

O-204-17

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION UNDER NO. 3145833
BY ELLIOT GEORGE BEN GRANT
TO REGISTER THE TRADE MARK:**



FOR SERVICES IN CLASSES 35 AND 36

AND

**IN THE MATTER OF THE OPPOSITION THERETO UNDER NO. 406867
BY LONDON RELOCATION LTD**

BACKGROUND AND PLEADINGS

1. On 22 January 2016, Elliot George Ben Grant (“the Applicant”) applied to register the figurative trade mark shown on the front page of this decision in classes 35 and 36. Details of the specified services in those classes are set out in the comparison of services section of this decision.
2. The application was published for opposition purposes in the Trade Marks Journal on 25 March 2016. It is opposed by London Relocation Ltd (“the Opponent”). The Opponent is the proprietor of a UK trade mark registration (No. 2644953) for the figurative trade mark shown below, applied for on 7 December 2012 and registered on 19 July 2013.



3. Since the Opponent’s registered trade mark has a date of application for registration earlier than that of the Applicant’s trade mark it is an “earlier trade mark” under Section 6(1)(a) of the Trade Marks Act 1994 (“the Act”).
4. The opposition is based on section 5(2)(b) of the Act. The Notice of Opposition (Form TM7) included a claim based on section 5(4)(a) of the Act relating to passing off, but that ground of opposition was struck out because the Opponent filed no evidence.
5. The section 5(2)(b) claim is directed against the whole of the application i.e. all of the Applicant’s services in classes 35 and 36, which the Opponent submits are identical with and / or similar to those specified in the Opponent’s earlier registration. The Opponent submits that the application is for a mark that is similar to the Opponent’s earlier mark such that consumers would assume they are being used by the same

undertakings and / or that there is an economic connection between the parties. The Opponent therefore submits that there is a likelihood of confusion, which includes the likelihood of association.

6. The Opponent relies on the whole of its registration, which comprises services in classes 42 as well as in class 35 and 36. The detail of that registration is set out in the comparison of services section of this decision.
7. As the Opponent's earlier mark was not registered for five years or more before the publication date of the Applicant's mark, it is not subject to the proof of use requirements, as per section 6A of the Act. Consequently, the Opponent is able to rely on all of the services protected by its earlier mark without having to prove use.
8. The Opponent made submissions in its Statement of Grounds as part of its Notice of Opposition. The Applicant submitted a counterstatement in which it denies the grounds of opposition and has also provided written submissions in lieu of a hearing. I bear these in mind and shall refer to them in this decision where appropriate.
9. The Applicant is represented in these proceedings by Trade Mark Wizards Limited and the Opponent by Lee & Thompson LLP. I take this decision based on the papers as indicated and taking into account relevant jurisprudence.

DECISION

10. The Opponent's claim is based solely on section 5(2)(b) of the Act, which states:

"... A trade mark shall not be registered if because -

... (b) it is similar to an earlier trade mark and is to be registered for goods or services identical with or similar to those for which the earlier trade mark is protected,

there exists a likelihood of confusion on the part of the public, which includes the likelihood of association with the earlier trade mark."

11. The following decisions of the EU courts provide the principles to be borne in mind when considering section 5(2)(b) of the Act:

Sabel BV v Puma AG, Case C-251/95;

Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc, Case C-39/97;

Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V. Case C-342/97;

Marca Mode CV v Adidas AG & Adidas Benelux BV, Case C-425/98;

Matratzen Concord GmbH v OHIM, Case C-3/03;

Medion AG v. Thomson Multimedia Sales Germany & Austria GmbH, Case C-120/04;

Shaker di L. Laudato & C. Sas v OHIM, Case C-334/05P; and

Bimbo SA v OHIM, Case C-591/12P.

The principles are that:

- (a) the likelihood of confusion must be appreciated globally, taking account of all relevant factors;
- (b) the matter must be judged through the eyes of the average consumer of the goods or services in question, who is deemed to be reasonably well informed and reasonably circumspect and observant, but who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them he has kept in his mind, and whose attention varies according to the category of goods or services in question;
- (c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details;
- (d) the visual, aural and conceptual similarities of the marks must normally be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components, but it is only when all other components of a complex mark are negligible that it is permissible to make the comparison solely on the basis of the dominant elements;

- (e) nevertheless, the overall impression conveyed to the public by a composite trade mark may be dominated by one or more of its components;
- (f) however, it is also possible that in a particular case an element corresponding to an earlier trade mark may retain an independent distinctive role in a composite mark, without necessarily constituting a dominant element of that mark;
- (g) a lesser degree of similarity between the goods or services may be offset by a greater degree of similarity between the marks, and vice versa;
- (h) there is a greater likelihood of confusion where the earlier mark has a highly distinctive character, either per se or because of the use that has been made of it;
- (i) mere association, in the strict sense that the later mark brings the earlier mark to mind, is not sufficient;
- (j) the reputation of a mark does not give grounds for presuming a likelihood of confusion simply because of a likelihood of association in the strict sense;
- (k) if the association between the marks creates a risk that the public might believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

Comparison of the services

12. The respective services are set out below:

| Class | Applicant's Services |
|-------|---|
| 35 | Advertising; business management; business administration; office functions; auctioneering of property; retail and online retail services in relation to real estate, properties, new properties, old properties, commercial properties and residential properties; relocation services; business relocation services; property relocation services; employee relocation services. |
| 36 | Real estate services; evaluation of real property; financial valuation of personal property and real estate; real estate and property management services; real estate investment; real estate investment advice; real estate affairs; real estate investment planning; estate agency services; estate planning services; estate trust planning; real estate investment planning; property valuation; management of property; property portfolio management; financial management of real estate projects; commercial property investment services; financing of property development; rental of property; real property letting; commercial property letting; leasing of property; property appraisal services [valuation]; property investment services; investment portfolio and analysis; property assessment; acquisition; hotel acquisition; land acquisition; asset management; loans; loan services; loan services for property investment; providing temporary loans; arrangement of loans; agency services for the selling on commission of real property; selling of timeshares and fractional interests in real estate; management and leasing of timeshare and fractional ownership properties; mortgage; mortgage services; mortgaging relating to property and land; mortgage loans; rent collection; acquisition of land to be let; agencies or brokerage for leasing or renting of land; agencies or brokerage for renting land; financing of land acquisition; land acquisition services; land acquisition services [on behalf of others]; land leasing; land leasing services. |

| Class | Opponent's registered services |
|-------|---|
| 35 | Advertising services; advertising of real estate property in electronic and printed format; advertising of financial, loan and mortgage services; franchising services; compilation of information into computer databases; searching services for computer databases; relocation from overseas services; advice, information and consultancy services relating to all the aforesaid services. |
| 36 | Estate agents; real estate property services, including the provision of access to real estate information and analysis over a global computer network or the Internet; real estate mortgage brokers; valuation services; valuation services relating to the surveying of buildings and properties; property managers and letting agents; general property dealers and managing agents in all types of properties and developments; property leasing services; financial services; arranging of loans and lending services; re-financing services; financial, mortgage and loan brokering and loan advice; financial evaluations; leasing and lease financing; investment services; insurance services; financial services associated with promotional incentive schemes and loyalty schemes; advice, information and consultancy services relating to all the aforesaid services |
| 42 | Web design and development; compilation of web pages on the Internet; computer software management; maintenance and updating services for computer databases; advice and support of information provided from computer systems and the Internet. |

13. In its submissions in lieu of an oral hearing, the Applicant makes various points in support of its claim that its services in class 35 are dissimilar to the Opponent's class 42 specification, and also that the services in class 36 are different from those in class 42. I note, however, that the Applicant makes no submissions to contest the similarity of the respective services specified by the parties in classes 35 and 36.

14. In *Gérard Meric v Office for Harmonisation in the Internal Market (OHIM)*, the General Court stated¹ that goods can be considered as identical when the goods designated by the earlier mark are included in a more general category designated by the trade mark application, or when the goods designated by the trade mark application are included in a more general category designated by the earlier mark.
15. Since the principle in *Merich* applies equally to services as to goods, I find that there are points of identity between the respective services in classes 35 and 36, as highlighted in the following examples. In class 35 there is identity between the Applicant's specification of "*Advertising*" and the Opponent's registration for "*Advertising services*"; and between the Applicant's "*relocation services*" and the Opponent's registration for "*relocation from overseas services*". In class 36 there is identity between the Applicant's "*real estate services; estate agency services*" and the Opponent's registration for "*Estate agents; real estate property services, including the provision of access to real estate information and analysis over a global computer network or the Internet*"; between the Applicant's "*property valuation*" and the Opponent's "*valuation services; valuation services relating to the surveying of buildings and properties*"; and between the Applicant's "*financial valuation of personal property and real estate*" and the Opponent's registration for "*valuation services; valuation services relating to the surveying of buildings and properties*".
16. For reasons that will become clear, having found identity between at least some of the respective services in classes 35 and 36, I do not find it necessary to compare every component of the specifications, but will comment further on the similarity of the services when I set out my conclusion as to the likelihood of confusion.

¹ Case T- 133/05 at paragraph 29 of that judgment

The average consumer and the purchasing process

17. It is necessary to determine who is the average consumer for the services in question and to consider how the services are likely to be selected and purchased.

18. In *Hearst Holdings*², Birss J. described the average consumer:

“60. The trade mark questions have to be approached from the point of view of the presumed expectations of the average consumer who is reasonably well informed and reasonably circumspect ... the relevant person is a legal construct and that the test is to be applied objectively by the court from the point of view of that constructed person...”

19. The Applicant makes the following submissions as to the average consumer:

“In this case, the Contested Services are specialised and therefore arguably targeted towards the professional public. The degree of attention for such specialist services can be deemed high, which means that the figurative elements of the marks will be seen by the consumer to easily distinguish the brands. The professional public will view these marks on various signage, posters and leaflets and will see the clear differences between the marks which are used on these particular specialised services.”

20. I note the Applicant’s submission that the services are arguably targeted towards the professional public, but many of the services are of a sort that may commonly be accessed by the general public – for example the services of an estate agent. When assessing the likelihood of confusion under section 5(2) it is necessary to consider all the circumstances in which the mark applied for may be used if it were registered.³ And since the earlier mark is not subject to proof of use, notional and fair use is not to be restricted to the current marketing or trading patterns of the parties.⁴ I therefore

² *Hearst Holdings Inc, Fleischer Studios Inc v A.V.E.L.A. Inc, Poeticgem Limited, The Partnership (Trading) Limited, U Wear Limited, J Fox Limited*, [2014] EWHC 439 (Ch)

³ See *O2 Holdings Limited, O2 (UK) Limited v Hutchison 3G UK Limited*, Case C-533/06, CJEU at paragraph 66

⁴ See *Oakley v OHIM* (Case T-116/06) at paragraph 76

find that the average consumer in this case may include members of the general public at large, as well as members of the professional public.

21. I would expect the selection of an appropriate supplier of relocation services to be a process that involves at least a normal degree of attention by a reasonably well informed and reasonably circumspect average consumer. To the extent that the average consumer is a member of the professional public I would expect the level of attention to be slightly higher.
22. I accept the Applicant's submissions that the marks will be seen on various signage, posters and leaflets, and it seems to me that consumers would also seek out the services online and would therefore likely encounter the marks on websites. This suggests that the visual impact of the marks is important, although I recognise that there may be oral reference to the services by telephone or in person, so I do not discount that aural considerations may also play a part.



Comparison of the marks

23. It is clear from *Sabel BV v. Puma AG* that the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details. The same case also explains that the visual, aural and conceptual similarities of the marks must be assessed by reference to the overall impressions created by the marks, bearing in mind their distinctive and dominant components. The CJEU stated at paragraph 34 of its judgment in Case C-591/12P, *Bimbo SA v OHIM*, that:

".....it is necessary to ascertain, in each individual case, the overall impression made on the target public by the sign for which registration is sought, by means of, inter alia, an analysis of the components of a sign and of their relative weight in the perception of the target public, and then, in the light of that overall impression and all factors relevant to the circumstances of the case, to assess the likelihood of confusion."

24. It would be wrong, therefore, to artificially dissect the trade marks, although, it is necessary to take into account the distinctive and dominant components of the marks

and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions created by the marks. The marks to be compared are:

| Opponent's earlier trade mark | Applicant's contested trade mark |
|---|--|
|  |  |

25. The Applicant submits in its counterstatement that *“the leaf image is the first element of its mark that the average consumer would notice; it is the dominant and distinctive element of the Applicant’s mark. The Applicant’s mark also has a black background. In contrast, the Opponent’s mark just contains the words LONDON RELOCATION with two lines passing through each word and with a line underneath the words. There is also a grey background. The dominant element of the Opponent’s mark are the word elements, which are descriptive of the provision of relocation services in London. The lines provide no distinctive character whatsoever.”*
26. The Applicant’s submissions in lieu of an oral hearing argue that compared as a whole, and bearing in mind their dominant elements, there is no similarity of marks, and therefore no need to consider likelihood of confusion.⁵ However, since both marks include the words LONDON RELOCATION, I do not find that there is no similarity between the marks.⁶
27. As to the overall impression, I find that the figurative nature of the marks plays an important role. I agree with the Applicant that the leaf image is the first element of its mark that the average consumer would notice, because the device forms a large part

⁵ The Applicant cites Calvin Klein Trademark Trust v OHIM, Case C-254/09 [2011] ETMR 5 at [56] to [58].

⁶ Two marks are similar when, from the point of view of the relevant public, they are at least partially identical as regards one or more relevant aspects Case T-6/01 Matratzen Concord v OHIM - Hukla Germany (MATRATZEN) [2002] ECR II-4335, para 30

of the mark, occupies the centre of a black circle and stands out clearly in its contrasting white colour. The words are not immaterial or negligible in the overall impression – they give the consumer further information (describing the services). However, as they partly frame and are smaller than the leaf device, I find they play a secondary role. Case law⁷ recognises that a device may sometimes have dominant role over word elements and I find that to be the case in this instance.

28. The overall impression of the Opponent's mark arises from the words LONDON RELOCATION clearly presented in block capitals, with figurative additions. I find the words descriptive. I disagree with the Applicant's submission that the lines provide no distinctive character. I find that the lines, connecting the letter Os, in combination with the grey rectangular background and the line beneath the text, contribute to the overall impression.

Visual similarity

29. The marks of both parties are figurative. The marks are visually similar to the extent that each features the words LONDON RELOCATION, but those descriptive words are presented differently not only in case and font, but in size and positioning. Crucially, they are also supplemented by very different figurative aspects. I agree with the Applicant's submissions that the leaf element of its trade mark will immediately attract the attention of the average consumer as it is large in scale, visually eye-catching and situated in the middle of the black circle. I find that the leaf device is distinctive. I also agree with the Applicant's submissions that *"in contrast, the dominant element in the earlier mark are the words LONDON RELOCATION which are descriptive of providing services to assist relocating to London."* There is no leaf device in the Opponent's mark, the Opponent's mark variously deploys three horizontal lines and the backgrounds of the marks differ markedly in shape and colour/tonne. Given the overall impressions of the marks and the significant figurative differences, I find that the visual similarity of the marks is low.

⁷ See ruling of Court of Justice of the European Union in *L&D SA v OHIM* [2008] E.T.M.R. 62, particularly paragraph 55 (Arbre Magique).

Aural similarity

30. The Applicant submits as follows: *“... aurally, the average consumer will immediately without hesitation pronounce the words LONDON RELOCATION in the Opponent's mark as these words stand out. In contrast, the average consumer will admire the leaf element in the Applicant's brand before pronouncing the words LONDON RELOCATION, as the words are merely secondary and ancillary to the leaf device”*
31. I find that since the figurative element in the Applicant's mark does not lend itself to articulation, so it is likely that the marks would be spoken identically.

Conceptual similarity

32. The concept of the Opponent's mark resides in the words LONDON RELOCATION together with a figurative device of a horizontal line with a dot at each tip connecting the first and second letter Os in each word. I take this device to refer to the concept of bridging points A and B, a figurative overlay that reinforces the notion of relocation.
33. The concept in the Applicant's mark must derive in part from the presence of the words LONDON RELOCATION, since they carry a readily understandable meaning. However, instead of a device that directly revisits or reinforces the descriptive message of the text, the Applicant's mark prominently features an image of a leaf. It is possible that the average consumer may perceive the image as being the leaf of an oak, a well-known tree native to the UK, but more likely the image would simply conjure the concept of a leaf.
34. The Applicant submits that *“... If the Registry were to ignore the leaf image it would essentially be giving the Opponent a monopoly over the words LONDON RELOCATION. It is well known law that a business cannot monopolise descriptive words as such words should be free for third parties to use in the course of trade. The word LONDON refers to a city in the United Kingdom, and RELOCATION refers to moving to a new area or place.”*

35. Although the words in both marks have the same meanings, the prominent and distinctive leaf device is absent from the Opponent's mark. I therefore find that there is a low to medium level of conceptual similarity between the marks.

Distinctive character of earlier trade mark

36. In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, Case C-342/97 the CJEU stated that:

“22. In determining the distinctive character of a mark and, accordingly, in assessing whether it is highly distinctive, the national court must make an overall assessment of the greater or lesser capacity of the mark to identify the goods or services for which it has been registered as coming from a particular undertaking, and thus to distinguish those goods or services from those of other undertakings ...

23. In making that assessment, account should be taken, in particular, of the inherent characteristics of the mark, including the fact that it does or does not contain an element descriptive of the goods or services for which it has been registered ...”⁸

37. The Opponent's Statement of Grounds state that the Opponent has invested significantly in marketing its services using its registration in relation to its registered services. However, the Opponent has filed no supporting evidence and so my consideration of distinctive character is based solely on inherent distinctiveness and can take no account of any use that may have been made of the earlier mark.

38. The Applicant makes the following submissions: *“The average consumer, will perceive no trade mark message from these words LONDON RELOCATION. The descriptive message will however be obvious, clear and immediately discernible by the public. The average consumer will assume, correctly, that the words relate to relocation/moving services in London. This descriptive message will extend to all of*

⁸ It goes on to identify various other considerations that would only be apparent from evidence, such as market share, long-standing use; promotional expenditure etc.

the associated and ancillary services for relocating. In short the consumer will expect a wide ranging set of services which will assist him/her in the moving of his/her home, family or company, from one part of London to the other...

39. Those submissions are made by the Applicant in reference to its own mark, but I find them also applicable to the Opponent's mark. I find that the textual elements of the Opponent's mark are, in a general sense, descriptive of the services for which it has been registered. I recognise that the words are only broadly, rather than specifically descriptive, but the Opponent itself has stated that it "*offers a range of services in relation to relocation.*"
40. The purpose of a trade mark is distinguish the services of one undertaking from those of another trader. This cannot be achieved if the average consumer cannot see past the descriptive message that the mark gives. It seems to me that the words LONDON RELOCATION (alone, without more) would not serve as an indication of trade origin of any one individual trader in relation to the services applied for.⁹ I note the cautions in case law¹⁰ against attributing distinctive character to descriptive words with minor figurative embellishment (the so-called figurative fig leaf of distinctiveness), but I find that the earlier mark has distinctive character resulting from its figurative components as I have described. Nonetheless, even taken as whole along with the figurative addition of the connecting rods within the verbal component, the mark still lacks a strongly distinctive character and it remains strongly suggestive of the provision of relocation services in the UK capital city. The Opponent has offered no evidence that the distinctiveness of the mark has been enhanced through use in respect of the services concerned. I therefore find that the overall level of distinctiveness of the earlier mark is low.

⁹ See *Henkel v OHIM*, paragraph 34; *Case C-304/06 P Eurohypo v OHIM* [2008] ECR I-3297, paragraph 66; *Case C-398/08 P Audi v OHIM* [2010] ECR I-0000, paragraph 33); *Storck v OHIM*, paragraph 25; *Henkel v OHIM*, paragraph 35; and *Eurohypo v OHIM*, paragraph 67).

¹⁰ See *Arnold J in Starbucks (HK) Ltd v British Sky Broadcasting Group Plc* [2013] F.S.R. 29; and *Birss J. in Thomas Pink Ltd v Victoria's Secret UK Ltd*, [2014] EWHC 2631 (Ch)

Conclusion as to likelihood of confusion

41. I now turn to reach a conclusion as to the likelihood of confusion between the two marks if they were used in relation to the services specified. This is a global assessment of likelihood of confusion that takes account of my findings set out in the foregoing sections of this decision and of the various principles from case law outlined in paragraph 11 above.
42. I have found that the relevant average consumer would pay at least a reasonable level of attention when selecting the services at issue, at least some of which I have found to be identical. I have found that visual considerations tend to predominate in the purchasing process and in comparing the marks I have found only a low degree of visual similarity. I have found a low to medium degree of conceptual similarity. The marks may be aurally identical, but case law¹¹ has shown that aural identity does not inevitably lead to a likelihood of confusion. Case law also shows that in the global assessment of the likelihood of confusion, the visual, aural or conceptual aspects of the opposing signs do not always have the same weight.¹²
43. I have found that the earlier mark has only an inherently low distinctive character. Iain Purvis QC sitting as the Appointed person stated in *Kurt Geiger*¹³ stated that:

“39. It is always important to bear in mind what it is about the earlier mark which gives it distinctive character. In particular, if distinctiveness is provided by an aspect of the mark which has no counterpart in the mark alleged to be confusingly similar, then the distinctiveness will not increase the likelihood of confusion at all. If anything it will reduce it.”

¹¹ See ruling of Mr Iain Purvis QC sitting as the Appointed Person in *The Royal Academy Of Arts V Errea Sport S.P.A.* BL O-016-16.

¹² See ruling of the General Court in *New Look Limited v OHIM*, joined cases T-117/03 to T-119/03 and T-171/03, at paragraph 49.

¹³ *Kurt Geiger v A-List Corporate Limited*, BL O-075-13

44. I also note the words of Lord Simonds in *Office Cleaning*¹⁴:

“Where a trader adopts words in common use for his trade name, some risk of confusion is inevitable. But that risk must be run unless the first user is allowed unfairly to monopolise the words. The court will accept comparatively small differences as sufficient to avert confusion. A greater degree of discrimination may fairly be expected from the public where a trade name consists wholly or in part of words descriptive of the articles to be sold or the services to be rendered.”

45. I have found the distinctiveness of the earlier mark not to lie in the descriptive words LONDON RELOCATION, but in the figurative embellishments as discussed.

46. The global assessment of the likelihood of confusion, in relation to the visual, phonetic or conceptual similarity of the signs in question, must be based on the overall impression given by the signs at issue, bearing in mind, inter alia, their distinctive and dominant elements. The perception of the marks by the average consumer of the goods or services in question plays a decisive role in the global assessment of that likelihood of confusion. In that regard, the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details.

47. The only point of similarity between the marks is descriptive and not distinctive. I believe the average consumer will recognise the commonality as a co-incidental (and unsurprising) use of descriptive language within the context of two different trade marks. Other elements of the marks are distinctive. In particular, the Applicant’s mark has a significant addition by way of its figurative leaf element, which dominates the overall impression and creates a striking image that is absent from the earlier mark. I do not consider it likely that the marks would be confused. I find that the average consumer, being well informed and reasonably circumspect and observant and paying at least average attention, would not assume that the services were

¹⁴ *Office Cleaning Services Limited v Westminster Window & General Cleaners Limited* [1946] 63 RPC 39. *Office Cleaning* was a passing off case, but is applicable in a 5(2)(b) case – see Mr Daniel Alexander QC (sitting as the Appointed Person) in Case BL O-255-13 (Sandra Amalia Mary Elliott) at paragraphs 56 and 57.

provided by the same or related undertaking. The identity of the services does not negate this.

48. Given the above finding made in relation to identical services, the Opponent can be in no better position where the services are merely similar (or not similar). Consequently, the opposition under section 5(2)(b) fails.

Costs

49. The Applicant is entitled to a contribution towards its costs in defending this opposition, which I assess based on the guidance in Tribunal Practice Notice 4/2007. I award the Applicant the sum of £400 (four hundred pounds) as a contribution towards the cost of the proceedings.

| | |
|--|------|
| Preparing a statement and considering the other side's statement | £200 |
| Preparation of written submissions | £200 |
| Total | £400 |

50. I therefore order London Relocation Limited to pay Elliot George Ben Grant the sum of £400 (four hundred pounds) to be paid within fourteen days of the expiry of the appeal period, or within fourteen days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 28TH day of April 2017

Matthew Williams
For the Registrar,
the Comptroller-General