

o/0624/25

TRADE MARKS ACT 1994

SUPPLEMENTARY DECISION ON COSTS

IN THE MATTER OF APPLICATION NO. UK00003650110
BY EASYGO SOLUTIONS PTY LTD AND BIJAN TEHRANI
FOR THE FOLLOWING TRADE MARK:

STAKE

Stake



(SERIES OF 3)

IN CLASSES 9, 35, 36, 38 AND 41

AND

AN APPLICATION FOR A DECLARATION OF INVALIDITY
UNDER NO. 505754
BY STAKESHOP PTY LTD

BACKGROUND

1. On 8 May 2025, I issued a decision in the above identified proceedings. In relation to costs, I stated:

“51. Therefore, taking all of the above into account, I dismiss the proprietors’ claims for costs. I shall not be making an award of any kind to the proprietor, nor will I reduce the amount the applicant is entitled to. In the circumstances, I award the applicant the sum of **£900**, which is calculated as follows:

Preparing the application for invalidity and considering the Counterstatement	£200
Preparation for and attendance at hearing	£500
Official fee	£200
Total	£900

52. I therefore order Easygo Solutions Pty Ltd and Bijan Tehrani to pay Stakeshop Pty Ltd the sum of £600. This sum is to 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.”

2. By way of a phone call from the cancellation applicant on 8 July 2025, it was brought to my attention that there was a discrepancy between paragraphs 51 and 52 in relation to costs.

3. The relevant rule contained within the Trade Marks Rules 2008 (as amended) (the Rules) which provides guidance for the Registrar in such circumstances is as follows:

74.— (1) Subject to rule 77, the registrar may authorise the rectification of any irregularity in procedure (including the rectification of any document filed) connected with any proceeding or other matter before the registrar or the Office.

- (2) Any rectification made under paragraph (1) shall be made—
- (a) after giving the parties such notice; and
 - (b) subject to such conditions,
- as the registrar may direct.

4. I therefore regard the above error as an irregularity in procedure and capable of being corrected under Rule 74(1) of the Trade Marks Rules 2008. I give notice to the parties that paragraph 52 will be amended to the version shown below and apply as though that paragraph had appeared in the original version of the decision:

“51. Therefore, taking all of the above into account, I dismiss the proprietors’ claims for costs. I shall not be making an award of any kind to the proprietors, nor will I reduce the amount the applicant is entitled to. In the circumstances, I award the applicant the sum of **£900**, which is calculated as follows:

Preparing the application for invalidity and considering the Counterstatement	£200
Preparation for and attendance at hearing	£500
Official fee	£200
Total	£900

52. I therefore order Easygo Solutions Pty Ltd and Bijan Tehrani to pay Stakeshop Pty Ltd the sum of **£900**. This sum is to 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 8th day of July 2025

L FAYTER
For the Registrar