

O/789/21

**TRADE MARKS ACT 1994**

**IN THE MATTER OF  
TRADE MARK APPLICATION NO. 3514964  
BY UNILATERAL LTD  
TO REGISTER AS A TRADE MARK:**



**IN CLASS 25**

**AND**

**IN THE MATTER OF OPPOSITION THERETO  
UNDER NO. 422199  
BY INDUSTRIA DE DISENO TEXTIL, S.A. (INDITEX, S.A.)**

## **BACKGROUND AND PLEADINGS**

1. On 23 July 2020, Unilateral Ltd (“the applicant”) applied to register the trade mark displayed on the cover page of this decision in the UK, under number 3514964 (“the contested mark”). The contested mark was published for opposition purposes on 28 August 2020. Registration is sought in respect of ‘*sportswear; clothing, footwear, headgear; gymwear*’ in class 25.

2. On 24 November 2020, Industria de Diseno Textil, S.A. (Inditex, S.A.) (“the opponent”) opposed the application under sections 5(2)(b) and 5(3) of the Trade Marks Act 1994 (“the Act”) on the basis of the following trade marks:

### **ZARA**

UKTM no. 2166165

Filing date: 8 May 1998

Registration date: 27 April 2001

(“the first earlier mark”)

### **ZARA**

EUTM no. 112755

Filing date: 1 April 1996

Registration date: 3 January 2001

(“the second earlier mark”)

### **ZARA**

EUTM no. 8929952

Filing date: 5 March 2010

(“the third earlier mark”)

3. The first earlier mark is registered for goods and services in classes 25 and 35, while the second earlier mark is registered for goods and services in classes 3, 9, 14, 16, 24, 25, 28, 37, 40 and 42. The third earlier mark has been applied for in respect of a wide range of goods and services covering all 45 classes. The full specifications of the earlier marks are included as an annex to this decision.

4. For the purposes of the opposition under section 5(2)(b), the opponent relies upon the goods and services underlined in the annex to this decision. The opponent contends that the competing trade marks are similar and that the respective goods are identical,<sup>1</sup> giving rise to a likelihood of confusion, including a likelihood of association. The opponent also submits that its earlier marks benefit from an enhanced distinctive character.

5. Under section 5(3), the opponent claims that its earlier marks have a substantial reputation in the UK and EU. The goods and services in respect of which a reputation is claimed are italicised in the annex to this decision. The opponent submits that this reputation is such that use of the contested mark would give the applicant an unfair commercial advantage as it will benefit from the opponent's marketing efforts. Additionally, the opponent contends that use of the contested mark in relation to goods of inferior quality will cause detriment to the reputation of its earlier marks. Further, the opponent argues that use of the contested mark will cause detriment to the distinctive character of its earlier marks as their ability to uniquely identify goods and services would be weakened. According to the opponent, this is likely to result in a change in economic behaviour of its customers.

6. The applicant filed a counterstatement denying the grounds of opposition. As these are the only comments I have from the applicant, they are reproduced in full below:

The Applicant denies that the marks are similar. There are significant visual, aural and conceptual differences between ZARA and T.A.R.A

The Applicant denies that the Opponent has a reputation and put the opponent to the proof thereof.

The Applicant denies that the application offends the provision of Section 5(2) or 5(3) and put the opponent to the proof thereof.

The Applicant request the oppositon to be refused.

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<sup>1</sup> Although the opponent also relies upon the class 35 services covered by the first earlier mark, it has not indicated any basis upon which it believes similarity between them and the applied-for goods exists.

7. Given the respective filing dates, the opponent's trade marks are earlier marks, in accordance with section 6 of the Act.<sup>2</sup> The first and second earlier marks had completed their registration processes more than five years before the filing date of the application and would, ordinarily, be subject to the proof of use provisions contained in section 6A of the Act. However, the applicant has not sought to require the opponent to demonstrate proof of use.<sup>3</sup> Moreover, the third earlier mark has not yet completed its registration process. Consequently, the opponent is entitled to rely upon all the goods and services identified, without having to establish genuine use.

8. Both parties have been professionally represented throughout these proceedings; the opponent by Taylor Wessing LLP and the applicant by RevoMark. Only the opponent filed evidence. Both parties were given the option of an oral hearing, though neither asked to be heard on this matter. Only the opponent elected to file written submissions in lieu of a hearing. This decision is taken following a careful perusal of the papers before me, keeping all submissions in mind.

9. Although the UK has left the EU, section 6(3)(a) of the European Union (Withdrawal) Act 2018 requires tribunals to apply EU-derived national law in accordance with EU law as it stood at the end of the transition period. The provisions of the Act relied upon in these proceedings are derived from an EU Directive and, therefore, this decision continues to refer to the trade mark case law of the EU courts.

## **EVIDENCE AND SUBMISSIONS**

10. The opponent's evidence consists of the witness statement of Ms Julia King, dated 12 April 2021, together with Exhibits JK1 to JK4, and the witness statement of Mr Óscar García Maceiras, dated 10 May 2021, together with Exhibits OGM1 to OGM21.

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<sup>2</sup> Although the UK has left the EU and the transition period has now expired, EUTMs, such as the second and third earlier marks, are still relevant in these proceedings given the impact of the transitional provisions of the Trade Marks (Amendment etc.) (EU Exit) Regulations 2019. Tribunal Practice Notice 2/2020 refers.

<sup>3</sup> At section 7 of the Form TM8, the applicant indicated that it did not want the opponent to provide proof of use.

11. Ms King is a Chartered Trade Mark Attorney in the employ of Taylor Wessing LLP, the opponent's representatives in these proceedings. The purpose of her statement is to introduce extracts from prior decisions of the Appointed Persons and the Opposition Division of the EUIPO into evidence. Moreover, Ms King seeks to establish meanings of the words 'ZARA' and 'TARA'.

12. Mr Maceiras confirms that he is General Counsel and Secretary for the Board for the opponent, a position he has held since March 2021. He gives evidence as to the history and reputation of the 'ZARA' brand.

13. As noted above, the opponent also filed written submissions in lieu of an oral hearing.

14. Whilst I do not propose to summarise the evidence and submissions here, I have taken it all into consideration in reaching my decision and will refer to it below, as and where necessary.

### **MY APPROACH**

15. As can be seen from the above, the earlier marks are all identical. However, the first earlier mark is a UK registration, while the second and third earlier marks are EUTMs. Furthermore, to my mind, the specifications of the second and third earlier marks do not put the opponent in a more favourable position. As such, I will proceed on the basis of the first earlier mark only, returning to consider the other earlier marks later in this decision if it is necessary to do so.

16. I also note that the third earlier mark has not yet completed its registration process as it is subject to an unrelated opposition at the EUIPO. I note that the class 35 services in respect of which the opponent claims to have a reputation are at issue in those proceedings. Therefore, if and to the extent that those services are determinative in this case, my decision will be provisional, pending the outcome of the EUIPO proceedings.

## **DECISION**

### **Section 5(2)(b)**

#### **Legislation and case law**

17. Sections 5(2)(b) and 5A of the Act read 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.”

18. The following principles are gleaned from the decisions of the EU courts 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:

(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 great degree of similarity between the marks, and vice versa;

(h) there is a greater likelihood of confusion where the earlier mark has a highly distinctive character, either per se or because of the use that has been made of it;

(i) mere association, in the strict sense that the later mark brings the earlier mark to mind, is not sufficient;

(j) the reputation of a mark does not give grounds for presuming a likelihood of confusion simply because of a likelihood of association in the strict sense;

(k) if the association between the marks creates a risk that the public might believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

### Comparison of goods and services

19. The goods and services to be compared are as follows:

<b>Opponent's goods and services</b>	<b>Applicant's goods</b>
<p>Class 25: Clothing articles for men, women and children, belts, hosiery, footwear, headgear.</p> <p>Class 35: The bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in a retail department store; advertising and business management services relating to retail fashion goods; business management and business administration services; sales promotion, compilation and provision of sale information; shop window dressing; advertising including direct distribution of advertising material and catalogues, direct-mail advertising, distribution of samples.</p>	<p>Class 25: Sportswear; clothing, footwear, headgear; gymwear.</p>



20. The opponent's pleaded case is that the applicant's *'clothing, footwear, headgear'* have direct counterparts in its specifications. Further, that the applicant's *'sportswear; gymwear'* fall within its broader term *'clothing articles'* and are, therefore, identical.

21. As can be seen from its counterstatement, the applicant has been silent on whether there is any similarity or identity between the respective goods and services. Arguably, this is tantamount to a tacit acceptance of the opponent's pleaded case.<sup>4</sup> However, it is not necessary for me to determine this point.

22. The applicant's *'clothing, footwear, headgear'* are self-evidently identical to *'clothing articles for men, women and children, [...] footwear, headgear'* in class 25 of the first earlier mark.

23. Moreover, the law requires that goods be considered identical where one party's description of its goods encompasses the specific goods covered by the other party's description (and vice versa).<sup>5</sup> *'Sportswear'* and *'gymwear'* describe particular kinds of clothing which are typically worn for sport or physical exercise. In my view, they are encompassed by the opponent's broader category *'clothing articles for men, women and children'* in class 25 of the first earlier mark.

24. I have also considered the other goods and services relied upon by the opponent. However, to my mind, none improve the opponent's position.

### **The average consumer and the nature of the purchasing act**

25. The average consumer is deemed to be reasonably well informed, observant and circumspect. For the purpose of assessing the likelihood of confusion, it must be borne in mind that the average consumer's level of attention is likely to vary according to the category of goods or services in question.<sup>6</sup>

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<sup>4</sup> *SkyClub*, BL O/044/21

<sup>5</sup> *Gérard Meric v OHIM*, Case T-133/05

<sup>6</sup> *Lloyd Schuhfabrik Meyer*, Case C-342/97

26. 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.”

27. In *New Look Limited v OHIM*,<sup>7</sup> the General Court stated that:

“50. [...] Generally in clothes shops customers can themselves either choose the clothes they wish to buy or be assisted by the sales staff. Whilst oral communication in respect of the product and the trade mark is not excluded, the choice of the item of clothing is generally made visually. Therefore, the visual perception of the marks in question will generally take place prior to purchase. Accordingly the visual aspect plays a greater role in the global assessment of the likelihood of confusion.”

28. In line with my approach to the comparison of the respective goods, my assessment below will focus on the average consumer of the class 25 goods at issue.

29. The average consumer of such goods is a member of the general public. The goods are likely to be purchased relatively frequently for the purposes of clothing one’s self or self-expression. Their cost may vary, with cheaper items of limited quality at one end of the spectrum and more expensive fashion pieces at the other. However, the purchasing act will not require an overly considered thought process as, overall, they are relatively inexpensive purchases; selection of the goods is likely to be more casual than careful. Nonetheless, the average consumer will consider factors such as

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<sup>7</sup> Joined cases T-117/03 to T-119/03 and T-171/03

style, quality, size, cost and compatibility with other items. While, to some extent, I agree with the opponent that consumers are likely to exhibit various levels of attention depending on the particular item of clothing, overall, I find that the general public would demonstrate a medium level of attention. The goods are typically sold in bricks-and-mortar retail establishments or their online equivalents, where they are likely to be self-selected from rails and shelves or after viewing information on the Internet. In these circumstances, visual considerations would dominate. Nevertheless, as such goods may also be the subject of, for instance, word of mouth recommendations or oral requests to sales assistants, I do not discount aural considerations entirely.

### **Distinctive character of the earlier mark**

30. In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, Case C-342/97, the Court of Justice of the European Union (“CJEU”) stated that:

“22. In determining the distinctive character of a mark and, accordingly, in assessing whether it is highly distinctive, the national court must make an overall assessment of the greater or lesser capacity of the mark to identify the goods or services for which it has been registered as coming from a particular undertaking, and thus to distinguish those goods or services from those of other undertakings (see, to that effect, judgment of 4 May 1999 in Joined Cases C-108/97 and C-109/97 *Windsurfing Chiemsee v Huber and Attenberger* [1999] ECR I-0000, paragraph 49).

23. In making that assessment, account should be taken, in particular, of the inherent characteristics of the mark, including the fact that it does or does not contain an element descriptive of the goods or services for which it has been registered; the market share held by the mark; how intensive, geographically widespread and long-standing use of the mark has been; the amount invested by the undertaking in promoting the mark; the proportion of the relevant section of the public which, because of the mark, identifies the goods or services as originating from a particular undertaking; and statements from chambers of commerce and industry or other trade and professional associations (see *Windsurfing Chiemsee*, paragraph 51).”

31. Registered trade marks possess varying degrees of inherent distinctive character. These range from the very low, such as those which are suggestive or allusive of the goods or services, to those with high inherent distinctive character, such as invented words. Dictionary words which do not allude to the goods or services will be somewhere in the middle. The degree of distinctiveness is an important factor as it directly relates to whether there is a likelihood of confusion; the more distinctive the earlier mark, the greater the likelihood of confusion. The distinctive character of a mark may be enhanced as a result of it having been used in the market.

32. The opponent has submitted that the first earlier mark is inherently distinctive and does not contain any descriptive or non-distinctive elements. Moreover, it has claimed that the mark possesses “a substantial reputation and enormous degree of enhanced distinctive character” by virtue of the use made of it. I have no comments from the applicant on the matter, though it has disputed the existence of a reputation.

33. The first earlier mark is in word-only format and consists of the word ‘ZARA’. As the mark comprises a plain word with no other elements, its distinctiveness lies indivisibly in the word itself. The opponent has argued that the first earlier mark may be recognised by the average consumer as a female forename. There is also evidence to that effect.<sup>8</sup> I agree. The forename ‘ZARA’ has no descriptive or allusive qualities and it is my impression that it is not overly common in the UK. Overall, I find that the first earlier mark has a medium level of inherent distinctive character.

34. Evidence has been filed by the opponent and I am now required to assess whether the opponent has demonstrated that the first earlier mark had an enhanced degree of distinctive character, at the relevant date of 23 July 2020.

35. I note that the opponent relies upon extracts from prior decisions in which it demonstrated that the distinctiveness of ‘ZARA’ had been enhanced through use.<sup>9</sup> While I acknowledge the findings of Mr Daniel Alexander Q.C. as the Appointed

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<sup>8</sup> Exhibit JK4

<sup>9</sup> Exhibits JK1 – JK3

Person and the Opposition Division of the EUIPO in those decisions, it suffices to say that I am not bound by them and must conduct my own assessment on the basis of the evidence before me.

36. Since opening its first store in A Coruña, Spain, in 1975, 'ZARA' has grown its network to over 2000 stores and has a presence (whether physical or online) in 96 markets worldwide.<sup>10</sup> It is said to have the most number of fashion retail stores in the world and is described as a dominant presence in the fashion industry.<sup>11</sup> Global turnover under the opponent's 'ZARA' and 'Zara Home' brands rose from over €14,000m in 2015 to in excess of €19,500m in 2019.<sup>12</sup> The 'ZARA' brand was placed consistently within the top 50 best global brands between 2014 and 2020 by Interbrand; the brand's value rose in this period from \$12,126m to \$14,862m and peaked in 2017 at \$18,873m.<sup>13</sup> In 2020, 'ZARA' was listed in second position out of all global apparel brands by Kantar MillwardBrown and also appeared in Forbes' top 50 of the world's most valuable brands.<sup>14</sup>

37. As for the UK, the first 'ZARA' store opened in 1998 and, at the date of Mr Maceiras' statement, there were 58 stores across the UK.<sup>15</sup> Online sales in this territory began in 2010.<sup>16</sup> In my view, use of the mark in the UK has been widespread and relatively long-standing. The opponent's UK pre-tax sales figures achieved in respect of 'ZARA' branded clothing, footwear, headgear, accessories and perfumery between 2011 and 2021 have been provided.<sup>17</sup> These show that the opponent's turnover under the 'ZARA' trade mark in the UK was in excess of £300m in 2011, rising to over £800m in 2019. Turnover decreased in 2020, though still stood at over £600m. Even in the context of a very large market, these figures are clearly significant. Sample documents relating to the delivery of products to 'ZARA' stores in London between January 2016 and July 2020 have been exhibited; although some contain no details (or English

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<sup>10</sup> Witness statement of Mr Óscar García Maceiras, §7

<sup>11</sup> Exhibit OGM2

<sup>12</sup> Exhibit OGM21

<sup>13</sup> Exhibit OGM4

<sup>14</sup> Exhibits OGM5 & OGM6

<sup>15</sup> Maceiras, §7-8

<sup>16</sup> Exhibit OGM1

<sup>17</sup> Maceiras, §32

translations) as to what the items are, others show the delivery of clothing and footwear products to these outlets.<sup>18</sup>

38. Mr Maceiras states that the brand is predominantly known to consumers throughout the UK due to word of mouth and the strategic locations of its stores in major cities, main shopping streets and shopping malls; further, he says that the architecture, uniform arrangement and window displays are one of the most effective and authentic forms of publicity for the brand.<sup>19</sup> Marketing activities for the 'ZARA' brand are also conducted through its own website at [www.zara.com](http://www.zara.com) and its social media accounts.<sup>20</sup> Editorials – described as akin to online catalogues – are posted every season via these channels; the publication of these editorials rose from 37 in 2015 to 164 in 2019.<sup>21</sup> The 'ZARA' website and mobile application had over 500m combined unique users worldwide in 2020; those from the UK amounted to over 47m unique users, generating a total of over 240m views at an average of around 660,000 views per day.<sup>22</sup> While parts of the evidence suggest that 'ZARA' does not conduct traditional advertising campaigns, the opponent invested over €400m globally between 2016 and 2020 in marketing and advertising; this included, for example, its spend on online campaigns, editorials and photographs for its website and social media accounts.<sup>23</sup>

39. The 'ZARA' brand featured regularly in national UK newspapers and publications such as, inter alia, The Guardian, The Independent, The Telegraph, Cosmopolitan, BBC News, Hello!, Vogue and The Daily Express, prior to the relevant date.<sup>24</sup> Much of the press coverage attests to the popularity and success of the brand in the UK. 'ZARA' branded clothing, footwear, jewellery and bags can be seen in several multi-product features. Some of the articles indicate that 'ZARA' branded clothing has been publicly worn by prominent individuals, such as the Duchess of Cambridge. Evidence relating to the circulation figures of these publications has been provided.<sup>25</sup> The

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<sup>18</sup> Exhibit OGM14

<sup>19</sup> Maceiras, §34-35

<sup>20</sup> Maceiras, §36

<sup>21</sup> Maceiras, §37

<sup>22</sup> Maceiras, §38

<sup>23</sup> Maceiras, §39-40

<sup>24</sup> Exhibits OGM7, OGM8, OGM10 – OGM13, OGM15, OGM16, OGM18 & OGM19

<sup>25</sup> Exhibit OGM20

combined multi-platform reach of these publications is extensive. For example, at 29 August 2018, The Guardian and The Telegraph had a daily reach of over 4.7m and 3.6m, respectively, and Cosmopolitan had over 300,000 readers per issue between January and June 2018. Furthermore, 'ZARA' was shortlisted three times at the Creative Retail Awards 2019 for its display at London Fashion Week 2018 and, as a member of the Fashion Pact coalition, was recognised in the environment sector at the British Fashion Awards 2020.<sup>26</sup>

40. In light of the above, I do not hesitate to conclude that the distinctive character of the first earlier mark has been enhanced to the extent that it must be considered to have a very high level of distinctive character. For the purposes of this decision, it is sufficient to record that this finding extends to '*clothing articles for men, women and children, [...] footwear, headgear*' in class 25.

### **Comparison of trade marks**

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

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


42. Therefore, it would be wrong to dissect the trade marks artificially, though it is necessary to take into account their distinctive and dominant components. Due weight

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<sup>26</sup> Exhibits OGM8 & OGM9

must be given to any other features which are not negligible and hence contribute to the overall impressions created by the marks.

43. The competing marks are as follows:

The first earlier mark	The contested mark
ZARA	

#### Overall impressions

44. The first earlier mark is in word-only format and consists of the word 'ZARA'. As there are no other elements, the overall impression lies in the word itself.

45. The contested mark is figurative and comprises the letters 'T.A.R.A', the word 'SPORTSWEAR' and a runner device. The 'T.A.R.A' element may be perceived as either the female forename 'Tara' or, alternatively, as an acronym. It is presented in a large, bold font, and has no descriptive or allusive qualities. It is my view that this element will dominate the overall impression of the mark. The pictorial representation of a person sprinting from a block start strongly alludes to goods that are worn for sport or physical exercise, while the incomplete oval shape will be perceived as decorative. Accordingly, it is considered that the device will play a reduced role in the overall impression of the mark. Finally, I agree with the opponent that the word 'SPORTSWEAR' is descriptive of the kind of goods for which registration of the mark is sought, namely, clothing, footwear and headwear that is worn for sport or physical exercise. Therefore, although it will not be entirely overlooked, it certainly plays a much lesser role in the overall impression.



### Visual comparison

46. Visually, I agree with the opponent that the competing marks are similar as the dominant elements, being the word 'ZARA' and 'T.A.R.A', both consist of four letters that share three identical letters in the same order, i.e. 'ARA/A.R.A'. I do not consider the particular font used in the contested mark to be a point of significant visual difference between the competing marks, since notional and fair use would allow the first earlier mark to be presented in any standard typeface. Moreover, in respect of at least a significant proportion of consumers, it is my view that the punctuation marks in the contested mark would be overlooked and, therefore, do not create any significant difference between the marks. In addition, the contested mark contains the word 'SPORTSWEAR', while the first earlier mark does not. However, I have found that this word is descriptive and plays a much lesser role in the overall impression of the contested mark. The competing marks are visually different as the dominant element of the first earlier mark begins with a letter 'Z', while that of the contested mark begins with a letter 'T'. Moreover, the contested mark includes a runner device which is not replicated in the first earlier mark. Although I have found this element to be allusive of the goods, it will not be entirely overlooked by consumers. Bearing in mind my assessment of the overall impressions, I consider there to be a medium degree of visual similarity between the marks.

### Aural comparison

47. Aurally, the first earlier mark consists of two syllables, i.e. "ZA-RA". In respect of the contested mark, the device will not be articulated in any way. Moreover, given that the word 'SPORTSWEAR' merely describes the goods for which registration is sought, it is unlikely that it would be articulated by consumers. Consequently, the contested mark also comprises two syllables, i.e. "TA-RA". In my view, this would also be true for some consumers who perceive 'T.A.R.A' as an acronym due to the particular arrangement of the letters. The competing marks are aurally similar insofar as they share the "A-RA" element, while they differ in their respective initial sounds. Overall, I find that there is between a medium and high degree of aural similarity between the marks. As this represents what I regard as the opponent's best case, I do not consider

it necessary to go on to consider the position in respect of any other possible pronunciations of the contested mark.

### Conceptual comparison

48. The opponent has contended that some consumers will recognise the word ‘ZARA’ as its “highly reputed fashion and lifestyle brand”. I disagree. It is important to point out that reputation and conceptual meaning are not the same thing. Reputation, in a trade mark sense, concerns the factual extent to which a sign is recognised by a significant part of the public as a trade mark, whereas conceptual meaning is a level of immediately perceptible notoriety or independent meaning, outside of a purely trade mark context.<sup>27</sup> Although there are cases where an extensive reputation has transferred into conceptual meaning, these are the exception rather than the rule and depend on their own facts.<sup>28</sup> Exceptional cases where trade mark reputation evolves into a conceptual meaning need to be properly proven. It is my view that the evidence filed in these proceedings does not establish that ‘ZARA’ has evolved into a conceptual meaning. Rather, as I have already outlined, the first earlier mark will be understood as a female forename. As for the contested mark, it is my view that at least a significant proportion of consumers will overlook the punctuation marks between the letters in ‘T.A.R.A’ and will, instead, perceive it as the female forename ‘Tara’. The word ‘SPORTSWEAR’ will be understood as a descriptive reference to goods that can be worn during sport or physical exercise. The runner device alludes to such goods as it conveys the concept of running, or sports more generally. Conceptually, the competing marks overlap insofar as they both contain female forenames, albeit different ones. Nevertheless, the contested mark conveys additional meanings that will not be attributed to the first earlier mark. Bearing in mind my assessment of the overall impressions, I find that there is between a low and medium degree of conceptual similarity between the competing marks. Given that this represents the opponent’s best case, I do not consider it necessary to go on to consider the position should the letters in the contested mark be perceived as an acronym.

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<sup>27</sup> *Retail Royalty Company v Harringtons Clothing Limited*, O/593/20, paragraphs 74-75

<sup>28</sup> *Retail Royalty Company*, O/593/20, paragraph 76

See, for example, Joined Cases C-449/18 P and C-474/18 P, EU:C:2020:722, *EUIPO v Messi Cuccittini and J.M.-E.V. e hijos v Messi Cuccittini*

## **Likelihood of confusion**

49. There is no scientific formula to apply in determining whether there is a likelihood of confusion; rather, it is a global assessment where a number of factors need to be borne in mind. One such factor 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 necessary for me to keep in mind the distinctive character of the earlier trade mark, the average consumer for the goods and the nature of the purchasing process. In doing so, I must be alive to 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 that they have retained in their mind.

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

51. Earlier in this decision, I concluded that:

- The applicant's goods are identical to those in class 25 of the first earlier mark;
- The average consumer of the goods is likely to be a member of the general public, who would demonstrate a medium level of attention during the purchasing act;
- The purchasing process is predominantly visual in nature, though aural considerations have not been excluded;

- The first earlier mark has a medium level of inherent distinctive character, which has been enhanced to a very high level through use in relation to *'clothing articles for men, women and children, [...] footwear, headgear'*;
- The overall impression of the first earlier mark lies in the word 'ZARA', being the only element of the mark;
- The overall impression of the contested mark is dominated by the word or acronym 'T.A.R.A', while the runner device and the word 'SPORTSWEAR' play lesser roles;
- There is a medium degree of visual similarity between the competing marks;
- The competing marks are aurally similar to between a medium and high degree;
- The competing marks are conceptually similar to between a low and medium degree.

52. I acknowledge that the competing marks share three identical letters in the same order, i.e. 'A-R-A', and that this string appears within the dominant elements of the marks. I also accept that there is a conceptual overlap between the competing marks, insofar as the words 'ZARA' and 'T.A.R.A' would both be perceived as female forenames. However, it is important not to dissect the marks artificially and, instead, recognise that consumers will perceive them as wholes. When considering the competing marks in this context, there are differences between them which would not be overlooked by the average consumer during the purchasing process. The contested mark contains additional elements which are not replicated in the first earlier mark. While I have found the runner device and the word 'SPORTSWEAR' to be allusive and descriptive, respectively, it is my view that they would not be entirely overlooked. Further, and perhaps more significantly, although the dominant elements of the competing marks are both female forenames, they are distinct and will be appreciated as such by the average consumer; 'ZARA' and 'Tara' are both recognisable forenames and, to my mind, consumers will be able to differentiate

between them, not least because they begin with different letters. I do not consider that one forename would be mistakenly remembered or recalled as the other, even when accounting for imperfect recollection. In my judgement, notwithstanding the very high level of distinctive character possessed by the first earlier mark, the differences between the competing marks are likely to be sufficient for the average consumer to distinguish between them and avoid mistaking one for the other, even on goods that are identical. Accordingly, it follows that there will be no direct confusion.

53. That leaves indirect confusion to be considered. In *L.A. Sugar Limited v By Back Beat Inc*, Case BL O/375/10, Mr Iain Purvis Q.C., sitting as the Appointed Person, explained that:

“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.

Instances where one may expect the average consumer to reach such a conclusion tend to fall into one or more of three categories:

(a) where the common element is so strikingly distinctive (either inherently or through use) that the average consumer would assume that no-one else but the brand owner would be using it in a trade mark at all. This may apply even where the other elements of the later mark are quite distinctive in their own right (“26 RED TESCO” would no doubt be such a case).

(b) where the later mark simply adds a non-distinctive element to the earlier mark, of the kind which one would expect to find in a sub-brand or brand extension (terms such as “LITE”, “EXPRESS”, “WORLDWIDE”, “MINI” etc.).

(c) where the earlier mark comprises a number of elements, and a change of one element appears entirely logical and consistent with a brand extension (“FAT FACE” to “BRAT FACE” for example).”

54. I have borne in mind that these examples are not exhaustive. Rather, they were intended to be illustrative of the general approach. I also recognise that a finding of indirect confusion should not be made merely because the competing marks share a common element. In this connection, it is not sufficient that a mark merely calls to mind another mark: this is mere association not indirect confusion.<sup>29</sup>

55. Having regard to all the above principles, I do not believe that consumers will assume the opponent and the applicant are economically linked undertakings on the basis of the competing trade marks, even on goods that are identical. I am unconvinced that consumers would assume a commercial association between the parties, or sponsorship on the part of the opponent, merely because the marks have three identical letters in common, i.e. ‘A-R-A’, or a shared similar element, i.e. ‘ZARA/T.A.R.A’. Whilst the runner device and the word ‘SPORTSWEAR’ may both appear to be consistent with a brand extension (in the context of a venture into clothing for sport or physical exercise, for example), the same cannot be said of the dominant elements of the marks. Consumers would not separate the letters ‘A-R-A’ from the respective wholes of the competing marks and would have no reason to believe that it is so strikingly distinctive that only the opponent would be using it in a trade mark. Moreover, altering the first letter from a ‘Z’ to a ‘T’ is neither simply adding a non-distinctive element nor is it characteristic of any logical brand extensions with which consumers would be familiar. To my mind, there is no obvious reason why an undertaking would alter a trade mark consisting of one female forename to another,

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<sup>29</sup> *Duebros Limited v Heirler Cenovis GmbH*, BL O/547/17

resulting in the dominant element of the contested mark. In light of the foregoing, I conclude that there is no likelihood of indirect confusion.

56. For the sake of completeness, my conclusions at paragraphs 52 and 55 would be the same for consumers who perceive the 'T.A.R.A' element in the contested mark as an acronym. In circumstances where this element is not perceived as a female forename, there would be less similarity between the competing marks and, as a result, they would be even more easily distinguished. This factor points towards a lesser, rather than a greater, risk of confusion.

57. The opposition under section 5(2)(b) of the Act is dismissed.

### **Section 5(3)**

#### **Legislation and case law**

58. At the commencement of these proceedings, sections 5(3) and 5(3A) of the Act stated:

“(3) A trade mark which-

(a) is identical with or similar to an earlier trade mark, shall not be registered if, or to the extent that, the earlier trade mark has a reputation in the United Kingdom (or, in the case of a European Union trade mark or international trade mark (EC), in the European Union) and the use of the later mark without due cause would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark.”

(3A) Subsection (3) applies irrespective of whether the goods and services for which the trade mark is to be registered are identical with, similar to or not similar to those for which the earlier trade mark is protected”.

59. The relevant case law can be found in the following judgments of the CJEU: Case C-375/97, *General Motors*, Case 252/07, *Intel*, Case C-408/01, *Adidas-Salomon*, Case C-487/07, *L'Oréal v Bellure*, Case C-323/09, *Marks and Spencer v Interflora* and Case C383/12P, *Environmental Manufacturing LLP v OHIM*. The law appears to be as follows:

a) The reputation of a trade mark must be established in relation to the relevant section of the public as regards the goods or services for which the mark is registered; *General Motors*, paragraph 24.

(b) The trade mark for which protection is sought must be known by a significant part of that relevant public; *General Motors*, paragraph 26.

(c) It is necessary for the public when confronted with the later mark to make a link with the earlier reputed mark, which is the case where the public calls the earlier mark to mind; *Adidas-Salomon*, paragraph 29 and *Intel*, paragraph 63.

(d) Whether such a link exists must be assessed globally taking account of all relevant factors, including the degree of similarity between the respective marks and between the goods/services, the extent of the overlap between the relevant consumers for those goods/services, and the strength of the earlier mark's reputation and distinctiveness; *Intel*, paragraph 42.

(e) Where a link is established, the owner of the earlier mark must also establish the existence of one or more of the types of injury set out in the section, or there is a serious likelihood that such an injury will occur in the future; *Intel*, paragraph 68; whether this is the case must also be assessed globally, taking account of all relevant factors; *Intel*, paragraph 79.

(f) Detriment to the distinctive character of the earlier mark occurs when the mark's ability to identify the goods/services for which it is registered is weakened as a result of the use of the later mark, and requires evidence of a change in the economic behaviour of the average consumer of the goods/services for which the earlier mark is registered, or a serious risk that



this will happen in future; *Intel, paragraphs 76 and 77* and *Environmental Manufacturing, paragraph 34*.

(g) The more unique the earlier mark appears, the greater the likelihood that the use of a later identical or similar mark will be detrimental to its distinctive character; *Intel, paragraph 74*.

(h) Detriment to the reputation of the earlier mark is caused when goods or services for which the later mark is used may be perceived by the public in such a way that the power of attraction of the earlier mark is reduced, and occurs particularly where the goods or services offered under the later mark have a characteristic or quality which is liable to have a negative impact of the earlier mark; *L'Oréal v Bellure NV, paragraph 40*.

(i) The advantage arising from the use by a third party of a sign similar to a mark with a reputation is an unfair advantage where it seeks to ride on the coat-tails of the senior mark in order to benefit from the power of attraction, the reputation and the prestige of that mark and to exploit, without paying any financial compensation, the marketing effort expended by the proprietor of the mark in order to create and maintain the mark's image. This covers, in particular, cases where, by reason of a transfer of the image of the mark or of the characteristics which it projects to the goods identified by the identical or similar sign, there is clear exploitation on the coat-tails of the mark with a reputation (*Marks and Spencer v Interflora, paragraph 74* and the court's answer to question 1 in *L'Oréal v Bellure*).

60. The conditions of section 5(3) are cumulative. Firstly, the opponent must show that the first earlier mark is similar to the contested mark. Secondly, the opponent must show that the mark has achieved a level of knowledge, or reputation, amongst a significant part of the public. Thirdly, the opponent must establish that the public will make a link between the marks, in the sense of the first earlier mark being brought to mind by the contested mark. Fourthly, assuming the foregoing conditions have been met, section 5(3) requires that one or more of three types of damage claimed by the opponent will occur. It is not necessary for the purposes of section 5(3) that the goods

or services are similar, although the relative distance between them is one of the factors which must be assessed in deciding whether the public will make a link between the marks.

61. The relevant date for the assessment under section 5(3) is the filing date of the contested application, namely, 23 July 2020.

## **Reputation**

62. In *General Motors*, Case C-375/97, the CJEU held that:

“25. It cannot be inferred from either the letter or the spirit of Article 5(2) of the Directive that the trade mark must be known by a given percentage of the public so defined.

26. The degree of knowledge required must be considered to be reached when the earlier mark is known by a significant part of the public concerned by the products or services covered by that trade mark.

27. In examining whether this condition is fulfilled, the national court must take into consideration all the relevant facts of the case, in particular the market share held by the trade mark, the intensity, geographical extent and duration of its use, and the size of the investment made by the undertaking in promoting it.

28. Territorially, the condition is fulfilled when, in the terms of Article 5(2) of the Directive, the trade mark has a reputation ‘in the Member State’. In the absence of any definition of the Community provision in this respect, a trade mark cannot be required to have a reputation ‘throughout’ the territory of the Member State. It is sufficient for it to exist in a substantial part of it.”

63. The opponent has contended that the first earlier mark possesses a substantial reputation in the UK. This, it has argued, is because it has been in continual use throughout the UK for at least 23 years. The opponent has also highlighted the sales figures achieved under the first earlier mark, the promotion of the ‘ZARA’ brand and

its presence within the world's most valuable brands. Conversely, the applicant has denied that the first earlier mark has a reputation.

64. Taking the evidential picture as a whole into account, and for the same reasons outlined at paragraphs 36 to 39 I do not hesitate to conclude that the first earlier mark had a very strong reputation in the UK at the relevant date. Again, for the purposes of this decision, it is sufficient to note that this finding extends to '*clothing articles for men, women and children, [...] footwear, headgear*'.

## **Link**

65. As noted above, my assessment of whether the public will make the required mental 'link' between the marks must take into account all relevant factors. The factors identified in *Intel* are:

### The degree of similarity between the conflicting marks

I have found that the competing marks are visually similar to a medium degree, aurally similar to between a medium and high degree and conceptually similar to between a low and medium degree.

### The nature of the goods or services for which the conflicting marks are registered, or proposed to be registered, including the degree of closeness or dissimilarity between those goods or services, and the relevant section of the public

The average consumer of the goods at issue has been discussed above at paragraph 29.

I have found that the parties' respective goods in class 25 are identical.

### The strength of the earlier mark's reputation

I have found that the first earlier mark has a very strong reputation in the UK.

The degree of the earlier mark's distinctive character, whether inherent or acquired through use

I have found that the first earlier mark possesses a medium level of inherent distinctive character, which has been enhanced to a very high level through use.

Whether there is a likelihood of confusion

I have found there to be no likelihood of direct or indirect confusion for the reasons stated at paragraphs 52 and 55.

66. The opponent has submitted that it is clear the requisite link would be made in the mind of the average consumer. In addition, the opponent has contended that its reputation is so significant that such a link would be established regardless of the goods or services at issue. I have no comments from the applicant as to whether a link would be made between the competing marks.

67. Taking all of the above factors into account, notwithstanding the strength of the opponent's reputation and the level of distinctive character possessed by the first earlier mark, it is considered that the differences between the competing marks are such that the relevant public is unlikely to make a link between them. Although I have found that the dominant element of the competing marks, i.e. 'ZARA' and 'T.A.R.A', are both likely to be perceived as female forenames by some consumers, they are recognisable and distinct. Having immediately recognised the letters 'T.A.R.A' to be referring to that particular forename upon encountering the contested mark, it is highly unlikely that the first earlier mark – constituting an entirely different forename – would be brought to mind, even in respect of identical goods. This is, in my view, particularly the case, given that, in my experience, consumers are accustomed to differentiating between clothing brands that use names to designate trade origin. If any link is made, it is my view that it will be too fleeting to result in any damage arising. As for consumers who do not perceive 'T.A.R.A' in the contested mark to be a female forename, I find that it is even less likely that the first earlier mark will be brought to mind, given that the competing marks will no longer share this common feature.

68. The opposition based upon section 5(3) is dismissed.

## **CONCLUSION**

69. The opposition under sections 5(2)(b) and 5(3) of the Act has failed. Subject to any successful appeal against my decision, the application will become registered in the UK.

70. I should add that, although this conclusion has been reached on the basis of the first earlier mark only, I have not considered it necessary to assess the opponent's reliance on the second or third earlier marks as these do not improve its position.

71. Further, as the class 35 services of the third earlier mark were not determinative, this decision is final.

## **COSTS**

72. As the applicant has been successful, it is entitled to a contribution towards its costs based upon the scale published in Tribunal Practice Notice 2/2016. In the circumstances, I award the applicant the sum of £650 as a contribution towards the cost of the proceedings. This sum is calculated as follows:

Considering the opponent's statement and preparing a counterstatement	£300
Considering the opponent's evidence and written submissions	£350
<b>Total</b>	<b>£650</b>

73. I therefore order Industria de Diseno Textil, S.A. (Inditex, S.A.) to pay Unilateral Ltd the sum of £650. This sum should be paid within twenty-one days of the expiry of the appeal period or, if there is an appeal, within twenty-one days of the conclusion of the appeal proceedings (subject to any order made by the appellate tribunal).

**Dated this 20<sup>th</sup> day of October 2021**

**James Hopkins  
For the Registrar  
The Comptroller General**

## **ANNEX**

### **Goods and services of the first earlier mark**

Class 25: Clothing articles for men, women and children, belts, hosiery, footwear, headgear.

Class 35: The bringing together, for the benefit of others, of a variety of goods, enabling customers to conveniently view and purchase those goods in a retail department store; advertising and business management services relating to retail fashion goods; business management and business administration services; sales promotion, compilation and provision of sale information; shop window dressing; advertising including direct distribution of advertising material and catalogues, direct-mail advertising, distribution of samples.

### **Goods and services of the second earlier mark**

Class 3: Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; abrasive paper; adhesives for affixing false eyelashes; adhesives for affixing false hair; adhesives for cosmetic purposes; alum stones [antiseptic]; bath salts, not for medical purposes; cotton sticks for cosmetic purposes; cotton wool for cosmetic purposes; decorative transfers for cosmetic purposes; denture polishes; emery cloth; emery paper; false eyelashes; false nails; fumigation preparations [perfumes]; glass cloth; glass paper; incense; lacquer-removing preparations; paint stripping preparations; paper guides for eye make-up; polishing paper; potpourris [fragrances]; pumice stone; sachets for perfuming linen; sandcloth; sandpaper; shampoos; shaving stones [antiseptic]; shoemakers' wax; smoothing stones; swabs [toiletries]; tailors' wax; toiletries; tripoli stone for polishing; varnish-removing preparations; scented wood; shampoos for pets; mouth washes, not for medical purposes; cobblers' wax.

Class 9: Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and

teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus; animated cartoons; apparatus for changing record player needles; asbestos clothing for protection against fire; asbestos gloves for protection against accidents; bullet-proof vests; bullet-proof waistcoats; cabinets for loudspeakers; cases especially made for photographic apparatus and instruments; cases fitted with dissecting instruments [microscopy]; cleaning apparatus for phonograph records; cleaning apparatus for sound recording discs; clothing for protection against accidents, irradiation and fire; computer programmes [programs], recorded; computer operating programs recorded; computer operating programs, recorded; computer peripheral devices; computer software [recorded]; containers for contact lenses; divers' apparatus; divers' masks; diving suits; earplugs for divers; filters for respiratory masks; fire beaters; fire blankets; fire boats; fire engines; fire hose nozzles; floats for bathing and swimming; furniture especially made for laboratories; garments for protection against fire; gloves for divers; gloves for protection against accidents; gloves for protection against X-rays for industrial purposes; holders for electric coils; interfaces [for computers]; juke boxes [for computers]; knee-pad for workers; magnets; masts for wireless aerials; micrometer screws for optical instruments; monitors [computer programs]; motor fire engines; nets for protection against accidents; pince-nez chains; pince-nez cords; pince-nez cases; pince-nez mountings; plotters; protective helmets; protective masks; protective suits for aviators; protection devices for personal use against accidents; push button for bells; reflecting discs, for wear, for the prevention of traffic accidents; reflecting discs for wear, for the prevention of traffic accidents; respirators [other than for artificial respiration]; respirators for filtering air; respiratory masks [other than for artificial respiration]; retorts' stands; road signs, luminous or mechanical; safety nets; safety restraints [other than for vehicle seats and sports equipment]; safety tarpaulins; signs luminous; shoes for protection against accidents, irradiation and fire; solderers' helmets; spark-guards; stands for photographic apparatus; steering apparatus, automatic, for vehicles; spectacle frames; spectacle cases; swimming belts; swimming jackets; teeth protectors; turnstiles, automatic; tripods for cameras; water wings; workmen's protective face-shields.



Class 14: Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments; agates; anchors [clock and watch-making]; barrels [clock and watchmaking]; clock cases; clockworks; coins; copper tokens; jet, unwrought or semi-wrought; key rings [trinkets or fobs]; medals; movements for clocks and watches; objects of imitation gold; olivine [gems]; olivine [gems]; ormolu ware; ormolu ware; ornaments of jet; pearls made of ambroid [pressed amber]; semi-precious stones; spinel [precious stones]; straps for wristwatches; watch bands; watch cases; watch chains; watch crystals; watch glasses; watch springs; watch straps; pendulums [clock- and watchmaking]; dials [clock- and watchmaking]; clock hands [clock- and watchmaking].

Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks; adhesive tapes for stationery or household purposes; aquarium hoods; babies' diaper-pants of paper and cellulose [disposable]; babies' diapers of paper and cellulose [disposable]; babies' napkin-pants [diaper-pants] of paper and cellulose [disposable]; babies' napkin-pants of paper and cellulose [disposable]; babies' napkins of paper and cellulose [disposable]; bags for microwave cooking; balls for ball-point pens; chaplets; composing frames [printing]; composing sticks; control tokens; engraving plates; galley racks [printing]; garbage bags [of paper or of plastics]; graining combs; hand labelling appliances; house painters' rollers; indoor aquaria; marking chalk; packaging material made of starches; passport holders; photograph stands; printers' blankets, not of textile; printers' galleys; rosaries; self-adhesive tapes for stationery or household purposes; sheets of reclaimed cellulose for wrapping; steatite [tailor's chalk]; tailors' chalk; tanks [indoor aquaria]; trays for sorting and counting money; vignetting apparatus; wristbands for the retention of writing instruments; architects' models; indoor terrariums [vivariums]; holders for checkbooks [cheque books].

Class 24: Textiles and textile goods, not included in other classes; bed and table covers; banners; bunting; curtains of textile or plastic; flags [not of paper]; furniture coverings of plastic; plastic material [substitute for fabrics].

Class 25: Clothing, footwear, headgear; babies' diapers of textile; babies' napkins of textile; boot uppers; cap peaks; dress shields; fittings of metal for shoes and boots; footwear uppers; hat frames [skeletons]; heelpieces for boots and shoes; heelpieces for stockings; heels; inner soles; iron fittings for boots; iron fittings for shoes; iron fittings for shoes; non-slipping devices for boots and shoes; pockets for clothing; ready-made linings [parts of clothing]; shirt fronts; shirt yokes; soles for footwear; studs for football boots [shoes]; tips for footwear; visors [hatmaking]; welts for boots; welts for boots and shoes; welts for shoes.

Class 28: Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees; artificial fishing bait; billiard cue tips; billiard markers; billiard table cushions; bite indicators [fishing tackle]; bite sensors [fishing tackle]; bladders of balls for games; chalk for billiard cues; Christmas tree stands; Christmas trees of synthetic material; cricket bags; edges of skis; fairground ride apparatus; fish hooks; floats for fishing; golf bags, with or without wheels; gut for fishing; gut for rackets; kite reels; lines for fishing; novelties for parties, dances [party favors, favours]; protective paddings [parts of sports suits]; rollers for stationary exercise bicycles; scrapers for skis; seal skins [coverings for skis]; ski bindings; strings for rackets; wax for skis; sole coverings for skis.

Class 37: Mending clothing, shoe repair, washing, laundering, leather and fur care, cleaning and repair, cleaning of clothing, dry cleaning, pressing of clothing, linen ironing, renovation and repair of clothing, fulling of cloth, shoe repair.

Class 40: Services in relation to treatment of materials. Applying finishes to textiles, bleaching embroidered fabric, shoe staining and cloth dyeing, planing, custom fashioning of fur, cloth cutting, dressmaking, leather staining and leather working, tanning, quilting, cloth pre-shrinking, fabric waterproofing and fireproofing, crease-resistant treatment for clothing, wool treating, fur glossing, fur satining and dyeing, fur

conditioning, clothing alteration, cloth edging, tailoring, textile treating, cloth cutting and dyeing, textile and fur mothproofing.

Class 42: Medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; computer programming; services that cannot be placed in other classes; Rental of evening dress, uniforms and clothing, industrial design, dress designing, design of interior decor, knitting machine rental, fashion information, technical and chemical research, textile testing.

### **Goods and services of the third earlier mark**

Class 1: Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures for the soil; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving food stuff; tanning substances; adhesives used in industry.

Class 2: Paints, varnishes, lacquers; preservatives against rusts and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists; anticorrosives; whitewash; dye stuffs; preservatives for wood; ink for leather; indigo (colorant); wood stains"; wallpaper removing preparations; ink for skin-dressing; paints; thinners for paints; siccatives (drying agents) for paints.

Class 3: Bleaching preparations and other substances for laundry use; Cleaning-, polishing, scouring- and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; shaving preparations; toilet waters; bluing for laundry; starch for laundry purposes; colour-brightening chemicals for household purposes (laundry); cotton sticks for cosmetic purposes; beauty masks; sun-tanning preparations (cosmetics); cosmetic preparations for skin care; hair colourants and dyes; shoe polish and creams; laundry wax; parquet floor wax; furniture polishes; floor polishes; floor wax removers; shoemakers' wax, non-slipping wax for floors, polishing wax, waxes for leather; tailors' wax; shoemakers' wax; shampoos; cosmetic kits; depilatories; make-up removing preparations, deodorants for personal use

(perfumery); lipsticks; pencils (cosmetic -); hair lacquers and nail varnish; lacquer-removing preparations; tissues impregnated with cosmetic lotions; premoistened or impregnated cleansing tissues or wipes; aftershave lotions; lotions for cosmetic purposes; make-up products; pomades for cosmetic use; stain-removers; preparations for perfuming linen; nail care products; shoe wax and cobblers' wax; shoe creams, bleaching preparations (decolorants) for cosmetic purposes; extracts of flowers (perfumes); incense; scented wood; decorative transfers for cosmetic purposes; false eyelashes and nails; pumice stone; aromatic potpourris; cosmetic preparations for slimming purposes; cosmetic preparations for baths; hair-waving preparations; washing preparations; toiletries; mouth washes (not for medical purposes); bath salts, not for medical purposes; sanitary preparations which are toiletries; oils for toilet purposes; sun-tanning preparations (cosmetics); eau-de-Cologne; deodorant soap; talcum powder for toilet use; Abrasive and grinding preparations; moustache wax; hair dyes; eyebrow cosmetics; depilatory wax; cleaning wax; shampoos for pets; cosmetics for animals; cosmetic creams; bars of soap; soap for foot perspiration; detergents other than for use in manufacturing operations and for medical purposes; cleansing milk for toilet purposes; bleaching preparations; dry cleaning preparations; scented waters; perfumes; cosmetic preparations for eyelashes; make-up powder; adhesives for fixing false hair; softeners; cosmetic dyes; color-removing preparations; cloths impregnated with detergent for cleaning.

Class 4: Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks of lighting; bath oils, grease for footwear, grease for leather; candles.

Class 5: Preparations for destroying vermin, Fungicides, Herbicides.

Class 6: Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; metal tubes and pipes; safes; goods of common metal not included in other classes; ores of metal; burial vaults of metal, empty tool boxes of metal, preserving boxes of metal, padlocks, bells, chests of metal; zip fasteners of metal; stepladders of metal, hooks (metal hardware), buckles of common metal; money boxes of metal; badges of metal; cans, key rings;

ice moulds of metal, works of art of common metal; poles of metal; identity plates of metal; ironmongery; wire gauze; wire cloth; doorbells, knobs (metal door handles); door handles of metal.

Class 7: Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs.

Class 8: Hand operated hand tools and implements; items of cutlery, forks and spoons; side arms; razors; non-electric can openers, non-electric hand implements for hair curling; Depilation appliances, electric and non-electric; nutcrackers, not of precious metal, electric and non-electric nail clippers; manicure sets; razor cases; razor blades; lasts (shoemakers' hand tools); nail files; Hair clippers, electric and non-electric; beard clippers; shaving cases; hair removing tweezers; nail nippers; zesters; scissors; vegetable choppers; mortars; oyster openers; whetstones; pliers; insecticide atomisers; sugar tongs; graving tools [hand tools]; tool belts; non-electric pizza cutters; egg slicers (non-electric); cheese-slicers, non-electric; Tableware (knives, forks and spoons); needle-threaders; fireplace bellows; keys; eyelash curlers; rakes; pincers.

Class 9: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission and reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing apparatus and computers; fire-extinguishing apparatus; computer peripheral equipment; anti-glare spectacles; pince-nez chains; footwear for protection against accidents, radiation and fire; bullet-proof vests, swimming jackets and life jackets; contact lenses; cords for eyeglasses; dressmaker's measures; spectacle glasses; spectacle and pince-nez cases and containers for contact lenses; garments for protection against fire; spectacle frames; Spectacles (optics); sunglasses; gloves for divers; gloves for protection against accidents; diving suits; pince-nez; optical lenses; magnetic cards; magnetic identity cards; clothing for protection against accidents and radiation; protective suits

for aviators; electronic diaries; make-up removing appliances, electric; telephone apparatus; weighbridges; compasses; accounting machines; protective helmets; telescopes; chronographs (time recording apparatus); measuring spoons; pedometers; compact discs (audio-video); optical compact discs; optical mirrors; floats for swimming; binoculars; printers for use with computers; temperature indicators; instruments containing eyepieces; game programs; cassette readers; barcode scanners; compact disc players; optical readers; signal, magic and optical lanterns; magnifying glasses; dictating and invoicing machines; mechanisms for counter-operated apparatus; weights; electric, solar and galvanic batteries; flat irons, electric; computer software (recorded); computer operating programs (recorded); mouse (data processing equipment); pocket electronic calculators; transistors (electronic); thermometers, not for medical purposes; apparatus for games adapted for use with television receivers only; audio and video receivers; intercommunication apparatus; video cassettes; animated cartoons; teaching apparatus; walkie talkies; Electronic publications (electronically-downloadable); egg timers (sand glasses); teeth protectors; hair-curlers, electrically heated; pocket calculators; video cameras; capacity measures; video game cartridges; headphones; abacuses; loudspeakers; mouse mats; aerials; apparatus and instruments for astronomy; telephone receivers; scales; life-saving rafts; barometers; batteries, electric; electrically heated hair curlers; flashlights (photography); answerphones; graduated glassware; Helmets (Protective - ) for sports; sports glasses; photographic transparencies; slide projectors; reflecting discs, for wear, for the prevention of traffic accidents; cases fitted with dissecting instruments [microscopy]; dosage dispensing apparatus; cigar lighters for automobiles; plug covers; junction boxes (electricity); fire escapes; films, exposed; filters for respiratory masks; flash-lights (photography); stands for photographic apparatus; holograms; magnets and decorative magnets; earplugs for divers; ear plugs; electric devices for attracting and killing insects; switches; lasers (not for medical purposes); luminous beacons; neon signs; megaphones; memories for computers; meteorological instruments; rules (measuring instruments); microphones; microscopes; peepholes [magnifying lenses] for doors; modems; lenses (optics); shutters (photography); recorded computer programs; computer programs (downloadable software); ozonisers (ozonators); projection apparatus and screens; dog whistles; weighing apparatus and instruments; nose clips for divers and swimmers; prisms [optics]; push buttons for bells; light-emitting electronic pointers;

radio apparatus; radiotelephony sets; radiotelephones; rulers [measuring instruments]; knee-pads for workers; vehicle breakdown warning triangles; sirens; electronic notice boards; computer keyboards; telescopes; word processors; rods for water diviners; video telephones; anti-glare visors; photographic view-finders; sun visors; voting machines; buzzers.

Class 10: Surgical, medical, dental and veterinary apparatus and instruments; artificial limbs, eyes and teeth; orthopedic articles; suture materials; teething rings; feeding bottles; feeding bottle valves; feeding bottle teats; dummy (teats); nursing appliances; ear picks; incubators for babies; respirators for artificial respiration; breast pumps; commode chairs; orthopedic footwear (shoes); arch supports for boots and shoes.

Class 11: Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, electric heating pads, not for medical purposes; toasting apparatus, clothes drying apparatus; bath tubs, bidets, light bulbs, electric coffee percolators, electric heaters for feeding bottles; cookers, showers, lighters, lanterns, sinks, lamp globes, taps, lamps, wash-hand basins, electric pocket torches, blankets, burners, lamp shades, hair dryers, electric laundry dryers, toilet bowls.

Class 12: Vehicles; vehicles for locomotion by air, land or water; security harness for vehicles seats; safety seats for children for vehicles; head-rests for vehicle seats; safety belts for vehicle seats; vehicle seat covers; carts; bicycles; parts and/or fittings for bicycles included in this class; pushchairs; parts and/or fittings for pushchairs included in this class; pushchairs; parts and/or fittings for prams included in this class; sleighs and sleds (vehicles); sledges.

Class 13: Firearms; ammunition and projectiles; explosives; firework games.

Class 14: Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments; ornamental pins; tiepins; objects of art in precious metals; novelty key rings; medals; coins; badges of precious metal; shoe and hat ornaments (of precious metal); cuff-links; watches; cases for watches; watch straps and watch

bracelets; jewellery cases; pocket watches; sundials; electrical clocks; tie clips; trinkets (jewellery); paste jewellery; ivory (jewellery); pearls [jewellery, jewelry]; precious stones; earrings; alarm clocks; rings; chronometers.

Class 15: Musical instruments; musical boxes; cases for musical instruments; music rolls; music stands; picks for stringed instruments.

Class 16: Paper, cardboard and goods made from these materials, not included in other classes; printed matter; publications; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks; engravings; boxes of cardboard or paper; patterns for making clothes and for dressmaking; tissues of paper for removing make-up; stencil cases; labels (not of textile); table linen of paper; paper table napkins; babies' napkins of paper and cellulose (disposable); babies' pants made of paper or cellulose (disposable); handkerchiefs of paper; pen cases; check-book wallets; school supplies (stationery); inking sheets for document reproducing machines; bags (envelopes, pouches) of paper or plastics, for packaging, tailors' chalk; face towels of paper; hat boxes of cardboard; tracing cloth and paper; bookbinding cloth; canvas for painting; towels of paper; albums; almanacs; hand labelling appliances; binders (loose leaf); writing instruments and materials; transfers (decalcomanias); calendars; posters; jackets for papers; passport holders; catalogues; trading cards; drawing sets; diaries; newspapers; magazines (periodicals); books; lithographs; packing paper; toilet paper; paperweights; mats for beer glasses; bookmarks; bookmarkers; bookends; ink; inkwells; bibs of paper; drawing supplies; drawings; school supplies; slate boards for writing; comic strip publications; trays for sorting and counting money; adhesive patterns (embroidery); garbage bags of paper or plastic; geographical maps; terrestrial globes; moisteners (office requisites); plastics for modelling; plans; stencils (stationery); placards of paper or cardboard; cards; steel letters and pens; aquarelles; adhesive tape dispensers; adhesive tapes and strips for stationery or household purposes; stickers for stationery; cigar bands; files (office requisites); modelling clay; arithmetical tables; drawer liners of paper (perfumed or not); architects' models; atlases; flags and pennants of paper; tickets; pads (stationery); ball-point pens; bags



for microwave cooking; writing board erasers; rubber erasers; erasing products; bottle envelopes and wrappers of cardboard and paper; paint easels; song books; charcoal pencils; writing paper; advertisement boards of paper or cardboard; booklets; ink cartridges; modelling wax, not for dental purposes; sealing wax; drawing pins; paper ribbons and bows; inking ribbons for computer printers; ribbons for typewriters; clipboards; cabinets for stationery (office requisites); compasses for drawings; paper clasps; paper cutters (office requisites); patterns for dressmaking; notebooks; paintings (pictures) framed or unframed; finger-stalls (office requisites); bookbinding material; bookbinding apparatus and machines (office equipment); gummed cloth for stationery purposes; inking pads; drawing squares; shields (paper seals); greetings cards; filter paper; covers; photograph stands; elastic bands for offices; stitching machines and stapling presses for office use; staples for offices; paper sheets (stationery); electric or non-electric pencil sharpeners; pencil holders; luminous paper; palettes for painters; silver paper; waxed paper; modelling paste; perforators (office equipment); painters brushes; rollers (house painters'-); postcards; rosaries; blotters; envelopes (stationery); clips of metal for money and index cards.

Class 17: Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; semi-finished plastic products; packing, stopping and insulating materials; flexible pipes, not of metal.

Class 18: Leather and imitations of leather, and goods made of these materials not in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery; bags for climbers, campers and the beach; handbag frames; frames for umbrellas or parasols; mountaineering sticks; bags; handbags; travelling bags; travelling sets and key cases (leatherware); attaché cases; purses, not of precious metal; school bags; garment bags for travel; hat boxes of leather; sling bags for carrying infants; wheeled shopping bags; pots and boxes of leather or leather board; boxes of vulcanised fibre; school bags, school satchels,; pocket wallets; briefcases; beauty boxes (unfitted); collars for animals; leather leashes; leather laces; umbrella covers; saddle cloths for horses; haversacks; horse rugs and blankets; rucksacks; rucksacks for schoolchildren; music cases; halters; bags (envelopes, pouches) of leather, for packaging; riding saddles; pads for horse saddles; umbrella rings; blinkers (harness); harness fittings of iron; harness for

animals; harness fittings; shooting sticks; shoulder belts of leather; empty tool bags of leather; chain mesh purses, not of precious metal; beach bags; muzzles; bridles (harness); head-stalls; leather board; bands of leather; travelling trunks; shopping bags; straps for soldiers' equipment; harness traces; straps of leather (saddlery); straps for skates; trimmings of leather for furniture; straps of leather; butts (parts of hides); curried skins; cat o' nine tails; coverings of skins (furs); stirrup leathers; parts of rubber for stirrups; bits for animals (harness); reins; Attaches; moleskin (imitation of leather); fur-skins; chamois leather, not for cleaning purposes; nose bags (feed bags); net bags for shopping; sleeves, of leather, for springs; knee pads for horses; fastenings for saddles; card cases (notecases); traces (harness); valves of leather; Stirrups.

Class 19: Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.

Class 20: Furniture, mirrors, picture frames; Goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics; fans for personal use, pillows; curtain tie backs; babywalkers; curtain rings; chests, not of metal; cabinets; works of art of wood, wax, plaster or plastic; book stands; benches (furniture); table tops; curtain rods; chests for toys; screens; embroidery frames; bottle racks; medicine cabinets; busts of wood, wax, plaster or plastic; head-rests (furniture); boxes of wood or plastic; chests for toys; beds; water beds, not for medical purposes; Beds for domestic pets; settees; wax figures; bolsters; trolleys (furniture); bottle racks; brush mountings; trays, not of metal; cushions; mattresses; chests of drawers; bamboo blinds; cots; divans; desks; statuettes of wood, wax, plaster or plastic; shelving; mirrors; display stands; index cabinets; meat chests, not of metal; garment covers (storage); bed and furniture fittings; easy chairs; flower stands; Jewellery cases, not of precious metal; mannequins; table, works of art of wood, wax, plaster and of plastic; drinking straws; fire screens; umbrella stands; playpens for babies; flower-pot pedestals; coat hangers and hats, coathangers; door handles, not of metal; indoor blinds for windows (furniture); latches, not of metal; desks; magazine racks; curtain rails; curtain rollers; writing desks; sleeping bags for camping; chairs,

armchairs; sofas; spring mattresses; bookholders; table tops; bulletin boards; stools; corks for bottles; corks; Caps, not of metal; embroidery frames, high chairs for babies; key boards for hanging keys; highstools for children; loungers; showcases (furniture).

Class 21: Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; brushes; materials for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in buildings); glassware, porcelain and earthenware not included in other classes; bottle openers; oil cruets; indoor aquaria; cocktail stirrers; candle extinguishers; non-electric appliances for removing make-up, sugar bowls; trays; baby baths [portable]; cloth for washing floors; bowls; tea balls; boxes for sweetmeats; powder puffs; bottles; shaving brushes; insulating flasks; stew-pans; crockery; coffeepots, non-electric, not of precious metal; boxes, bottle warmers, not electric; shoehorns, candlesticks; drinking flasks for travellers; wine tasters; fly swatters; epergnes; shoe brushes; nail brushes; toothbrushes; brushes (dishwashing-); baskets; fitted picnic baskets, including dishes; bread baskets; cocktail shakers; strainers; trouser stretchers; ice pails; ice boxes; mixing spoons [kitchen utensils]; scoops; bowls; decanters; tie presses; soap dispensers; funnels; door handles of porcelain; salad bowls; brooms; spatulas; spice racks; combs cases; lunch boxes; flasks; vegetable dishes; crockery; tailored covers for ironing boards; skins of chamois for cleaning; greasers; gardening gloves; gloves for household use; polishing gloves; kettles (non-electric); shoe-trees (stretchers); non-metal piggy banks; egg cups; soap dishes; pitchers; vases; birdcages; signboards of porcelain or glass; cabarets (trays); liqueur sets; flower pots; butter dishes; Fly swatters; kitchen moulds; mills for domestic purposes, hand-operated; toothpicks; mops; non-electric portable coolers; cooking pots; toilet requisites; works of art made of porcelain; of terracotta or glass; chamber pots; toothpick holders; candlesticks; carpet beaters (not being machines); bread baskets; dusting cloths (rags); pepper shakers; pegs and drying racks for washing; plates; feather-dusters; powder compacts; knobs of porcelain; stands for shaving brushes; sponge holders; soap holders; coasters, not of paper and other than table linen; toilet paper holders; trouser presses; perfume sprayers and vaporisers; perfume burners; graters; thermal holders; crumb trays; coasters, trivets; boot jacks, corkscrews; carpet beaters; salt shakers; pans; clothes racks [for drying]; coffee and tea sets; napkin rings; tureens; washing boards; ironing boards; bread boards; carving

boards; pot lids; cups; mugs; shirt stretchers; shoe-trees (stretchers); insulating flasks, teapots; flowerpots; lye washtubs; rods and rings for towels; toilet utensils; tableware; glasses; cruets.

Class 22: Ropes, string nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials; eider down; packing, of straw, for bottles; hammocks; tarpaulins.

Class 23: Yarns and threads, for textile use.

Class 24: Textiles and textile goods, not included in other classes; bed and table covers; bath linen (except clothing); textile tissues for removing make up; labels (cloth); linings (textile); toilet gloves; wall hangings of textile; handkerchiefs of textile; curtains of textiles or plastic; household linen; towels of textile; travelling rugs; net curtains; curtain holders of textile material; flags (not of paper); eiderdowns (down coverlets); loose covers for furniture; cushion covers; mosquito nets; glass cleaners; billiard cloth; traced cloths for embroidery; furnishing and upholstery fabrics; textile face towels; sleeping bags [sheeting]; table runners; bed covers; mattress covers; oilcloth [for use as tablecloths]; table cloths [not of paper]; sheets; coasters (table linen); table napkins of textile; adhesive fabric for application by heat; fabric of imitation animal skins; brocades; trellis (cloth); lining fabric for shoes; fabric for boots and shoes; cheviots (cloth); Velvet; felt; cotton fabrics; bedspreads; tulle; crepe (fabric); crepon; damask (fabric); lingerie fabric; elastic woven material; flannel (fabric); cheese cloths; crepe (fabric); gummed cloth, other than for stationery; haircloth (sackcloth); jersey (fabric); woollen cloth and fabrics; linen cloth; embroidered fabric; marabouts (cloth); ticks (mattress covers); upholstery fabrics; cushion covers; ramie fabric; rayon fabric; silk fabrics; esparto fabric; taffeta (cloth); knitted fabric, zephyr (cloth); fibreglass fabrics for textile use; Textile printing blankets; chenille fabric; textile place mats; bed blankets; fitted toilet lid covers of fabric; shower curtains of textiles or of plastic.

Class 25: Ready-made clothing for men, women and children, footwear (except orthopaedic), headgear; motorists' and cyclists' clothing; bibs, not of paper; headbands (clothing); bathrobes; swimming costumes; bathing caps and sandals; boas (necklets);

underwear; baby pants; mufflers; boots for sports and beach shoes; hoods (clothing); shawls; belts (clothing); money belts (clothing); wet suits for water skiing; ties; corsets (underclothing); sashes for wear; fur stoles; corsets; scarves; caps (headwear); caps; gloves (clothing); raincoats; underwear, mantillas; stockings; socks; neckerchiefs; babies nappies of textile; dress handkerchiefs; furs (clothing); pyjamas; soles for footwear; heels; veiling (clothing); braces; paper clothing; gymnastic and sports outfits; layettes; shoulder wraps (clothing), singlets, mittens; ear muffs (clothing); inner soles; bow ties; pareo; Wristbands clothing; dress shields; masquerade costumes; beach clothes; visors (hatmaking); dressing gowns; pockets for clothing; sock suspenders; stocking suspenders; petticoats; tights; aprons (clothing); headgear (for wear); galoshes; headgear (hats, caps, etc); gaiters; coats; esparto shoes or sandals; non-slipping devices for shoes; bath robes; bath slippers; birettas (headwear); blouses; bodies; berets; footmuffs, not electrically heated; lace boots; boots; boot uppers; studs for football boots [shoes]; ankle boots; fittings of metal for shoes and boots; tips for footwear; welts for boots and shoes; heelpieces for shoes; boxer shorts; shirts; shirt yokes; shirt fronts; t-shirts; bodices (lingerie); waistcoats; jackets; fishermen's jackets; greatcoats; combinations (clothing); slips (undergarments); detachable collars; collars; articles of clothing made of leather; imitation leather clothing; shower caps; slippers; skirts; ready-made linings (parts of clothing); topcoats; gabardines (clothing); gymnastic shoes; jerseys (clothing); pullovers; sweaters; liveries; muffs; footwear uppers; parkas; wraps; pelisses; leggings; gaiters; hosiery; knitwear [clothing]; gymnastic clothing; outer clothing; sandals; saris; briefs; hats; brassieres; wimples; togas; trouser straps; suits; turbans; dresses; slippers, sports shoes.

Class 26: Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers; tinsels (trimming for clothing); cushions for pins; ornaments for the hair; shoe and hat ornaments (not of precious metal); hairbands; bandages (menstruation -); reins for guiding children; brooches (clothing accessories); hair grips (slides); slides [hair grips]; sewing boxes; shoe fasteners; Belt clasps; hooks (haberdashery); hair bows; needle cases; buckles (clothing accessories); pads for clothing; badges for wear not of precious metal; spangles for clothing; Haberdashery, except thread; passementerie; feathers (clothing accessory); laces for footwear; wreaths of artificial flowers; tea cosies; ornamental novelty badges; sewing thimbles; marking linen (numerals or letters for -); bodkins; top-knots [pompoms]; competitors'

numbers; heat adhesive patches for decoration of textile articles (haberdashery); snap fasteners; ostrich feathers (clothing accessories); prize ribbons; false beards; false moustaches; hair curlers; tassels [haberdashery]; hair nets; frills [lacework]; lace trimming; collar supports; elastic ribbons; braids; festoons [embroidery]; hair highlighting caps; darning lasts; gold embroidery; silver embroidery; tresses of hair; wigs; heat adhesive patches, patches for repairing textile articles; toupees; clothing (edgings for -); skirt flounces.

Class 27: Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings not made of textile; bath mats; wallpaper; wallpapers; floor coverings for existing floors; carpet underlay; floor coverings.

Class 28: Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees; fishing tackle; fishing rods; toy and theatrical masks, dolls' houses; climbers' harnesses; party novelties; gloves for games; baseball, boxing, fencing and golf gloves; puppets; automatic games, other than coin-operated and those adapted for use with television receivers only; machines for physical exercises; Christmas trees of synthetic material; bladders of balls for games; elbow and knee guards (sports articles); kites; rattles; kaleidoscopes; rocking horses; building games; amusement machines, automatic and coin-operated; playing cards; teddy bears; dolls; doll's clothing; air pistols (toys); chess sets; flippers for swimming; ring games; Christmas tree stands; archery implements; novelty jokes; balls for games, play balloons; dolls' feeding bottles; building blocks [toys]; body boards; skittles (games); stationery exercise bicycles; golf bags, with or without wheels; doll's beds; marbles for games; dolls' houses; butterfly nets; swings; confetti; cups for dice; dice; draughts sets; checkerboards; darts; discuses for sports; flying discs (toys); dominoes; gaming chips; skis; covers specially designed for skis and surfboards; tables for indoor football; gymnastic equipment; horseshoe games; hockey sticks; soap bubbles (toys); board games; toys for pets; scale model toy vehicles; skateboards; mobiles [toys]; paintballs (sports apparatus); artificial snow for Christmas trees; billiard and golf balls; billiard tables; skating boots with skates attached; in-line roller skates; ice skates; roller-skates; scooters (toys); soft toys; spinning tops (toys); pinatas; swimming pools [sports or play articles]; punching bags; puzzles; conjuring apparatus; rackets; parlor games; skateboards, surf- and windsurf-boards;

chessboards; sling shots (sports articles); slides [playthings]; spring boards [sporting articles]; sleighs (sports articles); vehicles (toys); remote-controlled vehicles (playthings); shuttlecocks.

Class 29: Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats.

Class 30: Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.

Class 31: Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt.

Class 32: Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for the preparation of beverages.

Class 33: Alcoholic drinks (except beer).

Class 34: Tobacco; smokers' articles; matches; cigar cases (with humidifier), cigarette cases, cigar cases; tobacco pouches; cigarette cases; ashtrays for smokers; lighters for smokers; tobacco pipes; cigar cutters; cigar cases; Pipe cleaners for tobacco pipes; cigarette paper; tobacco jars; cigarette tips; match boxes; gas containers for cigar lighters; pocket cigarette rolling machines; books of cigarette papers; firestones; pipe racks (for tobacco pipes); match holders; ashtrays, of precious metal, for smokers.

Class 35: *Advertisement services; business management; business administration; office functions; retailing and wholesaling in shops, selling via global computer networks, by catalogue, by mail order, by telephone, by radio and television and via other electronic means of chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry, unprocessed artificial resins, unprocessed plastics, manures, fire extinguishing compositions, tempering and*

*soldering preparations, chemical substances for preserving foodstuffs, tanning substances, adhesives used in industry, paints, varnishes, lacquers, preservatives against rust and against deterioration of wood, colorants, mordants, raw natural resins, metals in foil and powder form for painters, decorators, printers and artists, anti-corrosive preparations, whitewash, dyestuffs, wood preservatives, ink for leather, indigo (colorant), wood stains, wallpaper removing preparations, ink for skin-dressing, paints, thinners for paints, siccatives (drying agents) for paints, bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, shaving preparations, toilet water, bluing for laundry, starch for laundry purposes, colour-brightening chemicals for household purposes (laundry), cotton sticks for cosmetic purposes, beauty masks, sun-tanning preparations (cosmetics), cosmetic preparations for skin care, hair dyes, boot polish and cream, wax, shoemakers' wax, non-slipping wax for floors, parquet floor wax, polishing wax, tailors' wax, waxes for leather, shampoos, cosmetic kits, depilatory preparations, make-up removing preparations, deodorants for personal use, lipsticks, cosmetic pencils, hair spray and nail varnish, nail varnish removers, tissues impregnated with cosmetic lotions, pre-moistened or impregnated cleansing pads, after-shave lotions, lotions for cosmetic purposes, make-up preparations, pomades for cosmetic purposes, stain removers, sachets for perfuming linen, nail care preparations, cobblers' wax, boot cream, bleaching preparations (decolorants) for cosmetic purposes, extracts of flowers (perfumes), incense, scented wood, decorative transfers for cosmetic purposes, false eyelashes and nails, pumice stone, potpourris (fragrances), cosmetic preparations for slimming purposes, cosmetic preparations for baths, hair waving preparations, washing preparations, toiletries, mouth washes, not for medical purposes, bath salts, not for medical purposes, sanitary toiletries, oils for toilet purposes, sun-tanning preparations, eau de Cologne, deodorant soap, talcum powder, for toilet use, abrasives, moustache wax, hair dyes, eyebrow cosmetics, depilatory wax, cleaning wax, shampoos for pets, cosmetics for animals, cosmetic creams, cakes of toilet soap, soap for foot perspiration, detergents other than for use in manufacturing operations and for medical purposes, cleansing milk for toilet purposes, javelle water, dry-cleaning preparations, scented water, perfumes, cosmetic preparations for eyelashes, make-up powder, adhesives for affixing false hair, fabric softeners for laundry use, cosmetic dyes, colour-removing preparations, cloths impregnated with a detergent for*



*cleaning, industrial oils and greases, lubricants, dust absorbing, wetting and binding compositions, fuels (including motor spirit) and illuminants, candles and wicks for lighting, moistening oil, grease for shoes, grease for leather, candles, pharmaceutical and veterinary preparations, sanitary preparations for medical purposes, dietetic substances adapted for medical use, food for babies, plasters, materials for dressings, material for stopping teeth, dental wax, disinfectants, preparations for destroying vermin, fungicides, herbicides, mineral water for medical purposes, cotton for medical purposes, sanitary panties, sanitary towels, deodorants, other than for personal use, portable filled medicine cases, lotions for pharmaceutical purposes, solutions for contact lenses, napkins for incontinents, sanitary pads, chemical preparations for the diagnosis of pregnancy, sunburn ointments, pharmaceutical preparations for skin care, mouthwashes for medical purposes, smelling salts, bath salts for medical purposes, salts for mineral water baths, sanitary panties, menstruation tampons, surgical cloth (tissues), tissues impregnated with pharmaceutical lotions, breast-nursing pads, balsamic preparations, balms for medical purposes, common metals and their alloys, metal building materials, transportable buildings of metal, materials of metal for railway tracks, non-electric cables and wires of common metal, ironmongery, small items of metal hardware, pipes and tubes of metal, safes, goods of common metal not included in other classes, ores, burial vaults of metal, empty tool boxes of metal, preserving boxes of metal, padlocks, bells, chests of metal, zip fasteners of metal, stepladders of metal, hooks (metal hardware), buckles of common metal, money boxes of metal, signboards of metal, preserving boxes of metal, key rings, ice moulds of metal, works of art of common metal, poles of metal, identity plates of metal, ironmongery, wire gauze, wire cloth, door bells, knobs of metal, door handles of metal, machines and machine tools, motors and engines (except for land vehicles), machine coupling and transmission components (except for land vehicles), agricultural implements other than hand-operated, incubators for eggs, hand tools and implements (hand-operated), cutlery, side arms, razors, non-electric can openers, non-electric hand implements for hair curling, electric and non-electric depilation appliances, nutcrackers, not of precious metal, electric or non-electric nail clippers, manicure sets, razor cases, razor blades, lasts (shoemakers' hand tools), nail files, electric and non-electric hair clippers for personal use, beard clippers, shaving cases, hair-removing tweezers, nail nippers, rasps, scissors, vegetable choppers, mortars for pounding, oyster openers, sharpening stones, pliers, insecticide atomisers, sugar tongs, graving*

*needles, tool belts, non-electric pizza cutters, non-electric egg slicers, non-electric cheese slicers, table cutlery, needle-threaders, fireplace bellows, keys, eyelash curlers, rakes, pincers, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus for recording, transmission or reproduction of sound or images, magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin-operated apparatus, cash registers, calculating machines, data processing equipment and computers, fire-extinguishing apparatus, computer peripheral devices, anti-glare glasses, eyeglass chains, shoes for protection against accidents, irradiation and fire, bullet-proof waistcoats, swimming jackets and life jackets, contact lenses, eyeglass cords, dressmakers' measures, spectacle glasses, spectacle cases, eyeglass cases and containers for contact lenses, clothing for protection against fire, spectacle frames, spectacles (optics), sunglasses, gloves for divers, gloves for protection against accidents, diving suits, pince-nez, optical lenses, magnetic encoded cards, magnetic identity cards, clothing for protection against accidents and irradiation, protective suits for aviators, electronic agendas, electric make-up removing appliances, telephone apparatus, weighbridges, directional compasses, accounting machines, protective helmets, telescopes, chronographs (time recording apparatus), measuring spoons, pedometers, compact discs (audio-video), optical compact discs, mirrors (optics), water wings, binoculars, printers for use with computers, temperature indicators, instruments containing eyepieces, game programs, cassette readers, barcode readers, compact disc players, optical character readers, signal, magic and optical lanterns, magnifying glasses (optics), dictating and invoicing machines, mechanisms for counter-operated apparatus, weights, electric, solar and galvanic batteries, electric flat irons, recorded computer programs, recorded computer operating programs, mouses (data processing equipment), electronic pocket translators, transistors (electronic), thermometers, not for medical purposes, apparatus for games adapted for use with television receivers only, audio and video receivers, intercommunication apparatus, video cassettes, animated cartoons, teaching apparatus, walkie-talkies, downloadable electronic publications, egg timers (sandglasses), teeth protectors, electrically heated hair-curlers, pocket calculators, camcorders, capacity measures, video game cartridges, headphones, abacuses, loudspeakers, mouse pads, aerials,*

*apparatus and instruments for astronomy, telephone receivers, scales, life-saving rafts, barometers, electric batteries, electrically heated hair curlers, flashlights (photography), answering machines, graduated glassware, protective helmets for sports, sports goggles, transparencies, transparency projection apparatus, reflecting discs for wear, for the prevention of traffic accidents, cases fitted with dissecting instruments (microscopy), dosage dispensers, cigar lighters for automobiles, covers for electric outlets, fire escapes, exposed films, filters for respiratory masks, flash-bulbs (photography), stands for photographic apparatus, holograms, magnets and decorative magnets, ear plugs for divers, ear plugs, electric devices for attracting and killing insects, electric switches, lasers, not for medical purposes, luminous signals, neon signs, megaphones, computer memories, meteorological instruments, rules (measuring instruments), microphones, microscopes, peepholes (magnifying lenses) for doors, modems, objectives (lenses), shutters (photography), recorded computer programs, computer programs (downloadable software), ozonisers, projection screens and apparatus, dog whistles, weighing apparatus and instruments, nose clips for divers and swimmers, prisms (optics), push buttons for bells, light-emitting electronic pointers, radios, radiotelephony equipment, radiotelephony sets, rulers (measuring instruments), knee-pads for workers, vehicle breakdown warning triangles, sirens, electronic notice boards, computer keyboards, telescopes, word processors, rods for water diviners, video telephones, anti-dazzle shades, photographic viewfinders, eyeshades, voting machines, buzzers, surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth, orthopaedic articles, suture materials, teething rings, feeding bottles, feeding bottle valves, feeding bottle teats, dummies for babies, nursing appliances, ear picks, incubators for babies, respirators for artificial respiration, breast pumps, commode chairs, orthopaedic footwear (shoes), arch supports for boots and shoes, apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, electric heating pads, not for medical purposes, roasting apparatus, drying apparatus, bath tubs, bidets, light bulbs, electric coffee percolators, electric heaters for feeding bottles, cookers, showers, lighters, lanterns, sinks, lamp globes, taps, lamps, wash-hand basins, electric pocket torches, blankets, burners, lamp shades, hair dryers, electric laundry dryers, toilet bowls, vehicles, apparatus for locomotion by land, air or water, security harness for vehicle seats, safety seats for children, for vehicles, head-rests for vehicle seats, safety belts for vehicle seats, seat*

*covers for vehicles, bicycles, parts and/or fittings for bicycles included in this class, pushchairs, parts and/or fittings for pushchairs included in this class, prams, parts and/or fittings for prams included in this class, sleighs, kick sledges, firearms, ammunition and projectiles, explosives, fireworks, precious metals and their alloys and goods in precious metals or coated therewith, jewellery, precious stones, horological and chronometric instruments, ornamental pins, tie pins, works of art of precious metal, key rings, medals, coins, badges of precious metal, shoe and hat ornaments of precious metal, cuff links, wristwatches, cases for watches, straps for wristwatches, jewellery cases, pocket watches, sundials, electric clocks and watches, tie clips, charms (jewellery), paste jewellery, ivory (jewellery), pearls (jewellery), precious stones, earrings, alarm clocks, rings, chronometers, musical instruments, musical boxes, cases for musical instruments, music rolls, music stands, plectrums, paper, cardboard and goods from these materials, not included in other classes, printed matter, printed publications, bookbinding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, paint brushes, typewriters and office requisites (except furniture), instructional and teaching material (except apparatus), plastic materials for packaging (not included in other classes), printers' type, printing blocks, engravings, boxes of cardboard or paper, patterns for making clothes and for dressmaking, tissues of paper for removing make-up, stencil cases, labels, not of textile, table linen of paper, table napkins of paper, disposable babies' nappies of paper and cellulose, disposable babies' napkin-pants of paper and cellulose, handkerchiefs of paper, pen cases, holders for cheque books, writing cases, inking sheets for document reproducing machines, bags (envelopes, pouches) of paper or plastics, for packaging, tailors' chalk, face towels of paper, hat boxes of cardboard, tracing cloth and paper, bookbinding cloth, canvas for painting, hand towels of paper, albums, almanacs, hand labelling appliances, loose-leaf binders, writing materials and instruments, decalcomanias, calendars, posters, document files, passport holders, catalogues, pictures, drawing sets, newspapers, magazines, books, lithographs, wrapping paper, hygienic paper, paperweights, mats for beer glasses, bookmarkers, bookends, ink, inkwells, bibs of paper, drawing materials, graphic prints, school supplies, writing slates, comic books, trays for sorting and counting money, adhesive patterns (embroidery), garbage bags of paper or of plastics, geographical maps, terrestrial globes, moisteners (office requisites), plastics for modelling, blueprints, stencils (stationery), placards of paper or cardboard, cards, steel letters*

*and pens, aquarelles, adhesive tape dispensers, adhesive tapes and bands for stationery or household purposes, adhesives (stationery), cigar bands, files (office requisites), modelling clay, arithmetical tables, drawer liners of paper, perfumed or not, architects' models, atlases, flags of paper, tickets, pads (stationery), ball-point pens, bags for microwave cooking, writing board erasers, rubber erasers, erasing products, bottle wrappers and envelopes of cardboard or paper, painters' easels, song books, charcoal pencils, writing paper, advertisement boards of paper or cardboard, booklets, ink sticks, modelling wax, not for dental purposes, sealing wax, drawing pins, paper ribbons and bows, inking ribbons for computer printers, typewriter ribbons, clipboards, cabinets for stationery (office requisites), compasses for drawing, paper clips, paper cutters (office requisites), patterns for dressmaking, note books, framed or unframed paintings (pictures), finger-stalls (office requisites), bookbinding material, bookbinding apparatus and machines (office equipment), gummed cloth for stationery purposes, inking pads, drawing squares, shields (paper seals), greeting cards, filter paper, wrappers (stationery), photograph stands, elastic bands for offices, stapling presses (office requisites), staples for offices, paper sheets (stationery), electric or non-electric pencil sharpeners, pencil holders, luminous paper, palettes for painters, silver paper, waxed paper, modelling paste, office perforators, painters' brushes, house painters' rollers, postcards, rosaries, blotters, envelopes (stationery), money clips of metal, rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes, plastics in extruded form for use in manufacture, packing, stopping and insulating materials, flexible pipes, not of metal, leather and imitations of leather, and goods made of these materials and not included in other classes, animal skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery, bags for climbers, campers and the beach, handbag frames, frames for umbrellas or parasols, mountaineering sticks, bags, handbags, travelling bags, travelling sets and key cases (leatherware), attaché cases, purses, not of precious metal, school satchels, garment bags for travel, hat boxes of leather, sling bags for carrying infants, wheeled shopping bags, containers and boxes of leather or leather board, boxes of vulcanised fibre, school bags, pocket wallets, handbags, vanity cases, not fitted, collars for animals, leather leashes, leather leads, umbrella covers, saddle cloths for horses, haversacks, horse blankets, backpacks, school bags, music cases, head-stalls, bags (envelopes, pouches) of leather, for packaging, riding saddles, pads for horse saddles, umbrella rings, blinkers*

*(harness), harness fittings of iron, harness for animals, harness fittings, walking stick seats, shoulder belts of leather, empty tool bags of leather, chain mesh purses (not of precious metal), beach bags, muzzles, bridles, halters, leatherboard, bands of leather, travelling trunks, shopping bags, straps for soldiers' equipment, harness straps, straps of leather (saddlery), straps for skates, trimmings of leather for furniture, leather straps, butts (parts of hides), curried skins, whips, coverings of skins (furs), stirrup leathers, parts of rubber for stirrups, bits for animals (harness), reins, briefcases, moleskin (imitation of leather), fur-skins, skins of chamois, other than for cleaning purposes, nose bags (feed bags), net bags for shopping, casings, of leather, for springs, knee-pads for horses, fastenings for saddles, card cases (notecases), traces (harness), valves of leather, stirrups, building materials (non-metallic), non-metallic rigid pipes for building, asphalt, pitch and bitumen, non-metallic transportable buildings, monuments, not of metal, furniture, mirrors, picture frames, goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics, non-electric fans for personal use, pillows, curtain holders, infant walkers, curtain rings, bins, not of metal, cupboards, works of art of wood, wax, plaster or plastic, lecterns, benches (furniture), trays, curtain rods, chests for toys, screens (furniture), embroidery frames, bottle racks, medicine cabinets, busts of wood, wax, plaster or plastic, head-rests (furniture), boxes of wood or plastic, chests for toys, beds, water beds, not for medical purposes, beds for household pets, settees, figurines of wax, head-rests (furniture), trolleys, bottle racks, brushes, baskets, not of metal, cushions, mattresses, chests of drawers, bamboo curtains, cots, divans, desks, statuettes of wood, wax, plaster or plastic, shelves, mirrors, display stands, index cabinets (furniture), meat chests, not of metal, covers for clothing (wardrobe), bed and furniture fittings, easy chairs, flower-stands, jewellery cases, not of precious metal, tailors' dummies, tables, works of art of wood, wax, plaster or plastic, drinking straws, fireguards, umbrella stands, playpens for babies, flower-pot pedestals, coat hangers and hat stands, coatstands, door handles, not of metal, indoor window blinds (furniture), door handles, not of metal, desks, magazine racks, curtain rails, curtain rollers, writing desks, sleeping bags for camping, chairs, armchairs, settees, spring mattresses, book rests (furniture), table tops, display boards, stools, corks for bottles, corks, stoppers, not of metal, embroidery frames, high chairs for babies, keyboards for hanging keys, high chairs for babies, deck chairs, showcases (furniture), household or kitchen utensils*

*and containers, combs and sponges, brushes (except paint brushes), brush-making materials, articles for cleaning purposes, steelwool, unworked or semi-worked glass (except glass used in building), glassware, porcelain and earthenware not included in other classes, bottle openers, oil cruets, indoor aquaria, cocktail stirrers, candle extinguishers, non-electric appliances for removing make-up, sugar bowls, trays, portable baby baths, cloth for washing floors, bowls, tea balls, candy boxes, powder puffs, bottles, shaving brushes, insulating flasks, stew-pans, pottery, non-electric coffeepots, boxes, non-electric heaters for feeding bottles, shoe horns, candlesticks, drinking flasks for travellers, pipettes (wine-tasters), fly swatters, epergnes, brushes for footwear, nail brushes, toothbrushes, dishwashing brushes, baskets, fitted picnic baskets, including dishes, domestic bread baskets, cocktail shakers, strainers, trouser stretchers, ice buckets, ice pails, mixing spoons, basting spoons for kitchen use, bowls (basins), decanters, tie presses, soap dispensers, funnels, door knobs of porcelain, salad bowls, brooms, spatulas, spice sets, comb cases, mess-tins, flasks, vegetable dishes, dishes, shaped ironing board covers, chamois leather for cleaning, frying pans, gardening gloves, gloves for household purposes, polishing gloves, non-electric kettles, shoe trees, piggy banks, not of metal, egg cups, soap dispensers, decanters, vases, birdcages, signboards of porcelain or glass, cabarets (trays), liqueur sets, flower pots, butter dishes, fly swatters, cookery moulds, hand-operated mills for domestic purposes, toothpicks, mops, non-electric portable coolboxes, cooking pots, toilet cases, works of art of porcelain, terra-cotta or glass, chamber pots, toothpick holders, candelabra, carpet beaters, domestic bread baskets, dusting cloths, pepper pots, clothes-pegs and drying racks for washing, table plates, feather-dusters, powder compacts, knobs of porcelain, shaving brush stands, sponge holders, soap holders, coasters, not of paper and other than table linen, toilet paper holders, trouser presses, perfume vaporisers, perfume burners, graters, heat-insulated containers, crumb trays, coasters, trivets, boot jacks, corkscrews, carpet beaters, salt cellars, frying pans, clothes racks, for drying, coffee and tea services, napkin holders, soup bowls, washing boards, ironing boards, bread boards, cutting boards for the kitchen, pot lids, cups, bowls (basins), shirt stretchers, shoe trees (stretchers), insulating flasks, teapots, flower pots, lye washtubs, towel rails and rings, toilet utensils, tableware, other than knives, forks and spoons, drinking glasses, cruets, ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes), padding and stuffing materials (except of rubber or plastics), raw fibrous textile materials, eiderdown, straw*

*wrappers for bottles, hammocks, tarpaulins, yarns and threads, for textile use, textiles and textile goods, not included in other classes, bed and table covers, bath linen (except clothing), tissues of textile for removing make-up, labels of cloth, linings (textile), washing mitts, wall hangings of textile, handkerchiefs of textile, curtains of textile or plastic, household linen, towels of textile, travelling rugs, net curtains, curtain holders of textile material, flags, not of paper, eiderdowns, loose covers for furniture, covers for cushions, mosquito nets, glass cloths, billiard cloth, traced cloths for embroidery, upholstery fabrics, face towels of textile, sleeping bags (sheeting), table runners, bedspreads, mattress covers, oilcloth for use as table cloths, tablecloths, not of paper, sheets (textile), tablemats, table napkins of textile, adhesive fabric for application by heat, fabric of imitation animal skins, brocades, trellis (cloth), lining fabric for shoes, fabric for boots and shoes, cheviots (cloth), velvet, felt, cotton fabrics, bed covers, tulle, crepe (fabric), crepon, damask, lingerie fabric, elastic woven material, flannel (fabric), cheese cloth, gauze (cloth), gummed cloth, other than for stationery, hessian, jersey (fabric), woollen fabric and cloth, linen cloth, diapered linen, marabouts (cloth), ticks (mattress covers), upholstery fabrics, pillowcases, ramie fabric, rayon fabric (artificial silk), silk (cloth), esparto fabric, taffeta (cloth), knitted fabric, zephyr (cloth), fibreglass fabrics, for textile use, printers' blankets of textile, chenille fabric, place mats of textile, bed blankets, fitted toilet lid covers of fabric, shower curtains of textile or plastic; ready-made clothing for men, women and children, footwear (except orthopaedic footwear), headgear, motorists' and cyclists' clothing, bibs, not of paper, headbands (clothing), bath robes, bathing suits, bathing caps and sandals, boas (necklets), underwear, babies' pants, scarves, boots for sports and beach shoes, hoods (clothing), shawls, belts, money belts, wet suits for water-skiing, neckties, corsets, sashes for wear, fur stoles, girdles, scarves, caps, gloves, waterproof clothing, underwear, mantillas, stockings, socks, ascots, babies' nappies of textile, handkerchiefs, furs (clothing), pyjamas, soles for footwear, heels, veils (clothing), suspenders, clothing of paper, gymnastics and sports suits, layettes, collars (clothing), sports jerseys, mittens, ear muffs (clothing), inner soles, bow ties, sarongs, cuffs, dress shields, masquerade costumes, beach clothes, cap peaks, dressing gowns, pockets for clothing, sock suspenders, stocking suspenders, petticoats, tights, aprons (clothing), headgear for wear, wooden shoes, caps, garters, coats, esparto shoes or sandals, non-slipping devices for boots and shoes, bath robes, bath slippers, caps, smocks, teddies (undergarments), berets, footmuffs, not electrically heated, lace*



*boots, boots, boot uppers, studs for football boots, half-boots, fittings of metal for shoes and boots, tips for footwear, welts for boots and shoes, heelpieces for boots and shoes, pants, shirts, shirt yokes, shirt fronts, tee-shirts, bodices, waistcoats, jackets, fishing vests, stuff jackets, combinations (clothing), slippers (undergarments), detachable collars, collars (clothing), clothing of leather, clothing of imitations of leather, shower caps, slippers, skirts, ready-made linings (parts of clothing), overcoats, gabardines, gymnastic shoes, jerseys (clothing), pullovers, sweaters, liveries, muffs (clothing), footwear uppers, parkas, pelerines, pelisses, spats, leggings, knitwear, hosiery, gymnastic clothing, outerclothing, sandals, saris, underpants, hats, brassieres, wimples, togas, trouser straps, suits, turbans, frocks, slippers, sports shoes, lace and embroidery, ribbons and braid, buttons, hooks and eyes, pins and needles, artificial flowers, tinsels (trimmings for clothing), needle cushions, hair ornaments, shoe and hat ornaments, not of precious metal, hair bands, brassards, reins for guiding children, brooches (clothing accessories), hair pins, hair grips, sewing boxes, shoe fasteners, belt clasps, zip fasteners, bows for the hair, needle cases, buckles (clothing accessories), shoulder pads for clothing, badges for wear, not of precious metal, spangles for clothing, haberdashery, except thread, lace trimmings, feathers (clothing accessories), shoe laces, wreaths of artificial flowers, tea cosies, ornamental novelty badges (buttons), sewing thimbles, numerals or letters for marking linen, bodkins, top-knots (pompoms), competitors' numbers, heat adhesive patches for decoration of textile articles (haberdashery), snap fasteners, ostrich feathers (clothing accessories), prize ribbons, false beards, false moustaches, non-electric hair curlers, other than hand implements, tassels (haberdashery), hair nets, frills (lacework), lace trimmings, collar supports, elastic ribbons, braids, festoons (embroidery), hair colouring caps, darning lasts, gold embroidery, silver embroidery, plaited hair, wigs, heat adhesive patches, patches for repairing textile articles, toupees, edgings for clothing, skirt flounces, carpets, rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings (non-textile), bath mats, wallpaper, floor coverings, carpet underlay, floor coverings, games and playthings, gymnastic and sporting articles not included in other classes, decorations for Christmas trees, fishing tackle, rods for fishing, toy and theatrical masks, dolls' houses, climbers' harness, novelties for parties, dances (party favours), gloves for games, baseball, boxing, fencing and golf gloves, puppets, automatic games other than coin-operated and those adapted for use with television receivers only, machines for*

*physical exercises, Christmas trees of synthetic material, bladders of balls for games, elbow and knee guards (sports articles), kites, rattles (playthings), kaleidoscopes, rocking horses, building games, automatic and coin-operated amusement machines, playing cards, teddy bears, dolls, dolls' clothes, air pistols (toys), chess games, flippers for swimming, ring games, Christmas tree stands, archery implements, practical jokes (novelties), balls for games, dolls' feeding bottles, building blocks (toys), body boards, skittles, stationary exercise bicycles, golf bags, with or without wheels, dolls' beds, marbles for games, dolls' houses, butterfly nets, swings, confetti, cups for dice, dice, draughts (games), draughtboards, darts, discuses for sports, flying discs (toys), dominoes, counters for games, skis, bags especially designed for skis and surfboards, tables for indoor football, appliances for gymnastics, horseshoe games, hockey sticks, soap bubbles (toys), board games, toys for domestic pets, scale model vehicles, skateboards, mobiles (toys), paintballs (sports apparatus), artificial snow for Christmas trees, billiard and golf balls, billiard tables, skating boots with skates attached, in-line roller skates, ice skates, roller skates, scooters (toys), plush toys, spinning tops, piñatas, swimming pools (play articles), punching bags, jigsaw puzzles, conjuring apparatus, rackets, parlour games, surf boards and sailboards, chessboards, sling shots (sports articles), slides (playthings), spring boards (sports articles), sleighs (sports articles), toy vehicles, radio-controlled toy vehicles, shuttlecocks, meat, fish, poultry and game, meat extracts, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and fats, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, ices, honey, treacle, yeast, baking-powder, salt, mustard, vinegar, sauces (condiments), spices, ice, agricultural, horticultural and forestry products and grains not included in other classes, live animals, fresh fruits and vegetables, seeds, natural plants and flowers, foodstuffs for animals, malt, beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices, syrups and other preparations for making beverages, alcoholic beverages (except beers), tobacco, smokers' articles, matches, humidors, cigarette cases, cigar cases, tobacco pouches, cigarette cases, ashtrays for smokers, lighters for smokers, tobacco pipes, cigar cutters, cigar cases, pipe cleaners for tobacco pipes, cigarette paper, tobacco jars, cigarette tips, match boxes, gas containers for cigar lighters, pocket machines for rolling cigarettes, books of cigarette papers, firestones, pipe racks for tobacco pipes, match holders and ashtrays for smokers, of precious*

*metal; commercial or industrial management assistance; organisation of exhibitions for commercial and publicity purposes; promotion provided by a commercial company by means of a client loyalty card; modelling for advertising or sales promotion; publication of publicity texts; shop-window dressing; commercial management assistance in relation to franchises; demonstration of goods; organisation of trade fairs for commercial or advertising purposes; sales promotion (for others); auctioneering; Promotion and management of shopping centres; import-export agencies; on-line advertising on a computer network; Procurement for others (purchasing of goods and services for other companies); arranging newspaper subscriptions (for others); distribution of samples; computerized file management; public relations; commercial information agencies; publicity agencies; rental of vending machines; rental of advertising space; dissemination of advertisements; business management assistance; data searches in computer files, for others; compilation of data on a central computer; transcription of communications; advertising mail; professional management of artistic affairs; direct mail advertising; updating of advertising material; document reproduction; marketing studies; outdoor advertising; opinion polling; systematization of data on a central computer; advertising; mail advertising, radio and television advertising; presentation of goods on any communication media, for retail purposes.*

Class 36: Insurance services; financial affairs; monetary affairs; Real estate affairs; credit card services; debit card services; debt collection agencies; credit bureaux; rental of offices (real estate); banking business; issuing of tokens of value; monetary transaction services; capital management; mutual funds; capital investments; cheque verification, check cashing; issuing of travellers' cheques; financial clearing; mutual funds; fund investment; funds transfer (electronic-); business liquidation (financial); foreign exchange transaction; instalment loans; pawnbrokerage; mortgage banking; savings banks; numismatic appraisal; real estate appraisal; charge services by means of cards, pre-paid cards, electronic credit and debit transactions, smart cards and electronic cash, cash disbursement, cash replacement by means of debit and credit cards, electronic cash transactions; automatic teller machines, payment processing, authentication and verification of transactions, travel insurance underwriting, financial consultancy and risk management, for others in the field of consumer credit; dissemination of financial information via global computer networks.

Class 37: Construction services; repair services; installation services; mending clothing, shoe repair, washing, laundering, leather care, cleaning and repair, cleaning of clothing, dry cleaning, steam-pressing of clothing, linen ironing, clothing renovation and repair, fulling of cloth, shoe repair.

Class 38: Telecommunications; communications via computer terminals; computer-aided transmission of messages and images; electronic mail; communications via worldwide computer networks; diffusion of radio and television programs.

Class 39: Transport; packaging and storage of goods; travel arrangement; wrapping of goods; storage of goods; delivery of goods; delivery of goods ordered by mail; packaging of goods; storage; rental of warehouses; rental of cars, boats, storage containers, garages, parking places, coaches and vehicles; hauling; railway transport; freighting; freight (shipping of goods); river and marine transport; Chauffeur services; parcel and newspaper delivery; delivery of messages and goods; stevedore activities; storage and transport information; removals; transportation of passengers; Towing; taxi transport; freight forwarding; armored-car transport; transport and storage of waste; transport and escorting of travellers; physical storage of electronically-stored data or documents; unloading of cargo.

Class 40: Treatment of materials; applying finishes to textiles; bleaching of embroidered fabric; dyeing of footwear and cloth,; planing [saw mill]; custom fashioning of fur; cloth cutting; dressmaking; leather dyeing and working; tanning; quilting; cloth pre-shrinking; fabric waterproofing and fireproofing; crease resisting treatment of clothes; wool treating; fur glossing; fur satining and dyeing; fur conditioning; clothing alteration; cloth edging; tailoring services; textile treating; cloth cutting and dyeing; fabric and fur mothproofing.

Class 41: Education; providing of training; providing amusement services; sporting and cultural activities; publication of texts (other than publicity texts); organisation of beauty contests; arranging and conducting of conferences and congresses; organization of exhibitions for cultural or educational purposes; organisation of competitions (education or entertainment).

Class 42: Scientific and technological services as well as research and design associated therewith; industrial analysis and research services; design and development of computers and software; chemical analysis; graphic arts designing; quality control; interior decoration; industrial designs (designing); dress-design services; packaging design; styling (industrial design); technical projects studies; research and development of new goods (for others); mechanical research; bacteriological, biological, chemical and technical research; textile and material testing; calibration (measuring); cosmetic research; surveying.

Class 43: Restaurant services (food); temporary accommodation; self-service restaurants, cafeterias, hotel services, child care services.

Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; beauty salons, plastic surgery, manicuring, massage, hairdressing salons, gardening.

Class 45: Legal services; security services for the protection of property and individuals; Personal and social services provided by others to meet the needs of individuals; rental of clothing, evening dresses, dating services.