

## O-259-03

TRADE MARKS ACT 1994  
IN THE MATTER OF APPLICATION No 2236701  
BY NORTH BRITISH TRUST HOTELS LIMITED  
TO REGISTER A SERIES OF TWO TRADE MARKS  
**EASYCOACH / EASY COACH**  
IN CLASSES 39 & 42  
AND IN THE MATTER OF OPPOSITION THERETO  
UNDER NUMBER 52776  
BY EASYGROUP IP LICENSING LIMITED

### BACKGROUND

1) On 21 June 2000, North British Trust Hotels Limited of 1 Queen Charlotte Lane, Edinburgh, EH6 6BL applied under the Trade Marks Act 1994 for registration of a series of two trade marks EASYCOACH / EASY COACH in respect of the following goods:

In Class 39: “Travel agency, provision of package holidays and tours; rental of vehicles; holiday booking services; luggage storage; escorting of travellers; transport of passengers, vehicles and passengers' luggage.”

In Class 42: “Hotel services; provision of accommodation; catering for the provision of food and drink, bar and restaurant services; provision of facilities for conferences, seminars and meetings.”

2) On the 28 June 2001 easyGroup IP Licensing Limited of The Rotunda, 42-43 Gloucester Crescent, Camden, London, NW1 7DL filed notice of opposition to the application. The grounds of opposition are in summary:

a) The opponent is the proprietor of the earlier UK and Community trade mark registrations, and the UK and Community applications pending set out in Annex A. All the marks contain the word “EASY” and predate the mark in suit.

b) The mark in suit is similar to the opponent's trade marks, and the Class 39 and 42 services applied for are identical or similar to all the goods and services in Classes 16, 18, 29, 30, 32, 33, 35, 39, 41 and 42 for which the opponent's marks are registered or pending. The mark applied for therefore offends against Section 5(2)(b) of the Trade Marks Act 1994.

c) The opponent has made extensive use of the trade marks listed with “Easy” as a prefix in relation to travel services provided by the Internet, paper goods, Internet services, catering services and transportation services. As a result of this use the opponent has acquired significant reputation and goodwill in the aforesaid marks and use by the applicant of the mark EASYCOACH/ EASY COACH would constitute a misrepresentation as to the origin of the services which would damage such goodwill. Registration of the mark in suit would be contrary to Section 5(4)(a) of the Trade

Marks Act 1994 on the basis that use could be prevented by virtue of a rule of law, namely, the rule of passing off.

d) The opponent has a reputation in the UK in respect of its EASYJET/easyjet, easyRentacar/EASYRENTACAR, EASYEVERYTHING/easyEverything trade marks. Use of the mark in suit without due cause, would take unfair advantage, or be detrimental to the distinctive character and repute of the earlier trade mark and so would offend against section 5(3) of the Trade Marks Act 1994.

3) The applicant subsequently filed a counterstatement denying the opponent's claims.

4) Both sides filed evidence in these proceedings. Both sides ask for an award of costs. The matter came to be heard on 15 April 2003 when the applicant was represented by Mr Mitcheson of Counsel instructed by Messrs J Y & G W Johnson, and the opponent by Mr Roberts of Counsel instructed by Messrs Page White & Farrer.

#### OPPONENT'S EVIDENCE

5) The opponent filed a statement, dated 22 January 2002, by James Rothnie, who states that he has been the Director of Corporate Affairs for easyJet Airline Company Ltd and its related companies, easyEverthing Limited, easyRentacar (UK) Limited and easyGroup (UK) Limited since 23 August 1999. He states that these "are all connected companies to easyGroup".

6) Mr Rothnie states that easyjet Airline, launched in November 1995, is an operator of low cost scheduled airline services which sells directly to the consumer, primarily via the internet. He states that as of August 2000 over 75% of its airline seats were sold over the internet, making easyjet Airline "one of Europe's biggest Internet retailers". He claims that the company has become well known for "its distinctive business practices" and "by engaging in many high profile battles with large traditional carrier operators". He claims that "this has increased the profile and goodwill in the "easy" name in relation to low cost, widely accessible "e-tailored" travel services and it has become well known to consumers".

7) Mr Rothnie states:

"The success of easyjet Airline and the establishment of a notable reputation within the EC, particularly in the UK, has paved the way for the expansion of the "easy" brand into other fields. The easyJet Airline business attributes of low cost, simplicity and accessibility have been embraced by the other "easy" businesses and, to emphasise the cohesiveness of the "easy" brand, cars provided under the easyRentacar mark have borne stickers of easyJet Airline and up until recently mouse mats referring to easyJet Airline appeared in the Internet cafes of easyEverything Limited."

8) He continues:

"In August 1998 it was announced that car rental services would be provided under the trade mark easyRentacar and this has been extensively publicised from May 1999

onwards. The website of easyjet Airline advertised the forthcoming easyRentacar business from May 1999 and easyrentacar now operates car rental sites from sites in London, Manchester, Liverpool, Birmingham, Glasgow, Barcelona, Geneva, Majorca, Malaga, Nice, Amsterdam, Paris and Madrid. It is distinctive and well-known because of its business ethos of low cost, simplicity and reliability with Mercedes and Smart cars available from only around £9 a day. The easyrentacar business is also distinctive because it is the world's first Internet only car rental company. easyrentacar is currently being rebranded as easycar."

9) He continues:

"In June 1999, a chain of large Internet cafes was launched by the founder of easyJet Airline across Europe beginning with a 500 seat branch in London. The business was carried out under the brand name easyEverything. The services provided became well-known because they are one of the cheapest Internet accesses around at £1 per hour and it is also faster than most home computers. There are currently five shops in London and shops in Edinburgh, Amsterdam, Rotterdam, Munich, Barcelona, Madrid, Rome, Glasgow, Berlin, Manchester, Paris, Antwerp, Brussels and New York, under the trade mark easyEverything, including the world's largest Internet store in New York. In September 2000 there were 1.25 million visitors to easyEverything stores throughout Europe. easyeverything is currently being rebranded as easyInternetcafe."

10) Mr Rothnie states that easyGroup (UK) Ltd is "the investment vehicle for the group of companies and acts as an incubator for Internet start-up "easy" ventures in new fields". He states that these include an on-line financial services company (easyMoney) due to be launched in 2002, and an Internet portal company (easyvalue) which is an Internet price comparator. He claims that the "united business ethos of simplicity, low cost and accessibility" of the related companies has resulted in "the emergence of a well-known brand identity". He states that:

"The "easy" mark is key to the brand identity. Key features of this are that easyjet Airline and its related companies generally use short trade marks often consisting of two words with the prefix "easy", combined to form one new word, where the suffix has connotations with the services involved".

11) At exhibit JR1 he provides print outs from websites of "easyjet and related companies". A large number of the pages provided are not dated. From the pages that are dated it is clear that the marks "easyJet", EasyRentacar" and "easyEverything" were in use prior to the relevant date.

12) Mr Rothnie states that the development of the "easy" name as a trade mark was a deliberate policy and that group businesses operate under the "easy" mark and all deliver low cost services. He claims that the "easy" prefix is now recognised by the public as denoting the businesses within the easyJet group. He states that the press now refer to the easy mark and not the full name of the company. At exhibit JR2 he provides instances of such references. Most of these references are in fact the headline such as "easy does it", "easythis, easythat, easyfloat" etc. However, most are after the relevant date. The three that are dated prior to 21

June 2000 refer only to “easyjet”, “easyeverything” and “easyrentacar”.

13) Mr Rothnie states that in 1999 easyJet airline carried 3.6 million passengers and had a turnover of approximately £140 million. He also refers to visits to the websites of the various marks, but it is unclear if the users were from the UK. Similarly, turnover figures are provided but these span the relevant date and are not necessarily confined to the UK. At exhibit JR3 he provides an NOP poll which states that there was a recognition rate of 81% for the house mark of easyJet Airline Company Limited. He provides figures for advertising and promoting easyJet, easyEverything and easyRentacar, but these include periods beyond the relevant date. At exhibits JR 4 & 5 he provides samples of various advertisements and also press coverage which he states “show that interest in the easy group of companies has been relentless”. In fact most of the papers in exhibit JR4 are copies of advertisements which are undated. There are advertisements for “easyEverything” which are dated in May 2000 and “easyRentacar” dated March 2000, and a number for “easyJet” also prior to the relevant date. The “press coverage” at JR5 is actually a list of what appears to be a Reuters headline list, not confined to the UK. Not all of the headlines appear to relate to the opponent. The opponent has not highlighted those felt to be relevant. It is clear that a number do refer to “easyjet”.

14) Mr Rothnie provides details of television programmes that the airline has featured in and also the awards and prizes based on consumer votes that easyJet Airline has won. The awards have been numerous and whilst a number were awarded shortly after the relevant date it is clear that the votes cast would be based on performance prior to the relevant date. It is also claimed that easyeverything has also won awards prior to the relevant date for, inter alia, “use of technology” and “most promising new retailer”. However, it is not clear who decided to award these titles to the opponent. At exhibit JR8 he provides an extract from a “superbrands book” which states that EASYJET has become recognised as one of the top 100 brands in the UK.

15) Mr Rothnie provides his opinion on the similarity of marks and services which I do not find of assistance.

#### APPLICANT’S EVIDENCE

16) The applicant filed two statements. The first, dated 9 October 2002, is by Patrick Lorne Crerar the Managing Director of the applicant company. Mr Crerar states that in the “mid 1990’s” his company introduced a new marketing strategy to maximise the occupancy of their hotels. This provided low rates for people travelling with their own transport, and was advertised within each hotel and by direct mailing. By 1977 these were being referred to as “easy breaks”. At exhibit PLC3 he provides advertisements from 1997 which show use of this term in advertisements in national newspapers such as the Daily Mail, Daily Mirror and the Daily Express.

17) At exhibit PLC4 Mr Crerar provides brochures from May 1998 which show use of the terms EASYBREAKS / EASY BREAKS. Mr Crerar also provides a copy of the UK registration for these terms at exhibit PLC5. The marks are registered for services in Classes

39 & 42. He states that the “Easy Break scheme was successful and so the company began offering optional extras such as theatre tickets and organising visits to museums”. The move to offering coach excursions to self drive customers was he states a natural progression. Coining a name for this new service was not difficult according to Mr Crerar as he claims that the company were incorporating the word “easy” into its brochures and publicity material. In the brochures at exhibit PLC4 there are many examples of the word “easy” being used. Instances include “Summertime and the living is EASY”, “leisure breaks....made easy”, “EASY value”, “It is EASY”, “EASY golf” etc. The first EASY COACH service was offered in February 2000.

18) The second statement, dated 10 July 2002, is by Ross Timothy Manaton the applicant’s Trade Mark Attorney. He states that the opponent’s underlying contention is that it has an effective monopoly in marks commencing with the word “easy” and that use of any such marks by others would cause members of the public to assume that the goods/services emanated or are connected to the opponent. He comments on this claim:

“This is an extremely bold assertion, given that EASY is an ordinary English word in very common usage, which appears on its face to be entirely apt for use in advertising and/ or in the coining of trade marks and trade names that are intended to convey the impression of ease of use of the goods or services concerned.”

19) Mr Manaton accepts that the opponent has a reputation in its easyJet airline business, and that although some of its offshoots such as “easyRentacar” and “easyEverything” are known it is the “similarity of stylisation used (in particular the use of the colour orange, and a distinctive, rather bulbous typeface, with the letters all appearing in lower case apart from the initial letter of the word immediately following the easy-prefix” that connect these offshoots with the easyJet business.

20) Mr Manaton claims that in the absence of such stylisation no connection would be made with the opponent’s easyJet mark. At exhibit RTM1 he provides a list of marks from the UK register and the European Community register which commence with the prefix EASY. There are 324 such marks. At exhibit RTM3 he also provides the result of an internet search of marks with the prefix “EASY”. Mr Manaton also offers a range of comments on other aspects of this case including the applicant’s evidence which I do not find of assistance.

## OPPONENT’S EVIDENCE IN REPLY

21) The opponent filed a second witness statement by James Rothnie, dated 11 December 2002. Mr Rothnie again provides his opinion regarding the similarity of certain of the opponent’s marks and their specifications and the mark in suit. He concentrates on UK trade marks 2112956 EASYBUS (Class 39) , 2016785 EASYJET (Classes 39 & 42), 2112957 EASYTRAIN ( Class 39) and CTM 1232909 EASYJET (Classes 39 & 42). At exhibit JR1 he provides extracts from two dictionaries. The first is from “The Pocket Oxford Dictionary” 1984 which gives the definition of bus as: “large passenger vehicle, esp. one serving public on fixed route”. The definition for the word “Coach” comes from “The New Shorter Oxford

English Dictionary” which states: “ a large closed carriage for public conveyance of passengers; a chartered or long-distance usu. single-decker bus. Also called a motor-coach; economy seating in an aircraft”.

22) Mr Rothnie claims that coaches are, like buses, used as public transport vehicles, often run on prescribed routes to pre-set schedules with regular stops and with no pre-booking required. He states that coaches have been used to replace trains and underground trains during engineering works. He states that some buses travel long routes, on motorways and require pre-purchase of tickets. Exhibit JR2 which is provided to corroborate this claim is dated after the relevant date. He also claims that the opponent has “a significant family of marks, which all share the same element ‘easy’ and most of these are registered in capital letters in an unstylised form”. Mr Rothnie also comments on aspects of the applicant’s evidence and provides his views on aspects of the case which I do not find of assistance.

23) That concludes my review of the evidence. I now turn to the decision.

## DECISION

24) As a preliminary point the applicant sought to stay the hearing pending the outcome of:

a) two applications for invalidity that it had filed against the opponent’s mark EASYTRAIN and EASYBUS based on the premise that the proprietor (Easygroup) had no bona fide intention to use the marks as at the date of the application. These invalidity actions were filed approximately fourteen days prior to the hearing; and

b) two applications for revocation that the applicant intended to file against the opponent’s marks EASYTRAIN and EASYBUS once they have been registered for five years which will occur on 23 May 2003. The revocation was to be based on the ground of non-use.

25) Mr Mitcheson contended that the opponent was attempting to abuse a monopoly that it should never have been granted and/or no longer deserves. He also claimed that a stay would prevent costs being wasted and would not prejudice the opponent, whereas for the hearing to continue would be prejudicial to the applicant. If the opposition in the instant case were successful and the applicant were then to succeed with either its revocation or invalidity actions then the applicant would have to re-file an application to register its mark. Mr Mitcheson contended that it was clear from the opponent’s evidence that their reputation in the “easy” family of marks may have increased and so the applicant’s position would be worse because of the time that had lapsed between the instant application and any future application. He referred me to the case of *American Home Products Corp v Knoll AG* [2002] EWHC 828(Ch) and the comments by Mr David Kitchin QC sitting as Deputy High Court Judge. Mr Mitcheson observed that the instant case differed in that the request for a stay was made prior to the main hearing having taken place, and so costs would not be wasted if the matter had to be re-referred to the Registry.

26) Mr Mitcheson, commenting on the timing of the request for invalidity said:

“I will make no bones about it. The action for invalidity is very closely related to the proposed application to revoke for non-use. It was my client’s decision, and I say that it was a sensible one in all the circumstances, that to tip off the opponent that an application for non-use would follow an application for invalidity, if that application for invalidity was made some two years ago, would not be sensible in any circumstances.”

27) For the opponent Mr Roberts contended that if the applicant wished to argue that the marks being relied upon by the opponent were invalid then an application for invalidity should have been sought at the earliest possible stage as it can only have been made out in relation to the circumstances pertaining in 1998 when the marks were applied for. Mr Roberts contended that the applicant was seeking to ambush the opponent by waiting until shortly before the hearing to file the action for invalidity. With regard to the case referred to by Mr Mitcheson, Mr Roberts made reference to the comments of Mr Kitchen where at paragraph 12 he said:

“First, I believe it is a general principle that parties must bring before the court the case they wish to rely upon so as to ensure that litigation is carried out expeditiously and fairly. In this case there can be no doubt that the proceedings for invalidity could have been commenced earlier and an application could have been made to the registrar for a stay of the opposition proceedings pending the outcome of the invalidity proceedings prior to the hearing of the opposition.”

28) At the hearing I rejected the application for a stay. In doing so I took into account particularly, the views of the applicant on the prejudice they would suffer if the hearing were to proceed prior to the validity of certain of the opponent’s marks having been determined. But I also considered the prejudice to the opponent of the delay. Clearly a stay should not be granted on the basis of revocation actions which may occur at a future date, even when the date is close at hand. With regard to invalidity actions which in this case are based on there being no bona fide intent to use the marks at the date of application; in my view, if the applicant wished to rely upon this defence it could and should have filed these actions shortly after this opposition was launched. I reject the claim that delaying the filing of these actions was justified as the action would “tip off” the opponent that revocation proceedings on grounds of non-use would follow. This is not a satisfactory reason for delaying the invalidity actions until just before the hearing. Had the matter been raised in the course of its defence then the cases could have been managed such that the matters could have been determined together.

29) Having rejected the application for a stay I proceeded to hear the opposition.

30) The grounds of opposition are under Sections 5(2)(b), 5(3) and 5(4)(a), which read:

“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.

(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, or
- (b).....

A person thus entitled to prevent the use of a trade mark is referred to in this Act as the proprietor of an “earlier right” in relation to the trade mark.”

31) An “earlier trade mark” is defined in Section 6, the relevant parts of which state:

“6.-(1) In this Act an “earlier trade mark” means -

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

32) The opponent is relying on a number of UK and Community Trade Marks, which are detailed along with their specifications in Annex A. Plainly all of these marks are “earlier trade marks”. Two UK Trade Mark applications (2184827B & 2184833A) are still pending whilst one (2193491) has been withdrawn. Five Community Trade Mark applications (1383157, 1343300,1590561,1360981 & 1699792) are still pending. Although the pending trade marks would, if they proceed to registration, be regarded as “earlier trade marks” I shall not take them into consideration in this opposition. I do not believe that this affects the opponent’s case



as the marks concerned do not offer the opponent's strongest case.

33) The opponent has identified the marks which provide its strongest case. These are EASYJET (2016785/ CTM 1232909), EASYTRAIN (2112957) and EASYBUS (2112956). Although it relies upon the other marks in its claim to have a "family" of trade marks. In my view if the opponent cannot succeed under these marks then it must fail under all the grounds of opposition with regard to the other trade marks at Annex A.

34) The applicant has applied for a series of two trade marks EASYCOACH and EASY COACH. The first in the series is a single word whilst the second consists of two words. The opponent did not draw any distinction between the two versions and neither did the applicant. To my mind the average consumer would see the marks, whether conjoined or not, as the two well known dictionary words EASY and COACH. In my decision I have not drawn any distinction between the versions of the applicant's mark but to simplify matters have dealt only with the conjoined form. The outcome for the two word mark is the same as the conjoined form.

### **Evidence of use**

35) I will deal with the evidence provided by the opponent first as this affects matters that are to be considered under all three heads of opposition.

36) I have to consider the issues before me as of the relevant date, which is the date of the filing for registration, 21 June 2000. The opponent has to demonstrate that it had a valid case at this date.

37) No evidence has been filed regarding use of the marks EASYTRAIN or EASYBUS. The only evidence of use supplied related to the marks EASYJET, EASYRENTACAR and EASYEVERYTHING. Although it is clear that the marks EASYRENTACAR and EASYEVERYTHING were used prior to the relevant date, the evidence provided does not show turnover figures or market share. Whilst figures are shown for advertising these span the relevant date. The opponent has stated that in 1999 the easyjet airline had a turnover of £140 million and carried 3.6 million passengers. It has also shown that the airline has won awards and prizes, and also was highly recognised in an NOP poll.

### **Effect of evidence under Section 5(2)(b)**

38) As per *Sabel BV v. Puma AG* [1998] RPC 199 and *Canon Kabushiki Kaisha v. Metro-Goldwyn-Meyer 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 (ECJ) 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.”

39) In *Canon* the ECJ 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.”

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

41) Clearly the opponent cannot claim any enhanced reputation based on use in respect of its “EASYTRAIN” and “EASYBUS” trade marks, as no use has been shown. Although use has been shown with regard to its “EASYEVERYTHING” and “EASYRENTACAR” trade marks the opponent did not file turnover or advertising figures nor did it state its market share. Simply showing some use of a trade mark is not sufficient for it to claim an enhanced reputation. Although the opponent has shown use and turnover figures for its “EASYJET” trade mark, the figures have not been put into context. The total size of the market is not provided nor is any evidence relating to market share in the UK. However, I do take into account the fact that the UK airline industry consists of a very limited number of players, and the publicity surrounding the launch and marketing ploys of the opponent has been substantial. I therefore consider it reasonable to infer that at the relevant date, the trade mark “EASYJET” would have been widely known by the travelling public and so can claim an enhanced distinctive character based on use as an airline.

42) The opponent also claims to have established reputation in a family of “easy” marks and also that they have established the concept of “easy” brand extension in the minds of the consumer. I can only consider trade marks that have clearly been used at the relevant date which are “EASYJET”, “EASYRENTACAR” and “EASYEVERYTHING” in relation to an airline, car rentals and an internet café respectively. The opponent has to establish, in my view, a bond between these services to get to first base. Whilst I accept it may exist between the airline and car rental I do not accept there is a common connection in trade between the other services provided under the “easy” mark and an internet café. The opponent has not shown that the average consumer would identify the common element “easy” and make a connection between the three trade marks and the three services that they encompass and therefore assume a common owner. I am fortified in this view by the comments of Professor R Annand acting as the Appointed Person in BL/0-411-01 paragraph 37. I therefore do not believe that the opponent can rely upon a family of trade marks under any of the grounds of opposition.

43) I must also consider how distinctive the opponent’s marks are *per se*. The opponent’s earlier marks consist of the word EASY conjoined with another ordinary word such as “train”, “jet” and “bus”. The conjoined word having a clear reference to the characteristic of the services provided under the mark. The word “easy” has relevance when used in relation to a

range of goods or services that can be described as, for example, easy to use or obtain. With regard to the opponent's three trade marks which provide its strongest case, it would be seen as no more than an allusion to the opponent's "no frills" concept. It is well established that a combination of two elements, even if both are individually descriptive, can combine to create a distinctive whole.

44) In my view, the opponent's marks have a degree of inherent distinctiveness, but not such that warrants a wider penumbra of protection.

### **Effect of evidence under Section 5(3)**

45) 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."

46) The applicant's specification is such that "the public concerned" must be regarded as the general public. The opponent has to show that his trade marks are known to a significant part of the public concerned in the United Kingdom. Earlier in this decision I deemed that the opponent's "EASYJET" mark is known by a significant part of the public in relation to its airline service.

### **Effect of evidence under Section 5(4)**

47) In relation to passing off the opponent needs to establish that at the relevant date, 1 February 2000, it enjoyed goodwill/reputation. In *South Cone Inc. v. Jack Bessant, Dominic Greensmith, Kenwyn House, Gary Stringer (a partnership)* [2002] RPC 19 Pumrey J. in considering an appeal from a decision of the Registrar to reject an opposition under Section 5(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 Section 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.”

48) This cannot be interpreted in a prescriptive fashion. There will be occasions 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.

49) Considered overall it seems clear that the opponent had some trade in the UK prior to the relevant date. However, the deficiencies in the evidence, primarily the lack of market context, makes it impossible to assess the extent of the opponent’s goodwill in the businesses conducted under its “EASYRENTACAR” and “EASYEVERTHING” trade marks. In my view only the opponent’s business under the sign “EASYJET” in relation to airline services can form the basis of this ground of opposition.

### **Section 5(2)(b) - Likelihood of confusion**

50) 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-Meyer Inc.* [1999] E.T.M.R. 1, *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel B.V.* [2000] F.S.R. 77 and *Marca Mode CV v Adidas AG* [2000] E.T.M.R 723. 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 B.V.* 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;

(e) a lesser degree of similarity between the marks may be offset by a greater degree of similarity between the goods, and vice versa; *Canon Kabushiki Kaisha v Metro-Goldwyn-Meyer Inc.* page 7 paragraph 17;

(f) there is a greater likelihood of confusion where the earlier trade mark has a highly distinctive character, either *per se* or because of the use that has been made of it; *Sabel Bv v Puma AG* page 8, paragraph 24;

(g) mere association, in the sense that the later mark brings the earlier mark to mind, is not sufficient for the purposes of Section 5(2); *Sabel Bv v Puma AG* page 224;

(h) further, 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; *Marca Mode CV v Adidas AG* page 732, paragraph 41;

(i) but if the association between the marks causes the public to wrongly believe that the respective goods come from the same or economically linked undertakings, there is a likelihood of confusion within the meaning of the section; *Canon Kabushiki Kaisha v Metro-Goldwyn-Meyer Inc.* page 9, paragraph 29.

51) 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.

52) I also take into account the comments of Jacob J. in *Avnet Incorporated v. Isoact Ltd* [1998] FSR 16 where he said:

“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.”

53) For ease of reference the applicant’s specification is as follows:

In Class 39: “Travel agency, provision of package holidays and tours; rental of vehicles; holiday booking services; luggage storage; escorting of travellers; transport of passengers, vehicles and passengers’ luggage.”

In Class 42: “Hotel services; provision of accommodation; catering for the provision of food and drink, bar and restaurant services; provision of facilities for conferences, seminars and meetings.”

54) I shall first compare the opponent’s mark 2112957 “EASYTRAIN” registered for the following services in Class 39 “Transportation of goods, passengers and travellers by land; arranging for transportation of goods, passengers and travellers by land; arranging, operating and providing facilities for tours, excursions and vacations; travel agency and tourist office services; consultancy and advice relating to all aforesaid services”.

55) Clearly the opponent’s specification incorporates features of the applicant’s Class 39

specification. To my mind the “Travel agency; provision of package holidays and tours; holiday booking services; transport of passengers, vehicles and passengers luggage” in the applicant’s specification are similar or identical to the opponent’s specification. Mr Mitcheson contended that the opponent’s specification did not cover the “transportation of vehicles”, however it does specify the “transportation of goods” and to my mind “goods” would encompass vehicles. What the opponent’s specification does not cover is “rental of vehicles; luggage storage; escorting of travellers”. Nor does it cover any of the Class 42 services as there is a clear difference between arranging package holidays and a hotel service which caters for ad hoc travellers.

56) Comparing the two marks “EASYCOACH” and “EASYTRAIN” they clearly have a common prefix and therefore have some visual and aural similarity. However, the average consumer views trade marks as wholes and does not analyse its various details. The suffixes can be seen as having some reference to certain of the services covered by the marks, and in that respect the EASY element could be regarded as the more distinctive, and possibly the dominant, if only due to its positioning at the start of each mark. As each mark contains the word EASY there is some conceptual similarity but the presence of other words lessen this considerably. In my view the marks are more dissimilar than similar.

57) Taking account of all of the above when considering the marks globally, I do not believe that there is a likelihood of consumers being confused into believing that the services provided by the applicant are those of the opponent or provided by some undertaking linked to them. The opposition under Section 5(2)(b) therefore fails with regard to the opponent’s mark 2112957 “EASYTRAIN”.

58) I next consider the opponent’s mark 2016785 “EASYJET” which has the following specification for Classes 39 and 42:

Class 39: “Transportation of goods, passengers and travellers by air; arranging of transportation of goods, passengers and travellers by land and sea; airline and shipping services; cargo handling and freight services; arranging, operating and providing facilities for cruises, tours, excursions and vacations; ambulance services; rental and hire of vehicles, boats and aircraft; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services.”

Class 42: “Temporary accommodation; catering, hotel, restaurant, cafe and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services.”

59) Clearly the opponent’s specification incorporates features of the applicant’s Class 39 specification. To my mind the “Travel agency; provision of package holidays and tours; holiday booking services; transport of passengers, vehicles and passengers luggage: rental of vehicles” in the applicant’s specification are similar or identical to the opponent’s specification. Mr Mitcheson contended that the opponent’s specification did not cover the “transportation of vehicles”, however it does specify the “transportation of goods” and to my mind “goods”

would encompass vehicles. He also contended that package holidays are different to tours, cruises excursions and vacations. This was based on the premise that package holidays are inclusive of travel, hotels and food. I do not accept this contention, cruises are a form of travel, and certainly include accommodation and meals. What the opponent's Class 39 specification does not cover is "luggage storage; escorting of travellers".

60) Mr Mitcheson accepted that the Class 42 services of the two parties were similar.

61) Comparing the two marks "EASYCOACH" and "EASYJET" they clearly have a common prefix and therefore have some visual and aural similarity. However, the average consumer views trade marks as wholes and does not analyse its various details. The suffixes can be seen as having some reference to certain of the services covered by the marks, and in that respect the EASY element could be regarded as the more distinctive, and possibly the dominant, if only due to its positioning at the start of each mark. As each mark contains the word EASY there is some conceptual similarity but the presence of other words lessen this considerably. In my view the marks are more dissimilar than similar.

62) Earlier in this decision I found that the opponent could claim an enhanced distinctive character based on use of the mark EASYJET in relation to airline services. However, taking account of all of the above when considering the marks globally, I do not believe that there is a likelihood of consumers being confused into believing that the services provided by the applicant are those of the opponent or provided by some undertaking linked to them. The opposition under Section 5(2)(b) therefore fails with regard to the opponent's mark 2112957 "EASYJET". The opponent has also cited its CTM mark 1232909 for EASYJET. Although the opponent's specification is slightly wider under this mark it does not alter the overall position. The opposition under CTM 1232909 also fails.

63) Lastly under this ground of opposition I consider the opponent's mark 2112956 "EASYBUS" which has the following specification:

Class 39: "Transportation of goods, passengers and travellers by land; arranging of transportation of goods, passengers and travellers by land; coach services; arranging, operating and providing facilities for tours, excursions and vacations; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services."

64) With regard to the similarity of the Class 39 specifications then the same comments apply. That they are identical or similar apart from the following: "Luggage storage; escorting of travellers; rental of vehicles". Clearly the applicant's Class 42 services are dissimilar to the opponent's Class 39 services.

65) When comparing the two marks "EASYCOACH" and "EASYBUS" clearly many of my previous comments are equally valid. The marks have a common prefix and so some visual and phonetic similarity. Mr Mitcheson contended that conceptually there was a difference between the marks as the average person's perception of the words "BUS" and "COACH" were very different. He submitted:

“There is a very real reason to believe that people believe that buses are vehicles which are used for shorter journeys, hop on hop off, pay as you get on, whereas coaches are for more long-distance travel. They may look different and have different facilities on board; reclining seats, lavatories and even kitchenettes. People are able to distinguish between a bus and a coach in normal day-to-day life and therefore the words EASYBUS and EASYCOACH will give people different conceptual understandings of the sorts of services being offered by the various undertakings involved.”

66) I agree with Mr Mitcheson in so far as no-one would describe a Routemaster as a coach, but outside of central London the distinction between a bus and a coach has become more blurred. When there are problems on the rail system, one frequently hears of alternative buses being supplied when in fact these are what would commonly be called coaches. To my mind there is a clear conceptual similarity between EASYBUS and EASYCOACH. In my view, this combined with the visual and phonetic similarities leads to a situation where the marks are more similar than dissimilar.

67) The use of the mark EASYBUS on those services which I have found to be identical or similar will, in my opinion, create a likelihood of consumers being led into wrongly believing that the services provided by the applicant are those of the opponent or provided by some undertaking linked to them. The ground of opposition under Section 5(2) succeeds in relation to the following services in Class 39 “Travel agency, provision of package holidays and tours; holiday booking services; transport of passengers, vehicles and passengers' luggage.” The ground of opposition under Section 5(2) fails in relation to the Class 42 services and the following Class 39 services “ luggage storage; escorting of travellers; rental of vehicles”.

### **Section 5(3)**

68) To succeed under this ground the applicant must show that it enjoys a reputation in the earlier right. Earlier in this decision I found that, as at the relevant date, the applicant possessed a reputation in its UK trade mark 2016785 “EASYJET” for airline services in Class 39 such that it is “known by a significant part of the public concerned” (*General Motors Corp. v Yplon SA (Chevy)* [1999] ETMR 122 and [2000] RPC 572). The applicant thus qualifies for the first requirement of Section 5(3) in respect of 2016785. Earlier in this decision I also found that the applicant did not enjoy a reputation in relation to any of its other trade marks or its family of “EASY” marks, despite the submissions made by Mr Roberts at the hearing.

69) Both sides referred me to the recent (9<sup>th</sup> January 2003) judgement of the ECJ in Case 292/00 *Daividoff & Cie SA v Gofkid Ltd* (unreported). The effect of this decision is that similar services can be relied upon under Section 5(3). However, this is not relevant as I have held that the only services upon which reputation has been established are airline services which are manifestly not similar to the applicant's Class 39 or Class 42 services other than that they could be said to be travel-related only in the very broadest sense.

70) Mr Roberts contended that use of the applicant's mark would dilute the distinctiveness and therefore value of Easygroup's brand. He stated that the “exclusive and distinctive character of inter alia the EASYJET mark will be diluted as a result of the presence on the



market of EASYCOACH”. I do not accept that the opponent’s reputation for airline services will be damaged.

71) I look to the comments of Mr Thorley Q.C. (Sitting as a deputy judge of the High Court) in *Pfizer Ltd v Eurofood Link (UK) Limited* [2001] FSR 3 where he held:

“ H17(9) To show infringement under section 10(3) it was necessary for the trade mark proprietor to prove the required reputation and then to satisfy the Court that the defendant's use of the sign was without due \*20 cause and took unfair advantage of, or was detrimental to, the distinctive character or repute of the trade mark. (paras 31 and 32).”

72) To my mind, the opponent has not shown that use of the applicant’s mark for dissimilar services would take unfair advantage of, or be detrimental to, the distinctive character or repute of the earlier mark EASYJET. The ground of opposition under Section 5(3) with regard to “EASYJET” therefore fails.

#### **Section 5(4)(a) - Passing off**

73) In deciding whether the mark in question “EASYCOACH” offends against this section, I intend to adopt the guidance given by the Appointed Person, Mr Geoffrey Hobbs QC, in the *WILD CHILD* case (1998 14 RPC 455). In that decision Mr Hobbs stated that:

“The question raised by the Grounds of Opposition is whether normal and fair use of the designation WILD CHILD for the purposes of distinguishing the goods of interest to the Applicant from those of other undertakings (see Section 1(1) of the Act) was liable to be prevented at the date of the application for registration (see Art.4(4)(b) of the Directive and Section 40 of the Act) by enforcement of rights which the opponent could then have asserted against the Applicant in accordance with the law of passing off.

A helpful summary of the elements of an action for passing off can be found in Halsbury’s Laws of England 4th Edition Vol. 48 (1995 reissue) at paragraph 165. The guidance given with reference to the speeches in the House of Lords in Reckitt & Colman Products Ltd - v - Borden Inc [1990] RPC 341 and Even Warnik BV - v - J. Townend & Sons (Hull) Ltd [1979] AC 731 is ( with footnotes omitted) as follows:

The necessary elements of the action for passing off have been restated by the House of Lords as being three in number:

- (1) that the plaintiff’s goods or services have acquired a goodwill or reputation in the market and are known by some distinguishing feature;
- (2) that there is a misrepresentation by the defendant (whether or not intentional) leading or likely to lead the public to believe that the goods or services offered by the defendant are goods or services of the plaintiff; and

(3) that the plaintiff has suffered or is likely to suffer damage as a result of the erroneous belief engendered by the defendant's misrepresentation."

74) To succeed under this ground the opponent must show that it enjoyed goodwill at the relevant date. Mr Roberts sought to rely upon the reputation and goodwill of Easygroups marks, the distinctiveness of those marks in the UK, that both parties are involved in the travel industry service, the similarity of the marks and the use of the word EASY. However, I have found earlier in this decision that the opponent has shown use of its EASYJET, EASYEVERYTHING and EASYRENTACAR marks, but that it has reputation only in its business for airline services covered by the EASYJET mark.

75) The opponent cannot rely upon its claimed reputation in "EASY" marks even though it has shown some use in the three marks listed above. Nor do I accept that the use shown of these three marks is within the travel industry service. The only use of EASYEVERYTHING related to internet cafes, which would not fall within such a classification.

76) Taking into account all the factors considered under Section 5(2) and also those identified by Mr Roberts it is my view that at the relevant date the public would not have been likely to believe that the applicant's services were those of the opponent. There is no misrepresentation. The ground of opposition under Section 5(4) therefore fails.

77) The opposition to the applicant's mark in relation to the services in Class 39 has been partly successful, whilst the opposition to the services in Class 42 has failed on all grounds. As grounds for refusal exist only in respect of some of the Class 39 services the application will be allowed to proceed to registration if, within one month of the end of the appeal period for this decision, the applicants file a TM21 restricting the specification as follows:

Class 39: "luggage storage; rental of vehicles; escorting of travellers."

Class 42: "Hotel services; provision of accommodation; catering for the provision of food and drink, bar and restaurant services; provision of facilities for conferences, seminars and meetings."

78) If the applicant does not file a TM21 restricting the specification as set out above the application will be refused in its entirety.

79) The opposition has only been partly successful in one of the grounds of opposition and has failed under the other two grounds. As the opponent was only partly successful the costs have been reduced. I order the applicant to pay the opponent the sum of £500. This sum 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 22<sup>ND</sup> day of August 2003

George W Salhouse  
For the Registrar  
The Comptroller General


**ANNEX A (Opposition No 52776)**  
**UK TRADE MARKS**

Mark	Number	Effective Date	Class	Specification
<b>EASYJET</b>	2016785	05.04.95	16	Printed matter and publications; books, manuals, pamphlets, newsletters, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials.
			39	Transportation of goods, passengers and travellers by air; arranging of transportation of goods, passengers and travellers by land and sea; airline and shipping services; cargo handling and freight services; arranging, operating and providing facilities for cruises, tours, excursions and vacations; ambulance services; rental and hire of vehicles, boats and aircraft; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services.
			42	Temporary accommodation; catering, hotel, restaurant, cafe and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services.
<b>EASYTRAIN</b>	2112957	15.10.96	39	Transportation of goods, passengers and travellers by land; arranging of transportation of goods, passengers and travellers by land; arranging, operating and providing facilities for tours, excursions and vacations; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services.
<b>EASYBUS</b>	2112956	15.10.96	39	Transportation of goods, passengers and travellers by land; arranging of transportation of goods, passengers and travellers by land; coach services; arranging, operating and providing facilities for tours, excursions and vacations; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services.
<b>easyTrak/ EASYTRAK</b> (series of two)	2168662	05.06.98	16	Printed matter and publications; books, manuals, pamphlets, newsletters, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials; all relating to travel.
			39	Transportation of goods, passengers and travellers by air; arranging of transportation of goods, passengers and travellers by land and sea; airline and shipping services; cargo handling and freight services; arranging, operating and providing facilities for cruises, tours, excursions and vacations; ambulance services; rental and hire of vehicles, boats and aircraft; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services.
			42	Temporary accommodation; catering, hotel, restaurant, cafe and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services.

<b>easyWeb/ EASYWEB</b>  (series of two)	2168668	05.06.98	16	Printed matter and publications; books, manuals, pamphlets, newsletters, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials; all relating to travel.
			39	Transportation of goods, passengers and travellers by air; arranging of transportation of goods, passengers and travellers by land and sea; airline and shipping services; cargo handling and freight services; arranging, operating and providing facilities for cruises, tours, excursions and vacations; ambulance services; rental and hire of vehicles, boats and aircraft; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services.
<b>easy extras /easyExtras/ EASY EXTRAS EASYEXTRAS</b>  (series of four)	2168672	05.06.98	16	Printed matter and publications; books, manuals, pamphlets, newsletters, albums, newspapers, magazines and periodicals; stationery; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials; travel documents folders; travel guide books; travellers cheques.
			18	Travel luggage, travel bags; travel garment covers; travellers bags made from leather or imitation leather, travelling sacks and handbags.
			36	Insurance services.
			39	Transportation of goods, passengers and travellers by air; arranging of transportation of goods, passengers and travellers by land and sea; bus transport services, car transport services, coach services; airline and shipping services; cargo handling and freight services; arranging, operating and providing facilities for cruises, tours, excursions and vacations; ambulance services; rental and hire of vehicles, boats and aircraft; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services.
			42	Temporary accommodation; catering, hotel, restaurant, café and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services.
<b>easyKiosk /easy kiosk / EASY KIOSK / EASYKIOSK</b>  (series of four)	2198933	01.06.99	16	Printed matter, books, publications, brochures, postcards, menus, catalogues, diaries, promotional and advertising material, wrapping and packaging material, stationery, writing instruments, calendars, posters, photographs, greetings cards, bags, badges, instructional and teaching materials, playing cards, labels, magazines, newsletters, tickets, leaflets, writing paper, goods made of cardboard, manuals, pamphlets, albums, newspapers, periodicals, vouchers, coupons and travel documents, identity cards, tags, gift cards, travel document folders, travel guide books, travellers cheques.
			42	Catering for the provision of food and drink; bar, catering, café and restaurant services; in-flight and airport catering services.

<b>easyJet Services</b>	2219661	18.01.00	16	Printed matter and publications; books, manuals, pamphlets, newsletters, brochures, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, stationery, writing instruments, wrapping materials, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials; promotional and advertising material; signs of paper or cardboard.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land and sea; airline and shipping services; baggage handling services; cargo handling and freight services; arranging, operating and providing facilities for cruises, holidays, business travel, tours, excursions and vacations; chartering of aircraft; rental and hire of aircraft; aircraft parking services; travel agency and tourist office services; advisory and information services relating to the aforesaid services; baggage check-in services, airline booking services, air traffic control services, aircraft handling services.
			42	Temporary accommodation; catering, hotel, restaurant, café and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services; security services; airport security services; airline passenger security screening services.
 (series of four)	2202916	13.07.99	42	Restaurants and bar services; catering services; design of computer software; design, drawing and commissioned writing, all for the compilation of web pages on the Internet; hosting, creating and maintaining web sites for others; leasing access time to a computer data base.
<b>EASY EVERYTHING</b>	2182641	20.11.98	42	Restaurant and bar services; catering services; design of computer software; design, drawing and commissioned writing, all for the compilation of web pages on the Internet; hosting, creating and maintaining web sites for others; leasing access time to a computer data base.
<b>easycard / EASYCARD</b> series of two	2184827b	18.12.98 Pending	9	Computer software; computer hardware; pre-recorded CD Roms and other disk carriers; sunglasses.
			35	Business information services.
			38	Telecommunication services.
			42	Restaurant and bar services; catering services; design of computer software; provision of access to computers and the Internet; Internet services; provision of on-line services.
<b>easycard / EASYCARD</b> (series of two)	2184827a	18.12.98	25	Clothing; headgear; footwear.
			29	Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies; jams, fruit sauces; eggs, milk and milk products; edible oils and fats; prepared meals.

			30	Coffee; tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals; bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice; prepared meals.
			32	Beers; mineral and aerated water and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
			33	Alcoholic beverages (except beer).
<b>easyPay / EASYPAY</b>  (series of two)	2184833a	18.12.98 Pending	9	Computer software; computer hardware; pre-recorded CD Roms and other disk carriers; sunglasses.
			35	Business information services.
			38	Telecommunication services.
			42	Restaurant and bar services; catering services; design of computer software; provision of access to computers and the Internet; Internet services; provision of on-line services.
<b>easyPay / EASYPAY</b>  (series of two)	2184833b	18.12.98	25	Clothing; headgear; footwear.
			29	Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies; jams, fruit sauces; eggs, milk and milk products; edible oils and fats; prepared meals.
			30	Coffee; tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals; bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice; prepared meals.
			32	Beers; mineral and aerated water and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
			33	Alcoholic beverages (except beer).
<b>easyMoney / EASYMONEY</b>  (series of two)	2184834	18.12.98	9	Computer software; computer hardware; pre-recorded CD Roms and other recorded computer programs; sunglasses.
			25	Clothing; headgear; footwear.
			29	Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies; jams, fruit sauces; eggs, milk and milk products; edible oils and fats; prepared meals.
			30	Coffee; tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals; bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice; prepared meals.
			32	Beers; mineral and aerated water and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
			33	Alcoholic beverages (except beer).
			38	Telecommunication services.

			42	Restaurant and bar services; catering services; design of computer software; provision of access to the Internet; computers, design, drawing and commissioned writing, all for the compilation of web pages on the Internet; information provided on-line from a computer database or from the Internet; Internet services and on-line access services relating to financial and insurance affairs.
<b>easyrentacar</b>	2193491	01.04.99 Withdrawn	39	Transportation services; hire and rental of motor vehicles.
	2212473	26.10.99	39	Transportation services; hire and rental of motor vehicles.
<b>easyJet ramp</b>	2232031	10.05.00	16	Printed matter and publications; books, manuals, pamphlets, newsletters, brochures, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, stationery, writing instruments, wrapping materials, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials; promotional and advertising material; signs of paper or cardboard.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land and sea; airline and shipping services; baggage handling services; cargo handling and freight services; arranging, operating and providing facilities for cruises, holidays, business travel, tours, excursions and vacations; chartering of aircraft; rental and hire of aircraft, aircraft parking services, travel agency and tourist office services; advisory and information services relating to the aforesaid services; baggage check-in services, airline booking services, air traffic control services, aircraft handling services.

#### COMMUNITY TRADE MARKS


Mark	Number	Effective Date	Class	Specification
<b>easyExtras</b>	848424	05.06.98	16	Printed matter and publications; books, manuals, pamphlets, newsletters, albums, newspapers, magazines and periodicals; stationery; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials; travel documents folders; travel guide books; travellers cheques.
			18	Travel luggage, travel bags; travel garment covers; travellers bags made from leather or imitation leather, travelling sacks and handbags.

			36	Insurance services.
			39	Transportation of goods, passengers and travellers by air; arranging of transportation of goods, passengers and travellers by land and sea; bus transport services; car transport services; coach services; airline and shipping services; cargo handling and freight services; arranging, operating and providing facilities for cruises, tours, excursions and vacations; ambulance services; rental and hire of vehicles, boats and aircraft; travel agency and tourist office services; consultancy and advice relating to all the aforesaid services.
			42	Temporary accommodation; catering, hotel, restaurant, café and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services.
<b>easyKiosk</b>	1196138	01.06.99	16	Printed matter, books, publications, brochures, postcards, menus, catalogues, diaries, promotional and advertising material, wrapping and packaging material, stationery, writing instruments, calendars, posters, photographs, greetings cards, bags, badges, instructional and teaching materials, playing cards, labels, magazines, newsletters, tickets, leaflets, writing paper, goods made of cardboard, manuals, pamphlets, albums, newspapers, periodicals, vouchers, coupons and travel documents, identity cards, tags, gift cards, travel document folders, travel guide books, travellers cheques.
			42	Catering for the provision of food and drink; bar, catering, café and restaurant services; in-flight and airport catering services.
<b>easyJet Services</b>	1472273	19.01.00	16	Printed matter and publications; books, manuals, pamphlets, newsletters, brochures, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels; posters, postcards, stationery, writing instruments, wrapping materials, calendars, diaries, photographs, gift cards and greetings cards; instructional and teaching material; promotional and advertising materials; signboards of paper or cardboard.
			39	Transportation of goods, passengers and travellers by air registry services; arranging transportation of goods, passengers and travellers by road and by sea: transport services, airline and forwarding services; baggage handling services; cargo handling and freight services; arranging, operating and providing facilities for cruises, holidays, business travel, tours, excursions and vacations; aircraft chartering; leasing of aircraft; aircraft fuelling services, aircraft parking services, travel agency and tourist office services; information and advisory services relating to all the aforesaid services; registration of luggage, flight reservation services, air traffic control services, aircraft handling services, excluding the transportation of letters and parcels.
			42	Temporary accommodation; catering, hotel, restaurant, café and bar services; reservation services for hotel accommodation; providing facilities for exhibitions; weather information services; hairdressing, grooming and beauty salon services; security services; airport security services; airline passenger security screening services.
<b>EASYCAFÉ</b>	931790	16.09.98	9	Computer software; computer hardware; pre-recorded CD ROM's and other disk carriers; sunglasses.




			29	Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies; jams, fruit sauces; eggs, milk and milk products; edible oils and fats; prepared meals.
			30	Coffee; tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals; bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice; prepared meals.
			32	Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
			33	Alcoholic beverages (except beer).
			35	Business information services.
			38	Telecommunication services.
			42	Restaurant and bar services; catering services; design of computer software; provision of access to computers and the internet; internet services; provision of on-line services.
<b>easyEverything</b>	1243948	13.07.99	9	Computer software; computer hardware; pre-recorded CD Roms and other disk carriers; sunglasses
			35	Business information services; on-line processing of mail orders.
			38	Provision of access to information on-line from the Internet; providing access to a wide range of general interest information via computer networks; providing on-line access to news, weather, sports, current events and reference materials; computer bulletin and message boards in fields of general interest; linking to web sites of others; providing multiple-user access to computer networks for the transfer and dissemination of a wide range of information.
			41	On-line contests and sweepstakes.
			42	Restaurant and bar services; catering services; design, drawing and commissioned writing, all for the compilation of web pages on the Internet; creating and maintaining web-sites; hosting the web sites of others; consulting and technical assistance in the fields of designing, creating, hosting, maintaining, operating, managing, advertising, and marketing of on-line commerce web sites; provision of access to information on-line from a computer database; technical consultancy and advising in the establishment of on-line retail services; providing on-line facilities for real-time interaction with other computer users concerning topics of general interest and playing games; on-line directory services to help locate people, places, organisations, phone numbers, home pages, and electronic mail address; computer services, namely, creating indexes of information, sites, and other resources available on computer networks; searching and retrieving information on computer networks; leasing access time to a computer database (other than by Internet service providers).

<b>easyJet. the web's favourite airline</b>	1132596	29.03.96	39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land; airline services; baggage handling services; cargo handling and freight services; operating and providing facilities for tours, excursions and vacations; chartering of aircraft; rental and hire of aircraft; aircraft parking services; travel agency and tourist office services; advisory and information services relating to the aforesaid services; information services relating to transportation services, including information services provided on-line from a computer database or the internet.
			41	Information relating to entertainment and education, provided on-line from a computer database or the Internet; entertainment services provided on-line from a computer database or the Internet; educational information provided on-line from a computer database or the Internet.
<b>easyTech</b>	1128743	29.03.99	12	Vehicles; apparatus for locomotion by land, air or water; aircraft; parts and fittings for the aforesaid goods included in class 12.
			37	Aircraft repair and maintenance services, aircraft cleaning services, aircraft washing services.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land; airline services; baggage handling services; cargo handling and freight services; operating and providing facilities for tours, excursions and vacations; chartering of aircraft; rental and hire of aircraft; aircraft fuelling services, aircraft parking services, travel agency and tourist office services; advisory and information services relating to the aforesaid services.
<b>easyJet tours</b>	1383157	08.11.99 Pending	16	Printed matter and publications; books, manuals, pamphlets, newsletters, brochures, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, stationery, writing instruments, wrapping materials, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land and sea; airline and shipping services; baggage handling services; cargo handling and freight services; arranging, operating and providing facilities for cruises, holidays, business travel, tours, excursions and vacations; chartering of aircraft; rental and hire of aircraft; aircraft parking services, travel agency and tourist office services; advisory and information services relating to the aforesaid services; including the provision of such services by means of the Internet or a computer database.
			42	Temporary accommodation; catering, hotel, restaurant, café and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services; including the provision of such services as well as information and advice relating thereto by means of the Internet or a computer database.

<b>easy.com</b>	1343300	06.10.99 Pending	16	Printed matter, books, publications, brochures, postcards, menus, catalogues, diaries, promotional and advertising material, wrapping and packaging material, stationery, writing instruments, calendars, posters, photographs, greeting cards, bags, badges, instructional and teaching materials, playing cards, labels, magazines, newsletters, tickets, leaflets, writing paper, paper, goods made of cardboard, manuals, pamphlets, albums, newspapers, periodicals, vouchers, coupons and travel documents, identity cards, tags, gift cards, travel document folders, travel guide books, travellers cheques.
			35	Advertising; business management; business administration; office functions; publicity, promotional services, import-export agency services, business information services, organising exhibitions for commercial or advertising purposes.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land; airline services; baggage handling services; cargo handling and freight services; operating and providing facilities for tours, excursions and vacations; chartering of aircraft; rental and hire of aircraft; aircraft fuelling services, aircraft parking services, travel agency and tourist office services; advisory and information services relating to the aforesaid services; information services relating to transportation services, including information services provided on-line from a computer database or the Internet.
<b>easyLife</b>	1343359	06.10.99	16	Printed matter, books, publications, brochures, postcards, menus, catalogues, diaries, promotional and advertising material, wrapping and packaging material, stationery, writing instruments, calendars, posters, photographs, greeting cards, bags, badges, instructional and teaching materials, playing cards, labels, magazines, newsletters, tickets, leaflets, writing paper, paper, goods made of cardboard, manuals, pamphlets, albums, newspapers, periodicals, vouchers, coupons and travel documents, identity cards, tags, gift cards, travel document folders, travel guide books, travellers cheques.
			35	Advertising; business management; business administration; office functions; publicity, promotional services, import-export agency services, business information services, organising exhibitions for commercial or advertising purposes.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land; airline services; baggage handling services; cargo handling and freight services; operating and providing facilities for tours, excursions and vacations; chartering of aircraft; rental and hire of aircraft; aircraft fuelling services, aircraft parking services, travel agency and tourist office services; advisory and information services relating to the aforesaid services; information services relating to transportation services, including information services provided on-line from a computer database or the Internet.
	1593326	31.03.00	3	Preparations and substances for use in the care and appearance of the hair, scalp, lips, face, skin, teeth, nails and eyes; cosmetics; non-medicated toilet preparations; perfumes, fragrances, colognes and scents; soaps and cleaning preparations; shampoos, conditioners, moisturisers and rinses; tooth cleaning preparations; depilatory preparations; sun-screening and tanning preparations; anti-perspirants deodorisers and deodorants, cotton wool; essential oils; preparations and substances for use in massage and aromatherapy.

			9	Electric, electronic, communications, photographic, measuring, signalling, checking, scientific, optical, nautical, life-saving and surveying apparatus and instruments; computer software, hardware and firmware; computer games software; apparatus, instruments and media for recording, reproducing, carrying, storing, processing, manipulating, transmitting, broadcasting and retrieving publications, text, signals, software, information, data, code, sounds, and images; audio and video recordings; audio recordings, video recordings, music, sounds, images, text, publications, signals, software, information, data and code provided via telecommunications networks, by online delivery and by way of the Internet and the world wide web; sound and video recordings; sound and video recording and playback machines; coin freed apparatus; arcade games; televisions and television games apparatus and instruments; photographic and cinematographic films prepared for exhibition; photographic transparencies, non-printed publications; educational and teaching apparatus and instruments; electronic, magnetic and optical identity and membership cards; sunglasses and sunvisors; protective clothing and headgear; parts and fittings for all the aforesaid goods.
			16	Printed matter and publications; wrapping and packaging; books, manuals, pamphlets, newsletters, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, calendars, diaries, photographs, gift cards and greeting cards; teaching and instructional materials.
			18	Leather and imitations of leather; goods made of leather or imitations of leather; skins and hides; trunks bags and travelling bags; purses, wallets, pouches and handbags; luggage; sports bags; bike bags; backpacks; umbrellas and parasols; harnesses and saddlery; parts and fittings for all the aforesaid goods.
			25	Clothing, headgear, footwear.
			30	Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread and pastry; honey, treacle; yeast, baking powder; salt, mustard; vinegar, sauces; condiments; spices; prepared foods and meals; snacks and snack foods; confectionery; ices; chocolate.
			32	Mineral and aerated waters; beers; non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
			33	Alcoholic drinks(except beer); wines, spirits, liqueurs and cocktails.
			34	Cigarettes, cigars, snuff, tobacco, tobacco products, smokers' articles, lighters, matches.
			35	Advertising, marketing and publicity services; dissemination of advertising, marketing and publicity materials; business organisation, business administration and business management of retail outlets, business centres and car parks; business and management consultancy, assistance and advice; purchasing and demonstration of goods for others; bringing together and displaying a variety of goods enabling customers conveniently to view and to purchase such goods; retailing of goods; retailing of goods through shops, kiosks, the Internet, on board aircraft, and by mail order; advisory and arrangement services relating to all the aforesaid; including, but not limited to, all the aforesaid services provided via telecommunications networks, by online delivery and by way of the Internet and the World Wide Web.

			38	Communication; broadcasting; message transmission; provision of access to the Internet; advisory and arrangement services relating to all the aforesaid; including, but not limited to, all the aforesaid services provided via telecommunications networks, by online delivery and by way of the Internet and the World Wide Web.
			39	Transportation and storage; transportation of goods, passengers and travellers by land, sea and air; airline and shipping services; cargo and freight services; arranging, operating and providing facilities for cruises, tours, excursions and vacations; ambulance services; rental and hire of vehicles, boats and aircraft; travel agency and tourism services; consultancy and advice relating to the aforesaid services.
			41	Entertainment; education; publishing; production of sound and video recordings; organising games and competitions; rental of electric and electronic apparatus, namely acoustic recording equipment, amusement machines, apparatus for the playing of games, apparatus for the recording and/or reproduction of audio or video signals, or sound, audio apparatus, audiovisual apparatus, cassette recorders, film projectors, educational apparatus, compact disc players, disco equipment, entertainment apparatus, gaming machines, public address systems, radios and televisions and record players; rental of toys, games and playthings; including, but not limited to, all the aforesaid services provided via telecommunications networks, by online delivery and by way of the Internet and the world wide web.
			42	Temporary accommodation; provision of food and drink; catering; hotel, restaurant, café and bar services; hotel management and reservation services; non-business professional consultancy; providing facilities for exhibitions and conferences; meteorological information services; hairdressing; grooming and beauty salon services; physical, mental and emotional health-care and well-being services; counselling in relation to illness, addiction and/or death; nursery, kindergarten and creche services; rental of clothing; consultancy, advice, assistance, analysis, design, evaluation and programming services relating to computer software, firmware, hardware and information technology; provision of access to computers; consultancy and advice relating to the evaluation, choosing and implementation of computer software, firmware, hardware, information technology and of data-processing systems; rental and licensing of computer software, firmware and hardware; provision of information relating to technical matters, legal matters, information technology, and intellectual property; including but not limited to, all the aforesaid services provided via telecommunications networks, by online delivery and by way of the Internet and the world wide web.
<b>EASYEVERTHING</b>	1590561	04.04.00 Pending	9	Computer software; computer hardware; pre-recorded CD Roms and other disk carriers; sunglasses.
			16	Printed matter and publications; books, manuals, pamphlets, newsletters, brochures, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; documents, tickets and publications, all relating to travel arranged by means of the world-wide web; travel documents folders; travel guide books; travellers cheques; playing cards; identity cards; labels and tags; posters, postcards, stationery, writing instruments, wrapping materials, calendars, diaries, photographs, gift cards and greetings cards; teaching and instructional materials; promotional and advertising material; signs of paper or cardboard.
			26	Badges.

			35	Advertising; business management; business administration; office functions; publicity, promotional services, import-export agency services, business information services, organising exhibitions for commercial or advertising purposes; auctioneering services.
			36	Financial and insurance services.
			38	Telecommunication services; provision of access to computers and the Internet.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land; bus transport services, car transport services, coach services; airline services; baggage handling services; cargo handling and freight services; operating and providing facilities for tours; cruises, excursions and vacations; chartering of aircraft; rental and hire of vehicles, boats and aircraft; aircraft fuelling services, aircraft parking services; ambulance services; travel agency and tourist office services; advisory and information services relating to the aforesaid services; information services relating to transportation services, including information services provided on-line from a computer database or the Internet; travel reservation and travel booking services provided by means of the world-wide web.
			41	Information relating to entertainment and education, provided on-line from a computer database or the Internet; entertainment services provided on-line from a computer database or the Internet; educational information provided on-line from a computer database or the Internet.
			42	Temporary accommodation; catering, hotel, restaurant, café and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services; security services; airport security services; airline passenger security screening services; design, drawing and commissioned writing, all for the compilation of web pages on the Internet; posting, creating and maintaining web-sites for others; leasing access time to a computer database; Internet cafe services; rental of clothing, toys, games and playthings; provision of information (relating only to services in Class 42) on-line from a computer database or provided with facilities from the Internet.
	1360981	26.10.99 Pending	39	Transportation services; hire and rental of motor vehicles.
EASY	1699792	09.06.00 Pending	9	Computer software; computer hardware; pre-recorded CD Roms and other disk carriers; sunglasses.
			16	Printed matter and publications; books, manuals, pamphlets, newsletters, brochures, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; documents, tickets and publications, all relating to travel arranged by means of the world-wide web; travel documents folders; travel guide books; travellers cheques; playing cards; identity cards; labels and tags; posters, postcards, stationery, writing instruments, wrapping materials, calendars, diaries, photographs, gift cards and greetings cards; badges; teaching and instructional materials; promotional and advertising material; signs of paper or cardboard.
			35	Advertising; business management; business administration; office functions; publicity, promotional services, import-export agency services, business information services, organising exhibitions for commercial or advertising purposes; auctioneering services.

			36	Financial and insurance services.
			38	Telecommunication services; provision of access to information provided on line from a computer database or with facilities from the Internet.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land; bus transport services, car transport services, coach services; airline services; baggage handling services; cargo handling and freight services; operating and providing facilities for tours; cruises, excursions and vacations; chartering of aircraft; rental and hire of vehicles, boats and aircraft; aircraft fuelling services, aircraft parking services; ambulance services; travel agency and tourist office services; advisory and information services relating to the aforesaid services; information services relating to transportation services, including information services provided on-line from a computer database or the Internet; travel reservation and travel booking services provided by means of the world-wide web.
			41	Information relating to entertainment and education, provided on-line from a computer database or the Internet; entertainment services provided on-line from a computer database or the Internet; educational information provided on-line from a computer database or the Internet; rental of electric and electronic goods, clothing, toys, games and playthings.
			42	Temporary accommodation; catering, hotel, restaurant, café and bar services; reservation services for hotel accommodation; provision of exhibition facilities; meteorological information services; hairdressing, grooming and beauty salon services; security services; airport security services; airline passenger security screening services; design of computer software; design, drawing and commissioned writing, all for the compilation of web pages on the Internet; posting, creating and maintaining websites for others; leasing access time to a computer database; provision of access to computers and the Internet; Internet cafe services.
<b>easyJet ramp</b>	1661834	10.05.00	16	Printed matter and publications; books, manuals, pamphlets, newsletters, brochures, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, stationery, writing instruments, wrapping materials, calendars, diaries, photographs, gift cards and greeting cards; teaching and instructional materials; promotional and advertising material; signs of paper or cardboard.
			39	Transportation of goods, passengers and travellers by air; airport check-in services; arranging of transportation of goods, passengers and travellers by land and sea; airline and shipping services; baggage handling services; cargo handling and freight services; arranging, operating and providing facilities for cruises, holidays, business travel, tours, excursions and vacations; chartering of aircraft; rental and hire of aircraft, aircraft parking services, travel agency and tourist office services; advisory and information services relating to the aforesaid services; baggage check-in services, airline booking services, air traffic control services, aircraft handling services.

<b>EASYJET</b>	1232909	01.07.99	3	Preparations and substances for use in the care and appearance of the hair, scalp, lips, face, skin, teeth, nails and eyes; cosmetics; non-medicated toilet preparations; perfumes, fragrances, colognes and scents; soaps and cleaning preparations; shampoos, conditioners, moisturisers and rinses; tooth cleaning preparations; depilatory preparations; sun-screening and tanning preparations; anti-perspirants deodorisers and deodorants; cotton wool; essential oils; preparations and substances for use in massage and aromatherapy.
			9	Electric, electronic, communications, photographic, measuring, signalling, checking, scientific, optical, nautical, life-saving and surveying apparatus and instruments; computer software, hardware and firmware; computer games software; apparatus, instruments and media for recording, reproducing, carrying, storing, processing, manipulating, transmitting, broadcasting and retrieving publications, text, signals, software, information, data, code, sounds, and images; audio and video recordings; audio recordings, video recordings, music, sounds images, text, publications, signals, software, information, data and code provided via telecommunications networks, by online delivery and by way of the Internet and world wide web; sound and video recordings; sound and video recording and playback machines; coin freed apparatus; arcade games; televisions and television game apparatus and instruments; photographic and cinematographic films prepared for exhibition; photographic transparencies; non-printed publications; educational and teaching apparatus and instruments; electronic, magnetic and optical identity and membership cards; sunglasses and sunvisors; protective clothing and headgear; parts and fittings for all the aforesaid goods.
			16	Printed matter and publications; wrapping and packaging; books, manuals, pamphlets, newsletters, albums, newspapers, magazines and periodicals; tickets, vouchers, coupons and travel documents; identity cards; labels and tags; posters, postcards, calendars, diaries, photographs, gift cards and greeting cards; teaching and instructional materials.
			18	Leather and imitations of leather; goods made of leather or imitations of leather; skins and hides; trunks bags and travelling bags; purses, wallets, pouches and handbags; luggage; sports bags; bike bags; backpacks; umbrellas and parasols; harness and saddlery; parts and fittings for all the aforesaid goods.
			25	Clothing; headgear; footwear.
			29	Prepared meals; snacks and snack foods.
			30	Prepared meals; snacks and snack foods.
			32	Mineral and aerated waters; beers; non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
			33	Alcoholic drinks (except beer); wines, spirits, liqueurs and cocktails.
			34	Cigarettes, cigars, snuff, tobacco, tobacco products, smokers' articles, lighters, matches.
38	Provision of access to the Internet; Internet services.			



			39	Transportation and storage; transportation of goods, passengers and travellers by land, sea and air; airline and shipping services; cargo and freight services; arranging, operating and providing facilities for cruises, tours, excursions and vacations; ambulance services; rental and hire of vehicles, boats and aircraft; travel agency and tourism services.
			41	Rental of electric and electronic goods, clothing, toys, games and playthings.
			42	Temporary accommodation; provision of food and drink; catering; hotel, restaurant, cafe and bar services; hotel management and reservation services; non-business professional consultancy; providing facilities for exhibitions and conferences; meteorological information services; hairdressing; grooming and beauty salon services; physical, mental and emotional health-care and well-being services; counselling; nursery, kindergarten and creche; services consultancy, advice, assistance, analysis, design, evaluation and programming services relating to computer software, firmware, hardware and information technology; provision of access to computers; on-line services; consultancy and advice relating to the evaluation, choosing and implementation of computer software, firmware, hardware, information technology and of data-processing systems; rental and licensing of computer software, firmware and hardware; provision of information relating to technical matters, legal matters, information technology, and intellectual property, including that provided via telecommunications networks, by online delivery and by way of the Internet and the World Wide Web; consultancy and advice relating to travel services.