

**TRADE MARKS ACT 1994  
IN THE MATTER OF REGISTRATION No. 2548118  
STANDING IN THE NAME OF  
ANDREW DAVID METHVEN  
AND  
IN THE MATTER OF A REQUEST FOR A DECLARATION  
OF INVALIDITY THERETO UNDER No. 84017  
BY NICOLA NOBLE**

***SUPPLEMENTARY DECISION***

1) On 31 January 2013 I issued decision O-052-13 which found in favour of the applicant. As a private litigant I required her to provide a brief schedule of costs setting out any disbursements incurred, any other financial losses claimed and a statement of the time spent in dealing with the proceedings.

2) The applicant provided a schedule of costs. This was as follows:

Fees: TM26	£200
Anthony Collins (Solicitor for initial advice)	£850
Nichola Noble 220hours x £18/hr	£3,960
Travelling expenses	£300
Stationery	£200
<b>TOTAL</b>	<b>£5,510</b>

3) The registered proprietor has not provided any written submissions. I note that Ms Noble points out that her costs do not include the loss of earnings caused by the time she has had to take off from running her business. To my mind this case was wholly avoidable, particularly as Mr Methven did not provide any evidence, or written submissions for the hearing. I award the applicant her costs in full.

3) I order Mr Methven to pay Ms Noble the sum of £5.510. 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 6th day of March 2013**

**G W Salthouse  
For the Registrar  
The Comptroller-General**