

O/1016/22

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION NO. 3694034
IN THE NAME OF SMARTWARE SOLUTIONS LTD FOR THE TRADE MARK**

Sonitrek

IN CLASS 9

AND

THE OPPOSITION THERETO UNDER NUMBER 429454

BY

SONY GROUP CORPORATION

Background

1. On 13 September 2021, Smartware Solutions Ltd (“the applicant”) filed trade mark application number 3694034 for the mark Sonitrek for the following goods in class 9:

Backpacks especially adapted for holding laptops; Batteries; Battery cases; Camera mounts and supports; Cameras; Cell phone cases; Cell phone covers; Cell phone auxiliary cables; Covers for tablet computers; Earbuds; Earphones; Headphones; Laptops; LED and HID light controls; Light emitting diode (LED) displays; Light emitting diodes (LEDs); Loudspeakers; Mobile phones; Power adapters; Selfie sticks; Smart watches; Tablet computers; Wearable activity trackers; Wireless chargers; Battery chargers; Battery chargers for mobile phones; Gyroscope stabilizers for cameras; Power adapters for use in vehicle lighter sockets; Rechargeable electric batteries; USB cables for cellphones; USB charging ports for use in vehicles; Wireless speakers.

2. The application was published for opposition purposes in the *Trade Marks Journal* on 8 October 2021. The application was opposed under sections 5(2)(b) and 5(3) of the Trade Marks Act 1994 (“the Act”) by Sony Group Corporation (“the opponent”).

3. The opponent relies upon the class 9 goods covered by its earlier trade mark registration shown below, claiming a likelihood of confusion between the parties’ marks under section 5(2)(b):¹

3452620

SONY

Filing date: 18 December 2019; date registration procedure completed: 9 August 2020.

4. The opponent also relies on this registration for its section 5(3) ground, claiming a reputation in its mark for a shorter list of class 9 goods:²

¹ The full list of goods relied upon under section 5(2)(b) of the Act is shown in the annex to this decision.

² As revised in its written submissions dated 25 August 2022.

Amplifiers; tape recorders; cinematographic cameras; monitoring apparatus, other than for medical purposes; electric apparatus for commutation; loudspeakers; transmitters of electronic signals; transmitting sets [telecommunication]; cases especially made for photographic apparatus and instruments; battery chargers; radios; audio- and video-receivers; data processing apparatus; intercommunication apparatus; microphones; batteries, electric; computers; projection apparatus; telephone apparatus; sound transmitting apparatus; sound recording apparatus; sound reproduction apparatus; television apparatus; remote control apparatus; telephone transmitters; transmitters [telecommunication]; video recorders; tripods for cameras; computer peripheral devices; interfaces for computers; monitors [computer hardware]; printers for use with computers; camcorders; video screens; video telephones; personal stereos; headphones; DVD players; hands-free kits for telephones; Global Positioning System [GPS] apparatus; portable media players; smartphones; tablet computers; 3D spectacles; computer hardware; cell phones; wearable activity trackers; covers for smartphones; cases for smartphones; smartglasses; smartwatches; interactive touch screen terminals; audio interfaces; equalisers [audio apparatus]; subwoofers; virtual reality headsets; wearable computers; wearable video display monitors; home theater systems; digital cameras; video cameras [camcorders]; optical disc players and recorders; digital audio players and recorders; digital video players; signal processors for audio speakers; signal processors for speaker systems; earphones; speakers for home theaters; wireless speakers; sound speakers; car audio devices; car audio amplifiers; car audio optical disc players; digital audio players for automobiles; telecommunication machines and apparatus; head-mounted video displays; electronic machines, apparatus and their parts; photographic machines and apparatus; cinematographic machines and apparatus; lens caps for use with film, digital, and video cameras; handgrips for film, digital, and video cameras.

5. The opponent claims that its reputation in its mark is such that the relevant public will believe that the parties' marks are used by the same undertaking or an economically linked undertaking. The opponent also claims that use of the applicant's mark will tarnish the reputation of the earlier mark, erode its distinctiveness, and give an unfair advantage to the applicant by virtue of the reputation of the earlier mark.

6. The applicant filed a defence and counterstatement, denying the opponent's claims.

7. Only the opponent filed evidence, and only the opponent filed written submissions in lieu of a hearing. The opponent is represented by Hogan Lovells International LLP. The holder is represented by Abdul Wahab Akram. I make this decision after a careful reading of all the papers, referring to the evidence and submissions as necessary.

Decision

8. Section 5(2)(b) of the Act states:

“(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.”

9. The following principles for determining whether there is a likelihood of confusion under section 5(2)(b) of the Act are gleaned from the decisions of the Court of Justice of the European Union (“CJEU”) 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.³

The principles

(a) The likelihood of confusion must be appreciated globally, taking account of all relevant factors;

³ 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 Trade Marks Act relied on in these proceedings are derived from an EU Directive. This is why this decision continues to make reference to the trade mark case-law of EU courts.

(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.

Distinctive character of the earlier mark

10. 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.⁴ Distinctive character is a measure of how strongly the earlier mark identifies the goods for which it is registered; determined, according to *Lloyd Schuhfabrik Meyer & Co.*, partly by assessing the proportion of the relevant public which, because of the mark, identifies the goods as originating from a particular undertaking. I will begin by considering the inherent distinctive character of the earlier mark *per se*, bearing in mind the guidance of the CJEU in *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, before looking at the opponent's evidence about the use it has made of its mark.⁵

11. SONY is an invented word. It does not describe or allude to any of the goods or to any characteristic thereof. The earlier mark has a high degree of inherent distinctive character.

12. The applicant states in its counterstatement, at the end of its denial of the similarity of goods and marks:

“The opponent Sony is an internationally established mark and it can be perceived or understand how anyone can confuse the two marks with each other.”⁶

⁴ *Sabel BV v Puma AG*, Case C-251/95.

⁵ Case C-342/97.

⁶ Paragraph 11 of the counterstatement.

13. There are clear grammatical errors in the above sentence. The context in which it appears is as part of the denial that there is a likelihood of confusion and is clearly meant as “it cannot be perceived or understood how anyone can confuse the two marks with each other.” However, in stating in the above sentence that the opponent is an internationally established mark and giving that as a reason why there is not a likelihood of confusion, the applicant has conceded that the opponent has a reputation.

14. The opponent has filed evidence from Yuko Tsuda, a General Manager at the opponent’s Intellectual Property and Standards Division. The opponent’s evidence is cast in very general terms. Although Yuko Tsuda states that the evidence has been filed in respect of the goods relied upon for section 5(3) of the Act, the evidence does not adequately particularise the use made in relation to the specific goods relied upon. Turnover figures are given without any detail as to what goods they relate, and are combined UK and EU figures. The combined turnover runs to about £12 million per year. I note the following UK evidence about headphones and earphones:

- Exhibit YT-8, at pages 1 to 3, is an article dated 15 July 2021 in The Guardian which refers to the Sony WF-1000XM4 as the best-sounding noise cancelling earbuds;
- Exhibit YT-8, at pages 4 to 5, is an article dated 22 June 2021 in The Independent about Sony noise-cancelling headphones;
- Exhibit YT-8, at pages 6 to 7, is an article dated 1 June 2021 in The Independent which says that the Sony WH-1000XM4 are the best wireless headphones the reviewer has ever tested and that “Sony has, for a while, been a dominant force in personal listening”. It describes the headphones of “truly class-leading tech, especially the almost-universally-praised 1000XM3 s, widely seen as the best wireless headphones of their generation”. This referred to a previous incarnation of the headphones being reviewed.

15. Ultimately, given the concession made by the applicant, there is not strictly a need for the opponent to substantiate its reputation. Accordingly, I find that the distinctive character of the earlier mark, which is already high, has been enhanced through use for the goods set out in paragraph 4 of this decision and, in particular, for headphones and earphones.

The average consumer and the purchasing process

16. As the caselaw cited above indicates, it is necessary to decide who the average consumer is for the goods at issue and how they purchase them. “Average consumer” in the context of trade mark law means the “typical consumer.”⁷ The average consumer is deemed to be reasonably well informed and reasonably 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: *Lloyd Schuhfabrik Meyer*, Case C-342/97.

17. The average consumer for the wide-ranging goods covered by the opponent's goods range from professional users to the general public. Some goods will entail no more than an average level of attention during the purchase, such as batteries and smartphone cases, whilst others will cause a closer level of attention to be paid, such as headphones and earbuds/earphones which might be required to reproduce a high level of sound quality. The purchasing process will be primarily visual, by way of websites, physical retail premises or brochures, but I do not ignore the potential for an aural aspect to the purchase, if advice is sought from a retailer, for example.

Comparison of goods

18. The opponent's headphones and earphones are identical to *headphones* and *earbuds* in the applicant's specification. Given the number of goods upon which the opponent relies and the applicant's concession that there is a reputation, I will test whether there is a likelihood of confusion in relation to these goods in the first instance.

⁷ *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).

Further, in case I am wrong about the applicant's concession, I will test the likelihood of confusion in relation to these goods because the evidence shows an enhanced level of (an already inherently high) distinctive character for headphones and earphones. I will also test the likelihood of confusion in relation to *batteries*, which appear in both parties' specifications and in relation to the applicant's *cell phone cases*, which are identical to the opponent's cases for smartphones (although not particularised in the evidence). This is because a lower level of attention will be paid during the purchasing process than for headphones and earbuds/earphones. If the opponent does not succeed on any of these bases, it will be no better off in relation to any of the other goods.

Comparison of marks

19. 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 analyse its various details. The same case also explains that the visual, aural and conceptual similarities of the marks must be assessed by reference to the overall impressions created by the marks, bearing in mind their distinctive and dominant components. The CJEU stated at paragraph 34 of its judgment in Case C-591/12P, *Bimbo SA v OHIM*, that:

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

20. It is necessary to take into account the distinctive and dominant components of the marks and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions created by the marks.

21. The marks to be compared are:

The opponent's mark	The applicant's mark
SONY	Sonitrek

22. The overall impression of each mark resides in the single word of which each is composed.

23. The earlier mark is four letters long and the later mark is twice that length. The fifth to the eighth letters of the later mark are not shared by the earlier mark, and the Y in the earlier mark does not appear in the later mark. There is a no more than a low degree of visual similarity between them, arising solely from the letters SON/Son at the beginning of both marks.

24. The earlier mark comprises two syllables and the later mark three syllables. The earlier mark could be pronounced either as SEW-NEE or SONN-EE. The later mark could be pronounced as SEW-NEE-TREK or SONN-EE-TREK, because the 'i' will operate in the same way as the 'Y' in the earlier mark. The marks be will aurally similar to a low or medium degree, depending on which way the first two syllables are pronounced.

25. The earlier mark is an invented word which has no concept. The later mark is also an invented word. The opponent highlights the 'trek' part of the applicant's mark, which does have a meaning. The opponent's evidence points to use by the applicant of its mark in relation to portable wireless speakers which the opponent states shows use of 'trek' in a descriptive manner, separately from 'Soni':

“The best waterproof Bluetooth speaker, made for the road. The Sonitrek Go XL goes wherever your trek takes you.”

26. I bear in mind that whilst the average consumer perceives marks as wholes and does not analyse their constituent parts, it might be the case that part or all of an invented word evokes a known concept.⁸ In the present case, the concept of ‘trek’, as a long or strenuous walk, may be evoked; however, ‘Soni’ might also evoke sonic, meaning sound. My view is that Sonitrek will be seen as an invented word and nothing more. If I am wrong about that and ‘trek’ and/or ‘sonic’ is evoked, the marks still have nothing in common conceptually, because SONY will be perceived as an invented word. It does not evoke ‘sonic’ because of the Y: it would take some considerable analysis of SONY to arrive at an evocation of sonic, a level of analysis which is contrary to the authorities listed above.

Likelihood of confusion

27. The applicant’s statement that because SONY is an internationally established mark there will not be confusion with the applicant’s mark is wrong in law. This is because the CJEU stated in *Sabel BV v Puma AG* at paragraph 24:

“...the more distinctive the earlier mark, the greater will be the likelihood of confusion.”

28. The applicant’s argument would have the effect of counting the distinctiveness of the earlier mark against the opponent, contrary to the caselaw.

29. Deciding whether there is a likelihood of confusion is not scientific; it is a matter of considering all the factors, weighing them and looking at their combined effect, in accordance with the authorities set out earlier in this decision. One of those principles states that a lesser degree of similarity between goods and services may be offset by a greater degree of similarity between the trade marks, and vice versa. I am proceeding on the basis that the goods are identical and also that the earlier mark is high in inherent distinctive character and even higher in relation to at least headphones and earphones. I have found that the goods upon which I am basing the assessment

⁸ *Usinor SA v OHIM*, Case T-189/05, General Court.

of this ground will be bought by the general public with an average degree of attention (at the lower level). These are all points in the opponent's favour.

30. However, I find that there is no likelihood of confusion, despite the identity of the goods, the average degree of attention (at the lower level) and the high level of distinctiveness of the earlier mark. There is no conceptual similarity between the marks; only a medium level of aural similarity, at best, for goods which will be bought primarily visually; and no more than a low degree of visual similarity between the marks. The opponent's example of the applicant's mark in use does not separate *Soni* from *Trek*; the mark is used as applied for. Even if I did take into account the marketing use of *Trek* in the sentence quoted by the opponent, I must compare the mark as applied for with the earlier mark. The mark as applied for is what is used in the sentence. The impressions of the marks which are left upon the mind of the average consumer will be entirely different, even paying a low degree of attention. There is no basis for a finding of a likelihood of confusion of the direct kind, which flows from the principle 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 which has been retained in the mind. There is also no basis for a finding of indirect confusion.⁹ Neither party's mark will be perceived as a brand extension, collaboration, or variant mark used by the same or economically linked undertakings.

31. As the opponent has not succeeded on the basis of identical goods, it will be in no better a position for goods found only to be similar, or, not similar at all, so it is unnecessary to consider the other goods. **The ground of opposition under section 5(2)(b) fails.**

Section 5(3) of the Act

32. Section 5(3) of the Act states:

“(3) A trade mark which-

⁹ Mr Iain Purvis QC, sitting as the Appointed Person, in *Back Beat Inc v L.A. Sugar (UK) Limited*, BL O/375/10.

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 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”.

33. Section 5(3A) states

“(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.”

34. The relevant case law in relation to section 5(3) can be found in the following judgments of the CJEU: Case C-375/97, *General Motors*, [1999] ETMR 950, Case 252/07, *Intel*, [2009] ETMR 13, Case C-408/01, *Adidas-Salomon*, [2004] ETMR 10 and Case C-487/07, *L’Oreal v Bellure* [2009] ETMR 55 and Case C-323/09, *Marks and Spencer v Interflora*. 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 Saloman*, 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.

(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 on the earlier mark; *L'Oreal 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'Oreal v Bellure*).

35. The conditions of section 5(3) are cumulative. Firstly, the opponent must show that its mark is similar to the applicant's mark. Secondly, that the earlier mark has achieved a level of knowledge/reputation amongst a significant part of the public. Thirdly, it must be established that the level of reputation and the similarities between the marks will cause the public to make a link between them, in the sense of the earlier mark being brought to mind by the later mark. Fourthly, assuming that the first three conditions have been met, section 5(3) requires that one or more of the three types of damage claimed will occur. It is unnecessary for the purposes of section 5(3) that the goods be 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.

36. The next condition is reputation. Reliance upon this ground requires evidence of a reputation amongst a significant part of the relevant public (*General Motors*). My earlier comments regarding the applicant's concession apply here. I will make the assessment initially from the perspective of the opponent's reputation in headphones and earphones, which represents the high point of its evidence in terms of UK use and particularisation of goods relied upon for this ground. Accordingly, I find that the earlier mark has a reputation amongst a significant part of the relevant public in the UK for headphones and earphones.

37. The next requirement is that the relevant public will make a link between the marks. It is unnecessary for there to be a likelihood of confusion to find a link (*Adidas-Salomon*), but for a link to be made the earlier marks must be brought to mind by the relevant public when encountering the later mark (*Intel*). Even with the *Intel* factors in its favour, such as a high degree of distinctive character, a strong reputation and identical goods (headphones and earbuds/earphones), a link would not be made. The assessment of similarity between the marks is undertaken in the same way as for section 5(2)(b) of the Act, by reference to the visual, aural and conceptual similarities or differences between the marks (*Adidas-Salomon*). The level of similarity may be less than is necessary for a likelihood of confusion, but there must still be a sufficient

degree of similarity for a link to be made.¹⁰ Whilst aurally similar to (at best) a medium degree, there is no conceptual similarity. The marks are visually too different in what is primarily a visual purchasing process for the earlier mark to be brought to mind by the applicant's mark. There would not even be a fleeting bringing to mind: it would not happen at all. As the conditions are cumulative, without a link there can be no damage. The opponent is not in any better a position in relation to the other goods. **The ground of opposition under section 5(3) fails.**

Overall outcome

38. The opposition fails. The application may proceed to registration.

Costs

39. The applicant has been successful and is entitled to a contribution towards the costs of the proceedings. Costs are usually based upon the scale of costs published in Tribunal Practice Notice 2/2016, the scale allowing for the range of procedural and substantive issues that are generally found in cases before this Tribunal. The breakdown of the cost award is as follows:

Considering the opposition and filing the counterstatement	£300
Considering the opponent's evidence	£1000
Total	£1300

¹⁰ *Intra-Press SAS v OHIM*, Joined cases C-581/13 P & C-582/13 P, CJEU.

40. I order Sony Group Corporation to pay Smartware Solutions Ltd the sum of **£1300**. This sum is to be paid within twenty-one days of the expiry of the appeal period or within twenty-one days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 18th day of November 2022

Judi Pike

For the Registrar,

the Comptroller-General

Annex

Class 9 goods relied upon for section 5(2)(b) ground:

Coils, electric; particle accelerators; reflective articles for wear, for the prevention of accidents; protection devices for personal use against accidents; clothing for protection against accidents, irradiation and fire; accumulators, electric, for vehicles; accumulator jars; battery jars; accumulator boxes; battery boxes; acidimeters for batteries; hydrometers; plates for batteries; whistle alarms; acoustic alarms; acoustic conduits; phonograph records; sound recording discs; actinometers; adding machines; aerometers; enlarging apparatus [photography]; electro-dynamic apparatus for the remote control of railway points; magnets; electromagnetic coils; air analysis apparatus; alarms; alcoholmeters; alidades; food analysis apparatus; electric apparatus for remote ignition; igniting apparatus, electric, for igniting at a distance; batteries for lighting; altimeters; asbestos gloves for protection against accidents; asbestos clothing for protection against fire; ammeters; amplifiers; amplifying tubes; anemometers; calibrating rings; fire extinguishers; anodes; anode batteries; high tension batteries; aerials; anti-glare glasses; visors for helmets; anti-interference devices [electricity]; transformers [electricity]; apertometers [optics]; money counting and sorting machines; distribution boxes [electricity]; surveying instruments; surveying chains; lenses for astrophotography; thermionic tubes; audiovisual teaching apparatus; coin-operated musical automata [juke boxes]; juke boxes, musical; mechanisms for coin-operated apparatus; mechanisms for counter-operated apparatus; calipers; comparators; fire alarms; automatic indicators of low pressure in vehicle tires; protective suits for aviators; alarm bells, electric; rods for water diviners; life-saving rafts; scales; meteorological balloons; demagnetizing apparatus for magnetic tapes; tape recorders; magnetic tapes; barometers; weighing machines; weighbridges; fire beaters; chargers for electric batteries; betatrons; ticket dispensers; cabinets for loudspeakers; close-up lenses; terminals [electricity]; pressure indicator plugs for valves; galvanometers; push buttons for bells; branch boxes [electricity]; tone arms for record players; spirit levels; punched card machines for offices; sheaths for electric cables; frames for photographic transparencies; circular slide rules; slide-rules; calculating machines; slide calipers; jigs [measuring instruments]; blueprint apparatus; cinematographic cameras; capillary tubes; sound recording carriers; protective helmets; respiratory masks, other than for artificial respiration; solderers' helmets; eyeglass chains; heat regulating apparatus; darkrooms [photography]; boiler control instruments; drying racks [photography]; apparatus for editing cinematographic film; printed circuits; flashing lights [luminous signals]; signal bells; containers for microscope slides; collectors, electric; electric installations for the remote control of industrial operations; commutators; marine compasses; eyepieces; thread counters; pedometers; counters; meters; metronomes; capacitors; conductors, electric; electricity conduits; circuit closers; connectors [electricity]; junction boxes [electricity]; switchboards; contacts, electric; apparatus to check franking; apparatus to check stamping mail; regulating apparatus, electric; monitoring apparatus, other than for medical purposes; speed checking apparatus for vehicles; converters, electric; photocopiers [photographic, electrostatic, thermic]; eyeglass cords; retorts; retorts' stands; correcting lenses [optics]; objectives [lenses] [optics]; cosmographic instruments; diving suits; electric apparatus for commutation; switches, electric; limiters [electricity]; electric plugs; current rectifiers; cell switches [electricity]; reducers

[electricity]; dressmakers' measures; crucibles [laboratory]; cupels [laboratory]; appliances for measuring the thickness of leather; cyclotrons; counterfeit coin detectors; shutter releases [photography]; densimeters; animated cartoons; laboratory trays; metal detectors for industrial or military purposes; sonars; detectors; shutters [photography]; diaphragms [acoustics]; centering apparatus for photographic transparencies; cameras [photography]; slides [photography]; slide projectors; distance measuring apparatus; dictating machines; diffraction apparatus [microscopy]; loudspeakers; circuit breakers; record players; microscopes; apparatus for recording distance; range finders; distribution consoles [electricity]; compasses for measuring; measures; measuring apparatus; dynamometers; water level indicators; fire escapes; flash-bulbs [photography]; telephone receivers; fluorescent screens; projection screens; workmen's protective face-shields; screens [photography]; drainers for use in photography; photographic racks; electric loss indicators; measuring devices, electric; cables, electric; ducts [electricity]; control panels [electricity]; galvanic cells; connections for electric lines; connections, electric; relays, electric; electrolyzers; transmitters of electronic signals; transmitting sets [telecommunication]; cleaning apparatus for phonograph records; cleaning apparatus for sound recording discs; sound recording strips; kilometer recorders for vehicles; spools [photography]; mechanical signs; epidiascopes; test tubes; balancing apparatus; thermostats; ergometers; material testing instruments and machines; egg-candlers; gauges; gasoline gauges; spark-guards; cases especially made for photographic apparatus and instruments; testing apparatus not for medical purposes; refractometers; exposure meters [light meters]; invoicing machines; apparatus for fermentation [laboratory apparatus]; railway traffic safety appliances; wires, electric; magnetic wires; plumb bobs; plumb lines; nets for protection against accidents; life nets; safety tarpaulins; film cutting apparatus; filters for respiratory masks; filters for use in photography; battery chargers; high-frequency apparatus; frequency meters; fuses; radios; galena crystals [detectors]; gloves for protection against accidents; gloves for divers; gloves for protection against X-rays for industrial purposes; gas testing instruments; gasometers [measuring instruments]; surveying apparatus and instruments; levelling staffs [surveying instruments]; rods [surveying instruments]; drying apparatus for photographic prints; glazing apparatus for photographic prints; rulers [measuring instruments]; graduated glassware; screens for photoengraving; grids for batteries; clothing for protection against fire; garments for protection against fire; audio- and video-receivers; heliographic apparatus; holograms; hygrometers; identification threads for electric wires; identification sheaths for electric wires; life saving apparatus and equipment; fire hose nozzles; fire engines; fire pumps; clinometers; gradient indicators; inclinometers; taximeters; quantity indicators; vacuum gauges; speed indicators; inductors [electricity]; armatures [electricity]; data processing apparatus; mirrors for inspecting work; intercommunication apparatus; carriers for dark plates [photography]; inverters [electricity]; ionization apparatus not for the treatment of air or water; peepholes [magnifying lenses] for doors; hemline markers; furniture especially made for laboratories; lactodensimeters; darkroom lamps [photography]; optical lamps; optical lanterns; magic lanterns; signal lanterns; lasers, not for medical purposes; optical lenses; letter scales; logs [measuring instruments]; sounding lines; magnifying glasses [optics]; signs, luminous; neon signs; eyeglasses; instruments containing eyepieces; surveyors' levels; eyeglass lenses; manometers; periscopes; protective masks; mathematical instruments; coin-operated mechanisms for television sets; megaphones; computer memory devices; carpenters' rules; mercury levels; speed measuring apparatus [photography]; precision measuring

apparatus; measuring instruments; meteorological instruments; micrometer screws for optical instruments; microphones; microtomes; time switches, automatic; mirrors [optics]; breathing apparatus for underwater swimming; nautical apparatus and instruments; naval signalling apparatus; navigational instruments; eyeglass frames; batteries, electric; levels [instruments for determining the horizontal]; levelling instruments; prisms [optics]; observation instruments; octants; ohmmeters; wavemeters; optical apparatus and instruments; optical glass; computers; computer programs, recorded; oscillographs; oxygen transvasing apparatus; ozonisers [ozonators]; micrometer gauges; signalling panels, luminous or mechanical; lightning arresters; lightning conductors; parking meters; apparatus and instruments for astronomy; apparatus for measuring the thickness of skins; acid hydrometers; weighing apparatus and instruments; salinometers; washing trays [photography]; stands for photographic apparatus; viewfinders, photographic; photometers; phototelegraphy apparatus; apparatus and instruments for physics; steering apparatus, automatic, for vehicles; pince-nez; laboratory pipettes; plane tables [surveying instruments]; planimeters; ear plugs for divers; bells [warning devices]; weights; polarimeters; radiotelephony sets; radiotelegraphy sets; pressure measuring apparatus; pressure indicators; projection apparatus; cathodic anti-corrosion apparatus; teeth protectors; pyrometers; radar apparatus; vehicle radios; radiological apparatus for industrial purposes; protractors [measuring instruments]; apparatus and installations for the production of X-rays, not for medical purposes; X-ray tubes not for medical purposes; protection devices against X-rays, not for medical purposes; telephone apparatus; refractors; X-ray apparatus not for medical purposes; spectrosopes; resistances, electric; thermometers, not for medical purposes; respirators for filtering air; breathing apparatus, except for artificial respiration; rheostats; balances [steelyards]; signals, luminous or mechanical; saccharometers; probes for scientific purposes; satellites for scientific purposes; diaphragms for scientific apparatus; teaching apparatus; choking coils [impedance]; wire connectors [electricity]; locks, electric; sextants; signalling whistles; vehicle breakdown warning triangles; electro-dynamic apparatus for the remote control of signals; simulators for the steering and control of vehicles; sirens; sound transmitting apparatus; sound recording apparatus; sound reproduction apparatus; sounding apparatus and machines; sounding leads; sound locating instruments; spectrograph apparatus; spherometers; stereoscopes; stereoscopic apparatus; needles for record players; sulfimeters; teleprinters; teletypewriters; tachometers; screw-tapping gauges; telegraphs [apparatus]; television apparatus; telegraph wires; remote control apparatus; masts for wireless aerials; teleprompters; telephone transmitters; telerupters; binoculars; telescopes; temperature indicators; time recording apparatus; theodolites; thermostats for vehicles; totalizers; revolution counters; speed regulators for record players; transmitters [telecommunication]; precision balances; marking gauges [joinery]; vacuum tubes [radio]; urinometers; variometers; verniers; videotapes; viscosimeters; theft prevention installations, electric; voltage regulators for vehicles; voting machines; voltmeters; apparatus for changing record player needles; stills for laboratory experiments; fuse wire; anticathodes; dog whistles; sighting telescopes for firearms; telescopic sights for firearms; anti-theft warning apparatus; azimuth instruments; beacons, luminous; holders for electric coils; films, exposed; road signs, luminous or mechanical; life buoys; signalling buoys; buzzers; directional compasses; fog signals, non-explosive; cash registers; radiology screens for industrial purposes; identity cards, magnetic; photovoltaic cells; densitometers; disks, magnetic; floppy disks; head cleaning tapes [recording]; video recorders; computer keyboards;

integrated circuits; semi-conductors; chips [integrated circuits]; cathodes; life jackets; life belts; chemistry apparatus and instruments; cinematographic film, exposed; materials for electricity mains [wires, cables]; contact lenses; containers for contact lenses; incubators for bacteria culture; solar batteries; copper wire, insulated; discharge tubes, electric, other than for lighting; diaphragms [photography]; distillation apparatus for scientific purposes; dosage dispensers; dosimeters; electric door bells; eyeglass cases; furnaces for laboratory use; optical fibers [light conducting filaments]; telephone wires; X-ray films, exposed; filters for ultraviolet rays, for photography; horns for loudspeakers; tripods for cameras; bar code readers; bullet-proof vests; marking buoys; wafers for integrated circuits; chromatography apparatus for laboratory use; chronographs [time recording apparatus]; compact discs [audio-video]; compact discs [read-only memory]; computer operating programs, recorded; computer peripheral devices; computer software, recorded; optical condensers; acoustic couplers; couplers [data processing equipment]; decompression chambers; plotters; divers' masks; electronic pens [visual display units]; encoded magnetic cards; facsimile machines; fire boats; interfaces for computers; juke boxes for computers; knee-pads for workers; light dimmers [regulators], electric; magnetic data media; magnetic encoders; magnetic tape units for computers; microprocessors; modems; monitors [computer hardware]; monitors [computer programs]; mouse [computer peripheral]; optical character readers; optical data media; optical discs; printers for use with computers; central processing units [processors]; processors [central processing units]; readers [data processing equipment]; safety restraints, other than for vehicle seats and sports equipment; scanners [data processing equipment]; smoke detectors; transistors [electronic]; X-ray photographs, other than for medical purposes; junction sleeves for electric cables; abacuses; electronic agendas; answering machines; camcorders; cassette players; compact disc players; diagnostic apparatus, not for medical purposes; disk drives for computers; electrified rails for mounting spot lights; electronic pocket translators; electronic tags for goods; fire blankets; flashlights [photography]; integrated circuit cards [smart cards]; smart cards [integrated circuit cards]; measuring spoons; notebook computers; electronic notice boards; pocket calculators; shoes for protection against accidents, irradiation and fire; sprinkler systems for fire protection; starter cables for motors; time clocks [time recording devices]; video cassettes; video game cartridges; video screens; video telephones; goggles for sports; nose clips for divers and swimmers; protective helmets for sports; electronic publications, downloadable; computer programs, downloadable; navigation apparatus for vehicles [on-board computers]; decorative magnets; cordless telephones; mouse pads; personal stereos; wrist rests for use with computers; coaxial cables; fiber optic cables; covers for electric outlets; marine depth finders; electrified fences; computer game software, recorded; headphones; lighting ballasts; radio pagers; satellite navigational apparatus; solenoid valves [electromagnetic switches]; voltage surge protectors; walkie-talkies; wind socks for indicating wind direction; light-emitting electronic pointers; resuscitation mannequins [teaching apparatus]; stage lighting regulators; egg timers [sandglasses]; hourglasses; DNA chips; DVD players; automated teller machines [ATM]; traffic-light apparatus [signalling devices]; hands-free kits for telephones; asbestos screens for firemen; riding helmets; clothing especially made for laboratories; encoded identification bracelets, magnetic; transponders; downloadable ring tones for mobile phones; downloadable music files; downloadable image files; crash test dummies; laboratory centrifuges; printed circuit boards; USB flash drives; Global Positioning System [GPS] apparatus; portable media players; cell phone straps; light-emitting diodes [LED]; triodes; step-up transformers;

fire hose; bags adapted for laptops; sleeves for laptops; digital photo frames; Petri dishes; Pitot tubes; stroboscopes; traffic cones; temperature indicator labels, not for medical purposes; computer software applications, downloadable; electronic book readers; smartphones; toner cartridges, unfilled, for printers and photocopiers; baby monitors; video baby monitors; lens hoods; tablet computers; encoded key cards; 3D spectacles; memory cards for video game machines; bullet-proof clothing; accelerometers; electrical adapters; life-saving capsules for natural disasters; computer hardware; solar panels for the production of electricity; cell phones; telescopic sights for artillery; digital signs; wearable activity trackers; chargers for electronic cigarettes; connected bracelets [measuring instruments]; covers for smartphones; cases for smartphones; selfie sticks [hand-held monopods]; calorimeters; flowmeters; reflective safety vests; electronic collars to train animals; joysticks for use with computers, other than for video games; smartglasses; smartwatches; fire extinguishing apparatus; protective films adapted for computer screens; mouth guards for sports; head guards for sports; needles for surveying compasses; security tokens [encryption devices]; infrared detectors; covers for personal digital assistants [PDAs]; baby scales; electronic access control systems for interlocking doors; thermal imaging cameras; scales with body mass analysers; covers for tablet computers; black boxes [data recorders]; digital weather stations; charging stations for electric vehicles; interactive touch screen terminals; smart rings; electric and electronic effects units for musical instruments; audio interfaces; equalisers [audio apparatus]; subwoofers; bathroom scales; thermo-hygrometers; biochips; protective films adapted for smartphones; virtual reality headsets; electronic interactive whiteboards; humanoid robots with artificial intelligence; audio mixers; batteries for electronic cigarettes; electronic key fobs being remote control apparatus; electronic sheet music, downloadable; T-squares for measuring; squares for measuring; electronic numeric displays; laboratory robots; teaching robots; security surveillance robots; personal digital assistants [PDAs]; computer software platforms, recorded or downloadable; satellite finder meters; ring sizers; thin client computers; rearview cameras for vehicles; hand-held electronic dictionaries; resuscitation training simulators; electric wire harnesses for automobiles; snorkels; sports whistles; computer screen saver software, recorded or downloadable; selfie lenses; downloadable graphics for mobile phones; telecommunication apparatus in the form of jewellery; wearable computers; wearable video display monitors; magnetic resonance imaging [MRI] apparatus, not for medical purposes; rescue laser signalling flares; ink cartridges, unfilled, for printers and photocopiers; wah-wah pedals; height measuring instruments; hairdressing training heads [teaching apparatus]; devices for the projection of virtual keyboards; survival blankets; lifeboats; nanoparticle size analysers; ear pads for headphones; data gloves; trackballs [computer peripherals]; downloadable emoticons for mobile phones; telepresence robots; climate control digital thermostats; piezoelectric sensors; organic light-emitting diodes [OLED]; quantum dot light-emitting diodes [QLED]; droppers for measuring, other than for medical or household purposes; electric sockets; computer game software, downloadable; rescue flares, non-explosive and non-pyrotechnic; stands adapted for laptops; headgear being protective helmets; home theater systems; digital cameras; video cameras [camcorders]; optical disc players and recorders; digital audio players and recorders; digital video players; signal processors for audio speakers; signal processors for speaker systems; earphones; speakers for home theaters; wireless speakers; sound speakers; car audio devices; car audio amplifiers; car audio optical disc players; digital audio players for automobiles; telecommunication machines and

apparatus; head-mounted video displays; computer software; computer software for processing digital music files; electronic machines, apparatus and their parts; photographic machines and apparatus; cinematographic machines and apparatus; recorded video discs; slide film mounts; lens caps for use with film, digital, and video cameras; handgrips for film, digital, and video cameras; robots for entertainment; animal robots with artificial intelligence.