

O-226-16

TRADE MARKS ACT 1994

SUPPLEMENTARY DECISION (COSTS)

IN THE MATTER OF TRADE MARK REGISTRATION NO 2

111 027  IN THE NAME OF INDIAN MOTORCYCLES
LIMITED

AND

IN THE MATTER OF AN APPLICATION FOR REVOCATION
IN THE NAME OF INDIAN MOTORCYCLE INTERNATIONAL
LLC

1. On 16th March 2016, I issued a decision in these proceedings. In this decision I stated:

“COSTS

30. The registered proprietor has been successful and is entitled to a contribution towards its costs. I am minded to apply the usual scale of costs. At the Hearing, the parties indicated that they were each content with this. However, the registered proprietor has fourteen days from the date of this decision to file a schedule of costs in respect of expenses relating to the cross examination only. That is, those costs incurred by Mr Forbes in attending the Hearing: travel, accommodation, food etc.

31. A supplementary decision on costs as a whole will then be issued”.

2. The Registered Proprietor has provided details of costs incurred in respect of travel, accommodation, food etc. This amounts to £362.75.
3. I therefore award the Registered Proprietor the sum of £2162.75 as a contribution towards the cost of the proceedings. The sum is calculated as follows:

Considering Application and accompanying statement - £300

Considering evidence and preparing evidence - £750

Preparation for and attendance at Hearing - £750

Registered Proprietor's expenses - £362.75

TOTAL - £2162.75

4. I therefore order Indian Motorcycle International LLC to pay Indian Motorcycles Limited the sum of £2162.75. It is noted that no appeal has been filed against the substantive decision. This sum should be paid within fourteen days of the expiry date of the appeal period for this costs decision or within

fourteen days of the final determination of the costs in these proceedings if any appeal against this costs decision is unsuccessful.

Dated this 6th day of May 2016

Louise White

**For the Registrar,
The Comptroller-General**