O/0411/26

TRADE MARKS ACT 1994

CONSOLIDATED PROCEEDINGS

IN THE MATTER OF APPLICATION NO. UK00003944292
BY WORLD KUK SOOL ASSOCIATION, INC.
IN CLASSES 8, 9, 16, 25, 28, 35 AND 41

AND OPPOSITION THERETO UNDER NO. 443345
BY ALEX PAUL

AND IN THE MATTER OF REGISTRATION NO. UK00906941751
IN THE NAME OF WORLD KUK SOOL ASSOCIATION, INC.
IN CLASSES 16, 25 AND 41

AND AN APPLICATION FOR A DECLARATION OF INVALIDITY THERETO
UNDER NO. 505880 BY ALEX PAUL

AND IN THE MATTER OF REGISTRATION NO. UK00912010823
IN THE NAME OF WORLD KUK SOOL ASSOCIATION, INC.
IN CLASSES 8, 9, 16, 25 AND 41

AND AN APPLICATION FOR A DECLARATION OF INVALIDITY THERETO
UNDER NO. 506554 BY ALEX PAUL

BACKGROUND AND PLEADINGS

1. World Kuk Sool Association, Inc ("WKS") is the proprietor of two trade mark registrations and one trade mark application, the details of which are as follows:

KUK SOOL WON
UKTM no. 3944292
Filing date: 10 August 2023
("the First Contested Mark")

KUK SOOL WON
UKTM no. 906941751
Filing date: 28 May 2008
Registration date: 8 January 2009
("the Second Contested Mark")

KUK SOOL
UKTM no. 912010823
Filing date: 24 July 2013
Registration date: 18 December 2013
("the Third Contested Mark")

(together "the Contested Marks")

2. The goods and services for which protection is granted or sought in respect of the Contested Marks is set out in the Annex to this decision.

3. On 30 May 2023, 6 March 2023 and 2 October 2023 respectively, Mr Alex Paul opposed the registration of the First Contested Mark and filed applications to invalidate the Second and Third Contested Marks pursuant to section 47 of the Trade Marks Act 1994 ("the Act"). In respect of all three proceedings, Mr Paul relies upon sections 3(1)(a), 3(1)(b), 3(1)(d) and 3(6) of the Act. In respect of the proceedings filed against the First and Second Contested Marks, Mr Paul also relies upon section 3(1)(c) of the Act.

4. All of Mr Paul's section 3(1) claims are based upon his position that KUK SOOL WON refers to a place where Korean martial arts take place and KUK SOOL refers to Korean martial arts. As a result, Mr Paul claims that the Contested Marks are incapable of performing the essential function of a trade mark, are non-distinctive, descriptive and/or customary in the current languages and/or established practices of the trade.

5. Mr Paul's section 3(6) ground is intrinsically linked to the section 3(1) grounds, as it is based upon the proposition that WKS knew that the Contested Marks were incapable of performing the essential function of a trade mark (because they are descriptive, non-distinctive and/or generic) because they had already been told as such by a US federal judge. As a result, Mr Paul claims that the applications to register the Contested Marks were made in bad faith.

6. WKS filed counterstatements denying the claims made. WKS claims that the Contested Marks have no inherent meaning in the English language (or any other language). It claims that the Contested Marks are fanciful terms coined by the founder of WKS and used to identify WKS's own type of martial arts system. WKS claims that the Contested Marks are only used by WKS or its authorised licensees.

THE HEARING AND REPRESENTATION

7. A hearing took place before me on 11 June 2025, by video conference. Mr Paul represented himself. WKS was represented by Ms Georgina Messenger of Counsel, instructed by Forresters IP LLP. Both parties filed skeleton arguments in advance of the hearing.

EVIDENCE AND SUBMISSIONS

8. Mr Paul filed evidence in chief in the form of:

a. The witness statement of Hwa Yun Leung dated 7 June 2023, which is accompanied by 1 exhibit (HYL1). Ms Leung is a professional Korean language teacher.

b. The first witness statement of Mr Paul himself dated 7 June 2023, which is accompanied by 6 exhibits (AP1 to AP6).

c. The second witness statement of Mr Paul dated 8 June 2023, which is accompanied by 4 exhibits (AP1 to AP4).

d. The witness statement of Dr Jieun Kiaer dated 5 March 2023. Dr Kiaer is a professor of Korean languages.

e. The witness statement of Chulmin Lee dated 5 March 2023. Mr Lee is a practicing martial artist.

f. The witness statement of Eugene Yi dated 6 July 2023. Ms Yi is a martial artist.

g. The third witness statement of Mr Paul dated 3 March 2024, which is accompanied by 2 exhibits (AP1 and AP2).

9. Mr Paul's evidence was accompanied by written submissions dated 10 June 2023.

10. WKS filed evidence in the form of:

a. The witness statement of Hyuk Suh dated 10 August 2023, which is accompanied by 15 exhibits (IH1 to IH15). Mr Suh is the Grandmaster and founder of WKS. I note that Mr Suh's evidence includes a number of other witness statements from individuals who practice WKS's martial art system.

b. The witness statement of Jon Jekel dated 11 June 2024, which is accompanied by 6 exhibits (JJ1 to JJ6). Mr Jekel is a licensed attorney in the State of California.

c. The witness statement of Alex Suh dated 2 May 2024, which is accompanied by 3 exhibits (AS1 to AS3). Mr Suh is the Senior Executive Master of WKS.

11. Mr Paul filed evidence in reply in the form of:

a. The witness statement of Je Soon Kang dated 6 August 2023, which is accompanied by 1 exhibit. Mr Soon Kang has over 20 years' experience of practicing and teaching Korean martial arts.

b. The witness statement of John Edmiston dated 6 August 2023. Mr Edmiston has over 26 years' experience practicing and teaching Korean martial arts.

c. The witness statement of Craig Hill dated 5 August 2023. Mr Hill has over 23 years' experience practicing and teaching Korean martial arts.

d. The witness statement of Richard Steel dated 5 August 2023. Mr Steel has nearly 20 years' experience practicing and teaching Korean martial arts.

e. The fourth witness statement of Mr Paul dated 15 August 2023, which is accompanied by 3 exhibits (AP1 to AP3).

f. The fifth witness statement of Mr Paul dated 27 August 2023, which is accompanied by 1 exhibit (AP1).

g. The sixth witness statement of Mr Paul dated 5 May 2024, which is accompanied by 2 exhibits (AP1 and AP2).

12. Mr Paul's evidence in reply was accompanied by written submissions dated 18 August 2023 and 5 May 2024.[1]

[1] For clarity, the evidence in reply (and submissions) that were filed in August 2023 were not originally included in the evidence bundle for the hearing. This is because they were originally filed at the incorrect time by Mr Paul. The Registry stated that he would have an opportunity to file this evidence at a later date, but he was not expressly invited to do so. Consequently, I gave a preliminary view that that evidence should be admitted, and that preliminary view was not challenged by WKS. Consequently, it forms part of the evidence to be considered in reaching my decision.

RELEVANCE OF EU LAW

13. 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.

PRELIMINARY MATTER

14. To the extent that the parties' evidence consists of opinion from various individuals regarding whether or not the terms KUK SOOL or KUK SOOL WON are distinctive, I have attributed this very little evidential weight. They are only able to speak for their own views, and not the views of the relevant public at large. Consequently, this evidence is of limited value in the assessment that I must undertake.

DECISION

15. Section 3 has application in invalidation proceedings by virtue of section 47 of the Act, the relevant parts of which read as follows:

> "47. (1) The registration of a trade mark may be declared invalid on the ground 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). Where the trade mark was registered in breach of subsection (1)(b), (c) or (d) of that section, it shall not be declared invalid if, in consequence of the use which has been made of it, it has after registration acquired a distinctive character in relation to the goods or services for which it is registered.
>
> […]

(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.

[…]

(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."

16. Section 3(1) of the Act reads as follows:

"3.— Absolute grounds for refusal of registration

(1) The following shall not be registered—

(a) signs which do not satisfy the requirements of section 1(1).

(b) trade marks which are devoid of any distinctive character.

(c) trade marks which consist exclusively of signs or indications which may serve, in trade, to designate the kind, quality, quantity, intended purpose, value, geographical origin, the time of production of goods or of rendering of services, or other characteristics of goods or services,

(d) trade marks which consist exclusively of signs or indications which have become customary in the current language or in the bona fide and established practices of the trade:

Provided that, a trade mark shall not be refused registration by virtue of paragraph (b), (c) or (d) above if, before the date of application for registration, it has in fact acquired a distinctive character as a result of the use made of it.".

17. Section 1(1) of the Act reads:

> "1(1) In this Act "trade mark" means any sign which is capable-
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> (a) of being represented in the register in a manner which enables the registrar and other competent authorities and the public to determine the clear and precise subject matter of the protection afforded to the proprietor, and
>
> (b) of distinguishing goods or services of one undertaking from those of other undertakings.
>
> A trade mark may, in particular, consist of words (including personal names), designs, letters, numerals, colours, sounds or the shape of goods or their packaging."

18. In *SAT.1 SatellitenFernsehen GmbH v OHIM,* Case C-329/02 P, the Court of Justice of the European Union stated that:

> "25. Thirdly, it is important to observe that each of the grounds for refusal to register listed in Article 7(1) of the regulation is independent of the others and requires separate examination. Moreover, it is appropriate to interpret those grounds for refusal in the light of the general interest which underlies each of them. The general interest to be taken into consideration when examining each of those grounds for refusal may or even must reflect different considerations according to the ground for refusal in question (Joined Cases C-456/01 P and C-457/01 *P Henkel v OHIM* [2004] ECR I-0000, paragraphs 45 and 46)."

The relevant public

19. I bear in mind that the relevant UK public for the goods and services in issue will include both members of the general public (in the case of, for example, podcasts) and business users (in the case of, for example, business management services). It will also include those with a special interest in martial arts (where the specification

lists goods and services that are aimed at that sector of the market, such as martial arts training equipment).

20. The level of attention paid is likely to vary from medium (where relatively inexpensive goods/services are purchased or where the purchase is being made for recreational activities) to high (where the goods/services are expensive or where the user is making the purchase in the interests of their business activities).

Section 3(1)(a)

21. This ground is concerned with marks that do not satisfy the requirements of section 1(1) of the Act i.e. that are not capable of being represented satisfactorily in the Register and/or which are not capable of distinguishing the goods/services of one undertaking from those of another. The Contested Marks are word marks, which are plainly capable of being recorded in the Register. Whilst section 1(1)(b) makes reference to the marks being able to distinguish goods/services of one undertaking from those of another, which a mark will plainly not be able to do if it is descriptive/non-distinctive, section 1(1) is concerned with the inherent qualities of the sign itself, which make it incapable of even acquiring a distinctive character through use, not merely descriptive/non-distinctive marks (these are covered by sections 3(1)(b) and (c) of the Act). There is nothing in this case which means that the Contested Marks fall foul of section 3(1)(a) of the Act and the claims under this ground are dismissed.

Section 3(1)(c)

22. I bear in mind that this ground is directed at the First and Second Contested Marks only. The claims must be assessed at the relevant dates for those marks, being 10 August 2023 and 28 May 2008.

23. The case law under section 3(1)(c) (corresponding to article 7(1)(c) of the EUTM Regulation, formerly article 7(1)(c) of the CTM Regulation) was set out by Arnold J. (as he then was) in *Starbucks (HK) Ltd v British Sky Broadcasting Group Plc* [2012] EWHC 3074 (Ch) as follows:

"91. The principles to be applied under art.7(1)(c) of the CTM Regulation were conveniently summarised by the CJEU in *Agencja Wydawnicza Technopol sp. z o.o. v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)* (C-51/10 P) [2011] E.T.M.R. 34 as follows:

> "33. A sign which, in relation to the goods or services for which its registration as a mark is applied for, has descriptive character for the purposes of Article 7(1)(c) of Regulation No 40/94 is – save where Article 7(3) applies – devoid of any distinctive character as regards those goods or services (as regards Article 3 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), see, by analogy, [2004] ECR I-1699, paragraph 19; as regards Article 7 of Regulation No 40/94, see *Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) v Wm Wrigley Jr Co* (C-191/01 P) [2004] 1 W.L.R. 1728 [2003] E.C.R. I-12447; [2004] E.T.M.R. 9; [2004] R.P.C. 18, paragraph 30, and the order in *Streamserve v OHIM* (C-150/02 P) [2004] E.C.R. I-1461, paragraph 24).
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> 36. … due account must be taken of the objective pursued by Article 7(1)(c) of Regulation No 40/94. Each of the grounds for refusal listed in Article 7(1) must be interpreted in the light of the general interest underlying it (see, inter alia, *Henkel KGaA v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)* (C-456/01 P) [2004] E.C.R. I-5089; [2005] E.T.M.R. 44, paragraph 45, and *Lego Juris v OHIM* (C-48/09 P), paragraph 43).
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> 37. The general interest underlying Article 7(1)(c) of Regulation No 40/94 is that of ensuring that descriptive signs relating to one or more characteristics of the goods or services in respect of which registration as a mark is sought may be freely used by all traders offering such goods or services (see, to that effect, *OHIM v Wrigley*, paragraph 31 and the case-law cited).

38. With a view to ensuring that that objective of free use is fully met, the Court has stated that, in order for OHIM to refuse to register a sign on the basis of Article 7(1)(c) of Regulation No 40/94, it is not necessary that the sign in question actually be in use at the time of the application for registration in a way that is descriptive. It is sufficient that the sign could be used for such purposes (*OHIM v Wrigley*, paragraph 32; *Campina Melkunie*, paragraph 38; and the order of 5 February 2010 in *Mergel and Others v OHIM* (C-80/09 P), paragraph 37).

39. By the same token, the Court has stated that the application of that ground for refusal does not depend on there being a real, current or serious need to leave a sign or indication free and that it is therefore of no relevance to know the number of competitors who have an interest, or who might have an interest, in using the sign in question (Joined Cases C-108/97 and C-109/97 *Windsurfing Chiemsee* [1999] ECR I-2779, paragraph 35, and Case C-363/99 *Koninklijke KPN Nederland* [2004] ECR I-1619, paragraph 38). It is, furthermore, irrelevant whether there are other, more usual, signs than that at issue for designating the same characteristics of the goods or services referred to in the application for registration (*Koninklijke KPN Nederland*, paragraph 57).

And

46. As was pointed out in paragraph 33 above, the descriptive signs referred to in Article 7(1)(c) of Regulation No 40/94 are also devoid of any distinctive character for the purposes of Article 7(1)(b) of that regulation. Conversely, a sign may be devoid of distinctive character for the purposes of Article 7(1)(b) for reasons other than the fact that it may be descriptive (see, with regard to the identical provision laid down in Article 3 of Directive 89/104, *Koninklijke KPN Nederland,* paragraph 86, and *Campina Melkunie*, paragraph 19).

47. There is therefore a measure of overlap between the scope of Article 7(1)(b) of Regulation No 40/94 and the scope of Article 7(1)(c) of that

regulation (see, by analogy, *Koninklijke KPN Nederland*, paragraph 67), Article 7(1)(b) being distinguished from Article 7(1)(c) in that it covers all the circumstances in which a sign is not capable of distinguishing the goods or services of one undertaking from those of other undertakings.

48. In those circumstances, it is important for the correct application of Article 7(1) of Regulation No 40/94 to ensure that the ground for refusal set out in Article 7(1)(c) of that regulation duly continues to be applied only to the situations specifically covered by that ground for refusal.

49. The situations specifically covered by Article 7(1)(c) of Regulation No.40/94 are those in which the sign in respect of which registration as a mark is sought is capable of designating a 'characteristic' of the goods or services referred to in the application. By using, in Article 7(1)(c) of Regulation No 40/94, the terms 'the kind, quality, quantity, intended purpose, value, geographical origin or the time of production of the goods or of rendering of the service, or other characteristics of the goods or service', the legislature made it clear, first, that the kind, quality, quantity, intended purpose, value, geographical origin or the time of production of the goods or of rendering of the service must all be regarded as characteristics of goods or services and, secondly, that that list is not exhaustive, since any other characteristics of goods or services may also be taken into account.

50. The fact that the legislature chose to use the word 'characteristic' highlights the fact that the signs referred to in Article 7(1)(c) of Regulation No 40/94 are merely those which serve to designate a property, easily recognisable by the relevant class of persons, of the goods or the services in respect of which registration is sought. As the Court has pointed out, a sign can be refused registration on the basis of Article 7(1)(c) of Regulation No 40/94 only if it is reasonable to believe that it will actually be recognised by the relevant class of persons as a description of one of those characteristics (see, by analogy, as regards the identical provision laid down in Article 3 of Directive 89/104,

Windsurfing Chiemsee, paragraph 31, and *Koninklijke KPN Nederland*, paragraph 56)."

92. In addition, a sign is caught by the exclusion from registration in art.7(1)(c) if at least one of its possible meanings designates a characteristic of the goods or services concerned: see *OHIM v Wrigley* [2003] E.C.R. I-12447 at [32] and *Koninklijke KPN Nederland NV v Benelux-Merkenbureau* (C-363/99 [2004] E.C.R. I-1619; [2004] E.T.M.R. 57 at [97]."

24. Mr Paul's claim under this ground is that KUK SOOL WON means a place where Korean martial arts are practiced. The evidence relied upon by Mr Paul states that 'Kuk Sool Won' is a way of writing the Korean sounds of three syllables using English letters, by a process of transliterations. Thus, it is not claimed that this is a translation of any Korean words, but rather a way of spelling their pronunciation using the English alphabet. The Korean words of which 'Kuk Sool Won' is said to be a transliteration mean a place where Korean martial arts of self-defence techniques are practiced.[2] Mr Paul has adduced witness statements from various individuals that attest to the same meaning.[3] Six of these individuals are practicing martial artists (Mr Lee, Ms Yi, Mr Soon Kang, Mr Edmiston, Mr Hill and Mr Steel). Five of these individuals state that their knowledge comes from their understanding of Korean language, being native Koreans, and as consumers of Korean-style martial arts. However, it is not clear to what extent their evidence is focused upon their perception of these matters within the UK jurisdiction (as opposed to from their knowledge of practices in Korea or elsewhere). I note, in this regard, that Ms Yi, Mr Soon Kang and Mr Lee are resident in the United States. They do not, therefore, appear to be UK average consumers. There does not appear to be anything in the evidence of these six individuals which is specific to the UK market. The only statement which comes from a non-native Korean speaker who is based in the UK, and whose knowledge comes from their involvement in the martial arts community within the UK, is Mr Edmiston. This is, in my view, the high point of Mr Paul's evidence in this regard. Mr Edmiston states that the term KUK SOOL WON is used by different martial arts systems and practitioners to describe a

[2] See the witness statement of Hwa Yun Leung dated 7 June 2023.
[3] See, for example, the witness statements of Dr Kiaer and Mr Lee.

place where martial arts are practiced. However, he provides no details of the entities/individuals that he has seen/heard use this term descriptively, nor has he provided any examples (in his narrative evidence, or by way of supporting documentation) to show the term being used as such. It seems to me that this should have been easy to provide and, in the absence of such detail, the statement of Mr Edmiston is an assertion which carries little weight. Further, he appears to be talking in the present tense (i.e. referring to the position as of the date of his witness statement). Whilst this is reflective of the position at the relevant date for the First Contested Mark (which is in 2023), the relevant date for the Second Contested Mark is in 2008 (some 15 years earlier). It is not, therefore, clear whether his understanding would have been the same at the relevant date for the Second Contested Mark. I also bear in mind that Mr Edmiston is only one person, and so his views cannot necessarily be attributed to the relevant public as a whole.

25. The question that must be decided is whether, for the relevant public (being the UK public), the words KUK SOOL WON are descriptive of the goods/services for which protection is claimed. In my view, these words would have been perceived by the UK relevant public, at the relevant dates, as invented/foreign language words with no meaning. The evidence filed is not, in my view, sufficient to prove otherwise. Consequently, the term KUK SOOL WON cannot be descriptive of the goods/services in the specifications of the First and Second Contested Marks. Even if there are some members of the relevant public who would recognise that this was a transliteration, they would not make up a significant proportion of the relevant public. I am fortified in this view by the fact that the steps involved in having to understand the meaning of the Korean words (of which these words are transliterations), and then apply the meaning of the words to the goods/services at issue in order to perceive the words as descriptive of some of the goods/services, such as martial arts training and equipment, would, in my view, require too many mental steps and thus prevents them from being perceived as directly descriptive within the meaning of section 3(1)(c).

26. The claims under section 3(1)(c) of the Act are dismissed.

Section 3(1)(d)

27. I bear in mind that this ground is directed against all three Contested Marks. The relevant dates to consider are 10 August 2023 (for the First Contested Mark), 28 May 2008 (for the Second Contested Mark) and 24 July 2013 (for the Third Contested Mark).

28. In *Telefon & Buch Verlagsgesellschaft GmbH v OHIM,* Case T-322/03, the General Court summarised the case law of the Court of Justice under the equivalent of s.3(1)(d) of the Act, as follows:

> "49. Article 7(1)(d) of Regulation No 40/94 must be interpreted as precluding registration of a trade mark only where the signs or indications of which the mark is exclusively composed have become customary in the current language or in the bona fide and established practices of the trade to designate the goods or services in respect of which registration of that mark is sought (see, by analogy, Case C-517/99 *Merz & Krell* [2001] ECR I-6959, paragraph 31, and Case T-237/01 *Alcon v OHIM – Dr. Robert Winzer Pharma* (BSS) [2003] ECR II-411, paragraph 37). Accordingly, whether a mark is customary can only be assessed, firstly, by reference to the goods or services in respect of which registration is sought, even though the provision in question does not explicitly refer to those goods or services, and, secondly, on the basis of the target public's perception of the mark (*BSS*, paragraph 37).
>
> 50. With regard to the target public, the question whether a sign is customary must be assessed by taking account of the expectations which the average consumer, who is deemed to be reasonably well informed and reasonably observant and circumspect, is presumed to have in respect of the type of goods in question (*BSS*, paragraph 38).
>
> 51. Furthermore, although there is a clear overlap between the scope of Article 7(1)(c) and Article 7(1)(d) of Regulation No 40/94, marks covered by Article 7(1)(d) are excluded from registration not on the basis that they are descriptive, but on the basis of current usage in trade sectors covering trade in the goods

or services for which the marks are sought to be registered (see, by analogy, *Merz & Krell*, paragraph 35, and *BSS*, paragraph 39).

52. Finally, signs or indications constituting a trade mark which have become customary in the current language or in the bona fide and established practices of the trade to designate the goods or services covered by that mark are not capable of distinguishing the goods or services of one undertaking from those of other undertakings and do not therefore fulfil the essential function of a trade mark (see, by analogy, *Merz & Krell*, paragraph 37, and *BSS,* paragraph 40)."

29. The enquiry under section 3(1)(d) is not whether the marks are descriptive of a characteristic of the goods or services, although that could also apply to a mark which falls foul of section 3(1)(d); the question is whether the marks were customary in the current language or were customary in the bona fide and established practice of the trade in the UK at the relevant dates.

30. Mr Paul's pleaded case under this ground is focused upon whether the Contested Marks are descriptive or used as a locational name to refer to a type of service (being a place where Korean martial arts are taught or practiced). I have dismissed the argument that the Contested Marks are descriptive above. Whilst under 3(1)(c) I was considering only the First and Second Contested Mark, the same finding applies to the Third Contested Mark.

31. I note that Mr Paul has provided evidence of third parties using the term KUK SOOL (sometimes as part of a different term, like KUK SOOL KWAN) or using the term KUK SOOL WON in a different jurisdiction. However, I bear in mind that there is no convincing evidence before me of any third parties using the sign KUK SOOL WON in the UK at the relevant date (other than those using it with the consent of WKS). Whilst I note that there is evidence filed by Mr Paul which comes from martial arts practitioners, for the reasons given above it is of limited value. It appears that WKS was the first entity to offer this particular type of martial art in the UK.

32. That is not necessarily fatal to a claim under this ground because, in my view, it is possible for the activities of the proprietor of a mark to render a trade mark

invalid/unregistrable under section 3(1)(d) by virtue of its own activities alone, i.e. where the proprietor of a trade mark has used it in such a way prior to registration that, as at the relevant date, it was understood by the relevant public as being a generic/descriptive term, rather than indicating trade origin. However, this does not appear to be the argument pleaded by Mr Paul; his position seems to be that the Contested Marks are commonly used to refer to a place where martial arts are practiced. Nonetheless, for the sake of completeness, I will examine the nature of WKS's use of the Contested Marks in the UK prior to the relevant dates.

33. Mr Suh gives evidence that WKS has been operating under the KUK SOOL WON brand in the UK since at least 1985.[4] Mr Paul has provided extracts from textbooks which he states are produced by WKS, a fact which I did not understand to be disputed.[5] These state that KUK SOOL WON can be translated as "Korean National Martial Arts Association" and is a martial arts system developed by WKS. One such textbook, in an extract described as "Letter from the Grandmaster" reads:[6]

> "At first, Kuk Sool was taught only in Korea, where it was tremendously popular. Then, in 1974, I came to the United States to bring Kuk Sool to the world outside of Korea. The Kuk Sool organization in the United States started from one school. In ten years there were seventy-five schools. Today, forty years from the time Kuk Sool was founded, there are several hundred schools in many countries throughout the world. I believe this phenomenal growth is due to the quality of our martial art and to the support of its members and officers.
>
> […] I believe that Kuk Sool is one of the best martial arts in the world; the recognition that our students and instructors have earned establishes the quality of our art beyond a shadow of a doubt. […]
>
> […] Kuk Sool schools all around the world are united by the use of the Korean language. As founder and President of the World Kuk Sool Association, it is my

[4] See the witness statement of Hyuk Suh dated 10 August 2023, at paragraph 14.
[5] See, for example, exhibit AP1
[6] Exhibit AP2

sincere wish that Kuk Sool practitioners all over the world are also united into one spirit and one mind by this textbook."

34. Another such textbook, refers to both KUK SOOL and KOREAN KUK SOOL WON on the front cover, and states:[7]

> "Kuk Sool is definately [sic] one of the best martial arts in the world. I am not saying that simply because I am the Founder of Kuk Sool Won and the Ki-Do Association president or to boast. The world's strongest country, America, reminds me of the admiration people have for Kuk Sool […]
>
> As our association's president I would like to ask all of the Kuk Sool Won practitioners to be united into one spirit and one mind by this textbook. Further, I would like to thank the seniors and teachers for helping to make this textbook possible, and a special thanks to the Chiefmaster […], and all of the officers and members of Kuk Sool Won."

35. It is not clear whether these books have been distributed in the UK, or to what extent.

36. In the evidence of Hyuk Suh, he states that "KUK SOOL WON is the unique martial arts style that I created in South Korea". He continues, "I established the Korean Kuk Sool Association to oversee the instruction of KUK SOOL WON in South Korea". I note that in some places he refers to it as the KUK SOOL WON brand, but throughout there is reference to this being a martial arts style created and operated by WKS.

37. Where WKS is seeking to identify itself, rather than the martial arts style, it typically uses the name World Kuk Sool Association or WKSA (which I presume is an abbreviation for the same). For example, there is a tournament schedule in evidence which is described as "WKSA Tournament Schedule".[8] There is also an extract entitled

[7] Exhibit AP5
[8] Exhibit IHS3

"2018 Kuk Sool Won Tournament Results" which contains a sub-heading "[…] WKSA send the following individuals and schools a huge congratulations".

38. I note that there are more references to KUK SOOL WON in WKS's evidence along the following lines:[9]

> "…his enthusiasm for the art of Kuk Sool Won."
>
> "Kuk Sool Won has become more than just a martial art, […]"

39. I note that WKS's evidence shows the term KUK SOOL WON being used alongside the "TM" logo to indicate that it is a registered trade mark (which I bear in mind is not determinative). This is also reflected in agreements with licensees.[10] I have included extracts from such licences below to help illustrate the way that the Contested Marks are used by WKS:

> "11.2.1 In order to qualify to open a WKSA School, the applicant must be a first Degree Black Belt or higher in Kuk Sool Won. The Black Belt applicant must also be current in their Kuk Sool training, and be in good standing with the WKSA. Possessing a Black Belt in another style of martial art does not qualify one to open and maintain a WKSA School."

And:

> "Whereas, Licensor <u>has developed a particular style of martial art for which he has adopted certain trademarks including "Kuk Sool Won</u>™".
>
> "Licensor grants to Licensee the right to use the registered Logo and Trade Mark in connection with the teaching of Kuk Sool Won martial art and the right to represent and teach Kuk Sool Won™ in the specific location […]" (my emphasis)

[9] Exhibit IHS4
[10] Exhibit IHS5, exhibit AS3 and Exhibit IHS6

40. A member handbook produced by WKS in 2009 states:[11]

> "Kuk Sool Won™ is a comprehensive martial arts system that is derived from the rich and varied martial arts techniques that have arisen in Korea through the ages."
>
> "A quality unique to Kuk Sool Won™ is the Association (WKSA) and the fact that the Association has kept the traditional Korean Martial Art of Kuk Sool Won™ pure, and will continue to do so throughout the world. So, no matter where you may travel or live, once you have joined Kuk Sool Won™ and the Association, you can practice the same Kuk Sool Won™ curriculum whether you are in Texas, California, New York, Canada, Puerto Rico, Europe or Korea!" (my emphasis)

41. An extract taken from WKS's website states:[12]

> "Kuk Sool is a comprehensive Korean martial art style that was created by Kuk Sa Nim In Jyuk Suh in 1958. It is a term first coined by him in South Korea, and it is to describe his unique martial art system that is one of the most complete martial arts systems in the world. Kuk Sool Won™ is a trademarked name of the martial art organization to describe the martial arts that we practice, and it was first recognised by the Korean government in 1963. Then, in 1975, Kuk Sa Nim In Hyuk Suh established an international organization called, World Kuk Sool Association®. As a martial arts system, Kuk Sool Won™ is extremely well-organized; and seeks to integrate and explore the entire spectrum of established Asian fighting arts and body conditioning techniques, as well as mental development and traditional weapons training. […]" (my emphasis)

42. There are more examples of this in the evidence, but I use these particular examples as illustrations. I have given consideration as to whether WKS is using the

[11] Exhibit IHS7
[12] Exhibit IHS2

terms KUK SOOL and KUK SOOL WON as trade marks, or as descriptors of its martial art style. I do not find the use of the ™ indicator to be determinative. It seems to me that the vast majority of the evidence refers to use of the Contested Marks by WKS to describe the martial arts system that it has created. I bear in mind that WKS has filed evidence from a number of witnesses who confirm that they understand KUK SOOL WON to be a martial art style uniquely offered by WKS.[13] However, I bear in mind that these individuals are associated with WKS in some way (such as licensees) and so are not independent witnesses, and that there seems to be some confusion between the question of whether these marks are used as trade marks distinctive of WKS or whether the style of martial arts is distinctive (as compared to other types of martial art).

43. Whilst it seems clear to me that WKS has consistently presented the words KUK SOOL and/or KUK SOOL WON as the name of a martial arts system, it has also made it clear that it is a martial arts system created and operated by WKS alone. I have considered the position carefully, bearing in mind that the messaging of WKS is somewhat contradictory in places. However, on balance, I find that it is sufficiently clear that the Contested Marks are terms used to refer to a system offered by WKS specifically. As such, I find them to be a proprietary reference, and not one that has become customary in the current language or bona fide practices of the trade. I do not consider that the fact that it is often accompanied by reference to WKS itself or WKSA to detract from that position. Taking the evidence as a whole into account, I do not consider that the Contested Marks fall foul of section 3(1)(d) of the Act.

44. The claims brought under section 3(1)(d) of the Act are dismissed.

Section 3(1)(b)

45. The principles to be applied under article 7(1)(b) of the CTM Regulation (which is now article 7(1)(b) of the EUTM Regulation, and is identical to article 3(1)(b) of the Trade Marks Directive and s.3(1)(b) of the Act) were conveniently summarised by the

[13] Exhibit IHS14

CJEU in *OHIM v BORCO-Marken-Import Matthiesen GmbH & Co KG* (C-265/09 P) as follows:

> "29..... the fact that a sign is, in general, capable of constituting a trade mark does not mean that the sign necessarily has distinctive character for the purposes of Article 7(1)(b) of the regulation in relation to a specific product or service (Joined Cases C-456/01 P and C-457/01 P *Henkel* v *OHIM* [2004] ECR I-5089, paragraph 32).
>
> 30. Under that provision, marks which are devoid of any distinctive character are not to be registered.
>
> 31. According to settled case-law, for a trade mark to possess distinctive character for the purposes of that provision, it must serve to identify the product in respect of which registration is applied for as originating from a particular undertaking, and thus to distinguish that product from those of other undertakings (*Henkel* v *OHIM*, paragraph 34; Case C-304/06 P *Eurohypo* v *OHIM* [2008] ECR I-3297, paragraph 66; and Case C-398/08 P *Audi* v *OHIM* [2010] ECR I-0000, paragraph 33).
>
> 32. It is settled case-law that that distinctive character must be assessed, first, by reference to the goods or services in respect of which registration has been applied for and, second, by reference to the perception of them by the relevant public (*Storck* v *OHIM*, paragraph 25; *Henkel* v *OHIM*, paragraph 35; and *Eurohypo* v *OHIM*, paragraph 67). Furthermore, the Court has held, as OHIM points out in its appeal, that that method of assessment is also applicable to an analysis of the distinctive character of signs consisting solely of a colour per se, three-dimensional marks and slogans (see, to that effect, respectively, Case C-447/02 P *KWS Saat* v *OHIM* [2004] ECR I-10107, paragraph 78; *Storck* v *OHIM*, paragraph 26; and *Audi* v *OHIM*, paragraphs 35 and 36).
>
> 33. However, while the criteria for the assessment of distinctive character are the same for different categories of marks, it may be that, for the purposes of applying those criteria, the relevant public's perception is not necessarily the

same in relation to each of those categories and it could therefore prove more difficult to establish distinctiveness in relation to marks of certain categories as compared with marks of other categories (see Joined Cases C-473/01 P and C-474/01 P *Proctor & Gamble* v *OHIM* [2004] ECR I-5173, paragraph 36; Case C-64/02 P *OHIM* v *Erpo Möbelwerk* [2004] ECR I-10031, paragraph 34; *Henkel* v *OHIM*, paragraphs 36 and 38; and *Audi* v *OHIM*, paragraph 37)."

46. Mr Paul's pleaded case under section 3(1)(b) is as follows:

> "The trade mark is not distinctive: the trademark does not have any inherent ability to distinguish the goods or services of one undertaking (Korean martial arts) from those of other undertakings (other Korean martial arts) and, therefore, should not be registrable under section 1(1) of the Trade Marks Act.
>
> The trade mark is generic: If the trademark "Kuk Sool Won" [or "Kuk Sool" in the case of the Third Contested Mark] is generally considered to be the common name of a product or service or it describes the category of goods or services it belongs to (Korean martial arts place), it should be considered a generic term and therefore not registrable.
>
> In R. J. Lea Ltd v Nicholls & Clarke Ltd (1983) RPC 97, the court held that a mark that is the translation of a foreign word that is not distinctive in the UK will not be registrable."

47. With regard to the case referred to in the final paragraph of this quotation, I was unable to locate any such judgment with that citation. As a result, after the hearing, I wrote to Mr Paul to ask for a copy of that judgment. In response, he asked that I disregard the reference. It is important for parties to be aware that they have a duty not to mislead the tribunal and that the fabrication of authorities (whether intentionally or because references generated through Artificial Intelligence have not been verified) can lead to sanction. I have, as indicated, disregarded the reference in question.

48. With regard to the substance of this line of argument, I have already found that the terms KUK SOOL and KUK SOOL WON are not generic. I have already found that

KUK SOOL WON is not descriptive and the same reasoning applies equally to KUK SOOL. As these are the only reasons given for the objection under this ground, the section 3(1)(b) ground must also fail.

49. The claims brought under section 3(1)(b) of the Act are dismissed.

Section 3(6)

50. 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."

51. 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 Ankenaevnet 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 Mağazacilik 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)."

52. I can deal with this ground relatively swiftly. Mr Paul relies upon a US decision in which, he states, the marks in issue were found to be generic.[14] There is a dispute between the parties as to whether that is actually what the decision in question says. However, as Ms Messenger pointed out, given that trade marks are jurisdictional in nature, I can see no basis upon which it can be claimed that WKS was acting in bad faith when applying to file the Contested Marks in the UK, even if they had been held to be unregistrable elsewhere. Indeed, given that I have found the section 3(1) claims to be unfounded, there can be no success under section 3(6) on this basis. This ground is, in my view, entirely without merit.

53. The claims based upon section 3(6) of the Act are dismissed.

CONCLUSION

54. The opposition against the First Contested Mark is unsuccessful and, subject to any successful appeal, it may proceed to registration.

55. The applications for invalidation against the Second and Third Contested Marks are unsuccessful and, subject to any successful appeal, they may remain registered.

[14] *In Hyuk SUH v Choon Sik YANG,* 987 F. Supp. 783

COSTS

56. WKS has been successful and is, therefore, entitled to a contribution towards its costs based upon the scale published in Tribunal Practice Notice 1/2023. In the circumstances, I award WKS the sum of **£2,250**, calculated as follows:

Considering the Notices of opposition/invalidation and preparing counterstatements	£400
Preparing evidence and considering Mr Paul's evidence	£1,000
Preparing for and attending the hearing	£850
Total	**£2,250**

57. I therefore order Alex Paul to pay World Kuk Sool Association, Inc the sum of **£2,250**. This sum should be paid within 21 days of the expiry of the appeal period or, if there is an appeal, within 21 days of the conclusion of the appeal proceedings.

Dated this 13th day of May 2026

S WILSON
For the Registrar

ANNEX

The First Contested Mark

Class 8 Swords; sabres; blades [weapons]; edged and blunt weapons; knives; side arms; edged and blunt weapons used in martial arts, namely, canes; edged and blunt weapons, namely, staffs; spears; edged and blunt weapons used in martial arts and for self-defence.

Class 9 Electronic publications [downloadable]; podcasts; videocasts; audio and video recordings; music, sounds, images, software, data and code provided by telecommunications networks, by on-line delivery and by way of the internet and the world wide web; downloadable publications; downloadable podcasts, videocasts, recordings, media, videos, graphics, text and audio files; downloadable books, newspapers, brochures, newsletters, reports, posters, pamphlets, flyers and magazines; downloadable publications relating to martial arts and self-defence techniques; computer games software; multimedia apparatus and instruments; computer software, firmware and hardware; non-printed publications; video/audio recordings, electronic publications, CDs, DVDs, CD-ROMs and software relating to martial arts and self-defence techniques; protective clothing; protective headgear; head guards for boxing and martial arts; mouth guards for sports use.

Class 16 Printed matter and printed publications relating to martial arts and self-defence techniques; printed publications; advertising publications; educational publications; printed books, newspapers, brochures, newsletters, reports, journals, posters, pamphlets, flyers and magazines; printed books, newspapers, brochures, newsletters, reports, posters, pamphlets, flyers and magazines relating to martial arts and self-defence techniques; calendars; diaries; instruction manuals; albums; planners; note books; writing pads; stationery; guide books; periodical publications; annuals; posters; printed education, instructional and

teaching materials; printed membership cards, evaluation forms, performance certifications, pamphlets, signs and posters.

Class 25 Clothing; footwear; headgear; martial arts uniforms; clothing, footwear and headgear for martial arts; martial arts uniforms, namely, martial arts Gi; kimonos.

Class 28 Martial arts training equipment; kick pads for martial arts; punchbags; punch balls; kick pads; gloves and pads for martial arts; bow and arrows; punch shields; shin guards.

Class 35 Business management; business consultancy; business assistance; assistance in franchised and/or licensed commercial business management; advertising, marketing and promotional services; retail, online retail and wholesale services relating to swords, sabres, blades [weapons], edged and blunt weapons, knives, side arms, canes, staffs, spears, edged and blunt weapons used in martial arts and for self-defence, electronic publications [downloadable], podcasts, videocasts, audio and video recordings, music, sounds, images, software, data and code provided by telecommunications networks, by on-line delivery and by way of the internet and the world wide web, downloadable publications, downloadable podcasts, videocasts, recordings, media, videos, graphics, text and audio files, downloadable books, newspapers, brochures, newsletters, reports, posters, pamphlets, flyers and magazines, downloadable publications relating to martial arts and self-defence techniques, computer games software, multimedia apparatus and instruments, computer software, firmware and hardware, non-printed publications, video/audio recordings, electronic publications, CDs, DVDs, CD-ROMs and software relating to martial arts and self-defence techniques, protective clothing, protective headgear, head guards for boxing and martial arts, mouth guards for sports use, printed matter and printed publications relating to martial arts and self-defence techniques, printed publications, advertising publications, educational publications, printed books, newspapers, brochures, newsletters,

reports, journals, posters, pamphlets, flyers and magazines, printed books, newspapers, brochures, newsletters, reports, posters, pamphlets, flyers and magazines relating to martial arts and self-defence techniques, calendars, diaries, instruction manuals, albums, planners, note books, writing pads, stationery, guide books, periodical publications, annuals, posters, printed education, instructional and teaching materials, printed membership cards, evaluation forms, performance certifications, pamphlets, signs and posters, clothing, footwear, headgear, martial arts uniforms, clothing, footwear and headgear for martial arts, martial arts uniforms, namely, martial arts Gi, kimonos, martial arts training equipment, kick pads for martial arts, punchbags, punch balls, kick pads, gloves and pads for martial arts, bow and arrows, punch shields, shin guards; information, advisory and consultancy services relating to the aforesaid.

Class 41 Training, tuition and education services; training, tuition and education services relating to martial arts and self-defence techniques; entertainment services; cultural services; conducting of sporting events; organising sporting competitions; organising and conducting sporting assessment and accreditation; instructional services relating to martial arts training and self-defence techniques; administering classes, workshops, seminars and tournaments in the fields of martial arts and archery; providing non-downloadable educational materials and non-downloadable audiovisual materials in the fields of martial arts and archery; information, advisory and consultancy services relating to the aforesaid.

The Second Contested Mark

Class 16 Printed matter; book binding material; books; magazines; journals; photographs; stationery; instructional and teaching material (except apparatus).

Class 25 Clothing, footwear and headgear.

Class 41 Education; providing of training; entertainment; sporting and cultural activities; instructional services relating to martial arts; martial arts training; education and information services relating to martial arts; information, advisory and consultancy services in relation to all of the aforesaid services.

The Third Contested Mark

Class 8 Hand tools and implements; blades (weapons); edged and blunt weapons, including such weapons for martial arts; swords, knives; side arms.

Class 9 Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; protective and safety equipment; safety headgear; safety clothing for protection against accident or injury; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; sound and/or video recordings; video tapes; films; compact discs, DVDs and other digital recording media; computer software; computer games and computer games software; publications in electronic format; screensavers; fridge magnets; audio books; digital books.

Class 16 Paper, cardboard and goods made from these materials not included in other classes; printed matter; book binding material; books; magazines; journals; photographs; posters; stationery; instructional and teaching material (except apparatus).

Class 25 Clothing, footwear and headgear; martial arts uniforms.

Class 41 Education; providing of training; entertainment; sporting and cultural activities; instructional services relating to martial arts; martial arts training; education and information services relating to martial arts;

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