

O/0736/25

TRADE MARKS ACT 1994

IN THE MATTER OF A HEARING HELD IN RELATION TO
APPLICATION NO. 4137323

IN THE NAME OF ALPAY BUGUR
TO REGISTER THE FOLLOWING TRADE MARK:



AND

THE LATE FILING OF FORM TM8 AND COUNTERSTATEMENT FILED IN
DEFENCE OF AN OPPOSITION THERETO UNDER NO. 452844

BY

ROAR FITNESS LIMITED

Background

1. On 16 December 2024, Alpay Bugur (“the applicant”) applied to register the trade mark shown on the cover page to this decision in the United Kingdom in respect of the goods and services as annexed to this decision.
2. The applicant’s request was published for opposition purposes on 10 January 2025. On 04 March 2025, the application was opposed in its entirety by Roar Fitness Limited (“the opponent”) under section 5(2)(b) of the Trade Marks Act 1994 (“the Act”) by virtue of filing Form TM7 (“Notice of opposition”). For the purpose of the opposition, the opponent relies upon the following trade mark and all goods and services for which it is registered, as laid out below:

UK Trade Mark (“UKTM”): UK00003550215



Filing date: 30 October 2020

Registration date: 19 August 2022

Class 5 - Nutritional drink mix for use as a meal replacement; Nutritional supplement energy bars; Nutritional supplements.

Class 25 - Gymwear; Shorts [clothing]; Short-sleeved T-shirts; Socks; Sport shirts; Sports bras; Sports clothing; Sports garments; Sports socks; Sportswear; Sweat pants; Sweat shirts; Vest tops; Vests; Baseball caps; Tankinis; Tee-shirts; Track pants; Tracksuit tops; T-shirts.

Class 30 - Coffee; Coffee based drinks.

Class 41 - Arranging and conducting of classes; Personal coaching [training]; Personal fitness training services; Personal trainer services; Personal trainer services [fitness training]; Personal training services; Physical fitness centre

services; Physical fitness centres; Physical fitness instruction; Physical fitness training services; Instruction in nutrition [not medical].

3. On 13 March 2025, the Registry served a (revised) Form TM7 upon the applicant. The official serving letter contained the following:

“If you wish to continue with your application, you need to file a notice of defence and counterstatement by completing Form TM8 - please note the important deadline below. You will find a blank Form TM8 on the IPO website, together with brief guidance on what happens after it is filed: <https://www.gov.uk/government/publications/trade-mark-forms-andfees/trade-mark-forms-and-fees>

Rule 18(1) and 18(3) of the Trade Marks Rules 2008 require that you must file your notice of defence and counterstatement (Form TM8) within two months from the date of this letter. Alternatively, if both parties wish to negotiate to resolve the dispute, they may request a “cooling off period” by filing a Form TM9c, which will extend the 2 month period in which to file a Form TM8 by up to a further seven months. Form TM9c is also available on the IPO website (above). Please note both parties must agree to enter into cooling off.

IMPORTANT DEADLINE: A completed Form TM8 (or Form TM9c) MUST be received on or before 13 May 2025

Rule 18(2) of the Trade Marks Rules 2008 states that “*where an applicant fails to file a Form TM8 within the relevant period, the application for registration, insofar as it relates to the goods and services in respect of which the opposition is directed, shall, unless the registrar otherwise directs, be treated as abandoned*”.

It is important to understand that if the deadline date is missed, then in almost all circumstances, the application will be treated as abandoned.”

4. The applicant filed a counterstatement on 21 March 2025, but failed to file a TM8 alongside this.
5. On 21 May 2025, the Registry sent an official letter to the applicant, with the relevant part reading as follows:

“The official letter dated 13 March 2025 invited the applicant to file a TM8 and counterstatement on or before 13 May 2025.

As no TM8 and counterstatement has been filed within the time period set, Rule 18(2) applies. Rule 18(2) states that the application:

“.....shall, unless the registrar otherwise directs, be treated as abandoned.”

The registry is minded to deem the application as abandoned as no defence has been filed within the prescribed period.

If you disagree with the preliminary view you **must** provide full written reasons and request a hearing on, or before, **04 June 2025**. This must be accompanied by a Witness Statement setting out the reasons as to why the TM8 and counterstatement are being filed outside of the prescribed period.”

6. On 04 June 2025, the applicant emailed the Registry stating as follows:

“I write in response to the IPO’s letter dated 21 May 2025 regarding the above opposition matter.

I am respectfully requesting that the Registry does not treat my application as abandoned, and that it exercises discretion under Rule 18(2) to accept my TM8 and counterstatement.

I originally submitted my full counterstatement by email on 21 March 2025. Please find attached both the original email sent and a PDF copy of the counterstatement for your reference.

My intention has always been to defend my application and comply with the opposition process. I was unaware that the submission required an official TM8 form in addition to the counterstatement text itself. This was an honest misunderstanding, not a deliberate omission or delay.

I am now preparing a formal TM8 form and will submit it immediately if the Registry permits.

In light of the above, I respectfully request that the IPO:

- Accepts my defence as having been filed in time or with minimal delay; and
- Allows the proceedings to continue on the merits, as the applicant is fully engaged and acting in good faith.”

7. By way of official letter dated 12 June 2025, the applicant was advised as follows:

“As the Form TM8 and counterstatement for the above matter had been filed outside of the prescribed period, the letter from the Registry dated 21 May 2025 gave the preliminary view that the application was deemed abandoned.

Should you disagree with the preliminary view given, a deadline of 04 June 2025 was given for you to file a Witness Statement setting out the reasons why the Form TM8 and counterstatement were filed outside of the prescribed period.

I acknowledge receipt of your correspondence dated 04 June 2025 which contained a Witness Statement of Alpay Bugur providing the reasons why the Form TM8 was filed outside of the prescribed period.

After careful consideration of the Witness Statement of Alpay Bugur you have provided it is the Registry's preliminary view to refuse the late-filed Form TM8 and counterstatement into the proceedings.

If either party disagrees with the preliminary view, they should request a hearing within 14 days from the date of this letter, **on, or before, 26 June 2025.**

If no response is received within the time allowed, the preliminary view will automatically be confirmed and the application will be abandoned."

On 12 June 2025, the applicant requested a hearing. A hearing was appointed for 08 July 2025 and the parties were notified by way of official letters dated 17 June 2025. On 17 June 2025, the applicant emailed the Registry to confirm his attendance at the hearing. On 18 June 2025 the opponent confirmed that they would not be attending the hearing and that they agreed with the Registry's preliminary view to refuse the late-filed TM8.

8. Ahead of the hearing, the applicant filed a witness statement stating that on 21 March 2025, he submitted a full counterstatement via email to the UKIPO, addressing in detail the grounds of opposition raised by Roar Fitness Ltd. Mr Bugur believed that this had fulfilled the requirement to defend his application, and that he had no intention of abandoning the application or missing any procedural obligations. Mr Bugur stated that he engaged directly with both the UKIPO and the opponent at the earliest opportunity, which he hoped would demonstrate his active participation in these proceedings. Mr Bugur stated that the delay in submitting the official TM8 form was the result of a procedural misunderstanding, not neglect. He was unaware that the counterstatement had to be accompanied by a separate form, despite fully engaging with the opposition within the relevant timeline. Moreover, he encountered a technical issue when attempting to access the TM8 form online via the GOV.UK website as the link consistently returned an error message and did not load. Mr Bugur therefore submitted his counterstatement and believed that if anything further was required the Registry would notify him of the same.

9. Once Mr Bugur was informed, on 21 May 2025, of the correct process he acted promptly to submit a formal witness statement and complete and submit the TM8 form. Mr Bugur stated that this was a demonstration of his willingness to cooperate and correct any procedural mistakes.

The Hearing

10. At the start of the hearing, I outlined the format that the hearing would take, as I was conscious that Mr Bugur was unrepresented. I provided Mr Bugur with a chronology of events that had led us to the hearing and asked if these accorded with his understanding of the matter, to which he confirmed that they did. I also outlined Rule 18(1) and 18(3) of the Trade Marks Rules 2008 and stated that the registry had written to Mr Bugur to confirm that a completed TM8 was required to be filed on or before 13 May 2025, however, a TM8 was not filed with the registry within this time period. I explained to Mr Bugur that the date to file the TM8 is not a flexible time limit, and that there are only limited exceptions to this deadline, in that there were extenuating circumstances which justify the exercise of discretion by the Registry. I asked if Mr Bugur understood this, and he confirmed that he did. I then asked Mr Bugur to make his submissions regarding the late filing of the TM8.
11. Mr Bugur confirmed that he had submitted his counterstatement on 21 March 2025, which was within the opposition deadline. However, when he tried to follow the link to the TM8 form that he was provided by the Registry, the link didn't work. Mr Bugur stated that he attempted to access this form on more than one occasion and each time the same error message appeared. Mr Bugur confirmed that he was unsure of what the TM8 was, so he submitted his counterstatement and thought that this would be adequate to defend his trade mark. Mr Bugur stated that he had thought that the Registry would get back to him if there were any issues with this, but he did not hear anything further until he received the official letter of 21 May 2025 providing a preliminary view that the application would be deemed as abandoned due to the TM8 not being filed. Mr Bugur then described that he tried to access the link to the TM8 again, but

still it did not work, and he then searched for the form separately via Google, which he located and submitted on 04 June 2025. Mr Bugur filed a screenshot of the error message that he was receiving when he attempted to access the TM8, which is inserted below:



Page not found

If you entered a web address, check it is correct.

You can [browse from the homepage](#) or use the search box above to find the information you need.

Status code: 404



12.I went on to ask Mr Bugur some supplementary questions to clarify his submissions. Within Mr Bugur's witness statement of 17 June 2025, he stated that he was unaware that the counterstatement had to be accompanied by a separate form TM8. However, he then goes on to say that he encountered a technical issue when attempting to access the TM8 form online via the GOV.UK website. I asked Mr Bugur whether it was his case that he was unaware that the form needed to be filed, or whether he had issues in filing the form due to technical difficulties. Mr Bugur stated that it was a mixture of both, because the official letter of 13 March 2025 stated that a TM8 needed to be filed, but Mr Bugur was unable to access the form, so he thought that he may not need to complete it because it wasn't accessible.

13. Mr Bugur was in contact with the Registry several times during the period prior to 13 May 2025, and I asked him if he was having issues accessing the TM8, why he didn't raise this with the Registry before the 13 May 2025 time limit. Mr Bugur replied that no one had responded to him, so he thought that things were fine. I queried this further and asked if he had in fact notified the Registry that he couldn't access the form. He confirmed that he had not done this, but if he was required to file the form, he had thought the Registry would reply to his counterstatement and let him know.
14. As Mr Bugur had confirmed that he had ultimately located and completed the TM8 via a Google search, I asked whether he had attempted this prior to the 13 May 2025 deadline, and Mr Bugur confirmed that he had only gone on to take this step once he realised that failing to file the TM8 was a "serious issue".
15. I asked Mr Bugur if he had any further submissions that he would like to make which hadn't already been covered. He confirmed that he did and submitted that the opponent had declined to attend the hearing and therefore their non-attendance showed they didn't feel that they will be prejudiced if the claim is allowed to proceed. I informed Mr Bugur that the opponent had confirmed prior to the hearing that they wouldn't be attending but that they agreed with the Registry's preliminary view to strike out the application. I confirmed to Mr Bugur that there was no one at the hearing on behalf of the opponent to address me as to whether they felt that allowing the TM8 into proceedings may be prejudicial to them, and this was not an inference that I could draw as a result of that. I asked Mr Bugur if there was anything further and he confirmed that he has always shown clear intention to defend the application from the start and allowing the case to proceed will allow both sides to be heard properly as intended by the process. He therefore respectfully asked that his defence under Rule 18(2) of the Trade Mark Rules 2008 is allowed in the interest of fairness.

DECISION

Statutory Provisions

16. The filing of a Form TM8 and counterstatement in opposition proceedings is governed by Rule 18 of the Rules. The relevant parts read as follows:

“18. (1) The applicant shall, within the relevant period, file a Form TM8, which shall include a counter-statement.

(2) Where the applicant fails to file a TM8 or counter-statement within the relevant period, the application for registration, insofar as it relates to the goods and services in respect of which the opposition is directed, shall, unless the registrar otherwise directs, be treated as abandoned.

(3) Unless either paragraph (4), (5) or (6) applies, the relevant period is the period of two months beginning immediately after the notification date.”

17. The combined effect of Rules 77(1), 77(5) and Schedule 1 of the Rules means that the time limit in Rule 18, which sets the period in which the defence must be filed, is non-extensible other than in the circumstances identified in Rule 77(5), which states:

“A time limit listed in Schedule 1 (whether it has already expired or not) may be extended under paragraph (1) if, and only if –

(a) the irregularity or prospective irregularity is attributable, wholly or in part, to a default, omission or other error by the registrar, the Office or the International Bureau; and

(b) it appears to the registrar that the irregularity should be rectified.

18. Rule 74 allows for the correction of irregularities in procedure, and states:

(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.

Procedural irregularity

19. The applicant has submitted that he was unaware that he was supposed to file a form TM8 with his counterstatement and that he was unable to access the link provided by the Office. He submitted that as the counterstatement was filed expeditiously, he believed that the Office would notify him if anything further was required from him. I note that the applicant filed the counterstatement on 21 March 2025 and heard nothing further from the Office until 21 May 2025 when he was notified that the deadline for filing the form TM8 had been missed.

20. It is usual practice for the Registry to contact parties when there is a requirement for supplementary documentation to be filed and instruct them to file the further documentation. The applicant failed to follow the Registry's directions outlined in the official letter dated 13 March 2025 to provide a completed counterstatement and a Form TM8. However, the Registry's failure to write to the applicant after he filed his counterstatement, well within the statutory period, and notify him that additional documentation was required, is a procedural irregularity on the part of the Registry, in the form of an omission. It is my view that if the Registry had contacted the applicant, the TM8 would have been filed in a timely fashion ahead of the 13 May 2025 statutory deadline. In light of this omission by the Registry, I believe this to be an irregularity which should be rectified. Especially as, if the omission is not rectified and the applicant is not allowed to defend its mark, the application will be declared undefended, and the applicant will lose its filing date.

21. Applying the Registry's powers under Rule 74 of the Trade Mark Rules 2008, which allows for the rectification of any irregularity in procedure connected with any proceeding or other matter before the Registrar, the Form TM8 and counterstatement will be admitted into the proceedings and be assessed accordingly.

22. For the sake of completeness, I will now go on to consider rule 18(2) and whether, in the circumstances, I would be able to exercise my discretion to allow the late TM8 to be accepted.

Late filed defence

23. In approaching the exercise of such discretion, I take into account the decisions of the Appointed Person in *Kickz AG v Wicked Vision Limited*¹ ("Kickz") and *Mark James Holland v Mercury Wealth Management Limited*² ("Mercury") i.e. I have to be satisfied that there are extenuating circumstances which justify the exercise of the discretion in the applicant's favour.

24. In *Music Choice Ltd's Trade Mark*³ ("Music Choice") the Court indicated that a consideration of the following factors is likely to be of assistance in reaching a conclusion as to whether or not discretion should be exercised in favour of a party in default. That is the approach I intend to adopt, referring to the parties' submissions to the extent that I consider it necessary to do so.

The circumstances relating to the missing of the deadline including reasons why it was missed and the extent to which it was missed

25. Mr Bugur relies on the fact that he did not properly understand the process of completing the TM8 as he is unrepresented. He stated that he filed his counterstatement with the Registry on 21 March 2025 and that he had assumed that the Registry would contact him again if there was anything else that he

¹ BL O-035-11

² BL O-050-12

³ [2005] RPC 18

needed to complete. Mr Bugur confirmed within his submissions that he did not know that a TM8 needed to be completed, but also that he had been unable to access the link provided by the Registry, however, he was unable to access the same. The TM8 was due to be filed by 13 May 2025. The Registry failed to contact Mr Bugur again until 21 May 2025 when a preliminary view was provided that the application would be deemed as abandoned due to the TM8 not being filed. A TM8 was then filed on 04 June 2025, some 22 days after it was due.

The nature of the opponent's allegations in its statement of grounds;

26. As detailed above, the opposition is based upon section 5(2)(b) of the Act with the opponent relying upon a single trade mark, UK registration 4137323. In short, the opponent alleges that there is a likelihood of confusion between the parties' respective trade marks.

The consequences of treating the applicant as defending or not defending the opposition;

27. Should the defence be admitted into proceedings, the applicant will be allowed to defend its application, and the case will likely be decided on its merits. If the defence is refused, the opposition automatically succeeds, and the application is deemed abandoned.

Any prejudice caused to the opponent by the delay;

28. Mr Bugur submitted during the hearing that the opponent could not have felt that they were prejudiced by the delay to the proceedings as they had chosen not to attend. The opponent has not made any written submissions in respect of this.

Any other relevant considerations such as the existence of related proceedings between the parties;

29. Neither side indicated that there were any related proceedings between the parties to consider.

Conclusions on the exercise of discretion

30. When approaching my decision, I keep in mind the factors outlined above and, in particular, I am mindful of the consequences the parties face whether the Form TM8 is or isn't admitted into proceedings. I recognise that, if discretion is not exercised in favour of the applicant, the application will be treated as abandoned and the applicant will lose the filing date for its mark. I further recognise that it remains open to the applicant to re-file an application, and that this may, once again, be opposed by the opponent, resulting in opposition proceedings arising at some point in the future. However, as the loss of a filing date and the possibility of further proceedings on much the same basis are often the consequences of a failure to comply with the non-extendable deadline to file a Form TM8, these are not factors that are particularly compelling, nor do they constitute extenuating circumstances sufficient to permit the Registrar to exercise its discretion. I must instead consider the specific circumstances at hand.

31. Upon considering this matter and hearing the submissions of Mr Bugur and taking into account the factors as set out by the caselaw in *Kicks*, *Mercury* and *Music Choice*, I can see that there was clearly a genuine intention to defend this matter on the part of Mr Bugur, who filed his counterstatement well within the statutory period and at the earliest opportunity. Mr Bugur relies on the fact that he did not properly understand the process of completing the TM8 as he is unrepresented. He stated that he filed his counterstatement with the Registry on 21 March 2025 and that he had assumed that the Registry would contact him again if there was anything else that he needed to complete.

32. What I find to be the most compelling aspect of the applicant's position is that Mr Bugur clearly attempted to adhere to the deadline of the 13 May 2025. Mr Bugur submitted a counterstatement on 21 March 2025, merely a week after the request to file a counterstatement and Form TM8 was made. As mentioned

previously, then the applicant was not contacted until after the statutory deadline had passed by the Tribunal. Mr Bugur stated that he had assumed that the Registry would contact him again if there was anything else that he needed to complete, as is procedurally regular. When the applicant learned that the Form TM8 needed to be filed in addition the relevant documentation was filed with the Tribunal within 2 weeks.

33. The applicant's email to the Tribunal dated 21 May 2025, on the same day that an official letter was sent to the parties informing them that the applicant's Form TM8 was late, simply reinforced the applicant's intention to defend its trade mark, as does its prompt response to remedy the situation upon learning that the Form TM8 also needed to be filed. I also take note that the applicant wrote to the opponent throughout the proceedings, and as such the opponent would have been aware that the applicant fully intended to resist the opposition. Whilst neither party pursued an irregularity on the Office's part, to my mind, as discussed above, the failure to contact the applicant until after the TM8 was filed does place accountability on the Office. Having regard to all of the factors that have been laid out above, particularly, the efforts by the applicant to meet the prescribed period, in filing a counterstatement; whilst an error is regrettable it appears to me that there is no material prejudice to the Opponent as a result of the missed deadline. I am minded to exercise my discretion provided under Rule 18(2) in the applicant's favour, overturning the preliminary view and in so doing allow the late filed form TM8 to be admitted into the proceedings.

Outcome

34. The consequence of the above finding is that the applicant's Form TM8 and counterstatement will be admitted into proceedings and assessed accordingly as a result of procedural irregularity. Providing no anomalies are identified, it will then be formally served upon the opponent and a timetable will be set for filing evidence.

Costs

35.As I have admitted the applicant's defence into proceedings, and the proceedings are allowed to continue, costs will be considered at the final determination of the case.

Dated this 7th day of August 2025

**LA Bailey
For the Registrar**

Annex

Class 25 - Clothing; Knitwear [clothing]; Jackets [clothing]; Ready-to-wear clothing; Headbands [clothing]; Headbands for clothing; Gloves [clothing]; Gloves as clothing; Clothes; Aprons [clothing]; Jerseys [clothing]; Shorts [clothing]; Hoods [clothing]; Embroidered clothing; Wristbands [clothing]; Belts [clothing]; Belts for clothing; Rainproof clothing; Casual clothing; Waterproof clothing; Visors [clothing]; Jackets being sports clothing; Jackets (Stuff -) [clothing]; Stuff jackets [clothing]; Bottoms [clothing]; Ready-made clothing; Sports clothing; Athletic clothing; Tops [clothing]; Clothing for cycling; Weatherproof clothing; Water-resistant clothing; Beach clothing; Men's clothing; Dance clothing; Shirts; Turtleneck shirts; Short-sleeved shirts; Dress shirts; Long-sleeved shirts; Short-sleeve shirts; Open-necked shirts; Short-sleeved T-shirts; Polo shirts; Knit shirts; Sweat shirts; Casual shirts; Rugby shirts; Football shirts; Hooded sweat shirts; Soccer shirts; Golf shirts; T-shirts; Night shirts; Trousers shorts; Sport shirts; Tennis shirts; Sleep shirts; Fishing shirts; Yoga shirts; Under shirts; Tee-shirts; Boy shorts [underwear]; Printed t-shirts; Sleeveless jackets; Shorts; Sweatpants; Sweat pants; Sleeved jackets; American football shirts; Polo sweaters; Turtleneck sweaters; Casual trousers; Sweat shorts; Undershirts; Rugby shorts; Tracksuit bottoms; Jogging pants; Sweatshirts; Hoodies; Hooded sweatshirts; Hooded pullovers; V-neck sweaters; Beanie hats; Camouflage shirts; Camouflage pants; Sleeveless jerseys; Collared shirts; Shirt fronts; Jumpers; Jumper dresses; Jumpers [sweaters]; Jumpers [pullovers]; Polo knit tops; Snowboard trousers; Long sleeved vests; Athletic tights; Hats; Bobble hats; Bucket hats; Woolly hats; Baseball hats; Ski hats; Fashion hats; Beach hats; Sports caps and hats; Beanies; Caps [headwear]; Caps being headwear; Headgear for wear; Bonnets [headwear]; Cap visors; Headgear; Headwear; Bucket caps; Visors [headwear]; Visors being headwear; Head sweatbands; Knit jackets; Knitted clothing; Fishing headwear; Face masks [fashion wear] ; Caps; Caps with visors; Baseball caps; Baseball caps and hats; Sports caps; Golf caps; Tank tops; Tracksuit tops; Tracksuits; Pyjamas.

Class 30 - Cacao powder; Cocoa; Cocoa nibs ; Cocoa powder; Cocoa products; Cocoa beverages; Cocoa drinks; Foods with a cocoa base; Chocolate; Chocolate truffles; Cocoa mixes; Prepared cocoa and cocoa-based beverages; Beverages with a cocoa base; Drinking cocoa paste; Cocoa preparations; Chocolate extracts;

Cocoa extracts for human consumption; Extracts of cocoa for use as flavours in beverages; Dairy-free chocolate; Chocolate coated macadamia nuts; Chocolate powder; Almonds covered in chocolate; Chocolate coated fruits; Chocolate syrup; Chocolate brownies; Ice beverages with a cocoa base; Chocolate syrups; Chocolate flavourings; Chocolate beverages; Chocolate bars; Chocolate fudge; Chocolate shells; Chocolate wafers; Chocolate coated nuts; Chocolate eggs; Chocolate mousses; Drinking chocolate; Chocolate fondue; Chocolate confectionery products; Confectionery chocolate products; Drinks prepared from cocoa; Hot cocoa mix; Drinks in powder form containing cocoa; Chocolate coating; Chocolate pastries; Chocolate desserts; Vegan hot chocolate; Chocolate confectionery; Chocolate cake; Chocolate cakes; Chocolate waffles; Chocolate bunnies; Hot chocolate; Mousses (Chocolate -); Chocolate sauce; Chocolate sauces; Chocolate for toppings; Chocolate topping; Chocolate beverages with milk; Drinks flavoured with chocolate; Chocolate covered cakes; Ice creams flavoured with chocolate; Chocolate flavoured coatings; Chocolates; Chocolate pastes; Chocolate drink preparations flavoured with banana; Chocolate spreads; Chocolate spread; Hot chocolate mixes; Filled chocolate bars; Beverages with a chocolate base; Chocolate drink preparations; Ice beverages with a chocolate base; Beverages made with chocolate; Beverages made from chocolate; Drinks containing chocolate; Ice creams containing chocolate; Chocolate fillings for bakery products; Frozen yoghurt; Frozen yoghurts; Frozen yogurt; Porridge; Porridge oats; Ice-cream; Oat porridge; Milk chocolates.

Class 43 - Sushi restaurant services; Fast-food restaurant services; Hotel restaurant services; Take-out restaurant services; Bar and restaurant services; Restaurant and bar services; Take-away restaurant services; Carvery restaurant services; Restaurant services; Salad bars [restaurant services]; Restaurant reservation services; Restaurants; Carry-out restaurants; Japanese restaurant services; Self-service restaurant services; Grill restaurants; Mobile restaurant services; Reservation of restaurants; Booking of restaurant seats; Serving food and drink for guests in restaurants; Catering in fast-food cafeterias; Serving food and drink in restaurants and bars; Restaurants (Self-service -); Self-service restaurants; Restaurant services for the provision of fast food; Tourist restaurants; Fast food restaurants; Restaurant services incorporating licensed bar facilities;

Bistro services; Delicatessens [restaurants]; Providing food and drink for guests in restaurants; Provision of food and drink in restaurants; Providing restaurant services; Eateries; Restaurant information services; Providing food and drink in restaurants and bars; Restaurant services provided by hotels; Catering of food and drinks; Food and drink catering for banquets; Catering of food and drink; Catering (Food and drink -); Food and drink catering; Brasserie services; Reservation and booking services for restaurants and meals; Cafe services; Hotel catering services; Food and drink catering for institutions; Hotel reservations; Providing food and drink in bistros; Serving food and drink in Internet cafes; Take-away food and drink services; Takeaway food and drink services; Food and drink catering for cocktail parties; Cocktail lounge buffets; Take-away food services; Serving food and drink for guests; Takeaway food services; Resort hotel services; Making reservations and bookings for restaurants and meals; Catering services for company cafeterias; Serving food and drinks; Café services; Catering for the provision of food and drink; Take-away fast food services; Hospitality services [food and drink]; Providing reviews of restaurants and bars; Providing hotel and motel services; Providing food and drink catering services for exhibition facilities; Corporate hospitality (provision of food and drink); Providing food and drink in Internet cafes; Catering services for providing European-style cuisine; Snack bar services; Catering services for the provision of food and drink; Providing reviews of restaurants; Club services for the provision of food and drink; Coffee bar services; Night club services [provision of food]; Hotel room booking services; Providing food and drink for guests; Hotel accommodation services; Private members dining club services; Hookah bar services; Self-service cafeteria services; Cafeteria services; Catering; Juice bars; Juice bar services.