

O-498-19

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION NO. 3372356 BY
JOELLE HARDING
TO REGISTER:**



Lux Luss London
Lux Luss London
Lux Luss Ldn
Lux Luss Ldn
Lux Luss Ldn
Lux Luss Ldn
Lux Luss London
Lux Luss London

AS A TRADE MARK IN CLASSES 9, 18, 25, 35, 42 & 45

AND

**IN THE MATTER OF OPPOSITION THERETO
UNDER NO. 60001070 BY
CHARLOTTE ANNA JONES**

Background & pleadings

1. On 3 February 2019, Joelle Harding (“the applicant”) applied to register the trade mark shown on the cover page of this decision for goods and services in the classes shown. The application was published for opposition purposes on 15 February 2019.

2. On 26 February 2019, the application was opposed under the fast track opposition procedure by Charlotte Anna Jones (“the opponent”). The opposition, which is only directed against class 25 of the application (the specification for which is shown in the Annex to this decision), is based upon section 5(2)(b) of the Trade Marks Act 1994 (“the Act”), with the opponent relying upon United Kingdom trade mark registration no. 3272583 for the trade mark **Love Luxe**, which has an application date of 23 November 2017 and registration date of 23 February 2018. The opponent relies upon all the goods in her registration (also shown in the Annex to this decision). The opponent states:

“The name “LUX LUVS” is too similar to my mark “LOVE LUXE”. This could cause serious confusion in Internet search engine searches and searches on social media channels, especially as the applicant is selling items under class 25 which is identical to the class in which I sell. The applicant’s fashion based brand/mark is extremely similar to my brand and mark.”

3. The applicant filed a counterstatement in which she denies there is a likelihood of confusion. She states:

“5. Contrary to the allegations of the Opponent, the Applicant's Mark does not consist solely of the words LuxLuvs, but instead consists of the words LuxLuvs (Stylised) combined with a number of variants to this mark, including Lux Luvs London, Lux luv London, LuxLuvs, etc portrayed below in smaller script.

6... Again, the prominent element of the mark is the word LuxLuvs portrayed in green type in a form where Lux appears above Luvs. The Relevant Consumer is likely therefore to view this element as one word, namely

"LuxLuvs" which again further differentiates this element from the mark Loves Lux which is portrayed as two words."

I note that the applicant accepts that the competing goods are "identical or similar."

4. In these proceedings, the opponent represents herself. The applicant is represented by Hiddleston Trade Marks.

5. Rule 6 of the Trade Marks (Fast Track Opposition)(Amendment) Rules 2013, S.I. 2013 2235, disapplies paragraphs 1-3 of Rule 20 of the Trade Mark Rules 2008, but provides that Rule 20(4) shall continue to apply. Rule 20(4) states:

"(4) The registrar may, at any time, give leave to either party to file evidence upon such terms as the registrar thinks fit."

6. The net effect of these changes is to require parties to seek leave in order to file evidence in fast track oppositions. Rule 62(5) (as amended) states that arguments in fast track proceedings shall be heard orally only if (i) the Office requests it or (ii) either party to the proceedings requests it and the registrar considers that oral proceedings are necessary to deal with the case justly and at proportionate cost; otherwise, written arguments will be taken.

7. In an official letter dated 29 May 2019, the parties were allowed until 12 June 2019 to seek leave to file evidence or request a hearing and until 26 June 2019 to provide written submissions. A hearing was neither requested nor considered necessary. Only the applicant elected to file written submissions.

DECISION

8. The opposition is based upon section 5(2)(b) of the Act, which reads as follows:

"5 (2) 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...

5A Where grounds for refusal of an application for registration of a trade mark exist in respect of only some of the goods or services in respect of which the trade mark is applied for, the application is to be refused in relation to those goods and services only.”

9. An earlier trade mark is defined in section 6 of the Act, the relevant parts of which state:

“6.- (1) In this Act an “earlier trade mark” means –

(a) a registered trade mark, international trade mark (UK) a European Union trade mark or international trade mark (EC) which has a date of application for registration earlier than that of the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks,

(2) References in this Act to an earlier trade mark include a trade mark in respect of which an application for registration has been made and which, if registered, would be an earlier trade mark by virtue of subsection (1)(a) or (b), subject to its being so registered.”

10. The registration upon which the opponent relies qualifies as an earlier trade mark under the above provisions. As this earlier trade mark had not been registered for more than five years at the date the application was filed, it is not subject to the proof of use provisions contained in section 6A of the Act. The opponent is, as a consequence, entitled to rely upon it in relation to all of the goods for which its stands registered and upon which she relies without having to prove that genuine use has been made of it.

Section 5(2)(b) – case law

11. The following principles are gleaned from the decisions of the courts of the European Union in *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:

(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 will wrongly believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

Preliminary point

12. As I mentioned earlier, the parties were given an opportunity to, inter alia, seek leave to file evidence. In a letter dated 12 June 2019, the applicant's representatives indicated that she did not wish to be heard, nor did she wish to seek leave to file "additional evidence." However, the following appears in her written submissions:

"5. In paragraph 6 of the Counterstatement, the Applicant stated that it would file evidence that "Love" and "Luxe" are commonly used in trade marks in relation to goods in class 25. On balance, the Applicant has decided not to file formal evidence to this effect because:

5.1 We were appointed on an urgent basis at the time of filing the Counterstatement and we were not aware that the opposition was a Fast-Track Opposition. We therefore decided not to seek leave to file evidence which would unnecessarily delay the outcome of these proceedings;

5.2 We believe that it is abundantly clear and in the public domain that the terms "Love" and "Luxe" are commonly used in relation to goods in class 25 in the UK and we invite the Hearing Officer to rely upon his own knowledge to this effect. Nevertheless, as an illustration, we enclose in Schedule 1 a few brief examples illustrating a number of marks which are registered in the UK containing the words "Luxe" or "Love" and which appear to be in use in the UK in relation to goods in class 25."

13. I begin by stating that it is not within my own knowledge "...that the terms "Love" and "Luxe" are commonly used in relation to goods in class 25 in the UK." Had the applicant wished to rely upon the information contained in the Schedule mentioned (which consists of the details of eight European Union Trade Marks which are registered in, inter alia, class 25 together with associated website pages), she should have sought leave to do so at the appropriate time. To attempt to circumvent that process by attaching such evidence to written submissions (to which the opponent has no opportunity to respond) and to do so on the basis of procedural economy is not appropriate and, as a consequence, I do not intend to take these documents into account in reaching a conclusion. I shall, however, return to this point later in this decision.

Comparison of goods

14. The competing goods are shown in the Annex to this decision. As I mentioned earlier, in her counterstatement, the applicant accepts that the party's respective goods are "identical or similar." In *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T- 133/05, the General Court ("GC") stated:

"29. In addition, the goods can be considered as identical when the goods designated by the earlier mark are included in a more general category,

designated by trade mark application (Case T-388/00 Institut für Lernsysteme v OHIM- Educational Services (ELS) [2002] ECR II-4301, paragraph 53) or where the goods designated by the trade mark application are included in a more general category designated by the earlier mark”.

15. The opponent’s specification consists of clothing and shoes. “Clothing” is a broad term which includes a very wide range of goods including both under and outer clothing. Although the applicant’s specification is extensive, as the vast majority of the goods identified by her are encompassed by the term “clothing”, they are to be regarded as identical on the inclusion principle outlined in *Meric*. However, even if it could be argued that is not the case, I agree with the applicant that the remainder of her goods are similar to those of the opponent and, in my view, to a fairly high degree.

The average consumer and the nature of the purchasing process

16. As the case law above indicates, it is necessary for me to determine who the average consumer is for the goods at issue; I must then determine the manner in which such goods are likely to be selected by the average consumer in the course of trade. In *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), Birss J. described the average consumer in these terms:

“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 parties were agreed that 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. The words “average” denotes that the person is typical. The term “average” does not denote some form of numerical mean, mode or median.”

17. The average consumer of the goods at issue is a member of the general public. As a member of the general public will, for the most part, self-select such goods from the shelves of a bricks-and-mortar retail outlet or from the equivalent pages of a

website or catalogue, visual considerations are likely to dominate the selection process. That said, as such goods may also be the subject of, for example, word-of-mouth recommendations or oral requests to sales assistants (both in person and by telephone), aural considerations must not be forgotten.

18. As to the degree of care the average consumer will display when selecting the goods at issue, the cost of such goods can vary considerably. However, as the average consumer will be alive to factors such as cost, size, colour, material and compatibility with other items, the average consumer can, in my view, be expected to pay at least an average degree of attention to their selection. As the cost and/or importance of the item increases, so too is likely to be the degree of care paid to its selection.

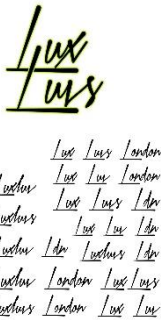
Comparison of trade marks

19. It is clear from *Sabel BV v. Puma AG* (particularly paragraph 23) that the average consumer normally perceives a trade 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 trade marks must be assessed by reference to the overall impressions created by them, 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*:

“.....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.”

20. It would be wrong, therefore, artificially to dissect the trade marks, although it is necessary to take into account their distinctive and dominant components and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions they create. The trade marks to be compared

are as follows (for convenience, a larger version of the applicant’s trade mark appears in the Annex to this decision):

The opponent’s trade mark	The applicant’s trade mark
Love Luxe	

21. It is in relation to this aspect of the case that the majority of the applicant’s written submissions are directed. While I have read these submissions and will take them all into account in reaching a conclusion, I do not intend to record them all here.

22. The opponent’s trade mark consists of the words “Love” and “Luxe” presented in title case. The overall impression conveyed by the trade mark and its distinctiveness, lies in the combination of words of which it is composed.

23. I begin by reminding myself that in her counterstatement, the applicant stated:

“Again, the prominent element of the mark is the word LuxLuvs portrayed in green type in a form where Lux appears above Luvs. **The Relevant Consumer is likely therefore to view this element as one word, namely “LuxLuvs”...**” (my emphasis).

24. In her submissions, the applicant stated:

“9. However, contrary to the statements of the Opponent, the Applicant's Mark does not consist solely of the words LuxLuvs but consists of a device mark where the words Lux Luvs are portrayed in a heavily stylised script in green appearing above six lines consisting of a number of variants consisting of the

words Lux Luvs London, Lux Luv London, Luxluvs etc. portrayed below in a smaller script but in the same font.”

25. The applicant accepts that the component which appears at the top of her trade mark is “prominent” and, despite the degree of stylisation present, submits that the average consumer “is likely therefore to view this element as one word, namely “LuxLuvs”. Although the lines of variants of that component and the words “London” and “Ldn” which appear below it will contribute to both the overall impression conveyed by the trade mark and its distinctiveness, I agree with her that given its size and positioning, the component which appears as the top of her trade mark is “prominent”. That component and its stylisation is, in my view, likely to have the highest relative weight in the overall impression the trade mark conveys and will also make a significant contribution to its distinctive character.

Visual similarity

26. The applicant states:

“12. In particular, we submit that visually the substitution of the first element to the Applicant's Mark "Lux" for "Love" in the Applicant's Mark and the substitution of the letter "U" and the omission of the letter "E" in "Loves" should be sufficient to differentiate the marks visually, particularly taking into account the other visual elements, such as the striking script and the repetition of the various variants appearing in seven lines below the words Luxluvs.”

27. While the above submissions have force, the fact remains that what I agree is the more prominent component of the applicant’s trade mark will, on her own submissions, be understood by the average consumer as the words “LuxLuvs”. Thus, this component of the applicant’s trade mark will be understood by the average consumer as consisting of seven letters, the first of which is a letter “L” and which has the letters “L-u” in the fourth and fifth letter positions, whereas the opponent’s trade mark consists of eight letters beginning with a letter “L” and which has the letters “L-u” in the fifth and sixth letter positions. As normal and fair use of

the opponent's trade mark would include its presentation in green, that point of visual difference does not assist the applicant. However, notwithstanding the similarities I have identified, given the various differences between the competing trade marks, when considered overall, I regard them as being visually similar to a fairly low degree.

Aural similarity

28. The applicant states:

“13. Phonetically again, the Relevant Consumer will give most weight to the first part of each mark which respectively will be "Lux" in the Applicant's Mark and "Love" in the Opponent's Mark. The Relevant Consumer will either pronounce the Applicant's Mark as simply "LUXLUVS" or "LUXLUVS LONDON" allowing for the repetition of the word London appearing in the various variant marks below the words LuxLuvs *in* green script. Either way, in the Opponent's best case, comparison would only be between: LUXLUVS and LOVE LUXE. Allowing for the differing prefixes to both marks, LUX and LOVE, we submit the marks should not be viewed as phonetically similar.”

29. The opponent's trade mark will be pronounced by the average consumer as a two syllable combination. As for the applicant's trade mark, as the component at the top of the trade mark is the more prominent component, it is by that component that it is most likely to be referred to. The fact that the applicant's trade mark contains variations on that component does not affect that conclusion, nor does the fact that the variations include, *inter alia*, the words "London" and "Ldn" which are, in my view, most unlikely to be articulated in any case. Thus in my view, the real world comparison is between the two syllable combinations "Love Luxe" and "LuxLuvs". Although the first syllable differs, as both trade marks consist of words which will be pronounced in either an identical ("Luxe"/"Lux") or highly similar manner ("Love"/"Luvs") and despite the reversal of the elements, it still results in what I regard as a fairly high degree of aural similarity.

Conceptual similarity

30. The applicant states:

“14. Conceptually, the Opponent's Mark would be immediately perceived by the Relevant Consumer as an imperative or invitation to "Love Luxury!.”

15. On the other hand, either the Applicant's Mark has no clear meaning at all or alternatively "Luvs" in the Applicant's Mark would be understood as a misspelling of the ordinary English word "Loves" but used in the sense of the plural of the noun "Love" when used as a term of endearment to refer to a "loved one" or an affectionate form of address. In this sense LuvLuvs means "Lux or Luxurious loved ones" or "Lux or Luxurious "Babes" to use a more modern parlance.

16. However, whether or not the Relevant Consumer would construe the Applicant's Mark as outlined above, what is clear is that the Applicant's Mark either has no meaning or a different meaning to that of the Opponent's Mark and that, therefore, the marks should not be considered as conceptually similar.”

31. The meaning of the word “Love” will be well known to the average consumer. While I accept that the extract provided by the applicant from the 1995 edition of The Concise Oxford Dictionary of Current English does indeed indicate that the word “Luxe” is a noun meaning “luxury”, I have no evidence as to what proportion of average consumers would be aware of that meaning. For those that would, I accept that the opponent’s trade mark may convey the conceptual meaning the applicant submits. However, for those average consumers who are not familiar with the meaning of “Luxe” (which I consider is likely to be a significant proportion of average consumers), despite the fact that the word “Love” will convey a clearly defined concept to them, when considered as a whole, the opponent’s trade mark is unlikely to convey any concrete conceptual message.

32. As for the applicant's trade mark, I find her submissions relating to her trade mark being conceptualised as "Lux or Luxurious loved ones" or "Lux or Luxurious "Babes" to be unconvincing. While the misspelling of the word "loves" as "Luvs" is unlikely to escape the average consumer's attention and may create the same concept in the average consumer's mind as "Love" in the opponent's trade mark, when considered as a totality, I think the applicant's trade mark is, as she suggests, unlikely to create any concrete conceptual image in the average consumer's mind. I shall return to the conceptual position below.

Distinctive character of the earlier trade mark

33. The distinctive character of a trade mark can be appraised only, first, by reference to the goods in respect of which registration is sought and, secondly, by reference to the way it is perceived by the relevant public – *Rewe Zentral AG v OHIM (LITE)* [2002] ETMR 91. In determining the distinctive character of a trade mark and, accordingly, in assessing whether it is highly distinctive, it is necessary to make an overall assessment of the greater or lesser capacity of the trade mark to identify the goods for which it has been registered as coming from a particular undertaking and thus to distinguish those goods from those of other undertakings - *Windsurfing Chiemsee v Huber and Attenberger* Joined Cases C-108/97 and C-109/97 [1999] ETMR 585.

34. As the opponent has filed no evidence of any use she may have made of the trade mark upon which she relies, I have only its inherent characteristics to consider. The applicant states:

"11. Moreover, "Luxe" is an ordinary English word meaning "luxury", commonly used in the form "de luxe"...As such Luxe is completely descriptive or laudatory in relation to Goods in class 25 which are "luxurious" or of a high quality...As such, we submit that the words Love and Luxe should be viewed as having weak distinctive character and that the mark Love Luxe must rely for its distinctiveness upon the combination of the words together..."

35. Even if the applicant is correct and the words “Love” and “Luxe” are individually of weak distinctive character, I agree with her that the distinctiveness of the opponent’s trade mark lies in the combination of the words of which it is composed. Having concluded that a significant proportion of average consumers are unlikely to conceptualise the opponent’s trade mark as meaning “love luxury”, considered absent use, I think her trade mark is possessed of a medium degree of inherent distinctive character. I shall return to this point below.

Likelihood of confusion

36. In determining whether there is a likelihood of confusion, a number of factors need to be borne in mind. The first is the interdependency principle i.e. a lesser degree of similarity between the respective trade marks may be offset by a greater degree of similarity between the respective goods and vice versa. As I mentioned above, it is also necessary for me to keep in mind the distinctive character of the opponent’s trade mark as the more distinctive it is, the greater the likelihood of confusion. I must also keep in mind the average consumer for the goods, the nature of the purchasing process and the fact that the average consumer rarely has the opportunity to make direct comparisons between trade marks and must instead rely upon the imperfect picture of them he has retained in his mind.

37. Confusion can be direct or indirect. Direct confusion involves the average consumer mistaking one trade mark for the other, while indirect confusion is where the average consumer realises the trade marks are not the same but puts the similarity that exists between the trade marks and goods down to the responsible undertakings being the same or related.

38. Earlier in this decision, I concluded that:

- the competing goods are either identical or similar to a fairly high degree;
- the average consumer is a member of the general public who, whilst not forgetting aural considerations, is most likely to select the goods by visual

means whilst paying at least an average degree of attention during that process;

- the overall impression conveyed by the opponent's trade mark and its distinctiveness resides in the combination of words of which it is composed;
- the component appearing at the top of the applicant's trade mark will have the highest relative weight in the overall impression it conveys and will make a significant contribution to its distinctive character;
- the competing trade marks are visually similar to a fairly low degree and aurally similar to a fairly high degree;
- beyond the fact that both party's trade marks are likely to convey the concept of love, for what I regard as a significant proportion of average consumers, the conceptual position is likely to be neutral;
- the opponent's trade mark is possessed of a medium degree of inherent distinctive character.

39. I begin by reminding myself that despite the degree of stylisation present in what the applicant accepts is the "prominent" component of her trade mark, from the outset she has submitted that the "Relevant Consumer is likely therefore to view this element as one word, namely "LuxLuvs". Although there is what I regard as only a fairly low degree of visual similarity between the competing trade marks, I have found there to be a fairly high degree of aural similarity and, for a significant proportion of average consumers, no stark conceptual dissimilarity as the applicant suggests. In fact, I have found there to be conceptual similarity, albeit to the limited extent that both party's trade marks are likely to evoke the concept of love.

40. I do, of course, accept that the at least average degree of attention paid by the average consumer during the selection process is likely to reduce the effects of imperfect recollection. It does not, of course, eliminate them completely. The applicant does, however, accept that despite the stylisation present, the prominent component of her trade mark will be construed by the average consumer as the word "LuxLuvs". That, together with the fairly high degree of aural similarity and, for a

significant proportion of average consumers the absence of any concrete conceptual imagery to assist them in distinguishing between the competing trade marks is likely, in my view, to result in direct confusion through imperfect recollection. Although I have reached that conclusion on the basis of the earlier trade mark possessing a medium degree of inherent distinctive character, for the avoidance of doubt, I should make it clear that I would have reached the same conclusion even if I had considered it to enjoy only a low degree of inherent distinctiveness.

41. What if I am wrong about direct confusion? In *L.A. Sugar Limited v By Back Beat Inc*, Case BL O/375/10, Mr Iain Purvis Q.C., as the Appointed Person, explained:

“16. Although direct confusion and indirect confusion both involve mistakes on the part of the consumer, it is important to remember that these mistakes are very different in nature. Direct confusion involves no process of reasoning – it is a simple matter of mistaking one mark for another. Indirect confusion, on the other hand, only arises where the consumer has actually recognized that the later mark is different from the earlier mark. It therefore requires a mental process of some kind on the part of the consumer when he or she sees the later mark, which may be conscious or subconscious but, analysed in formal terms, is something along the following lines: “The later mark is different from the earlier mark, but also has something in common with it. Taking account of the common element in the context of the later mark as a whole, I conclude that it is another brand of the owner of the earlier mark.”

42. Even if I am wrong about there being a likelihood of direct confusion, the similarities between the opponent’s trade mark and, in particular, the component at the top of the applicant’s trade mark (which she accepts is prominent and will be understood by the average consumer as “LuxLuvs”) is, in my view, likely to lead the average consumer to assume that, for example, the applicant’s trade mark is another brand owned by the opponent i.e. there is a likelihood of indirect confusion.

43. In reaching the above conclusions I have not taken into account the “evidence” which accompanied the applicant’s written submissions. Rather, my decision on the likelihood of confusion has been based on the fact that, inter alia, the overall impression conveyed by the opponent’s trade mark and its distinctiveness lies in its totality i.e. the combination “Love Luxe” and that the component which appears at the top of the applicant’s trade mark which, despite its stylisation, she accepts will be understood by the average consumer as “LuxLuvs”, has the highest relative weight in the overall impression it conveys and will make a significant contribution to its distinctive character. Given the degree of similarity between the opponent’s trade mark and, in particular, this component in the applicant’s trade mark, the fact that other undertakings may use the words “LUXE” or “LOVE” together with other words in relation to goods in class 25, for example, “LUXE BY LISA VOGEL” or “LOVE 21”, would not have assisted the applicant in any case.

Conclusion

44. The opposition against class 25 of the application succeeds and, subject to any successful appeal, the application will be refused in relation to the goods in this class. The unopposed goods and services in classes 9, 18, 35, 42 and 45 may proceed to registration.

Costs

45. As the opponent has been successful, she is entitled to an award of costs. Awards of costs in fast track opposition proceedings are governed by Tribunal Practice Notice (“TPN”) 2 of 2015. In an official letter to the opponent dated 29 May 2019, the tribunal stated:

“If you intend to make a request for an award of costs you must complete and return the attached pro-forma within 28 days of the date of this letter, that is on or before **26 June 2019**, and send a copy to the other party.

If the pro-forma is not completed and returned, costs, other than official fees arising from the action (excluding extensions of time), may not be awarded...”

46. As the opponent did not respond to that invitation either by the deadline set or by the date of the issuing of this decision, the only costs she is entitled to is in respect of the official fee for filing her opposition. I therefore order Joelle Harding to pay to Charlotte Anna Jones the sum of £100. This sum is 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 August 2019

C J BOWEN

For the Registrar

Annex:

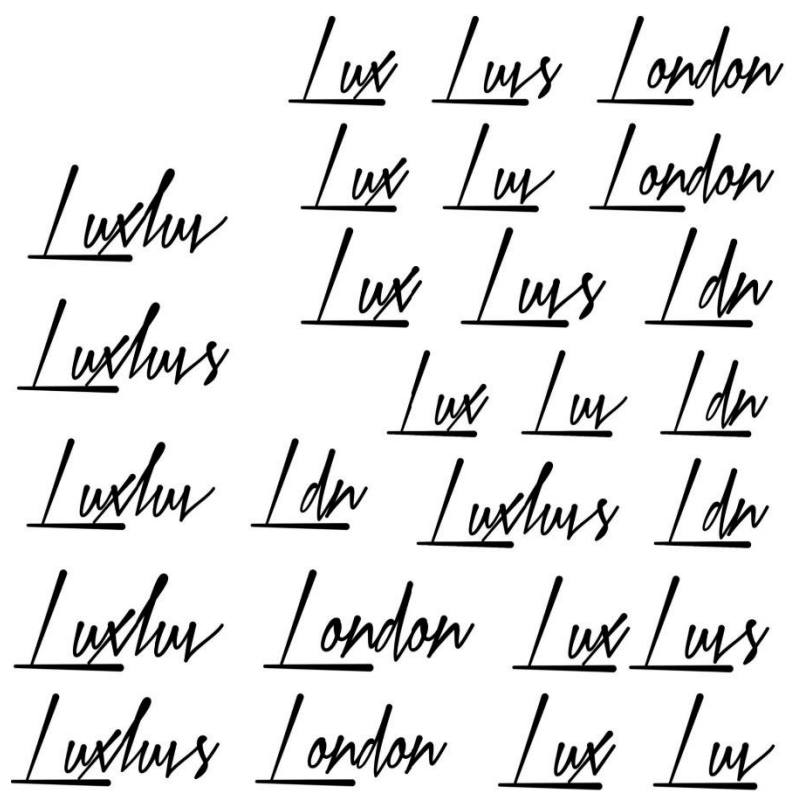
The opponent's goods:

Clothes; Shoes.

The applicant's trade mark:



The image shows a handwritten trade mark consisting of the word "Lux" written in a cursive script above the word "Lus", also in a cursive script. A horizontal line is drawn between the two words, separating them.



A grid of handwritten variations of the trade mark. The variations are arranged in rows and columns, showing different combinations of the words "Lux" and "Lus" and their underlines. The variations include:

- Row 1: Lux Lus London
- Row 2: Lux Lus London
- Row 3: Lux Lus Ln
- Row 4: Lux Ln Lux Ln
- Row 5: Lux London Lux Lus
- Row 6: Lux London Lux Lus

The applicant's goods:

Fashion hats; Clothes; T-shirts; Printed t-shirts; Short-sleeved T-shirts; Adhesive bras; After ski boots; Aikido suits; Aikido uniforms; Albs; Aloha shirts; American football bibs; American football pants; American football shirts; American football shorts; American football socks; Anglers' shoes; Ankle boots; Ankle socks; Anklets [socks]; Anoraks; Anoraks [parkas]; Anti-perspirant socks; Anti-sweat underclothing; Anti-sweat underwear; Après-ski boots; Apres-ski shoes; Aprons; Aprons [clothing]; Aqua shoes; Arm warmers [clothing]; Army boots; Articles of clothing; Articles of clothing for theatrical use; Articles of clothing made of hides; Articles of clothing made of leather; Articles of outer clothing; Articles of sports clothing; Articles of underclothing; Ascots; Ascots (ties); Athletic clothing; Athletic footwear; Athletic shoes; Athletic tights; Athletic uniforms; Athletics footwear; Athletics hose; Athletics shoes; Athletics vests; Babies' clothing; Babies' outerclothing; Babies' pants [clothing]; Babies' pants [underwear]; Babies' undergarments; Babushkas; Baby bibs [not of paper]; Baby bodysuits; Baby boots; Baby bottoms; Baby clothes; Baby doll pyjamas; Baby layettes for clothing; Baby pants; Baby sandals; Baby tops; Balaclavas; Ball gowns; Ballet shoes; Ballet slippers; Ballet suits; Ballroom dancing shoes; Bandanas; Bandanas [neckerchiefs]; Bandannas; Bandeaux [clothing]; Barber smocks; Baseball caps; Baseball caps and hats; Baseball hats; Baseball shoes; Baseball uniforms; Baselayer bottoms; Baselayer tops; Basic upper garment of Korean traditional clothes [Jeogori]; Basketball shoes; Basketball sneakers; Bath robes; Bath sandals; Bath slippers; Bathing caps; Bathing costumes; Bathing costumes for women; Bathing drawers; Bathing suit cover-ups; Bathing suits; Bathing suits for men; Bathing trunks; Bathrobes; Beach clothes; Beach clothing; Beach cover-ups; Beach footwear; Beach hats; Beach robes; Beach shoes; Beach wraps; Beachwear; Beanie hats; Beanies; Bed jackets; Bed socks; Belts [clothing]; Belts for clothing; Belts made from imitation leather; Belts made of leather; Belts made out of cloth; Belts (Money -) [clothing]; Belts of textile; Berets; Bermuda shorts; Bib overalls for hunting; Bib shorts; Bib tights; Bibs, not of paper; Bibs, sleeved, not of paper; Bikinis; Blazers; Bloomers; Blouses; Blouson jackets; Blousons; Blue jeans; Board shorts; Boardshorts; Boas; Boas [clothing]; Boas [necklets]; Boaters; Bobble hats; Bodices; Bodices [lingerie]; Bodies [clothing]; Bodies [underclothing]; Body linen [garments]; Body stockings; Body suits; Body warmers; Bodysuits; Boiler suits; Boleros; Bolo ties; Bolo ties with precious metal tips; Bomber jackets; Bonnets; Bonnets [headwear]; Boot cuffs; Boot uppers; Bootees (woollen baby shoes); Booties; Boots; Boots for motorcycling; Boots for sport; Boots for sports; Boots (Ski -); Bottoms [clothing]; Bow ties; Bowling shoes; Bowties; Boxer briefs; Boxer shorts; Boxing shoes; Boxing shorts; Boy shorts [underwear]; Boys' clothing; Bra straps; Bra straps [parts of clothing]; Braces as suspenders; Braces for clothing; Braces for clothing [suspenders]; Braces [suspenders]; Bralettes; Bras; Brassieres; Breeches; Breeches for wear; Bridal garters; Bridal gowns; Bridesmaid dresses; Bridesmaids wear; Briefs; Briefs [underwear]; Bucket caps; Bucket hats; Burnouses; Bushjackets; Bustiers; Bustle holder bands for obi (obiage); Bustles for obi-knots (obiage-shin); Button down shirts; Button-front aloha shirts; Caftans; Cagoules; Camiknickers; Camisoles; Camouflage gloves; Camouflage jackets; Camouflage pants; Camouflage shirts; Camouflage vests; Canvas shoes; Cap

peaks; Cap visors; Capelets; Capes; Capes (clothing); Caps; Caps being headwear; Caps [headwear]; Caps (Shower -); Caps with visors; Car coats; Cardigans; Cargo pants; Cashmere clothing; Cashmere scarves; Cassocks; Casual clothing; Casual footwear; Casual jackets; Casual shirts; Casual trousers; Casual wear; Casualwear; Chadors; Chaps; Chaps (clothing); Chasubles; Chefs' hats; Chefs' whites; Chemise tops; Chemises; Chemisettes; Cheongsams (Chinese gowns); Children's clothing; Childrens' clothing; Children's footwear; Children's headwear; Children's outerclothing; Children's wear; Chino pants; Choir robes; Christening gowns; Christening robes; Cleats for attachment to sports shoes; Climbing boots; Climbing boots [mountaineering boots]; Climbing footwear; Cloaks; Clogs; Cloth bibs; Cloth bibs for adult diners; Clothes; Clothes for sport; Clothes for sports; Clothing; Clothing containing slimming substances; Clothing for babies; Clothing for children; Clothing for cycling; Clothing for cyclists; Clothing for fishermen; Clothing for gymnastics; Clothing for horse-riding [other than riding hats]; Clothing for infants; Clothing for leisure wear; Clothing for martial arts; Clothing for men, women and children; Clothing for skiing; Clothing for sports; Clothing for wear in judo practices; Clothing for wear in wrestling games; Clothing layettes; Clothing made of fur; Clothing made of imitation leather; Clothing made of leather; Clothing of imitations of leather; Clothing of leather; Coats; Coats for men; Coats for women; Coats made of cotton; Coats of denim; Coats (Top -); Cocktail dresses; Collar guards for protecting clothing collars; Collar liners for protecting clothing collars; Collar protectors; Collared shirts; Collars; Collars [clothing]; Collars for dresses; Combative sports uniforms; Combinations [clothing]; Corduroy pants; Corduroy shirts; Corduroy trousers; Corselets; Corsets; Corsets [clothing, foundation garments]; Corsets [foundation clothing]; Corsets [underclothing]; Costumes; Costumes for use in children's dress up play; Costumes for use in role-playing games; Costumes (Masquerade -); Cotton coats; Coveralls; Coverups; Cover-ups; Cowls [clothing]; Cravates; Cravats; Crew neck sweaters; Crinolines; Crop tops; Cuffs; Culotte skirts; Culottes; Cummerbunds; Cycling caps; Cycling Gloves; Cycling pants; Cycling shoes; Cycling shorts; Cycling tops; Cyclists' clothing; Dance clothing; Dance costumes; Dance shoes; Dance slippers; Deck shoes; Deck-shoes; Denim coats; Denim jackets; Denim jeans; Denim pants; Denims [clothing]; Desert boots; Detachable collars; Detachable neckpieces for kimonos (haneri); Dinner jackets; Dinner suits; Disposable slippers; Disposable underwear; Donkey jackets; Down jackets; Down vests; Drawers as clothing; Drawers [clothing]; Dress pants; Dress shields; Dress shirts; Dress shoes; Dress suits; Dresses; Dresses for evening wear; Dresses for infants and toddlers; Dresses made from skins; Dressing gowns; Driving gloves; Driving shoes; Dry suits; Duffel coats; Duffle coats; Dungarees; Dust coats; Ear muffs; Ear muffs [clothing]; Ear warmers; Earbands; Earmuffs; Embossed heels of rubber or of plastic materials; Embossed soles of rubber or of plastic materials; Embroidered clothing; Espadrilles; Esparto shoes or sandals; Esparto shoes or sandals; Evening coats; Evening dresses; Evening gowns; Evening suits; Evening wear; Exercise wear; Eye masks; Fabric belts; Fabric belts [clothing]; Fake fur hats; Fancy dress costumes; Fascinator hats; Fashion hats; Fedoras; Fezzes; Figure skating clothing; Fingerless gloves; Fingerless gloves as clothing; Fishermen's jackets; Fishing boots; Fishing clothing; Fishing footwear; Fishing headwear; Fishing jackets; Fishing shirts;

Fishing smocks; Fishing vests; Fishing waders; Fitted swimming costumes with bra cups; Fittings of metal for boots and shoes; Fittings of metal for footwear; Flat caps; Flat shoes; Fleece jackets; Fleece pullovers; Fleece shorts; Fleece tops; Fleece vests; Fleeces; Flip-flops; Flip-flops for use as footwear; Flying suits; Foam pedicure slippers; Folk costumes; Foot volleyball shoes; Football boots; Football boots (Studs for -); Football jerseys; Football shirts; Football shoes; Footless socks; Footless tights; Footmuffs, not electrically heated; Footwear; Footwear [excluding orthopedic footwear]; Footwear (Fittings of metal for -); Footwear for men; Footwear for men and women; Footwear for snowboarding; Footwear for sport; Footwear for sports; Footwear for track and field athletics; Footwear for use in sport; Footwear for women; Footwear made of vinyl; Footwear made of wood; Footwear (Non-slipping devices for -); Footwear not for sports; Footwear soles; Footwear (Tips for -); Footwear uppers; Footwear (Welts for -); Formal evening wear; Formal wear; Formalwear; Foulards [clothing articles]; Foundation garments; Frames (Hat -) [skeletons]; Frock coats; Full-length kimonos (nagagi); Functional underwear; Fur cloaks; Fur coats; Fur coats and jackets; Fur hats; Fur jackets; Fur muffs; Fur stoles; Furs [clothing]; Gabardines; Gabardines [clothing]; Gaiter straps; Gaiters; Galoshes; Garments for protecting clothing; Garrison caps; Garter belts; Garters; Gauchos; Gilets; Girdles; Girdles [corsets]; Girls' clothing; Gloves; Gloves as clothing; Gloves [clothing]; Gloves for apparel; Gloves for cyclists; Gloves including those made of skin, hide or fur; Gloves with conductive fingertips that may be worn while using handheld electronic touch screen devices; Golf caps; Golf clothing, other than gloves; Golf footwear; Golf pants, shirts and skirts; Golf shirts; Golf shoes; Golf shorts; Golf skirts; Golf trousers; Goloshes; Gowns; Gowns for doctors; Greatcoats; G-strings; Guernseys; Gussets for bathing suits [parts of clothing]; Gussets for footlets [parts of clothing]; Gussets for leotards [parts of clothing]; Gussets for stockings [parts of clothing]; Gussets for tights [parts of clothing]; Gussets for underwear [parts of clothing]; Gussets [parts of clothing]; Gym boots; Gym shorts; Gym suits; Gymnastic shoes; Gymshoes; Gymwear; Hairdressing capes; Half-boots; Halloween costumes; Halter tops; Handball shoes; Handwarmers [clothing]; Haneri [detachable neckpieces for kimonos]; Hat frames [skeletons]; Hats; Hats (Paper -) [clothing]; Head bands; Head scarves; Head sweatbands; Head wear; Headbands; Headbands against sweating; Headbands [clothing]; Headbands for clothing; Headdresses [veils]; Headgear; Headgear for wear; Headscarfs; Headscarves; Headshawls; Headsquares; Headwear; Heavy coats; Heavy jackets; Heel inserts; Heel pieces for shoes; Heel pieces for stockings; Heel protectors for shoes; Heelpieces for footwear; Heelpieces for stockings; Heels; Hidden heel shoes; High rain clogs (ashida); High-heeled shoes; Hijabs; Hiking boots; Hiking shoes; Hockey shoes; Hooded pullovers; Hooded sweat shirts; Hooded sweatshirts; Hooded tops; Hoodies; Hoods; Hoods [clothing]; Horse-riding boots; Horse-riding pants; Hosiery; House coats; Housecoats; Hunting boot bags; Hunting boots; Hunting jackets; Hunting pants; Hunting shirts; Hunting vests; Imitation leather dresses; Infant clothing; Infant wear; Infants' boots; Infants' clothing; Infants' footwear; Infants' shoes; Infants' trousers; Infantwear; Inner socks for footwear; Inner soles; Innersocks; Insoles; Insoles for footwear; Insoles for shoes and boots; Insoles [for shoes and boots]; Intermediate soles; Jacket liners; Jackets; Jackets

being sports clothing; Jackets [clothing]; Jackets (Stuff -) [clothing]; Japanese footwear of rice straw (waraji); Japanese kimonos; Japanese sleeping robes (nemaki); Japanese sleeping robes [nemaki]; Japanese split-toed work footwear (jikatabi); Japanese style clogs and sandals; Japanese style sandals of felt; Japanese style sandals of leather; Japanese style sandals (zori); Japanese style socks (tabi); Japanese style socks (tabi covers); Japanese style wooden clogs (geta); Japanese toe-strap sandals (asaura-zori); Japanese traditional clothing; Jeans; Jerkins; Jerseys; Jerseys [clothing]; Jockstraps [underwear]; Jodhpurs; Jogging bottoms; Jogging bottoms [clothing]; Jogging outfits; Jogging pants; Jogging sets [clothing]; Jogging shoes; Jogging suits; Jogging tops; Judo suits; Judo uniforms; Jump Suits; Jumper dresses; Jumper suits; Jumpers; Jumpers [pullovers]; Jumpers [sweaters]; Jumpsuits; Kaftans; Karate suits; Karate uniforms; Kendo outfits; Kerchiefs; Kerchiefs [clothing]; Khakis; Khimars; Kilts; Kimonos; Knee warmers [clothing]; Knee-high stockings; Knickerbockers; Knickers; Knit jackets; Knit shirts; Knit tops; Knitted baby shoes; Knitted caps; Knitted clothing; Knitted gloves; Knitted tops; Knitted underwear; Knitwear; Knitwear [clothing]; Knot caps; Korean outer jackets worn over basic garment [Magoja]; Korean topcoats [Durumagi]; Korean traditional women's waistcoats [Baeja]; Laboratory coats; Lace boots; Ladies' boots; Ladies' clothing; Ladies' dresses; Ladies' footwear; Ladies' outerclothing; Ladies' sandals; Ladies' suits; Ladies' underwear; Ladies wear; Layettes; Layettes [clothing]; Leather belts [clothing]; Leather clothing; Leather (Clothing of -); Leather (Clothing of imitations of -); Leather coats; Leather dresses; Leather garments; Leather headwear; Leather jackets; Leather pants; Leather shoes; Leather slippers; Leather suits; Leather waistcoats; Leg warmers; Leggings [leg warmers]; Leggings [trousers]; Legwarmers; Leg-warmers; Leisure clothing; Leisure footwear; Leisure shoes; Leisure suits; Leisure wear; Leisurewear; Leotards; Light-reflecting coats; Light-reflecting jackets; Linen (Body -) [garments]; Linen clothing; Lingerie; Linings (Ready-made -) [parts of clothing]; Liveries; Long jackets; Long johns; Long sleeve pullovers; Long sleeved vests; Long underwear; Long-sleeved shirts; Lounge pants; Loungewear; Lounging robes; Low wooden clogs (hiyori-geta); Low wooden clogs (koma-geta); Low wooden clogs [koma-geta]; Lumberjackets; Mackintoshes; Maillots; Maillots [hosiery]; Maniples; Mankinis; Mantillas; Mantles; Martial arts uniforms; Masks (Sleep -); Masquerade costumes; Maternity bands; Maternity clothing; Maternity dresses; Maternity leggings; Maternity lingerie; Maternity pants; Maternity shirts; Maternity shorts; Maternity sleepwear; Maternity smocks; Maternity tops; Maternity underwear; Maternity wear; Men's and women's jackets, coats, trousers, vests; Men's clothing; Men's dress socks; Men's sandals; Men's socks; Men's suits; Men's underwear; Menswear; Metal fittings for Japanese style wooden clogs; Military boots; Millinery; Miniskirts; Miters [hats]; Mitres [hats]; Mittens; Mitts [clothing]; Moccasins; Mock turtleneck shirts; Mock turtleneck sweaters; Mock turtlenecks; Moisture-wicking sports bras; Moisture-wicking sports pants; Moisture-wicking sports shirts; Money belts [clothing]; Monokinis; Morning coats; Motorcycle gloves; Motorcycle jackets; Motorcycle rain suits; Motorcycle riding suits; Motorcyclist boots; Motorcyclists' clothing; Motorcyclists' clothing of leather; Motorists' clothing; Mountaineering boots; Mountaineering shoes; Mufflers; Mufflers as neck scarves; Mufflers [clothing]; Mufflers [neck scarves]; Muffs; Muffs [clothing];

Mukluks; Mules; Muumuus; Nappy pants [clothing]; Neck scarfs [mufflers]; Neck scarves; Neck scarves [mufflers]; Neck tubes; Neck warmers; Neckbands; Neckerchiefs; Neckerchieves; Neckties; Neckwear; Negligees; Night gowns; Night shirts; Nightcaps; Nightdresses; Nightgowns; Nighties; Nightshirts; Nightwear; Nipple pasties; Niqabs; Non-slip socks; Non-slipping devices for footwear; Nurse dresses; Nurse overalls; Nurse pants; Nurses' uniforms; Nursing shoes; Oilskins [clothing]; One-piece clothing for infants and toddlers; One-piece playsuits; One-piece suits; Open-necked shirts; Outer clothing; Outer soles; Outerclimbing; Outerclimbing for boys; Outerclimbing for girls; Outerclimbing for men; Outerwear; Overalls; Overalls for infants and toddlers; Overcoats; Overshirts; Overshoes; Overtrousers; Over-trousers; Padded jackets; Padded pants for athletic use; Padded shirts for athletic use; Padded shorts for athletic use; Pajama bottoms; Pajamas; Pajamas (Am.); Pantaloons; Pantie-girdles; Panties; Pants; Pants (Am.); Pantsuits; Pantyhose; Pantyhose; Paper aprons; Paper clothing; Paper hats [clothing]; Paper hats for use as clothing items; Paper hats for wear by chefs; Paper hats for wear by nurses; Pareos; Pareus; Parkas; Party hats [clothing]; Pea coats; Peaked caps; Peaked headwear; Peaks (Cap -); Pedal pushers; Pedicure sandals; Pedicure slippers; Peignoirs; Pelerines; Pelisses; Petticoats; Petti-pants; Pinafore dresses; Pinafores; Pique shirts; Pirate pants; Plastic aprons; Plastic baby bibs; Plastic slippers; Platform shoes; Play suits; Playsuits [clothing]; Pleated skirts; Pleated skirts for formal kimonos (hakama); Plimsolls; Plus fours; Plush clothing; Pocket kerchiefs; Pocket squares; Pocket squares [clothing]; Pockets for clothing; Polar fleece jackets; Polo boots; Polo knit tops; Polo neck jumpers; Polo shirts; Polo sweaters; Ponchos; Pop socks; Pram suits; Printed t-shirts; Protective metal members for shoes and boots; Pullovers; Pullstraps for shoes and boots; Pumps [footwear]; Puttees; Puttees and gaiters; Pyjamas; Pyjamas [from tricot only]; Quilted jackets [clothing]; Quilted vests; Rain boots; Rain coats; Rain hats; Rain jackets; Rain ponchos; Rain shoes; Rain slickers; Rain suits; Rain trousers; Rain wear; Raincoats; Rainproof clothing; Rainproof jackets; Rainshoes; Rainwear; Ramie shirts; Rash guards; Ready-made clothing; Ready-made linings [parts of clothing]; Ready-to-wear clothing; Referees uniforms; Religious garments; Removable collars; Replica football kits; Reversible jackets; Riding boots; Riding gloves; Riding Gloves; Riding jackets; Riding shoes; Riding trousers; Robes; Robes (Bath -); Roll necks [clothing]; Roller shoes; Romper suits; Rompers; Ruanas; Rubber fishing boots; Rubber shoes; Rubber soles for jikatabi; Rubbers [footwear]; Rugby boots; Rugby jerseys; Rugby shirts; Rugby shoes; Rugby shorts; Rugby tops; Running shoes; Running Suits; Running vests; Russian felted boots (Valenki); Sabots; Safari jackets; Sailing wet weather clothing; Sailor suits; Salopettes; Sandal-clogs; Sandals; Sandals and beach shoes; Sarees; Saris; Sarongs; Sash bands for kimono (obi); Sashes for wear; Scarfs; Scarves; School uniforms; Scrimmage vests; Sedge hats (suge-gasa); Serapes; Shampoo capes; Shapewear; Shawls; Shawls and headscarves; Shawls and stoles; Shawls [from tricot only]; Sheepskin coats; Sheepskin jackets; Shell jackets; Shell suits; Shields (Dress -); Shift dresses; Shirt fronts; Shirt yokes; Shirt-jacs; Shirts; Shirts and slips; Shirts for suits; Shoe covers, other than for medical purposes; Shoe inserts for non-orthopedic purposes; Shoe soles; Shoe soles for repair; Shoe straps; Shoe uppers; Shoes; Shoes for casual

wear; Shoes for foot volleyball; Shoes for infants; Shoes for leisurewear; Shoes soles for repair; Shoes with hook and pile fastening tapes; Short overcoat for kimono (haori); Short petticoats; Short sets [clothing]; Short trousers; Shortalls; Shorts; Shorts [clothing]; Short-sleeve shirts; Short-sleeved shirts; Short-sleeved T-shirts; Shoulder scarves; Shoulder straps for clothing; Shoulder wraps; Shoulder wraps [clothing]; Shoulder wraps for clothing; Shower caps; Shrugs; Silk clothing; Silk scarves; Silk ties; Singlets; Skating outfits; Ski and snowboard shoes and parts thereof; Ski balaclavas; Ski boot bags; Ski boots; Ski gloves; Ski hats; Ski jackets; Ski pants; Ski suits; Ski suits for competition; Ski trousers; Ski wear; Skiing shoes; Skirt suits; Skirts; Skorts; Skull caps; Slacks; Sleep masks; Sleep pants; Sleep shirts; Sleeping garments; Sleepsuits; Sleepwear; Sleeved jackets; Sleeveless jackets; Sleeveless jerseys; Sleeveless pullovers; Sliding shorts; Slip-on shoes; Slipovers; Slipovers [clothing]; Slipper socks; Slipper soles; Slippers; Slippers made of leather; Slips; Slips [clothing]; Slips [underclothing]; Slips [undergarments]; Small hats; Smocks; Smoking jackets; Snap crotch shirts for infants and toddlers; Sneakers; Sneakers [footwear]; Snoods [scarves]; Snow boarding suits; Snow boots; Snow pants; Snow suits; Snowboard boots; Snowboard gloves; Snowboard jackets; Snowboard mittens; Snowboard shoes; Snowboard trousers; Snowsuits; Soccer bibs; Soccer boots; Soccer shirts; Soccer shoes; Sock suspenders; Socks; Socks and stockings; Socks for infants and toddlers; Socks for men; Soles for footwear; Soles for japanese style sandals; Soles [Inner]; Spats; Spiked running shoes; Sport coats; Sport shirts; Sport shoes; Sport stockings; Sports bibs; Sports [Boots for -]; Sports bras; Sports caps; Sports caps and hats; Sports clothing; Sports clothing [other than golf gloves]; Sports footwear; Sports garments; Sports headgear [other than helmets]; Sports jackets; Sports jerseys; Sports jerseys and breeches for sports; Sports over uniforms; Sports overuniforms; Sports pants; Sports shirts; Sports shirts with short sleeves; Sports shoes; Sports singlets; Sports socks; Sports vests; Sports wear; Sportswear; Stiffeners for boots; Stiffeners for shoes; Stocking suspenders; Stockings; Stockings (Heel pieces for -); Stockings [sweat-absorbent]; Stockings (Sweat-absorbent -); Stoles; Stoles (Fur -); Strapless bras; Strapless brassieres; Straps (Gaiter -); Stretch pants; String fasteners for haori (haori-himo); Studs for football boots; Stuff jackets; Stuff jackets [clothing]; Suede jackets; Suit coats; Suits; Suits (Bathing -); Suits made of leather; Suits of leather; Sun hats; Sun visors; Sun visors [headwear]; Sundresses; Sunsuits; Surf wear; Surfwear; Suspender belts; Suspender belts for men; Suspender belts for women; Suspenders; Suspenders [braces]; Swaddling clothes; Sweat bands; Sweat bands for the head; Sweat bands for the wrist; Sweat bottoms; Sweat jackets; Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; Sweat-absorbent socks; Sweat-absorbent stockings; Sweat-absorbent underclothing; Sweat-absorbent underclothing [underwear]; Sweat-absorbent underwear; Sweatbands; Sweaters; Sweatjackets; Sweatpants; Sweatshirts; Sweatshorts; Sweatsuits; Swim briefs; Swim caps; Swim shorts; Swim suits; Swim trunks; Swim wear for children; Swim wear for gentlemen and ladies; Swimming caps; Swimming caps [bathing caps]; Swimming costumes; Swimming suits; Swimming trunks; Swimsuits; Swimwear; Synthetic fur stoles; Tabards; Taekwondo suits; Taekwondo uniforms; Tail coats; Tam o'shanter; Tams; Tank tops; Tankinis; Tank-tops; Tap pants; Tap shoes; Tartan kilts; Teddies; Teddies

[underclothing]; Teddies [undergarments]; Tee-shirts; Tennis dresses; Tennis pullovers; Tennis shirts; Tennis shoes; Tennis shorts; Tennis skirts; Tennis socks; Tennis sweatbands; Tennis wear; Theatrical costumes; Thermal clothing; Thermal headgear; Thermal socks; Thermal underwear; Thermally insulated clothing; Thobes; Thong sandals; Thongs; Three piece suits [clothing]; Ties; Ties [clothing]; Tightening-up strings for kimonos (datejime); Tights; Tips for footwear; Toe boxes; Toe socks; Toe straps for Japanese style sandals [zori]; Toe straps for Japanese style wooden clogs; Toe straps for zori [Japanese style sandals]; Togas; Tongues for shoes and boots; Top coats; Top hats; Topcoats; Tops; Tops [clothing]; Toques [hats]; Track and field shoes; Track jackets; Track pants; Track suits; Tracksuit bottoms; Tracksuit tops; Tracksuits; Traction attachments for footwear; Trainers; Trainers [footwear]; Training shoes; Training suits; Trekking boots; Trench coats; Trenchcoats; Trews; Triathlon clothing; Trouser socks; Trouser straps; Trousers; Trousers for children; Trousers for sweating; Trousers of leather; Trousers shorts; Trunks; Trunks (Bathing -); Trunks [underwear]; T-shirts; Tube tops; Tunics; Turbans; Turtleneck pullovers; Turtleneck shirts; Turtleneck sweaters; Turtleneck tops; Turtlenecks; Tutus; Tuxedo belts; Tuxedos; Twin sets; Umpires uniforms; Under garments; Under shirts; Underarm gussets [parts of clothing]; Underclothes; Underclothing; Underclothing (Anti-sweat -); Underclothing for women; Undergarments; Underpants; Underpants for babies; Undershirts; Undershirts for kimonos (juban); Undershirts for kimonos (koshimaki); Undershirts for kimonos [koshimaki]; Underskirts; Underwear; Underwear (Anti-sweat -); Underwear for women; Uniforms; Uniforms for commercial use; Uniforms for nurses; Union suits; Unitards; Uppers (Footwear -); Uppers for Japanese style sandals; Uppers of woven rattan for Japanese style sandals; Ushankas [fur hats]; Valenki [felted boots]; Veils; Veils [clothing]; Vest tops; Vests; Vests (Fishing -); Vests for use in barber shops and salons; Visors; Visors being headwear; Visors [clothing]; Visors [hatmaking]; Visors [headwear]; V-neck sweaters; Volleyball jerseys; Volleyball shoes; Waders; Waist belts; Waist cinchers; Waist strings for kimonos (koshihimo); Waistbands; Waistcoats; Waistcoats [vests]; Walking boots; Walking breeches; Walking shoes; Walking shorts; Warm up suits; Warm-up jackets; Warm-up pants; Warm-up suits; Warm-up tops; Water socks; Waterpolo caps; Waterproof boots; Waterproof boots for fishing; Waterproof capes; Waterproof clothing; Waterproof jackets; Waterproof outerclothing; Waterproof pants; Waterproof shoes; Waterproof suits for motorcyclists; Waterproof trousers; Water-resistant clothing; Waterskiing suits; Weather resistant outer clothing; Weatherproof clothing; Weatherproof jackets; Weatherproof pants; Wedding dresses; Wedding gowns; Wellington boots; Wellingtons; Welts for footwear; Wet suits; Wet suits for surfing; Wet suits for water-skiing; Wet suits for water-skiing and sub-aqua; Wet suits for windsurfing; Wetsuit gloves; Wetsuits; Wetsuits for surface watersports; Wetsuits for surfing; Wetsuits for water-skiing; White coats for hospital use; Wimples; Wind coats; Wind jackets; Wind pants; Wind resistant jackets; Wind suits; Wind vests; Windcheaters; Wind-jackets; Windproof clothing; Windproof jackets; Wind-resistant jackets; Wind-resistant vests; Windshirts; Winter boots; Winter coats; Winter gloves; Women's ceremonial dresses; Women's clothing; Women's foldable slippers; Womens' outerclothing; Women's shoes; Women's suits; Womens' underclothing;

Womens' undergarments; Women's underwear; Wooden bodies for Japanese style clogs; Wooden main bodies of Japanese style wooden clogs; Wooden shoes; Wooden shoes [footwear]; Wooden supports of Japanese style wooden clogs; Woolen clothing; Woollen socks; Woollen tights; Woolly hats; Work boots; Work clothes; Work overalls; Work shoes; Working overalls; Woven clothing; Woven shirts; Wrap belts for kimonos (datemaki); Wraps [clothing]; Wrist bands; Wrist warmers; Wristbands; Wristbands [clothing]; Yashmaghs; Yashmaks; Yoga bottoms; Yoga pants; Yoga shirts; Yoga shoes; Yokes (Shirt -); Zoot suits; Zori.