

O/0885/26

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION NO. UK00004228762
BY SYNGENSY LIMITED
TO REGISTER:**

Sypher

IN CLASSES 9, 42 & 44

AND

**IN THE MATTER OF OPPOSITION THERETO
UNDER NO. OP600003881 BY
CRYPTOBIOTIX**

Background and pleadings

1. On 3 July 2025, SYNGENSY LIMITED (“the applicant”) applied to register in the UK the trade mark shown on the cover page of this decision (“the applicant’s mark”). The applicant’s mark was accepted and published for opposition purposes on 22 August 2025 and registration is sought for the goods and services listed in Annex 1 of this decision.
2. On 20 November 2025, Cryptobiotix (“the opponent”) filed a fast track 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:

SIFR

International registration number. WO0000001632361 (“opponent’s mark”)

International registration date: 23 September 2021

Date designated for protection in the UK: 23 September 2021

Date protection granted in the UK: 19 May 2022

Relying on all services, being:

Class 42: Scientific and technology services; scientific research and analysis; expertise (engineering services); preclinical and clinical research, trials and tests; conducting preclinical and clinical studies, trials and tests for food components and for pharmaceutical products; research and development of pharmaceutical products and food components.

3. The opponent’s mark is derived from an earlier trade mark registered by the opponent in the Benelux Office for Intellectual Property. As such, the opponent’s mark benefits from an earlier priority date of 06 April 2021.
4. By virtue of relying on section 5(2)(b) of the Act, the opponent’s position is that there exists a likelihood of confusion because the marks are similar and the goods and services are identical or highly similar.

5. The applicant filed a counterstatement denying that the applicant's mark is similar to the opponent's mark and that there is a likelihood of confusion on the part of the relevant public including a likelihood of association. The applicant concedes identity for some of the services as discussed below.
6. Rule 6 of the Trade Marks (Fast Track Opposition) (Amendment) Rules 2013, S.I. 2013 2235, disapplies paragraphs 1-3 of Rule 20 of the Trade Mark Rules 2008 but provides that Rule 20(4) shall continue to apply. Rule 20(4) states that:

“(4) The registrar may, at any time, give leave to either party to file evidence upon such terms as the registrar thinks fit.”
7. The applicant is represented by Freeths LLP. The opponent is represented by De Clercq & Partners. Neither party filed evidence. Rule 62(5) (as amended) states that arguments in fast track proceedings shall be heard orally only if (i) the Office requests it or (ii) either party to the proceedings requests it and the registrar considers that oral proceedings are necessary to deal with the case justly and at proportionate cost; otherwise, written arguments will be taken. No hearing was requested or considered necessary. Only the opponent filed written submissions in lieu of a hearing. This decision is taken following a careful perusal of the papers.
8. 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.

DECISION

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

9. Section 5(2)(b) of the Act is 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, international trade mark (UK) or Community trade mark or international trade mark (EC) 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. Given its earlier priority date, 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 services highlighted in its notice of opposition without having to demonstrate genuine use.

13. The following standard summary of the principles applicable to the assessment of the likelihood of confusion was approved by the Supreme Court in *Iconix Luxembourg Holdings SARL v Dream Pairs Europe Inc & Anor*, [2025] UKSC 25:

- (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, in certain circumstances, be dominated by one or more of its components;
- (f) and beyond the usual case, where the overall impression created by a mark depends heavily on the dominant features of the mark, it is quite 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; and
- (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 and services

14. The applicant's goods and services can be found in Annex 1 of this decision whereas the opponent's services can be found at paragraph 2.

15. In its notice of fast track opposition and statement of grounds, the opponent's position is that the respective specifications comprise identical or highly similar goods and services, including software and scientific/clinical services.

16. In its counterstatement, the applicant concedes identity for some of the services. Given the applicant has conceded identity for some of the services, I will proceed on the basis of identity for all of the applicant's goods and services as this is their best case. Additionally, as the applicant has not admitted or denied or put the

opponent to proof on the class 44 services, I would have found these services to be similar in any event.

The average consumer and the nature of the purchasing act

17. The average consumer is deemed to be reasonably well informed and reasonably observant and circumspect. For the purpose of assessing the likelihood of confusion, it must be borne in mind that the average consumer's level of attention is likely to vary according to the category of goods or services in question: *Lloyd Schuhfabrik Meyer*, Case C-342/97.

18. In *Iconix* (cited above), the Supreme Court approved the comments of Arnold LJ in *Lidl Great Britain Ltd & Anor v Tesco Stores Ltd & Anor (Rev1)* [2024] EWCA Civ 262, where he pointed out that:

- (a) Consumers who are ill-informed or careless, or consumers with specialised knowledge or who are excessively careful are excluded from consideration;
- (b) The average consumer provides a standard which enables the courts to strike a balance between the competing interests involved, such as trade mark owners, their competitors and consumers;
- (c) The average consumer is neither a single hypothetical person nor a mathematical average; assessment from the perspective of the average consumer does not involve a statistical test. There is no single meaning rule and if, having regard to the perceptions and expectations of the average consumer, the court considers that a significant proportion of the relevant public is likely to be confused, a finding of infringement may properly be made;
- (d) Assessment from the perspective of the average consumer is intended to facilitate adjudication of trade mark disputes by providing an objective criterion, by promoting consistency of assessment and by and enabling

courts and tribunals to determine such issues so far as possible without the need for evidence;

- (e) The average consumer's level of attention varies according to the category of goods or services in question; and
- (f) the average consumer rarely has the opportunity to make direct comparisons between trade marks (or between trade marks and signs) and must instead rely upon the imperfect picture of the trade mark they have kept in their mind.

19. The opponent submits that whilst the relevant public may display a relatively high degree of attention when selecting the goods and services at issue, that does not eliminate the likelihood of confusion. The opponent further submits that even technically sophisticated consumers have imperfect recollection when encountering trade marks in the marketplace, particularly when purchasing decisions are made over extended periods or following repeated commercial contacts. I have no submissions from the applicant regarding the average consumer.

20. I am of the view that the average consumer will be highly skilled medical professionals, research consumers and scientists, as well as professional bodies such as clinics and hospitals at large. The goods at issue are highly technical specialist goods which will be sourced by the medical professional and or professional body or establishment using the goods. The specialist will pay close attention to the selection process, given the consequences to the patient and the professional body should an inadequate or inappropriate selection be made. Cost implications will also play a part in both private practice and the government funded national health service, with the department responsible for procuring the goods or services being held accountable and as such will need to ensure the goods and services are fit for purpose at the best possible value. In both private and public practice, the goods and services will be sourced through specialist trade channels, and it is my view that overall, a high degree of attention will be paid to the selection of the appropriate goods and services.

21. The goods and services are likely to be selected after having seen promotional material, such as advertisements, browsing websites or seeing signage on physical premises. Visual considerations are, therefore, likely to dominate the selection process. However, given that word of mouth recommendations may be made, or requests made to staff, I do not completely discount an aural component to the purchase.

Comparison of marks

22. 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.

23. The Court of Justice of the European Union (“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.”

24. 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.

25. The respective trade marks are shown below:

The opponent's mark	The applicant's mark
SIFR	Sypher

26. In its notice of fast track opposition, the opponent argues that the marks are aurally highly similar as SIFR is pronounced as “SI-fer”, while SYPHER is pronounced “SY-fer”. The opponent submits that the difference between the vowels “I” and “Y” is phonetically negligible and both signs share the same rhythm, pattern and distinctive “S-F-R” consonant structure. Given the short length and invented character, the opponent submits that consumers are particularly prone to imperfect recollection. The opponent also submits that the marks are visually similar as they both start with the letter S, contain a similar internal vowel and end in the visually and phonetically close sequences – FR / -PHER.

27. In its counterstatement, the applicant submits that visually the marks differ clearly in length, structure and letter composition as the applicant's mark is a six letter word and contains the distinctive “PH” sequence at its centre and the opponent's mark is a four letter mark with a short, compact structure and a different consonant pattern. Aurally, the applicant submits that the marks diverge in their pronunciation patterns and phonetic profiles. The applicant argues that the opponent's mark is unlikely to be recognised as an ordinary English word and is likely to be articulated as four separate letters (“S-I-F-R”) by a substantial proportion of consumers. The applicant submits that even if consumers did attempt to pronounce the opponent's mark as a single word, the likely pronunciations (“SIF-er” or “SEE-fer”) produce a very difference sound pattern from SYPHER.

28. I do not intend to repeat all submissions from both parties in full here. Instead, I will, where necessary, discuss them further below. For the avoidance of doubt, however, I can confirm that I have taken these submissions into account in making the following comparison.

Overall impression

29. The applicant's mark is a word only mark consisting solely of the word "Sypher" in a black font. There are no other elements that contribute to the overall impression of the mark, which lies in this word.

30. The opponent's mark is a word only mark consisting solely of the letters "SIFR" in a black uppercase font. There are no other elements that contribute to the overall impression of the mark, which lies in this letter combination.

Visual comparison

31. At the outset of this comparison, I consider it necessary to set out that both marks are protected for use in any standard case. Visually, the marks overlap through the use of the letter "S" as the first letter of each mark and the letter "R" as the last letter of each mark. The marks differ in that the applicant's mark comprises six letters whereas the opponent's mark comprises four letters. The second to fifth letters of the applicant's mark are "Y-P-H-E" and the second and third letters of the opponent's mark are "I-F". Regardless of their role within the mark, this point of difference will have an impact on the visual comparison of the marks. Overall, while the marks do share some letters and even bearing in mind that consumers tend to focus on the beginning of the marks,¹ the different letters will be noticed. While there is no special test for 'short marks',² I consider that the shortness of the marks at issue means that the average consumer is more likely to notice the differences. As a result, I do not consider that the marks are highly similar but, instead I find that the marks are visually similar to between a low and medium degree.

Aural comparison

32. The applicant's mark consists of two syllables and will be pronounced as "SIGH-FER". The opponent's mark is most likely to be pronounced in two different ways,

¹ *El Corte Inglés, SA v OHIM*, Cases T-183/02 and T-184/02

² See paragraph 44 of *BOSCO*, BL O/301/20

being “SIFF-ERR” or “ESS-EYE-EFF-ARR”. The opponent’s best case, therefore, is that the marks are similar to between a medium and high degree.

Conceptual comparison

33. Conceptually, the applicant submits that the applicant’s mark conveys a fundamentally different meaning from the opponent’s mark with the applicant’s mark likely to be perceived by consumers as evoking the word “cipher”, implying ideas of encryption, code, secrecy or technological processes whereas the opponent’s mark lacks an immediately recognisable meaning in English, and is unlikely to evoke the same meaning as the applicant’s mark for the average consumer. The applicant asserts that conceptually the respective trade marks cannot be compared and must be considered different.

34. Conceptually, the opponent submits that the marks are conceptually neutral, meaning that the assessment focuses even more on their visual and aural impact. The opponent submits that the applicant’s submission that the applicant’s mark will immediately be perceived as a deliberate variation of the English word CIPHER thereby creating a conceptual distinction from the opponent’s earlier mark, is speculative and unsupported by evidence. The opponent submits that SYPHER is itself not a recognised English dictionary word, and there is no basis for assuming that the average consumer will uniformly associate it with the word cipher. The opponent further submits that whilst some consumers may perceive such an allusion, a significant proportion are equally likely to regard SYPHER simply as an invented or fanciful word. The opponent states that any conceptual distinction is at best, weak or uncertain and if the opponent’s mark conveys no clear conceptual meaning to the average consumer, the conceptual comparison is either neutral or of limited significance.

35. In considering the marks, I note that neither have an obvious meaning, and, as such, I find that the marks are conceptually neutral.

Distinctive character of the opponent's mark

36. 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).”

37. 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 opponent has not filed evidence of use of its mark. Therefore, I have only the inherent position to consider.

38. The opponent's mark will either be viewed as an invented word or an acronym. Where the opponent's mark is viewed as an invented word which has no meaning

it will enjoy a high degree of distinctiveness. However, where the opponent's mark is viewed as an acronym, it will enjoy a lower level of distinctiveness as acronyms typically carry less distinctiveness than invented words.

Likelihood of confusion

39. 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 services 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.

40. 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 and services at issue are marketed, and in which type of store/platform they are made available.

41. Throughout the course of this decision, I have proceeded on the basis that the respective goods and services are identical. The average consumers are highly skilled medical professionals, research consumers and scientists, as well as professional bodies such as clinics and hospitals at large who will select the goods and services via primarily visual means (though I do not discount an aural

component) after having paid a high degree of attention during the purchasing process. I have found the marks to be similar to between a low and medium degree from a visual perspective, similar to between a medium and high degree from an aural perspective and conceptually neutral. I have found the opponent's mark to possess a high degree of inherent distinctive character if it is viewed as an invented word or a lower degree of inherent distinctive character if it is viewed as an acronym.

42. As above, I have accepted that neither "SYIPHER" or "SIFR" have a clear meaning. The competing marks are both single word marks which share the first letter and the last letter. In this instance, where both marks are short, I consider that the differences in the marks are likely to be easily identified by the average consumer. I also take into consideration that I have found the marks to be conceptually neutral. Taking the above into account, it is my view that the differences between the competing marks are likely to be sufficient for the consumer paying a high degree of attention, to distinguish between them and avoid mistaking one for the other. As such, notwithstanding the principles of imperfect recollection and interdependency, I find that there is no likelihood of direct confusion, even when considered on identical goods and services.

43. That leaves indirect confusion to be considered. In respect of such, 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).’

44. In *Liverpool Gin Distillery Ltd & Ors v Sazerac Brands, LLC & Ors* [2021] EWCA Civ 1207, Arnold LJ referred to the comments of James Mellor QC (as he then was), sitting as the Appointed Person in *Cheeky Italian Ltd v Sutaria*,³ where he said at [16] that “a finding of a likelihood of indirect confusion is not a consolation prize for those who fail to establish a likelihood of direct confusion”. Arnold LJ agreed, pointing out that there must be a “proper basis” for concluding that there is a likelihood of indirect confusion where there is no likelihood of direct confusion.

45. It is not sufficient that a mark merely calls to mind another mark: *Duebros Limited v Heirler Cenovis GmbH*.⁴ This is mere association not indirect confusion.

³ BL O/219/16

⁴ BL O/547/17

46. The examples of indirect confusion set out in paragraph 17 of Mr Purvis's decision *L.A. Sugar Limited* (cited above) above are not exhaustive. However, they are the most usual circumstances where indirect confusion may arise. In my judgment, none of them apply here. Firstly, the common element of both marks, being the first letter "S" and the last letter "R", are not so distinctive that consumers would assume that no one else but the brand owner would be using it in a trade mark at all. I do not consider that these common elements alone would lead consumers to believe that the marks originate from the same or economically linked undertakings. This is because both marks are short and likely to be perceived as a whole, and whilst the overlapping element will be noted, the same can be said for the different letters in the middle of each word. Secondly, the applicant's mark does not add a non-distinctive element to the earlier mark of the kind which one would expect to find in a sub-brand or brand extension. Thirdly, the changing of the second and third letters "IF" in the middle of the opponent's mark to "YPHE" being the second to fourth letters in the applicant's mark does not appear to be logical and consistent with a brand extension. Additionally, it seems highly improbable that the applicant's mark would be taken as signifying a collaboration between the parties. Given the visual and aural differences in the marks, as well as the conceptual neutrality, I do not consider that the variations in the middle of the words are indicative of a logical brand extension. Whilst I bear in mind that the examples in *LA Sugar* are not exhaustive, I cannot identify any other basis upon which indirect confusion might occur.

47. Taking all of the above into account, I find that there exists no likelihood of indirect confusion, even when the consumers are confronted by the marks on identical goods and services. As I have found no likelihood of direct or indirect confusion in relation to identical services, it follows that the same will apply where they are only similar.

48. Even if I am wrong in my finding that a high degree of attention would be paid in relation to the goods and services, the level of attention paid would (at the very least) be higher than medium. Even in this situation, I would still have found no likelihood of confusion due to the differences between the marks being sufficient

to avoid one being mistaken for another and no basis being identifiable upon which indirect confusion might occur

49. Finally, for the avoidance of doubt, even if I am wrong in my finding regarding the aural similarity of the marks and they are, in fact, highly similar due to the potential pronunciation of the opponent's mark as "SIGH-FER", this would not have made a difference to my finding. This is because the purchasing process is predominantly visual, and the visual differences between the marks would be sufficient to avoid a likelihood of direct or indirect confusion arising.

CONCLUSION

50. The opposition fails in its entirety. Therefore, the applicant's mark may, subject to any successful appeal of my decision, proceed to registration in respect of all of the goods and services for which protection was sought.

COSTS

51. The applicant has been successful and is entitled to a contribution towards their costs, based upon the scale published in Tribunal Practice Notice 1/2023. In the circumstances, I hereby award the applicant the sum of £250 calculated as follows:

Considering the notice of opposition and preparing the counterstatement:	£250
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Total:	£250
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52. I therefore order Cryptobiotix to pay SYNGENSY LIMITED the sum of £250. The above 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 29th day of September 2026

N Barratt

For the Registrar

Annex 1 – Applicant's goods and services

Class 9: Computer software and mobile application software for collection of information, particularly commercial, scientific, health, gene and cell information; computer software and mobile application software for collection of data, particularly commercial, scientific, health, gene and cell data; computer software and mobile application software for access to databases, computerized files and records relating to the health status of individuals, molecules and formulation for medical use, as well as medicines and medical research; computer software and mobile application software for collating and maintaining computer files and data in electronic format; computer software and mobile application software for the bringing together, for third parties, of service offers relating to capture, collection, analysis, processing and use of data, particularly medical, health gene and cell research data; computer software and mobile application software for data capture, collection, analysis, processing and use of data, particularly health, gene and cell data; computer software and mobile application software for compilation of scientific and technical information, of information related to people's health, to medicines [medical information] and to gene and cell therapy; computer software and mobile application software for compilation of medical reports, medical prescriptions and recommendations [medical information].

Class 42: Structural and functional analysis of genomes; genetic fingerprinting; genetic research; research in the field of gene therapy; laboratory research in the field of gene expression; analysis in the field of molecular biology; biochemical analysis; structural and functional analysis of genomes; research and development services in the field of gene expression systems; research and development services in the field of genes and cells; biotechnology research; scientific research in the field of genetics and genetic engineering; biological analysis; genetic mapping for scientific purposes; genetic engineering services; biotechnology testing; biochemical research and development; scientific and technical analysis and research; computer testing and analysis; quality control and auditing; quality control of software, scientific and technical data and scientific and technical analyses; design of technical and scientific studies; design, development, programming, configuration, installation, maintenance, updating and testing of

algorithms and software, particularly for artificial intelligence and decision support systems; design, development, programming, configuration, installation, maintenance, updating and testing of algorithms and computer software and platforms for consulting, analyzing, exchanging and sharing data, particularly in a collaborative work environment; design, development, formulation, updating and testing of new medicines and new medicine formulas [scientific research]; evaluation of the performance of medical treatments [quality control]; design, development, selection, training and remote provision [SaaS] of models and software for gene and cell therapy; software as a service [SaaS]; platforms for gene and cell therapy research as SaaS [Software as a Service]; software as a service [SaaS] for data input, extraction, processing, display and storage relating to gene and cell therapy; software as a service [SaaS] for collection of information, particularly commercial, scientific, health, gene and cell information; software as a service [SaaS] for collection of data, particularly commercial, scientific, health, gene and cell data; software as a service [SaaS] for access to databases, computerized files and records relating to the health status of individuals, molecules and formulation for medical use, as well as medicines and medical research; software as a service [SaaS] for collating and maintaining computer files and data in electronic format; software as a service [SaaS] for the bringing together, for third parties, of service offers relating to capture, collection, analysis, processing and use of data, particularly medical, health gene and cell research data; software as a service [SaaS] for data capture, collection, analysis, processing and use of data, particularly health, gene and cell data; software as a service [SaaS] for compilation of scientific and technical information, of information related to people's health, to medicines [medical information] and to gene and cell therapy; software as a service [SaaS] for compilation of medical reports, medical prescriptions and recommendations [medical information]; provision of information relating to scientific technology; platform as a service [PaaS] for collection of information, particularly commercial, scientific, health, gene and cell information; platform as a service [PaaS] for collection of data, particularly commercial, scientific, health, gene and cell data; platform as a service [PaaS] for access to databases, computerized files and records relating to the health status of individuals, molecules and formulation for medical use, as well as medicines and medical research; platform as a service [PaaS] for collating and maintaining computer files

and data in electronic format; platform as a service [PaaS] for the bringing together, for third parties, of service offers relating to capture, collection, analysis, processing and use of data, particularly medical, health gene and cell research data; platform as a service [PaaS] for data capture, collection, analysis, processing and use of data, particularly health, gene and cell data; platform as a service [PaaS] for compilation of scientific and technical information, of information related to people's health, to medicines [medical information] and to gene and cell therapy; platform as a service [PaaS] for compilation of medical reports, medical prescriptions and recommendations [medical information].provision of temporary use of non-downloadable software for data processing and analysis relating to gene and cell therapy; preparation of technical and scientific manuals; preparation of technical and scientific reports; technology research; scientific research services; data analysis computer services; computer services for data analysis and interpretation relating to gene and cell therapy; information and advice concerning all the aforesaid services; all the aforesaid services provided in connection with or relating to scientific research and the medical field; research in the field of gene therapy; stem cell research services; stem cell research; advisory services relating to gene therapy research; research and development services in the field of gene expression systems; cell separation technology services; cell separation research services; laboratory research in the field of gene expression; biotechnology research for determining the neuronal survival of molecules in animal models; biological cloning services; research and development of vaccines and medicines; advisory services relating to gene therapy research; laboratory services relating to the production of monoclonal antibodies; biotechnology research; research in the field of cell therapy.

Class 44: Medical analysis for diagnosis and treatment of persons; medical, gene and cell data analysis; conducting of studies and analyses on health of persons, medicines for medical diagnostic and treatment purposes and for gene and cell therapy; medical screening; preparation of medical reports and medical recommendations; carrying out disease diagnostics; advisory services in the field of health care, gene and cell therapy; medical diagnosis services; stem cell therapy services; stem cell storage; stem cell bank services; cultured cell bank services for medical transplantation; medical treatment using cultured cells; RNA or DNA

analysis for cancer diagnosis and prognosis; medical services relating to the removal, treatment and processing of human genes and cells; information and advice concerning all the aforesaid services.