

**O-273-17**

**SUPPLEMENTARY DECISION**

**TRADE MARKS ACT 1994**

**IN THE MATTER OF TRADE MARK APPLICATION 3076894  
BY BARONY UNIVERSAL PRODUCTS PLC  
TO REGISTER THE FOLLOWING SERIES OF TWO TRADE MARKS IN CLASS 3:**

**ALEXANDER OF PARIS**

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**AND**

**OPPOSITION THERETO (NO. 404440) BY  
ALEXANDRE DE PARIS INTERNATIONAL**

1. On 20 March 2017, I partially upheld the opposition in these proceedings under section 5(2)(b) of the Trade Marks Act 1994 (“the Act”). I did, however, set forth a specification for which the grounds of opposition did not apply. I allowed the parties a period of time to comment on the specification. The opponent confirmed that they were content with it. The applicant did not respond.

2. Consequent on the above, I hereby confirm my earlier decision. The ground of opposition succeeds, save in respect of the following goods, for which the mark may (subject to appeal) be registered:

Class 3: Non-medicated toilet preparations for the skin, face or body; toiletries for the skin, face or body; anti-perspirants; anti-perspirants in the form of sprays; deodorants; roll-on deodorants; body sprays; cosmetics for the skin, face or body; cosmetic creams, milks, lotions, washes all for the skin, face or body; sprays, oils, mists, gels, scrubs and wipes for the face or body; sprays, oils, mists, gels, scrubs and wipes for cosmetic purposes for the skin, face or body; sprays, oils, mists, gels, scrubs and wipes for air and room fragrancing purposes; non-medicated preparations for the care of the skin and of the body; talcum powder; cleansing preparations for the skin, face or body; cleansers for the skin, face or body; skin cleansers; moisturisers for the skin, face or body; moisturising lotions for the skin, face or body; moisturising creams for the skin, face or body; skin moisturisers; skin toners, facial toners; skin bracers; skin fresheners; skin tonics; astringents; water sprays for cosmetic purposes; thermal spring water sprays for cosmetic purposes; mineral water sprays for cosmetic purposes; facial and body water mists; facial and body misting sprays; facial and body water misting sprays; facial water mists; topical skin sprays for cosmetic purposes; facial lotion; facial washes; facial cleansers; facial scrubs; soaps; non-medicated bath preparations; shower gels; bubble bath preparations; essential oils; perfumery; perfumes; fragrances; fragrance preparations; fragrances for personal use; scents; scented water; toilet waters; scented toilet waters; eau de cologne; non-medicated preparations for application to the skin for suntanning and/or suncreening and/or suncare purposes; after sun moisturisers; aftersun preparations; aftersun misting

sprays; cosmetics and toiletries for the skin, face or body; depilatory preparations; shaving preparations; aftershave lotions; dentifrices.

**Costs and appeal**

3. The appeal period for my decision runs from the date of this supplementary decision. As indicated in my first decision, the parties shall bear their own costs.

**Dated this 7<sup>TH</sup> day of June 2017**

**Oliver Morris**

**For the Registrar,**

**The Comptroller-General**