

O/0818/25

SUPPLEMENTARY DECISION

TRADE MARKS ACT 1994

**IN THE MATTER OF
TRADE MARK APPLICATION NO. 3832010
BY SHENZHEN HUIPENGCHENG TECHNOLOGY CO. LTD TO REGISTER AS A
TRADE MARK:**

Edasion

IN CLASSES 7, 9 & 11

AND

**IN THE MATTER OF OPPOSITION THERETO UNDER NO. 438464
BY FRED NAMUTULO**

1. On 31 January 2025, a decision in the above opposition proceedings was published under reference number BL O/0093/25 (“my decision”). The Opposition had been brought under section 5(2)(b) of the Trade Marks Act 1994 (“the Act”) and was successful in respect of the opposed goods in class 09 of the Application.
2. In my decision I stated at paragraph 51 that “The opposition under Section 5(2)(b) of the Act has succeeded. **Therefore, subject to any successful appeal, the application will be refused.**” (my emphasis). However, it has come to my attention that this was incorrect as the Opposition was only directed at class 09 of the Application, which also included classes 07 and 11. Consequently, it was not made clear in my original decision that the Application could proceed to registration for the unopposed classes (07 and 11).
3. This supplementary decision is to clarify that the Opposition was directed at class 09 only and was successful against all of the goods contained within this class alone. As a result, subject to any appeal against my decision, the Application will be refused for class 09 but will proceed to registration for the goods covered in classes 07 and 11 which were not subject to the Opposition.
4. Finally, I make it clear that this issue has no impact in respect of the costs awarded in the original decision.

Dated this 8th day of September 2025

Oliver Rose'Meyer
For the Registrar