

TRADE MARKS ACT 1994

**IN THE MATTER OF INTERNATIONAL REGISTRATION NUMBER 1244702
DESIGNATING THE UNITED KINGDOM FOR THE SIGN REVELIAN
IN THE NAME OF TALENTCORP PTY LTD
FOR GOODS AND SERVICES IN CLASSES 9, 35, 41, 42 AND 45**

**AND IN THE MATTER OF OPPOSITION THERETO UNDER OPPOSITION NUMBER
404866
BY CHRISTOPHER KINGSLEY**

**AND IN THE MATTER OF AN APPEAL TO THE APPOINTED PERSON FROM THE
DECISION OF MARTIN BOYLE DATED 3 NOVEMBER 2016**

DECISION

1. This is an appeal from a decision of Mr Martin Boyle, the Hearing Officer for the Registrar, in which he dismissed the opposition by Christopher Kingsley ("the Opponent") to a trade mark application for the word **REVELIAN**. The Opponent appeals.

Background

2. International Registration No. 1244702 for **REVELIAN** was registered with designation of the UK by Talentcorp Pty Ltd ("the Applicant") on 4 July 2014. After publication on 15 May 2015 the application was opposed by the Opponent for part of the specification, namely:

Class 9: Application software; computer games programs; computer games software; computer game programs downloaded via the internet; computer programmes (programs) and recorded software distributed online; computer programs (downloadable software); computer programs for data processing; computer programs for playing games; computer programs for scientific data analysis; computer programs for measuring and analysing employee and organisation performance; computer software applications (downloadable); games software; interactive computer software.

Class 41: Gaming services; game services provided online; provision of games by means of a computer based system.¹

3. The opposition was brought under section 5(2)(b) of the Trade Marks Act 1994 (“the Act”). The Opponent relied upon two earlier marks:

(1) UK trade mark registration no. 1521191, which was filed on 10 December 1992 and registered on 3 June 1994:



Reliance was placed upon Class 9: Computer games adapted for use with television receivers and video apparatus; computer software; computer programs.

(2) EU trade mark registration no. 1002492, which was filed on 25 November 1998 and registered on 26 February 2001. This was a word only mark **REBELLION**. Reliance was placed upon the same Class 9 goods.

4. The Grounds of Opposition claimed that the distinctiveness of the earlier marks was "likely to have been enhanced by reason of the prior use made of the mark by or on behalf of the Opponent." The Grounds also claimed that the marks were conceptually similar, because whilst "rebellion" has the meaning of armed resistance, and "revelian" is an invented word, the latter would be taken to be derived from the verb "revel" so that the average consumer might understand "revelian" to have a similar or identical meaning to a revolutionary, and so to be conceptually similar to rebellion.

5. The Opponent was put to proof of use by the Applicant of both of the earlier marks. Evidence was filed in the form of two witness statements from Mr Kingsley, dealing with the use which had been made of the Rebellion marks upon a range of games and other kinds of software. The evidence did not deal with the meaning of revel or "revelian." The Applicant also filed evidence. Neither side sought a hearing. The Hearing Officer decided the opposition on the basis of the documents before him.

6. The Hearing Officer held, in summary, that:

- a. in the interest of procedural economy, he would assume that the Opponent had shown genuine use on the full range of goods relied on and had proved that the earlier marks had acquired a high degree of distinctiveness;

¹ The Hearing Officer treated the opposition as having been brought against both the Class 9 goods and the Class 41 services. This is despite the fact that the Form TM7 related only to the goods. Presumably the Hearing Officer was prepared to consider the opposition against the services because the Grounds of Opposition filed with the Form did refer to the services.

- b. the goods within the Opponent's specification were identical to the goods and similar to the services within the Applicant's specification;
 - c. in light of the range of goods/services within the specification, the average consumer will vary from the member of the general public buying a low cost or free game to a business purchaser using a high degree of care;
 - d. the goods and services are likely be selected visually, but the aural aspects of similarity should not be ignored;
 - e. comparing the Applicant's marks to the Opponent's word only EUTM (its best case), there was a medium degree of visual similarity, and a somewhat higher than medium degree of aural similarity between the marks, but they were conceptually dissimilar;
 - f. the conceptual dissimilarity outweighed the visual/aural similarities, such that there was no likelihood of confusion and the opposition failed.
7. The Opponent filed an appeal. The Grounds essentially:
 - i. challenged the Hearing Officer's conclusions as to the conceptual "mismatch" between the marks and suggested that he should have found that there was conceptual neutrality rather than dissimilarity;
 - ii. complained that the Hearing Officer had erred in analysing the identity of the average consumer without having read or taken into account the evidence of use which had been filed; and
 - iii. complained that the Hearing Officer had wrongly analysed the aural similarity between the marks.
8. A further point was raised by the Opponent in its written submissions made before the directions hearing mentioned below, on the appeal itself, and, indeed, in a letter sent to me by Mr Whyatt just after the hearing. That point was that the Hearing Officer had been wrong not to look at the evidence proving the Opponent's use of the earlier marks, as that meant that he had not carried out a full global assessment of a likelihood of confusion. I consider that this point was not raised in the Grounds of Appeal. Moreover, it does not seem to me that the Hearing Officer can properly be criticised for having taken the stance that he did, namely that he would assume in the Opponent's favour that it had proved use of its marks across its specifications and had acquired an enhanced distinctiveness for its marks. It appears to me that the Hearing Officer was fully entitled to consider the question of likelihood of confusion on the basis that the Opponent had provided the evidence to substantiate the claims made in those parts of its Grounds of Opposition.
9. The Applicant filed a Respondent's Notice. I had some concerns that the Notice in some respects amounted to a cross-appeal, which would have been filed out of time. There was also a question as to whether and if so at what stage the case might have

to be remitted to the Registry in order to assess the impact of the evidence of use of the Opponent's marks. I held a directions hearing in order to deal with both of these points, and was grateful to the parties' representatives for the realistic way in which these points were resolved. With their consent, I decided that I would hear the substantive appeal as it stood, and remit it to the Registry only if the appeal succeeded.

10. The appeal proceeded to a hearing, attended only by the Opponent's representative, Mr Whyatt, the Applicant's representative having provided me with written submissions.

Standard of review

11. This appeal is by way of review. The principles applicable on an appeal of this kind were considered in detail by Daniel Alexander QC sitting as the Appointed Person in *TT Education Ltd v Pie Corbett Consultancy Ltd* (BL O/017/17) at [14]-[52] and his conclusions were approved by Arnold J in *Apple Inc V Arcadia Trading Limited* [2017] EWHC 440 (Ch).

“(i) Appeals to the Appointed Person are limited to a review of the decision of Registrar (CPR 52.11). The Appointed Person will overturn a decision of the Registrar if, but only if, it is wrong (Patents Act 1977, CPR 52.11).

(ii) The approach required depends on the nature of decision in question (*REEF*). There is spectrum of appropriate respect for the Registrar's determination depending on the nature of the decision. At one end of the spectrum are decisions of primary fact reached after an evaluation of oral evidence where credibility is in issue and purely discretionary decisions. Further along the spectrum are multi-factorial decisions often dependent on inferences and an analysis of documentary material (*REEF, DuPont*).

(iii) In the case of conclusions on primary facts it is only in a rare case, such as where that conclusion was one for which there was no evidence in support, which was based on a misunderstanding of the evidence, or which no reasonable judge could have reached, that the Appointed Person should interfere with it (*Re: B* and others).

(iv) In the case of a multifactorial assessment or evaluation, the Appointed Person should show a real reluctance, but not the very highest degree of reluctance, to interfere in the absence of a distinct and material error of principle. Special caution is required before overturning such decisions. In particular, where an Appointed Person has doubts as to whether the Registrar was right, he or she should consider with particular care whether the decision really was wrong or whether it is just not one which the appellate court would have made in a situation where reasonable people

may differ as to the outcome of such a multifactorial evaluation (*REEF, BUD, Fine & Country* and others).

(v) Situations where the Registrar's decision will be treated as wrong encompass those in which a decision is (a) unsupportable, (b) simply wrong (c) where the view expressed by the Registrar is one about which the Appointed Person is doubtful but, on balance, concludes was wrong. It is not necessary for the degree of error to be 'clearly' or 'plainly' wrong to warrant appellate interference but mere doubt about the decision will not suffice. However, in the case of a doubtful decision, if and only if, after anxious consideration, the Appointed Person adheres to his or her view that the Registrar's decision was wrong, should the appeal be allowed (*Re: B*).

(vi) The Appointed Person should not treat a decision as containing an error of principle simply because of a belief that the decision could have been better expressed. Appellate courts should not rush to find misdirections warranting reversal simply because they might have reached a different conclusion on the facts or expressed themselves differently. Moreover, in evaluating the evidence the Appointed Person is entitled to assume, absent good reason to the contrary, that the Registrar has taken all of the evidence into account. (*REEF, Henderson* and others)."

12. Further comments on the nature of an appeal to the Appointed Person were made by Mr Iain Purvis QC in *Rochester* BL O/049/17, and he said at [33]:

"... the reluctance of the Appointed Person to interfere with a decision of a Hearing Officer on likelihood of confusion is quite high for at least the following reasons:

- (i) The decision involves the consideration of a large number of factors, whose relative weight is not laid down by law but is a matter of judgment for the tribunal on the particular facts of each case
- (ii) The legal test 'likely to cause confusion amongst the average consumer' is inherently imprecise, not least because the average consumer is not a real person.
- (iii) The Hearing Officer is an experienced and well-trained tribunal, who deals with far more cases on a day-to-day basis than the Appellate tribunal.
- (iv) The legal test involves a prediction as to how the public might react to the presence of two trade marks in ordinary use in trade. Any wise person who has practised in this field will have come to recognize that it is often very difficult to make such a prediction with confidence. ... Any sensible Appellate tribunal will therefore apply a healthy degree of self-doubt to its own opinion on the result of the legal test in any particular case."

13. I have borne these principles in mind on this appeal.

Merits of the appeal

14. The main point which was argued before me related to the Hearing Officer's finding about the conceptual dissimilarity between signs, and the impact of that finding. The Hearing Officer said at paragraph [24]:

“Mr Kingsley's representatives, having first examined the respective derivations of the words "revel" and "revel", submit that the average consumer is aware of a link in their derivations and concludes that a "revelian" is, in the minds of the average consumer, a rebel. I strongly disagree. An etymologist, confronted by the word REVELIAN, may attempt to analyse it into components to yield potential meaning. The average consumer will not; s/he will simply perceive REVELIAN either as an invented word, or as a totally unfamiliar one, the meaning of which is unknown to him or her. By contrast, the word REBELLION will be instantly recognised and its meaning immediately understood. There is an obvious semantic gap between the immediately apparent conceptual content of REBELLION and the absence of such content in REVELIAN.”

He concluded at paragraph [27]:

“I have also found that there is an obvious semantic gap between the immediately apparent conceptual content of REBELLION and the absence of such content in REVELIAN. I bear in mind that although conceptual differences may counteract visual and aural similarities, they do not always do so, and that, for there to be such a counteraction, at least one of the marks at issue must have, from the point of view the relevant public, a clear and specific meaning so that the public is capable of grasping it immediately. In this case, however, REBELLION is a word which will be immediately recognised, and forms a strong conceptual book which will tend to counteract imperfect recollection. Balancing all these factors, I do not consider that there will be a likelihood of confusion, even for the identical goods. It follows that there will be no confusion in respect of the services for which the degree of similarity lesson identity. Accordingly, the opposition fails in its entirety.”

The Hearing Officer referred in his footnotes to this last paragraph to the CJEU cases *Bass/Pash*, *Mülhens*, *Ruiz-Picasso*, and *Nokia* which I discuss below.

15. There is a line of CJEU case-law relating to the possible impact of a difference between marks on the basis of the concept or meaning which they convey. In Case T-292/01, *Phillips Van Heusen Corp v OHIM (Bass/Pash)* EU:T:2003:264; [2003] E.C.R. II-4335; [2004] E.T.M.R. 60, an application for BASS as a Community trade mark for footwear and clothing was opposed by the owner of the earlier German mark PASH. BASS was said to call to mind the voice of a singer or a musical instrument, while PASH, (if given

any meaning) might be connected by a German speaker with the word Pasch, a dice game. The Court held:

“54 ... the conceptual differences which distinguish the marks at issue are such as to counteract to a large extent the visual and aural similarities ... For there to be such a counteraction, at least one of the marks at issue must have, from the point of view of the relevant public, a clear and specific meaning so that the public is capable of grasping it immediately. In this case that is the position in relation to the word mark BASS, ... that view is not invalidated by the fact that that word mark does not refer to any characteristic of the goods in respect of which the registration of the marks in question has been made. That fact does not prevent the relevant public from immediately grasping the meaning of that word mark. It is also irrelevant that, since the dice game Pasch is not generally known, it is not certain that the word mark PASH has, from the point of view of the relevant public, a clear and specific meaning in the sense referred to above. The fact that one of the marks at issue has such a meaning is sufficient—where the other mark does not have such a meaning or only a totally different meaning—to counteract to a large extent the visual and aural similarities between the two marks.”

16. Similarly, in Case T-355/02 *Mühlens GmbH & Co KG v OHIM* EU:T:2004:62; [2004] E.C.R. II-791; [2004] E.T.M.R. 101 the General Court compared the word mark “ZIRH” with a figurative mark containing the verbal element “SIR.” It found that the phonetic similarities between the marks could be counteracted by the conceptual differences between them. It held that SIR had a meaning to consumers familiar with English but 'zirh' would be seen as an invented word. For that reason, there was no conceptual similarity between the two trade marks. It held

“49. According to the case-law of the Court, the phonetic similarities may be counteracted by the conceptual differences between the trade marks in question. For there to be such a counteraction, at least one of the marks at issue must have, from the point of view of the relevant public, a clear and specific meaning so that the public is capable of grasping it immediately (BASS, cited in paragraph 40 above, paragraph 54).”

17. *Mühlens* was appealed to the CJEU. Before judgment was delivered by the CJEU, it gave judgment in Case C-361/04 *P Ruiz-Picasso v OHIM* EU:C:2006:25; [2006] E.C.R. I-643; [2006] E.T.M.R. 29. The application was for the mark PICARO in respect of vehicles, it was opposed by the owner of the mark PICASSO, for the same goods. The General Court had held that the conceptual differences between the marks counteracted their graphic and phonetic similarities. This was challenged by the Picasso estate. The CJEU held:

“20 By stating in [56] of the judgment under appeal that, where the meaning of at least one of the two signs at issue is clear and specific so that it can be grasped

immediately by the relevant public, the conceptual differences observed between those signs may counteract the visual and phonetic similarities between them, and by subsequently holding that that applies in the present case, the CFI did not in any way err in law.

21 As OHIM rightly maintains, such a finding is, in this case, entirely part of the process designed to ascertain the overall impression given by those signs and to make a global assessment of the likelihood of confusion between them.

22 It must be borne in mind that ... the CFI found that the two signs at issue are visually and phonetically similar, but that the degree of similarity in the latter respect is low. It also held in [55] of that judgment that those signs are not similar from a conceptual point of view.

23 Thereafter, the CFI ruled, in [56] et seq. of the judgment under appeal, on the overall impression given by those signs and concluded, following a factual assessment which it is not for the court to review in an appeal where there is no claim as to distortion of the facts, that there was a counteraction of the visual and phonetic similarities on account of the particularly obvious and pronounced nature of the conceptual difference observed in the present case. In doing so, the CFI, in its overall assessment of the likelihood of confusion and as is apparent from [59] of that judgment, took account in particular of the fact that the degree of attention of the relevant public is particularly high as regards goods like motor vehicles.

24 In [61] of the judgment, the CFI also ruled on whether the mark PICASSO has a highly distinctive character capable of heightening the likelihood of confusion between the two marks for the goods concerned.

25 Thus, it is only following consideration of various elements enabling it to make an overall assessment of the likelihood of confusion that the CFI concluded, in [62] of the judgment under appeal, that the degree of similarity between the marks at issue is not sufficiently great for it to be considered that the relevant public might believe that the goods concerned come from the same undertaking or, as the case may be, from economically-linked undertakings, so that there is no likelihood of confusion between those marks.

26 As to the remainder, it need only be observed that it is as a result of misreading the judgment under appeal that the appellants claim that the CFI failed to take into account the category of goods concerned in its assessment of the similarity between the signs at issue.

27 It is apparent from [55] and [57] of that judgment that CFI considered in particular, also following factual assessments which it is not for the court to review in the context of an appeal, that, confronted with the word sign PICASSO, the relevant public inevitably sees in it a reference to the painter and that, given the painter's renown with that public, that particularly rich conceptual reference is such as greatly to reduce the resonance with which, in this case, the sign is endowed as a mark, among others, of motor vehicles."

18. Two months later, the CJEU upheld the General Court's decision in *Mülhens* in Case C-206/04P, [2006] E.C.R. I-2717, [2006] E.T.M.R. 57, saying:

"34 ..., the global assessment must, as regards the visual, aural or conceptual similarity of the marks in question, be based on the overall impression created by those marks, bearing in mind, in particular, their distinctive and dominant components.

35 That global assessment means that conceptual and visual differences between two signs may counteract aural similarities between them, provided that at least one of those signs has, from the point of view of the relevant public, a clear and specific meaning, so that the public is capable of grasping it immediately (see, to that effect, Case C-361/04 P *Ruiz-Picasso v OHIM* [2006] E.C.R. I-0000 at [20]).

36 Therefore, having stated correctly in [48] and [49] of the judgment under appeal that the global assessment also includes the assessment of the distinctive and dominant components of the signs in question and that aural similarities may be counteracted by the conceptual differences between those signs, the Court of First Instance could, without misconstruing the effect of Art.8(1)(b) CTMR, decide that the degree of similarity between the signs at issue is not sufficiently great to find that the relevant public might believe that the goods concerned come from the same undertaking or, as the case may be, from undertakings that are economically linked."

19. Then in Case C-16/06 P *Les Editions Albert Rene Sarl v OHIM* EU:C:2008:739; [2008] E.C.R. I-10053; [2009] E.T.M.R. 21, the application was for MOBILIX for a wide variety of goods and services, particularly those relating to mobile telephone services. It was opposed on the basis of earlier rights in the mark OBELIX *inter alia* for goods in Class 9, Obelix being the well-known cartoon character. The CJEU upheld the finding that the conceptual differences could outweigh the visual/aural similarities:

"98 Case law shows that the global assessment of the likelihood of confusion implies that conceptual differences between two signs may counteract aural and visual similarities between them, provided that at least one of those signs has, from the point of view of the relevant public, a clear and specific meaning, so that the public is capable of grasping it immediately (see, to that effect, *Ruiz-Picasso v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (C-361/04 P)* [2006] E.C.R. I-643 at [20], and *Mülhens GmbH & Co KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (C-206/04 P)* [2006] E.C.R. I-2717 at [35] et seq.).

99 Therefore, the Court of First Instance cannot be criticised for having applied the "counteraction" theory in [81] of the judgment."

20. I note that *Albert Rene* was applied in Case T-460/07, *Nokia Oyj v OHIM*, ECLI:EU:T:2010:18, 20 January 2010 (a case to which the Hearing Officer referred at paragraph [27]) in which a real conceptual difference between the signs was found *not* to “neutralise” the visual and aural similarities.²
21. The Opponent's position in relation to the conceptual comparison of marks was that it is only possible to apply the “counteraction theory” where one mark has a particularly strong reputation and/or a meaning which is not shared by the other mark. Mr Whyatt directed my attention to paragraph [27] of *Ruiz-Picasso*, where the Court stated that the word PICASSO would inevitably be seen as referring to the painter and that “particularly rich conceptual reference” greatly reduced the impact of the other similarities of the mark, in relation to motor vehicles. He submitted that the CJEU was reducing the impact of its earlier case law and intended to limit the cases in which the “counteraction theory” could apply to signs which carried a particularly strong conceptual message.
22. Mr Wyatt was concerned that because of the approach taken by the Hearing Officer to the Opponent's evidence to use (that is to say attributing an enhanced level of distinctiveness to its marks) he may have considered that he should deal with REBELLION as a mark carrying a particularly strong conceptual message. However, it does not seem to me that the Hearing Officer treated the word REBELLION as carrying a particularly strong conceptual message. He simply dealt with it as a standard English word with a clear dictionary meaning. Had I been prepared to allow the Opponents to raise its unpleaded point based on the Hearing Officer's failure to look at the evidence on the appeal, therefore, I would have rejected the point as irrelevant.
23. Moreover, I am not persuaded by the Opponent’s argument based on paragraph [27] of *Ruiz-Picasso*. In my view, in paragraph [20] of that case, and also in paragraph [35] of *Mühlens*, the Court approved the counteraction theory as it stood, that is to say taking into account the dictionary meaning of an ordinary word. Whilst paragraph [27] of course refers to the very strong reputation of the name Picasso, it seems to me that the Court was simply making a finding in relation to the particular facts of the case before it. I do not consider that before the counteraction theory can apply, at least one of the marks must have an especially strong reputation rather than just a clear and specific meaning. *Bass/Pash* and *Mühlens* both related to everyday words rather than famous names. Had *Ruiz-Picasso* been intended to effect any such change, it seems to me that the Court would have said so either in that case or in *Albert Rene*. To the extent that this was a freestanding point made by the Opponent, I reject it.

² Nokia withdrew its appeal to the CJEU.

24. A second element of this part of the appeal was the Opponent's argument that the Hearing Officer fell into error in finding that REVELIAN would have no meaning to the average consumer. In the Grounds of Appeal, it was suggested that the Hearing Officer had been wrong to make any findings about the identity of the average consumer without (apparently) having read the Opponent's evidence. I think Mr Whyatt accepted at the hearing of the appeal that this contention was unfounded, because the Hearing Officer had to take into account the average consumer for all of the goods in the parties' respective specifications, rather than the average consumer of the range of goods sold by the Opponent and discussed in its evidence.
25. However, the Opponent also contended that, in any event, the Hearing Officer had erred in ignoring the possibility, described in the Grounds of Opposition, that the average consumer would understand that REVELIAN is derived from the word revel, and so would see its similarity to the concept of a rebellion. This is a point which it had reiterated in its submissions to the Hearing Officer dated 12 September 2016: it accepted that REVELIAN is not an ordinary English word and is grammatically incorrect but suggested that the word would be understandable to the reasonably well-informed and circumspect English speaker. The Hearing Officer considered this point at paragraph [24] of the decision, and rejected it.
26. In the Grounds of Appeal, the Opponent went further and suggested that if the Hearing Officer had reviewed the evidence, he might have found that parties' software was aimed at etymologists or the education or recruitment of etymologists, who, as a particular category of average consumer, might have understood REVELIAN in the manner set out above. The point had not been put in this way to the Hearing Officer. On the contrary, the Opponent's position below was that the average consumer was just a member of the general public.
27. It seems to me that there are no grounds to challenge the Hearing Officer's analysis of in paragraphs [14] to [17], where he identified various different groups of average consumers of the wide range of goods and services in issue. As a result, I am satisfied that his view as to the meaning to the average consumer of the word REVELIAN was well within the range of findings open to him. Moreover, even if he had taken the possible impact upon etymologists into account, it seems to me that this would not have been a decisive factor in the assessment of the likelihood of confusion, as they could not be said to represent the average consumer of the goods/services, nor a sufficiently significant proportion of average consumers.
28. That being so, the Hearing Officer had to consider the question of the conceptual similarity between the marks on the basis that the word REBELLION has a clear and specific meaning, one which the public is capable of grasping immediately, whilst the

word REVELIAN has no such meaning. He took the view that in this case the conceptual difference between the marks was significant and counteracted the visual and aural similarities which he had identified. I consider that he was entitled to apply the counteraction theory on the facts of this case, and it was open to him to come to the conclusion which he did as to its impact in relation to these marks. I reject these linked aspects of the appeal.

29. Lastly, the Grounds of Appeal submitted that the Hearing Officer had attributed too low a level of aural similarity to the marks. Such complaints are not easy to make good on appeal, especially where, as here, the Hearing Officer had carefully considered the issue and had found the marks to have a “somewhat higher than medium degree of aural similarity.” I do not consider that any error was shown in this respect, and this ground of appeal also fails.
30. For these reasons, the appeal is dismissed. It is not necessary for me to deal with any of the issues raised in the Respondent’s Notice, nor to remit the case to the UKIPO.
31. The Opponent must make a contribution towards the Applicant’s costs, which should allow for the directions hearing held in April, but also for the fact that the Applicant provided written submissions and did not appear at the appeal. I will order the Opponent to pay the Applicant the sum of £850 in respect of the appeal, such sum to be paid together with the sum of £1500 ordered to be paid by the Hearing Officer. The total is to be paid by 5 pm on 1 September 2017.

Amanda Michaels
The Appointed Person

16 August 2017

Mr BERNARD WHYATT of BRAND PROTECT LTD appeared for the Appellant/Opponent

Mr BEN BRITTER of Keltie LLP provided written submissions for the Respondent/Applicant