

O/1104/25

TRADE MARKS ACT 1994

IN THE MATTER OF APPLICATION NO. UK00003934948

BY CONNECTIVITY STANDARDS ALLIANCE

TO REGISTER THE TRADE MARK:



IN CLASSES 9, 35, 41 AND 42

AND

IN THE MATTER OF OPPOSITION THERETO

UNDER NO. 443155 BY

CANADIAN STANDARDS ASSOCIATION

BACKGROUND AND PLEADINGS

1. On 18 July 2023, Connectivity Standards Alliance (“the applicant”) applied to register the trade mark shown on the cover page of this decision, in the UK. The application was published for opposition purposes on 25 August 2023 and registration is sought for the following goods and services:

- Class 9 Downloadable software for testing, certification and analytics of interoperability standards.
- Class 35 Association services, namely, promoting interoperability standards and wireless communication standards; association services, namely, promoting the public interest and awareness of interoperability standards and wireless communication standards.
- Class 41 Educational services, namely, conducting workshops, conferences, seminars, classes, and training services in the fields of interoperability standards and wireless communication standards.
- Class 42 Online non-downloadable software for testing, certification of analytics of interoperability standards; software as a service (SaaS) for testing, certification of analytics of interoperability standards; technical consulting services in the fields of interoperability standards, wireless standards and wireless communication; technical research and design services in the fields of interoperability standards, wireless standards and wireless communication; technical research and design in the fields of consumer electronics, environmental controls, and remote monitoring of electronic products; technical analysis services in the field of interoperability standards, wireless standards and wireless communication; providing a website featuring information in the fields of interoperability standards, wireless standards and wireless communication; providing a website for members of a interoperability standards organisation.

2. On 20 September 2023, the application was opposed by Canadian Standards Association (“the opponent”) based upon sections 5(2)(b) and 5(3) of the Trade Marks Act 1994 (“the Act”). Under both grounds, the opponent relies upon the following trade marks:

CSA

UKTM no. 3334398

Filing date 28 August 2018; registration date 6 September 2019

(“the First Earlier Mark”)

CSA

UKTM no. 917939553

Filing date 3 August 2018; registration date 14 February 2019

(“the Second Earlier Mark”)

CSA GROUP

UKTM no. 3395533

Filing date 29 April 2019; registration date 20 September 2019

(“the Third Earlier Mark”)

3. Under section 5(2)(b), the opponent relies upon those goods and services highlighted in bold in Annex 1 to this decision. The opponent relies upon the First and Third Earlier Marks to oppose the application in its entirety, and relies upon the Second Earlier Mark to oppose only the class 9 goods of the application. The opponent claims that the marks are similar and the goods and services are identical or similar, with the result that there is a likelihood of confusion.

4. Under section 5(3) of the Act, the opponent relies upon all goods and services for which the earlier marks are registered, as set out in Annex 1 to this decision. The opponent claims that use of the applicant’s mark would, without due cause, take unfair advantage of, and/or be detrimental to, the distinctive character and/or repute of the earlier marks.

5. The applicant filed a counterstatement denying the grounds of opposition and putting the opponent to proof of use in respect of the Second Earlier Mark. However, the request for proof of use was abandoned in the applicant's written submissions in lieu.

6. Neither party requested a hearing, but both filed written submissions in lieu. This decision is taken following careful consideration of the papers on file.

REPRESENTATION

7. The applicant is represented by DLA Piper UK LLP.

8. The opponent is represented by Baker & McKenzie LLP.

EVIDENCE AND SUBMISSIONS

9. The opponent filed evidence in the form of the witness statement of Christine Abi-Najem dated 9 April 2024, which is accompanied by 12 exhibits (CAN1 to CAN12). Ms Abi-Najem is the Manager, Legal Operations of the opponent, a position she has held since 6 June 2022.

10. The applicant filed evidence in the form of the witness statement of Ruth Hoy dated 13 June 2024, which is accompanied by one exhibit (RH1). Ms Hoy is a Partner at the applicant's representatives.

11. The applicant's evidence was accompanied by written submissions dated 13 June 2024.

12. The opponent did not file evidence in reply.

13. The opponent filed written submissions in lieu dated 9 November 2024.

14. The applicant filed written submissions in lieu dated 11 November 2024.

Additional Submissions

15. In preparing this decision, I noted that there was very little by way of explanation from the opponent as to why the goods and services in issue should be considered similar. Consequently, on 6 October 2025, the Tribunal wrote to the opponent requesting that it identify its best case for each term in the applicant's specification. The opponent filed submissions accordingly on 20 October 2025.

16. The applicant was given an opportunity to respond, which they did on 3 November 2025.

RELEVANCE OF EU LAW

17. 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

Preliminary matter

18. I note that the applicant has filed evidence and submissions challenging whether the evidence of use filed by the opponent is actually relevant to the marks relied upon and whether it is actually use by the opponent (or with its consent). I note that none of the criticisms raised by the applicant have been responded to by the opponent. Whilst many of the criticisms raised by the applicant are valid, for reasons that are explained below, I do not need to rely upon the opponent's evidence for the purposes of this decision. Consequently, I do not need to address these criticisms in detail.

Section 5(2)(b)

19. 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.”

20. Section 5A of the Act is as follows:

“5A 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.”

21. The following principles are gleaned from the decisions of the EU courts 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 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 greater 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 to mind the earlier mark, 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.

My Approach

22. Given their earlier filing dates, the trade marks upon which the opponent relies qualify as earlier trade marks pursuant to section 6 of the Act. As noted above, whilst the Second Earlier Mark is subject to the use provisions in section 6A of the Act, the applicant confirmed in its written submissions in lieu that it did not wish to pursue the request for proof of use as originally set out in its Form TM8. In any event, I note that the First and Second Earlier Marks are identical, and the specification of the First Earlier Mark encompasses that of the Second Earlier Mark, with the exception of the terms “lifting magnet”, “wire and cable for communication, energy, and electrical applications” and “appliance cords, electrical cords” in class 9. None of these additional terms in the specification of the Second Earlier Mark appear to me to share any similarity at all with the applicant’s specification. Indeed, they are not relied upon by the opponent in their submissions referred to in paragraph 15 above. Consequently, the Second Earlier Mark will not put the opponent in any stronger position than the First Earlier Mark under section 5(2)(b). As a result, I will proceed on the basis of the First and Third Earlier Marks only.

Comparison of goods and services

23. The full breadth of the specifications relied upon by the opponent can be found in Annex 1 to this decision. However, at my request, the opponent filed written submissions identifying which of the terms in its specification it relies upon. I have addressed these submissions below.

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

25. When making the comparison, all relevant factors relating to the goods in the specifications should be taken into account. In the judgment of the Court of Justice of the European Union (“CJEU”) in *Canon*, Case C-39/97, the court stated at paragraph 23 that:

“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.”

26. Guidance on this issue has also come from Jacob J. (as he then was) in the *Treat* case, [1996] R.P.C. 281, where he identified the factors for assessing similarity as:

- (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.

Class 9

Downloadable software for testing, certification and analytics of interoperability standards.

27. I have submissions from the parties as to what is meant by “interoperability standards”. The opponent submits that it means:

“the ability of two or more systems or applications to exchange information and to mutually use the information that has been exchanged.”

28. The applicant agrees with this definition subject to further clarification that the systems and applications referred to are computer systems and applications. This accords with my own understanding of the phrase.

29. The opponent has identified the following term as representing its best case, which appears in the specifications of both the First and Third Earlier Marks:

“Computer software, namely, software related to product and service standards, standards and standards development, factory inspections, emergency response planning in the fields of business and quality management standards, climate change standards, construction products and materials standards, construction design standards, design and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards.” (my emphasis)

30. The part of the above term which is underlined refers to software which deals with standards generally. This could, in my view, include software related to interoperability standards (which would be a subcategory of standards at large). Consequently, I consider the goods to be identical on the principle outlined in *Meric*.

Class 35

Association services, namely, promoting interoperability standards and wireless communication standards.

31. The opponent identifies the following term as its best case which appears in the specification of the Third Earlier Mark:

“Association services, namely, development of voluntary or mandatory (as required by regulations) business management and quality management standards, climate change standards, construction products and materials standards and construction design standards, design and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely, standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards, public and community safety standards for industrial, commercial and domestic goods, services, processes and systems.” (my emphasis)

32. I accept the applicant’s submission that development (in the opponent’s specification) and promotion (in the applicant’s specification) are two different things. However, in my view, these services would be provided by the same businesses to the same users. There is also some overlap in nature and method of use, to the extent

that they are both provided as part of the services of an association. In my view, the services are similar to at least a medium degree.

Association services, namely, promoting the public interest and awareness of interoperability standards and wireless communication standards.

33. The opponent identified two terms which it considers represents its best case in relation to these services. In my view, its stronger case is the following term in the specification of the Third Earlier Mark:

“Association services, namely, establishment and promotion of information, namely, promoting public and industry awareness about the importance of the acceptance, use, conformity and certification to programs and standards related to technical, safety, performance, quality, management and dimension standards for industrial, commercial and domestic goods and services in a wide variety of fields via print media, the Internet, social media and public speaking forums.” (my emphasis)

34. In my view, the part of the term which is underlined above is broad enough to cover the applicant’s services. They are identical on the principle outlined in *Meric*.

Class 41

Educational services, namely, conducting workshops, conferences, seminars, classes, and training services in the fields of interoperability standards and wireless communication standards.

35. The opponent identifies a number of terms in the specifications of the First and Third Earlier Marks which it considers identical to the applicant’s services. In my view, its best case is the following term in the specification of the First Earlier Mark:

“Education; all the aforesaid services in conjunction with the business of a not-for-profit association responsible for the development of industry standards, the

promotion of these standards, education relating to these standards, and the certification of others in accordance with these standard.”

36. I have considered the impact of the limitation on the term “education”. In my view, the limitation simply serves to identify the nature of the business that is providing the education services i.e. a not-for-profit business that specialises in a particular area (being industry standards). However, it does not limit the subject matter of the educational services that they provide. Consequently, my primary finding is that the subject matter of the educational service is unlimited and would encompass the applicant’s services. However, even if I am wrong in that finding and the opponent’s services are limited to those in the field of “industry standards”, this term seems to me to be broad enough to cover industry standards in the field of wireless communication and interoperability standards. In either case, the services are identical on the principle outlined in *Meric*.

Class 42

Online non-downloadable software for testing, certification of analytics of interoperability standards; software as a service (SaaS) for testing, certification of analytics of interoperability standards.

37. The opponent relies upon the same term from class 9 of its own specification identified in paragraph 29 above. In my view, the same part of that term which is underlined above overlaps in purpose, user and trade channels with these terms in the applicant’s specifications. Clearly, the nature and method of use may have some differences given that the class 9 goods are physical software goods and these are services. However, there may be some competition. I consider the goods and services to be similar to at least a medium degree.

Technical consulting services in the fields of interoperability standards, wireless standards and wireless communication.

38. The opponent has identified a number of terms which it considers to be identical to this term in the applicant's specification. My view is that its strongest case is the following term in the specification of the Third Earlier Mark:

“Consulting services regarding voluntary or mandatory (as required by regulations) business management and quality management standards, climate change standards, construction products and materials standards and construction design standards, design and installation standards, electrical standards, energy and power standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards and public and community safety standards for industrial, commercial and domestic goods, services, processes and systems.” (my emphasis).

39. In my view, the part of the term underlined above encompasses the applicant's services, for the same reasons explained previously. The services are identical on the principle outlined in *Meric*.

Technical research and design services in the fields of interoperability standards, wireless standards and wireless communication; technical research and design in the fields of consumer electronics, environmental controls, and remote monitoring of electronic products.

40. Again, the opponent has identified a number of terms that it considers to be identical or highly similar to the applicant's services. In my view, its best case is the following term in the specification of the First Earlier Mark:

“Industrial analysis and research services; all the aforesaid services in conjunction with the business of a not-for-profit association responsible for the development of industry standards, the promotion of these standards,

education relating to these standards, and the certification of others in accordance with these standards.”

41. I have already explained above that I do not consider this limitation actually impacts the subject matter of the core services. Consequently, I find the applicant’s terms to be either identical or highly similar to the opponent’s industrial analysis and research services. This is because, if they are not identical, they overlap in nature, user, method of use, purpose and trade channels with the applicant’s services. To the extent that, as the applicant submits, design services are not identical to technical analysis and research services, they would be provided by the same undertakings to the same users and may be complementary.¹ Consequently, I find them to be similar to at least a medium degree.

Technical analysis services in the field of interoperability standards, wireless standards and wireless communication.

42. The opponent identifies the following term in the specification of the Third Earlier Mark as its best case:

“Testing, analyzing, evaluating and inspecting goods and services of others to assess compliance and conformity pursuant to performance and safety standards.”

43. I accept that performance standards might include the ability of a system to perform when used with other systems, and might therefore include interoperability standards. Consequently, my primary finding is that these services are identical on the principle outlined in *Meric*. However, if I am wrong in that finding, then I consider these services to be identical to the opponent’s industrial analysis and research services on the principle outlined in *Meric*.

¹ *Boston Scientific Ltd v Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM)*, Case T-325/06

Providing a website featuring information in the fields of interoperability standards, wireless standards and wireless communication; providing a website for members of a interoperability standards organisation.

44. In my view, the opponent's best case in relation to each of these terms is the following term which appears in the specification of the Third Earlier Mark:

“Providing a website for customers to manage accounts and information regarding new standards, [...] information technology standards.”

45. I note that this term in the opponent's specification appears in class 41, not class 42. It is not clear to me why this term would be listed in class 41, as it seems proper to class 42.² As it appears to have simply been listed in the wrong class, I see no reason why these terms should not be considered identical on the principle outlined in *Meric*. However, if it has been listed in class 41 because it is intended to have a focus which would make it proper to that class (although that is not apparent from the term itself), then there will still be an overlap in nature, method of use and purpose, as both are services which provide information via a website in relation to technology-related subject matter. Consequently, I find them to be similar to at least a medium degree.

The average consumer and the nature of the purchasing act

46. 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 and services in question: *Lloyd Schuhfabrik Meyer*, Case C-342/97.

47. 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:

² Nice Classification

“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 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.”

48. The average consumer for the goods and services is likely to be a business user, although may include the general public in some instances. The average consumer is likely to consider factors such as ease of use and performance in respect of the goods and, in respect of the services, factors such as customer service standards, qualifications of the service provider and useability. In my view, at least a medium degree of attention will be paid during the purchasing process. However, I recognise that it is likely to be above medium for some of the goods/services.

49. The goods and services are likely to be purchased following perusal of signage at physical premises, on websites and on advertisements. Consequently, visual considerations are likely to dominate the purchasing process. However, I do not discount that aural components will play a part given that advice may be sort verbally and word-of-mouth recommendations may be involved.

Comparison of trade marks


50. It is clear from *Sabel* that the average consumer normally perceives a trade 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 trade marks must be assessed by reference to the overall impressions created by the trade marks, bearing in mind their distinctive and dominant components. 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.”

51. 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.

52. The respective trade marks are shown below:

Opponent’s trade marks	Applicant’s trade mark
<p style="text-align: center;">CSA (the First Earlier Mark)</p> <p style="text-align: center;">CSA GROUP (the Third Earlier Mark)</p>	

Overall Impression

53. The First Earlier Mark consists of the letters CSA. There are no other elements to contribute to the overall impression, which lies in these letters.

54. The Third Earlier Mark consists of the letters CSA followed by the word GROUP. These elements both contribute to the overall impression of the mark, but the letters CSA are more distinctive, as the average consumer is likely to recognise that the word GROUP is not distinctive of one particular business.

55. The applicant’s mark consists of the letters CSA, in a stylised font, where the S and A are joined by a curved line. These letters are presented in blue. In smaller font, to the righthand side of the letters, are the words CONNECTIVITY STANDARDS

ALLIANCE in lower case font, one on top of the other. Given their size, the letters CSA play the greatest role in the overall impression, followed by the words. The stylisation and colour play a lesser role.

Visual Comparison

56. The First Earlier Mark and the applicant's mark overlap in that both consist of, or contain, the letters CSA. I bear in mind that the First Earlier Mark is a word only mark, which could be used in any font and any colour. The words CONNECTIVITY STANDARDS ALLIANCE in the applicant's mark are points of visual difference. In my view, the marks are visually similar to a medium degree.

57. The same is true of the comparison with the Third Earlier Mark. However, the word GROUP is an additional point of difference. In my view, the marks are visually similar to a slightly lower than medium degree.

Aural Comparison

58. The letters CSA will be pronounced identically in both the First Earlier Mark and the applicant's mark. The words CONNECTIVITY STANDARDS ALLIANCE will be a point of aural difference. I find the marks to be aurally similar to a medium degree.

59. The same is also true of the Third Earlier Mark. However, the word GROUP is a further point of aural difference. I find the marks to be aurally similar to a slightly lower than medium degree.

Conceptual Comparison

60. The letters CSA in both marks are, in themselves, meaningless and, therefore, conceptually neutral. However, the words CONNECTIVITY STANDARDS ALLIANCE in the applicant's mark are dictionary words which will be attributed their ordinary meaning. Consequently, overall, the marks are conceptually dissimilar. The word GROUP in the Third Earlier Mark has a clear meaning, which is absent from the applicant's mark. They are conceptually dissimilar.

Distinctive character of the earlier marks

61. 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-2779, 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).”

62. 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/services, to those with high inherent distinctive character, such as invented words which have no allusive qualities. The distinctive character of a mark can be enhanced by virtue of the use that has been made of it.

63. The First Earlier Mark consists of the letters CSA. They are distinctive to between a low and medium degree. The addition of the word GROUP does not materially increase the distinctiveness of the Third Earlier Mark, and so the same finding applies.

64. The opponent has filed evidence of use. Ms Abi-Najem states that the opponent is one of the largest standards development organisations in North America; it also operates in the UK market. However, the opponent's evidence lacks key details regarding how the revenue spend relates to the various categories of goods and services within its specification. The opponent's UK business appears to operate across a range of services including training programs, safety assessments and certification services.³ In the absence of a breakdown which enables me to assess what proportion of these figures relate to the various categories of goods/services, it is of limited value.⁴ Further, I have no evidence regarding overall advertising spend, and no market share figures. Whilst examples of promotional materials have been provided, I have no information regarding the reach of these publications in the UK market.⁵ Consequently, I do not consider that the opponent's evidence is sufficient to establish enhanced distinctiveness.

Likelihood of confusion

65. 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 them and the goods/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 marks may be offset by a greater degree of similarity between the goods/services and vice versa. As I mentioned above, it is necessary for me to keep in mind the distinctive character of the First and Third Earlier Marks, the average consumer for the goods/services and the nature of the purchasing

³ See, for example, CAN3.

⁴ EROS BODYGLIDE BL O/0984/25

⁵ See exhibits CAN5 to CAN11.

act. 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 he has retained in his mind.

66. I have found as follows:

- a. The goods and services vary from being similar to a medium degree to identical.
- b. The average consumer for the goods/services is a business user or, in some cases, a member of the general public, who will pay at least a medium degree of attention during the purchasing process (albeit in some cases it will be higher than medium).
- c. The purchasing process is predominantly visual, although I do not discount an aural component to the purchase.
- d. The First Earlier Mark and the applicant's mark are visually and aurally similar to a medium degree, and conceptually dissimilar.
- e. The Third Earlier Mark and the applicant's mark are visually and aurally similar to a slightly lower than medium degree, and conceptually dissimilar.
- f. The First and Third Earlier Marks are inherently distinctive to between a low and medium degree.

67. I do not consider that the differences between the marks will be overlooked, such that the marks will be mistakenly recalled or misremembered as each other, even when used on identical goods/services. Consequently, I do not consider there to be a likelihood of direct confusion.

68. I will now consider whether there is a likelihood of indirect confusion. In *L.A. Sugar Limited v By Back Beat Inc*, Case BL O/375/10, 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)”.

69. In my view, the common element CSA is likely to result in the average consumer concluding that the marks are being used by the same or economically linked

undertakings. The addition of the words CONNECTIVITY STANDARDS ALLIANCE in the applicant's mark are likely to be viewed as the name of the business being used alongside the acronym, and the use of stylisation/colour are likely to be viewed as an alternative mark for the same business. Similarly, in respect of the Third Earlier Mark, the addition/absence of the word GROUP will be seen as a non-distinctive element which is consistent with a sub-brand. In my view, there is a likelihood of indirect confusion for all of the goods/services that I have found to be similar.

70. The opposition based upon section 5(2)(b) of the Act succeeds in its entirety.

Section 5(3)

71. Section 5(3) states:

“(3) A trade mark which-
is identical with or similar to an earlier trade mark, shall not be registered if, or to the extent that, the earlier trade mark has a reputation in the United Kingdom and the use of the later mark without due cause would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark”.

72. The relevant case law can be found in the following judgments of the CJEU: Case C-375/97, *General Motors*, Case C-252/07, *Intel*, Case C-408/01, *Adidas-Salomon*, Case C-487/07, *L’Oreal v Bellure* and Case C-323/09, *Marks and Spencer v Interflora* and Case C-383/12P, *Environmental Manufacturing LLP v OHIM*.

73. I can deal with this ground relatively swiftly. Whilst enhanced distinctiveness and reputation are different, the factors relevant to the assessment for each are the same. For the same reasons given above in relation to enhanced distinctiveness, I find the opponent's evidence falls short of establishing the requisite reputation. Consequently, the opposition based upon this ground falls at the first hurdle.

74. The opposition based upon section 5(3) of the Act is dismissed.

CONCLUSION

75. The opposition is successful and, subject to any appeal, the application is refused.

COSTS

76. The opponent has been successful and is, therefore, entitled to a contribution towards its costs based upon the scale published in Tribunal Practice Notice 1/2023. Whilst I note that the opponent paid a higher official fee due to its reliance on section 5(3) of the Act, as it was unsuccessful in respect of that ground, I only award the sum of £100 in respect of the official fee. In the circumstances, I award the opponent the sum of **£1,400**, calculated as follows:

Preparing a Notice of opposition and considering the applicant's counterstatement	£350
Preparing evidence and considering the applicant's evidence	£600
Written submission in lieu	£350
Official fee	£100
Total	£1,400

77. I therefore order Connectivity Standards Alliance to pay Canadian Standards Association the sum of **£1,400**. This sum is to 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 25th day of November 2025

S WILSON
For the Registrar

ANNEX 1

First Earlier Mark

Class 7

Grain shelled machine; mower; nebulizer (machine); motorized cultivator; aquarium pumps; animal shearing machine; incubator; woodworking machines; saws (machines); planing machine; paper machine; paper machine (paper machine); typesetting machines (photocomposition); presses; rotary dryer (non-heating); - washing machine; printing machines; removing machine; blender; mixer; mixer (machines); machines for processing foods; electrical system beverage machine; ironing machine; sewing machine; ironing machines; portable rotary steam ironing presses; engraving machine; computer carving machine; tape dispensers (machines); dishwasher; household electric mill; electric can opener; non-manual coffee grinder; and household electric mixer; kitchen electric motors; household electric juice fruit machine; food processing machines (electric); home shredder; home meat slicer; washing machines; laundry washing machines; coin-operated washing machines; machines for washing laundry [coin operated]; laundry drying machine; dry cleaning machines; pharmaceutical processing industry machinery; bottle machine; chemical industry electrical machinery; rig; mine operating machinery; oil refining machinery; oil exploration, oil refining industry machinery and equipment; special oil pump; concrete vibrators; stone cutting machine; lifts (except skiers uphill transport means); elevators (lifts); crane; escalators; hoist; crane (lifting device); lifting magnet; a turbine compressor; power hammer; gas engine; gasoline engine (land vehicles except use); non-terrestrial vehicles turbines; wind power generation equipment; wind turbines; machine tools; metal processing machinery; grinder; polishing machines and equipment (electric); robot (machinery); chain saws; planer; reciprocating saws; electric shears; electric scissors; electric knife; non-manual hand tools; electric hand operated drill; electric glue gun; hand drill (excluding coal drill); electric screwdriver; electric wrench; electric grinder; blasting machine (electric); electrostatic industrial equipment; coater; spray guns; paint-spraying equipment; paint gun; a current generator; generators; non-terrestrial vehicle drive motor; non-terrestrial vehicle engine; machine, engine or motor control cables; machine, engine or motor control device; motors (except for land vehicles); emergency generator; compressors

(machines); pumps (machines, engines or motor parts); compression, and transporting gas emissions blower; compression, suction and delivery of cereals fan; compression, suction and delivery of grain blower or fan; compression, suction and delivery of grain blower; industrial smoke machine; pump (machines); pumps (machines); refrigerator compressor; machines, motors and engines hydraulic controller; machines, motors and engines pressure controller; pump; regulator; degreasing means (machines); pressure regulators (machine parts); a heat exchanger (machine parts); industrial oscillator (machines); valves (machine parts); electric torch (machines); pneumatic welding equipment; pneumatic welding torch; pneumatic soldering iron; cleaning equipment; electric cleaning machinery and equipment; garbage disposal; waste compactors; industrial shredder (machines); carpet cleaning machines and apparatus (electric); central vacuum cleaning equipment; steam cleaning equipment; high-pressure washing machine; vacuum cleaners; electric waxing machines and equipment; labeling machine (machines); calendar rollers; electronic control device to pull the curtains; electric shoe polisher; electric rolling door machine; agriculture machinery; textile industrial machinery; petrochemical equipment; conveyors (machines); casting machine; steam engine; electronic industrial equipment; vending machines; fuel pumps; arc welding equipment; electric door openers; household electric crusher; heat exchangers (parts of machines); steam boilers (parts of machines); stage smoke machine; cleaning machines, namely vacuum cleaners, washing machines; ironing machines; machine tools; bubble makers; foam makers.

Class 9

Computer software, namely, software related to product and service standards, standards and standards development, factory inspections, emergency response planning in the fields of business and quality management standards, climate change standards, construction products and materials standards, construction design standards, design and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards; computer software, namely, software related to medical and laboratory equipment and related operational standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely, standards

relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards; computer software, namely, software related to public and community safety standards for industrial, commercial and domestic goods and services, materials, equipment, processes and systems, as well as software related to cybersecurity concerning all of the foregoing standards, namely, software used to protect the user against the criminal or unauthorized use of electronic data relating to all of the foregoing standards; electric heating wire; clock type switches; components of cord sets; control cables; cord sets namely cord-sets for power supply, extension cords, heater cords; electric fence controllers and energizers; metal and non-metallic conduits; outlet boxes and fittings; panel boards; plates and covers; power cables; switches, namely air break, automatic, components, dead-front and enclosed, electronic, enclosed single-pole air, high voltage, magnetic type, pressure type; switchboard.

Class 10

Medical incubator; massage equipment; medical devices and equipment; operating table; preterm infant incubators; medical diagnostic equipment; medical electric shock to the heart defibrillator; medical or dental armchair; medical heating pad; medical lasers; medical X-ray generation plant and equipment; medical imaging equipment; medical electric blankets; medical water beds; medical bed; lifting appliances for patients; masks; surgical instruments and apparatus; dental equipment; medical X-ray equipment.

Class 11

Light bulbs; lights; vehicle lights; lighting discharge; lamp; lighting apparatus and equipment; ceiling lights; safety lamp; lighting reflector; lanterns; Christmas tree lights; automobile lights; lighting for aquariums; stage lighting; acetylene lamp; hot air oven; electric flat pressure cooker; water heaters; bread furnace; burner; coffee bean roasters; coffee bean roaster; electric cooker; cooker; stove; stove (heating apparatus); fruit roasters; gas furnace; furnace; toaster; grill (cooking apparatus); malt roaster; kitchen stove (oven); stove ring; electric flip meat grill; oven; alcohol furnace; gas stove; pressure cooker (electric pressure cookers); pressure cookers

(autoclaves); electric bottle warmers; electric bake waffle iron mold; electric coffee filters; electric coffee percolators; coffee machine; portable barbecue grills; electric fryer; electric kettle; electric yogurt makers; microwave ovens; scones furnace; kerosene stove; gas water heater; electric water heaters; electric wok; freezers; beverage cooling apparatus; water cooling apparatus; refrigerating equipment and machinery; walk-in refrigerator; refrigerated containers; ice machine and equipment; milk cooling device; liquid cooling device; cooling apparatus and machinery; refrigeration equipment and plant; cooling systems and equipment; refrigerator; refrigerated display cabinet; machines for making ice cream; automatic defrosting refrigerator; cooker hood; extractor hoods for kitchens; air deodorization apparatus; air cooling apparatus; air reheaters; air dryer; air conditioning; fan (air conditioning); chimney blowers; hair dryers; dryer; air conditioner; forage drying apparatus; air handling ionizing equipment; air purification devices and machines; drying apparatus and equipment; fan (air conditioning unit); ventilation systems and equipment (air conditioning); laboratory ventilation hood; air disinfection; gas condensers (parts of machines); kitchen range hoods; fans for personal use; electric clothes dryers; organic food dehydrator; hair dryer; thermal storage apparatus for heating; hot air equipment; furnace cooler; boiler (parts of machines); kiln; laboratory burners; laundry room boilers; heating apparatus; regenerator; heating boiler; solid, liquid and gaseous fuel heaters; electrical heating device; heating element; iron heater; warm plate; immersion heaters; glue heater; evaporator; non-laboratory furnace; furnace forming accessories; fireplace; gas boiler; incinerator; tank level control valve; oil furnace; heating plate; water heaters (apparatus); hot air conditioner; safety accessories for water or gas apparatus and pipes; water supply apparatus; safety fittings for gas pipes; coil (distillation, heating or cooling device components); regulating and safety accessories for gas pipes; regulating and safety accessories for gas appliances; fireplaces (domestic); heat pump; heating boiler water supply equipment; chromatography apparatus for industrial use; aquarium pool heater; thermostatic valves (parts of heating installations); industrial microwave; water faucet; central heating radiator humidifier; decorative fountain equipment; faucet; plumbing with mixing faucet; bath; bathroom equipment; lower body wash with a bidet; toilets; bathroom (toilet); shower; washbasin (parts of sanitary installations); water tank level control valve; bathroom hand dryer; steamed face appliance (steam bath); solar collectors; electric warm gloves; heater; radiator (heating); non-medical electrical

heating pad; bed warmers; electrically heated blankets, other than for medical purposes; ignition apparatus for gas fires; heating equipment; sanitation equipment and supplies; water purification equipment; acetylene generator; floor lamp; disinfection apparatus; fuel burning equipment; heater elements; saunas, heat pads, lamp holders; refrigerators namely absorption type, compression type, thermoelectric type; hand dryers.

Class 16

Printed matter; books; bookbinding material; photographs; instructional and teaching material (except apparatus); information sheets; training manuals; printed publications; newsletters; pamphlets; brochures; printed reports, guides and directories; all the aforesaid goods in conjunction with the business of a not-for-profit association responsible for the development industry standards, the promotion of these standards, education relating to these standards, and the certification of others in accordance with these standards.

Class 19

Building products and materials, namely roof and floor trusses; factory constructed buildings and structures, namely mobile units, commercial units, industrial units, modular homes, trailers, recreational vehicles; building products and materials, namely sliding doors, windows; sediment traps; water heaters; woodworking machinery; pipe and pipe fittings, namely asbestos cement; drains and cleanouts, frames and covers; mechanical and non-transition expansion joints of non-metallic materials for use in building; plastic pipe, namely abs blending resins, abs compounds, chlorinated polyvinylchloride, drain and sewer fittings, flexible pressure pipe, gas piping systems, laboratory drainage, polyamide compounds, polyethylene, polybutylene, polypropylene, polyvinyl chloride, polyolefin compounds, rigid pressure pipe, solvent cements, thermoplastic elastomeric compounds, underground telecommunication cable duct, vent expansion joints, vent fittings, vent pipe, vinyl compounds, vitrified clay; plumbing supply fittings, namely automatic compensating valves, bath and shower fittings, bidet fittings, components, supply stops; plumbing waste fittings, namely components, elastomeric fittings, plumbing fixtures, valves.

Class 35

Advertising; business management; business administration; office functions; business appraisal services; business assessment services; business advisory services; business research services; collection and assessment of business information; compilation of business statistics; business consultancy services relating to the supply of quality management systems; assessment, auditing and registration of management systems; quality management services for managing the quality of business operations; all the aforesaid services in conjunction with the business of a not-for-profit association responsible for the development industry standards, the promotion of these standards, education relating to these standards, and the certification of others in accordance with these standards.

Class 41

Education; providing of training; educational and training services concerning quality management, product certification and product standards; arranging, organising and conducting exhibitions, conferences, workshops and seminars; providing training and instruction regarding the content and use of the applicant's safety, performance, dimension, technical and management systems standards; all the aforesaid services in conjunction with the business of a not-for-profit association responsible for the development industry standards, the promotion of these standards, education relating to these standards, and the certification of others in accordance with these standards.

Class 42

Industrial analysis and research services; research and development services for others; certification services; certifying materials, products, structures and services meeting prescribed standards; safety testing services; safety evaluation services; consultancy and advisory services relating to safety; quality control services; quality assurance consultancy; quality control consultancy; advisory services relating to quality standards; assessment and registration of quality standards; consultancy and advisory services relating to obtaining quality systems approvals from organisations; preparation of technical reports; assessments and technical advice for compliance with safety, quality and dimension standards in relation to industrial, commercial and

domestic products; all the aforesaid services in conjunction with the business of a not-for-profit association responsible for the development industry standards, the promotion of these standards, education relating to these standards, and the certification of others in accordance with these standards.

Second Earlier Mark

Class 6

Metal and non-metallic conduits.

Class 7

Grain shelled machine; mower; nebulizer (machine); motorized cultivator; animal shearing machine; incubator; Woodworking machines; Saws (machines); planing machine paper machine; paper machine (paper machine); typesetting machines (photocomposition); presses; rotary dryer (non-heating); washing machine; printing machine; blender; mixer; mixer (machines); prepared food electrical machinery; electrical system beverage machine; ironing machine; sewing machine; ironing machines; Portable rotary steam ironing presses; engraving machine; computer carving machine; tape dispensers (machines); dishwasher; household electric mill; electric can opener; non-manual coffee grinder; and household electric mixer; Kitchen Electric motors; household electric juice fruit machine; food processing machines (electric); Home Shredder; home meat slicer; washing machines; laundry with washing machine; coin-operated washing machines; coin laundry; laundry drying machine; dry cleaning machines; pharmaceutical processing industry machinery; bottle machine; chemical industry electrical machinery; drilling rig; mine operating machinery; oil refining machinery; oil exploration, oil refining industry machinery and equipment; special oil pump; concrete vibrators; stone cutting machine; lifts (except skiers uphill transport means); elevators (lifts); crane; escalators; hoist; crane (lifting device); a turbine compressor; power hammer; gas engine; gasoline engine (land vehicles except use); non-terrestrial vehicles turbines; wind power generation equipment; wind turbines; machine tools; metal processing machinery; grinder; polishing machines and equipment (electric); robot (machinery); chain saws; planer; reciprocating saws; electric shears; electric scissors; electric knife; non-manual hand tools; electric hand operated drill; electric glue gun; hand drill (excluding coal drill); electric screwdriver; electric wrench; electric grinder; blasting machine (electric); electrostatic industrial

equipment; coater; spray guns; paint-spraying equipment; paint gun; a current generator; generators; non-terrestrial vehicle drive motor; non-terrestrial vehicle engine; machine, engine or motor control cables; machine, engine or motor control device; emergency generator; compressors (machines); pumps (machines, engines or motor parts); compression, and transporting gas emissions blower; compression, suction and delivery of cereals fan; compression, suction and delivery of grain blower or fan; compression, suction and delivery of grain blower; industrial smoke machine; pump (machines); pumps (machines); refrigerator compressor; machines, motors and engines hydraulic controller; machines, motors and engines pressure controller; pump; regulators for motors; degreasing means (machines); pressure regulators (machine parts); a heat exchanger (machine parts); industrial oscillator (machines); valves (machine parts); electric welding torches (machines); pneumatic welding equipment; pneumatic welding torch; pneumatic soldering iron; cleaning equipment; electric cleaning machinery and equipment; garbage disposal; Waste compactors; industrial shredder (machines); carpet cleaning machines and apparatus (electric); central vacuum cleaning equipment; steam cleaning equipment; high-pressure washing machine; vacuum cleaners; electric waxing machines and equipment; labeling machine (machines); calendar rollers; electronic control device to pull the curtains; electric shoe polisher; electric rolling door machine; agriculture Machinery; Textile industrial machinery; Petrochemical equipment; conveyors (machines); casting machine; steam engine; vending machines; send pump stations; automatic adjustment of the fuel pump; arc welding equipment; electric open the door; household electric crusher; stage smoke machine; cleaning machines namely vacuum cleaners, washing machines.

Class 9

Computer software, namely, software related to product and service standards, standards and standards development, factory inspections, emergency response planning in the fields of business and quality management standards, climate change standards, construction products and materials standards, construction design standards, design and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards; Computer software, namely, software related to medical and laboratory equipment and related operational

standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely, standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards; Computer software, namely, software related to public and community safety standards for industrial, commercial and domestic goods and services, materials, equipment, processes and systems, as well as software related to cybersecurity concerning all of the foregoing standards, namely, software used to protect the user against the criminal or unauthorized use of electronic data relating to all of the foregoing standards; lifting magnet; wire and cable for communication, energy, and electrical applications; appliance cords, electrical cords; electric fence controllers and energizers; power cables; switches namely air break, automatic, components, dead-front and enclosed, electronic, enclosed single-pole air, high voltage, magnetic type, pressure type; switchboard.

Class 10

Medical incubator; massage equipment; medical devices and equipment; operating table; preterm infant incubators; medical diagnostic equipment; medical electric shock to the heart defibrillator; medical or dental armchair; Medical heating pad; medical lasers; medical X-ray generation plant and equipment; Medical imaging equipment; medical electric blankets; medical water beds; medical bed; lifting appliances for patients; masks; surgical instruments and apparatus; dental equipment; medical X-ray equipment.

Class 11

Light bulbs; lights; vehicle lights; lighting discharge; lamp; lighting apparatus and equipment; ceiling lamps; safety lamp; lighting reflector; lanterns; Christmas tree lights; automobile lights; lights aquariums; stage lighting; acetylene lamp; hot air oven; electric flat pressure cooker; water heaters; bread furnace; burner; coffee bean roasters; coffee bean roaster; electric cooker; cooker; stove; stove (heating apparatus); fruit roasters; gas furnace; furnace; toaster; baking utensils (cooking utensils); grill (cooking apparatus); barbecue utensils; malt roaster; kitchen stove

(oven); stove ring; electric flip meat grill; oven; alcohol furnace; gas stove; pressure cooker (electric pressure cookers); pressure cookers (autoclaves); electric bottle warmers; electric bake waffle iron mold; electric coffee filters; electric coffee percolator power; coffee machine; portable barbecue grills; electric fryer; electric kettle; electric system yogurt; a microwave (kitchen utensils); scones furnace; kerosene stove; gas water heater; electric water heaters; electric wok; freezers; beverage cooling apparatus; water cooling apparatus; refrigerating equipment and machinery; walk-in refrigerator; refrigerated containers; ice machine and equipment; milk cooling device; liquid cooling device; cooling apparatus and machinery; refrigeration equipment and plant; cooling systems and equipment; refrigerator; refrigerated display cabinet; made ice cream machine; automatic defrosting refrigerator; hood; air deodorization apparatus; air cooling apparatus; air reheaters; air dryer; air conditioning; fan (air conditioning); chimney bellows; hair with a hair dryer; dryer; air conditioner; forage drying apparatus; air handling ionizing equipment; air purification devices and machines; drying apparatus and equipment; fan (air conditioning unit); ventilation systems and equipment (air conditioning); laboratory ventilation hood; air disinfection; gas condensers (parts of machines); kitchen range hoods; fans for personal use; electric clothes dryers; organic food dehydrator; hair dryer; thermal storage; hot air equipment; furnace cooler; boiler (parts of machines); kiln; laboratory burners; laundry room with a cooking pot clothing; heating apparatus; regenerator; heating boiler; solid, liquid and gaseous fuel heaters; electrical heating device; heating element; iron heater; warm plate; a immersion heaters; glue heater; heat exchangers (parts of machines); evaporator; non-laboratory furnace; furnace forming accessories; fireplace; gas boiler; steam boilers (parts of machines); incinerator; tank level control valve; oil furnace; heating plate; water heaters (apparatus); hot air conditioner; water or gas safety accessory equipment and piping; water supply or Insurance annex gas equipment and pipelines; coil (distillation, heating or cooling device components); regulating and safety accessories for gas pipes; regulating and safety accessories for gas appliances; fireplaces (domestic); heat pump; heating boiler water supply equipment; chromatography apparatus for industrial use; electric heating wire; aquarium pool heater; thermostatic valves (parts of heating installations); industrial microwave; performances with soap bubbles and foam generators; water faucet; central heating radiator humidifier; decorative fountain equipment; faucet; plumbing with mixing faucet; bath; bathroom equipment; lower body wash with a bidet; a toilet; bathroom

(toilet); shower; washbasin (parts of sanitary installations); water tank level control valve; bathroom hand dryer; steamed face appliance (steam bath); solar collectors; warm enough to control (electric or non-electric); electric warm gloves; heater; radiator (heating); non-medical electrical heating pad; warm bed; a non-medical blanket; friction ignition point gas; heating equipment; sanitation equipment and supplies; water purification equipment; acetylene generator; floor lamp; toaster disinfection system; heating elements; refrigerators namely absorption type, compression type, thermoelectric type; plumbing supply fittings namely automatic compensating valves, bath and shower fittings, bidet fittings, components, supply stops; plumbing waste fittings namely components, elastomeric fittings, plumbing fixtures, valves; heater namely irons, sauna, warming pads, lamp holders namely electric discharge, fittings.

Class 12

Non-motor land vehicles.

Class 14

Time indicating and recording appliances namely clocks.

Class 19

Building products and materials namely roof and floor trusses; factory constructed buildings and structures for mobile units, commercial units, industrial units, modular homes, trailers, recreational vehicles; building products and materials namely sliding doors, windows; fuel burning stoves; sediment traps; heaters namely hair dressing, hand drying; machine tools; non-metallic conduits; outlet boxes and fittings; panel boards; plates and covers; pipe and pipe fittings namely asbestos cement, cast iron, drains and cleanouts, frames and covers, leads, mechanical coupling, mechanical joints, non-transition joints; plastic pipe namely abs blending resins, abs compounds, chlorinated polyvinylchloride, drain and sewer fittings, flexible pressure pipe, gas piping systems, laboratory drainage, polyamide compounds, polyethylene, polybutylene, polypropylene, polyvinyl chloride, polyolefin compounds, rigid pressure pipe, solvent cements, thermoplastic elastomeric compounds, underground telecommunication cable duct, vent expansion joints, vent fittings, vent pipe, vinyl compounds, vitrified clay.

Class 21

Aquarium tanks; cooking pans.

The Third Earlier Mark

Class 9

Computer software, namely, software related to product and service standards, standards and standards development, factory inspections, emergency response planning in the fields of business and quality management standards, climate change standards, construction products and materials standards, construction design standards, design and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards, medical and laboratory equipment and related operational standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely, standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards, public and community safety standards for industrial, commercial and domestic goods and services, materials, equipment, processes and systems, as well as software related to cybersecurity concerning all of the foregoing standards, namely, software used to protect the user against the criminal or unauthorized use of electronic data relating to all of the foregoing standards.

Class 16

Educational and training materials, namely, workbooks, text books, guides, tests, examinations and answer guides in the field of product and service standards, standards development, testing, certifications, inspections, auditing, management system products and services; Printed matter, namely, fact sheets, newsletters, pamphlets, periodicals, and brochures to promote and educate; Printed and electronic documents setting out standards, namely voluntary or mandatory (as required by regulations) business management and quality management standards, climate change standards, construction products and materials standards and construction design standards, design and installation standards, electrical standards, energy and

power standards, energy storage system standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and operation standards, information technology standards, telecommunication standards, namely standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards and public and community safety standards for industrial, commercial and domestic goods, services, processes and systems; Publications, namely printed and electronic documents other than standards which define requirements to which products are certified; Printed guides in the field of the performance and quality of goods and services that meet particular technical and quality standards in a wide variety of fields; Printed and electronic publications, namely codes which organize and categorize standards and printed and electronic handbooks, pocket guides and guides in the field of technical, safety, performance, quality, management, dimension and environmental standards relating to industrial, commercial and domestic goods, services, processes and systems including explanations of standards and amendments thereto.

Class 35

Business advisory services in the fields of certification, standard development, performance and safety standards testing, product safety, regulatory compliance, conformity assessment, quality management systems, environmental marketing, process improvement, and brand protection; marketing consulting with respect to market access assessment relating to the compliance of the goods and services of others with local and global regulations and industry standards; distribution and sale of labels featuring certification information; Association services, namely, development of voluntary or mandatory (as required by regulations) business management and quality management standards, climate change standards, construction products and materials standards and construction design standards, design and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and related operation standards, information technology

standards, telecommunication standards, namely standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards, public and community safety standards for industrial, commercial and domestic goods, services, processes and systems; Association services, namely, establishment and promotion of information namely, promoting public and industry awareness about the importance of the acceptance, use, conformity and certification to programs and standards related to technical, safety, performance, quality, management and dimension standards for industrial, commercial and domestic goods and services in a wide variety of fields via print media, the Internet, social media and public speaking forums; Providing online information about voluntary and mandatory (as required by regulations) technical, safety, performance, quality, management, dimension and environmental standards relating to industrial, commercial and domestic goods, services, processes and systems and assessment and training programs in the field of such standards; Establishment and promotion of, and assessment and registration of, emissions and sustainability programs of others, namely, greenhouse gas and emissions control, environmental sustainability and economically sustainable practices and programs; Assessment of events, facilities, organizations and products of others for conformity to environmental and sustainability practices and programs; Promoting public and industry awareness of the importance of carbon and emissions reduction and management; Promoting registration services for conformance to green house gas emissions standards; Providing consumer product information and evaluation of products in terms of performance, energy efficiency, reliability, safety and misuse; On-line retail store services featuring handbooks, user guides, product catalogues, print material, and CD-ROMs in the fields of business and quality management standards, climate change standards, construction standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and related operation standards, information technology and telecommunication standards, infrastructure and public works standards, mechanical and

industrial equipment standards, occupational health and safety standards, public and community safety standards, product catalogues, quality management, privacy, reliability, and risk management standards; On-line registration services for training courses, seminars and memberships in the field of the development and application of voluntary and mandatory (as required by regulations) technical, safety, performance, quality, management, dimension and environmental standards relating to industrial, commercial and domestic goods, services, processes and systems, factory audits and emergency response training; Facilitating the online management and monitoring by customers of information relating to the certification status of products and services to certain voluntary and mandatory (as required by regulations) technical, safety, performance, quality, management, dimension and environmental standards; Advertising the goods and services of others; Maintaining internet bulletin boards for others; Website services namely, providing on-line directory information services also featuring hyperlinks to other web sites; Business audits and factory audits to assess manufacturing capabilities, and quality, social, and environmental processes and systems, to prescribed requirements of retailers, manufactures and others and to particular standards.

Class 41

Educational services, namely providing training and instruction regarding the use, interpretation and application of voluntary or mandatory (as required by regulations) business management and quality management standards, climate change standards, construction products and materials standards and construction design standards, design and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards and public and community safety

standards for industrial, commercial and domestic goods, services, processes and systems via workshops, seminars, CD-ROMs, on-line training, a web site, and interactive communications provided via the worldwide web and training manuals; Providing, establishing, assessing, and registering conformity to voluntary or mandatory (as required by regulations) business management and quality management standards, climate change standards, construction products and materials standards and construction design standards, design and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards and public and community safety standards for industrial, commercial and domestic goods and services, devices, materials, equipment, processes and systems; Assessing conformity of industrial, commercial and domestic goods and services to criteria in the fields of safety, performance, quality, management and dimension standards as provided by third parties; Consumer product testing, evaluations and inspections; Providing advice and consulting services in assessment and registration of carbon neutrality and emissions management and reduction programs of others; Hosting, managing and maintaining a website for others to record and view emissions information; Providing a website featuring information in the field of the management, control and reduction of greenhouse gas emissions; Operation of a website and registry to record and track emissions and greenhouse gas emissions information of others; Operation of a website and registry to record and track environmental sustainability, social responsibility and economic sustainability practices of others; Providing a website for customers to manage accounts and information regarding new standards, to track orders for products and to provide information in the fields of voluntary or mandatory (as required by regulations) business management and quality management standards, climate change standards, construction products and materials standards and construction design standards, design

and installation standards, electrical standards, energy and power standards, energy storage system standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards and public and community safety standards for industrial, commercial and domestic goods, services, processes and systems; Providing a website that enables third parties to access data profiles that contain information as to the certification status of a product.

Class 42

Testing, analyzing, evaluating and inspecting goods and services of others to assess compliance and conformity pursuant to performance and safety standards; development of safety and environmental standards for goods and services of others pursuant to performance and safety standards; providing certification of consumer and industrial goods and services of others; advisory and consulting services in the fields of quality and safety management systems, environmental management systems, occupational health and safety management systems; Development of protocols in the field of testing, inspecting and auditing third party products, services, processes and systems; Advisory services related to supply chain management including design consulting, specification writing, performance testing, claims verification, factory assessments, product and production inspections, returns and defect analysis, and recall support; Consulting services regarding voluntary or mandatory (as required by regulations) business management and quality management standards, climate change standards, construction products and materials standards and construction design standards, design and installation standards, electrical standards, energy and power standards, environmental standards, health care standards, medical and laboratory equipment and related operation standards, oil and gas equipment and related operation standards, information technology standards, telecommunication standards, namely

standards relating to the components, installation and design of telecommunications and computer networks, infrastructure and public works standards, mechanical and industrial equipment standards, occupational health and safety standards and public and community safety standards for industrial, commercial and domestic goods, services, processes and systems; Provision, operation and facilitation of online social network services, namely, interactive social network services for use in the standards development field to facilitate online collaboration in the development of standards; research, testing, evaluation and generation of reports services relating to home and commercial appliances; research, testing, evaluation and generation of reports services relating to industrial and hazardous location equipment; research, testing, evaluation and generation of reports relating to consumer products; research, testing, evaluation and generation of reports services relating to medical and laboratory equipment; research, testing, evaluation and generation of reports services relating to energy and power products and systems; research, testing, evaluation and generation of reports services relating to energy storage systems; research, testing, evaluation and generation of reports services relating to oil and gas appliances and operation thereof; research, testing, evaluation and generation of reports services relating to construction and building products and installation thereof; research, testing, evaluation and generation of reports services relating to information technology equipment, components, telecommunications and computer networks and systems.