

O/1027/25

**TRADE MARKS ACT 1994
SUPPLEMENTARY DECISION**

**IN THE MATTER OF REGISTRATION NO. UK00003673198
IN THE NAME OF HOTPATCH LIMITED
FOR THE FOLLOWING TRADE MARK:**

PATCH

IN CLASSES 9, 35,42 & 43

AND

**AN APPLICATION FOR A DECLARATION OF INVALIDITY
UNDER NO. 505863
BY PATCH PLACES LTD**

Background

1. It has been drawn to my attention that my decision BL O/0666/25 dated 21 July 2025 contained typographical errors in paragraphs 1, 5 and one of the footnotes which reads:

“1. Hotpatch Limited (“the proprietor”) is the proprietor of the trade mark on the cover page of this decision. The proprietor’s mark was filed on 26 July 2021 and entered into the register on 17 September 2021. It stands registered for the following goods and services:

[...]

5. Neither party filed evidence. No evidence in reply was filed, however, the proprietor filed written submissions dated 23 September 2024. The cancellation applicant filed submissions in lieu of a hearing. The cancellation applicant is represented by Swindell & Pearson Limited. The proprietor is represented by Withers & Rogers LLP. I do not intend to summarise the submissions at this stage, but will refer to them, where necessary, throughout the decision; however, I have taken them all into consideration in reaching my decision.

[...]

¹ The cancellation applicant’s 3613716 was subject to opposition proceedings. The outcome of these proceedings was published on 13 December 2023 in BL O/117/23. The proceedings were against some of the cancellation applicant’s services in classes 35,36 and 41. The opposition succeeded in its entirety, and accordingly, those services subject to opposition were refused; however, the registration proceeded for classes 37, 41 and 42, which did not form part of the proceedings. These are the services that can be relied upon in the invalidity action.”

2. The representative details were presented the wrong way around, the date recorded as entered into the register was incorrect and a ‘1’ was missing from the case reference within the footnote— these have been amended below accordingly. As a result, paragraph 1, 5 and the footnote should read as follows:

“1. Hotpatch Limited (“the proprietor”) is the proprietor of the trade mark on the cover page of this decision. The proprietor’s mark was filed on 26 July 2021 and entered into the register on 26 November 2021. It stands registered for the following goods and services:

[...]

5. Neither party filed evidence. No evidence in reply was filed, however, the proprietor filed written submissions dated 23 September 2024. The cancellation applicant filed submissions in lieu of a hearing. The proprietor is represented by Swindell & Pearson Limited. The cancellation applicant is represented by Withers & Rogers LLP. I do not intend to summarise the submissions at this stage, but will refer to them, where necessary, throughout the decision; however, I have taken them all into consideration in reaching my decision.

[...]

¹ The cancellation applicant’s 3613716 was subject to opposition proceedings. The outcome of these proceedings was published on 13 December 2023 in BL O/1117/23. The proceedings were against some of the cancellation applicant’s services in classes 35,36 and 41. The opposition succeeded in its entirety, and accordingly, those services subject to opposition were refused; however, the registration proceeded for classes 37, 41 and 42, which did not form part of the proceedings. These are the services that can be relied upon in the invalidity action.”

3. These errors are plainly an irregularity in procedure and capable of being corrected under Rule 74 of the Trade Marks Rules 2008. Consequently, I give the parties notice that the above sections of the decision will be amended as stated above and apply as though they had appeared in the original version of the decision. The appeal period respect of these proceedings is not reset as a result of the supplemental decision.

Dated this 4th day of November 2025

A Klass

For the registrar,

the Comptroller-General