77).

(xii) It follows that the bad faith of the applicant cannot be presumed on the basis of a mere finding that, at the time of filing the application, the applicant had no economic activity corresponding to the goods and services referred to in the application (*Sky CJEU*, para 78).

(xiii) When the absence of an intention to use the mark in accordance with the essential functions of a trade mark concerns only certain goods or services referred to in the application for registration, that constitutes making the application in bad faith only in so far as it relates to those goods or services (*Sky CJEU*, para 81).

(xiv) If, at the end of the day, the court concludes that, despite formal observance of the relevant rules and conditions for obtaining registration, the purpose of the rules has not been achieved, and that there was an intention to take advantage of the rules by creating artificially the conditions laid down for obtaining the registration, this may amount to an abuse sufficient to find that the application was made in bad faith (see, for example, *Hasbro*, para 72).

(xv) Directive 89/104 does not preclude a provision of national law under which an applicant for registration must state that the mark is being used in relation to the goods or services in relation to which it is sought to register the mark, or that the applicant has a *bona fide* intention that it should be used, provided that infringement of such an obligation cannot constitute a ground for invalidity. It may, however, constitute evidence for the purposes of establishing possible bad faith on the part of the applicant when the application was filed (*Sky CJEU*, paras 86 and 87).”

285. According to *Alexander Trade Mark*, BL O/036/18, the key questions for determination in a claim of bad faith are (with amendments made to reflect that these are invalidations, rather than oppositions):

(a) What, in concrete terms, was the objective that the [proprietor] has been accused of pursuing?

(b) Was that an objective for the purposes of which the contested [mark] could not be properly filed? and

(c) Was it established that the contested [mark] was filed in pursuit of that objective?

286. It is necessary to ascertain what the applicant knew at the relevant date: *Red Bull GmbH v Sun Mark Limited and Sea Air & Land Forwarding Limited* [2012] EWHC 1929 (Ch). Evidence about subsequent events may be relevant, if it casts light backwards on the position at the relevant date: *Hotel Cipriani SRL and others v Cipriani (Grosvenor Street) Limited and others*, [2009] RPC 9 (approved by the Court of Appeal in England and Wales: [2010] RPC 16).

What, in concrete terms, was the objective that the proprietor has been accused of pursuing?

287. Mr Longstaff explained that there are three aspects to HOF’s bad faith claim. The first is an allegation of blocking which is directed at the services covered by FPL’s

marks which were registered in a sphere of activity where HOF already provided services under HOUSE OF FRASER or FRASER.

288. The second and third aspects are, as I understand it, part of an allegation that FPL had no intention to use its marks. This is because either, HOF claims, FPL had no commercial justification for applying for some of the goods and services in issue and/or because some of the goods/services in issue can only have been for internal use which does not amount to a legitimate trade mark use.

Was that an objective for the purposes of which the contested mark could not be properly filed?

289. I accept that having no intention to use a mark at the time of filing may be an objective for the purposes of which the contested marks could not be properly filed in certain circumstances. Similarly, applying for a trade mark with the intention of using it to block the legitimate business activities of a third party is, clearly, a purpose for which the contested marks could not properly have been filed.

Was it established that the contested mark was filed in pursuit of that objective?

290. I will deal first with the blocking argument raised by HOF. This line of argument was directed at FPL's retail services specifications. FPL has confirmed that it does not wish to defend its marks in respect of those services and so I do not need to deal with this aspect of the bad faith claim any further (except insofar as it is relevant to the question of costs). For the avoidance of doubt, in relation to any other goods/services in FPL's specifications, the blocking allegation is a serious one that must be distinctly proved and I would have found that HOF's case falls well short of doing so.

291. I now turn to the no intention to use argument. In his skeleton argument and in oral submissions, Mr Longstaff pursued the following line of argument:

“[...] To the extent that the marks have not been used, our submission is that this is only consistent with FPL never having had any intention to use the marks for those parts of the specifications that have fallen away. [...]”

292. I disagree. I can think of any number of reasons why a party may have had an intention to use a mark at the time of filing, but is subsequently found not to have put the mark to genuine use after the five-year grace period has expired. It is not only consistent with there being no intention to use at the time of filing. Indeed, Mr Longstaff also noted that where there is part of a specification which happens not to have been used but it is a perfectly reasonable thing to have applied for, there might be a successful non-use claim but it would not be a fair conclusion to say that there has been bad faith; in my view, that is exactly the circumstances that we are in here.

293. Whilst I note that some of the specifications of FPL's marks are lengthy, they mostly seem to me to be predominantly focused in the core areas of 1) real estate, 2) trust services and 3) hospitality, which are in line with FPL's business. There are, of course, other parts of the specification (such as advertising, business management and stationary goods) but they are all, or could be, connected in some way with the services actually offered by FPL. Whilst the specifications in each class may be broader than the actual services offered by FPL, they are not beyond the realms of what FPL might have had intentions to expand into at the time of filing.

294. The exception to this, in my view, is some of the goods in classes 9 and 16. These appear in the specifications of UK369, UK238, UK938, IRUK238, UK599, UK195, IRUK195 and IRUK599 only. There are two aspects to HOF's case in this regard. In relation to *computer software applications, downloadable, downloadable applications for use with mobile devices* and *downloadable electronic publications*, these are highlighted in HOF's pleadings in red. In relation to these terms, Mr Longstaff explained at the hearing that HOF's case is as follows:

"Third, highlighted in red, where the goods or services would only conceivably be for internal use rather than genuine trade mark use."

295. In relation to *downloadable computer graphics, downloadable website design templates, downloadable image files* and *downloadable video recordings* in class 9 and *adhesives for household purposes, artists' materials, paint brushes, typewriters, printers' type* and *printing blocks* in class 16, these are highlighted in HOF's pleadings

in yellow. In relation to these terms, Mr Longstaff explained at the hearing that HOF's case is as follows:

"The second colour is yellow which means that House of Fraser says FPL can have no commercial justification for expanding into the goods or services in question. This is a sort of legitimate interest point."

296. I understand both of these arguments to be, essentially, arguments around lack of intention to use the marks; in respect of those highlighted in red, because HOF says that the use could only have been internal (which is not commercial use, in line with the essential function of a trade mark) and in respect of those highlighted in yellow, because they are too distant from FPL's business that there can be no prima facie commercial justification for expanding into those goods. This is the way in which the arguments were put forward to me by Mr Longstaff. In respect of the goods highlighted in yellow, I agree that on the face of things, it is difficult to see how FPL can have a legitimate commercial interest in applying for those goods given the distance from their activities. Even in respect of UK938, where the terms are subject to a limitation "all relating to real estate, hotel services and temporary accommodation" it is difficult to see any real nexus between the provision of such goods and FPL's activities. There is, therefore, a prima facie case of bad faith.

297. In respect of the goods highlighted in red, I recognise that some of these terms are so broad that there may be an argument that FPL has sought overly broad protection. However, that is not the way in which HOF has pleaded its case. As explained above, the case in relation to those goods is premised upon FPL intending that the marks be used in relation to these goods internally only. However, the arguments raised by HOF regarding internal use, which would essentially amount to confusion on the part of FPL as to the type of use that they were intending to offer (and whether that would constitute trade mark use or not) does not support a prima facie case of bad faith because it does not go to commercial dishonesty or illegitimate commercial objectives. Consequently, I dismiss the bad faith claim in relation to the goods highlighted in red.

298. As there is a prima facie case of bad faith for the goods highlighted in yellow, the burden falls to FPL to rebut that case. Ms Ong explains that FPL provides digital services in other markets, providing the following examples:

“a. Frasers Experience (FRx) app in Singapore: An all-in-one app designed to enhance the shopping, dining and entertainment experiences at Frasers Property malls in Singapore. It serves as a shopper loyalty and retail merchant enablement platform, supporting its retail tenants by offering mall goers a loyalty programme, the ability to purchase and use gift cards, and alerts for events and offers within Frasers Property’s malls, among other features.

b. FTX app in Thailand: An app that brings together essential services for residents, commercial tenants and industrial park users in Thailand into a single platform.

c. myFrasersProperty app in Australia: An app that enables homebuyers to track their property journey, receive progress updates, track and log requests, receive notifications and access exclusive member benefits and rewards as part of Frasers Property’s loyalty programme.”

299. This does not explain why FPL sought protection for any of the goods highlighted in yellow. Consequently, for those goods, I find that the prima facie case has not been rebutted and FPL acted in bad faith.

300. For the avoidance of doubt, even if I had found a prima facie case regarding the internal use point for the goods highlighted in red, the above explanation answers that case at least insofar as some of the software goods are concerned (albeit not sufficiently to justify retaining the specification for unqualified computer software at large).

301. In my view, the bad faith claim succeeds in respect of UK369 and IRUK238 in relation to the following goods only:

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); printers' type; printing blocks.

302. In respect of UK195, IRUK195, UK238, UK599 and IRUK599 the bad faith claim succeeds in relation to the following goods:

Class 9 Downloadable computer graphics, downloadable website design templates, downloadable image files and downloadable video recordings.

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); printers' type; printing blocks.

303. In respect of UK938, the bad faith claim succeeds in relation to the following goods:

Class 9 Downloadable computer graphics, downloadable website design templates, downloadable image files and downloadable video recordings.

304. The result of this is that the invalidations succeed for the goods and services highlighted in bold in Annex 4 to this decision.

FPL's Oppositions nos. 415923 and 433584 against HOF's FRASERS marks UK575 and UK970

305. The opposition under no. 415923 relies in part on two EU rights (EU903 and IREU238). In his skeleton argument, Mr Hollingworth confirmed that he was content to proceed on the basis of the UK-based rights, given that the EU marks are subject to challenge before the EUIPO. I will proceed on that basis, as it does not appear to me that anything will turn on the EU marks.

306. That leaves IRUK238, UK965 and UK369 which are relied upon for the 5(2) and 5(3) grounds for both oppositions. UK644 is relied upon under 5(2) and 5(3) for 415923 and UK938 is relied upon under 5(2) only for 415923. UK938, UK939 and UK310 are relied upon for 5(2) and 5(3) for 433584 only.

307. UK965, UK369, UK644, UK939 and UK310 are all subject to the use provisions in section 6A of the Act. Although HOF's UK970 was filed later than HOF's UK575, it claims a priority date which is the same as the filing date for UK575. Consequently, the relevant period for showing use of FPL's earlier marks is the same for both oppositions, being 23 October 2013 to 22 October 2018 (the relevant date for these oppositions). IRUK238 and UK938 are not subject to the use provisions and can therefore be relied upon to the extent identified in the pleadings.

308. I have already reviewed the evidence of use in relation to all of the marks which are subject to proof of use, albeit in the context of different relevant periods. The specifications for all of them have been narrowed accordingly, with effect prior to the relevant date for the oppositions. As such, FPL cannot possibly rely upon a broader specification than those outlined in paragraphs 136 to 200 of this decision. I have reviewed the evidence of use again, in the context of the relevant periods for the opposition, and I am satisfied that the use shown is reflective of the specifications identified in the revocation actions. As such, FPL can rely upon the same specifications here.

309. For the avoidance of doubt, I have considered the case law relevant to these grounds (as set out above) in reaching my findings below.

Comparison of goods and services

310. By letter dated 8 August 2025, FPL withdrew parts of its oppositions. With this in mind, the competing goods and services are set out in Annex 5 to this decision. For the avoidance of doubt, where only parts of the specifications of the earlier marks are relied upon to challenge parts of the specifications under attack, I have borne that in mind in the comparison below.

HOF's Class 9

Smart cards, magnetic coded cards, electronic data carrier cards, encoded loyalty cards, chip cards; cards using magnetic memories and integrated circuit memories; cards containing an integrated circuit chip; encoded chip cards containing programming used for loyalty programs, rewards programs and card holder preferences; security encoded cards; cards encoded with security features for authentication purposes; hologram impregnated cards.

311. Each of these terms are, or would include, the cards issued by a business operating a loyalty/incentive scheme. Consequently, there is an overlap in trade channels and user with FPL's loyalty scheme services in class 35 under UK369. The method of use, nature and purpose clearly differs. There is no competition. However, they will be complementary as the scheme is essential for the card and the user might expect them to originate from the same undertaking if offered under the same mark. I find them to be similar to a medium degree.

312. In terms of the remaining goods in class 9 of each contested mark, I can see no point of overlap in nature, method of use or purpose with FPL's goods and services. Whilst I accept that businesses that offer FPL's services might, for example, also provide software (such as apps) or notepads this is such a general level of overlap that its impact is, in my view, limited. The users may be the same but, again, this is a very general level of overlap. There is no competition or complementarity; neither one is important or indispensable for the other. Consequently, I find no similarity with HOF's remaining class 9 goods. If I am wrong in that finding, then any similarity is at a low degree.

HOF's Class 16

Printed matter; printed publications; stationery; periodicals; journals; newsletters; magazines; books; manuals; brochures; leaflets; posters; photographs; pens; adhesive for stationery purposes.

313. These terms all appear identically in the specification of FPL's IRUK238.

Instructional and teaching materials.

314. This term is self-evidently identical to “instructional and teaching material (except apparatus)” in the specification of IRUK238.

Newspapers; bulletins; directories; handbooks; pamphlets; exercise books; publicity materials; postcards; certificates; gazettes; catalogues.

315. These terms are identical on the principle outlined in *Meric* to “printed publications” and/or “printed matter” in the specification of IRUK238.

316. The same is also true of *guides, namely, lettering guides, file guides, numbering guides, travel guides, study guides, printed teaching activity guides, and guide books* in the specification of UK575 and *guides* in the specification of UK970.

Lever arch files; document folders and wallets; Block notepads; Desk note pads; Removable self-stick notes; cases for pens; pencils.

317. These terms are identical on the principle outlined in *Meric* with “stationery” and/or “office requisites (except furniture)” in the specification of IRUK238.

Cards; paper loyalty cards.

318. These terms are identical on the principle outlined in *Meric* to “printed matter” in the specification of IRUK238.

Advertising materials and display materials.

319. This term is self-evidently identical to “advertising and promotional material” in the specification of IRUK238.

Packaging materials; shopping [carrier] bags of plastic.

320. These terms are identical on the principle outlined in *Meric* to “plastic materials for packaging (not included in other classes) in the specification of IRUK238.

Printers' type.

321. There may be some degree of overlap in trade channels and users with the class 16 goods of IRUK238. However, the method of use, nature and purpose of the goods will differ. There is no competition or complementarity. Consequently, any similarity is at a low degree.

Artists materials.

322. These are identical on the principle outlined in *Meric* to “pens” in the specification of IRUK238, because various pens (such as brush pens) can be used for artistic purposes.

Vouchers; gift vouchers; gift cards; calendars; agendas; diaries [printed matter]; wall charts for use as diaries.

323. These terms are identical on the principle outlined in *Meric* to “printed matter” in the specification of IRUK238.

Magazines [periodicals].

324. This term is self-evidently identical or identical on the principle outlined in *Meric* to “magazines” in the specification of IRUK238.

Cards made of plastic [other than encoded or magnetic].

325. This term is identical on the principle outlined in *Meric* with “identification cards (other than encoded or magnetic)” in the specification of IRUK238.

HOF's Class 35

326. All of the advertising/promotional services in this class will share a purpose and nature with FPL's customer loyalty services in class 35 under UK369. The method of use may differ, but there is likely to be an overlap in user. In my view, this results in there being a medium degree of similarity between the services. There will also be identity either self-evidently or on the principle outlined in *Meric* with "advertising and publicity services" in the specification of IRUK238.

Loyalty scheme services.

327. These services are identical on the principle outlined in *Meric* to FPL's customer loyalty services in the specification of UK369.

Administration of consumer loyalty reward programs; sales promotion through customer loyalty programs; organisation and management of customer loyalty schemes and programs.

328. These services are identical on the principle outlined in *Meric* to "administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality" in the specification of IRUK238.

Business management; Business administration; Business consultancy (Professional -); Business management and organization consultancy; Business management assistance; Business management consultancy; Business management of hotels; Business organization consultancy; Management (Advisory services for business -); Outsourcing services [business assistance]; business operation of shopping malls; business management of retail outlets.

329. These terms are either self-evidently identical or are identical on the principle outlined in *Meric* to "business management and administration" in the specification of IRUK238.

Office functions.

330. In my view, this service is part and parcel of business administration and business management. Consequently, it is identical on the principle outlined in *Meric* to “business management and administration” in the specification of IRUK238. If I am wrong about this then the services are highly similar.

Accounting; Accounts (Drawing up of statements of -).

331. These terms are self-evidently identical or identical on the principle outlined in *Meric* to “accounting” in the specification of IRUK238.

Business appraisals.

332. This term is identical either because it is synonymous with, or on the principle outlined in *Meric*, with “preparation of business reports” in the specification of IRUK238.

Business information; business information services; providing business information over the internet.

333. These services are identical on the principle outlined in *Meric* to “business and market statistical information” in the specification of IRUK238.

Business research.

334. This term appears identically in the specification of IRUK238.

Business inquiries; Business investigations; business data analysis.

335. These terms are identical on the principle outlined in *Meric* to “business research” in the specification of IRUK238.

Compilation of information into computer databases; Systemization of information into computer databases; computer data recording services;

336. These terms are identical on the principle outlined in *Meric* to “compilation of mailing lists” in the specification of IRUK238.

Compiling and maintaining online directories.

337. This term is identical on the principle outlined in *Meric* to “compilation of business directories and business guides” in the specification of IRUK238.

Procurement services for others [purchasing goods and services for other businesses].

338. This term is identical on the principle outlined in *Meric* to “ordering products and services for third parties via electronic data transmission” in the specification of IRUK238.

HOF's Class 36

Real estate affairs.

339. These services are either identical on the principle outlined in *Meric* to FPL's rental services in class 36 or they are highly similar, being the equivalent service in relation to different types of property, thus overlapping in nature, method of use, purpose, trade channels and user.

340. The same finding is also true in relation to *leasing, namely, land leasing, real estate leasing, leasing of shopping mall space, leasing of buildings, and leasing of commercial property* in the specification of UK575.

Provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of

payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; discount card services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others.

341. These services are likely to be provided by the same undertakings that provide FPL's loyalty scheme services in class 35 under UK369, to the same users. There will be an overlap in purpose. There is also be complementarity. Consequently, I consider these services to be similar to at least a medium degree.

342. The same applies to *issuing of charge cards, [...] stored value cards, payment cards, pre-paid cards, pre-paid magnetic cards and issuing of encoded chip cards containing programming used for financial applications* in the specification of UK970.

Financial card services.

343. I find this term to be broad enough to cover services that might be provided to consumers through the customer loyalty scheme services and *issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty schemes in relation to hotels and travel* in FPL's specification for UK369. For example, a business that operates a customer loyalty scheme might issue financial cards to its customers in order for them to accumulate and use rewards. There is, therefore, an overlap in trade channels and user. The method of use, nature and purpose of the goods and services clearly differ. Given the differing purpose, there is no competition. In the scenario described above, there would be complementarity. Consequently, they are similar to a medium degree.

Insurance; insurance services.

344. A key part of an insurance provision is the process of "financial underwriting", which appears in the specification of IRUK238. Consequently, I find these services to

be identical on the principle outlined in *Meric*. However, even if they are not identical, they are often provided through the same trade channels and overlap in purpose and nature. In my view, the services are similar to at least a medium degree.

Financial affairs; monetary affairs.

345. These services cover a number of the terms that appear in the specification of IRUK238, for example “financing services”. They are identical on the principle outlined in *Meric*.

Provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet.

346. The specification of IRUK238 includes the term “information, advisory and consultancy services relating to the aforesaid”, which includes financing services. Consequently, I find these services to be identical on the principle outlined in *Meric*.

Financial management.

347. This term could include the management of various aspects of a person’s finances, including investments. Consequently, I find this term to be identical on the principle outlined in *Meric* to “portfolio management” services in the specification of IRUK238.

Credit card services; personal loan services; personal finance service.

348. These services are identical on the principle outlined in *Meric* to “credit services” in the specification of IRUK238. If I am wrong in that finding, they overlap in trade channels, purpose, user and nature and will be highly similar.

349. The same also applies to *issuing of [...] credit cards [...]* in the specification of UK970.

Automated payment services.

350. These services are likely to include tax and duty payment services which are automated. Consequently, they are identical on the principle outlined in *Meric* to “tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation” in the specification of IRUK238.

Credit services.

351. This term appears identically in the specification of IRUK238.

Saving scheme services; contributory benefit scheme services.

352. These services are, or could include, types of investment offerings. Consequently, I find them to be identical on the principle outlined in *Meric* to “investment services” in the specification of IRUK238.

Leasing, namely, financial leasing, credit leasing [...].

353. These services are identical on the principle outlined in *Meric* to “financing services” in the specification of IRUK238.

354. The same is also true of the term *financial leasing* in the specification of UK970.

Mortgage, namely mortgage advice, mortgage insurance, mortgage lending, mortgage brokering, and mortgage banking.

355. All of these services are identical on the principle outlined in *Meric* to “real estate financing” and “information, advisory and consultancy services in relation to the aforesaid” in the specification of IRUK238.

356. The same is also true of the term *mortgage* in the specification of UK970.

Securities, namely, securities lending, securities underwriting, securities management, and securities brokerage.

357. This term appears in the specification of UK575 only. I understand securities to include types of investment. Consequently, I find these services to be identical on the principle outlined in *Meric* to “investment services” in the specification of IRUK238.

358. The same finding applies to the term *securities* in the specification of UK970.

Brokerage.

359. This term is identical on the principle outlined in *Meric* to “real estate brokerage” in the specification of IRUK238.

Investment, namely, investment consultancy, investment brokerage, investment management, investment information, investment analysis, investment banking, and investment advice.

360. This term appears in the specification of UK575 only. These services are identical on the principle outlined in *Meric* to “investment services” in the specification of IRUK238.

361. The same finding also applies to *investment* in the specification of UK970.

Financial and investment consultancy and analysis services.

362. These services are identical on the principle outlined in *Meric* to “investment services” and “information, advisory and consultancy services relating to the aforesaid” in the specification of IRUK238.

Recording, counting and billing services for financial transactions.

363. These services are identical on the principle outlined in *Meric* to “tax payment processing, tax and duty payment services, all the aforesaid services relating to real

estate, real property, premises and/or accommodation” in the specification or IRUK238.

Exchanging money and electronic funds transfer services; issuing of travellers cheques; debit card services.

364. These services will overlap in trade channels and user with many of the services in the specification of IRUK238, such as “financing services” (which I take to mean the offering of finance) because they could all be used by the general public and offered by a bank. There is also a degree of overlap in nature and purpose due to the link across all of them in terms of the provision of money/finance. I do not consider them to be in competition or complementary. These services are, in my view, similar to a medium degree. I can see no other point of overlap with FPL’s specifications which would put it in any stronger position.

365. The same also applies to the term *issuing of [...] bank cards, debit cards* in the specification of UK970.

Financial consultancy; retail financing services.

366. These services are identical on the principle outlined in *Meric* to “financing services” and/or “information, advisory and consultancy services relating to the aforesaid” in the specification of IRUK238.

Financial sponsorship; fundraising and financial sponsorship.

367. I understand these terms to refer to a service whereby an investor provides both capital and expertise in some form. Consequently, I consider this term to be identical on the principle outlined in *Meric* to “financing services” in the specification of IRUK238.

Financial evaluation.

368. This term is identical on the principle outlined in *Meric* to “financial evaluation and analysis” in the specification of IRUK238.

Financing services.

369. This term appears identically in the specification of IRUK238.

Charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others].

370. I can see no point of overlap with the goods and services in FPL’s specifications. In my view, these are dissimilar.

Information, advisory and consultancy services relating to the aforesaid.

371. This term will stand or fall with the terms to which it relates.

HOF’s Class 41

Organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; organisation and provision of facilities for conferences, meetings and events, namely educational events.

372. It is common for hotels to offer conference facilities which can be used for a wide variety of events. I have no evidence as to whether they offer any organisational services in this regard. I find there to be an overlap in trade channels and user with FPL’s *provision of accommodation by way of hotels and rooms*. My understanding of the term “accommodation” is a reference to a living space (whether temporary or permanent), as opposed to a room in which conferences and the like might be held.¹⁰³ On that basis, I find that the nature, purpose and method of use of the services differ.

¹⁰³ ACCOMMODATION definition and meaning | Collins English Dictionary

There is no competition or complementarity because, whilst the same undertaking might provide both, one is not important or indispensable for the other. In my view, the services are similar to a low degree.

373. Does the same apply to *organisation and provision of facilities for conferences, meetings and events, namely sporting events, dancing events, musical events* in the specification of UK575? I have given this a great deal of thought. In my view, it is less typical for the events held at hotels to be sporting, dance or musical in nature. However, I recognise that some hotels do provide entertainment for their guests (in the way of dance/musical productions) or rent rooms for third party dance/musical events, and sports events could include televised sporting matches or talks on sports teams/games. However, I do not consider there to be complementarity, as one is not important or indispensable for the other. Consequently, I find that these services are also similar to FPL's class 43 services to a low degree.

Health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities.

374. Again, it is common for hotels to offer gym/health club services for the benefit of their guests. Consequently, I find there to be an overlap in trade channels and user with FPL's class 43 services. I do not consider them to be complementary, because one is not important or indispensable for the use of the other. The services are similar to a low degree.

Leisure centre services.

375. Leisure centres are typically stand alone buildings which offer a variety of sporting/leisure activities. To my knowledge, they are not usually provided through hotels. Consequently, the same point of overlap in trade channels as discussed above does not exist for these services. The users would clearly overlap but that is insufficient on its own for a finding of similarity. There is no overlap in nature, method of use or purpose. There is no competition or complementarity. I can see no other point of similarity with FPL's specification which would put it in any stronger position. The services are dissimilar.

Class 43

Services for providing food and drink; preparation of food and drink; catering services and canteen services; snack-bar services; takeaway food services; self-service restaurants.

376. It is common for hotels to offer a food service; this is sometimes offered under separate branding (as shown in the parties' evidence) or it can be provided under the branding of the hotel itself. Consequently, I find that there is an overlap in trade channels and user. The availability of a good food offering is often an important consideration when selecting accommodation and, consequently, I find that these services can be important or indispensable for each other. In my view, these services are similar to a medium degree.

Temporary accommodation.

377. This term is plainly identical on the principle outlined in *Meric* to FPL's class 43 services.

Bistro, cafe, cafeteria, public house, wine bar, bar, hotel, restaurant and banqueting services.

378. To the extent that this term includes hotel services, it will be identical to FPL's class 43 services. The remaining services will all be similar to FPL's services to a medium degree for the reasons given above.

Preparation of food and drink for consumption in stations and on trains.

379. Given the specific circumstances in which these services are to be provided (in stations and on trains) there is no overlap in trade channels with FPL's services. The user may overlap, but that is not enough on its own for a finding of similarity. There is no overlap in method of use, nature or purpose, nor is there competition or complementarity. I find the services to be dissimilar.

Consultation relating to food, drink, catering, restaurant and cafeteria services; contract services for food and drink.

380. Consulting on these services is likely to be a service offered by specialist businesses to providers of food and drink services (such as restaurants, hotels, cafes etc.). Consequently, they are not provided through the same trade channels or to the same users. The method of use, nature and purpose is different, and there is no competition or complementarity. I find the services to be dissimilar.

Providing food and drink through vending machines.

381. I accept that these may be placed in hotels for guests to use. I have considered whether this service is likely to be offered by the hotel itself, or whether it would be operated by a third party. I have no evidence on the point and, in the absence of such, I am not prepared to find that there would be an overlap in trade channels. The users would plainly be the same. There is no overlap in method of use, nature or purpose, nor is there competition or complementarity. Consequently, I find them to be dissimilar.

Organisation of and provision of facilities for weddings.

382. This term appears in the specification of UK575 only. I accept that hotels often provide facilities for weddings, resulting in an overlap in trade channels and user. There is no overlap in nature, method of use or purpose, nor are they in competition or complementary. As such, the services are similar to a low degree.

383. The specification of UK970 also includes the term *organisation of and provision of facilities for conferences, weddings, meetings and events*. For the same reasons already given, this term will be similar to FPL's services to a low degree.

Information, advisory and consultancy services in relation to all of the aforesaid services.

384. This term will stand or fall with the other terms in the specification to which it relates.

385. As some degree of similarity between the services is required for a successful opposition under section 5(2)(b) of the Act, where I have found dissimilarity, the oppositions will fail under this ground.



The average consumer and the nature of the purchasing act

386. The average consumer for the goods and services will be either a member of the general public or a business user. The goods and services will be purchased with varying degree of frequency, but factors such as quality of service standards, location and discounts offered are likely to be taken into account for the services. Where the services are financial in nature, the average consumer will play a high degree of attention due to the risks/potential security issues involved. Factors such as quality and cost are likely to be taken into account for the goods, although I note that some might be very low cost. Consequently, I find that the average consumer will pay between a low (for goods such as pens) and high degree of attention during the purchasing process.

387. The goods and services are likely to be selected following perusal of signage on physical premises and on websites. Consequently, visual considerations will dominate the purchasing process. However, I do not discount an aural component to the purchase given that word-of-mouth recommendations may play a part.

Comparison of trade marks

388. The competing trade marks are as follows:

FPL's marks ¹⁰⁴ (the opponent)	HOF's marks (the applicant)
<p>FRASER SUITES (UK965)</p> <p>FRASER WORLD (UK369)</p>   <p>(UK644)</p> <p>FRASER PLACE (UK939)</p> <p>FRASER RESIDENCE (UK310)</p> <p>FRASERS PROPERTY (UK938 and IRUK238)</p>	<p>FRASERS (UK575 and UK970)</p>

Overall Impression

389. UK575 and UK970 consist of the word FRASERS. There are no other elements to contribute to the overall impression which lies in the word itself.

¹⁰⁴ UK939 and UK310 are relied upon in the opposition against UK970 only.

390. I have already made findings regarding the overall impression for UK369, UK644, UK938 and IRUK238 above. I apply the same findings here.

391. UK965, UK939 and UK310 all consist of the word FRASER plus another word (SUITES, PLACE, RESIDENCE). The overall impression lies in both words, with the word FRASER being the most distinctive.

Visual Comparison

392. UK965, UK369, UK939 and UK310 and HOF's marks all share the word FRASER, albeit pluralised in HOF's marks. The letter S, plus the additional words in FPL's marks are points of visual difference. I bear in mind that the average consumer typically pays more attention to the beginning of marks and, in this case, the common element appears at the start of the earlier marks.¹⁰⁵ In my view, they are visually similar to a slightly higher than medium degree.

393. In terms of UK644, the word FRASERS appears identically in both parties' marks, with the word PROPERTY and the device being points of difference. I bear in mind that HOF's marks are word only marks that could be used in any font. In my view, the marks are visually similar to a medium degree.

394. UK938 and IRUK238 overlap with HOF's marks in the presence of the word FRASERS. The word PROPERTY is a point of visual difference. I find the marks to be visually similar to a slightly higher than medium degree.

Aural Comparison

395. There is very little aural difference between the words FRASER and FRASERS. The additional words in each of FPL's marks will clearly be a point of aural difference. The device in UK644 will not be articulated. Consequently, I consider all of the marks to be aurally similar to a slightly higher than medium degree, bearing in mind that the common element is at the start of the earlier marks.

¹⁰⁵ *El Corte Inglés, SA v OHIM*, Cases T-183/02 and T-184/02

Conceptual Comparison

396. The word FRASER is likely to be identified as a name. The pluralised version is likely to be understood as the possessive version of that name. The additional words in FPL's marks all have a clear meaning which is absent from HOF's marks, but the meaning of the word FRASER/S will remain the same. The exception to this is in respect of the marks FRASER WORLD and FRASER PLACE where the additional words are not descriptive and, in combination, have a different meaning i.e. a group or world called FRASER or what sounds like a street name. I do not consider that any conceptual message will be conveyed by the device in UK644. In my view, UK965, UK644, UK938, IRUK238 and UK310 are conceptually similar to HOF's marks to at least a medium degree. UK369 is conceptually similar to HOF's marks to a slightly lower than medium degree and UK939 is conceptually similar to HOF's marks to only a low degree.

Distinctive character of the earlier marks

397. UK965 and UK310 consist of the word FRASER with an additional dictionary word (SUITES and RESIDENCE). The word FRASER is a relatively common surname in the UK and, consequently, I find it to be inherently distinctive to between a low and medium degree. The addition of the non-distinctive words SUITES and RESIDENCE do not elevate the distinctiveness of the marks any further and I find them to be inherently distinctive to between a low and medium degree overall. The same applies to UK938 and IRUK238, albeit I recognise that these marks include the word FRASERS_S, rather than FRASER, but nothing will turn on this. UK644 consists of the word FRASER and the word PROPERTY, as part of a figurative mark. I do not consider that the device/stylisation in UK644 increases the distinctiveness of the mark to any material degree and I find that mark to be inherently distinctive to between a low and medium degree also. In respect of UK369 and UK939, the word FRASER is combined with a second word (WORLD and PLACE) which changes the meaning of the mark as a whole. Consequently, in my view, they are inherently distinctive to a medium degree.

398. I have summarised FPL's evidence of use above. In my view, the evidence shows that its marks benefit from a moderate degree of enhanced distinctiveness in relation to the services for which they remain registered. In respect of the goods, I find there to be no enhancement. Given that FRASER(S) is the only distinctive element of UK965, IRUK238 and UK939, and is the most distinctive element of UK644, the word FRASER alone is likely to benefit from enhanced distinctiveness in this regard. In respect of UK369 and UK939 it will be the words as a whole which have the benefit of enhanced distinctiveness. I find that the distinctiveness of the marks overall is at between a medium and high degree.

Likelihood of confusion

399. I have found as follows:

- a. The goods/services vary from being identical to similar to a low degree (except where I have found them to be dissimilar).
- b. The average consumer for the goods/services is a member of the general public or a business user's level of attention will vary from a low to high degree during the purchasing process, depending on the goods/services in question.
- c. The purchasing process will be predominantly visual, although I do not discount an aural component.
- d. UK965, UK369, UK939, UK938, IRUK238 and UK310 are visually and aurally similar to HOF's marks to a slightly higher than medium degree.
- e. UK644 is visually similar to HOF's marks to a medium degree and aurally similar to a slightly higher than medium degree.
- f. All of the marks are conceptually similar to at least a medium degree, with the exception of UK369 which is conceptually similar to a slightly lower than medium degree and UK939 which is conceptually similar to only a low degree.

- g. The common element – FRASER(S) - is distinctive to between a low and medium degree. I find this to be the inherent position overall for UK938, IRUK238, UK965, UK310 and UK644. UK369 and UK939 are inherently distinctive to a medium degree. The distinctiveness of the marks has been enhanced through use to between a medium and high degree for the services, but there is no enhancement for the goods.

400. Where the second word in each earlier mark is non-distinctive, I find that it is likely that only the distinctive element (the word FRASER/S) will be recalled by the average consumer. In those circumstances, taking account of imperfect recollection, the marks are likely to be mistakenly recalled as each other. Even where the second word is recalled, the common use of the name FRASER/S (the pluralisation being most likely misremembered) will result in the average consumer believing that the marks originate from the same or economically linked undertakings where the marks are used on goods/services which are similar to a medium degree or higher. I find this to be the case even in relation to the FRASER WORLD mark, where the words in combination have a different meaning. This is because the word FRASER is still the most distinctive element, and the word WORLD may either be overlooked (factoring in imperfect recollection) or may be viewed as a brand extension referring to the totality of the business activities of that particular undertaking. The position is less clear cut in respect of FRASER PLACE, but nothing will turn on this because the services for which that mark has protection are also covered by UK965 for which I have found a likelihood of confusion. Where the similarity between the goods/services is lower than medium, this will offset the similarity of the marks and there will be no likelihood of confusion. The common use of the name FRASER(S) in these circumstances is likely to be seen as a coincidence arising out of the use of a common surname, rather than indicating the same or connected undertakings.

Final remarks

401. I note that a defence of honest concurrent use was originally raised by HOF. However, this was not pursued at the hearing; as such, I understand that it is no longer a live issue. However, for the avoidance of doubt, this defence would not have overcome the opposition. This is because, firstly, the vast majority of the evidence

which is prior to the relevant dates relates to use of the mark HOUSE OF FRASER by HOF, rather than FRASERS solus. Secondly, the evidence shows that HOF is known for its retail services business and the specification applied-for goes well beyond that; it ventures into or, at the very least, far closer to the services for which FPL is known. This would clearly exacerbate the level of confusion, meaning that an argument of honest concurrent use could not assist HOF in these circumstances.¹⁰⁶

Section 5(3)

402. I can deal with this ground relatively swiftly. Whilst I would have found FPL's marks to benefit from a moderate reputation for the services for which they remain registered, I do not consider that this would have taken them any further. The distance between the surviving goods and services, combined with the only moderate reputation of FPL would be sufficient, in my view, to offset the similarity of the marks. Further, the fact that the common element is a common name (FRASER/S) means that the relevant public are more likely, when seeing it used on distinct services, to consider it a coincidence arising from business owners/founders of the same name, rather than perceiving it as indicative of a link between the businesses or users of the marks. As such, I find that no link would be made or, if a link was made, that it would be too fleeting for damage (or unfair advantage) to occur. Consequently, I do not consider that this ground takes FPL any further forward than the 5(2)(b) ground.

403. The result of this is that the oppositions succeed in relation to the goods/services highlighted in bold in Annex 5 to this decision. UK575 and UK970 may proceed to registration for the goods and services listed in Annex 6 to this decision.

¹⁰⁶ See, for example, *Budejovicky Budvar NP v Anheuser-Busch Inc*, [2012] EWCA Civ 880 and *Sir Robert McAlpine Limited v Alfred McAlpine Plc* [2004] RPC 36 (HC)

FPL's OPPOSITIONS 443699 AND 443704 AGAINST FGFS MARKS UK953 and UK964

404. The grounds of opposition for each of these cases are identical. FPL relies upon UK195, UK644, UK804, UK238, UK799, UK798, UK800, UK599, UK903, UK241, UK965 and UK369 under section 5(2)(b) and 5(3), and the same signs under 5(4)(a).

405. UK644, UK804, UK799, UK798, UK800, UK903, UK241, UK965 and UK369 are subject to proof of use. As above, whilst I recognise that the relevant periods for proof of use in relation to these oppositions differ to those addressed in the revocations above, I make the same findings on the evidence before me. I note that UK903 was not subject to a revocation action. However, UK644 is an acceptable variant of that mark and I considered use of that mark in relation to the same classes. Having reviewed the evidence in full in relation to UK903, it is my view that the same findings apply for the same reasons listed above in relation to UK644. Consequently, I find a fair specification for UK903 to be:

Class 36 Real estate affairs, namely, rental of commercial property, the sale of residential and commercial property and property estate management services.

Class 37 Property maintenance.

406. I have applied the relevant case law, as already set out above, to my assessment below.

Section 5(2)(b)

Comparison of goods and services

407. The competing goods and services are set out in Annex 7 to this decision.

Financial affairs; monetary affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet.

408. Clearly, these services are broad enough to cover a variety of terms in the specifications of UK195, such as “capital investment” and “information, advisory and consultancy services relating to the aforesaid”. They are, therefore, identical on the principle outlined in *Meric*.

Real estate affairs.

409. Plainly, this term is identical on the principle outlined in *Meric* to various class 36 services in the specifications of UK195 and UK599 (for example, “letting and leasing of real estate”), UK644 (for example, “real estate affairs, namely, rental of commercial property, the sale of residential and commercial property and property estate management services”), UK804 and UK800 (“letting and leasing of hotels”), UK799 and UK798 (for example, “letting and leasing of hotels”), UK241 (for example, “letting and leasing of serviced apartments”) and UK965 (for example, “renting of serviced apartments”).

Provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; discount card services;

410. These services are identical to “issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes in relation to accommodation and hospitality” in the specification of UK195 and UK599. There will also be an overlap in trade channels, user and purpose with “administration,

organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality” in the specification of UK195 and UK599. These services are similar to at least a medium degree.

Financing services.

411. These services are identical on the principle outlined in *Meric* to “real estate financing” in the specification of UK195.

Personal loan services; credit services; financial leasing; personal finance service; retail financing services.

412. These services are all types of financing services. Consequently, there is a similarity in nature and purpose with the “real estate financing” services in the specification of UK195, albeit the specific purposes differ given that FPL’s services are specific to real estate and HOF’s are either specific to other fields (such as retail) or are likely to be unrelated to real estate (because personal loans and credit services tend to be used in relation to assets other than property). The method of use may also overlap to a degree, and they are likely to be offered by the same undertakings (i.e. banks). The users will also overlap. In my view, the services are similar to at least a medium degree.

Credit card services; issuing of [...] credit cards.

413. These are identical on the principle outlined in *Meric* to “credit services” in the specification of UK195.

Saving scheme services.

414. These services include types of saving schemes which have an investment aspect to them. Consequently, I find them to be identical on the principle outlined in *Meric* to “investment services” in the specification of UK195.

Automated payment services; debit card services; issuing of [...] bank cards, debit cards.

415. These are all services that would typically be provided by a bank. The specification of UK195 includes the term “real estate financing” which is also a service that would be provided by a bank. Consequently, there is an overlap in trade channels. There is also plainly an overlap in user. Whilst they are all related to financing, they are quite distinct. However, the method of use, purpose and nature of the services differ. There is no competition or complementarity. Consequently, I find the services to be similar to a low degree. There are no other terms in FPL’s specifications which put it in any stronger position.

Financial card services; Issuing of charge cards, [...] stored value cards, payment cards, pre-paid cards, pre-paid magnetic cards; Issuing of encoded chip cards containing programming used for financial applications.

416. These terms are similar to *administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality* in the specification of UK195 because these cards would be issued as part of a loyalty/promotional scheme for the purposes of accumulating and using rewards. For the same reasons given above at paragraph 410 I find the services to be similar to a medium degree.

Insurance; insurance services.

417. I note that FPL’s specification includes *financial underwriting* (see UK195 and UK599). To the extent that these services can be said to fall within *insurance* and *insurance services* themselves, there will be identity. However, even if they are not, the nature and purpose overlaps (being to provide financial security, whether to the end user or the insurer). There will also be an overlap in trade channels, as it is not uncommon for the end user (particularly where business users are concerned) to select insurance provider based upon who is underwriting the policy (and it is often advertised accordingly). Consequently, I find these services to be similar to a medium degree.

Contributory benefit scheme services.

418. I understand this to be a type of pension scheme. This is a type of investment scheme which, in my view, is identical on the principle outlined in *Meric* to “investment services” in the specifications of UK195 and UK599. If I am wrong in that finding, then there will clearly be an overlap in purpose (both being for the purposes of making contributions with the view to gaining a return at some point in the future), method of use and user. In my view, the services are similar to at least a medium degree.

419. The specification of UK964 also contains the term *financial sponsorship*. For the same reasons given at paragraph 367 above, I consider this to be identical to “financing services” in the specification of UK195.

Information, advisory and consultancy services in relation to the aforesaid.

420. These terms stand or fall within the core services to which they relate.

421. As some degree of similarity of goods/services is required under section 5(2)(b), the oppositions must fail in respect of those services that I have found to be dissimilar.¹⁰⁷

The average consumer and the nature of the purchasing act

422. I have already discussed the average consumer for these services above, and I apply the same findings here. The same findings also apply in terms of the purchasing process for these services as discussed above.

Comparison of trade marks

423. I have not relied upon the specification of UK369 for the purposes of my comparison above. As such, for reasons that will become clear below, I need not

¹⁰⁷ *eSure Insurance v Direct Line Insurance*, [2008] ETMR 77 CA

consider that mark any further. With that in mind, the competing trade marks are as follows:

<p>FPL's trade marks (the opponent)</p>	<p>FGFS's marks (the applicant)</p>
 <p>FRASERS PROPERTY</p> <p>(UK195)</p>  <p>FRASERS PROPERTY</p>  <p>FRASERS PROPERTY</p> <p>(UK644)</p> <p>Frasers Hospitality Business Trust (UK804)</p> <p>Frasers Hospitality Real Estate Investment Trust (UK800)</p>  <p>FRASERS HOSPITALITY TRUST</p> <p>(UK799)</p> <p>FRASERS HOSPITALITY TRUST (UK798)</p>	<p>FRASERS GROUP FINANCIAL SERVICES (UK953)</p>   <p>FGFS FRASERS GROUP FINANCIAL SERVICES</p> <p>FGFS FRASERS GROUP FINANCIAL SERVICES</p> <p>(series of 4) (UK964)</p>



(UK599)

FRASERS PROPERTY
(UK903 and UK238)

FRASERS HOSPITALITY
(UK241)

FRASER SUITES
(UK965)

Overall Impression

424. I have already made a finding above regarding the overall impression of UK195, UK599, UK903, UK238 UK644 and UK965. I apply the same findings here.

425. UK804, UK800 and UK798 all consist of the names of trusts. The overall impression lies in all of the words together, with the word FRASERS being the most distinctive due to the fact that the other words describe the type of entity in question.

426. In UK799 the eye is naturally drawn to the element of the mark that can be read. As the word FRASERS is the largest (and most distinctive) element, it plays the greater role in the overall impression with the other words and device playing a lesser role.

427. The word FRASERS is the more distinctive element of UK241, and plays the greater role in the overall impression.

428. UK953 consists of the words FRASERS GROUP FINANCIAL SERVICES. The overall impression lies in the combination of these words, with the word FRASERS

being the most distinctive element due to the descriptive/non-distinctive nature of the other words.

429. UK964 consists of a series of 4 marks, all made up of the letters FGFS and the words FRASERS GROUP FINANCIAL SERVICES in varying layouts. Nothing turns on the different presentations of these elements in each of the respective marks; the same findings apply to them all. The letters FGFS play a significant role in the overall impression due to their size. In my view, these and the word FRASERS are the most distinctive elements. The words GROUP FINANCIAL SERVICES, and the presentation, play a much weaker role.

Visual Comparison

430. All of FPL's marks and UK953 share the element FRASER, albeit pluralised in most of the marks. The additional words act as points of visual difference. In my view, where FPL's marks are word only, the marks are visually similar to a medium degree. The device marks (UK195, UK644, UK799 and UK599) have an additional point of difference (being the diamond device). Consequently, they are visually similar to a slightly lower than medium degree.

431. The same applies to the comparison with UK964, although the additional FGFS in that mark acts as an additional point of difference. Consequently, I find FPL's word only marks to be visually similar to UK964 to between a low and medium degree, and FPL's device marks to be similar to only a low degree.

Aural Comparison

432. UK953 and FPL's marks are aurally similar to a medium degree because FRASER(S) will be the first word heard when the marks are expressed orally.

433. UK964 and FPL's marks are aurally similar to a low degree because the letters FGFS will be the first element heard when the applicant's mark is expressed orally, and FRASER(S) is but one of five spoken elements of the mark.

Conceptual Comparison

434. The letters FGFS will be recognised as an abbreviation of the other words in the marks. For the same reasons given above, the common presence of a reference to a person or business called FRASER will result in some conceptual similarity. This is likely to be at a medium degree overall. I find the marks to be conceptually similar to a medium degree.

Distinctive character of the earlier marks

435. Although some of the marks in issue in this case are different to those considered above, in my view, the same findings apply for the same reasons. I will proceed on that basis.

Likelihood of confusion

436. I apply the same findings here that I made above. In summary, where the goods and services are similar to a medium degree (or higher) there will be a likelihood of confusion. This is because the average consumer will perceive the common use of the name FRASER (the pluralisation, or absence thereof, being overlooked) as indicating that they are provided by the same or connected undertakings. However, where the goods/services are similar to a lower than medium degree, the common use of the name FRASER(S) will be perceived as merely coincidence (rather than indicating a common origin).

Section 5(3) and 5(4)(a)

437. I have explained above why I would not have found that the section 5(3) ground put FPL in any stronger position. The same is, in my view, true here. Further, whilst the test for misrepresentation is different to that for a likelihood of confusion, they are likely to produce the same outcome. Consequently, I find that FPL would succeed under section 5(4)(a) to the extent that it has under section 5(2)(b), but no further. The distance between the parties' respective fields of activity is too great in relation to the

remaining services and offsets the similarity of the marks/signs when taking account of their distinctiveness.

Conclusion

438. The applications may proceed to registration in relation to the services shown in Annex 8 to this decision.

HOF'S OPPOSITIONS (445514, 445515, 445516, 445827, 445831) TO FPL'S APPLICATIONS 3942748 ("UK748"), 3942805 ("UK805"), 3944536 ("UK536"), 3944584 ("UK584") and 3944586 ("UK586")

439. I have set out the relevant legislation and case law already in this decision. I apply the same here.

Proof of use

440. As above, whilst I recognise that the relevant periods for proof of use in relation to these oppositions differ to those addressed in the revocations above, I make the same findings on the evidence before me.

Comparison of goods and services

441. The competing goods and services are set out in Annex 9 to this decision.

FPL's Class 9

442. In relation to FPL's class 9 goods, which are the same for all of the opposed marks, the terms *computer software applications, downloadable and downloadable applications for use with mobile devices* are identical to HOF's class 9 *Mobile applications (downloadable) for the retail of goods* in the specification of UK284 on the principle outlined in *Merix*.

443. The remaining terms in FPL's class 9 specification being *downloadable computer graphics, downloadable electronic publications, downloadable website design templates, downloadable image files* and *downloadable video recordings* are likely to be provided through the same trade channels as *computer software with multimedia and interactive functions* in the specification of UK575. They overlap in user and trade channels and may be complementary. They are also similar in purpose of facilitating multimedia functions. Consequently, they are similar to a medium degree.

FPL's Class 16

Printers' type.

444. This term appears identically in the specification of UK575.

Printing blocks.

445. These goods are likely to be sold through the same trade channels, to the same users as "printers' type" in the specification of UK575. There will be an overlap in purpose given that they are both used for printing. In my view, the goods are similar to at least a medium degree.

Cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

446. These goods are similar to HOF's services in the specification of UK905 for the same reasons given at paragraph 225 above.

447. I can see no other point of similarity with FPL's specifications in class 16. Consequently, I find the remaining terms to be dissimilar.

FPL's Class 35

448. Only UK536 seeks protection in this class.

Administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes; organisation, operation and supervision of sales and promotional schemes.

449. The best case for HOF is that these services are similar to its retail services in the specification of UK905 to a medium degree for the same reasons given in paragraph 232 above.

Sales promotion through customer loyalty programmes for others.

450. This term is specifically related to the provision of the service for others. Consequently, for the same reasons given in paragraph 232 above, I find these services to be similar to a low degree.

Display services for merchandise; distribution and demonstration of goods and samples.

451. These services are similar to a medium degree to HOF's retail services in the specification of UK905 for the same reasons given in paragraph 230 above.

452. The other advertising/publicity services are similar to the retail services to only a low degree for the same reasons given in paragraph 229 above.

Business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network.

453. To the extent that this term involves the facilitation of sales of goods/services, this will overlap in purpose with HOF's retail services in the specification of UK905. There may be an overlap in trade channels and user. Consequently, I find there to be similarity to at least a medium degree. I do not consider the same overlap to exist in relation to the other aspects of this term, which I consider to be dissimilar to HOF's goods and services. If I am wrong in that finding, the goods/services will be similar to only a low degree.

454. I have reviewed the rest of the class 35 specification of UK536 and I am unable to identify any point of overlap in nature, method of use, purpose, trade channels or user that would result in similarity. There is no competition or complementarity. Consequently, I consider the rest of the services to be dissimilar.

FPL's Class 36

455. Only UK748 seeks protection in this class for *Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; real estate valuations; rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; portfolio management; property portfolio management; apartment house management services; management, development advisory, valuation and project management and co-ordination; all relating to real estate; building management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; real estate investment; investment trust services; trust administration; trusteeship services; trust services; trust management services; services for the establishment of trusts; unit trust services, unit trust management services, unit trust investment services; financial evaluation and analysis; financial valuations; financing services; real estate financing; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports*

relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

456. HOF only has protection for, broadly speaking, charitable services and very specific services that you would expect to be provided by a bank. The best case scenario for HOF, in my view, is that there is only a low degree of similarity between the services due to an overlap in trade channels and user. I can see no other point of similarity which puts HOF in any stronger position.

Issuing of tokens of value in relation to customer loyalty schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes.

457. These could overlap in user and nature, and be complementary to, HOF's retail services for the same reasons given in paragraph 232 above. Consequently, I find there to be a medium degree of similarity.

FPL's Class 43

458. Only UK748 seeks protection in this class.

Services for providing food and drink [...]

459. This term is broad enough to encompass "providing food and drink through vending machines" in the specification of UK575.

[...] restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.

460. These will overlap in purpose with the terms "providing food and drink through vending machines" and "preparation of food and drink for consumption in stations and on trains" because the purpose of all of these services is the provision of food and drink. They will overlap to a degree in nature and method of use. Plainly, the user will overlap. In my view, the services are similar to a medium degree.



461. The remaining accommodation services are dissimilar to those in the specification of UK575 for the same reasons given at paragraph 379 to 383 above. Or, alternatively, they are similar to a low degree. With regard to the booking services, the services for which HOF has protection in class 43 are informal services which would not typically involve any booking. Consequently, there is no overlap in trade channels, method of use, nature or purpose. There is no competition or complementarity. They are dissimilar.



The average consumer and the nature of the purchasing process

462. I have already made findings above in this regard and I apply the same here.

Comparison of trade marks

463. The competing trade marks are set out below:

<p>HOF's trade marks (the opponent)</p>	<p>FPL's trade marks (the applicant)</p>
<p>HOUSE OF FRASER (UK905, UK284 and UK166)</p> <p>FRASERS (UK575)</p>	<p>Capri by Fraser (UK748)</p>   <p>(series of 2) (UK805)</p> <p>FRASERS HOSPITALITY</p>

	<p>(UK536)</p> <p>FRASER WORLD (UK584)</p>   <p>(series of 2) (UK586)</p>
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Overall Impression

464. I have already made findings regarding the overall impression of the marks FRASERS, HOUSE OF FRASER, FRASERS HOSPITALITY and FRASER WORLD. I apply the same here.

465. The overall impression of UK748 lies in the combination of its elements.

466. The same is also true of UK805. Clearly, the word CAPRI is most dominant in this case due to its size. The use of colour plays a much lesser role.

467. The same findings applied to FRASER WORLD (word only) also apply to UK586, with the use of a device in place of the letter O contributing to the overall impression, but to a lesser degree. The use of colour plays a much lesser role.

Visual Comparison

Comparison with UK575

468. With regard to the comparison between UK575 and UK584, I have conducted an identical comparison above. I apply the same findings here.

469. With regard to the comparison between UK575 and UK536, I apply the same findings, for the same reasons.

470. The same is also true of UK586, although there is an additional difference created by the device element. In my view, the marks are visually similar to a medium degree.

471. In respect of UK748 the words CAPRI BY act as a point of difference in the comparison with UK575. In my view, there is a medium degree of similarity between the marks.

472. The same is true of UK805, although the size of the additional word CAPRI relative to the word FRASER has an impact. I consider the marks to be visually similar to between a low and medium degree.

Comparison with UK905, UK284 and UK166

473. Clearly, the additional words HOUSE OF will have an impact on the visual similarity, being a point of additional difference. In my view, these marks are similar to UK536 and UK584 to a slightly lower than medium degree. They are similar to UK586 to between a low and medium degree. the visual similarity with UK748 and UK805 will be at a low degree.

Aural Comparison

474. I have already considered a comparison between HOUSE OF FRASER and FRASER(S) plus an additional dictionary word above. I apply the same finding here in respect of UK536 and UK584. The same is also true of UK586 as the device will not be articulated.

475. The word FRASER will be pronounced identically in UK905, UK284, UK166, UK748 and UK805. However, the words HOUSE OF and CAPRI BY will act as points of aural difference. I find them to be aurally similar to a low degree.

476. As above, UK575 is more similar. In my view, it is similar to UK536, UK584 and UK586 to a slightly higher than medium degree, as the common element is at the start of the marks. The similarity is at between a low and medium degree only for UK748 and UK805 due to the differences appearing at the start of the marks.

Conceptual Comparison

477. The common presence of the word FRASER(S) in each of the marks results in a medium degree of conceptual similarity when compared with UK575. The similarity will be at a low degree when compared with UK905, UK284 and UK166 because the addition of "HOUSE OF.." qualifies the meaning of FRASER alone.

Distinctive character of the earlier trade marks

478. I have already made a finding above regarding the distinctiveness of the words HOUSE OF FRASER. I apply the same here. They benefit from enhanced distinctiveness in relation to HOF's retail services, as discussed above. I also find the word FRASERS, being a reference to a name, to be inherently distinctive to between a low and medium degree. I also find that use of the mark HOUSE OF FRASER, whilst a different mark, is likely to have elevated the distinctive character of the word FRASER for retail services, albeit to a lesser degree than HOUSE OF FRASER as a whole.

Likelihood of confusion

479. In respect of UK536 and UK575, the presence/absence of the letter 'S' is likely to be overlooked and the word HOSPITALITY is less distinctive than the word FRASER. Consequently, I find it likely that the marks will be mistakenly recalled or misremembered as each other, where the goods and services are similar to a medium degree or higher. For the same reasons given above, I find there to be a likelihood of

indirect confusion for all of the marks resulting from the common presence of the word FRASER(S). Where the goods and services are similar to at least a medium degree, this will result in the average consumer concluding that the marks originate from the same or economically linked undertakings for the same reasons already explained above. However, where the goods and services are similar to a lesser degree, the common presence of the word FRASER(S) will simply be seen as a coincidence, particularly given that it is a relatively common surname. Whilst there is a greater degree of distance between UK905, UK284 and UK166 and FPL's marks, the common presence of the word FRASER(S), which is the most distinctive element of UK905, UK284 and UK166, will result in the conclusion that the marks originate from the same or economically linked undertakings where the goods/services are similar to a medium degree or higher. Where the goods/services are similar to a below medium degree, the distance between them will offset the similarity of the marks and the average consumer is more likely to view the common presence of the name FRASER(S) as a coincidence.

5(3) and 5(4)(a)

480. For the same reasons given above, I do not find that these grounds put HOF in any stronger position than the 5(2)(b) grounds. I do not, therefore, need to consider them any further.

Section 3(6)

481. The section 3(6) ground in these oppositions are pleaded in the same terms as discussed above in HOF's invalidation claims. I have considered whether the differing relevant dates in these cases have any impact on my findings above and, in my view, they do not. As such, I apply the same findings here as made above. The section 3(6) grounds succeed to the same extent as outlined above.

Conclusion

482. UK584 and UK586 are refused in their entirety. UK748, UK805 and UK536 may proceed to registration for the goods/services shown in Annex 10 to this decision.

CONCLUSION

483. Revocation action no. 503533 against UK939 succeeds in part. UK939 will remain registered for the following services:

Class 36 Renting of serviced apartments.

Class 43 Rental of temporary accommodation (hotels).

484. The effective date of partial revocation is 27 October 2006.

485. Invalidation no. 503553 against UK965 fails in its entirety.

486. Revocation no. 503534 against UK965 succeeds in part. UK534 will remain registered for:

Class 36 Renting of serviced apartments; arranging of letting of serviced apartments.

Class 43 Rental of temporary accommodation (hotels).

487. The effective date of revocation is 27 October 2006.

488. Invalidation no. 503554 against UK644 succeeds in relation to the following services, for which it is deemed never to have been registered:

Class 35 Display services for merchandise; demonstration of goods and samples; organisation, operation and supervision of sales and promotional schemes.

489. The invalidation fails for the remainder of the services for which UK644 mark is registered.

490. Revocation no. 503536 against UK644 succeeds in part. UK644 will remain registered for the following services:

Class 36 Real estate affairs, namely, rental of commercial property, the sale of residential and commercial property and property estate management services.

Class 37 Property maintenance.

491. The effective date of revocation is 5 January 2013.

492. Revocation no. 503537 against UK241 succeeds in part. UK241 will remain registered for:

Class 36 Real estate affairs, namely, managing serviced apartments; arranging letting of serviced apartments; letting and leasing of serviced apartments; serviced apartment house management services.

Class 43 Hotel and temporary accommodation reservation services; Rental of temporary accommodation (hotels); provision of accommodation by way of hotels.

493. The effective date of revocation is 27 March 2015.

494. Revocation no. 503538 against UK310 succeeds in part. UK310 will remain registered for:

Class 36 Arranging letting of serviced apartments; letting and leasing of serviced apartments.

Class 43 Rental of temporary accommodation (hotels); provision of accommodation by way of hotels and rooms; hotel and serviced apartment reservation services.

495. The effective date of revocation is 16 January 2015.

496. Revocation no. 503539 against UK798 succeeds in part. UK798 will remain registered for:

Class 36 Letting and leasing of hotels; corporate fund management, investment fund management, placement of funds provided in relation to real estate and hospitality; information and advisory services relating to the aforesaid.

497. The effective date of revocation is 7 January 2020.

498. Invalidation action no. 503558 against UK369 succeeds in relation to the following goods and services, for which it is deemed never to have been registered:

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters; printers' type; printing blocks; cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than coded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

Class 35 Organisation and administration services in relation to the supply of benefits for customer loyalty and frequent buyer or frequent flyer schemes; organisation and management of customer loyalty programmes; organisation, operation and supervision of customer loyalty schemes and incentive schemes; organisation and administration

services in relation to the supply of benefits for customer loyalty and customer club schemes, for commercial, promotional and/or advertising purposes; organisation, operation, supervision and business administration of sales and promotional incentive schemes, loyalty card schemes, incentive schemes and programmes, award programmes, points programmes, customer loyalty incentive schemes, reward and redemption programs, reward schemes and points schemes; organisation, operation, supervision and management of incentive point awards program for customers; promotional services in the nature of reward programs for customers and customer loyalty schemes.

Class 36 Issuing of tokens of value in relation to customer loyalty schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes.

499. The invalidation fails for the remaining goods and services for which it is registered.

500. Revocation no. 503541 against UK369 succeeds in part. UK369 will remain registered for:

Class 35 Customer loyalty services, namely providing a travel and hotel loyalty program featuring loyalty points, discount rates, and recognition benefits for commercial, promotional and/or advertising purposes; issuing of tokens of value in relation to travel and hotel customer loyalty schemes, issuing of benefits of value in connection with travel incentive schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty schemes in relation to hotels and travel.

501. The effective date of partial revocation is 24 November 2017.

502. Revocation no. 503543 against UK799 succeeds in part. UK799 will remain registered for:

Class 36 Letting and leasing of hotels; corporate fund management, investment fund management, placement of funds provided in relation to real estate and hospitality; information and advisory services relating to the aforesaid.

503. The effective date of revocation is 7 February 2020.

504. Revocation no. 503546 against UK800 succeeds in part. UK800 will remain registered for:

Class 36 Letting and leasing of hotels; corporate fund management, investment fund management, placement of funds provided in relation to real estate and hospitality; information and advisory services relating to the aforesaid.

505. The effective date of revocation is 21 February 2020.

506. Revocation no. 503547 against UK804 succeeds in part. UK804 will remain registered for:

Class 36 Letting and leasing of hotels; corporate fund management, investment fund management, placement of funds provided in relation to real estate and hospitality; information and advisory services relating to the aforesaid.

507. The effective date of revocation is 21 February 2020.

508. Invalidation no. 503562 against IRUK238 succeeds in relation to the following goods and services, in respect of which the mark is deemed never to have been registered:

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters; printers' type; printing blocks; cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards

(other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than coded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

Class 35 Facilitation of sales of products and services via a global computer network; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; organisation, operation and supervision of sales and promotional schemes; the bringing together for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in departmental stores, shopping centers, retail and wholesale outlets, hotel, food and beverage outlet, from a general merchandise catalogue by mail order or by means of telecommunications, or from a general merchandise global communications network website.

509. The invalidation fails for the remaining goods and services for which it is registered.

510. Invalidation no. 503573 against UK903 succeeds in relation to the following services only, in respect of which the mark is deemed never to have been registered:

Class 35 Facilitation of sales of products and services via a global computer network; display services for merchandise; distribution and demonstration of sample goods; organisation, operation and supervision of sales and promotional schemes.

511. The invalidation fails for the remaining goods and services for which it is registered.

512. Invalidation no. 503574 against UK716 fails in its entirety.

513. Invalidation no. 503575 against UK599 succeeds in relation to the following goods and services, in respect of which the mark is deemed never to have been registered:

Class 9 Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters; printers' type; printing blocks; cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

Class 35 Facilitation of sales of products and services via a global computer network; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; organisation, operation and supervision of sales and promotional schemes.

514. The invalidation fails for the remaining goods and services for which it is registered.

515. Invalidation no. 503615 against UK195 succeeds in relation to the following goods and services, in respect of which the mark is deemed never to have been registered:

Class 9 Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters; printers' type; printing blocks; cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

Class 35 Facilitation of sales of products and services via a global computer network; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; organisation, operation and supervision of sales and promotional schemes.

516. The invalidation fails for the remaining goods and services for which it is registered.

517. Invalidation no. 503624 against IRUK195 succeeds in relation to the following goods only, in respect of which the mark is deemed never to have been registered:

Class 9 Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters; printers' type; printing blocks; cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than coded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

518. The invalidation fails for the remaining goods for which it is registered.

519. Invalidation no. 503625 against IRUK599 succeeds in relation to the following goods only, in respect of which the mark is deemed never to have been registered:

Class 9 Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters; printers' type; printing blocks; cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

520. The invalidation fails for the remaining goods for which it is registered.

521. Invalidation no. 503563 against UK938 succeeds in relation to the following goods, in respect of which it is deemed never to have been made:

Class 9 Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable website design templates; downloadable image files; downloadable video recordings; all relating to real estate, hotel services and temporary accommodation.

522. The invalidation fails in respect of the following goods for which it may remain registered:

Class 9 Downloadable electronic publications.

523. Invalidation no. 503572 against UK238 is successful in relation to the following goods, for which it is deemed never to have been made:

Class 9 Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16 Adhesives for household purposes; artists' materials; paint brushes; typewriters; printers' type; printing blocks; cards; cards (other than encoded or magnetic); cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); credit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); value cards (other than machine readable or magnetic).

524. The invalidation fails in respect of the remaining goods, for which it may remain registered.

525. Revocation no. 507255 against UK014 succeeds in its entirety. The effective date of revocation is 8 December 1995 with the exception of the following services, in respect of which the effective date of revocation is 23 April 2024:

Class 36 Credit card services.

526. Revocation no. 507256 against UK967 succeeds in its entirety. The effective date of revocation is 3 June 2005.

527. Revocation no. 507257 against UK284 is partially successful. UK284 will remain registered for the following goods:

Class 9 Mobile applications (downloadable) for the retail of goods.

528. The effective date of partial revocation is 12 August 2005.

529. Revocation no. 507258 against UK905 is partially successful. UK905 will remain registered for the following services:

Class 35 Department store services connected with the sale of beauty products, cosmetics, skin care products, toiletries, Incense, essential oils, perfumery, perfume sachets, perfumed items, Candles, night lights, jewellery, watches, Leather goods and goods made of imitation leather, trunks and travel bags, luggage, umbrellas, purses, wallets, key fobs, Furniture, mirrors, picture frames, racks and shelves, storage boxes, figurines, Domestic utensils and containers, ceramics, glassware, candle holders, incense holders, baskets, storage boxes, vases and bowls, Textiles and textile articles, bedding and bed clothing, bed canopies and hangings, wall hangings, throws and spreads, towels and towelling sets, blinds, curtains and drapes, table-cloths and table linens, soft furnishings, clothing, footwear and headgear.

530. The effective date of revocation is 28 April 2006.

531. Revocation no. 507259 against UK223 is partially successful. UK223 will remain registered for the following services:

Class 35 Department store services connected with the sale of beauty products, cosmetics, skin care products, toiletries, Incense, essential oils, perfumery, perfume sachets, perfumed items, Candles, night lights, jewellery, watches, Leather goods and goods made of imitation leather, trunks and travel bags, luggage, umbrellas, purses, wallets, key fobs, Furniture, mirrors, picture frames, racks and shelves, storage boxes, figurines, Domestic utensils and containers, ceramics, glassware, candle holders, incense holders, baskets, storage boxes, vases and bowls, Textiles and textile articles, bedding and bed clothing, bed

canopies and hangings, wall hangings, throws and spreads, towels and towelling sets, blinds, curtains and drapes, table-cloths and table linens, soft furnishings, clothing, footwear and headgear.

532. The effective date of partial revocation is 26 October 2017.

533. Revocation no. 507260 against UK006 succeeds in its entirety. The effective date of revocation is 30 September 2022.

534. Revocation no. 507261 against UK166 is partially successful. UK166 will remain registered for the following goods:

Class 9 Mobile applications (downloadable) for the retail of goods.

535. The effective date of revocation is 3 November 2022.

536. Opposition no. 415923 against UK575 is partially successful. The application may proceed to registration for:

Class 9 Computer software; computer programs; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software [...] with multimedia and interactive functions.

Class 16 Printers' type.

Class 36 Charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others].

Class 41 Organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities; organisation and provision of facilities for conferences, meetings and events, namely sporting events, dancing events, musical events, and educational events.

Class 43 Preparation of food and drink for consumption in stations and on trains; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; of and provision of facilities for weddings; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

537. Opposition no. 433584 against UK970 is partially successful. The application may proceed to registration for:

Class 9 Computer software; computer programs; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software [...] with multimedia and interactive functions.

Class 16 Printers' type.

Class 36 Charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others].

Class 41 Organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities.

Class 43 Preparation of food and drink for consumption in stations and on trains; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; organisation of and provision of facilities for conferences, weddings, meetings and events; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

538. Opposition nos. 443699 and 443704 against UK953 and UK964 are partially successful. The applications may proceed to registration in respect of the following services only:

Class 36 Automated payment services; debit card services; issuing of bank cards, debit cards; information, advisory and consultancy services in relation to the aforesaid.

539. Opposition no. 445514 against UK805 is partially successful. The application may proceed to registration for:

Class 16 Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines;

newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; tags of card for attachment to door knobs.

540. Opposition no. 445515 against UK748 is partially successful. The application may proceed to registration for:

Class 16 Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or

magnetic) bearing personal identification data; non-magnetic identification cards; tags of card for attachment to door knobs.

Class 36 Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; real estate valuations; rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; portfolio management; property portfolio management; apartment house management services; management, development advisory, valuation and project management and co-ordination; all relating to real estate; building management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; real estate investment; investment trust services; trust administration; trusteeship services; trust services; trust management services; services for the establishment of trusts; unit trust services, unit trust management services, unit trust investment services; financial evaluation and analysis; financial valuations; financing services; real estate financing; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

Class 43 Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; restaurant booking or reservation services provided in relation to a customer loyalty or frequent buyer scheme; temporary accommodation (hotels, motels, resorts) booking and reservation services provided in relation to a customer loyalty or frequent buyer scheme.

541. Opposition no. 445516 against UK536 is partially successful. The application may proceed to registration in respect of:

Class 16 Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; tags of card for attachment to door knobs.

Class 35 Accounting; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring; business planning; business research;

commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials and printed materials used in retail outlets; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of exhibitions for business and commercial purposes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.

542. Opposition nos. 445827 and 445831 against UK584 and UK586 succeed in their entirety. The applications are refused.

COSTS

543. It was agreed at the hearing, that the parties would not be in a position to make submissions on costs until they had sight of my decision. It was agreed that written submissions would be appropriate. Consequently, I direct as follows:

- a. The parties have 28 days from the date of this decision in which to make written submissions on costs.
- b. The parties will have 28 days from receipt of the other side's submissions in which to make any necessary submissions in reply.

544. I will then issue a supplementary decision on costs.

APPEAL PERIOD

545. The appeal period for this decision will not begin to run until the date of my supplementary decision on costs.

Dated this 7th day of April 2026

S WILSON

For the Registrar

ANNEX 1

FRASERS

UKTM no. 3347575

Filing date: 22 October 2018

Protection is sought in respect of:

Class 3

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; incense; bath preparations, not for medical purposes; ethereal oils; massage gels other than for medical purposes; lotions for cosmetic purposes; make-up preparations; oils for cosmetic purposes; oils for perfumes and scents; deodorants for human beings or for animals; eau de cologne; shampoos; hair dyes; hair waving preparations; toiletries; talcum powder, for toilet use; bath salts, not for medical purposes; tissues impregnated with cosmetic lotions; cosmetic creams; almond milk for cosmetic purposes; cosmetic preparations for skin care; deodorants; preparations for use before shaving and after shaving; essential oils; room fragrances; fragrance emitting wicks for room fragrance; joss sticks; mouth wash, not for medical purposes; breath freshening sprays; boot polish; shoe cream; shoe polish; shoe wax; tailors' and cobblers' wax; nail grooming products; nail care preparations; non-medicated skin care preparations; non-medicated toilet preparations; sun-tanning milks, gels and oils and after-sun preparations (cosmetics); moisturisers; emollients; non-medicated lip care preparations; foot scrubs; body scrubs; facial scrubs; facial washes; skin cleansers and hydrators; skin toners; skin moisturisers; blemish creams and blemish gels; beauty masks; face and body masks; hand washes.

Class 9

Computer software; computer programs; computer games; computer software and computer programs relating to or featuring games, games based on skill, casino games, card games, gambling or betting; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software and computer hardware apparatus with multimedia and interactive functions; computer hardware; computer games hardware; apparatus and instruments for recording, transmitting and reproducing sound, data and/ or images; magnetic data carriers, recording discs; blank and pre-recorded CDs, discs, records, tapes and cassettes; digital versatile discs; discs and tapes all for video games; downloadable electronic publications; smart cards, magnetic coded cards, electronic data carrier cards, charge cards, bank cards, credit cards, debit cards, encoded loyalty cards, chip cards, stored value cards, payment cards, pre-paid cards; cards using magnetic memories and integrated circuit memories; cards containing an integrated circuit chip; joysticks for use with computers; data carriers with integrated electronic chips; data carriers with integrated microprocessor chips; pre-paid magnetic cards; encoded chip cards containing programming used for financial

applications, loyalty programs, rewards programs and card holder preferences; security encoded cards; cards encoded with security features for authentication purposes; hologram impregnated cards; mobile telephones, cordless telephones; apparatus for recording, transmission or reproduction of sound or images; photographic apparatus and instruments; cameras; camera film; video cameras; camera lenses; camcorders; television apparatus and instruments; televisions; televisions for receiving satellite broadcasting; satellites and decoders; video apparatus and instruments; video recording machines; video disc players; combined televisions and VCR; television aerials; antennas; transformers; surge protectors; remote control apparatus; audio apparatus; audio systems; headphones; speakers, loud speakers, earphone speakers, speaker cables; amplifiers; portable audio apparatus and instruments; radios, clock radios; karaoke machines, juke boxes; computers, lap top and notebook computers, game computers; computer peripherals; computer apparatus; computer terminals; visual display units; sunglasses; frames for glasses; sport glasses (eye glasses); goggles for use in sports; sports eyewear; spectacle holders; binoculars; cases adapted for binoculars; swimming goggles; lenses for spectacles and sunglasses; cases for spectacles and sunglasses; chains and cords for spectacles and sunglasses; protective clothing and accessories; knee pads, shields and protectors for workers; elbow pads, shields and protectors for workers; helmets; protective helmets; sports helmets and visors; protective glasses, sunglasses and goggles; protective clothing, headgear and footwear for use in sport; face shields; abdominal guards; mouth protectors (gum shields); USB (universal serial bus) storage devices; memory sticks; bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet communication and computer devices and equipment and accessories for such devices; carriers for mobile phones; cases for mobile phones; holders adapted for mobile phones; mobile phone covers; mobile phone straps; laptop carrying cases; laptop covers; mouse mats; mouse pads; cleaning apparatus for sound recording discs; headsets; virtual reality headsets and helmets; wearable video display monitors; electronic message boards and electronic information display boards; electronic bulletin boards; safety clothing, gloves, headgear and footwear; downloadable publications; electronic publications.

Class 14

Watches; clocks; jewellery; jewellery cases; sports watches, horological and chronomantic instruments; watch straps; trophies, all being of precious metal or coated therewith; jewellery and imitation jewellery; time keeping instruments; alarm clocks; badges of precious metal; boxes, namely jewellery boxes, clock boxes, watch boxes, boxes for cufflinks, presentation boxes for gemstones, boxes for tie-pins, presentation boxes for jewellery, and boxes of precious metal; bracelets; medals, badges of precious metals, cases for clock and watch-making; cases for watches; chains of precious metal; clock cases; clock hands; imitation gold; jewel cases of precious metal; key rings; rings being jewellery; cufflinks, tie clips, tie pins; watch bands; wrist watches; ornaments of precious metals; trinkets; models of precious metal; key fobs made of leather incorporating key rings; parts, fitting and components for all the aforesaid goods.

Class 16

Printed matter; printed publications; stationery; instructional and teaching materials; newspapers; periodicals; journals; newsletters; bulletins; magazines; books; directories; handbooks; manuals; brochures; pamphlets; leaflets; books; guides, namely, lettering guides, file guides, numbering guides, travel guides, study guides, printed teaching activity guides, and guide books; exercise books; lever arch files; document folders and wallets; publicity materials; posters; postcards; cards; paper loyalty cards; certificates; gazettes; advertising materials and display materials; photographs; packaging materials; printers' type; printing blocks; shopping [carrier] bags of plastic; Block notepads; Desk note pads; Removable self-stick notes; catalogues; vouchers; gift vouchers; gift cards; cases for pens; pens; pencils; adhesive for stationery purposes; calendars; agendas; diaries [printed matter]; wall charts for use as diaries; artists materials; cards made of plastic [other than encoded or magnetic]; decalcomanias; Removable tattoos; Magazines [periodicals].

Class 18

Leather and imitations of leather; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery; key cases; purses; bags; handbags; briefcases; boot bags; holdalls; luggage; suitcases; rucksacks; backpacks; sporting bags; wallets; credit card holders; pocket wallets; pocket books; card cases; luggage labels; belts; bags for travel accessories, shoe bags for travel and garment bags; briefcases, document cases and portfolios; school bags and school satchels; handbags, shoulder bags, clutch bags, tote bags, sports bags, athletic bags, beach bags, shopping bags, record bags, belt bags, toilet bags; hip pouches; baby and child carriers; golf umbrellas, golf umbrella seats, parasols; parts and fittings for all the aforesaid goods.

Class 24

Textiles and substitutes for textiles; household linen; curtains of textile or plastic; bed linen, bed covers, bed clothes, bed spreads, quilt covers, duvet covers, sheets, pillow cases, pillow covers, quilts, duvets, eiderdowns, sleeping bags, travelling rugs (lap robes); bath linen, towels, flannels, face towels, shower curtains; table linen, table covers, table clothes, table mats, table napkins, napkins, coasters; kitchen towels, tea towels; curtains, curtain tie backs, textile curtain pelmets; cushion covers, furniture coverings; handkerchiefs; upholstery fabrics; wall hangings; towels of textile.

Class 25

Clothing, footwear, headgear.

Class 28

Toys, games and playthings; skill games; soft toys; card games; game chips; skill gaming chips; skill gaming equipment; coin-operated gaming equipment; games relating to sport; games relating to skill gaming; board games; electronic games; apparatus for playing sports; balls being sporting articles; bags adapted for carrying sporting articles; bags specially adapted for sports equipment; cases adapted for carrying sporting apparatus; sports gloves; apparatus for playing skill games; skateboards, surfboards, snowboards, skis; bats for sport, knee protectors adapted for use whilst playing sports, leg

guards adapted for playing sport, shin pads [sports articles], elbow guards (sport articles), hip-guards specially made for playing sports [parts of sports suits], shin guards for athletic use, wrist guards for athletic use, fist guards [sporting articles], hand protectors adapted for sporting use, gloves for sporting purposes [specifically adapted for]; apparatus for use in the game of football, football gloves, sporting articles for use in playing football [other than clothing or articles for protective purposes], football or soccer goals, training apparatus for use in relation to football, goal nets, soccer ball goal nets, goal posts, whistles; Gymnastic and sporting articles and apparatus; sporting articles for use in boxing, gymnastics, indoor and field athletics, and for use in playing the games of badminton, squash, grass and ice hockey, football, lacrosse, fives, table tennis, netball, bowls, lawn tennis, cricket, croquet, clock golf, quoits, discs and putting golf and water polo balls; balls for use in sports; toys, games, playthings, playing cards, soft toys, novelties; balloons; Christmas decorations; decorations for Christmas trees; toy miniature figurines, artificial Christmas trees and Christmas tree stands; kaleidoscopes; tennis thermo bags; sporting articles including articles and accessories for the games of tennis, squash, table tennis, softball, golf, badminton, volleyball, basketball, baseball, ice hockey and hockey; fitness equipment; tennis nets and posts; inflatables in the nature of soccer balls, footballs, basketballs, volleyballs, inflatable balls for sports; balls including tennis balls, tennis rackets, squash rackets; sports equipment and accessories; exercise equipment; hand exercisers; balls for games; fish hooks; fishing apparatus and articles; surfboards; sailboards; snooker tables; snooker balls and cues; skis; snow boards; golf mats; dart mats; playground equipment; knee protectors for use when participating in sports; stationary exercise bicycles; toy bicycles; sporting articles for wear adapted for use in specific sports; skates; in-line skates; roller skates; hand exercisers (other than for therapeutic use); play tents; hand held electronic games; sporting articles for equestrian use and sports; handheld and portable devices for gaming; games adapted for use with television receivers; bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet games devices and equipment and accessories for such devices; toy figurines; parts and fittings for the aforesaid goods.

Class 35

Advertising; Business management; Business administration; Office functions; Accounting; Accounts (Drawing up of statements of -); Administrative processing of purchase orders; Advertising by mail order; Arranging newspaper subscriptions for others; Arranging subscriptions to telecommunication services for others; Auctioneering; Auditing; Bill-posting; Business appraisals; Business consultancy (Professional -); Business information; Business inquiries; Business investigations; Business management and organization consultancy; Business management assistance; Business management consultancy; Business management of hotels; Business management of performing artists; Business management of sports people; Business organization consultancy; Business research; Commercial administration of the licensing of the goods and services of others; Commercial information agencies; Commercial information and advice for consumers [consumer advice shop]; Commercial or industrial management assistance; Compilation of information into computer databases; Compilation of statistics; Cost price analysis; Data search in computer files for others; Demonstration of goods; loyalty scheme services; administration of consumer loyalty reward programs; sales promotion through customer

loyalty programs; organisation and management of customer loyalty schemes and programs; Direct mail advertising; Dissemination of advertising matter; Distribution of samples; Document reproduction; Economic forecasting; Efficiency experts; Employment agencies; Fashion shows for promotional purposes (Organization of -); File management (Computerized -); Import-export agencies; Invoicing; Layout services for advertising purposes; Management (Advisory services for business -); Marketing; Marketing research; Marketing studies; Modelling for advertising or sales promotion; News clipping services; Office machines and equipment rental; On-line advertising on a computer network; Opinion polling; Organization of exhibitions for commercial or advertising purposes; Organization of trade fairs for commercial or advertising purposes; Outsourcing services [business assistance]; Payroll preparation; Personnel management consultancy; Personnel recruitment; Photocopying services; Presentation of goods on communication media, for retail purposes; Price comparison services; Procurement services for others [purchasing goods and services for other businesses]; Production of advertising films; Psychological testing for the selection of personnel; Public relations; Publication of publicity texts; Publicity; Publicity agencies; Publicity columns preparation; Publicity material rental; Radio advertising; Relocation services for businesses; Rental of advertising space; Rental of advertising time on communication media; Rental of photocopying machines; Rental of vending machines; Sales promotion for others; Secretarial services; Shop window dressing; Shorthand; Sponsorship search; Systemization of information into computer databases; Tax preparation; Telemarketing services; Telephone answering for unavailable subscribers; Television advertising; Transcription; Typing; Updating of advertising material; Word processing; Writing of publicity texts; Advertising and marketing; advertising services; business data analysis; online advertising and marketing services; promotional services; business networking; business monitoring and consulting services, namely, tracking users and advertising of others to provide strategy, insight, marketing guidance, and for analysing, understanding and predicting consumer behaviour and motivations, and market trends; placing advertisements and promotional displays in electronic sites accessed via computer networks; providing information regarding careers, employment, and job placement; providing market information in relation to consumer products; providing shopping information relating to price, product information and specification, delivery and returns information, sizing information; compiling and maintaining online directories; providing information regarding organising and conducting volunteer programmes and community service projects; computerized file management; sales promotion (for others); computer data recording services; systemization of information into computer databases; business information services; providing business information over the internet; retail services connected to the sale of chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry, unprocessed artificial resins, unprocessed plastics, manures, fire extinguishing compositions, tempering and soldering preparations, chemical substances for preserving foodstuffs; retail services connected to the sale of tanning substances, adhesives used in industry, unprocessed plastics in the form of liquids, chips or granules, paints, varnishes, lacquers, preservatives against rust and against deterioration of wood, colorants, mordants, raw natural resins, metals in foil and powder form for painters, decorators, printers and artists; retail services connected to the sale of bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive

preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, industrial oils and greases, lubricants, dust absorbing, wetting and binding compositions, fuels and illuminants; retail services connected to the sale of candles and wicks for lighting, combustible fuels and scented candles, pharmaceutical and veterinary preparations, sanitary preparations for medical purposes, dietetic food and substances adapted for medical or veterinary use; retail services connected to the sale of food for babies, dietary supplements for humans and animals, plasters, materials for dressings, material for stopping teeth, dental wax, disinfectants, preparations for destroying vermin, fungicides, herbicides, common metals and their alloys; retail services connected to the sale of metal building materials, transportable buildings of metal, materials of metal for railway tracks, non-electric cables and wires of common metal, ironmongery, small items of metal hardware, pipes and tubes of metal, safes, goods of common metal, ores, unwrought and partly wrought common metals, metallic windows and doors, metallic framed conservatories; retail services connected to the sale of machines and machine tools, motors and engines (except for land vehicles), machine coupling and transmission components (except for land vehicles), agricultural implements other than hand-operated, incubators for eggs, automatic vending machines, hand tools and hand operated implements; retail services connected to the sale of cutlery, side arms, razors, electric razors and hair cutters, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; retail services connected to the sale of apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, compact discs, DVDs and other digital recording media, mechanisms for coin-operated apparatus, cash registers, calculating machines, data processing equipment, computers, computer software, fire-extinguishing apparatus, sunglasses, safety clothing, footwear and headgear, computer software, computer programs, computer software and computer programs relating to or featuring games, games based on skill, casino games, card games, gambling or betting, computer software and computer programs downloadable from or provided via the Internet, computer application software, computer application software for portable, mobile, handheld and tablet devices, computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks, computer software and computer hardware apparatus with multimedia and interactive functions, computer hardware, computer games hardware, apparatus and instruments for recording, transmitting and reproducing sound, data and/or images, magnetic data carriers, recording discs, blank and pre-recorded CDs, discs, records, tapes and cassettes, digital versatile discs, discs and tapes all for video games, downloadable electronic publications, electronic publications distributed via email, smart cards, magnetic coded cards, electronic data carrier cards, charge cards, bank cards, credit cards, debit cards, encoded loyalty cards, chip cards, stored value cards, payment cards, pre-paid cards, cards using magnetic memories and integrated circuit memories, cards containing an integrated circuit chip, joysticks for use with computers, data carriers with integrated electronic chips, data carriers with integrated microprocessor chips, pre-paid magnetic cards, encoded chip cards containing programming used for financial applications, loyalty programs, rewards programs and card holder preferences,

security encoded cards, cards encoded with security features for authentication purposes, hologram impregnated cards, mobile telephones, cordless telephones, cameras, camera film, video cameras, camera lenses, camcorders, television apparatus and instruments, televisions, satellites and decoders, video apparatus and instruments, video recording machines, video disc players, combined televisions and VCR, television aerials, antennas, transformers, surge protectors, remote control apparatus, audio apparatus, audio systems, headphones, speakers, loud speakers, earphone speakers, speaker cables, amplifiers, portable audio apparatus and instruments, radios, clock radios, karaoke machines, juke boxes, computers, lap top and notebook computers, game computers, computer peripherals, computer apparatus, computer terminal, visual display units, sunglasses, frames for glasses, sport glasses (eye glasses), goggles for use in sports, sports eyewear, spectacle holders, binoculars, cases adapted for binoculars, swimming goggles, lenses for spectacles and sunglasses, cases for spectacles and sunglasses, chains and cords for spectacles and sunglasses, protective clothing and accessories, knee pads, shields and protectors for workers, elbow pads, shields and protectors for workers, helmets, protective helmets, sports helmets and visors, protective glasses, sunglasses and goggles, protective clothing, headgear and footwear for use in sport, face shields, abdominal guards, mouth protectors (gum shields), USB (universal serial bus) storage devices, memory sticks, bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet communication and computer devices and equipment and accessories for such devices, carriers for mobile phones, cases for mobile phones, holders adapted for mobile phones, mobile phone covers, mobile phone straps, laptop carrying cases, laptop covers, mouse mats, mouse pads, cleaning apparatus for sound recording discs, headsets, virtual reality headsets and helmets, wearable video display monitors, electronic message boards and electronic information display boards, electronic bulletin boards, safety clothing, gloves, headgear and footwear, downloadable publications, electronic publications; retail services connected to the sale of surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth, orthopaedic articles, suture materials, massage apparatus, supportive bandages, furniture adapted for medical use, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes; retail services connected to the sale of air conditioning apparatus, electric kettles, gas and electric cookers, vehicle lights and vehicle air conditioning units, vehicles, apparatus for locomotion by land, air or water, wheelchairs, motors and engines for land vehicles, vehicle body parts and transmissions, firearms, ammunition and projectiles, explosives, fireworks, precious metals and their alloys, retail services connected to the sale of jewellery, costume jewellery, precious stones, horological and chronometric instruments, clocks and watches, jewellery cases, watch straps, trophies (all being of precious metal or coated therewith), imitation jewellery, time keeping instruments, alarm clocks, badges of precious metal, boxes, boxes of precious metal, boxes of precious metal for needles, bracelets, medals, badges of precious metals, cases for clock and watch-making, chains of precious metal, clock hands, imitation gold, jewel cases of precious metal, key rings, rings being jewellery, cufflinks, tie clips, tie pins, watch bands, wrist watches, ornaments of precious metals, trinkets, models of precious metal, key fobs made of leather incorporating key rings, musical instruments, stands and cases adapted for musical instruments, paper, cardboard, printed matter, bookbinding material, photographs, stationery, adhesives for stationery or

household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture); retail services connected to the sale of instructional and teaching material (except apparatus), plastic materials for packaging, printers' type, printing blocks, rubber, gutta-percha, gum, asbestos, mica, plastics in extruded form for use in manufacture, semi-finished plastics materials for use in further manufacture, stopping and insulating materials, flexible non-metallic pipes; retail services connected to the sale of leather and imitations of leather, animal skins, hides, trunks and travelling bags, handbags, bags, boot bags, holdalls, luggage, luggage labels, rucksacks, backpacks, briefcases; retail services connected to the sale of sporting bags, suitcases, purses, wallets, pocket wallets, pocket books, credit card holders, card cases, belts, umbrellas, parasols and walking sticks, whips, harness and saddlery, key cases, clothing for animals, non-metallic building materials, non-metallic rigid pipes for building, asphalt, pitch and bitumen; retail services connected to the sale of non-metallic transportable buildings, non-metallic monuments, non-metallic framed conservatories, doors and windows, furniture, mirrors, picture frames, articles made of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum or plastic, garden furniture, pillows and cushions, household or kitchen utensils and containers; retail services connected to the sale of combs and sponges, brushes, brush-making materials, articles for cleaning purposes, steel wool, articles made of ceramics, glass, porcelain or earthenware, plates and dishes, bowls, electric and non-electric toothbrushes, ropes, string, nets, tents, awnings, tarpaulins, sails, sacks for transporting bulk materials, padding and stuffing materials which are not made of rubber or plastics; retail services connected to the sale of textiles and substitutes for textiles, household linen, curtains of textile or plastic, bed linen, bed covers, bed clothes, bed spreads, quilt covers, duvet covers, sheets, pillow cases, pillow covers, quilts, duvets, eiderdowns, sleeping bags, travelling rugs (lap robes), bath linen, towels, flannels, face towels, shower curtains, table linen, table covers, table clothes, table mats, table napkins, napkins, coasters, kitchen towels, tea towels, curtains, curtain tie backs, textile curtain pelmets, cushion covers, furniture coverings, handkerchiefs, upholstery fabrics, wall hangings towels of textile; retail services connected to the sale of raw fibrous textile materials, yarns and threads for textile use, textiles and textile goods, bed and table covers, travellers' rugs, textiles for making articles of clothing, duvets, covers for pillows, cushions or duvets, clothing, footwear, headgear, lace and embroidery, ribbons and braid, buttons, hooks and eyes, pins and needles, artificial flowers; retail services connected to the sale of carpets, rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings (non-textile), wallpaper, games and playthings, playing cards, gymnastic and sporting articles, decorations for Christmas trees, children's toy bicycles; retail services connected to the sale of meat, fish, poultry and game, meat extracts, preserved, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and fats, prepared meals, soups and potato crisps, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, ices, honey, treacle, yeast, baking-powder, salt, mustard, vinegar, sauces (condiments), spices, ice; retail services connected to the sale of sandwiches, prepared meals, pizzas, pies and pasta dishes, agricultural, horticultural and forestry products, live animals, fresh fruits and vegetables, seeds, natural plants and flowers; retail services connected to the sale of foodstuffs for animals, malt, food and beverages for animals, beers, mineral and aerated waters, non-alcoholic drinks, fruit drinks and fruit

juices, syrups for making beverages, shandy, de-alcoholised drinks, non-alcoholic beers and wines, alcoholic beverages (except beers), alcoholic wines, spirits and liqueurs, alcopops, alcoholic cocktails, tobacco, smokers' articles, matches, lighters for smokers; advertising, marketing and promotional services provided by means of social media; price comparison services; comparison shopping services; business operation of shopping malls; business management of retail outlets; retail shop window display arrangement services; presentation of goods on communications media, for retail purposes; assistance information, advisory and consultancy services relating to the aforesaid.

Class 36

Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet; financial management; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit services; saving scheme services; banking; saving scheme services; contributory benefit scheme services; leasing, namely, financial leasing, credit leasing, land leasing, real estate leasing, leasing of shopping mall space, leasing of buildings, and leasing of commercial property; mortgage, namely mortgage advice, mortgage insurance, mortgage lending, mortgage brokering, and mortgage banking; securities, namely, securities lending, securities underwriting, securities management, and securities brokerage; brokerage; investment, namely, investment consultancy, investment brokerage, investment management, investment information, investment analysis, investment banking, and investment advice; personal finance service; insurance services; financial and investment consultancy and analysis services; recording, counting and billing services for financial transactions; exchanging money and electronic funds transfer services; issuing of travellers cheques; debit card services; financial consultancy; financial evaluation; financial sponsorship; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; fundraising and financial sponsorship; charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others]; financial card services; retail financing services; information, advisory and consultancy services relating to the aforesaid.

Class 38

Telecommunications; Broadcasting services; broadcasting services relating to shopping; cable, satellite and television broadcasting services relating to shopping; computer aided transmission of messages and images; electronic bulletin board services [telecommunications services]; electronic mail; providing access to databases; providing internet chatrooms; providing telecommunication channels for

teleshopping services; providing telecommunications connections to a global computer network; telecommunication of information; multimedia telecommunications; telecommunications services relating to electronic commerce; internet communication services; receipt and/or delivery of messages, documents and other data by electronic transmission; receipt and/or delivery of messages, documents and other data via the Internet; provision of electronic communication links; telecommunication services, namely, enabling users to transmit messages, comments, multimedia content, videos, movies, films, and photos, audio content, animation, pictures, images, text, information, and other user-generated content via a global computer network and other computer and communications networks; providing online communications links which transfer users to other websites; providing online forums, chat rooms and electronic bulletin boards for users to post, search, watch, share, critique, rate, and comment on subjects of interest; providing access to computer, electronic and online databases; audio, text, video and multimedia broadcasting services over computer and electronic communications networks, namely uploading, posting, displaying, tagging and electronically transmitting data, audio, and video; providing access to computer databases in the fields of retail, shopping, entertainment and education; providing access to computer databases in the field of business networking; providing telecommunication facilities that enable the sharing of blogs, photos, videos, podcasts, and other audio-visual materials; providing telecommunication facilities that enable the creation and updating of personal electronic web pages featuring user-provided content; transmission of database information via telecommunication networks; information, advisory and consultancy services in relation to all of the aforesaid services.

Class 39

Transport; packaging and storage of goods; travel arrangement; transport services; courier services; delivery services; collection, packaging, storage and distribution of goods, letters, packets and parcels; franking of mail; gift wrapping services; delivery tracking and tracing services; provision of information in relation to all the aforesaid services; consultancy and advisory services relating to all the aforesaid services.

Class 41

Entertainment services; education and training; sporting and cultural activities; amusement services; gaming services; gambling services; betting services; casino services; organisation, production and presentation of tournaments, competitions and events; providing news services; organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; publication of material; provision of on-line electronic publications; provision of electronic newsletters distributed via the Internet, electronic mail or portable, mobile, handheld or tablet devices; provision of electronic newsletters regarding entertainment, television entertainment; arranging and conducting award ceremonies; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities; organisation and provision of facilities for conferences, meetings and events, namely sporting events, dancing events, musical events, and educational events; information, advisory and consultancy services relating to the aforesaid.

Class 43

Services for providing food and drink; temporary accommodation; preparation of food and drink; bistro, cafe, cafeteria, public house, wine bar, bar, hotel, restaurant and banqueting services; preparation of food and drink for consumption in stations and on trains; catering services and canteen services; snack-bar services; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; takeaway food services; self-service restaurants; organisation of and provision of facilities for weddings; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

Class 44

Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; Make-up artist services; make-up services; cosmetic make-up services; beauty care services; beauty consultation and information services; beauty salon and beauty treatment services; beauty therapy services and treatments; beauty treatment; healthcare, diet advisory services; cosmetic treatment for the face and hair and nails; hair care, hair colouring, hair styling and hair cutting services; cosmetic body care services; facial treatment services; hairdressing salon services; nail salon services; nutritional advisory, consultancy and guidance services; advice relating to cosmetics, hair care, nutrition, beauty care and weight loss; information, advisory and consultancy services in relation to all of the aforesaid services.

Class 45

Personal and social services rendered by others to meet the needs of individuals; social introduction and networking services; personal shopping services; concierge services; dress rental; lost property services; consultancy services relating to personal appearance; services relating to the creation and maintenance of lists of wedding presents for selection by others; on-line social networking services; gift selection services for others; hire of jewellery; hire of clothing; rental of watches; legal services; on-line social networking services and online social networking services accessible by means of downloadable mobile applications; information, advisory and consultancy services in relation to all of the aforesaid services.

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Class 3

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; incense;

bath preparations, not for medical purposes; ethereal oils; massage gels other than for medical purposes; lotions for cosmetic purposes; make-up preparations; oils for cosmetic purposes; oils for perfumes and scents; deodorants for human beings or for animals; eau de cologne; shampoos; hair dyes; hair waving preparations; toiletries; talcum powder, for toilet use; bath salts, not for medical purposes; tissues impregnated with cosmetic lotions; cosmetic creams; almond milk for cosmetic purposes; cosmetic preparations for skin care; deodorants; preparations for use before shaving and after shaving; essential oils; room fragrances; fragrance emitting wicks for room fragrance; joss sticks; mouth wash, not for medical purposes; breath freshening sprays; boot polish; shoe cream; shoe polish; shoe wax; tailors' and cobblers' wax; nail grooming products; nail care preparations; nonmedicated skin care preparations; non-medicated toilet preparations; sun-tanning milks, gels and oils and after-sun preparations (cosmetics); moisturisers; emollients; non-medicated lip care preparations; foot scrubs; body scrubs; facial scrubs; facial washes; skin cleansers and hydrators; skin toners; skin moisturisers; blemish creams and blemish gels; beauty masks; face and body masks; hand washes.

Class 9

Computer software; computer programs; computer software and computer programs relating to or featuring games, games based on skill, casino games, card games, gambling or betting; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software and computer hardware apparatus with multimedia and interactive functions; computer hardware; computer games hardware; apparatus and instruments for recording, transmitting and reproducing sound, data and/ or images; magnetic data carriers, recording discs; blank and pre-recorded CDs, discs, records, tapes and cassettes; digital versatile discs; discs and tapes all for video games; downloadable electronic publications; electronic publications distributed via email; smart cards, magnetic coded cards, electronic data carrier cards, charge cards, bank cards, credit cards, debit cards, encoded loyalty cards, chip cards, stored value cards, payment cards, prepaid cards; cards using magnetic memories and integrated circuit memories; cards containing an integrated circuit chip; joysticks for use with computers; data carriers with integrated electronic chips; data carriers with integrated microprocessor chips; pre-paid magnetic cards; encoded chip cards containing programming used for financial applications, loyalty programs, rewards programs and card holder preferences; security encoded cards; cards encoded with security features for authentication purposes; hologram impregnated cards; mobile telephones, cordless telephones; apparatus for recording, transmission or reproduction of sound or images; photographic apparatus and instruments; cameras; camera film; video cameras; camera lenses; camcorders; television apparatus and instruments; televisions; televisions for receiving satellite broadcasting; satellites and decoders; video apparatus and instruments; video recording machines; video disc players; combined televisions and VCR; television aerials; antennas; transformers; surge protectors; remote control apparatus; audio apparatus; audio systems; headphones; speakers, loud speakers, earphone speakers, speaker cables; amplifiers; portable audio

apparatus and instruments; radios, clock radios; karaoke machines, juke boxes; computers, lap top and notebook computers, game computers; computer peripherals; computer apparatus; computer terminals; visual display units; sunglasses; frames for glasses; sport glasses (eye glasses); goggles for use in sports; sports eyewear; spectacle holders; binoculars; cases adapted for binoculars; swimming goggles; lenses for spectacles and sunglasses; cases for spectacles and sunglasses; chains and cords for spectacles and sunglasses; protective clothing and accessories; knee pads, shields and protectors for workers; elbow pads, shields and protectors for workers; helmets; protective helmets; sports helmets and visors; protective glasses, sunglasses and goggles; protective clothing, headgear and footwear for use in sport; face shields; abdominal guards; mouth protectors (gum shields); USB (universal serial bus) storage devices; memory sticks; bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet communication and computer devices and equipment and accessories for such devices; carriers for mobile phones; cases for mobile phones; holders adapted for mobile phones; mobile phone covers; mobile phone straps; laptop carrying cases; laptop covers; mouse mats; mouse pads; cleaning apparatus for sound recording discs; headsets; virtual reality headsets and helmets; wearable video display monitors; electronic message boards and electronic information display boards; electronic bulletin boards; safety clothing, gloves, headgear and footwear; downloadable publications; electronic publications.

Class 14

Watches; clocks; jewellery; jewellery cases; sports watches, horological and chronomantic instruments; watch straps; trophies, all being of precious metal or coated therewith; jewellery and imitation jewellery; time keeping instruments; alarm clocks; badges of precious metal; jewellery boxes; watch boxes; boxes of precious metal; bracelets; medals, badges of precious metals, cases for clock and watch-making; cases for watches; chains of precious metal; clock cases; clock hands; imitation gold; jewel cases of precious metal; key rings; rings being jewellery; cufflinks, tie clips, tie pins; watch bands; wrist watches; ornaments of precious metals; trinkets; models of precious metal; key fobs made of leather incorporating key rings; parts, fitting and components for all the aforesaid goods.

Class 16

Printed matter; printed publications; stationery; instructional and teaching materials; newspapers; periodicals; journals; newsletters; bulletins; magazines; books; directories; handbooks; manuals; brochures; pamphlets; leaflets; guides; exercise books; lever arch files; document folders and wallets; publicity materials; posters; postcards; cards; paper loyalty cards; certificates; gazettes; advertising materials and display materials; photographs; packaging materials; printers' type; printing blocks; shopping [carrier] bags of plastic; Block notepads; Desk note pads; Removable selfstick notes; catalogues; vouchers; gift vouchers; gift cards; cases for pens; pens; pencils; adhesive for stationery purposes; calendars; agendas; diaries [printed matter]; wall charts for use as diaries; artists materials; cards made of plastic [other than encoded or magnetic]; decalcomanias; Removable tattoos; Magazines [periodicals].

Class 18

Leather and imitations of leather; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery; key cases; purses; bags; handbags; briefcases; boot bags; holdalls; luggage; suitcases; rucksacks; backpacks; sporting bags; wallets; credit card holders; pocket wallets; pocket books; card cases; luggage labels; belts; bags for travel accessories, shoe bags for travel and garment bags; briefcases, document cases and portfolios; school bags and school satchels; handbags, shoulder bags, clutch bags, tote bags, sports bags, athletic bags, beach bags, shopping bags, record bags, belt bags, toilet bags; hip pouches; baby and child carriers; golf umbrellas, golf umbrella seats, parasols; parts and fittings for all the aforesaid goods.

Class 24

Textiles and substitutes for textiles; household linen; curtains of textile or plastic; bed linen, bed covers, bed clothes, bed spreads, quilt covers, duvet covers, sheets, pillow cases, pillow covers, quilts, duvets, eiderdowns, sleeping bags, travelling rugs (lap robes); bath linen, towels, flannels, face towels, shower curtains; table linen, table covers, table clothes, table mats, table napkins, napkins, coasters; kitchen towels, tea towels; curtains, curtain tie backs, textile curtain pelmets; cushion covers, furniture coverings; handkerchiefs; upholstery fabrics; wall hangings; towels of textile.

Class 25

Clothing, footwear, headgear.

Class 26

Boxes of precious metal for needles.

Class 28

Toys, games and playthings; skill games; soft toys; card games; game chips; skill gaming chips; skill gaming equipment; coin-operated gaming equipment; games relating to sport; games relating to skill gaming; board games; electronic games; apparatus for playing sports; balls being sporting articles; bags adapted for carrying sporting articles; bags specially adapted for sports equipment; cases adapted for carrying sporting apparatus; sports gloves; apparatus for playing skill games; skateboards, surfboards, snowboards, skis; bats for sport, knee protectors adapted for use whilst playing sports, leg guards adapted for playing sport, shin pads [sports articles], elbow guards (sport articles), hip-guards specially made for playing sports [parts of sports suits], shin guards for athletic use, wrist guards for athletic use, fist guards [sporting articles], hand protectors adapted for sporting use, gloves for sporting purposes [specifically adapted for]; apparatus for use in the game of football, football gloves, sporting articles for use in playing football [other than clothing or articles for protective purposes], football or soccer goals, training apparatus for use in relation to football, goal nets, soccer ball goal nets, goal posts, whistles; Gymnastic and sporting articles and apparatus; sporting articles for use in boxing, gymnastics, indoor and field athletics, and for use in playing the games of badminton, squash, grass and ice hockey, football, lacrosse, fives, table tennis, netball, bowls, lawn tennis, cricket, croquet, clock

golf, quoits, discs and putting golf and water polo balls; balls for use in sports; toys, games, playthings, playing cards, soft toys, novelties; balloons; Christmas decorations; computer games; decorations for Christmas trees; toy miniature figurines, artificial Christmas trees and Christmas tree stands; kaleidoscopes; tennis thermo bags; sporting articles including articles and accessories for the games of tennis, squash, table tennis, softball, golf, badminton, volleyball, basketball, baseball, ice hockey and hockey; fitness equipment; tennis nets and posts; inflatables in the nature of soccer balls, footballs, basketballs, volleyballs, inflatable balls for sports; balls including tennis balls, tennis rackets, squash rackets; sports equipment and accessories; exercise equipment; hand exercisers; balls for games; fish hooks; fishing apparatus and articles; surfboards; sailboards; snooker tables; snooker balls and cues; skis; snow boards; golf mats; dart mats; playground equipment; knee protectors for use when participating in sports; stationary exercise bicycles; toy bicycles; sporting articles for wear adapted for use in specific sports; skates; in-line skates; roller skates; hand exercisers (other than for therapeutic use); play tents; hand held electronic games; sporting articles for equestrian use and sports; handheld and portable devices for gaming; games adapted for use with television receivers; bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet games devices and equipment and accessories for such devices; toy figurines; parts and fittings for the aforesaid goods.

Class 35

Advertising; Business management; Business administration; Office functions; Accounting; Accounts (Drawing up of statements of -); Administrative processing of purchase orders; Advertising by mail order; Arranging newspaper subscriptions for others; Arranging subscriptions to telecommunication services for others; Auctioneering; Auditing; Bill-posting; Business appraisals; Business consultancy (Professional -); Business information; Business inquiries; Business investigations; Business management and organization consultancy; Business management assistance; Business management consultancy; Business management of hotels; Business management of performing artists; Business management of sports people; Business organization consultancy; Business research; Commercial administration of the licensing of the goods and services of others; Commercial information agencies; Commercial information and advice for consumers [consumer advice shop]; Commercial or industrial management assistance; Compilation of information into computer databases; Compilation of statistics; Cost price analysis; Data search in computer files for others; Demonstration of goods; loyalty scheme services; administration of consumer loyalty reward programs; sales promotion through customer loyalty programs; organisation and management of customer loyalty schemes and programs; Direct mail advertising; Dissemination of advertising matter; Distribution of samples; Document reproduction; Economic forecasting; Efficiency experts; Employment agencies; Fashion shows for promotional purposes (Organization of -); File management (Computerized -); Import-export agencies; Invoicing; Layout services for advertising purposes; Management (Advisory services for business -); Marketing; Marketing research; Marketing studies; Modelling for advertising or sales promotion; News clipping services; Office machines and equipment rental; On-line advertising on a computer network; Opinion polling; Organization of exhibitions for commercial or advertising purposes; Organization of trade fairs for commercial or advertising purposes; Outsourcing services [business assistance]; Payroll

preparation; Personnel management consultancy; Personnel recruitment; Photocopying services; Presentation of goods on communication media, for retail purposes; Price comparison services; Procurement services for others [purchasing goods and services for other businesses]; Production of advertising films; Psychological testing for the selection of personnel; Public relations; Publication of publicity texts; Publicity; Publicity agencies; Publicity columns preparation; Publicity material rental; Radio advertising; Relocation services for businesses; Rental of advertising space; Rental of advertising time on communication media; Rental of photocopying machines; Rental of vending machines; Sales promotion for others; Secretarial services; Shop window dressing; Shorthand; Sponsorship search; Systemization of information into computer databases; Tax preparation; Telemarketing services; Telephone answering for unavailable subscribers; Television advertising; Transcription; Typing; Updating of advertising material; Word processing; Writing of publicity texts; Advertising and marketing; advertising services; business data analysis; online advertising and marketing services; promotional services; business networking; business monitoring and consulting services, namely, tracking users and advertising of others to provide strategy, insight, marketing guidance, and for analysing, understanding and predicting consumer behaviour and motivations, and market trends; placing advertisements and promotional displays in electronic sites accessed via computer networks; providing information regarding careers, employment, and job placement; providing market information in relation to consumer products; providing shopping information; compiling and maintaining online directories; providing information regarding organising and conducting volunteer programmes and community service projects; computerized file management; computer data recording services; business information services; providing business information over the internet; retail services connected to the sale of chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry, unprocessed artificial resins, unprocessed plastics, manures, fire extinguishing compositions, tempering and soldering preparations, chemical substances for preserving foodstuffs; retail services connected to the sale of tanning substances, adhesives used in industry, unprocessed plastics in the form of liquids, chips or granules, paints, varnishes, lacquers, preservatives against rust and against deterioration of wood, colorants, mordants, raw natural resins, metals in foil and powder form for painters, decorators, printers and artists; retail services connected to the sale of bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, industrial oils and greases, lubricants, dust absorbing, wetting and binding compositions, fuels and illuminants; retail services connected to the sale of candles and wicks for lighting, combustible fuels and scented candles, pharmaceutical and veterinary preparations, sanitary preparations for medical purposes, dietetic food and substances adapted for medical or veterinary use; retail services connected to the sale of food for babies, dietary supplements for humans and animals, plasters, materials for dressings, material for stopping teeth, dental wax, disinfectants, preparations for destroying vermin, fungicides, herbicides, common metals and their alloys; retail services connected to the sale of metal building materials, transportable buildings of metal, materials of metal for railway tracks, non-electric cables and wires of common metal, ironmongery, small items of metal hardware, pipes and tubes of metal, safes, goods of common metal, namely, statues, and figurines, ores, unwrought and partly wrought common metals,

metallic windows and doors, metallic framed conservatories; retail services connected to the sale of machines, namely, electric washing machines, dishwashing machines, electric food processing machines, electric food preparation machines, coffee extracting machines, coffee machines, juice machines and machine tools, motors and engines (except for land vehicles), machine coupling and transmission components (except for land vehicles), agricultural implements other than hand-operated, incubators for eggs, automatic vending machines, hand tools and hand operated implements; retail services connected to the sale of cutlery, side arms, razors, electric razors and hair cutters, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; retail services connected to the sale of apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, compact discs, DVDs and other digital recording media, mechanisms for coin-operated apparatus, cash registers, calculating machines, data processing equipment, computers, computer software, fire-extinguishing apparatus, sunglasses, safety clothing, footwear and headgear, computer software; retail services connected to the sale of computer programs, computer software and computer programs relating to or featuring games, games based on skill, casino games, card games, gambling or betting, computer software and computer programs downloadable from or provided via the Internet, computer application software, computer application software for portable, mobile, handheld and tablet devices; retail services connected to the sale of computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks, computer software and computer hardware apparatus with multimedia and interactive functions, computer hardware, computer games hardware; retail services connected to the sale of apparatus and instruments for recording, transmitting and reproducing sound, data and/or images, magnetic data carriers, recording discs, blank and pre-recorded CDs, discs, records, tapes and cassettes, digital versatile discs, discs and tapes all for video games, downloadable electronic publications, electronic publications distributed via email, smart cards, magnetic coded cards, electronic data carrier cards; retail services connected to the sale of encoded loyalty cards, chip cards, cards using magnetic memories and integrated circuit memories, cards containing an integrated circuit chip, joysticks for use with computers, data carriers with integrated electronic chips, data carriers with integrated microprocessor chips; retail services connected to the sale of loyalty programs, rewards programs and card holder preferences, security encoded cards, cards encoded with security features for authentication purposes, hologram impregnated cards, mobile telephones, cordless telephones; retail services connected to the sale of cameras, camera film, video cameras, camera lenses, camcorders, television apparatus and instruments, televisions, satellites and decoders, video apparatus and instruments, video recording machines, video disc players; retail services connected to the sale of combined televisions and VCR, television aerials, antennas, transformers, surge protectors, remote control apparatus, audio apparatus, audio systems, headphones, speakers, loud speakers, earphone speakers, speaker cables, amplifiers, portable audio apparatus and instruments, radios, clock radios, karaoke machines, juke boxes, computers, lap top and notebook computers, game computers,

computer peripherals, computer apparatus, computer terminal; retail services connected to the sale of visual display units, sunglasses, frames for glasses, sport glasses (eye glasses), goggles for use in sports, sports eyewear, spectacle holders, binoculars, cases adapted for binoculars, swimming goggles, lenses for spectacles and sunglasses, cases for spectacles and sunglasses, chains and cords for spectacles and sunglasses; retail services connected to the sale of protective clothing and accessories, knee pads, shields and protectors for workers, elbow pads, shields and protectors for workers, helmets, protective helmets, sports helmets and visors, protective glasses, sunglasses and goggles, protective clothing, headgear and footwear for use in sport, face shields, abdominal guards, mouth protectors (gum shields); retail services connected to the sale of USB (universal serial bus) storage devices, memory sticks, bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet communication and computer devices and equipment and accessories for such devices, carriers for mobile phones, cases for mobile phones, holders adapted for mobile phones, mobile phone covers, mobile phone straps; retail services connected to the sale of laptop carrying cases, laptop covers, mouse mats, mouse pads, cleaning apparatus for sound recording discs, headsets, virtual reality headsets and helmets, wearable video display monitors, electronic message boards and electronic information display boards, electronic bulletin boards, safety clothing, gloves, headgear and footwear, downloadable publications, electronic publications; retail services connected to the sale of surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth, orthopaedic articles, suture materials, massage apparatus, supportive bandages, furniture adapted for medical use, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes; retail services connected to the sale of air conditioning apparatus, electric kettles, gas and electric cookers, vehicle lights and vehicle air conditioning units, vehicles, apparatus for locomotion by land, air or water, wheelchairs, motors and engines for land vehicles, vehicle body parts and transmissions, firearms, ammunition and projectiles, explosives, fireworks, precious metals and their alloys; retail services connected to the sale of jewellery, costume jewellery, precious stones, horological and chronometric instruments, clocks and watches, jewellery cases, watch straps, trophies (all being of precious metal or coated therewith), imitation jewellery, time keeping instruments, alarm clocks, badges of precious metal, boxes, boxes of precious metal, boxes of precious metal for needles, bracelets, medals, badges of precious metals, cases for clock and watchmaking; retail services connected to the sale of chains of precious metal, clock hands, imitation gold, jewel cases of precious metal, key rings, rings being jewellery; retail services connected to the sale of cufflinks, tie clips, tie pins, watch bands, wrist watches, ornaments of precious metals, trinkets, models of precious metal, key fobs made of leather incorporating key rings, musical instruments, stands and cases adapted for musical instruments, paper, cardboard, printed matter, bookbinding material; retail services connected to the sale of photographs, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture); retail services connected to the sale of instructional and teaching material (except apparatus), plastic materials for packaging; retail services connected to the sale of printers' type, printing blocks, rubber, gutta-percha, gum, asbestos, mica, plastics in extruded form for use in manufacture, semi-finished plastics materials for use in further manufacture, stopping and insulating

materials, flexible non-metallic pipes; retail services connected to the sale of leather and imitations of leather, animal skins, hides, trunks and travelling bags, handbags, bags, boot bags, holdalls, luggage, luggage labels, rucksacks, backpacks, briefcases; retail services connected to the sale of sporting bags, suitcases, purses, wallets, pocket wallets, pocket books, credit card holders, card cases, belts, umbrellas, parasols and walking sticks, whips, harness and saddlery, key cases, clothing for animals, non-metallic building materials, non-metallic rigid pipes for building, asphalt, pitch and bitumen; retail services connected to the sale of non-metallic transportable buildings, non-metallic monuments, non-metallic framed conservatories, doors and windows, furniture, mirrors, picture frames, garden furniture, pillows and cushions, household or kitchen utensils and containers; retail services connected to the sale of combs and sponges, brushes, brush-making materials, articles for cleaning purposes, steel wool, articles made of ceramics, glass, porcelain or earthenware, namely, mugs, busts, statues, and figurines, plates and dishes, bowls, electric and non-electric toothbrushes, ropes, string, nets, tents, awnings, tarpaulins, sails, sacks for transporting bulk materials, padding and stuffing materials which are not made of rubber or plastics; retail services connected to the sale of textiles and substitutes for textiles, household linen, curtains of textile or plastic, bed linen, bed covers, bed clothes, bed spreads, quilt covers, duvet covers, sheets, pillow cases, pillow covers, quilts, duvets, eiderdowns, sleeping bags, travelling rugs (lap robes), bath linen, towels, flannels, face towels, shower curtains, table linen, table covers, table clothes, table mats, table napkins, napkins, coasters, kitchen towels, tea towels; retail services connected to the sale of curtains, curtain tie backs, textile curtain pelmets, cushion covers, furniture coverings, handkerchiefs, upholstery fabrics, wall hangings towels of textile; retail services connected to the sale of raw fibrous textile materials, yarns and threads for textile use, textiles and textile goods, bed and table covers, travellers' rugs, textiles for making articles of clothing, duvets, covers for pillows, cushions or duvets, clothing, footwear, headgear, lace and embroidery, ribbons and braid, buttons, hooks and eyes, pins and needles, artificial flowers; retail services connected to the sale of carpets, rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings (non-textile), wallpaper, games and playthings, playing cards, gymnastic and sporting articles, decorations for Christmas trees, children's toy bicycles; retail services connected to the sale of meat, fish, poultry and game, meat extracts, preserved, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and fats, prepared meals, soups and potato crisps, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, ices, honey, treacle, yeast, baking-powder, salt, mustard, vinegar, sauces (condiments), spices, ice; retail services connected to the sale of sandwiches, prepared meals, pizzas, pies and pasta dishes, agricultural, horticultural and forestry products, live animals, fresh fruits and vegetables, seeds, natural plants and flowers; retail services connected to the sale of foodstuffs for animals, malt, food and beverages for animals, beers, mineral and aerated waters, non-alcoholic drinks, fruit drinks and fruit juices, syrups for making beverages, shandy, de-alcoholised drinks, non-alcoholic beers and wines, alcoholic beverages (except beers), alcoholic wines, spirits and liqueurs, alcopops, alcoholic cocktails, tobacco, smokers' articles, matches, lighters for smokers; advertising, marketing and promotional services provided by means of social media; comparison shopping services; business operation of shopping malls; business management of retail outlets; retail shop window display

arrangement services; presentation of goods on communications media, for retail purposes; assistance information, advisory and consultancy services relating to the aforesaid.

Class 36

Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet; financial management; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit services; saving scheme services; banking; contributory benefit scheme services; financial leasing; mortgage; securities; brokerage; investment; personal finance service; insurance services; financial and investment consultancy and analysis services; recording, counting and billing services for financial transactions; exchanging money and electronic funds transfer services; issuing of travellers cheques; debit card services; financial consultancy; financial evaluation; financial sponsorship; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; fundraising and financial sponsorship; charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others]; financial card services; retail financing services; Issuing of charge cards, bank cards, credit cards, debit cards, stored value cards, payment cards, pre-paid cards, pre-paid magnetic cards; Issuing of encoded chip cards containing programming used for financial applications; information, advisory and consultancy services relating to the aforesaid.

Class 38

Telecommunications; Broadcasting services; broadcasting services relating to shopping; cable, satellite and television broadcasting services relating to shopping; computer aided transmission of messages and images; electronic bulletin board services [telecommunications services]; electronic mail; providing access to databases; providing internet chatrooms; providing telecommunication channels for teleshopping services; providing telecommunications connections to a global computer network; telecommunication of information; multimedia telecommunications; telecommunications services relating to electronic commerce; internet communication services; receipt and/or delivery of messages, documents and other data by electronic transmission; receipt and/or delivery of messages, documents and other data via the Internet; provision of electronic communication links; telecommunication services, namely, enabling users to transmit messages, comments, multimedia content, videos, movies, films, and photos, audio content, animation, pictures, images, text, information, and other user-generated content via a global computer network and other computer and communications networks;

providing online communications links which transfer users to other websites; providing online forums, chat rooms and electronic bulletin boards for users to post, search, watch, share, critique, rate, and comment on subjects of interest; providing access to computer, electronic and online databases; audio, text, video and multimedia broadcasting services over computer and electronic communications networks, namely uploading, posting, displaying, tagging and electronically transmitting data, audio, and video; providing access to computer databases in the fields of retail, shopping, entertainment and education; providing access to computer databases in the field of business networking; providing telecommunication facilities that enable the sharing of blogs, photos, videos, podcasts, and other audio-visual materials; providing telecommunication facilities that enable the creation and updating of personal electronic web pages featuring user-provided content; transmission of database information via telecommunication networks; information, advisory and consultancy services in relation to all of the aforesaid services.

Class 39

Transport; packaging and storage of goods; travel arrangement; transport services; courier services; delivery services; collection, packaging, storage and distribution of goods, letters, packets and parcels; franking of mail; gift wrapping services; delivery tracking and tracing services; provision of information in relation to all the aforesaid services; consultancy and advisory services relating to all the aforesaid services.

Class 41

Entertainment services; education and training; sporting and cultural activities; amusement services; gaming services; gambling services; betting services; casino services; organisation, production and presentation of tournaments, competitions and events; providing news services; organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; publication of material; provision of on-line electronic publications; provision of electronic newsletters distributed via the Internet, electronic mail or portable, mobile, handheld or tablet devices; provision of electronic newsletters regarding entertainment, television entertainment; arranging and conducting award ceremonies; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities; information, advisory and consultancy services relating to the aforesaid.

Class 43

Services for providing food and drink; temporary accommodation; preparation of food and drink; bistro, cafe, cafeteria, public house, wine bar, bar, hotel, restaurant and banqueting services; preparation of food and drink for consumption in stations and on trains; catering services and canteen services; snack-bar services; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; takeaway food services; self-service restaurants; organisation of and provision of facilities for conferences, weddings, meetings and events; contract

services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

Class 44

Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; Make-up artist services; make-up services; cosmetic make-up services; beauty care services; beauty consultation and information services; beauty salon and beauty treatment services; beauty therapy services and treatments; beauty treatment; healthcare, diet advisory services; cosmetic treatment for the face and hair and nails; hair care, hair colouring, hair styling and hair cutting services; cosmetic body care services; facial treatment services; hairdressing salon services; nail salon services; nutritional advisory, consultancy and guidance services; advice relating to cosmetics, hair care, nutrition, beauty care and weight loss; information, advisory and consultancy services in relation to all of the aforesaid services.

Class 45

Social introduction and networking services; personal shopping services; concierge services; dress rental; lost property services; consultancy services relating to personal appearance; services relating to the creation and maintenance of lists of wedding presents for selection by others; on-line social networking services; gift selection services for others; hire of jewellery; hire of clothing; rental of watches; legal services; on-line social networking services and online social networking services accessible by means of downloadable mobile applications; information, advisory and consultancy services in relation to all of the aforesaid services.

HOUSE OF FRASER

UKTM no. 1286014

Filing date 1 October 1986; registration date 7 December 1990

Class 36

Insurance, credit card, charge card, ~~investment and savings account~~ services and the provision of finance for credit sales; all included in Class 36.

HOUSE OF FRASER

UKTM no. 2220284

Filing date 24 January 2000; registration date 11 August 2000

Class 4

Candles; illuminants; tapers and wax; wicks.

Class 9

~~Telephones; radio and television sets; optical apparatus and instruments; cameras and photographic apparatus; sound reproducing and video equipment; pre-recorded video tapes; compact discs; mini-~~

~~discs; digital versatile discs (DVDs); computers and computer software; calculators; voice memo machines; dictating machines; parts and fittings for all the aforesaid goods.~~

Class 14

~~Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones, horological and chronometric instruments.~~

Class 16

~~Printed matter; book-binding material; photographs; stationery; adhesives for stationery or household purposes; artist's material; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printer's type; printing blocks.~~

Class 27

~~Carpet, rugs, mats and matting; linoleum, and other materials for covering existing floors; wall hangings (non-textile).~~

Class 28

~~Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.~~

Class 31

~~Dried flowers; flowers and bulbs; trees, seeds and plants; fresh fruit and vegetables.~~

Class 42

~~Restaurant, bar, cafeteria, cafe and catering services; hairdressing services; operation of beauty salons; garden design; interior design services; personal shopping services.~~

HOUSE OF FRASER

UKTM no. 2206967

Filing date 25 August 1999; registration date 2 June 2000

Class 3

~~Soaps, perfumery, essential oils, cosmetics; colognes, eau de toilette, perfume body sprays; oils, creams and lotions for the skin; shaving foam; shaving gel; pre-shaving and aftershave lotions; talcum powder; preparations for the bath and shower; hair lotions; dentifrices; non-medicated mouthwashes; deodorants; anti-perspirants for personal use; non-medicated toilet preparations.~~

Class 18

~~Articles of luggage; leather goods; bags, purses, rucksacks, briefcases, attach cases, purses, coin-holders, key holders, wallets, notecases and credit card holders; umbrellas.~~

Class 20

Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials or of plastic.

Class 21

~~Domestic and cooking utensils and containers; cookware, kitchen accessories, picnic sets, trays and toilet utensils, tableware, crockery, chinaware, porcelain, ceramics, pottery; glassware and earthenware; household ornaments; brushes, combs and sponges.~~

Class 24

Textiles and textile goods; bed and table covers; textile piece goods; household textile articles; bed linen, drapes, eider-downs, bedspreads, quilts, duvets, quilt covers, duvet covers, throw-overs; house linen, table linen, table cloths, oilcloths; towels; face-cloths and bath linen; handkerchiefs; furnishing materials; upholstery fabrics; curtains and curtaining materials.

Class 25

Articles of clothing, footwear and headgear.

HOUSE OF FRASER

UKTM no. 2242905

Filing date 18 August 2000; registration 27 April 2001

Class 35

The bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in a department store.

HOUSE OF FRASER

UKTM no. 910919223

Filing date 29 May 2012; registration date 25 October 2012

Class 18

~~Bags; handbags; purses; umbrellas; wallets; key holders; luggage; holdalls; leather goods.~~

Class 25

Clothing, footwear, headgear.

Class 35

Department store services connected with the sale of beauty products, cosmetics, skin care products, toiletries, incense, essential oils, perfumery, perfume sachets, perfumed items, Candles, night lights, jewellery, watches, Leather goods and goods made of imitation leather, trunks and travel bags, luggage, umbrellas, purses, wallets, key fobs, Furniture, mirrors, picture frames, ~~bathroom fittings in the nature of furniture, bathroom cupboards, racks and shelves, storage boxes, screens and partitions, blinds, horticultural and gardening accessories, pots for horticulture and flowers, sculptures, figurines,~~ Domestic utensils and containers, ceramics, glassware, candle holders, incense holders, baskets, storage boxes, vases and bowls, Textiles and textile articles, bedding and bed clothing, bed canopies and hangings, wall hangings, throws and spreads, towels and towelling sets, blinds, curtains and drapes, table-cloths and table linens, soft furnishings, clothing, footwear and headgear.

HOUSE OF FRASER

UKTM no. 3240006

Filing date 27 June 2017; registration date 29 September 2017

Class 7

~~Electric food mixer; food processors; ironing machines; vacuum cleaners; electric carpet cleaning machines.~~

Class 8

~~Cutlery; razors, razor blades, razor cases, razor strops; hair trimmers; hair clippers for personal use; beard clippers; cuticle tweezers; nail files; nail clippers; manicure sets; pedicure sets; tweezers; plastic cutlery; disposable tableware; disposable cutlery; knives; forks; spoons; hand tools and implements.~~

Class 11

~~Lamps and lanterns; light bulbs; lighting apparatus and equipment; lampshades; night lights; refrigerating and freezing equipment.~~

Class 19

~~Building materials (non-metallic); non-metallic floors and floors made of wood, of materials containing wood or fibres or composites used in laminated wood; flooring screeds; vinyl flooring; flooring underlay; parquet floor boards; non-metallic bars (building materials) for wood panelling and false floors; non-metallic mouldings and edges for floors; non-metallic rosettes for veneer mouldings.~~

Class 26

~~Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.~~

Class 30

~~Chocolate; chocolate extracts; chocolate sauces; chocolate beverages; coffee, tea, cocoa and artificial coffee; rice; tapioca and sago; flour and preparations made from cereals; bread, pastry and~~

~~confectionery; ices; sugar, honey, treacle; yeast, baking powder; salt; mustard; vinegar, sauces (condiments); spices; pasta; biscuits; buns; sushi; tarts; prepared meals; fruit sauces; convenience food and savoury snacks namely corn, cereal, flour and sesame based snacks, crackers, dumplings, pancakes, pasta, rice and cereal dishes, pies and pastry dishes, sandwiches and pizzas, spring and seaweed rolls, steamed buns, tortilla bread dishes; salts, seasonings, flavourings and condiments; confectionery, chocolate and desserts; sugars, natural sweeteners, sweet coatings and fillings, bee products; ice, ice creams, frozen yogurts and sorbets; processed grains, starches, and goods made thereof, baking preparations and yeasts.~~

Class 31

~~Fresh fruit; fresh citrus fruit; fresh mandarins; oranges; raw fruit; agricultural, horticultural and forestry products; seeds; fresh fruits and vegetables and garden herbs; unprocessed fruits; grains and agricultural, horticultural and forestry products not included in other classes; live animals; fresh fruits and vegetables; seeds; natural plants and flowers; foodstuffs for animals; malt; agricultural and aquacultural crops, horticulture and forestry products; fresh flowers; natural flowers; natural plants.~~

Class 33

~~Alcoholic beverages except beers; whisky; wines; liqueurs; spirits; rum; distilled beverages; preparations for making alcoholic beverages.~~

Class 36

Financial services; provision of prepaid cards and tokens; issuing tokens of value in the nature of gift vouchers; loan services.

HOUSE OF FRASER

UKTM no. 916925166

Filing date 27 June 2017; registration date 2 November 2017

Class 3

~~Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; incense; bath preparations, not for medical purposes; ethereal oils; massage gels other than for medical purposes; lotions for cosmetic purposes; make-up preparations; oils for cosmetic purposes; oils for perfumes and scents; deodorants for human beings or for animals; eau de cologne; shampoos; hair dyes; hair waving preparations; toiletries; talcum powder, for toilet use; bath salts, not for medical purposes; tissues impregnated with cosmetic lotions; cosmetic creams; almond milk for cosmetic purposes; cosmetic preparations for skin care; deodorants; preparations for use before shaving and after shaving; essential oils; room fragrances; fragrance emitting wicks for room fragrance; joss sticks; mouth wash, not for medical purposes; breath freshening sprays; boot polish; shoe cream; shoe polish; shoe wax; tailors' and cobblers' wax; nail grooming products; nail care preparations; non-medicated~~

skin care preparations; non-medicated toilet preparations; sun-tanning milks, gels and oils and after-sun preparations (cosmetics); moisturisers; emollients; non-medicated lip care preparations; ~~feet scrubs; body scrubs;~~ facial scrubs; facial washes; skin cleansers and hydrators; skin toners; skin moisturisers; blemish creams and blemish gels; beauty masks; face and body masks; hand washes; and parts and fittings of all the aforesaid goods, included in the class.

Class 4

~~Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting; aromatic candles; musk scented candles; candles; nightlights;~~ and parts and fittings of all the aforesaid goods, included in the class.

Class 7

~~Electric food mixer; food processors; ironing machines; vacuum cleaners; electric carpet cleaning machines.~~

Class 8

~~Cutlery; razors, razor blades, razor cases, razor strops; hair trimmers; hair clippers for personal use; beard clippers; cuticle tweezers; nail files; nail clippers; manicure sets; pedicure sets; tweezers; plastic cutlery; disposable tableware; disposable cutlery; knives; forks; spoons; hand tools and implements.~~

Class 9

~~Spectacles; sunglasses; contact lenses; spectacle frames; spectacle cases; eyeglasses cords; pince-nez; pince-nez cases; eyeglass frames; eyeglass cords; binoculars; goggles for sports; computer software applications, downloadable; computers; computer game software; telecommunication transmitting sets.~~

Class 11

~~Lamps and lanterns; light bulbs; lighting apparatus and equipment; lampshades; night lights; refrigerating and freezing equipment.~~

Class 14

~~Precious metals and their alloys; jewellery; precious stones; horological and chronometric instruments; watches; clocks.~~

Class 16

~~Printed matter; printed publications; stationery; instructional and teaching materials; newspapers; periodicals; journals; newsletters; bulletins; magazines; books; directories; handbooks; manuals; brochures; pamphlets; leaflets; guides; exercise books; lever arch files; document folders and wallets; publicity materials; posters; postcards; certificates; gazettes; advertising materials and display~~

materials; photographs; packaging materials; printers' type; printing blocks; parts and fittings for all the aforesaid.

Class 19

~~Building materials (non-metallic); non-metallic floors and floors made of wood, of materials containing wood or fibres or composites used in laminated wood; flooring screeds; vinyl flooring; flooring underlay; parquet floor boards; non-metallic bars (building materials) for wood panelling and false floors; non-metallic mouldings and edges for floors; non-metallic rosettes for veneer mouldings.~~

Class 20

Furniture, mirrors, picture frames; bathroom cupboards; racks (furniture); furniture shelves; screens (furniture); figurines [statuettes] of wood, wax, plaster or plastic; divans; chests of drawers; beds; cupboards; pillows; sideboards; sofas; tables; window blinds; shades; ~~decorative curtain hardware~~; armchairs; chairs; stools; cabinets; works of art of wood, wax, plaster or plastic; benches; chests, not of metal; curtain hooks; curtain rails; curtain rings; curtain rods; curtain tie-backs; cushions; desks; fittings for furniture, not of metal; footstools; ~~hat stands; magazine racks; mirror tiles~~; furniture screens; ~~umbrella stands~~; furniture and furnishings; bedsteads of wood; dressing tables; and parts and fittings of all the aforesaid goods, included in the class.

Class 21

Household or kitchen utensils and containers; ~~combs and sponges; brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in building);~~ glassware, porcelain and earthenware not included in other classes; vases; china ornaments; ~~soap dispensers; glass jars; ice buckets; cocktail shakers; cocktail stirrers; crystal [glassware]; candle holders; incense holders; brushes and brush-making articles; hair brushes; cosmetic brushes; mugs; water bottles; fruit cups; vegetable dishes;~~ utensils for household purposes; containers for household or kitchen use; ~~blenders, non-electric, for household purposes; mills for domestic purposes, hand-operated; drinking vessels; toothbrushes; toilet cases; flower pots; flower baskets; gardening gloves;~~ glass vases; ~~watering cans;~~ drinking glasses; decanters; bottle openers; flasks; jugs; ~~air fragrancing apparatus; dustbins; baby baths; body sponges; basins; combs; containers for cosmetics; make-up brushes; make-up removing appliances; tableware, cookware and containers; cleaning articles; cosmetic and toilet utensils and bathroom articles;~~ and parts and fittings of all the aforesaid goods, included in the class.

Class 24

Textiles and substitutes for textiles; bed covers; table covers; bed linen; cotton fabrics; bed blankets; curtains of textile or plastic; pillowcases; duvets; towels; household textile articles; bath linen; kitchen linen; table linen; quilts; curtains; coasters; banners; flags; pennants; fabrics; brocades; damask; felt; household linen; upholstery fabrics; place mats, not of paper; cloth coasters; handcrafted textile wall

hangings; textile wall hangings; knitted fabric; and parts and fittings of all the aforesaid goods, included in the class.

Class 26

~~Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.~~

Class 27

~~Carpets; rugs; mats; bath mats; carpet tiles; wall hangings (non-textile); floor coverings for existing floors.~~

Class 28

~~Toys; games and playthings; sporting articles and equipment; electronic games adapted for use with television receivers; amusement apparatus; automatic games, other than coin-operated and those adapted for use exclusively with television receivers; apparatus for electronic games, other than those adapted for use exclusively with television receivers; table top electronic games; gloves for games; hand held games using liquid crystal displays; mobiles and models (toys); parts and fittings for all the aforesaid goods decorations for Christmas trees; Christmas trees (artificial).~~

Class 30

~~Chocolate; chocolate extracts; chocolate sauces; chocolate beverages; coffee, tea, cocoa and artificial coffee; rice; tapioca and sago; flour and preparations made from cereals; bread, pastry and confectionery; ices; sugar, honey, treacle; yeast, baking powder; salt; mustard; vinegar, sauces (condiments); spices; pasta; biscuits; buns; sushi; tarts; prepared foods; prepared meals; fruit sauces; convenience food and savoury snacks namely corn, cereal, flour and sesame based snacks, crackers, dumplings, pancakes, pasta, rice and cereal dishes, pies and pastry dishes, sandwiches and pizzas, spring and seaweed rolls, steamed buns, tortilla bread dishes; salts, seasonings, flavourings and condiments; baked goods, confectionery, chocolate and desserts; sugars, natural sweeteners, sweet coatings and fillings, bee products; ice, ice creams, frozen yogurts and sorbets; processed grains, starches, and goods made thereof, baking preparations and yeasts.~~

Class 31

~~Fresh fruit; fresh citrus fruit; fresh mandarins; oranges; raw fruit; agricultural, horticultural and forestry products; seeds; fresh fruits and vegetables and garden herbs; unprocessed fruits; grains and agricultural, horticultural and forestry products not included in other classes; live animals; fresh fruits and vegetables; natural plants and flowers; foodstuffs for animals; malt; agricultural and aqua-cultural crops, horticulture and forestry products; fresh flowers; natural flowers; natural plants.~~

Class 33

~~Alcoholic beverages except beers; whisky; wines; liqueurs; spirits; rum; distilled beverages; preparations for making alcoholic beverages.~~

Class 36

Financial services; provision of prepaid cards and tokens; issuing tokens of value in the nature of gift vouchers; loan services.

FRASERS GROUP FINANCIAL SERVICES

UKTM no. 3924953

Filing date: 20 June 2023

Class 36

Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet; ~~financial management~~; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit services; saving scheme services; ~~banking~~; contributory benefit scheme services; financial leasing; ~~mortgage in relation to banking, insurance, procurement for others and refinancing; brokerage of securities; securities-based lending; investment services in relation to capital, real estate and fund investments~~; information, advisory and consultancy services in relation to the aforesaid; personal finance service; insurance services; ~~financial and investment consultancy and analysis services; recording, counting and billing services for financial transactions; exchanging money and electronic funds transfer services; issuing of travellers cheques~~; debit card services; financial consultancy; ~~financial sponsorship~~; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; ~~fundraising and financial sponsorship; charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others]~~; financial card services; retail financing services; Issuing of charge cards, bank cards, credit cards, debit cards, stored value cards, payment cards, pre-paid cards, pre-paid magnetic cards; Issuing of encoded chip cards containing programming used for financial applications; information, advisory and consultancy services relating to the aforesaid.



UKTM no. 3924964 (series of 4)

Filing date: 20 June 2023

Class 36

Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet; ~~financial management~~; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit services; saving scheme services; ~~banking~~; contributory benefit scheme services; financial leasing; ~~brokerage; mortgage in relation to banking, insurance, procurement for others and refinancing; brokerage of securities; securities-based lending; investment services in relation to capital, real estate and fund investments~~; information, advisory and consultancy services in relation to the aforesaid; personal finance service; insurance services; ~~financial and investment consultancy and analysis services; recording, counting and billing services for financial transactions; exchanging money and electronic funds transfer services; issuing of travellers cheques~~; debit card services; financial ~~consultancy~~; financial sponsorship; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; ~~fundraising and financial sponsorship; charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others]~~; financial card services; retail financing services; Issuing of charge cards, bank cards, credit cards, debit cards, stored value cards, payment cards, pre-paid cards, pre-paid magnetic cards; Issuing of encoded chip cards containing programming used for financial applications; information, advisory and consultancy services relating to the aforesaid.

ANNEX 2

Trade marks owned by FPL:

FRASERS PROPERTY

UKTM no. 3316938

Filing date 11 June 2018; registration date 12 October 2018

Priority date: 13 December 2017

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings; all relating to real estate, hotel services and temporary accommodation.

FRASERS PROPERTY

IR designating the UK no. 1459238

Registration date: 11 June 2018

Date of designation: 11 June 2018

Date protection granted: 13 September 2019

Priority date: 13 December 2017

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than

encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic); all included in this class.

Class 35

Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes **in relation to accommodation and hospitality**; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials used in retail outlets; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; the bringing together for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in departmental stores, shopping centers, retail and wholesale outlets, hotel, food and beverage outlet, from a general merchandise catalogue by mail order or by means of telecommunications, or from a general merchandise global communications network website; window dressing; information, advisory and consultancy services relating to the aforesaid.

Class 36

Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial

evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes **in relation to accommodation and hospitality**; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and real estate developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

Class 37

Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; cleaning, maintenance and renovation of property [caretaking] and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design

of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services; all included in this class.

FRASERS PROPERTY

IR designating the EU no. 1459238

Registration date: 11 June 2018

Designation date: 11 June 2018

Date protection granted: 9 September 2019

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders

[office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic); all included in this class.

FRASER SUITES

UKTM no. 2249965

Filing date 24 October 2000; registration date 26 October 2001

Class 36

Apartment house management, renting of apartments; renting of flats; ~~renting of houses~~; accommodation letting agency, rental or leasing of accommodation, arranging of letting of apartments, real estate management, leasing of real estate, rent collection and real estate ~~of~~ affairs.

Class 43

Rental of temporary accommodation (hotels, ~~boarding houses~~) and accommodation reservations.

FRASERS PROPERTY

EUTM no. 17033903

Filing date 27 July 2017; registration date 27 April 2018

Class 35

Accounting; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation (namely hostels, boarding houses, holiday homes and flats), hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials and printed materials used in retail outlets; display services for merchandise; distribution and demonstration of sample goods; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations

services, dissemination of advertising matter; rental of advertising space; television advertising; the bringing together for the benefit of others, of a variety of goods, namely jewellery, clothing, footwear, headgear, saddlery, flowers, toiletries, furniture, furnishings, fabrics, umbrellas, luggage, bags, sporting goods, fashion accessories, tobacco, alcohol free beverages, beer and brewery products, alcoholic beverages (except beer), coffee, teas, cookwear, tablewear, cutlery, desserts, delicatessen, seafood, chocolate, baked goods, candy, meats, dairy products, dietetic preparations, toys, games, computer software, computer hardware, wearable computers, mobile phones, downloadable electronic publications, downloadable music files, printed matter, festive decorations, heaters, freezing equipment, cooling equipment, heating equipment, stationery supplies, cleaning preparations, sanitary installations, food cooking equipment, audio-visual equipment, time instruments, construction equipment, earthmoving equipment, wall coverings, floor coverings, building materials, bicycles, bicycle accessories, hair products, bedding, computers, cosmetics, electronic and telecommunications goods, electronic toys, foodstuffs and beverages, furniture, glassware, household and kitchen utensils, leather and imitations of leather and goods made from these materials, medical supplies, personal accessories, personal hygiene products, pharmaceutical products, playthings and sporting articles, skin care products, textiles, veterinary and sanitary preparations, enabling customers to conveniently view and purchase those goods in departmental stores, shopping centers, retail and wholesale outlets, hotel, food and beverage outlet, from a general merchandise catalogue by mail order or by means of telecommunications, or from a general merchandise global communications network website; window dressing; information, advisory and consultancy services relating to the aforesaid.

Class 36

Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; management, development advisory, valuation and project management and coordination, all relating to real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services

relating to the aforesaid; administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation (namely, hostels, boarding houses, holiday homes and flats), hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments.

Class 37

Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; caretaking and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

FRASER WORLD

UKTM no. 2621369

Filing date 17 May 2012; registration date 23 November 2012

Class 16

~~Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures;~~

booklets; pamphlets; manuals; journals; leaflets; ~~greeting cards~~; advertising and promotional material; ~~access control cards (other than encoded or magnetic)~~; cards; cards (other than encoded or magnetic); ~~cards embossed or printed with security features for authentication purposes~~; ~~cards embossed or printed with security features for identification purposes~~; ~~cards for encoding~~; ~~cards for use as charge cards (other than encoded or magnetic)~~; ~~cards for use as credit cards (other than encoded or magnetic)~~; ~~cards for use as data carriers (other than encoded or magnetic)~~; ~~cards made of plastic (other than encoded or magnetic)~~; ~~carrier bags (disposable) of paper card or plastics~~; ~~cash cards (other than encoded or magnetic)~~; ~~cash disbursement cards (other than encoded or magnetic)~~; ~~charge cards (other than encoded or magnetic)~~; ~~correspondence cards~~; ~~credit cards (other than encoded or magnetic)~~; ~~debit cards (other than encoded or magnetic)~~; ~~discount cards (other than encoded or magnetic)~~; ~~identification cards (other than encoded or magnetic)~~; ~~identity card holders~~; ~~identity cards (other than encoded or magnetic)~~; ~~information supports (cards, not encoded or magnetic) bearing personal identification data~~; ~~non-magnetic identification cards~~; ~~plastic cards (other than magnetic or encoded)~~; ~~printed cards (other than magnetic or encoded)~~; ~~printed cash cards (other than magnetic or encoded)~~; ~~tags of card for attachment to door knobs~~; ~~value cards (other than machine readable or magnetic)~~; all included in Class

16

Class 35

Business management **related to hospitality and the provision of accommodation**; business administration **related to hospitality and the provision of accommodation**; ~~business appraisals~~; ~~consultancy services relating to internet based promotion~~; provision of information relating to product marketing through computer networks **related to the advertisement and promotion of hospitality services and accommodation**; information services relating to data processing; commercial information services provided by access to a computer database **related to hospitality and the provision of accommodation**; business investigation and promotional services **related to the advertisement and promotion of hospitality services and accommodation**; ~~accounting~~; sales promotion services **related to the advertisement and promotion of hospitality services and accommodation**; advertising and publicity services **related to the advertisement and promotion of hospitality services and accommodation**; marketing services **related to the advertisement and promotion of hospitality services and accommodation**; public relations services, dissemination of advertising matter **related to the advertisement and promotion of hospitality services and accommodation**; business research **related to hospitality and the provision of accommodation**; market analysis and research, business and market statistical information **related to hospitality and the provision of accommodation**; rental of advertising space **related to the advertisement and promotion of hospitality services and accommodation**; provision of information relating to trade development and business opportunity **related to hospitality and the provision of accommodation**; preparation of reports and provision of information, all relating to the aforesaid services; compilation of mailing lists; consumer loyalty services for commercial, promotional, and/or advertising purposes, for the purpose of promoting and rewarding loyalty for the use of entertainment services, namely ~~gaming, bar services, theme park services, cocktail lounges, restaurants, hotels, resort hotels, condominium~~

hotels; customer loyalty services, namely providing a travel and hotel loyalty program featuring loyalty points, discount rates, and recognition benefits for commercial, promotional and/or advertising purposes; direct mail advertising **related to the advertisement and promotion of hospitality services and accommodation**; organisation and administration services in relation to the supply of benefits for customer loyalty and frequent buyer ~~or frequent flyer schemes~~; organisation and management of customer loyalty programmes; organisation, operation and supervision of customer loyalty schemes and incentive schemes; organisation and administration services in relation to the supply of benefits for customer loyalty and customer club schemes, for commercial, promotional and/or advertising purposes; organisation, operation, supervision and business administration of sales and promotional incentive schemes, loyalty card schemes, incentive schemes and programmes, award programmes, points programmes, customer loyalty incentive schemes, reward and redemption programs, reward schemes and points schemes; organisation, operation, supervision and management of incentive point awards program for customers; promotional information and advisory services provided to members and subscribers of incentive loyalty schemes and travel reward programs, including the provision of promotional information via electronic mail; promotional services in relation to travel and accommodation; promotional services in the nature of reward programs for customers and customer loyalty schemes; promotional services, namely operation of an incentive scheme which allows patrons of a hotel or motel to earn points to redeem free or discounted lodging, airfares, car rentals, cruises, gifts and merchandise; sales promotion through customer loyalty programmes (for others); sales promotion through promotional activities and incentive award programs (for others); all included in Class 35.

Class 36

~~Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; real estate valuations; rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; portfolio management; property portfolio management; apartment house management services; management, development advisory, valuation and project management and co-ordination, all relating to real estate; building management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; real estate investment; investment trust services; trust administration; trusteeship services; trust services; trust management services; services for the establishment of trusts; financial evaluation and analysis; financial valuations; financing services; real estate financing; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; issuing of tokens of value in relation to customer loyalty schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes; issuing of benefits of value in connection with travel incentive schemes; information, advisory and consultancy services relating to the aforesaid; all included in Class 36.~~

Class 43

Hotel and temporary accommodation reservation services; ~~boarding houses~~; rental of temporary accommodation (hotels/~~boarding houses~~); provision of accommodation by way of housing, hotels and rooms; ~~provision of exhibition, seminar and conference facilities~~; services for providing food and drink; ~~restaurant, catering and banquet services~~; restaurant chains, cafeteria, cafes, snack bars, coffee bars, ~~coffee shops and tea room services~~; restaurant booking or reservation services provided in relation to a customer loyalty or frequent buyer scheme; temporary accommodation (hotels, ~~motels~~, resorts) booking and reservation services provided in relation to a customer loyalty or frequent buyer scheme; all included in Class 43.



UKTM no. 2432644

Filing date 14 September 2006; registration date 4 January 2008

Class 35

~~Business management and business administration; commercial management; business planning; business research; business investigation; business appraisals; business management and administration of real estate, residential, industrial and commercial properties, offices, business centres, departmental stores, shopping centres, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; organisation of conventions, conferences and exhibitions for business and commercial purposes; business management in relation to commercial property; compilation of mailing lists; compilation of business directories and business guides; data processing; data storage and retrieval services, all for information, images, audio material and text; direct mail advertising; advertising services; television advertising; display services for merchandise; window dressing; publicity services; preparation and issuing of publicity materials; manufacturers' representative services; ordering products and services for third parties via electronic data transmission; demonstration of goods and samples; advertising and publicity services; rental of advertising space; marketing and promotional services; public relations services, dissemination of advertising matter; Internet based promotion; product marketing through computer networks; organisation, operation and supervision of sales and promotional schemes; organisation, management, assistance and facilitation of sales of products and services via a global computer network, in relation to market research and business analysis; market analysis and research; business analysis services; organisation of business competitions; accounting; preparation of reports; information, advisory and consultancy services relating to the aforesaid; business and market statistical information; provision of information relating to trade development and business opportunity; all included in Class 35.~~

Class 36

Real estate affairs; real estate agency services; accommodation letting agency services; real estate valuations; rent collection services; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; portfolio management; property portfolio management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; capital fund management, corporate fund management, investment fund management; unit trust services, unit trust management services, unit trust investment services; organisation of trading markets for financial services; ~~corporate finance~~; capital investment; real estate investment; investment trust services; trust administration; corporate trusts services; business trust service; business trust management services; ~~factoring services~~; ~~surety services~~; trusteeship services; trust services; trust management services; services for the establishment of trusts; ~~financial evaluation and analysis~~; ~~financial valuations~~; ~~financial assistance services~~; ~~financial underwriting~~; ~~financing services~~; real estate financing; ~~arranging equity sharing deals~~; ~~credit services~~; ~~financial guarantee services~~; placement of funds; ~~tax, goods and services tax and duty services~~, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid; all included in Class 36.

Class 37

Building construction; construction of buildings, roads and bridges, real estate and accommodation including commercial properties; land development, renovation of property; ~~demolition of property~~; ~~commercial retail property development services~~, development of property; maintenance, repair and installation services; restoration and renovation; property maintenance; ~~cleaning and maintenance of buildings~~, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; ~~building construction supervision~~, car washing, vehicle valeting [cleaning] services; ~~caretaking and janitorial services~~; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; project management services in respect of property development and property constructions, construction inspection; building project management; supervision of building construction; information, advisory and consultancy services relating to the aforesaid; all included in Class 37.

Class 42

~~Architectural services~~; ~~architectural design and construction design of new buildings~~, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; ~~surveying~~; ~~design of computer based building management and maintenance systems and design of building technology related projects~~; chartered surveying services; quantity surveying; ~~surveying services~~; building surveying and property inspection; building and land surveying; planning of real estate development; ~~preparation of reports relating to all the aforesaid~~; design agency, design

~~of shop interiors, design of shop fittings, design of marketing materials and printed materials used in retail outlets, design project management; information, advisory and consultancy services relating to the aforesaid; all included in Class 42.~~

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of temporary accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee-bars, coffee shops and tea room services; all included in Class 43.

FRASER PLACE

UKTM no. 2249939

Filing date 24 October 2000; registration date 26 October 2001

Class 39

Apartment house management, renting of apartments; renting of flats; ~~renting of houses~~, accommodation letting agency, rental or leasing of accommodation, arranging of letting of apartments, real estate management, leasing of real estate, rent collection and real estate ~~of affairs~~.

Class 43

Rental of temporary accommodation (hotels, ~~boarding houses~~) and accommodation reservations.

FRASERS HOSPITALITY

UKTM no. 2528241

Filing date 8 October 2009; registration date 26 March 2010

Class 36

Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; ~~real estate valuations~~; rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; portfolio management; property portfolio management; apartment house management services; management, development advisory, valuation and project management and co-ordination; all relating to real estate; building management; investment services **provided in relation to real estate and hospitality**; property investment; real estate brokerage; ~~real estate appraisals~~; asset management; real estate investment; investment trust services **provided in relation to real estate and hospitality**; trust administration **provided in relation to real estate and hospitality**; trusteeship services **provided in relation to real estate and hospitality**; trust services **provided in relation to real estate and hospitality**; trust management services **provided in relation to real estate and hospitality**; services for the establishment of trusts **provided in relation to real estate and hospitality**; ~~financial evaluation and analysis; financial valuations; financing services; real~~

estate financing; ~~tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation;~~ preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid; all included in Class 36.

Class 43

Hotel and temporary accommodation reservation services; ~~boarding houses,~~ rental of temporary accommodation (hotels/~~boarding houses~~); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services; all included in Class 43.

FRASER RESIDENCE

UKTM no. 2528310

Filing date 9 October 2009; registration date 15 January 2010

Class 36

Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; ~~real estate valuations;~~ rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; ~~portfolio management;~~ property portfolio management; apartment house management services; management, development advisory, valuation and project management and co-ordination; all relating to real estate; building management; ~~investment services;~~ ~~property investment;~~ real estate brokerage; ~~real estate appraisals;~~ asset management; ~~real estate investment;~~ ~~investment trust services;~~ trust administration; ~~trusteeship services;~~ trust services; trust management services; ~~services for the establishment of trusts;~~ financial evaluation and analysis; financial valuations; ~~financing services;~~ real estate financing; ~~tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation;~~ preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid; all included in Class 36.

Class 43

Hotel and temporary accommodation reservation services; ~~boarding houses,~~ rental of temporary accommodation (hotels/~~boarding houses~~); provision of accommodation by way of housing, hotels and rooms; ~~provision of exhibition, seminar and conference facilities;~~ services for providing food and drink, restaurant, catering and banquet services; ~~restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services;~~ all included in Class 43.

FRASERS HOSPITALITY TRUST

UKTM no. 3066798

Filing date 1 August 2014; registration date 6 February 2015

Priority date: 14 July 2014

Class 35

~~Business management and business administration; commercial management; business planning; business research~~ **provided in relation to real estate and hospitality**; ~~business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; organisation of conventions, conferences and exhibitions for business and commercial purposes; business management in relation to commercial property;~~ ~~Business management and business administration; commercial management; business planning; business research; business management and administration of real estate, residential, industrial and commercial properties, offices, business centres, departmental stores, shopping centres, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; organisation of conventions, conferences and exhibitions for business and commercial purposes; business management in relation to commercial property; compilation of mailing lists; compilation of business directories and business guides~~ **provided in relation to real estate and hospitality**; ~~data processing; retrieval services, all for information, images, audio material and text; direct mail advertising; advertising services; television advertising; display services for merchandise; window dressing; publicity services; preparation and issuing of publicity materials; manufacturers' representative services; ordering products and services for third parties via electronic data transmission; distribution and demonstration of goods and samples; marketing and promotional services; organisation, operation and supervision of sales and promotional schemes; organisation, management, performance and facilitation of sales of products and services via a global computer network; market analysis and research~~ **provided in relation to real estate and hospitality**; ~~business analysis services~~ **provided in relation to real estate and hospitality**; ~~organisation of business competitions; information, advisory and consultancy services relating to the aforesaid.~~

Class 36

~~Real estate affairs; real estate agency services; real estate valuations; rent collection services;~~ letting and leasing of real estate, residential, ~~industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets,~~ service apartments, buildings, houses, condominiums, apartments, flats, ~~warehouses, factories~~ and developments; property portfolio management; management, development advisory, valuation and project management and coordination, all relating to real estate; property investment; asset management; capital fund management, corporate fund management, investment fund management **provided in relation to real estate and hospitality**; unit trust services, unit trust management services, unit trust investment services **provided in relation to real estate and hospitality**; ~~organisation of trading markets for financial services;~~ corporate finance; capital investment; real estate investment; investment trust

services **provided in relation to real estate and hospitality**; trust administration **provided in relation to real estate and hospitality**; corporate trusts services **provided in relation to real estate and hospitality**; business trust service **provided in relation to real estate and hospitality**; business trust management services **provided in relation to real estate and hospitality**; factoring services; surety services; trusteeship services **provided in relation to real estate and hospitality**; trust services **provided in relation to real estate and hospitality**; trust management services **provided in relation to real estate and hospitality**; services for the establishment of trusts **provided in relation to real estate and hospitality**; ~~financial evaluation and analysis~~; financial assistance services; ~~financial underwriting~~; financing services; real estate financing; ~~arranging equity sharing deals~~; developing and organising securitisation financial structures; credit services; financial guarantee services; placement of funds **provided in relation to real estate and hospitality**; ~~tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation~~; information, advisory and Consultancy services relating to the aforesaid.

Class 37

Property development, renovation of property; ~~commercial retail property development services~~; property maintenance; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, ~~restoration of office and retail premises~~; building construction supervision; ~~caretaking and janitorial services~~; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural services; ~~architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; surveying; design of computer based building management and maintenance systems and design of building technology related projects; chartered surveying services; quantity surveying; surveying services; building surveying and property inspection; building and land surveying; planning of real estate development; preparation of reports relating to all the aforesaid; design agency, design of shop interiors, design of shop fittings, design of marketing materials and printed materials used in retail outlets, design project management; data storage services, all for information, images, audio material and text~~; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; ~~boarding houses~~; rental of temporary accommodation (hotels/~~boarding houses~~); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; ~~coffee bars, coffee shops and tea room services~~.



UKTM no. 3066799

Filing date 1 August 2014; registration date 6 February 2015

Priority date: 14 July 2014

Class 35

~~Business management and business administration; commercial management; business planning; business research~~ **provided in relation to real estate and hospitality**; ~~business management and business administration of real estate, residential, industrial and commercial properties, offices, business centres, departmental stores, shopping centres, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; organisation of conventions, conferences and exhibitions for business and commercial purposes; business management in relation to commercial property; compilation of mailing lists; compilation of business directories and business guides; data processing; direct mail advertising; advertising services; television advertising; display services for merchandise; window dressing; publicity services; preparation and issuing of publicity materials; manufacturers' representative services; ordering products and services for third parties via electronic data transmission; marketing and promotional services; organisation, operation and supervision of sales promotion and promotional schemes; market analysis and research~~ **provided in relation to real estate and hospitality**; ~~business analysis services~~ **provided in relation to real estate and hospitality**; ~~organisation of business competitions for advertising purposes; information, advisory and consultancy services relating to the aforesaid.~~

Class 36

~~Real estate affairs; real estate agency services; real estate valuations; rent collection services; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; property portfolio management; management, development advisory, valuation and project management and coordination, all relating to real estate; property investment; asset management; capital fund management, corporate fund management, investment fund management~~ **provided in relation to real estate and hospitality**; ~~unit trust services, unit trust management services, unit trust investment services; organisation of trading markets for financial services; corporate finance; capital investment~~ **provided in relation to real estate and hospitality**; ~~real estate investment; investment trust services; trust administration~~ **provided in relation to real estate and hospitality**; ~~corporate trusts services~~ **provided in relation to real estate and hospitality**; ~~business trust service~~ **provided in relation to real estate and hospitality**; ~~business trust management services~~ **provided in relation to real estate and hospitality**; ~~factoring services; surety services; trusteeship services~~ **provided in relation to real**

estate and hospitality; trust services **provided in relation to real estate and hospitality**; trust management services **provided in relation to real estate and hospitality**; financial services for the establishment of trusts **provided in relation to real estate and hospitality**; ~~financial evaluation and analysis~~; financial assistance services; ~~financial underwriting~~; financing services; real estate financing; ~~arranging equity sharing deals~~; developing and organising securitisation financial structures; credit services; financial guarantee services; placement of funds **provided in relation to real estate and hospitality**; ~~tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation~~; information, advisory and Consultancy services relating to the aforesaid.

Class 37

~~Property development, renovation of property; commercial retail property development services, property maintenance; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; building construction supervision; caretaking and janitorial services; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; information, advisory and consultancy services relating to the aforesaid.~~

Class 42

~~Architectural services; architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; surveying; design of computer based building management and maintenance systems and design of building technology related projects; chartered surveying services; quantity surveying; surveying services; building surveying and property inspection; building and land surveying; planning of real estate development; preparation of reports relating to all the aforesaid; design agency, design of shop interiors, design of shop fittings, design of marketing materials and printed materials used in retail outlets, design project management; information, advisory and consultancy services relating to the aforesaid; data storage and retrieval services, all for information, images, audio, audio material and text.~~

Class 43

~~Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; coffee bars, coffee shops and tea room services.~~

Frasers Hospitality Real Estate Investment Trust

UKTM no. 3066800

Filing date 1 August 2014; registration date 20 February 2015

Priority date: 14 July 2014

Class 35

~~Business management and business administration; commercial management; business planning; business research~~ **provided in relation to real estate and hospitality**; ~~business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets,~~ temporary accommodation, hotels, ~~motels,~~ resorts, service apartments, buildings, houses, condominiums, apartments, flats, ~~warehouses, factories and developments;~~ ~~business management in relation to commercial property;~~ ~~compilation of mailing lists;~~ compilation of business directories **provided in relation to real estate and hospitality**; ~~data processing; retrieval services, all for information, images, audio material and text;~~ direct mail advertising; ~~advertising services;~~ television advertising; ~~display services for merchandise;~~ window dressing; ~~publicity services;~~ preparation and issuing of publicity materials; ~~manufacturers' representative services;~~ ordering products and services for third parties via electronic data transmission; ~~marketing and promotional services;~~ organisation, operation and supervision of sales and promotional schemes; market analysis and research **provided in relation to real estate and hospitality**; business analysis services **provided in relation to real estate and hospitality**; ~~organisation of business competitions for advertising purposes;~~ information, advisory and consultancy services relating to the aforesaid.

Class 36

Real estate affairs; real estate agency services; ~~real estate valuations;~~ rent collection services; letting and leasing of real estate, residential, ~~industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets,~~ service apartments, buildings, houses, condominiums, apartments, flats, ~~warehouses, factories and developments;~~ property portfolio management; management, development advisory, valuation and project management and coordination, all relating to real estate; property investment; asset management; capital fund management, corporate fund management, investment fund management **provided in relation to real estate and hospitality**; unit trust services, unit trust management services, unit trust investment services **provided in relation to real estate and hospitality**; ~~organisation of trading markets for financial services;~~ corporate finance; capital investment **provided in relation to real estate and hospitality**; real estate investment; investment trust services **provided in relation to real estate and hospitality**; trust administration **provided in relation to real estate and hospitality**; corporate trusts services **provided in relation to real estate and hospitality**; business trust service **provided in relation to real estate and hospitality**; business trust management services **provided in relation to real estate and hospitality**; factoring services; surety services; trusteeship services **provided in relation to real estate and hospitality**; trust services **provided in relation to real estate and hospitality**; trust management services **provided in relation to real estate and hospitality**; services for the establishment of trusts **provided in relation to real estate and hospitality**; ~~financial evaluation and analysis;~~ financial assistance services; ~~financial underwriting;~~ financing services; real estate financing; ~~arranging equity sharing deals;~~ developing and organising securitisation financial structures; credit services; financial guarantee services; placement of funds **provided in relation to real estate**

and hospitality; ~~tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation;~~ information, advisory and Consultancy services relating to the aforesaid.

Class 37

Property development, renovation of property; ~~commercial retail property development services,~~ property maintenance; ~~cleaning, maintenance and construction of buildings,~~ renovation, refurbishing, repair, painting and decoration of buildings, ~~restoration of office and retail premises;~~ building construction supervision; ~~caretaking and janitorial services;~~ building project management to oversee the manufacture and installation of shop fittings, stands and interiors; information, advisory and consultancy services relating to the aforesaid.

Class 42

~~Architectural services; architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; surveying; design of computer based building management and maintenance systems and design of building technology related projects; chartered surveying services; quantity surveying; surveying services; building surveying and property inspection; building and land surveying; planning of real estate development; preparation of reports relating to all the aforesaid; -design agency, design of shop interiors, design of shop fittings, design of marketing materials and printed materials used in retail outlets, design project management, data storage services, all for information, images, audio material and text;~~ information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; ~~boarding houses,~~ rental of temporary accommodation (hotels/~~boarding houses~~); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; ~~services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.~~

Frasers Hospitality Business Trust

UKTM no. 3066804

Filing date 1 August 2014; registration date 20 February 2015

Priority date: 14 July 2014

Class 35

~~Business management and business administration; commercial management; business planning; business research provided in relation to real estate and hospitality;~~ -business management and administration of real estate, residential, ~~industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets,~~ temporary accommodation, hotels,

~~motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; business management in relation to commercial property; compilation of mailing lists; compilation of business directories~~ **provided in relation to real estate and hospitality**; ~~data processing; data storage and retrieval services, all for information, images, audio material and text; direct mail advertising; advertising services; television advertising; display services for merchandise; window dressing; publicity services; preparation and issuing of publicity materials; manufacturers' representative services; ordering products and services for third parties via electronic data transmission; marketing and promotional services; organisation, operation and supervision of sales and promotional schemes; market analysis and research~~ **provided in relation to real estate and hospitality**; business analysis services **provided in relation to real estate and hospitality**; ~~organisation of business competitions for advertising purposes~~; information, advisory and consultancy services relating to the aforesaid.

Class 36

Real estate affairs; real estate agency services; ~~real estate valuations~~; rent collection services; letting and leasing of real estate, residential, ~~industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets~~, service apartments, buildings, houses, condominiums, apartments, flats, ~~warehouses, factories and developments~~; property portfolio management; management, development advisory, valuation and project management and coordination, all relating to real estate; property investment; asset management; capital fund management, corporate fund management, investment fund management **provided in relation to real estate and hospitality**; unit trust services, unit trust management services, unit trust investment services **provided in relation to real estate and hospitality**; ~~organisation of trading markets for financial services; corporate finance; capital investment~~ **provided in relation to real estate and hospitality**; real estate investment; investment trust services **provided in relation to real estate and hospitality**; trust administration **provided in relation to real estate and hospitality**; corporate trusts services **provided in relation to real estate and hospitality**; business trust service **provided in relation to real estate and hospitality**; business trust management services **provided in relation to real estate and hospitality**; factoring services; surety services; trusteeship services **provided in relation to real estate and hospitality**; trust services **provided in relation to real estate and hospitality**; trust management services **provided in relation to real estate and hospitality**; services for the establishment of trusts **provided in relation to real estate and hospitality**; ~~financial evaluation and analysis; financial assistance services; financial underwriting~~; financing services; real estate financing; ~~arranging equity sharing deals~~; developing and organising securitisation financial structures; credit services; financial guarantee services; placement of funds **provided in relation to real estate and hospitality**; ~~tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation~~; information, advisory and Consultancy services relating to the aforesaid.

Class 37

Property development, renovation of property; ~~commercial retail property development services,~~ property maintenance; ~~cleaning, maintenance and construction of buildings,~~ renovation, refurbishing, repair, painting and decoration of buildings, ~~restoration of office and retail premises;~~ building construction supervision; ~~caretaking and janitorial services;~~ building project management to oversee the manufacture and installation of shop fittings, stands and interiors; information, advisory and consultancy services relating to the aforesaid.

Class 42

~~Architectural services; architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; surveying; design of computer based building management and maintenance systems and design of building technology related projects; chartered surveying services; quantity surveying; surveying services; building surveying and property inspection; building and land surveying; planning of real estate development; preparation of reports relating to all the aforesaid; design agency, design of shop interiors, design of shop fittings, design of marketing materials and printed materials used in retail outlets, design project management;~~ information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; ~~boarding houses,~~ rental of temporary accommodation (hotels/~~boarding houses~~); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; ~~services for providing food and drink, restaurant, catering and banquet services;~~ restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.

FRASERS PROPERTY

UKTM no. 801459238

Filing date 11 June 2018; registration date 10 September 2019

Priority date: 13 December 2017

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household

purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic); all included in this class.

FRASERS PROPERTY

UKTM no. 917033903

Filing date 27 July 2017; registration date 27 April 2018

Class 35

Accounting; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation (namely hostels, boarding houses, holiday homes and flats), hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials and printed materials used in retail outlets; display services for merchandise; distribution and demonstration of sample goods; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and

promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; television advertising; information, advisory and consultancy services relating to the aforesaid.

Class 36

Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; management, development advisory, valuation and project management and coordination, all relating to real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid; administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation (namely, hostels, boarding houses, holiday homes and flats), hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments.

Class 37

Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; caretaking and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental

of industrial equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

FRASERS PROPERTY

UKTM no. 917197716

Filing date 12 September 2017; registration date 9 January 2018

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.



UKTM no. 801457599

Filing date 11 June 2018; registration date 27 August 2019

Priority date: 13 December 2017

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household

purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic).

Class 35

Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes **in relation to accommodation and hospitality**; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials used in retail outlets; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade

development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.

Class 36

Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes **in relation to accommodation and hospitality**; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and real estate developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

Class 37

Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; cleaning, maintenance and renovation of property [caretaking] and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.



UKTM no. 801446195

Filing date 11 June 2018; registration date 26 June 2019

Priority date: 13 December 2017

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising

and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic).

Class 35

Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes **in relation to accommodation and hospitality**; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials used in retail outlets; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.

Class 36

Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes **in relation to accommodation and hospitality**; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and real estate developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

Class 37

Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; property management for others [caretaking] and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction;

architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.



IR designating the UK no. 1446195

Registration date: 11 June 2018

Designation date: 11 June 2018

Date of protection granted: 20 June 2019

Priority date: 13 December 2017

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other

than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic); all included in class 16.



IR designating the UK no. 1457599

Registration date: 11 June 2018

Designation date: 11 June 2018

Date of protection granted: 30 May 2019

Priority date: 13 December 2017

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for

encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic); all included in this class.

Capri by Fraser

UKTM no. 3942748

Filing date: 7 August 2023

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification

cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic).

Class 36

Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; real estate valuations; rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; portfolio management; property portfolio management; apartment house management services; management, development advisory, valuation and project management and co-ordination; all relating to real estate; building management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; real estate investment; investment trust services; trust administration; trusteeship services; trust services; trust management services; services for the establishment of trusts; unit trust services, unit trust management services, unit trust investment services; financial evaluation and analysis; financial valuations; financing services; real estate financing; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; issuing of tokens of value in relation to customer loyalty schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services; restaurant booking or reservation services provided in relation to a customer loyalty or frequent buyer scheme; temporary accommodation (hotels, motels, resorts) booking and reservation services provided in relation to a customer loyalty or frequent buyer scheme.

capri capri
BY FRASER BY FRASER

(series of 2)

UKTM no. 3942805

Filing date: 7 August 2023

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists` materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers` type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic).

FRASERS HOSPITALITY

UKTM no. 3944536

Filing date: 11 August 2023

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of

paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic).

Class 35

Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials and printed materials used in retail outlets; display services for merchandise; distribution and demonstration of goods and samples; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity

materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.

FRASER WORLD

UKTM no. 3944584

Filing date: 11 August 2023

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

FRASER FRASER
WORLD WORLD

UKTM no. 3944586

Filing date 11 August 2023

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

ANNEX 3

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; incense; bath preparations, not for medical purposes; ethereal oils; massage gels other than for medical purposes; lotions for cosmetic purposes; make-up preparations; oils for cosmetic purposes; oils for perfumes and scents; deodorants for human beings or for animals; eau de cologne; shampoos; hair dyes; hair waving preparations; toiletries; talcum powder, for toilet use; bath salts, not for medical purposes; tissues impregnated with cosmetic lotions; cosmetic creams; almond milk for cosmetic purposes; cosmetic preparations for skin care; deodorants; preparations for use before shaving and after shaving; essential oils; room fragrances; fragrance emitting wicks for room fragrance; joss sticks; mouth wash, not for medical purposes; breath freshening sprays; boot polish; shoe cream; shoe polish; shoe wax; tailors' and cobblers' wax; nail grooming products; nail care preparations; non-medicated skin care preparations; non-medicated toilet preparations; sun-tanning milks, gels and oils and after-sun preparations (cosmetics); moisturisers; emollients; non-medicated lip care preparations; foot scrubs; body scrubs; facial scrubs; facial washes; skin cleansers and hydrators; skin toners; skin moisturisers; blemish creams and blemish gels; beauty masks; face and body masks; hand washes; Soaps, perfumery, essential oils, cosmetics; colognes, eau de toilette, perfume body sprays; oils, creams and lotions for the skin; shaving foam; shaving gel; pre-shaving and aftershave lotions; talcum powder; preparations for the bath and shower; hair lotions; dentifrices; non medicated mouthwashes; deodorants; anti-perspirants for personal use.

Pharmaceuticals, and medical preparations; sanitary preparations for medical purposes; plasters, materials for dressings; disinfectants; preparations for destroying vermin; fungicides, herbicides.

Candles; illuminants; tapers and wax; wicks. candles and wicks for lighting; aromatic candles; musk scented candles; nightlights

Electric food mixers; food processors; ironing machines; vacuum cleaners; electric carpet cleaning machines; kitchen appliances.

Cutlery; razors, razor blades, razor cases, razor strops; hair trimmers; hair clippers for personal use; beard clippers; cuticle tweezers; nail files; nail clippers; manicure sets; pedicure sets; tweezers; plastic cutlery; disposable tableware; disposable cutlery; knives; forks; spoons; hand tools and implements.

Computer software; computer programs; computer games; computer software and computer programs relating to or featuring games, games based on skill, casino games, card games, gambling or betting; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication

networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software and computer hardware apparatus with multimedia and interactive functions; computer hardware; computer games hardware; apparatus and instruments for recording, transmitting and reproducing sound, data and/ or images; magnetic data carriers, recording discs; blank and pre-recorded CDs, discs, records, tapes and cassettes; digital versatile discs; discs and tapes all for video games; downloadable electronic publications; smart cards, magnetic coded cards, electronic data carrier cards, charge cards, bank cards, credit cards, debit cards, encoded loyalty cards, chip cards, stored value cards, payment cards, pre-paid cards; cards using magnetic memories and integrated circuit memories; cards containing an integrated circuit chip; joysticks for use with computers; data carriers with integrated electronic chips; data carriers with integrated microprocessor chips; pre-paid magnetic cards; encoded chip cards containing programming used for financial applications, loyalty programs, rewards programs and card holder preferences; security encoded cards; cards encoded with security features for authentication purposes; hologram impregnated cards; mobile telephones, cordless telephones; apparatus for recording, transmission or reproduction of sound or images; photographic apparatus and instruments; cameras; camera film; video cameras; camera lenses; camcorders; television apparatus and instruments; televisions; televisions for receiving satellite broadcasting; satellites and decoders; video apparatus and instruments; video recording machines; video disc players; combined televisions and VCR; television aerials; antennas; transformers; surge protectors; remote control apparatus; audio apparatus; audio systems; headphones; speakers, loud speakers, earphone speakers, speaker cables; amplifiers; portable audio apparatus and instruments; radios, clock radios; karaoke machines, juke boxes; computers, lap top and notebook computers, game computers; computer peripherals; computer apparatus; computer terminals; visual display units; sunglasses; frames for glasses; sport glasses (eye glasses); goggles for use in sports; sports eyewear; spectacle holders; binoculars; cases adapted for binoculars; swimming goggles; lenses for spectacles and sunglasses; Spectacles; sunglasses; contact lenses; spectacle frames; spectacle cases; eyeglasses cords; pince-nez; pince-nez cases; eyeglass frames; eyeglass cords; cases for spectacles and sunglasses; chains and cords for spectacles and sunglasses; protective clothing and accessories; knee pads, shields and protectors; elbow pads, shields and protectors for workers; helmets; protective helmets; sports helmets and visors; protective glasses, sunglasses and goggles; protective clothing, headgear and footwear for use in sport; face shields; abdominal guards; mouth protectors (gum shields); USB (universal serial bus) storage devices; memory sticks; bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet communication and computer devices and equipment and accessories for such devices; carriers for mobile phones; cases for mobile phones; holders adapted for mobile phones; mobile phone covers; mobile phone straps; laptop carrying cases; laptop covers; mouse mats; mouse pads; cleaning apparatus for sound recording discs; headsets; virtual reality headsets and helmets; wearable video display monitors; electronic message boards and electronic information display boards; electronic bulletin boards; safety clothing, gloves, headgear and footwear; downloadable publications; electronic publications; scales

Lamps and lanterns; light bulbs; lighting apparatus and equipment; lampshades; night-lights; refrigerating and freezing equipment;. Apparatus and installations for lighting, heating, cooling, steam generating, cooking, drying, ventilating, water supply and sanitary purposes.

Bicycles, bicycles pumps, bicycle repair kits

Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones, horological and chronometric instruments; Watches; clocks; jewellery cases; sports watches, chronometric instruments; watch straps; trophies, all being of precious metal or coated therewith; imitation jewellery; time keeping instruments; alarm clocks; badges of precious metal; boxes, namely jewellery boxes, clock boxes, watch boxes, boxes for cufflinks, presentation boxes for gemstones, boxes for tie-pins, presentation boxes for jewellery, and boxes of precious metal; bracelets; medals, badges of precious metals, cases for clock and watchmaking; cases for watches; chains of precious metal; clock cases; clock hands; imitation gold; jewel cases of precious metal; key rings; rings being jewellery; cufflinks, tie clips, tie pins; watch bands; wrist watches; ornaments of precious metals; trinkets; models of precious metal; key fobs made of leather incorporating key rings; parts, fitting and components for all the aforesaid goods.

Printed matter; printed publications; stationery; instructional and teaching materials; newspapers; periodicals; journals; newsletters; bulletins; magazines; books; directories; handbooks; manuals; brochures; pamphlets; leaflets; books; guides, namely, lettering guides, file guides, numbering guides, travel guides, study guides, printed teaching activity guides, and guide books; exercise books; lever arch files; document folders and wallets; publicity materials; posters; postcards; cards; paper loyalty cards; certificates; gazettes; advertising materials and display materials; photographs; packaging materials; printers' type; printing blocks; shopping [carrier] bags of plastic; Block notepads; Desk note pads; Removable self-stick notes; catalogues; vouchers; gift vouchers; gift cards; cases for pens; pens; pencils; adhesive for stationery purposes; calendars; agendas; diaries [printed matter]; wall charts for use as diaries; artists materials; cards made of plastic [other than encoded or magnetic]; decalcomanias; Removable tattoos; Magazines [periodicals].

Leather and imitations of leather; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery; key cases; purses; bags; handbags; briefcases; boot bags; holdalls; luggage; suitcases; rucksacks; backpacks; sporting bags; wallets; credit card holders; pocket wallets; pocket books; card cases; luggage labels; belts; bags for travel accessories, shoe bags for travel and garment bags; briefcases, document cases and portfolios; school bags and school satchels; handbags, shoulder bags, clutch bags, tote bags, sports bags, athletic bags, beach bags, shopping bags, record bags, belt bags, toilet bags; hip pouches; baby and child carriers; golf umbrellas, golf umbrella seats, parasols; parts and fittings for all the aforesaid goods.

Building materials (non-metallic); non-metallic floors and floors made of wood, of materials containing wood or fibres or composites used in laminated wood; flooring screeds; vinyl flooring; flooring underlay; parquet floor boards; non-metallic bars (building materials) for wood panelling and false floors; non-metallic mouldings and edges for floors; non-metallic rosettes for veneer mouldings.

Household or kitchen utensils and containers; cookware and tableware; Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials or of plastic; artworks, bathroom fittings in the nature of furniture, bathroom cupboards, racks and shelves, storage boxes, screens and partitions, blinds, horticultural and gardening accessories, pots for horticulture and flowers, sculptures, figurines, Domestic utensils and containers, ceramics, glassware, candle holders, incense holders, baskets, storage boxes, vases and bowls. racks (furniture); furniture shelves; screens (furniture); figurines [statuettes] of wood, wax, plaster or plastic; divans; chests of drawers; beds; cupboards; pillows; sideboards; sofas; tables; window blinds; shades; decorative curtain hardware; armchairs; chairs; stools; cabinets; works of art of wood, wax, plaster or plastic; benches; chests, not of metal; curtain hooks; curtain rails; curtain rings; curtain rods; curtain tie-backs; cushions; desks; fittings for furniture, not of metal; footstools; hat stands; magazine racks; mirror tiles; furniture screens; umbrella stands; furniture and furnishings; bedsteads of wood; dressing tables; and parts and fittings of all the aforesaid goods, included in the class.

Domestic and cooking utensils and containers; cookware, kitchen accessories, picnic sets, trays and toilet utensils, tableware, crockery, chinaware, porcelain, ceramics, pottery; glassware and 94 earthenware; household ornaments; brushes, combs and sponges. Household or kitchen utensils and containers; combs and sponges; brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes; vases; china ornaments; soap dispensers; glass jars; ice buckets; cocktail shakers; cocktail stirrers; crystal [glassware]; candle holders, incense holders; brushes and brush-making articles; hair brushes; cosmetic brushes; mugs; water bottles; fruit cups; vegetable dishes; utensils for household purposes; containers for household or kitchen use; blenders, non-electric, for household purposes; mills for domestic purposes, hand-operated; drinking vessels; toothbrushes; toilet cases; flower pots; flower baskets; gardening gloves; glass vases; watering cans; drinking glasses; decanters; bottle openers; flasks; jugs; air fragrancing apparatus; dustbins; baby baths; body sponges; basins; combs; containers for cosmetics; make-up brushes; make-up removing appliances; tableware, cookware and containers; cleaning articles; cosmetic and toilet utensils and bathroom articles; and parts and fittings of all the aforesaid goods, included in the class.

Textiles and substitutes for textiles; household linen; curtains of textile or plastic; bed linen, bed covers, bed clothes, bed spreads, quilt covers, duvet covers, sheets, pillow cases, pillow covers, quilts, duvets, eiderdowns, sleeping bags, travelling rugs (lap robes); bath linen, towels, flannels, face towels, shower curtains; table linen, table covers, table cloths, table mats, table napkins, napkins, coasters; kitchen

towels, tea towels; curtains, curtain tie backs, textile curtain pelmets; cushion covers, furniture coverings; handkerchiefs; upholstery fabrics; wall hangings; towels of textile; soft furnishings; bed and table covers; textile piece goods; household textile articles; bed linen, drapes, eider-downs, quilts, duvets, throw-overs, oilcloths; towels; face-cloths; handkerchiefs; furnishing materials; upholstery fabrics; curtains and curtaining materials.

Clothing, footwear, headgear.

Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.

Boxes of precious metal for needles.

Carpet, rugs, mats and matting; linoleum, and other materials for covering existing floors; wall hangings (non-textile).

Toys, games and playthings; skill games; soft toys; card games; game chips; skill gaming chips; skill gaming equipment; coin-operated gaming equipment; games relating to sport; games relating to skill gaming; board games; electronic games; apparatus for playing sports; balls being sporting articles; bags adapted for carrying sporting articles; bags specially adapted for sports equipment; cases adapted for carrying sporting apparatus; sports gloves; apparatus for playing skill games; skateboards, surfboards, snowboards, skis; bats for sport, knee protectors adapted for use whilst playing sports, leg guards adapted for playing sport, shin pads [sports articles], elbow guards (sport articles), hip-guards specially made for playing sports [parts of sports suits], shin guards for athletic use, wrist guards for athletic use, fist guards [sporting articles], hand protectors adapted for sporting use, gloves for sporting purposes [specifically adapted for]; apparatus for use in the game of football, football gloves, sporting articles for use in playing football [other than clothing or articles for protective purposes], football or soccer goals, training apparatus for use in relation to football, goal nets, soccer ball goal nets, goal posts, whistles; Gymnastic and sporting articles and apparatus; sporting articles for use in boxing, gymnastics, indoor and field athletics, and for use in playing the games of badminton, squash, grass and ice hockey, football, lacrosse, fives, table tennis, netball, bowls, lawn tennis, cricket, croquet, clock golf, quoits, discs and putting golf and water polo balls; balls for use in sports; toys, games, playthings, playing cards, soft toys, novelties; balloons; Christmas decorations; decorations for Christmas trees; toy miniature figurines, artificial Christmas trees and Christmas tree stands; kaleidoscopes; tennis thermo bags; sporting articles including articles and accessories for the games of tennis, squash, table tennis, softball, golf, badminton, volleyball, basketball, baseball, ice hockey and hockey; fitness equipment; tennis nets and posts; inflatables in the nature of soccer balls, footballs, basketballs, volleyballs, inflatable balls for sports; balls including tennis balls, tennis rackets, squash rackets; sports equipment and accessories; exercise equipment; hand exercisers; balls for games; fish hooks; fishing apparatus and articles; surfboards; sailboards; snooker tables; snooker balls and cues; skis; snow boards; golf mats; dart mats; playground equipment; knee protectors for use when participating in

sports; stationary exercise bicycles; toy bicycles; sporting articles for wear adapted for use in specific sports; skates; in-line skates; roller skates; hand exercisers (other than for therapeutic use); play tents; hand held electronic games; sporting articles for equestrian use and sports; handheld and portable devices for gaming; games adapted for use with television receivers; bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet games devices and equipment and accessories for such devices; toy figurines; parts and fittings for the aforesaid goods

Chocolate; chocolate extracts; chocolate sauces; chocolate beverages; coffee, tea, cocoa and artificial coffee; rice; tapioca and sago; flour and preparations made from cereals; bread, pastry and confectionery; ices; sugar, honey, treacle; yeast, baking-powder; salt; mustard; vinegar, sauces (condiments); spices; pasta; biscuits; buns; sushi; tarts; prepared meals; fruit sauces; convenience food and savoury snacks namely corn, cereal, flour and sesame based snacks, crackers, dumplings, pancakes, pasta, rice and cereal dishes, pies and pastry dishes, sandwiches and pizzas, spring and seaweed rolls, steamed buns, tortilla bread dishes; salts, seasonings, flavourings and condiments; confectionery, chocolate and desserts; sugars, natural sweeteners, sweet coatings and fillings, bee products; ice, ice creams, frozen yogurts and sorbets; processed grains, starches, and goods made thereof, baking preparations and yeasts.

Dried flowers; flowers and bulbs; trees, seeds and plants; fresh fruit; fresh citrus fruit; fresh mandarins; oranges; raw fruit; seeds; garden herbs; unprocessed fruits; grains and agricultural, horticultural and forestry products not included in other classes; vegetables

Alcoholic beverages except beers; whisky; wines; liqueurs; spirits; rum; distilled beverages; preparations for making alcoholic beverages.

The bringing together, for the benefit of others, of a wide variety of goods (including all those listed above) enabling customers to conveniently view and purchase those goods in a department store; retail services; Department store services connected with the sale of beauty products, cosmetics, skin care products, toiletries, Incense, essential oils, perfumery, perfume sachets, perfumed items, Candles, night lights, jewellery, watches, Leather goods and goods made of imitation leather, trunks and travel bags, luggage, umbrellas, purses, wallets, key fobs, Furniture, mirrors, picture frames, bathroom fittings in the nature of furniture, bathroom cupboards, racks and shelves, storage boxes, screens and partitions, blinds, horticultural and gardening accessories, pots for horticulture and flowers, sculptures, figurines, Domestic utensils and containers, ceramics, glassware, candle holders, incense holders, baskets, storage boxes, vases and bowls, Textiles and textile articles, bedding and bed clothing, bed canopies and hangings, wall hangings, throws and spreads, towels and towelling sets, blinds, curtains and drapes, table-cloths and table linens, soft furnishings, clothing, footwear and headgear. Advertising; Business management; Business administration; Office functions; Accounting; Accounts (Drawing up of statements of -); Administrative processing of purchase orders; Advertising by mail order; Demonstration of goods; loyalty scheme services; administration of consumer loyalty reward programs;

sales promotion through customer loyalty programs; organisation and management of customer loyalty schemes and programs; Direct mail advertising; Dissemination of advertising matter; Distribution of samples; Presentation of goods on communication media, for retail purposes; Sales promotion for others; Advertising and marketing; advertising services; business data analysis; online advertising and marketing services; promotional services; providing market information in relation to consumer products; providing shopping information relating to price, product information and specification, delivery and returns information, sizing information; compiling and maintaining online directories; presentation of goods on communications media, for retail purposes; Arranging newspaper subscriptions for others; Arranging subscriptions to telecommunication services for others; Auctioneering; Auditing; Bill-posting; Business appraisals; Business consultancy (Professional -); Business information; Business inquiries; Business investigations; Business management and organization consultancy; Business management assistance; Business management consultancy; Business management of hotels; Business management of performing artists; Business management of sports people; Business organization consultancy; Business research; Commercial administration of the licensing of the goods and services of others; Commercial information agencies; Commercial information and advice for consumers [consumer advice shop]; Commercial or industrial management assistance; Compilation of information into computer databases; Compilation of statistics; Cost price analysis; Data search in computer files for others; Demonstration of goods; loyalty scheme services; administration of consumer loyalty reward programs; sales promotion through customer loyalty programs; organisation and management of customer loyalty schemes and programs; Direct mail advertising; Dissemination of advertising matter; Distribution of samples; Document reproduction; Economic forecasting; Efficiency experts; Employment agencies; Fashion shows for promotional purposes (Organization of -); File management (Computerized -); Import-export agencies; Invoicing; Layout services for advertising purposes; Management (Advisory services for business -); Marketing; Marketing research; Marketing studies; Modelling for advertising or sales promotion; News clipping services; Office machines and equipment rental; On-line advertising on a computer network; Opinion polling; Organization of exhibitions for commercial or advertising purposes; Organization of trade fairs for commercial or advertising purposes; Outsourcing services [business assistance]; Payroll preparation; Personnel management consultancy; Personnel recruitment; Photocopying services; Presentation of goods on communication media, for retail purposes; Price comparison services; Procurement services for others [purchasing goods and services for other businesses]; Production of advertising films; Psychological testing for the selection of personnel; Public relations; Publication of publicity texts; Publicity; Publicity agencies; Publicity columns preparation; Publicity material rental; Radio advertising; Relocation services for businesses; Rental of advertising space; Rental of advertising time on communication media; Rental of photocopying machines; Rental of vending machines; Sales promotion for others; Secretarial services; Shop window dressing; Shorthand; Sponsorship search; Systemization of information into computer databases; Tax preparation; Telemarketing services; Telephone answering for unavailable subscribers; Television advertising; Transcription; Typing; Updating of advertising material; Word processing; Writing of publicity texts; Advertising and marketing; advertising services; business data analysis; online advertising and

marketing services; promotional services; business networking; business monitoring and consulting services, namely, tracking users and advertising of others to provide strategy, insight, marketing guidance, and for analysing, understanding and predicting consumer behaviour and motivations, and market trends; placing advertisements and promotional displays in electronic sites accessed via computer networks; providing information regarding careers, employment, and job placement; providing market information in relation to consumer products; providing shopping information; compiling and maintaining online directories; providing information regarding organising and conducting volunteer programmes and community service projects; computerized file management; computer data recording services; business information services; providing business information over the internet; retail services connected to the sale of chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry, unprocessed artificial resins, unprocessed plastics, manures, fire extinguishing compositions, tempering and soldering preparations, chemical substances for preserving foodstuffs; retail services connected to the sale of tanning substances, adhesives used in industry, unprocessed plastics in the form of liquids, chips or granules, paints, varnishes, lacquers, preservatives against rust and against deterioration of wood, colorants, mordants, raw natural resins, metals in foil and powder form for painters, decorators, printers and artists; retail services connected to the sale of bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, industrial oils and greases, lubricants, dust absorbing, wetting and binding compositions, fuels and illuminants; retail services connected to the sale of candles and wicks for lighting, combustible fuels and scented candles, pharmaceutical and veterinary preparations, sanitary preparations for medical purposes, dietetic food and substances adapted for medical or veterinary use; retail services connected to the sale of food for babies, dietary supplements for humans and animals, plasters, materials for dressings, material for stopping teeth, dental wax, disinfectants, preparations for destroying vermin, fungicides, herbicides, common metals and their alloys; retail services connected to the sale of metal building materials, transportable buildings of metal, materials of metal for railway tracks, non-electric cables and wires of common metal, ironmongery, small items of metal hardware, pipes and tubes of metal, safes, goods of common metal, namely, statues, and figurines, ores, unwrought and partly wrought common metals, metallic windows and doors, metallic framed conservatories; retail services connected to the sale of machines, namely, electric washing machines, dishwashing machines, electric food processing machines, electric food preparation machines, coffee extracting machines, coffee machines, juice machines and machine tools, motors and engines (except for land vehicles), machine coupling and transmission components (except for land vehicles), agricultural implements other than hand-operated, incubators for eggs, automatic vending machines, hand tools and hand operated implements; retail services connected to the sale of cutlery, side arms, razors, electric razors and hair cutters, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; retail services connected to the sale of apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, compact discs, DVDs and other digital recording media,

mechanisms for coin-operated apparatus, cash registers, calculating machines, data processing equipment, computers, computer software, fireextinguishing apparatus, sunglasses, safety clothing, footwear and headgear, computer software; retail services connected to the sale of computer programs, computer software and computer programs relating to or featuring games, games based on skill, casino games, card games, gambling or betting, computer software and computer programs downloadable from or provided via the Internet, computer application software, computer application software for portable, mobile, handheld and tablet devices; retail services connected to the sale of computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks, computer software and computer hardware apparatus with multimedia and interactive functions, computer hardware, computer games hardware; retail services connected to the sale of apparatus and instruments for recording, transmitting and reproducing sound, data and/or images, magnetic data carriers, recording discs, blank and pre-recorded CDs, discs, records, tapes and cassettes, digital versatile discs, discs and tapes all for video games, downloadable electronic publications, electronic publications distributed via email, smart cards, magnetic coded cards, electronic data carrier cards; retail services connected to the sale of encoded loyalty cards, chip cards, cards using magnetic memories and integrated circuit memories, cards containing an integrated circuit chip, joysticks for use with computers, data carriers with integrated electronic chips, data carriers with integrated microprocessor chips; retail services connected to the sale of loyalty programs, rewards programs and card holder preferences, security encoded cards, cards encoded with security features for authentication purposes, hologram impregnated cards, mobile telephones, cordless telephones; retail services connected to the sale of cameras, camera film, video cameras, camera lenses, camcorders, television apparatus and instruments, televisions, satellites and decoders, video apparatus and instruments, video recording machines, video disc players; retail services connected to the sale of combined televisions and VCR, television aerials, antennas, transformers, surge protectors, remote control apparatus, audio apparatus, audio systems, headphones, speakers, loud speakers, earphone speakers, speaker cables, amplifiers, portable audio apparatus and instruments, radios, clock radios, karaoke machines, juke boxes, computers, lap top and notebook computers, game computers, computer peripherals, computer apparatus, computer terminal; retail services connected to the sale of visual display units, sunglasses, frames for glasses, sport glasses (eye glasses), goggles for use in sports, sports eyewear, spectacle holders, binoculars, cases adapted for binoculars, swimming goggles, lenses for spectacles and sunglasses, cases for spectacles and sunglasses, chains and cords for spectacles and sunglasses; retail services connected to the sale of protective clothing and accessories, knee pads, shields and protectors for workers, elbow pads, shields and protectors for workers, helmets, protective helmets, sports helmets and visors, protective glasses, sunglasses and goggles, protective clothing, headgear and footwear for use in sport, face shields, abdominal guards, mouth protectors (gum shields); retail services connected to the sale of USB (universal serial bus) storage devices, memory sticks, bags and cases specifically adapted for holding and carrying portable, mobile, handheld and tablet communication and computer devices and equipment and accessories for such devices, carriers for mobile phones, cases for mobile phones, holders adapted for mobile phones,

mobile phone covers, mobile phone straps; retail services connected to the sale of laptop carrying cases, laptop covers, mouse mats, mouse pads, cleaning apparatus for sound recording discs, headsets, virtual reality headsets and helmets, wearable video display monitors, electronic message boards and electronic information display boards, electronic bulletin boards, safety clothing, gloves, headgear and footwear, downloadable publications, electronic publications; retail services connected to the sale of surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth, orthopaedic articles, suture materials, massage apparatus, supportive bandages, furniture adapted for medical use, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes; retail services connected to the sale of air conditioning apparatus, electric kettles, gas and electric cookers, vehicle lights and vehicle air conditioning units, vehicles, apparatus for locomotion by land, air or water, wheelchairs, motors and engines for land vehicles, vehicle body parts and transmissions, firearms, ammunition and projectiles, explosives, fireworks, precious metals and their alloys; retail services connected to the sale of jewellery, costume jewellery, precious stones, horological and chronometric instruments, clocks and watches, jewellery cases, watch straps, trophies (all being of precious metal or coated therewith), imitation jewellery, time keeping instruments, alarm clocks, badges of precious metal, boxes, boxes of precious metal, boxes of precious metal for needles, bracelets, medals, badges of precious metals, cases for clock and watchmaking; retail services connected to the sale of chains of precious metal, clock hands, imitation gold, jewel cases of precious metal, key rings, rings being jewellery; retail services connected to the sale of cufflinks, tie clips, tie pins, watch bands, wrist watches, ornaments of precious metals, trinkets, models of precious metal, key fobs made of leather incorporating key rings, musical instruments, stands and cases adapted for musical instruments, paper, cardboard, printed matter, bookbinding material; retail services connected to the sale of photographs, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture); retail services connected to the sale of instructional and teaching material (except apparatus), plastic materials for packaging; retail services connected to the sale of printers' type, printing blocks, rubber, gutta-percha, gum, asbestos, mica, plastics in extruded form for use in manufacture, semi-finished plastics materials for use in further manufacture, stopping and insulating materials, flexible non-metallic pipes; retail services connected to the sale of leather and imitations of leather, animal skins, hides, trunks and travelling bags, handbags, bags, boot bags, holdalls, luggage, luggage labels, rucksacks, backpacks, briefcases; retail services connected to the sale of sporting bags, suitcases, purses, wallets, pocket wallets, pocket books, credit card holders, card cases, belts, umbrellas, parasols and walking sticks, whips, harness and saddlery, key cases, clothing for animals, non-metallic building materials, non-metallic rigid pipes for building, asphalt, pitch and bitumen; retail services connected to the sale of non-metallic transportable buildings, non-metallic monuments, non-metallic framed conservatories, doors and windows, furniture, mirrors, picture frames, garden furniture, pillows and cushions, household or kitchen utensils and containers; retail services connected to the sale of combs and sponges, brushes, brush-making materials, articles for cleaning purposes, steel wool, articles made of ceramics, glass, porcelain or earthenware, namely, mugs, busts, statues, and figurines, plates and dishes, bowls, electric and non-electric toothbrushes, ropes, string, nets, tents,

awnings, tarpaulins, sails, sacks for transporting bulk materials, padding and stuffing materials which are not made of rubber or plastics; retail services connected to the sale of textiles and substitutes for textiles, household linen, curtains of textile or plastic, bed linen, bed covers, bed clothes, bed spreads, quilt covers, duvet covers, sheets, pillow cases, pillow covers, quilts, duvets, eiderdowns, sleeping bags, travelling rugs (lap robes), bath linen, towels, flannels, face towels, shower curtains, table linen, table covers, table clothes, table mats, table napkins, napkins, coasters, kitchen towels, tea towels; retail services connected to the sale of curtains, curtain tie backs, textile curtain pelmets, cushion covers, furniture coverings, handkerchiefs, upholstery fabrics, wall hangings towels of textile; retail services connected to the sale of raw fibrous textile materials, yarns and threads for textile use, textiles and textile goods, bed and table covers, travellers' rugs, textiles for making articles of clothing, duvets, covers for pillows, cushions or duvets, clothing, footwear, headgear, lace and embroidery, ribbons and braid, buttons, hooks and eyes, pins and needles, artificial flowers; retail services connected to the sale of carpets, rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings (non-textile), wallpaper, games and playthings, playing cards, gymnastic and sporting articles, decorations for Christmas trees, children's toy bicycles; retail services connected to the sale of meat, fish, poultry and game, meat extracts, preserved, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and fats, prepared meals, soups and potato crisps, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, ices, honey, treacle, yeast, baking-powder, salt, mustard, vinegar, sauces (condiments), spices, ice; retail services connected to the sale of sandwiches, prepared meals, pizzas, pies and pasta dishes, agricultural, horticultural and forestry products, live animals, fresh fruits and vegetables, seeds, natural plants and flowers; retail services connected to the sale of foodstuffs for animals, malt, food and beverages for animals, beers, mineral and aerated waters, non-alcoholic drinks, fruit drinks and fruit juices, syrups for making beverages, shandy, de-alcoholised drinks, non-alcoholic beers and wines, alcoholic beverages (except beers), alcoholic wines, spirits and liqueurs, alcopops, alcoholic cocktails, tobacco, smokers' articles, matches, lighters for smokers; advertising, marketing and promotional services provided by means of social media; comparison shopping services; business operation of shopping malls; business management of retail outlets; retail shop window display arrangement services; presentation of goods on communications media, for retail purposes; assistance information, advisory and consultancy services relating to the aforesaid.

Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet; financial management; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit

services; saving scheme services; banking; contributory benefit scheme services; financial leasing; mortgage; securities; brokerage; investment; personal finance service; insurance services; financial and investment consultancy and analysis services; recording, counting and billing services for financial transactions; exchanging money and electronic funds transfer services; issuing of travellers cheques; debit card services; financial consultancy; financial evaluation; financial sponsorship; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; fundraising and financial sponsorship; charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others]; financial card services; retail financing services; Issuing of charge cards, bank cards, credit cards, debit cards, stored value cards, payment cards, pre-paid cards, pre-paid magnetic cards; Issuing of encoded chip cards containing programming used for financial applications; information, advisory and consultancy services relating to the aforesaid.

providing access to computer databases in the fields of retail, shopping; Telecommunications; Broadcasting services; broadcasting services relating to shopping; cable, satellite and television broadcasting services relating to shopping; computer aided transmission of messages and images; electronic bulletin board services [telecommunications services]; electronic mail; providing access to databases; providing internet chatrooms; providing telecommunication channels for teleshopping services; providing telecommunications connections to a global computer network; telecommunication of information; multimedia telecommunications; telecommunications services relating to electronic commerce; internet communication services; receipt and/or delivery of messages, documents and other data by electronic transmission; receipt and/or delivery of messages, documents and other data via the Internet; provision of electronic communication links; telecommunication services, namely, enabling users to transmit messages, comments, multimedia content, videos, movies, films, and photos, audio content, animation, pictures, images, text, information, and other user-generated content via a global computer network and other computer and communications networks; providing online communications links which transfer users to other websites; providing online forums, chat rooms and electronic bulletin boards for users to post, search, watch, share, critique, rate, and comment on subjects of interest; providing access to computer, electronic and online databases; audio, text, video and multimedia broadcasting services over computer and electronic communications networks, namely uploading, posting, displaying, tagging and electronically transmitting data, audio, and video; providing access to computer databases in the fields of retail, shopping, entertainment and education; providing access to computer databases in the field of business networking; providing telecommunication facilities that enable the sharing of blogs, photos, videos, podcasts, and other audio-visual materials; providing telecommunication facilities that enable the creation and updating of personal electronic web pages featuring user-provided content; transmission of database information via telecommunication networks; information, advisory and consultancy services in relation to all of the aforesaid services.

Transport; packaging and storage of goods; travel arrangement; transport services; courier services; delivery services; collection, packaging, storage and distribution of goods, letters, packets and parcels; franking of mail; gift wrapping services; delivery tracking and tracing services; provision of information in relation to all the aforesaid services; consultancy and advisory services relating to all the aforesaid services.

Entertainment services; education and training; sporting and cultural activities; amusement services; gaming services; gambling services; betting services; casino services; organisation, production and presentation of tournaments, competitions and events; providing news services; organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; publication of material; provision of on-line electronic publications; provision of electronic newsletters distributed via the Internet, electronic mail or portable, mobile, handheld or tablet devices; provision of electronic newsletters regarding entertainment, television entertainment; arranging and conducting award ceremonies; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities; information, advisory and consultancy services relating to the aforesaid.

Services for providing food and drink; temporary accommodation; preparation of food and drink; bistro, cafe, cafeteria, public house, wine bar, bar, hotel, restaurant and banqueting services; preparation of food and drink for consumption in stations and on trains; catering services and canteen services; snack-bar services; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; takeaway food services; self service restaurants; organisation of and provision of facilities for conferences, weddings, meetings and events; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; Make-up artist services; make-up services; cosmetic make-up services; beauty care services; beauty consultation and information services; beauty salon and beauty treatment services; beauty therapy services and treatments; beauty treatment; healthcare, diet advisory services; cosmetic treatment for the face and hair and nails; hair care, hair colouring, hair styling and hair cutting services; cosmetic body care services; facial treatment services; hairdressing salon services; nail salon services; nutritional advisory, consultancy and guidance services; advice relating to cosmetics, hair care, nutrition, beauty care and weight loss; information, advisory and consultancy services in relation to all of the aforesaid services.

Social introduction and networking services; personal shopping services; concierge services; dress rental; lost property services; consultancy services relating to personal appearance; services relating to the creation and maintenance of lists of wedding presents for selection by others; on-line social networking services; gift selection services for others; hire of jewellery; hire of clothing; rental of

watches; legal services; on-line social networking services and online social networking services accessible by means of downloadable mobile applications; information, advisory and consultancy services in relation to all of the aforesaid services.

ANNEX 4

HOF'S MARKS	FPL'S MARKS
<p>UK905 and UK223</p> <p><u>Class 35</u></p> <p>Department store services connected with the sale of beauty products, cosmetics, skin care products, toiletries, Incense, essential oils, perfumery, perfume sachets, perfumed items, Candles, night lights, jewellery, watches, Leather goods and goods made of imitation leather, trunks and travel bags, luggage, umbrellas, purses, wallets, key fobs, Furniture, mirrors, picture frames, racks and shelves, storage boxes, figurines, Domestic utensils and containers, ceramics, glassware, candle holders, incense holders, baskets, storage boxes, vases and bowls, Textiles and textile articles, bedding and bed clothing, bed canopies and hangings, wall hangings, throws and spreads, towels and towelling sets, blinds, curtains and drapes, table-cloths and table linens, soft furnishings, clothing, footwear and headgear.</p> <p>UK284</p> <p><u>Class 9</u></p> <p>Mobile applications (downloadable) for the retail of goods in class 9.</p> <p>UK166</p> <p><u>Class 9</u></p> <p>Mobile applications (downloadable) for the retail of goods).</p>	<p>UK644</p> <p><u>Class 35</u></p> <p>Business management and business administration; commercial management; business planning; business research; business investigation; business appraisals; business management and administration of real estate, residential, industrial and commercial properties, offices, business centres, departmental stores, shopping centres, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; organisation of conventions, conferences and exhibitions for business and commercial purposes; business management in relation to commercial property; compilation of mailing lists; compilation of business directories and business guides; data processing; data storage and retrieval services, all for information, images, audio material and text; direct mail advertising; advertising services; television advertising; display services for merchandise; window dressing; publicity services; preparation and issuing of publicity materials; manufacturers' representative services; ordering products and services for third parties via electronic data transmission; demonstration of goods and samples; advertising and publicity services; rental of advertising space; marketing and promotional services; public relations services, dissemination of advertising matter; Internet based promotion; product marketing through computer networks; organisation, operation and supervision of sales and promotional schemes; organisation,</p>

	<p>management, assistance and facilitation of sales of products and services via a global computer network, in relation to market research and business analysis; market analysis and research; business analysis services; organisation of business competitions; accounting; preparation of reports; information, advisory and consultancy services relating to the aforesaid; business and market statistical information; provision of information relating to trade development and business opportunity; all included in Class 35.</p> <p><u>Class 36</u></p> <p>Real estate affairs; real estate agency services; accommodation letting agency services; real estate valuations; rent collection services; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; portfolio management; property portfolio management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; capital fund management, corporate fund management, investment fund management; unit trust services, unit trust management services, unit trust investment services; organisation of trading markets for financial services; corporate finance; capital investment; real estate investment; investment trust services; trust administration; corporate trusts services; business trust service; business trust management services; factoring services; surety services; trusteeship services; trust services; trust management services; services for the establishment of trusts; financial evaluation and analysis; financial valuations; financial assistance services; financial</p>
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	<p>underwriting; financing services; real estate financing; arranging equity sharing deals; credit services; financial guarantee services; placement of funds; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid; all included in Class 36.</p> <p><u>Class 37</u> Building construction; construction of buildings, roads and bridges, real estate and accommodation including commercial properties; land development, renovation of property; demolition of property; commercial retail property development services, development of property; maintenance, repair and installation services; restoration and renovation; property maintenance; cleaning and maintenance of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; building construction supervision, car washing, vehicle valeting [cleaning] services; caretaking and janitorial services; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; project management services in respect of property development and property constructions, construction inspection; building project management; supervision of building construction; information, advisory and consultancy services relating to the aforesaid; all included in Class 37.</p> <p><u>Class 42</u> Architectural services; architectural design and construction design of new buildings,</p>
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construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; surveying; design of computer based building management and maintenance systems and design of building technology related projects; chartered surveying services; quantity surveying; surveying services; building surveying and property inspection; building and land surveying; planning of real estate development; preparation of reports relating to all the aforesaid; design agency, design of shop interiors, design of shop fittings, design of marketing materials and printed materials used in retail outlets, design project management; information, advisory and consultancy services relating to the aforesaid; all included in Class 42.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of temporary accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee-bars, coffee shops and tea room services; all included in Class 43.

UK369

Class 16

Paper, cardboard and goods made from these materials, not included in other classes; printed matter; book binding material; photographs; stationery; **adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters** and office requisites (except furniture); instructional and teaching

	<p>material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic); all included in Class 16</p>
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	<p><u>Class 35</u></p> <p>Business management related to hospitality and the provision of accommodation; business administration related to hospitality and the provision of accommodation; business appraisals; consultancy services relating to internet based promotion; provision of information relating to product marketing through computer networks related to the advertisement and promotion of hospitality services and accommodation; information services relating to data processing; commercial information services provided by access to a computer database related to hospitality and the provision of accommodation; business investigation and promotional services related to the advertisement and promotion of hospitality services and accommodation; accounting; sales promotion services related to the advertisement and promotion of hospitality services and accommodation; advertising and publicity services related to the advertisement and promotion of hospitality services and accommodation; marketing services related to the advertisement and promotion of hospitality services and accommodation; public relations services, dissemination of advertising matter related to the advertisement and promotion of hospitality services and accommodation; business research related to hospitality and the provision of accommodation; market analysis and research, business and market statistical information related to hospitality and the provision of accommodation; rental of advertising space related to the advertisement and promotion of hospitality services and accommodation; provision of information relating to trade development and business opportunity related to hospitality and the provision of accommodation; preparation of reports and</p>
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	<p>provision of information, all relating to the aforesaid services; compilation of mailing lists; consumer loyalty services for commercial, promotional, and/or advertising purposes, for the purpose of promoting and rewarding loyalty for the use of entertainment services, namely gaming, bar services, theme park services, cocktail lounges, restaurants, hotels, resort hotels, condominium hotels; customer loyalty services, namely providing a travel and hotel loyalty program featuring loyalty points, discount rates, and recognition benefits for commercial, promotional and/or advertising purposes; direct mail advertising related to the advertisement and promotion of hospitality services and accommodation; organisation and administration services in relation to the supply of benefits for customer loyalty and frequent buyer or frequent flyer schemes; organisation and management of customer loyalty programmes; organisation, operation and supervision of customer loyalty schemes and incentive schemes; organisation and administration services in relation to the supply of benefits for customer loyalty and customer club schemes, for commercial, promotional and/or advertising purposes; organisation, operation, supervision and business administration of sales and promotional incentive schemes, loyalty card schemes, incentive schemes and programmes, award programmes, points programmes, customer loyalty incentive schemes, reward and redemption programs, reward schemes and points schemes; organisation, operation, supervision and management of incentive point awards program for customers; promotional information and advisory services provided to members and subscribers of incentive loyalty</p>
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schemes and travel reward programs, including the provision of promotional information via electronic mail; promotional services in relation to travel and accommodation; **promotional services in the nature of reward programs for customers and customer loyalty schemes**; promotional services, namely operation of an incentive scheme which allows patrons of a hotel or motel to earn points to redeem free or discounted lodging, airfares, car rentals, cruises, gifts and merchandise; sales promotion through customer loyalty programmes (for others); sales promotion through promotional activities and incentive award programs (for others); all included in Class 35.

Class 36

Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; real estate valuations; rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; portfolio management; property portfolio management; apartment house management services; management, development advisory, valuation and project management and co-ordination, all relating to real estate; building management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; real estate investment; investment trust services; trust administration; trusteeship services; trust services; trust management services; services for the establishment of trusts; financial evaluation and analysis; financial valuations; financing services; real estate financing; tax, goods and services tax and duty services, all the aforesaid services relating to real

estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; **issuing of tokens of value in relation to customer loyalty schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes;** issuing of benefits of value in connection with travel incentive schemes; information, advisory and consultancy services relating to the aforesaid; all included in Class 36.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services; restaurant booking or reservation services provided in relation to a customer loyalty or frequent buyer scheme; temporary accommodation (hotels, motels, resorts) booking and reservation services provided in relation to a customer loyalty or frequent buyer scheme; all included in Class 43.

IRUK238

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; **adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters** and

	<p>office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value</p>
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	<p>cards (other than machine readable or magnetic); all included in this class.</p> <p><u>Class 35</u></p> <p>Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials used in retail outlets; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of</p>
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	<p>exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; the bringing together for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in departmental stores, shopping centers, retail and wholesale outlets, hotel, food and beverage outlet, from a general merchandise catalogue by mail order or by means of telecommunications, or from a general merchandise global communications network website; window dressing; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 36</u> Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and</p>
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	<p>frequent buyer schemes in relation to accommodation and hospitality; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and real estate developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 37</u></p> <p>Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project</p>
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	<p>management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; cleaning, maintenance and renovation of property [caretaking] and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 42</u></p> <p>Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.</p>
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Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services; all included in this class.

UK938

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; **downloadable website design templates; downloadable image files; downloadable video recordings; all relating to real estate, hotel services and temporary accommodation.**

UK238

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; **downloadable website design templates; downloadable image files; downloadable video recordings.**

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and

	<p>stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other</p>
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than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; **value cards (other than machine readable or magnetic);** all included in this class.

UK903

Class 35

Accounting; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation (namely hostels, boarding houses, holiday homes and flats), hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and **facilitation of sales of products and services via a global computer network**; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials and printed materials used in retail outlets; **display services for merchandise; distribution and demonstration of sample goods**; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data

	<p>transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; television advertising; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 36</u></p> <p>Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and developments; management, development advisory, valuation and project management and coordination, all relating to real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real</p>
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	<p>estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid; administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation (namely, hostels, boarding houses, holiday homes and flats), hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments.</p> <p><u>Class 37</u></p> <p>Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; caretaking and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and</p>
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decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

UK716

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and

banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.

UK195

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; **downloadable website design templates; downloadable image files; downloadable video recordings.**

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; **adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters** and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); **printers' type; printing blocks;** printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); **cards; cards (other than encoded or magnetic);** cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; **cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic);**

	<p>cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic).</p> <p><u>Class 35</u> Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments;</p>
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	<p>business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials used in retail outlets; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 36</u></p> <p>Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management,</p>
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	<p>investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes in relation to accommodation and hospitality; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and real estate developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services;</p>
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	<p>information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 37</u> Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; property management for others [caretaking] and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 42</u> Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for</p>
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information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.

IRUK195

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; **downloadable website design templates; downloadable image files; downloadable video recordings.**

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and

	<p>stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded);</p>
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printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; **value cards (other than machine readable or magnetic);** all included in class 16.

IRUK599

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; **downloadable website design templates; downloadable image files; downloadable video recordings.**

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; **adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters** and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); **printers' type; printing blocks;** printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); **cards; cards (other than encoded or magnetic);** cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; **cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit**

cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; **cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic);** correspondence cards; **credit cards (other than encoded or magnetic);** debit cards (other than encoded or magnetic); **discount cards (other than encoded or magnetic);** identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; **plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded);** tags of card for attachment to door knobs; **value cards (other than machine readable or magnetic);** all included in this class.

UK599

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; **downloadable website design templates; downloadable image files; downloadable video recordings.**

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography

	<p>backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; plastic cards (other than</p>
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	<p>magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic).</p> <p><u>Class 35</u></p> <p>Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and facilitation of sales of products and services via a global computer network; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials used in retail outlets; display services for merchandise; distribution and demonstration of goods and samples for advertising purposes; Internet based promotion; market analysis and research;</p>
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	<p>marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; organisation, operation and supervision of sales and promotional schemes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 36</u></p> <p>Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes in relation to accommodation and hospitality; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings,</p>
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	<p>houses, condominiums, apartments, flats, warehouses, factories and real estate developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 37</u></p> <p>Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; cleaning, maintenance and renovation of property [caretaking] and janitorial services; cleaning, maintenance and construction of</p>
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	<p>buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 42</u></p> <p>Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 43</u></p> <p>Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing,</p>
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	hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.
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ANNEX 5

FPL's goods and services (the opponent)	HOF's goods and services (the applicant)
<p>UK965</p> <p><u>Class 36</u></p> <p>Renting of serviced apartments; arranging of letting of serviced apartments.</p> <p><u>Class 43</u></p> <p>Rental of temporary accommodation (hotels).</p> <p>UK369</p> <p><u>Class 35</u></p> <p>Customer loyalty services, namely providing a travel and hotel loyalty program featuring loyalty points, discount rates, and recognition benefits for commercial, promotional and/or advertising purposes; issuing of tokens of value in relation to travel and hotel customer loyalty schemes, issuing of benefits of value in connection with travel incentive schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty schemes in relation to hotels and travel.</p> <p>UK644</p> <p><u>Class 36</u></p> <p>Real estate affairs, namely, rental of commercial property, the sale of residential and commercial property and property estate management services.</p> <p><u>Class 37</u></p> <p>Property maintenance.</p> <p>UK939</p> <p><u>Class 36</u></p>	<p>UK575</p> <p><u>Class 9</u></p> <p>Computer software; computer programs; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software [...] with multimedia and interactive functions; smart cards, magnetic coded cards, electronic data carrier cards, encoded loyalty cards, chip cards [...]; cards using magnetic memories and integrated circuit memories; cards containing an integrated circuit chip; encoded chip cards containing programming used for [...] loyalty programs, rewards programs and card holder preferences; security encoded cards; cards encoded with security features for authentication purposes; hologram impregnated cards.</p> <p><u>Class 16</u></p> <p>Printed matter; printed publications; stationery; instructional and teaching materials; newspapers; periodicals; journals; newsletters; bulletins; magazines; books; directories; handbooks; manuals; brochures; pamphlets; leaflets; books; guides, namely, lettering guides, file guides, numbering guides, travel guides, study</p>

<p>Renting of serviced apartments.</p> <p><u>Class 43</u> Rental of temporary accommodation (hotels).</p> <p>UK310 <u>Class 36</u> Arranging letting of serviced apartments; letting and leasing of serviced apartments.</p> <p><u>Class 43</u> Rental of temporary accommodation (hotels); provision of accommodation by way of hotels and rooms; hotel and serviced apartment reservation services.</p> <p>UK938 <u>Class 9</u> Downloadable electronic publications.</p> <p>IRUK238 <u>Class 16</u> Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with</p>	<p>guides, printed teaching activity guides, and guide books; exercise books; lever arch files; document folders and wallets; publicity materials; posters; postcards; cards; paper loyalty cards; certificates; gazettes; advertising materials and display materials; photographs; packaging materials; printers' type; shopping [carrier] bags of plastic; Block notepads; Desk note pads; Removable self-stick notes; catalogues; vouchers; gift vouchers; gift cards; cases for pens; pens; pencils; adhesive for stationery purposes; calendars; agendas; diaries [printed matter]; wall charts for use as diaries; artists materials; cards made of plastic [other than encoded or magnetic]; Magazines [periodicals].</p> <p><u>Class 35</u> Advertising; Business management; Business administration; Office functions; Accounting; Accounts (Drawing up of statements of -); Advertising by mail order; Business appraisals; Business consultancy (Professional -); Business information; Business inquiries; Business investigations; Business management and organization consultancy; Business management assistance; Business management consultancy; Business management of hotels; Business organization consultancy; Business research; Compilation of information into computer databases; loyalty scheme services; administration of consumer loyalty reward programs; sales promotion through customer loyalty programs; organisation and management of customer loyalty schemes and programs; Direct mail advertising; Dissemination of advertising matter; Management (Advisory</p>
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security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; tags of card for attachment to door knobs; all included in this class.

Class 35

Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials used in retail outlets; Internet based promotion; market analysis and research;

services for business -); Marketing; Marketing research; Marketing studies; Modelling for advertising or sales promotion; On-line advertising on a computer network; Organization of exhibitions for commercial or advertising purposes; Organization of trade fairs for commercial or advertising purposes; Outsourcing services [business assistance]; Procurement services for others [purchasing goods and services for other businesses]; Production of advertising films; Publicity; Publicity material rental; Radio advertising; Rental of advertising space; Rental of advertising time on communication media; Sales promotion for others; Systemization of information into computer databases; Television advertising; Updating of advertising material; Writing of publicity texts; Advertising and marketing; advertising services; business data analysis; online advertising and marketing services; promotional services; placing advertisements and promotional displays in electronic sites accessed via computer networks; compiling and maintaining online directories; sales promotion (for others); computer data recording services; systemization of information into computer databases; business information services; providing business information over the internet; advertising, marketing and promotional services provided by means of social media; business operation of shopping malls; business management of retail outlets.

Class 36

Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to

marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; window dressing; information, advisory and consultancy services relating to the aforesaid.

Class 36

Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes in relation to accommodation and hospitality; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and real estate

finance, provided on-line from a computer database or the Internet; financial management; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit services; saving scheme services; banking; saving scheme services; contributory benefit scheme services; leasing, namely, financial leasing, credit leasing, land leasing, real estate leasing, leasing of shopping mall space, leasing of buildings, and leasing of commercial property; mortgage, namely mortgage advice, mortgage insurance, mortgage lending, mortgage brokering, and mortgage banking; securities, namely, securities lending, securities underwriting, securities management, and securities brokerage; brokerage; investment, namely, investment consultancy, investment brokerage, investment management, investment information, investment analysis, investment banking, and investment advice; personal finance service; insurance services; financial and investment consultancy and analysis services; recording, counting and billing services for financial transactions;

developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

Class 37

Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; cleaning, maintenance and renovation of property [caretaking] and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration

exchanging money and electronic funds transfer services; issuing of travellers cheques; debit card services; financial consultancy; financial evaluation; financial sponsorship; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; fundraising and financial sponsorship; charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others]; **financial card services; retail financing services; information, advisory and consultancy services relating to the aforesaid.**

Class 41

Organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities; organisation and provision of facilities for conferences, meetings and events, namely sporting events, dancing events, musical events, and educational events.

Class 43

Services for providing food and drink; temporary accommodation; preparation of food and drink; bistro, cafe, cafeteria, public house, wine bar, bar, hotel, restaurant and banqueting services; preparation of food and drink for consumption in stations and on trains; **catering services and canteen services; snack-bar services;** consultation relating to food, drink, catering, restaurant and cafeteria

of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing

services; providing food and drink through vending machines; **takeaway food services; self-service restaurants**; organisation of and provision of facilities for weddings; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

UK970

Class 9

Computer software; computer programs; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software [...] with multimedia and interactive functions; **smart cards, magnetic coded cards, electronic data carrier cards, encoded loyalty cards, chip cards; cards using magnetic memories and integrated circuit memories; cards containing an integrated circuit chip; encoded chip cards containing programming used for loyalty programs, rewards programs and card holder preferences; security encoded cards; cards encoded with security features for authentication purposes; hologram impregnated cards.**

Class 16

Printed matter; printed publications; stationery; instructional and teaching materials; newspapers; periodicals; journals; newsletters; bulletins; magazines; books; directories; handbooks; manuals;

food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services; all included in this class.

brochures; pamphlets; leaflets; guides; exercise books; lever arch files; document folders and wallets; publicity materials; posters; postcards; cards; paper loyalty cards; certificates; gazettes; advertising materials and display materials; photographs; packaging materials; printers' type; shopping [carrier] bags of plastic; Block notepads; Desk note pads; Removable selfstick notes; catalogues; vouchers; gift vouchers; gift cards; cases for pens; pens; pencils; adhesive for stationery purposes; calendars; agendas; diaries [printed matter]; wall charts for use as diaries; artists materials; cards made of plastic [other than encoded or magnetic]; Magazines [periodicals].

Class 35

Advertising; Business management; Business administration; Office functions; Accounting; Accounts (Drawing up of statements of -); Advertising by mail order; Business appraisals; Business consultancy (Professional -); Business information; Business inquiries; Business investigations; Business management and organization consultancy; Business management assistance; Business management consultancy; Business management of hotels; Business organization consultancy; Business research; Compilation of information into computer databases; loyalty scheme services; administration of consumer loyalty reward programs; sales promotion through customer loyalty programs; organisation and management of customer loyalty schemes and programs; Direct mail advertising; Dissemination of advertising matter; Management (Advisory

	<p> services for business -); Marketing; Marketing research; Marketing studies; Modelling for advertising or sales promotion; On-line advertising on a computer network; Organization of exhibitions for commercial or advertising purposes; Organization of trade fairs for commercial or advertising purposes; Outsourcing services [business assistance]; Procurement services for others [purchasing goods and services for other businesses]; Production of advertising films; Publicity; Publicity material rental; Radio advertising; Rental of advertising space; Rental of advertising time on communication media; Sales promotion for others; Systemization of information into computer databases; Television advertising; Updating of advertising material; Writing of publicity texts; Advertising and marketing; advertising services; business data analysis; online advertising and marketing services; promotional services; placing advertisements and promotional displays in electronic sites accessed via computer networks; compiling and maintaining online directories; computer data recording services; business information services; providing business information over the internet; advertising, marketing and promotional services provided by means of social media; business operation of shopping malls; business management of retail outlets. </p> <p> <u>Class 36</u> Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet; financial </p>
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	<p>management; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit services; saving scheme services; banking; contributory benefit scheme services; financial leasing; mortgage; securities; brokerage; investment; personal finance service; insurance services; financial and investment consultancy and analysis services; recording, counting and billing services for financial transactions; exchanging money and electronic funds transfer services; issuing of travellers cheques; debit card services; financial consultancy; financial evaluation; financial sponsorship; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; fundraising and financial sponsorship; charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others]; financial card services; retail financing services; Issuing of charge cards, bank cards, credit cards, debit cards, stored</p>
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	<p>value cards, payment cards, pre-paid cards, pre-paid magnetic cards; Issuing of encoded chip cards containing programming used for financial applications; information, advisory and consultancy services relating to the aforesaid.</p> <p><u>Class 41</u> Organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities.</p> <p><u>Class 43</u> Services for providing food and drink; temporary accommodation; preparation of food and drink; bistro, cafe, cafeteria, public house, wine bar, bar, hotel, restaurant and banqueting services; preparation of food and drink for consumption in stations and on trains; catering services and canteen services; snack-bar services; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; takeaway food services; self-service restaurants; organisation of and provision of facilities for conferences, weddings, meetings and events; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.</p>
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ANNEX 6

UK575

Class 9

Computer software; computer programs; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software [...] with multimedia and interactive functions.

Class 16

Printers' type.

Class 36

Charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others].

Class 41

Organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities; organisation and provision of facilities for conferences, meetings and events, namely sporting events, dancing events, musical events, and educational events.

Class 43

Preparation of food and drink for consumption in stations and on trains; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; of and provision of facilities for weddings; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

UK970

Class 9

Computer software; computer programs; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software [...] with multimedia and interactive functions.

Class 16

Printers' type.

Class 36

Charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others].

Class 41

Organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities.

Class 43

Preparation of food and drink for consumption in stations and on trains; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; organisation of and provision of facilities for conferences, weddings, meetings and events; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

ANNEX 7

FPL's specifications (the opponent)	FGFS's specification (the applicant)
<p>UK195</p> <p><u>Class 9</u> Downloadable electronic publications.</p> <p><u>Class 16</u> Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; tags of card for attachment to door knobs.</p> <p><u>Class 35</u></p>	<p>UK953</p> <p><u>Class 36</u> Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit services; saving scheme services; contributory benefit scheme services; financial leasing; information, advisory and consultancy services in relation to the aforesaid; personal finance service; insurance services; debit card services; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail outlets; arranging discounts in connection with the provision of services or goods by others; financial card services; retail financing services; Issuing of</p>

Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials used in retail outlets; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information,

charge cards, bank cards, **credit cards**, debit cards, **stored value cards**, **payment cards**, **pre-paid cards**, **pre-paid magnetic cards**; **Issuing of encoded chip cards containing programming used for financial applications**; information, advisory and consultancy services relating to the aforesaid.

UK964

Class 36

Insurance; financial affairs; monetary affairs; real estate affairs; provision of financial information; information services relating to finance, provided on-line from a computer database or the Internet; provision of prepaid cards and tokens; issuing tokens and coupons of value in the nature of gift vouchers and rewards in relation to customer loyalty schemes and programs, incentive schemes and customer membership schemes; issuing of payment gift vouchers; issuing of vouchers; issuing electronic payment cards in connection with bonus and reward schemes, customer loyalty schemes and customer membership schemes; financial services relating to the provision of vouchers for the purchase of goods; issuing electronic payment cards in relation to bonus and reward schemes; credit card services; discount card services; automated payment services; personal loan services; credit services; saving scheme services; contributory benefit scheme services; financial leasing; information, advisory and consultancy services in relation to the aforesaid; **personal finance service; insurance services; debit card services; financial sponsorship; financing services; arranging discounts as part of a membership scheme or programme; arranging discounts for service and retail**

advisory and consultancy services relating to the aforesaid.

Class 36

Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes in relation to accommodation and hospitality; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories and real estate developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust

outlets; arranging discounts in connection with the provision of services or goods by others; financial card services; retail financing services; Issuing of **charge cards, bank cards, credit cards, debit cards, stored value cards, payment cards, pre-paid cards, pre-paid magnetic cards;** Issuing of **encoded chip cards containing programming used for financial applications;** information, advisory and consultancy services relating to the aforesaid.

services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

Class 37

Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; property management for others [caretaking] and janitorial services; cleaning, maintenance and construction of buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.

UK644

Class 36

Real estate affairs, namely, rental of commercial property, the sale of residential and commercial property and property estate management services.

Class 37

Property maintenance.

UK804 and UK800

Class 36

Letting and leasing of hotels; corporate fund management, investment fund management, placement of funds provided in relation to real estate and hospitality; information and advisory services relating to the aforesaid.

UK799 and UK798

Class 36

Letting and leasing of hotels; corporate fund management, investment fund management, placement of funds provided in relation to real estate and hospitality; information and advisory services relating to the aforesaid.

UK599

Class 9

Downloadable electronic publications.

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or

printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; tags of card for attachment to door knobs.

Class 35

Accounting; administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes in relation to accommodation and hospitality; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design

of marketing materials used in retail outlets; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of business competitions; organisation of exhibitions for business and commercial purposes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.

Class 36

Arranging equity sharing deals; asset management; business trust management services; business trust service; capital fund management, corporate fund management, investment fund management; capital investment; corporate finance; corporate trusts services; credit services; developing and organising securitisation financial structures; factoring services; financial assistance services; financial evaluation and analysis; financial guarantee services; financial underwriting; financial valuations; financing services; investment services; investment trust services; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes in relation to accommodation and hospitality; letting and leasing of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, service apartments, buildings,

houses, condominiums, apartments, flats, warehouses, factories and real estate developments; real estate services relating to management, development advisory, valuation and project management and co-ordination of real estate; organisation of trading markets for financial services; placement of funds; portfolio management; property portfolio management; property investment; real estate affairs; real estate agency services; real estate appraisals; real estate brokerage; real estate financing; real estate investment; real estate valuations; rent collection services; services for the establishment of trusts; surety services; trust administration; trust management services; trust services; trusteeship services; unit trust services, unit trust management services, unit trust investment services; tax payment processing, tax and duty payment services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

Class 37

Building construction supervision; building construction; building project management and co-ordination; building project management services in respect of property development and property constructions, construction inspection; building project management to oversee the manufacture and installation of shop fittings, stands and interiors; building project management work relating to building contracts and the construction, erection and installation of prefabricated metal and concrete structures; cleaning, maintenance and renovation of property [caretaking] and janitorial services; cleaning, maintenance and construction of

buildings, renovation, refurbishing, repair, painting and decoration of buildings, restoration of office and retail premises; commercial retail property building, construction and maintenance services; construction of buildings, roads and bridges, real estate including commercial properties; demolition of property; hire and rental of industrial construction and cleaning equipment; property development (building and construction services), renovation of property; information, advisory and consultancy services relating to the aforesaid.

Class 42

Architectural design and construction design of new buildings, construction drafting, drafting of construction and site plans, land surveying, surveying of land plots for fitness of construction; architectural services; building and land surveying; building surveying and property inspection; chartered surveying services; computerised data storage services, all for information, images, audio material and text; computer software technical support services; design of printed materials used in retail outlets; design agency, design of shop interiors, design of shop fittings, design project management; design of computer based building management and maintenance systems and design of building technology related projects; planning of real estate development; preparation of reports relating to all the aforesaid; quantity surveying; surveying services; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing,

hotels and rooms; provision of exhibition, seminar and conference facilities; services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services.

UK903

Class 36

Real estate affairs, namely, rental of commercial property, the sale of residential and commercial property and property estate management services.

UK241

Class 36

Real estate affairs, namely, managing serviced apartments; arranging letting of serviced apartments; letting and leasing of serviced apartments; serviced apartment house management services.

Class 43

Hotel and temporary accommodation reservation services; Rental of temporary accommodation (hotels); provision of accommodation by way of hotels.

UK965

Class 36

Renting of serviced apartments; arranging of letting of serviced apartments.

Class 43

Rental of temporary accommodation (hotels).

UK369

Class 35

Customer loyalty services, namely providing a travel and hotel loyalty program featuring loyalty points, discount rates, and recognition benefits for commercial, promotional and/or advertising purposes; issuing of tokens of value in relation to travel and hotel customer loyalty schemes, issuing of benefits of value in connection with travel incentive schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty schemes in relation to hotels and travel.

UK238

Class 9

Downloadable electronic publications.

Class 16

Paper, cardboard and goods made from these materials, namely, notebooks for writing, printed banners, promotional banners, photography backdrops [printed matter], pens, posters and stickers; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); name badge holders [office requisites]; identity cards

(other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; nonmagnetic identification cards; tags of card for attachment to door knobs; all included in this class.	
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ANNEX 8

UK953 and UK964

Class 36

Automated payment services; debit card services; issuing of bank cards, debit cards; information, advisory and consultancy services in relation to the aforesaid.

ANNEX 9

HOF's goods and services (the opponent)	FPL's goods and services (the applicant)
<p>UK905</p> <p><u>Class 35</u></p> <p>Department store services connected with the sale of beauty products, cosmetics, skin care products, toiletries, Incense, essential oils, perfumery, perfume sachets, perfumed items, Candles, night lights, jewellery, watches, Leather goods and goods made of imitation leather, trunks and travel bags, luggage, umbrellas, purses, wallets, key fobs, Furniture, mirrors, picture frames, racks and shelves, storage boxes, figurines, Domestic utensils and containers, ceramics, glassware, candle holders, incense holders, baskets, storage boxes, vases and bowls, Textiles and textile articles, bedding and bed clothing, bed canopies and hangings, wall hangings, throws and spreads, towels and towelling sets, blinds, curtains and drapes, table-cloths and table linens, soft furnishings, clothing, footwear and headgear.</p> <p>UK284</p> <p><u>Class 9</u></p> <p>Mobile applications (downloadable) for the retail of goods.</p> <p>UK575</p> <p><u>Class 9</u></p> <p>Computer software; computer programs; computer software and computer programs downloadable from or provided via the Internet; computer application software; computer application software for portable, mobile, handheld and tablet devices; computer software</p>	<p>UK748</p> <p><u>Class 9</u></p> <p>Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.</p> <p><u>Class 16</u></p> <p>Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists` materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers` type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes;</p>

for telecommunications and communication via local or global communication networks, including WiFi, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; computer software [...] with multimedia and interactive functions.

Class 16

Printers' type.

Class 36

Charitable collections; charitable fundraising; organisation of charitable collections; arranging charitable collections [for others]; information, advisory and consultancy services relating to the aforesaid.

Class 41

Organization, arranging and conducting of exhibitions, conferences, conventions, seminars, workshops, expositions and events; leisure centre, health club, fitness centre and gymnasium services; provision of recreational facilities; provision of gym facilities; organisation and provision of facilities for conferences, meetings and events, namely sporting events, dancing events, musical events, and educational events.

Class 43

Preparation of food and drink for consumption in stations and on trains; consultation relating to food, drink, catering, restaurant and cafeteria services; providing food and drink through vending machines; organisation of and provision of facilities for weddings; contract services for food and drink; information, advisory and consultancy services in relation to all of the aforesaid services.

cards embossed or printed with security features for identification purposes; **cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic);** carrier bags (disposable) of paper card or plastics; **cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic);** correspondence cards; **credit cards (other than encoded or magnetic);** debit cards (other than encoded or magnetic); **discount cards (other than encoded or magnetic);** identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; **plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded);** tags of card for attachment to door knobs; **value cards (other than machine readable or magnetic).**

Class 36

Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; real estate valuations; rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; portfolio management; property portfolio management; apartment house management services; management,

UK166

Class 9

Mobile applications (downloadable) for the retail of goods.

development advisory, valuation and project management and co-ordination; all relating to real estate; building management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; real estate investment; investment trust services; trust administration; trusteeship services; trust services; trust management services; services for the establishment of trusts; unit trust services, unit trust management services, unit trust investment services; financial evaluation and analysis; financial valuations; financing services; real estate financing; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; **issuing of tokens of value in relation to customer loyalty schemes; issuing of vouchers or tokens of value in relation to the supply of benefits for customer loyalty and frequent buyer schemes;** information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; **services for providing food and drink, restaurant, catering and banquet services; restaurant chains, cafeteria, cafes, snack bars, coffee bars, coffee shops and tea room services;** restaurant booking or reservation services provided in relation to a customer loyalty or frequent buyer scheme; temporary accommodation (hotels, motels, resorts) booking

and reservation services provided in relation to a customer loyalty or frequent buyer scheme.

UK805

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; **adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters** and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); **printers' type; printing blocks;** printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; **cards (other than encoded or magnetic);** cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; **cards for encoding;**

cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded); tags of card for attachment to door knobs; value cards (other than machine readable or magnetic).

UK536

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

Class 16

Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard;

	padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery or household purposes; artists` materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers` type; printing blocks; printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards; cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; cards for encoding; cards for use as charge cards (other than encoded or magnetic); cards for use as credit cards (other than encoded or magnetic); cards for use as data carriers (other than encoded or magnetic); cards made of plastic (other than encoded or magnetic); carrier bags (disposable) of paper card or plastics; cash cards (other than encoded or magnetic); cash disbursement cards (other than encoded or magnetic); charge cards (other than encoded or magnetic); correspondence cards; credit cards (other than encoded or magnetic); debit cards (other than encoded or magnetic); discount cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders;
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identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; **plastic cards (other than magnetic or encoded); printed cards (other than magnetic or encoded); printed cash cards (other than magnetic or encoded);** tags of card for attachment to door knobs; **value cards (other than machine readable or magnetic).**

Class 35

Accounting; **administration, organisation and management of loyalty and incentive schemes and customer loyalty programmes;** advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring and **facilitation of sales of products and services via a global computer network;** business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials and printed materials used in retail outlets;

display services for merchandise; distribution and demonstration of goods and samples; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of exhibitions for business and commercial purposes; **organisation, operation and supervision of sales and promotional schemes;** preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.

UK584

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

UK586

Class 9

Computer software applications, downloadable; downloadable applications for use with mobile devices; downloadable computer graphics; downloadable electronic publications; downloadable website design templates; downloadable image files; downloadable video recordings.

ANNEX 10

UK748

Class 16

Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; tags of card for attachment to door knobs.

Class 36

Real estate affairs; real estate agency services; accommodation letting agency, house agency services; arranging letting of apartments; real estate valuations; rent collection services; letting and leasing of real estate and residential properties, service apartments, buildings, houses, condominiums, apartments, flats and developments; portfolio management; property portfolio management; apartment house management services; management, development advisory, valuation and project management and co-ordination; all relating to real estate; building management; investment services; property investment; real estate brokerage; real estate appraisals; asset management; real estate investment; investment trust services; trust administration; trusteeship services; trust services; trust management services; services for the establishment of trusts; unit trust services, unit trust management services, unit trust investment services; financial evaluation and analysis; financial valuations; financing services; real estate financing; tax, goods and services tax and duty services, all the aforesaid services relating to real estate, real property, premises and/or accommodation; preparation of reports relating to the foregoing services; information, advisory and consultancy services relating to the aforesaid.

Class 43

Hotel and temporary accommodation reservation services; boarding houses, rental of temporary accommodation (hotels/boarding houses); provision of accommodation by way of housing, hotels and rooms; provision of exhibition, seminar and conference facilities; restaurant booking or reservation services provided in relation to a customer loyalty or frequent buyer scheme; temporary accommodation

(hotels, motels, resorts) booking and reservation services provided in relation to a customer loyalty or frequent buyer scheme.

UK805

Class 16

Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; tags of card for attachment to door knobs.

UK536

Class 16

Paper and cardboard; boxes of paper or cardboard; stuffing of paper or cardboard; padding materials of paper or cardboard; placards of paper or cardboard; labels of paper or cardboard; signboards of paper or cardboard; paperboard; paper for packaging; containers for ice made of paper or cardboard; Bottle envelopes of cardboard or paper; Bottle wrappers of cardboard or paper; printed matter; book binding material; photographs; stationery; adhesives for stationery purposes; office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printed publications; periodicals; books; magazines; newsletters; brochures; booklets; pamphlets; manuals; journals; leaflets; greeting cards; advertising and promotional material; access control cards (other than encoded or magnetic); cards embossed or printed with security features for authentication purposes; cards embossed or printed with security features for identification purposes; carrier bags (disposable) of paper card or plastics; correspondence cards; debit cards (other than encoded or magnetic); identification cards (other than encoded or magnetic); identity card holders; identity cards (other than encoded or magnetic); information supports (cards, not encoded or magnetic) bearing personal identification data; non-magnetic identification cards; tags of card for attachment to door knobs.

Class 35

Accounting; advertising and publicity services; business representative services; business analysis services; business and market statistical information; business management and administration of real estate, residential, industrial and commercial properties, offices, business centers, departmental stores, shopping centers, retail and wholesale outlets, temporary accommodation, hotels, motels, resorts, service apartments, buildings, houses, condominiums, apartments, flats, warehouses, factories, property and real estate developments; business management and business administration; business management in relation to commercial property; business organisation, management, performance monitoring; business planning; business research; commercial management; compilation of business directories and business guides; compilation of mailing lists; data handling and retrieval services, all for information, images, audio material and text; data processing; direct mail advertising; design of marketing materials and printed materials used in retail outlets; Internet based promotion; market analysis and research; marketing and promotional services; ordering products and services for third parties via electronic data transmission; organisation of exhibitions for business and commercial purposes; preparation and issuing of publicity materials; preparation of business reports; provision of information relating to trade development and business opportunity; public relations services, dissemination of advertising matter; rental of advertising space; sales promotion through customer loyalty programmes for others; television advertising; information, advisory and consultancy services relating to the aforesaid.