

O/0408/25

TRADE MARKS ACT 1994

SUPPLEMENTARY DECISION

IN THE MATTER OF TRADE MARK APPLICATION
NO. 3771697 BY
HELESI PODER
TO REGISTER THE TRADE MARK:

(SERIES OF THREE)

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IN CLASSES 9, 35, 38, 42 & 45

AND

OPPOSITION THERETO
UNDER NO. 438033
BY
GIFT UNIVERSE GROUP LIMITED

1. On 18 March 2025, I issued a decision (O/0241/25) in the above referenced proceedings, upholding the partial opposition in respect of certain goods and services. It has been drawn to my attention that the decision issued in this matter contained an error at paragraph 69 concerning the outcome of the partial opposition. I erroneously stated that “[...] *the application will be refused in relation to Class 9 goods. [...]*” which, given the nature of the opposition and my findings made earlier in my decision, should be refused only in relation to the opposed terms under Class 9, not the entire Class 9.
2. I regard the above as an irregularity in procedure and capable of being corrected under Rule 74(1) of the Trade Marks Rules 2008. Consequently, this supplementary decision corrects that error to the extent that paragraph 69 is hereby corrected to read:

“The partial opposition has been successful. The application will be refused in respect of the following goods and services:

Class 9: Software for online messaging; Community software; Mobile software; Platform software; Telecommunications software; Communications software; Mobile apps; Downloadable mobile applications; Downloadable software; Networking software; Software downloadable from the internet; E-commerce software.

Class 35: Provision of an online marketplace for buyers and sellers of goods and/or services.

The application may proceed to registration for the following goods and services that were unopposed:

Class 9: Search engine software; Database engine.

Class 38: Telecommunication; Electronic network communications; Digital network telecommunications services; Internet

communication; Internet chatrooms and Internet forums; Providing Internet chatrooms.

Class 42: Software as a service [SAAS]; Software as a service; Platform as a service [PaaS].

Class 45: Online social networking services; Online social networking services accessible by means of downloadable mobile applications.”

3. The appeal period will be reset and will now start from the date of this supplementary decision.

Dated this 1st day of May 2025

**Dr Stylianos Alexandridis
For the Registrar,
The Comptroller General**