

TRADE MARKS ACT 1994

**IN THE MATTER OF REGISTRATION NO 2053772
OF THE TRADE MARK :**

EASTERN NATIONAL

IN THE NAME OF FIRSTGROUP PLC

**AND THE APPLICATION FOR A DECLARATION OF INVALIDITY THERETO
UNDER NO 11363
BY NATIONAL CAR RENTAL SYSTEM, INC**

**In the matter of registration no 2053772
of the trade mark: EASTERN NATIONAL
in the name of FirstGroup plc
and the application for a declaration of invalidity
thereto under no 11363
by National Car Rental System, Inc**

Background

- 1) On 17 January 2000 National Car Rental System, Inc filed an application for a declaration of invalidity in relation to trade mark registration no 2053772 standing in the name of FirstGroup plc. The trade mark was filed on 24 January 1996 and registered on 24 December 1999 in respect of: *passenger transportation services incorporating related travel arrangement services.*
- 2) In his statement of grounds the applicant prayed in aid to five Community trade mark registrations and one United Kingdom trade mark registration. As the five Community trade mark registrations were all filed after 24 January 1996 and do not benefit from international priority dates they are not earlier trade marks and so can have no bearing upon the instant proceedings and so I will say no more about them. The United Kingdom registration upon which the applicant relies is no 2017578 of the trade mark:



which is registered in respect of: *automobile rental and reservation services.* It was filed on 13 April 1995 and registered on 1 March 1996.

- 3) The applicant states that his earlier registration is identical or similar to the registration in suit and that the respective registrations encompass identical or similar services. Consequently, the registration offends against section 5(2)(b) of the Act.
- 4) The applicant states that his earlier registration is identical or similar to the registration and suit and that the respective registrations encompass services that are not similar. He states that use of the trade mark in suit would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark. Consequently, the registration offends against section 5(3) of the Act.
- 5) The applicant states that use of the trade mark in suit is liable to be prevented by virtue of any rule of law protecting an unregistered trade mark or other sign used in the course. Consequently, the registration offends against section 5(4)(a) of the Act. The applicant does not state what the earlier unregistered trade mark or other sign used in the course of trade is. Neither does he state upon which rule of law he relies.
- 6) The applicant states that the use of the trade mark in suit is liable to be prevented by virtue of an earlier right, other than those referred to above, in particular by virtue of the law of copyright, design right or registered design. Consequently, the registration offends against section 5(4)(b) of the Act. The applicant does not state what the copyright, design right or

registered design is.

7) The registered proprietor filed a counterstatement in which he denies the above grounds of opposition. Although he does accept that the respective registrations encompass dissimilar services.

8) Both parties seek an award of costs.

9) Both parties filed evidence.

10) The matter came to be heard on 7 May 2002 when the applicant was represented by Mr Mitchiner of Field Fisher Waterhouse and the registered proprietor was represented by Mr Krause of Haseltine Lake Trademarks.

Applicant's evidence

11) This consists of two witness statements. One is made by Jane Colton who is the chief legal counsel for ANC Rental Corporation. Ms Colton states that ANC Rental Corporation operates the NATIONAL brand under licence ultimately from National Car Rental System, Inc (National) in the United Kingdom and Europe. The second witness statement is made by Larry Soleta. Mr Soleta is responsible for the franchising of National Car Rental System, Inc's business in the USA.

12) The evidence of Ms Colton demonstrates that National has been part of a worldwide alliance that supplied cars for rental. It did not supply cars in the United Kingdom. However, it has operated in the United Kingdom in that one could arrange for the rental from the United Kingdom. It teamed up with holiday companies to supply the rental of cars when the traveller arrived in the USA. The United Kingdom trade mark appears upon various items which would have been seen in the United Kingdom. The trade mark also appears upon materials of other members of the alliance in a subsidiary manner, to indicate the partnership arrangement. The evidence shows that cars could be rented in the USA directly from the United Kingdom and indeed that the applicant actively promoted this activity; for instance with its relationship with airlines and holiday companies.

13) Ms Colton supplies nothing in the way of data in relation to business in the United States generated from the United Kingdom. Most of the exhibits dry up at 1988.

14) The evidence of Mr Soleta deals with the history of National. He advises that National set up its own independent business in the United Kingdom in 1998. However, as this is after the date of the filing of the registration in suit this does not have a bearing upon the instant proceedings. The other matters he deals with do not add anything greatly to the evidence of Ms Colton.

15) The applicant also filed three witness statements as evidence in reply, by Jeremy Mills, Nigel Trotman and Nigel Tuffey, with the aim of showing that they would identify NATIONAL with the applicant in relation to car hire services. The statements all follow the same basic formula of words; indicating that the deponents have not written in their own words, that they have been "prompted". Where statements follow a similar formula of wording an amount of circumspection has to be exercised in the weight given to their

statements. The statements emanate from June and July 2001, over five years after the relevant date. They tell me nothing about the position in the United Kingdom in relation to the trade mark of the applicant as of 24 January 1996; in five years reputations can rise and fall, and even rise again. I do not see that the witnesses can think back to 24 January 1996 and decide what their state of knowledge would have been then. All that I can glean of use from the statements is, in the identical words of all three:

“I am not aware of any other car rental companies using the mark NATIONAL, and indeed the names I have come across differ widely.”

16) All three declarants can be considered to have an expert knowledge of the car hire business. However, I have no idea what is meant by “differ widely”, especially as it is a formulaic phrase. To each of them it could mean something different.

17) Taking the above into account I do not consider that I can give any weight to the declarations of Messrs Mills, Trotman and Tuffey,

Registered Proprietor’s evidence

18) The evidence of the applicant consists of a witness statement by Martin Krause, who is the trade mark attorney of the applicant. Mr Krause submits state of the register evidence. It is has been repeated often in decisions of the registrar, based upon the decisions of the courts, that state of the register evidence will normally be disregarded. It is the position in the market place that is of importance, not what is happening on a trade marks register. I, therefore, will say no more about the state of the register evidence as I take no cognisance of it.

19) Mr Krause also exhibits, at MK2, extracts from the 2000/2001 “Yellow Pages” for London. Three pages from the car hire – self drive section of the directory are filed. Mr Krause seeks succour from the fact that included in two of the advertisements is the phrase “national and international reservations”. In a third advertisement the phrase “calls charged at standard national rate” appears. Mr Krause exhibits at MK3 an Internet search for the term “national car rental”. He states that the search revealed a directory on the Excite website for car rental with five subsections; four for the different countries within the United Kingdom and one section for the entire United Kingdom entitled “National”. He notes that in addition to a reference to the applicant that there is use of the word “national” in the short descriptions of the services offered by Alimo Cars UK and Hardings International – a coach hire company. Mr Krause draws the conclusion from his evidence that NATIONAL is devoid of any distinctive character for any transportation services or any services that can be national in nature.

20) The evidence of Mr Krause all emanates from well after the relevant date. However, nothing much turns upon this. National is a common English word and its meaning falls readily within the purlieu of judicial notice.

Decision

21) At the hearing Mr Mitchiner did not pursue the grounds of opposition under section 5(4)(b). He also did not rely upon the applicant's five Community registrations as they were not earlier trade marks. Mr Mitchiner indicated that in relation to section 5(2)(a) the applicant was relying upon two signs; NATIONAL simpliciter and NATIONAL with device as per the United Kingdom registration.

Grounds of opposition

22) The grounds of opposition pursued by the opponents are those under sections 5(2)(b), 5(3) and 5(4)(a) of the Trade Marks Act 1994. The relevant provisions read as follows:

Section 5:

“(2) A trade mark shall not be registered if because -

(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.

(3) A trade mark which -

(a) is identical with or similar to an earlier trade mark, and

(b) is to be registered for goods or services which are not similar to those for which the earlier trade mark is protected, shall not be registered if, or to the extent that, the earlier trade mark has a reputation in the United Kingdom (or, in the case of a Community trade mark, in the European Community) 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.

(4) A trade mark shall not be registered if, or to the extent that, its use in the United Kingdom is liable to be prevented-

(a) by virtue of any rule of law (in particular, the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade....”

Section 6(1) defines an earlier trade mark as:

“(a) a registered trade mark, international trade mark (UK) or Community trade mark 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.”

Evidence of use

23) I will deal with the evidence furnished by the applicant first as this effects matters that are to be considered under all the heads of opposition.

24) I have to consider the issues before me as of the relevant date, which is the date of the filing of the registration, 24 January 1996. The applicant has to demonstrate that he had a valid case at this date – see *South Cone Inc. v Jack Bessant, Dominic Greensmith, Kenmy Gary Stringer (a partnership)* [2002] RPC 19 and *David West t/a Eastenders v Fuller Smith & Turner PLC* HC 00 03374 (unreported).

25) There is a notable hiatus in the evidence which has been furnished. Most of the evidence goes to the position in 1988. The only exhibits potentially in relation to United Kingdom use after the 1980s are exhibited at JC3 and JC16 of the statement of Ms Colton. Exhibit JC3 consists of a leaflet headed “Europcar interrent Hewlett-Packard Worldwide Car Rental Guide – car rental rates 1994-1996”. The guide would appear to be for Hewlett-Packard employees, it cannot be discerned from the guide if this was used by Hewlett-Packard employees in the United Kingdom. The only reference to National is the reproduction in very small type of their name and logo at the bottom of the leaflet, amongst various other trade marks. JC16 is a leaflet for Europcar Car Rental for 1 June 1990 – 31 March 1991. The business of Europcar is identified as being in the United Kingdom. The sole mention of National is the reproduction, again in small type, of their name and logo at the bottom of the leaflet along with the trade marks of two other car rental businesses. I note that the applicant has not filed turnover figures or advertising figures.

Effect of evidence under section 5(2)(b)

26) As per *Sabel BV v. Puma AG* [1998] RPC 199 and *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* [1999] RPC 117 the reputation of a trade mark has to be taken into account in the global appreciation of likelihood of confusion. In *Sabel* the European Court of Justice held that:

“In that perspective, the more distinctive the earlier mark, the greater will be the likelihood of confusion. It is therefore not impossible that the conceptual similarity resulting from the fact the two marks use images with analogous semantic content may give rise to a likelihood of confusion where the earlier mark has a particularly distinctive character, either *per se* or because of the reputation it enjoys with the public”.

27) In *Canon* the European Court of Justice held that:

“the distinctive character of the earlier trade mark, and in particular its reputation, must be taken into account when determining whether the similarity between the goods or services covered by the two trade marks is sufficient to give rise to the likelihood of confusion”

Consequently, the reputation of a trade mark can assist where it is not particularly distinctive or where there is a low degree of similarity between the respective goods or services.

28) From the evidence before me I do not consider that the applicant can claim a reputation, in the sense of *Sabel* or *Canon*, at the relevant date and so in respect of section 5(2)(b) I consider the matters on a tabula rasa. The issue before me is simply a comparison of the respective trade marks and services on the basis of notional and fair use.

Effect of evidence under section 5(3)

29) In *General Motors Corporation v Yplon SA* Case C-375/97 the European Court of Justice established the parameters for claiming a reputation in relation to section 5(3):

“Article 5(2) of the First Council Directive (89/104/EEC) of 21 December 1988 to approximate the laws of the Member States relating to trade marks is to be interpreted as meaning that, in order to enjoy protection extending to non-similar products or services, a registered trade mark must be known by a significant part of the public concerned by the products or services which it covers. In the Benelux territory, it is sufficient for the registered trade mark to be known by a significant part of the public concerned in a substantial part of that territory, which part may consist of a part of one of the countries composing that territory.”

30) The opponent, in the instant case, has to show that his trade mark is known to a significant part of the public concerned in a substantial part of the United Kingdom. In the instant case “the public concerned” will be all those who hire or may hire cars. I do not consider that the evidence before me establishes such a reputation.

Effect of evidence under section 5(4)(a)

31) In relation to passing-off the applicant needs to establish that he enjoyed goodwill/reputation at the relevant date.

32) In *South Cone Inc. v Jack Bessant, Dominic Greensmith, Kenmy Gary Stringer (a partnership)* [2002] RPC 19 Pumfrey J. in considering an appeal from a decision of the Registrar to reject an opposition under S5(4)(a) said:

"There is one major problem in assessing a passing off claim on paper, as will normally happen in the Registry. This is the cogency of the evidence of reputation and its extent. It seems to me that in any case in which this ground of opposition is raised the Registrar is entitled to be presented with evidence which at least raises a prima facie case that the opponent's reputation extends to the goods comprised in the applicant's specification of goods. The requirements of the objection itself are considerably more stringent than the enquiry under s 11 of the 1938 Act (see *Smith Hayden (OVAX)* (1946) 63 RPC 97 As qualified by *BALI* [1969] RPC 472). Thus the evidence will include evidence from the trade as to reputation; evidence as to the manner in which the goods are traded or the services supplied; and so on. Evidence of reputation comes primarily from the trade and the public, and will be supported by evidence of the extent of use. To be useful, the evidence must be directed to the relevant date."

33) I do not consider that this can be interpreted in a prescriptive fashion. There will be times when the evidence does not fall within the above parameters but still establishes goodwill for passing-off purposes – see the decision of Professor Annand, sitting as the

appointed person, in *Loaded* BL 0/191/02.

34) In the instant case the evidence that goes to the relevant date is remarkably thin. The evidence might be indicative that the applicant enjoyed goodwill in 1988. However, even if this is the case goodwill dissipates and disappears with time. I have nothing before me that indicates that the position in 1988 is the same as the position at the relevant date. I do not consider that the evidence establishes goodwill in either of the signs upon which the applicant relies at the relevant date.

Section 5(2)(b) – likelihood of confusion

35) In determining the question under section 5(2), I take into account the guidance provided by the European Court of Justice (ECJ) in *Sabel BV v. Puma AG* [1998] RPC 199, *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* [1999] RPC 117 and *Lloyd Schuhfabrik Meyer & Co GmbH v. Klijsen Handel BV* [2000] FSR 77. It is clear from these cases that:-

- (a) the likelihood of confusion must be appreciated globally, taking account of all relevant factors; *Sabel BV v. Puma AG* page 224;
- (b) the matter must be judged through the eyes of the average consumer of the goods/services in question; *Sabel BV v. Puma AG* page 224, 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; *Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel BV* page 84, paragraph 27:
- (c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details; *Sabel BV v. Puma AG* page 224;
- (d) the visual, aural and conceptual similarities of the marks must therefore be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components; *Sabel BV v. Puma AG* page 224.

Comparison of services

36) The services of the earlier registration are: *automobile rental and reservation services*. The services of the registration in suit are: *passenger transportation services incorporating related travel arrangement services*.

37) The European Court of Justice held in *Canon* in relation to the assessment of the similarity of goods and/or services that the following factors, inter alia, should be taken into account: their nature, their end users and their method of use and whether they are in competition with each other or are complementary.

38) In the instant case I am considering services and consequently I bear in mind the words of Jacob J in *Avnet Incorporated v Isoact Ltd* [1998] FSR 16:

“In my view, specifications for services should be scrutinised carefully and they should not be given a wide construction covering a vast range of activities. They should be confined to the substance, as it were, the core of the possible meanings attributable to the rather general phrase.”

39) Both sets of services involve the transportation of people. However, in the case of the earlier registration the person being transported is driving himself, in the case of the registration he is a passenger. It is the difference, for instance, between driving a car and being a passenger in a bus; although the registration is not limited to just the latter service. I consider that the difference between the respective services is such that they do not share the same nature.

40) The user of the respective services is defined by the nature of the services as above. One is a driver, the other is a passenger. I, therefore, consider that the respective users are different.

41) The same arguments apply to the method of use; the person in a car and the person at the bus stop or in the airport depart lounge. Consequently, I find the methods of use different.

42) When choosing the respective services the potential customer, I believe, is swayed by the nature and the purpose of the journey. I do not consider that there is that element of competition between the services as there is between alternative forms of passenger transport, i.e. whether to take a train or a coach or a train or a plane. Again the nature of the services affects the analysis of whether they are in competition. Taking into account these considerations I find that the respective services are not in competition.

43) I turn now to the issue of whether the respective services are complementary. It is to be noted that the European Court of Justice uses the word complementary; it does not use “in conjunction” or some similar phrase, which could describe the relationship between a cup and a beverage. By complementary I take the European Court of Justice to mean that the respective goods or services are mutually dependant or enjoy a symbiotic relationship, as for example computer hardware and software. One might fly, a passenger transportation service, and at the point of arrival hire a car. There is no mutual dependency or symbiotic relationship between the respective services; they are simply, potentially, sequential services. I, therefore, consider that the respective services are not complementary.

44) The respective services are not just *automobile rental services* and *passenger transportation services*. They also include the adjuncts of *automobile reservation services* and *travel arrangement services* related to *passenger transportation services*. Such services are inextricably linked and are adjuncts to the main services. I, therefore, do not consider that any different arguments or analysis apply to them; they stand or fall with the “main” services.

45) Consequent upon the above I find that the respective services are not similar.

Comparison of signs

46) As I have found that the respective services are not similar the ground of opposition under section 5(2)(b) must fail. However, in the event that I am wrong in the above finding I go on to consider the respective signs.

Earlier registration:

Registration in suit:

EASTERN NATIONAL



47) The respective signs share the common element NATIONAL. Mr Mitchiner submitted that in the context of the applicant's trade mark that this element was distinctive. He prayed in aid to a decision of the third board of appeal of OHIM in case R 85/2000 – 3 which found that the trade mark NATIONAL, for the same services as the earlier registration, was prima facie registrable. OHIM has oft repeated that the decisions of national jurisdictions are not binding upon them. Equally the decisions of OHIM are not binding upon me. (I also note that the case before the board of appeal was ex parte.) Mr Krause argued that the meaning of NATIONAL was within judicial notice and was non-distinctive.

48) I advised Mr Mitchiner that I would consider the issue of the distinctiveness of NATIONAL in respect of the relevant services on the basis set out by the European Court of Justice in *Lloyd*:

“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, judgement 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).”

49) If one supplies a service on a national or nation-wide basis it would seem logical that you would be likely to use the word “national” in conjunction with the service. If it is a car hire service that has offices all over the United Kingdom it would seem logical that it would describe itself as supplying a national service. In relation to services I can think of few words which are more descriptive of a characteristic of the service than the word “national”. I, therefore, consider that NATIONAL in the registration in suit has little if any capacity to distinguish the services of the applicant from those of others in the trade; absent evidence of factual distinctiveness.

50) In considering the respective trade marks, according to the jurisprudence of the European Court of Justice, I have to consider them in their entirety. However, I also have to take into account the distinctive and dominant components of the trade marks. In the case of the earlier registration I consider that the distinctive and dominant component is the device element.

51) The respective trade marks share the word NATIONAL. In the trade mark in suit the word EASTERN comes first. It has long and often been held that the beginnings of trade marks tend to have more importance when considering similarity than the ends. In the instant case I consider that this rule of thumb holds good in relation to the registration in suit.

52) Visually the earlier registration contains a device element at the beginning and the registration includes the word EASTERN. The differences are such, taking into account the

distinctive and dominant components and considering the trade marks in their entirety, that I do not consider that the respective trade marks are visually similar.

53) Phonetically the registration in suit begins with the word EASTERN, which is alien to the earlier registration. The differences are such, taking into account the distinctive and dominant components and considering the trade marks in their entirety, that I do not consider that the respective trade marks are aurally similar.

54) I consider that the conceptual association of the earlier registration arises from the word element. I do not believe that the abstract device will have a clear conceptual association, if any. NATIONAL is a well known word. The conceptual association of the trade mark in suit will be for services supplied to the eastern part of the country. So the earlier registration will have the conceptual association of services for the nation as a whole, whilst the trade mark in suit will have the conceptual association of services supplied to the eastern area of the country. Consequent upon this I find that the respective trade marks are not conceptually similar.

55) I, therefore, find that the respective trade marks are not similar.

Conclusion

56) I cannot envisage there being a likelihood of confusion however fleeting the attention of the user of the respective services. Even if he is not as circumspect and intelligent as the European Court of Justice consider that he is likely to be. The claim would fail on the basis of either head, lack of similarity of signs or goods. In the instant case it fails under both heads. **I, therefore, find that there is no likelihood of confusion.**

Section 5(3)

57) To succeed under this head the applicant must show that he enjoys a reputation in the earlier right and the signs must be similar. I have already decided against him in both matters. **The ground of opposition under section 5(3) is, therefore, dismissed.**

Section 5(4)(a) – passing-off

58) To succeed under this head the applicant must show that he enjoyed goodwill at the relevant date. I have already decided that he has failed to do this. (I take into account that the relevant date for passing-off purposes relates to the commencement of the behaviour complained of. This will normally be the date of the filing of the application. It could be an earlier date if it is shown that the behaviour complained of commenced prior to this. However, although the evidence shows that the registered proprietor has used his trade mark – exhibit 17 of the declaration of Ms Colton – this is after the date of the filing of the application and so does not assist the applicant.)

59) I have also already decided that the respective signs are not similar; absent similarity there can be no deception or confusion – so again the applicant would fail. Indeed the position of the applicant could be considered even weaker in relation to confusion/deception owing to the firm line that the courts have taken in relation to non-distinctive matter in passing-off cases (e.g. *Office Cleaning Services, Ltd v Westminster Window and General Cleaners, Ltd*

(1946) 63 RPC 39). **The ground of opposition under section 5(4)(a) is, therefore, dismissed.**

The request for a declaration of invalidity as a whole

60) The applicant has failed under all heads and so the request for a declaration of invalidity is refused in its entirety.

Costs

61) Prior to the filing of application in suit the applicant filed an opposition against the registration in suit. However, this was rejected by the Office as it was not filed timeously. At the hearing Mr Krause requested that the registered proprietor should be compensated for the costs involved in dealing with this “opposition”. In relation to costs the registrar has a wide discretion – *Rizla Ltd’s Application* [1993] RPC 365. Rule 60 of The Trade Marks Rules 2000 states:

“The registrar may, in any proceedings before her under the Acts or these Rules, by order award to any party such costs as she may consider reasonable, and direct how and by what parties they are to be paid.”

I consider that it is implicit that the costs should relate to the actual proceedings, that they should not take into account costs that may have been incurred in relation to another action, or in the instant case “non-action”. Costs are awarded in order to give some compensation to the winning party in relation to the proceedings in which he is involved.

62) In the instant case it would appear that the invalidity action was launched owing to the failure to file an opposition timeously. As the opposition form was not filed timeously there was no opposition. The registered proprietor did not need to do anything; certainly he did not need to do anything until he was served with the notice of opposition by the Office. From the application file I can see that the Office did not advise the registered proprietor of the filing of the opposition form; as there was nothing of which to advise him. There was no action to defend. I note that the applicant copied his “opposition” to the registered proprietor but as already stated that there was no action required until the opposition was served upon him by the Office. The registered proprietor also could have calculated readily that the opposition was not timeous. It is also to be noted that the scale of costs, which sets the standard benchmark, does not cover such matters as letters between the parties prior to the filing of an opposition.

63) I consider that the costs should be limited to those relating to the actual proceedings and should be according to the scale.

64) The registered proprietor is entitled to a contribution towards his costs and I therefore order the applicant to pay him the sum of £635. This sum is to be paid within seven days of the expiry of the appeal period or within seven days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 17 day of May 2002

**D.W.Landau
For the Registrar
The Comptroller-General**