

O/0634/25

TRADE MARKS ACT 1994

IN THE MATTER OF APPLICATION NO. UK00003972969

BY DRAGONSAT LTD

TO REGISTER:

DragonSat

IN CLASS 9

AND

IN THE MATTER OF OPPOSITION THERETO

UNDER NO. OP000445843 BY

DRAGON TRADING EUROPE LIMITED

Background and pleadings

1. On 28 October 2023, Dragonsat Ltd (“the applicant”) applied to register in the UK the trade mark shown on the cover page of this decision (“the applicants mark”). The application was accepted and published for opposition purposes on 10 November 2023 and registration is sought for the following goods:

Class 9: Satellite receivers, low noise block converter, Diseqc Switch, satellite finder, coax cable, iptv box, Satellite systems, transmitters and receivers; decoders; electrical and electronic communications and telecommunications apparatus and instruments; telecommunications apparatus and instruments; apparatus and instruments for recording, transmission or reproduction of sound or images; electric and electronic apparatus and instruments for processing, logging, storing, transmission, retrieval or reception of data; computer hardware, computer peripherals, magnetic data carriers, recordings discs; scientific, nautical, surveying, electric, photographic, cinematographic, weighing, measuring, signalling, checking (supervision), life saving and teaching apparatus and instruments, Remote controls; TV remote controls; Universal remote controls; USB sticks; mobile covers; parts and fittings therefor.

2. On 12 February 2024, Dragon Trading Europe Limited (“the opponent”) filed an opposition opposing the application in full under section 5(2)(b) of the Trade Marks Act 1994 (“the Act”). The opponent relies upon the following mark:



UK registration no.UK00003421033

Filing date 13 August 2019; registration date 1 November 2019

Relying on all goods, being those listed in the table in Annex 1 of this decision.

3. By virtue of relying on section 5(2)(b) of the Act, the opponent's case is that the marks at issue are similar and that the goods of the parties are either identical or similar, resulting in a likelihood of confusion.
4. The applicant filed a counterstatement denying the claims made against it.
5. Neither party is represented. No parties filed evidence. No hearing was requested and only the opponent filed written submissions in lieu of the same. This decision is taken following a careful perusal of the papers.
6. 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 ISSUE

7. In the TM8 and counterstatement, the applicant requested that the opponent provide "proof of use". As stated in the Tribunal's letter dated 4 April 2024, it was noted that the opponent's earlier right had not been registered for five years or more at the time of the applicant's filing of their trade mark application, therefore proof of use was not applicable.
8. In its counterstatement, the applicant stated that they are the owners of an earlier trademark registered "DragonSat" under trademark number UK00002597319 and that this same trademark has been applied for in this application. The applicant stated that as this earlier trademark was filed on 10 October 2011 this gives them previous rights on this trademark. Firstly, this is not the mark at issue so has no real bearing on these proceedings. I do appreciate, however, that this argument could potentially be taken to be a claim that, if this earlier mark was used, then it can point to the existence of honest concurrent use of the marks that are actually at issue here. However, this is something that needs to be proven in evidence so the simple existence of the mark, without any use of the same, is not relevant to

these proceedings. As stated previously, the applicant's mark in issue in this decision is the trademark "DragonSat" under trademark number UK00003972969. The trademark with trademark number UK00002597319 is not applicable to this decision and I will not take it into consideration.

DECISION

Section 5(2)(b): legislation and case law

9. 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".

10. Section 5A of the Act states as follows:

"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."

11. An earlier trade mark is defined in section 6 of the Act, the relevant parts of which state:

"(6)(1) In this Act an "earlier trade mark" means –

- (a) a registered trade mark or international trade mark (UK) which has a date of application for registration earlier than that of the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks.

12. The opponent's mark qualifies as an earlier trade mark under the above provisions.

As the opponent's mark had not completed its registration process more than five years before the filing date of the applicant's mark, it is not subject to proof of use pursuant to section 6A of the Act. Consequently, the opponent may rely on the goods highlighted in his notice of opposition.

13. The following principles are gleaned from the decisions of the Court of Justice of the European Union ("CJEU") in *Sabel BV v Puma AG*, Case C-251/95, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*, Case C-39/97, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* Case C-342/97, *Marca Mode CV v Adidas AG & Adidas Benelux BV*, Case C-425/98, *Matratzen Concord GmbH v Office for Harmonization in the Internal Market (Trade Marks and Designs) ("OHIM")*, Case C-3/03, *Medion AG v. Thomson Multimedia Sales Germany & Austria GmbH*, Case C-120/04, *Shaker di L. Laudato & C. Sas v OHIM*, Case C-334/05P and *Bimbo SA v OHIM*, Case C-591/12P:

- (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 be dominated by one or more of its components;
- (f) however, it is also 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 great 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;
- (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

14. The applicant's goods can be found at paragraph 1 of this decision whereas the opponent's goods can be found in Annex 1 of this decision.

15. When making the comparison, all relevant factors relating to the goods and services in the specifications should be taken into account, as per *Canon*, where the CJEU stated at paragraph 23 of its judgement:

“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.”

16. The relevant factors identified by Jacob J. (as he then was) in the *Treat* case, [1996] R.P.C. 281, for assessing similarity were:

- (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.

17. In *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T- 133/05, the General Court (“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 für 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.”

18. In *Kurt v Hesse v Office for Harmonization in the Internal Market (Trade Marks and Designs) (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 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”.

19. In *Sanco SA v OHIM*, Case T-249/11, the GC indicated that goods and services may be regarded as ‘complementary’ and therefore similar to a degree in circumstances where the nature and purpose of the respective goods and services are very different, i.e. *chicken against transport services for chickens*. The purpose of examining whether there is a complementary relationship between goods/services is to assess whether the relevant public is liable to believe that the responsibility for the goods/services lies with the same undertaking or with economically connected undertakings. As Mr Daniel Alexander Q.C. noted as the Appointed Person in *Sandra Amelia Mary Elliot v LRC Holdings Limited* BL-0-255-13:

“It may well be the case that wine glasses are almost always used with wine – and are, on any normal view, complementary in that sense – but it does not follow that wine and glassware are similar goods for trade mark purposes.”

20. Whilst on the other hand:

“.....it is neither necessary nor sufficient for a finding of similarity that the goods in question must be used together or that they are sold together.”

21. In *YouView TV Ltd v Total Ltd*, [2012] EWHC 3158 (Ch), paragraph 12, Floyd J (as he then was) gave the following guidance on construing the words used in specifications:

“[...] Trade mark registrations should not be allowed such a liberal interpretation that their limits become fuzzy and imprecise: see the observations of the CJEU in Case C-307/10 *The Chartered Institute of Patent Attorneys (Trademarks) (IP TRANSLATOR)* [2012] ETMR 42 at [47]-[49]. Nevertheless, the principle should not be taken too far. Treat was decided the way it was because the ordinary and natural, or core, meaning of ‘dessert sauce’ did not include jam, or because the ordinary and natural description of jam was not ‘a dessert sauce’. Each involved a straining of the relevant language, which is incorrect. Where words or phrases in their ordinary and natural meaning are apt to cover the category of goods in question, there is equally no justification for straining the language unnaturally so as to produce a narrow meaning which does not cover the goods in question.”

22. I bear in mind that it is permissible to group goods together for the purposes of assessment: *Separode Trade Mark*.¹

23. In its specification, it appears as though the applicant has sought to separate some of the goods applied for by using commas instead of the ordinary practice of semi-

¹ BL O-399-10 (AP)

colons. This has rendered it somewhat difficult for me to ascertain the separate terms in the specification. While that may be the case, I have sought to decipher the separate terms in this specification as best I can and this will be reflected in the following assessment.

24. The opponent's position is that the goods covered by the trademarks are "partially identical and partially highly similar". I have submissions in respect of the goods comparison from the opponent. These submissions consist of a table of the goods at issue that list the opponent's identical and/or highly similar products. The opponent does not specify which goods are "partially identical and which goods and partially highly similar". However, the opponent compared each of the applicant's goods excluding "parts and fittings therefor". Some of the goods in the table that the opponent has said are identical clearly are not. For example, I see no obvious reason as to why USB sticks are identical or similar to CD cases, cases adapted for CD players, DVD cases, cases adapted for DVD players, 2-in-1 laptops, 3D animation software, 3D computer graphics software, accounting software and adaptive software as the opponent has specified in their table.

25. The nature of the specifications before me are such that they include a range of technical goods. Some are such that I am not readily able to identify what it is they cover. As I have no detailed evidence or submissions explaining these goods, I have no alternative but to proceed in making comparisons based on my own understanding of the terms as they appear before me. In doing so, I remind myself of the case of *YouView* (cited above) which sets out that where the terms listed are particularly wide or vague, I am to consider the core meaning of the goods, without affording them neither a too liberal, nor an artificially narrow, interpretation. It is not appropriate for me to make inferences of what the goods are on the opponent's behalf. For example, all of the applicant's goods could be argued to have a level of similarity with the different types of cables in the opponent's specification as most devices today require a cable to charge or to work. However, such an approach would plainly offer far too broad a degree of protection to marks registered for cable goods in class 9. As such, I will not be following this approach as it does not accord with *YouView*. Further, I refer to the case of *SmartX TM* (BL O/0911/24) wherein Mr Iain Purvis K.C., sitting as the Appointed Person, addressed the issue of an

opponent's failure to identify similarity in respect of long specifications. Mr Purvis K.C. said:

"28. [...] it is for the Opponent to put forward the combinations of goods on which it relies for similarity (or identity). If it fails to identify a particular combination, it cannot expect the Hearing Officer to do the job for it. The approach [...] would place an intolerable burden on Hearing Officers in cases of this nature in which there will be thousands of potential combinations of goods which could be relied on, and for each combination a slightly different argument for similarity could be made. Furthermore, such an approach would be unfair on the Applicant for the mark, since they will have had no opportunity to address points on similarity taken by the Hearing Officer if those points are not first raised by the Opponent.

26. Further on in this decision, Mr Purvis K.C. stated:

"31(v). In fact (as I have pointed out) the Hearing Officer went beyond the written submissions in making findings of similarity in respect of a number of groups of goods on the basis of arguments which had not been raised by the Opponent. If the Applicant had complained about this by way of an Appeal, there would probably have been a good argument that he had been the victim of procedural unfairness. But this has of course not happened and to this extent the Opponent has benefited from the Hearing Officer's generosity. However, it would obviously be perverse to say that the Hearing Officer ought therefore to have taken every other unpleaded and unargued point in the Opponent's favour.

27. I do not consider that the case law cited above means that I must dismiss any level of similarity between the opponent's goods and the applicant's goods. However, the takeaway from *SmartX* is that it would be unfair for me to go through all of the opponent's terms in order to assess each and every combination of goods. Instead, in the circumstances, I consider that a reasonable approach would be for me to identify what I reasonably consider to be the closest terms and carry out the

comparison on that basis.² In doing so, I will remain mindful of the comments of Mr Purvis K.C. above regarding procedural unfairness.

28. I do not intend to summarise the remaining comments of the parties in full here. However, I confirm that I have taken all filed documents into account and will summarise them to the extent deemed necessary below.

Satellite receivers; satellite systems, transmitters and receivers; decoders

29. As far as I am aware, the above goods are devices that are used to capture, process and transmit signals from satellites. The closest comparable terms are “telecommunication cable” and “telecommunications cables”. While I bear in mind what I have said above regarding granting a wide scope of protection to cable goods, I am of the view that in the present case, telecommunication cables have a specific use within telecommunication setups meaning that the comparison here is more specific and relevant to the actual goods at issue.³

30. Clearly the “telecommunication cable” and “telecommunications cables” are different in nature and method of use. However, the users will often be the same as the goods will be aimed at the same average consumer. Additionally, the trade channels are likely to be the same as a company that provides the applicant’s goods are likely to also produce and sell telecommunication cables to go alongside the apparatus themselves. The goods have a complementary relationship as the opponent’s goods of “telecommunication cable” and “telecommunication cables” are important for satellite systems, transmitters and receivers to work, meaning that the consumer may well conclude that the same undertaking is responsible for both goods. Overall, I find these goods similar to a low to medium degree.

² On this point, I also refer to the case of *MontyPay* (BL O/0924/24)

³ For the avoidance of doubt, this also applies in other instances in my decision where I find any degree of similarity between the opponent’s cable goods and the applicant’s apparatus or instrument goods.

Low noise block converter; Diseqc switch; iptv box.

31. I have no submissions from the opponent as to what the above terms are and, as such, I am not aware of what they cover. In light of this and bearing in mind what I have said above between paragraphs 24 to 27, I have nothing to suggest any meaningful degree of overlap with any of the opponent's goods. Therefore, I find that there is no degree of similarity between these contested goods and the opponent's goods. I find them to be dissimilar.

Coax cable.

32. The above term of the applicant is self-evidently identical or identical under the principle of *Meric* with "coaxial cables" in the opponent's specification. Regardless, the goods are identical.

Satellite finder.

33. With no submissions from the opponent (outside of a vague inclusion of the terms alongside each other in a table) as to what the above applicant's goods mean, I can find no comparable terms in the opponent's specification. Therefore, I find that there is no degree of similarity between these contested goods and the opponent's goods. I find them to be dissimilar.

Electrical and electronic and telecommunications apparatus and instruments; Electric and electronic apparatus and instruments for processing, logging, storing, transmission, retrieval of reception or data; Electric, [...] apparatus and instruments.

34. Having considered the opponent's specification, the closest comparable terms to the above applicant's goods are "electronic cables", "electric cables", "telecommunication cables", "telecommunications cables", "signal cables for IT, AV and telecommunication" and "aerials for telecommunications networks". Clearly the opponent's goods are different in nature and method of use. However, the users will often be the same as the goods will be aimed at the same average consumer. Additionally, the trade channels are likely to be the same as a company that

produces and sells electronic apparatus and instruments are likely to also produce and sell electric cables. The goods have a complementary relationship as the opponent's goods are important for the above applicant's goods to work, meaning that the consumer may well conclude that the same undertaking is responsible for both goods. Overall, while I remind myself of what I have said above (regarding taking caution not to attribute a wide scope of protection for cables), I note that in the present comparison, the nature of the cables, aerials and devices are relatively specific so as to lead the overlaps discussed above to be sufficient to give rise to a low to medium degree of similarity.

Telecommunications apparatus and instruments.

35. The above term of the applicant is clearly meant to be used in conjunction with a range of telecommunication cables and, as such, I will compare them to "telecommunication cables", "telecommunications cables", "signal cables for IT, AV and telecommunication" and "aerials for telecommunications networks" in the opponent's specification. However, the same principles apply as per the preceding paragraph. Given this, I find these goods similar to a low to medium degree.

Apparatus and instruments for recording, transmission or reproduction of sound or images.

36. The closest comparable terms in the opponent's specification to the above term of the applicant are "electric cables for transmission of sound and images", "telecommunication cables", "telecommunications cables", "signal cables for IT, AV and telecommunication" and "aerials for telecommunications networks". Following the same principles as per paragraph 34 above, I find these goods similar to a low to medium degree.

Computer hardware.

37. The above term of the applicant is sufficiently broad so as to cover the term "2-in-1 laptops" in the opponent's specification. As a result, I find that these goods are identical under the principle outlined in *Meric*.

Computer peripherals.

38. It is my understanding that *computer peripherals* are items that connect to a computer in order to assist it in its function. The closest comparable term in the opponent's specification is "computer cables". Clearly the "computer cables" are different in nature and method of use. However, the users will often be the same as the goods will be aimed at the same average consumer. Additionally, the trade channels are likely to be the same as a company that provides the applicant's goods are likely to also produce and sell "computer cables" to go alongside the apparatus themselves. The goods have a complementary relationship as the opponent's goods of "computer cables" are important for *computer peripherals* to work, meaning that the consumer may well conclude that the same undertaking is responsible for both goods. Overall, I find these goods similar to a low to medium degree.

Magnetic data carriers.

39. As far as I am aware, the above term is a device that carries data. It is my understanding that a cable is not a magnetic data carrier. On this point, it is my understanding that cables transfer data via fibre optic or copper wires and I have nothing before me to suggest otherwise. There are no comparable terms in the opponent's specification. Therefore, I find that there is no degree of similarity between these contested goods and the opponent's goods. I find them to be dissimilar.

Recording discs.

40. It is my understanding that a recording disc is a CD or DVD that is capable of recording audio or visual items. The closest comparable terms in the opponent's specification are "CD cases" and "DVD cases". These goods are clearly different in nature, purpose and method of use as "CD cases" and "DVD cases" are used to store the recording discs whereas the recording discs are used to record audio or visual items. However, as the recording disc is likely to be stored in such a case,

the user and trade channels are likely to be identical. While the recording discs and CD cases and DVD cases may not always be sold together (as recording discs may sometimes be sold on a spindle), to safely store a recording disc, a case is important to protect it. Given this, and the overlap in trade channels, the goods have a complementary relationship as the opponent's goods of "CD cases" and "DVD cases" are important for the recording discs not to be damaged, meaning that the consumer may well conclude that the same undertaking is responsible for both goods. Overall, I find these goods similar to a low to medium degree.

Nautical [...] apparatus and instruments.

41. The closest comparable terms to the above in the opponents specification are "aeronautical communications apparatus" and "aeronautical radio communication machines and apparatus". I am aware that nautical is in relation to the sea and aeronautical is in relation to the air, however, the purpose of the goods may overlap to some degree as they both assist communication during travel, be that in the air or the sea. The users may differ as pilots may use the "aeronautical communications apparatus" whereas a boat captain or a skipper may use *nautical apparatus and instruments*. Additionally, the trade channels may differ as the *nautical apparatus and instruments* are likely to be distributed via different means to different retailers and be on different websites to that of "aeronautical communications apparatus" and "aeronautical radio communication machines and apparatus". An overlap in purpose, especially one as tenuous as this, is not enough to give rise to a level of similarity. As a result, I find these goods to be dissimilar.

Scientific [...] apparatus and instruments.

42. It could be argued that the above term is similar to the opponents goods of "aeronautical communications apparatus" and "aeronautical radio communication machines and apparatus" on the basis that the opponent's goods may be considered scientific in nature. However, even if that were the case, I am mindful of what I have said at paragraph 25 above in that I do not intend to afford terms such a broad interpretation and as a result I find that these goods are dissimilar.

Photographic, cinematographic, [and] measuring [...] apparatus and instruments.

43. The above terms are sufficiently broad so as to cover the terms “35mm cameras”, “action cameras” and “acoustic meters” in the opponent’s specification, respectively. As a result, I find that these goods are identical under the principle outlined in *Meric*.

Signalling [...] apparatus and instruments

44. The closest comparable term in the opponent’s specification to the above term is “signal cables for IT, AV and telecommunication”. Clearly the opponent’s goods are different in nature and method of use. However, the users will often be the same as the goods will be aimed at the same average consumer. Additionally, the trade channels are likely to be the same as a company that produce and sell *signalling apparatus and instruments* are likely to also produce and sell “signal cables for IT, AV and telecommunication”. The goods have a complementary relationship as the opponent’s goods are important for *signalling [...] apparatus and instruments* to work, meaning that the consumer may well conclude that the same undertaking is responsible for both goods. Overall, while I remind myself of what I have said above (regarding taking caution not to attribute a wide scope of protection for cables), I note that in the present comparison, the nature of the cables and devices are relatively specific so as to lead the overlaps discussed above to be sufficient to give rise to a low to medium degree of similarity.

Weighing, surveying, [...] checking (supervision), life saving and teaching apparatus and instruments.

45. There are no comparable terms in the opponent’s specification for the above goods. Therefore, I find that there is no degree of similarity between these contested goods and the opponent’s goods. I find them to be dissimilar.

Remote controls.

46. The above good is a device that can control anything via remote. This can include remote controls for opening garage doors, for air conditioning units or even lights in office buildings. While it may cover a range of goods, based on the first listed interpretation of the term, I consider that it is sufficiently broad so as to cover “access control devices” in the opponent’s specification. I say this because the remote control will allow or restrict access to something like a garage and, as such, is an access control device. As a result, I find that these goods are identical under the principle outlined in *Meric*.

TV remote controls; Universal remote controls.

47. Clearly, the first term listed above covers a remote control for a TV. As for the second term, it is my view that a *universal remote control* is a remote that a user will purchase in order to sync up their many entertainment devices such as TVs, DVD/Blu-ray players, satellite boxes, soundbars and other set top boxes for media content, for example. The above goods are, therefore, to be more tightly construed and, as such, I do not consider that the comparison discussed in the preceding paragraph can be said to apply. The closest comparable term in the opponent’s specification appears to be “active infra-red sensors”. I say this because remote controls for TVs and other entertainment devices commonly include infra-red sensors. However, “active infra-red sensors” are only a component of remote controls. In saying this, I remind myself of *Les Éditions Albert René v OHIM, Case T-336/03*, wherein the GC found that:

“61... The mere fact that a particular good is used as a part, element or component of another does not suffice in itself to show that the finished goods containing those components are similar since, in particular, their nature, intended purpose and the customers for those goods may be completely different.”

48. Clearly the “active infra-red sensors” are different in nature, method of use and purpose to *TV remote controls* or *universal remote controls*. The users will often

be different as the goods will be aimed at different average consumers. Additionally, the trade channels are likely to differ. Overall, I find these goods dissimilar.

USB sticks.

49. It is my understanding that a USB stick is a device used for storing information. The closest comparable term in the opponent's specification are "luminous USB cables", "USB cables" and "USB cables for cellphones". In some contexts, the purposes of these goods differ in that a USB stick is used to store information and USB cables are used to power or charge devices such as cellphones. That being said, a USB cable may be used to transfer information to a larger storage device so it could be said that a cable, when used in this context, may have some overlap with the USB stick, i.e. both assist in the end purpose of transferring or storing information. On this point, I appreciate that any overlap in purpose is at a limited level. In addition, the goods will be aimed at the same average consumer resulting in the same user. Further, the trade channels are likely to be identical as the goods are likely to be manufactured and distributed and sold by the same undertakings. In respect of this point, I am of the view that the goods are likely to be found in the same sections of retail stores. The method of use will be similar in that the goods are plugged into a separate device such as a computer in order to function. Taking all of the above into account, I find that the goods are similar to a medium degree.

Mobile covers.

50. As far as I am aware, mobile covers are decorative and/or protective casings that cover your mobile phone or other device. The closest comparable term in the opponent's specification is "adjustable desktop mounts for tablet computers". Tablets are mobile devices. However, the purpose of the goods are different in that mobile covers are for decoration and/or protection whereas the "adjustable desktop mount for tablet computers" is to position your tablet on your desk. There may be an overlap in average consumers and trade channels as the goods may be sold by the same undertakings and found in the same sections of retail stores. Taking all of this into account, I find that the goods are similar to a low degree.

Parts and fittings therefor.

51. The applicant's specification also includes *parts and fittings therefor*. In so far as, and to the extent that the above specified goods are identical or similar, I find that the *parts and fittings therefor* are also identical or similar. However, where the goods have been found to be dissimilar, I consider that the *parts and fittings therefor* are also dissimilar.

Conclusion on the goods comparison

52. Where there is no similarity of goods, there can be no likelihood of confusion in respect of oppositions brought under s5(2)(b) grounds.⁴ As a result, my findings above mean that the opposition fails in respect of the following goods, being those that I have found dissimilar:

Class 9: Low noise block converter; Diseqc switch; iptv box; satellite finder; Magnetic data carriers; Scientific, nautical, surveying, weighing, checking (supervision), life saving and teaching apparatus and instruments; TV remote controls; Universal remote controls; Parts and fittings therefor.

The average consumer and the nature of the purchasing act

53. The case law, as set out earlier, requires that I determine who the average consumer is for the respective parties' goods. I must then decide the manner in which these goods are likely to be selected by the average consumer in the course of trade. In *Hearst Holdings Inc, Fleischer Studios Inc v A.V.E.L.A. Inc, Poeticgem Limited, The Partnership (Trading) Limited, U Wear Limited, J Fox Limited*, [2014] EWHC 439 (Ch), Birss J. described the average consumer in these terms:

"60. The trade mark questions have to be approached from the point of view of the presumed expectations of the average consumer who is reasonably well

⁴ *eSure Insurance v Direct Line Insurance*, [2008] ETMR 77 CA

informed and reasonably circumspect. The parties were agreed that the relevant person is a legal construct and that the test is to be applied objectively by the court from the point of view of that constructed person. The words “average” denotes that the person is typical. The term “average” does not denote some form of numerical mean, mode or median.”

54. I have no submissions from the opponent as to who the average consumer for the goods at issue will be. In their counterstatement, the applicant does not state who they believe the average consumer will be but states that consumers are likely to exercise a higher degree of discernment when purchasing goods/services associated with these marks, further reducing the risk of confusion.

55. I am of the view that the average consumer will be both members of the general public and business users.

56. The goods will, for the most part, be available via retailers, being both general retailers and more specialist ones, and their online or catalogue equivalents. At the retailers’ physical premises, the goods will be displayed on shelves and self-selected by the consumer. A similar process will apply when the goods are selected online or via catalogues, in that a consumer will select them after seeing an image, be that on a webpage or in a catalogue. In my view, the visual component will dominate all methods of sale, although I do not discount an aural component playing a part in the form of word of mouth recommendations and advice from sales assistants.

57. Given the wide range of goods at issue, the price and frequency of purchase will vary quite considerably. For example, some goods may be inexpensive and bought frequently (such as USB cables in the opponent’s specification) but some may be considerably more expensive and bought infrequently (such as signalling apparatus and instruments, for example). As for the level of attention paid, I am of the view that this too will vary. For some goods, such as a variety of telecommunication cables, consumers will consider factors such as the compatibility of the goods, durability and processing quality. For the majority of the goods, I am of the view that the degree of attention paid will be medium. However,

some goods, such as those used by businesses in large telecommunication set ups the average consumer is likely to pay a higher degree of attention as such a selection will be important to the operation of their business. For these goods, I do not consider that the attention paid will be the highest but I do consider that it will attract a higher than medium degree of attention.

Comparison of marks


58. It is clear from *Sabel BV v. Puma AG* (particularly paragraph 23) that the average consumer normally perceives a 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 marks must be assessed by reference to the overall impressions created by the marks, bearing in mind their distinctive and dominant components.

59. 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.”

60. 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.

61. The respective trade marks are shown below:

The opponent's mark	The applicant's mark
 The logo for Dragon Trading features a stylized dragon head in red and blue on the left, with the word "DRAGON" in red and "TRADING" in blue to its right.	DragonSat

62. In its notice of opposition and statement of grounds, the opponent argues that the “Sat” part within the applicant’s mark is a descriptive element in relation to all the claimed products since this word is an abbreviation for satellite and therefore a clear indication of the applicant’s goods. The opponent also argues that “Trading” is a descriptive element within the opponent’s mark simply indicating that the opponent’s goods are being sold (traded). Given this, the opponent states that these elements should not be considered within the similarity assessment and the trademarks to be assessed should be just the figurative element and the word “DRAGON” for the opponent’s mark and the word “Dragon” for the applicant’s mark. By comparing the marks in this manner, the opponent argues that the marks are aurally identical and visually and conceptually (semantically) highly similar. Regardless of the descriptive nature of any elements, this does not render them invisible and, therefore, I do not agree with the opponent’s argument. Instead, I will proceed to compare the marks as wholes below.

63. In its counterstatement, the applicant submits that its mark is distinctive and unique, and is not similar to any existing trademarks. It states that it is a combination of two distinct elements, “Dragon” and “Satellite” and the addition of “Sat” in the applicant’s mark significantly alters the overall impression of the mark and distinguishes it from the opponent’s mark. The applicant states that while there may be some aural similarity between the marks due to the shared term “Dragon”, the marks are visually and conceptually distinct. As “Dragon” and “Sat” evoke different concepts and imagery, the applicant states that they mitigate the likelihood

of confusion. The applicant submits that while the individual components of the applicant's mark "Dragon" and "Satellite" may have descriptive qualities when considered separately, their combination in the applicant's mark creates a distinctive and inherently distinctive mark. The mark does not merely describe the goods/services, instead, it serves as a source identifier for the specific products/services offered under the mark.

64. As stated at paragraph 4 above, the applicant filed a counterstatement denying all claims made against it. However, the applicant did agree that "Sat" in "DragonSat" and "Trading" in "Dragon Trading" may have descriptive qualities. The applicant's position is that it is essential to recognize that the overall impression of a trademark is not solely determined by its individual components. The applicant states that in the case of "DragonSat", the combination of "Dragon" and "Sat" creates a unique and distinctive mark that is not merely descriptive of the goods/services offered. The applicant submits that the opponent's mark combines a common term with a descriptive word, but the overall impression is distinct from the applicant's mark. The applicant's position is that the descriptive elements should not negate the similarity assessment between the two marks.

Overall impression

65. The applicant's mark is a word only mark consisting of "DragonSat". Firstly, while the applicant's mark is one word, I consider that consumers will view it as the conjoining of two elements, being "Dragon" and "Sat". As above, the applicant submitted that the word "Sat" may have descriptive qualities but that the overall impression of the mark is not determined by its individual components. While this is noted, I do not agree that it is applicable in the present case. I accept that the consumer does not artificially dissect trade marks. However, where a word is descriptive or allusive (as is the case here), it may be attributed less weight in the mark as a whole. I consider that to be the case here and, therefore, find that the word "Dragon" plays the greater role in the overall impression of the mark, with "Sat" playing a lesser role.

66. In the opponent's mark, the words "DRAGON" and "TRADING" are presented in upper case in a stylised (albeit fairly standard) typeface. "TRADING" is presented

in navy and is positioned centrally beneath “DRAGON”, which appears in the same size font in red. The stylised (albeit fairly standard) typeface will have very little impact on the overall impression of the mark. To the left of the words is a figurative representation of a two-dimensional sweeping depiction of an animal/creature. Given the use of the word “DRAGON” in the mark, this will immediately be perceived as a dragon. In terms of overall impression, given that the mark’s “TRADING” element is likely to be seen as an indicator of the nature of the business as opposed to actually describing any goods, and as the dragon image only reinforces the word “DRAGON”, the word “DRAGON” has a dominant role in the mark.

Visual comparison

67. At the outset of this comparison, I consider it necessary to set out that because the opponent’s mark, being “DragonSat”, is a word only mark, it is capable of being presented in any standard typeface. Given that the words in the opponent’s mark are presented in a fairly standard typeface, I find that the typeface in which the opponent’s figurative mark is presented does not provide a point of distinction between the marks.⁵ Visually, the opponent’s mark and the applicant’s mark overlap through the use of the word “Dragon”. The points of visual difference are the dragon device that sits to the left hand side of “DRAGON TRADING” in the opponent’s mark, the word “TRADING” that sits below the word “DRAGON” in the opponent’s mark and the word “Sat” that is situated immediately after the word “Dragon” at the end of the applicant’s mark. Regardless of the various roles these elements play in their respective marks, they all contribute as points of visual difference between the marks. Overall, bearing in mind the overall impressions of the marks and the shared use of “Dragon” but also reminding myself that consumers tend to focus on beginnings of marks,⁶ I find that the marks are visually similar to a medium degree irrespective of whether “Sat” is viewed as descriptive or not.

⁵ See *HERNO S.p.A. v Miss Sparrow Ltd*, BL O/954/22, paragraphs 23 and 34

⁶ *El Corte Inglés, SA v OHIM*, Cases T-183/02 and T-184/02

Aural comparison

68. The opponent's mark consists of four syllables and will be pronounced in the ordinary way. As for the applicant's mark, this consists of three syllables and as it will simply be viewed as the conjoining of "Dragon" and "Sat", it will be pronounced in the ordinary way. The first two syllables are identical and while the opponent's mark has one additional syllable at its end, I remind myself that consumers tend to focus on the beginnings of marks. The applicant has stated that there may be some aural similarity between the marks due to the shared term "Dragon". Overall, owing to the identical use of "Dragon", I find that the marks are aurally similar to a medium degree.

Conceptual comparison

69. Conceptually, the opponent submits that the marks are highly similar. This is based on a comparison of the marks where "Trading" and "Sat" have been removed from the marks because they are descriptive. While I accept that these additional words carry descriptive qualities, I have set out above that it does not render them invisible to the consumer, who will still give them due consideration from a concept point of view. Further, to proceed on this basis would, in my view, be a result of an artificial dissection of the marks. The applicant submits that the marks are conceptually distinct. The applicant submits that the addition of "Sat" in the applicant's mark significantly alters the overall impression of the mark and distinguishes it from the opponent's mark. The applicant further states that "Dragon" and "Sat" evoke different concepts and imagery, mitigating the likelihood of confusion.

70. The opponent's mark consists of the words "DRAGON TRADING" with a figurative depiction of a dragon. I note the opponent's submissions and I am minded to agree that "TRADING" is a descriptive element within the opponent's mark. The opponent's mark offers the average consumer a clear and immediately identifiable concept, specifically that of a mythical fire-breathing creature, emphasised further on account of the adjoining figurative depiction. Even though "TRADING" has a lower impact on the opponent's mark as a whole due to its descriptive qualities it

still forms part of the mark and as a result, has to be compared. As a whole, I do not consider that the opponent's mark has any clear meaning as a unitary phrase and, as such, I am of the view that the concept will derive from the combination of these individual words.

71. The applicant's mark consists of the word "DragonSat". While I have some reservation as to whether "Satellite" is commonly shortened to "Sat" (outside of its use in the term "Sat-Nav", for example), I remind myself that the applicant has accepted that it will be understood as "Satellite" and is, therefore, descriptive. As a result, I consider it appropriate to proceed on the basis of such a submission. When considering the mark as a whole, the word "Sat" will not be ignored but its descriptive nature will limit its impact on the concept of the mark, which will be dominated by the word "DRAGON". As was the case with the opponent's mark above, I am of the view that when considered as a whole, the concept of the applicant's mark will derive from the combination of these individual words.

72. The concept of both marks will be dominated by the word "DRAGON" and the connection to a mythical fire-breathing creature. This concept is identical. However, this will be offset to some degree by the different words "TRADING" and "Sat". While these additional words will not go unnoticed, they have little conceptual relevance in the context of this comparison. Therefore, they only act as very slight points of conceptual difference. As a result, I find the marks conceptually similar to a high degree.

Distinctive character of the opponent's mark

73. 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-0000, 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).”

74. 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 or services, to those with high inherent distinctive character, such as invented words which have no allusive qualities. The distinctiveness of a mark can be enhanced by virtue of the use that has been made of it. However, the opponent has not pleaded that its mark has obtained an enhanced level of distinctiveness and, no evidence has been filed to that effect. Therefore, I only have the inherent position to consider.

75. It is my view that the distinctive character of the opponent’s mark will derive from the word “DRAGON”. I say this because (1) the dragon figurative element will only serve to re-enforce the reference to dragon (2) the word “TRADING” will be viewed as an indicator of the nature of the business operation, i.e. they trade in goods and (3) consumers are drawn to parts of the mark that can be read. Turning back to the word “DRAGON”, I do not consider that it will be viewed as descriptive or allusive. However, it is a well-known word with an immediately graspable meaning. Therefore, I do not consider it to be particularly remarkable from a trademark perspective. It is my view, that the distinctiveness associated with the word “DRAGON” is, medium. Given what I have said above about the remaining

elements of the mark, the consequence of this finding is that the inherent distinctiveness of the opponent's mark is medium.

Likelihood of confusion

76. 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 the marks and the goods and services down to the responsible undertakings 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 respective trade marks may be offset by a greater degree of similarity between the respective goods and services and vice versa. As I mentioned above, it is necessary for me to keep in mind the distinctive character of the opponent's mark, the average consumer for the goods and the nature of the purchasing process. In doing so, I must be alive to the fact that the average consumer rarely has the opportunity to make direct comparisons between trade marks and must instead rely upon the imperfect picture of them that they have retained in their mind.

77. Whilst conducting a global assessment of the likelihood of confusion I must be aware of the fact that not all aspects of the respective marks will necessarily have the same impact. For example, the importance of the respective visual, aural and conceptual aspects will be dependent on factors such as the way the goods at issue are marketed, and in which type of store/platform they are made available.

78. Throughout the course of this decision, I have found that the respective goods range from being identical to similar to a low degree. The average consumers are both members of the general public and business users who will select the goods via primarily visual means, although I do not discount an aural component. I have concluded that, depending on what goods are being selected and by who, the average consumer will pay either a medium or higher than medium degree of attention during the selection process. I have found the marks to be visually and

aurally similar to a medium degree and conceptually similar to a high degree. I have found the opponent's mark to possess a medium degree of inherent distinctive character.

79. Taking all of these factors into account and bearing in mind the principle of imperfect recollection, I consider the present case represents an example of direct confusion. I base this finding primarily in reliance upon the shared use of the identical "Dragon" element. I consider that the consumer would attempt to pin their recollection of the marks on the dominant word "DRAGON". This is particularly the case given that the different elements play lesser roles in their respective marks. Therefore, I find that the average consumer will misremember which mark was "DRAGON" followed by "TRADING" and which was followed by "Sat". As for the dragon device element, this simply reinforces the word "DRAGON" so will not form part of the consumers' recollection of the marks. As a result, I consider that there exists a likelihood of direct confusion between the marks, regardless of the degree of attention paid or the level of similarity of the marks. I make this point in reliance upon the identity of the common element, being "DRAGON".

80. For the sake of completeness, I turn now to consider indirect confusion. In doing so, I remind myself of the case of *L.A. Sugar Limited v By Back Beat Inc*, Case BL O/375/10, wherein Mr Iain Purvis Q.C., as the Appointed Person, explained that:

"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)".

81. The types of examples of indirect confusion as set out in *L.A. Sugar* (cited above) are not exhaustive. However, they are the most usual circumstances where indirect confusion may arise.

82. Bearing all of the above in mind, I am of the view that it is likely that average consumers would, upon being confronted with the parties' marks, believe that they originate from the same or economically linked undertakings. I say this because the dominant element of both marks is the word "DRAGON" which, in my view, will be indicative of a common undertaking responsible for the marks. Further, the difference created by the use of the words "TRADING" and "Sat" on the goods at issue is such that consumers will likely consider them to be logical indicators of a sub-brand or brand extension. For example, upon seeing "DRAGON TRADING" and then seeing "DragonSat", the consumer will consider that "DRAGON TRADING" has created a sub-brand that provides a range of satellite enabled or satellite compatible goods. As for the other point of difference, such as the dragon device, I am of the view that consumers will consider them to be alternative

stylisations used by the same (or economically connected) undertaking across its portfolio of trade marks. On this point, the opponent's figurative mark is one that may be used in the context of company signage, packaging and/or promotional materials whereas the applicant's mark, being word only, is one that is used in the context of promotional text. Consequently, I consider that there is a likelihood of confusion between the marks at issue. As was the case with direct confusion above, I find that the identity of the word "DRAGON" across the marks and the weaker contributions by the different elements are such that consumers will be confused regardless of the level of attention paid and the degree of similarity between the goods.

CONCLUSION

83. The opposition succeeds in respect of all the goods that have found to be identical or similar. Therefore, the applicant's mark is, subject to any successful appeal of my decision, refused registration for the following:

Class 9: Satellite receivers; Satellite systems, transmitters and receivers; Decoders; Coax cable; Electrical and electronic and telecommunications apparatus and instruments; Electric and electronic apparatus and instruments for processing, logging, storing, transmission, retrieval of reception or data; Telecommunications apparatus and instruments; Apparatus and instruments for recording, transmission or reproduction of sound or images; Computer hardware; Computer peripherals; Recording discs; Electric, photographic, cinematographic, measuring, signalling apparatus and instruments; USB sticks; Mobile covers; Remote controls.

84. That being said, the applicant's mark may proceed (again, subject to any successful appeal of my decision) for the following goods, which I have found to be dissimilar:

Class 9: Low noise block converter; Diseqc switch; iptv box; Satellite finder; Magnetic data carriers; scientific, nautical, surveying, weighing, checking (supervision), life saving and teaching apparatus and instruments; TV remote controls; Universal remote controls.

COSTS

85. Both parties have enjoyed a share of success. On balance, however, I consider that the opponent has enjoyed the greater degree of success in these proceedings. This means that it is entitled to a costs award in its favour. The opponent was unrepresented for the entirety of these proceedings. For unrepresented parties to recover their costs in proceedings before the Tribunal, they are required to file a costs pro forma. The opponent's costs pro forma was received on 11 September 2024. The opponent claims that they spent the following amount of time on these proceedings:

Notice of opposition:	2 hours
Considering forms filed by the other party:	2 hours
Research, response:	3 hours
Preopposition notice to the counterparty	2 hours
Total:	9 hours
Official fee for notice of opposition:	£100.

86. While I consider the time spent for filing the notice of opposition, considering the forms filed by the applicant and research and response to be reasonable, the opponent cannot cover costs for the preopposition notice to the applicant as this is a preaction activity. Consequently, I consider a costs award for a total of 7 hours to be reasonable, plus the claimed official fees of £100.

87. In relation to the hours expended, I note that the Litigants in Person (Costs and Expenses) Act 1975 (as amended) sets the minimum level of compensation for litigants in person in Court proceedings at £19.00 an hour. Given that the applicant has succeeded in registering some of the applicant's goods, I consider it appropriate to reduce the costs award to a degree in order to reflect the applicant's success. I therefore award the opponent the sum of £133 (7 hours at £19 per hour, plus £100 official fee for the notice of opposition, minus £100 due to applicant's degree of success) in respect of its costs proforma.

88. I hereby order Dragonsat Ltd to pay Dragon Trading Europe Limited the sum of £133. 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 11th day of July 2025

**N Barratt
For the Registrar**

Annex 1 – Opponent’s Goods

Opponent’s Goods

Class 9: Adapter cables (Electric -); Adapter cables for headphones; Aerial cables for heavy currents; Antenna cables; Audio cables; Battery booster cables; Battery cables; Booster cables; Cable identification markers for electric cables; Cable junctions for electric cables; Cable splices for electric cables; Coaxial cables; Coaxial cables incorporating filters; Communications cables; Computer cables; Conduit for electric cables; Connecting electrical cables; Connection cables; Connections for electric cables; Data cables; Data link cables; Data synchronization cables; Data transmission cables; Electric adapter cables; Electric cables; Electric cables and wires; Electric cables for the transmission of sounds and images; Electric charging cables; Electric extension cables; Electric wires and cables; Electrical cables; Electrical cables for use in connections; Electricity mains (Materials for -) [wires, cables]; Electronic cables; Ethernet cables; Extension cables; Feeder cables; Fiber optic cables; Fibre [fiber (Am.)] optic cables; Fibre optic cables; Fibre-optic cables; Gender changers for coaxial cables; Guitar cables; Heat resistant electric cables; High definition multimedia interface cables; Ignition cables; Insulated cables (Electric -); Insulated electric cables; Insulated electrical cables; Interface cables [electric]; Jack cables; Jump cables; Jump start cables; Jumper cables; Junction sleeves for electric cables; Junction sleeves for electrical cables; Loudspeaker cables; Luminous USB cables; Male connectors for electrical cables; Materials for electricity mains [wires, cables]; Measuring cables; Microphone cables; Mobile High-Definition Link (MHL) cables; Modem cables; Network cables; Optical cables; Optical fiber cables; Optical fibre cables; Optical transmitters for use with fibre optic cables; Power cables; Printer cables; Cables (Coaxial -); Cables (Fibre [fiber Am.] optic -); Cables (Junction sleeves for electric -); Cables and wires; Cables for electrical signal transmission; Cables for optical signal transmission; Cables for the transmission of sounds and images; Cables for transmitting and receiving cable television signals; Cables, electric; Sheaths for electric cables; Signal cables for IT, AV and telecommunication; Sleeves (Junction -) for electric cables; Starter cables for motors; Tags for identifying electric cables; Telecommunication cables; Telecommunications cables; Telephone cables; USB cables; USB cables for

cellphones; Underwater power cables; Video cables; CD cases; Cases adapted for CD players; DVD cases; Cases adapted for DVD players; 2-in-1 laptops; 35mm cameras; 3D animation software; 3D computer graphics software; 3D eye glasses; 3D glasses; 3-D glasses; 3D scanners; 3D spectacles; 3D spectacles for television receivers; 3D television receivers; Abacuses; Abdomen protectors for protection against injury [other than parts of sports suits or adapted for use in specific sporting activities]; AC/DC converters; AC/DC inverters; AC/DC power supplies; Acceleration sensors; Accelerometers; Access control apparatus (Automatic -); Access control apparatus (Electric -); Access control cards [encoded or magnetic]; Access control devices; Access control installations (Automatic -); Access control installations (Electric -); Access control systems (Automatic -); Access control systems (Electric -); Access control units (Automatic -); Access control units (Electric -); Access interfaces for managed private circuit networks; Access security apparatus (Automatic -); Access security apparatus (Electric -); Accounting apparatus; Accounting machines; Accounting software; Accumulator boxes; Accumulator jars; Accumulators; Accumulators [batteries]; Accumulators, electric; Accumulators, electric, for vehicles; Accumulators for photovoltaic power; Acid hydrometers; Acidimeters for batteries; Acidity analysers; Acidity meters; Acoustic alarms; Acoustic conduits; Acoustic couplers; Acoustic coupling devices; Acoustic discs; Acoustic membranes used in sound recording or reproducing apparatus; Acoustic meters; Acoustic [sound] alarms; Acoustic sound alarms; Acoustic transformers; Actinometers; Action cameras; Active coolers for electronic components; Active infra-red sensors; Active matrix displays; Adapter cables (Electric -); Adapter cables for headphones; Adapter connectors (Electric -); Adapter plugs; Adapter rings for attaching objectives on cameras; Adapter rings for camera lenses; Adapters [electricity]; Adapters for connecting telephones to hearing aids; Adapters for connection between media devices; Adapters for use with telephones; Adapters for wireless network access; Adaptive software; Adaptors (Electric -); Add-in cards; Add-in cards for micro computers; Adding machines; Add-on cards; Add-on circuit boards; Add-on circuit boards for connecting computers to networking software; Add-on-cards for computers; Adjustable desktop mounts for tablet computers; Advertising boards [mechanical or luminous]; Advertising display apparatus [mechanical or luminous]; Advertising display signs [mechanical or luminous];

Advertising signboards [luminous]; Advertising signboards [mechanical]; Aerial amplifiers; Aerial boosters; Aerial cables for heavy currents; Aerial combiners; Aerial converters; Aerial sockets; Aerials; Aerials for radios; Aerials for telecommunications networks; Aerials for wireless communications apparatus; Aerometers; Aeronautical communications apparatus; Aeronautical radio communication machines and apparatus; Agendas (Electronic -).