

**BENELUX OFFICE FOR INTELLECTUAL PROPERTY**

**OPPOSITION DECISION**

**N° 2011544**

**of 22 March 2017**

**Opponent:** **Banana Republic (ITM) Inc.**  
Folsom Street 2  
94105 San Francisco CA  
United States of America

**Representative:** **BAKER & MCKENZIE CVBA**  
Meir 24  
2000 Antwerp  
Belgium

**Invoked right 1:** **European registration 4471264**



**Invoked right 2:** **European registration 4509378**



**Invoked right 3:** **European registration 6286959**



**Invoked right 4:** **European registration 9608043**



**Invoked right 5:** **European registration 10658136**



*against*

**Defendant:** **WE Brand S.à.r.l.**  
Rue Beaumont 17  
1219 Luxembourg  
Luxembourg

**Representative:** **Leeway B.V.**  
Barbara Strozziiaan 101  
1083 HN Amsterdam  
Netherlands

**Contested trademark:** **Benelux application 1317187**





**I. FACTS AND PROCEEDINGS****A. Facts**

1. On 17 September 2015 the defendant filed an application for a trademark in the Benelux for the combined



word/figurative mark for goods and services in classes 3, 9, 14, 16, 18, 25 and 35. This application was processed under number 1317187 and was published on 30 October 2015.

2. On 28 December 2015 the opponent filed an opposition against the registration of the application. The opposition is based on the following earlier trademarks:

- European registration 4471264 of the combined word/figurative mark , filed on 3 June 2005 and registered on 17 May 2006 for goods in classes 14, 18 and 25.
- European registration 4509378 of the combined word/figurative mark , filed on 27 June 2005 and registered on 19 May 2008 for goods and services in classes 3, 9 and 35.
- European registration 6286959 of the combined word/figurative mark , filed on 18 September 2007 and registered on 3 September 2008 for goods and services in classes 9, 35 and 36.
- European registration 9608043 of the combined word/figurative mark , filed on 17 December 2010 and registered on 28 April 2011 for goods and services in classes 16, 35 and 41.
- European registration 10658136 of the combined word/figurative mark , filed on 20 February 2012 and registered on 18 July 2012 for goods in class 9.

3. According to the register the opponent is the actual holder of the trademarks invoked.

4. The opposition is directed against all goods and services of the contested application and is based on all goods and services of the trademarks invoked.

5. The grounds for opposition are those laid down in article 2.14, 1 (a) of the Benelux Convention on Intellectual Property (hereinafter: "BCIP").

6. The language of the proceedings is English.

**B. Course of the proceedings**

7. The opposition is admissible and was notified by the Benelux Office for Intellectual Property (hereinafter: "the Office") to the parties on 30 December 2015. During the administrative phase of the proceedings both parties filed arguments. The course of the proceedings meets the requirements as stated in the BCIP and the Implementing Regulations (hereinafter "IR"). The administrative phase was completed on 4 July 2016.

**II. ARGUMENTS**

8. The opponent filed an opposition at the Office under article 2.14, 1 (a) BCIP, in accordance with the provisions of article 2.3 (b) BCIP: the likelihood of confusion based on the identity or similarity of the relevant marks and the identity or similarity of the goods or services concerned.

**A. Opponent's arguments**

9. The opponent argues that the goods and services of the contested sign are identical or (highly) similar to the goods and services for which the trademarks invoked have been registered.

10. With regard to the comparison of the signs the opponent states that the contested sign, as well as the trademarks invoked, consists of a figurative sign bearing the letters B and R. For this reason, the opponent argues that the signs are aurally identical.

11. Furthermore, the opponent states that in both signs the letters B and R are represented in a bold and black font and the letters are linked to one another so that they give the impression of being one single letter. According to the opponent, the only difference between the signs is that a slightly different font is used and that in the trademarks invoked the letters B and R are positioned back to back, while in the contested sign these letters are superimposed. The opponent argues that these small differences are negligible and irrelevant from both an aural and conceptual perspective and therefore these differences will not be noticed by the relevant public. For this reason, the signs also have a high degree of visual similarity.

12. According to the opponent the combination of the letters B and R has no particular meaning and for this reason it is not possible to conduct a conceptual comparison.

13. The opponent states that the relevant public consists of the public at large and that the trademarks invoked are inherently distinctive.

14. Furthermore, the opponent refers to prior decisions from the French Institut National de la Propriété Industrielle (INPI) regarding opposition proceedings between the trademarks invoked and other signs that contain a stylized image of the letters B and R, in which the INPI decided that there was a likelihood of confusion.

15. The opponent concludes that there is a likelihood of confusion and requests that the Office grants the opposition and orders the defendant to pay the costs of the proceedings.

**B. Defendant's arguments**

16. The defendant does not dispute the opponent's argument that the goods and services are identical or (highly) similar. However, according to the defendant, the opposition is unsuccessful, because the signs are not similar.

17. The defendant states that the signs concerned are short signs. According to the defendant, the length of the signs influences the effect of the differences between them and in short words, small differences may frequently lead to a different overall impression.

18. With regard to the visual comparison, the defendant states that the graphic representation of the signs concerned, taken as a whole, are different because of the style, shape and positioning of the letters. The defendant argues that the letter B in the trademark invoked is mirrored and connected with the letter R in a very atypical manner. According to the defendant, this results in the fact that the sign could also contain a third letter, namely the letter H. Furthermore, the letters of the contested sign are intertwined and are placed on top of one another with the lower part of one letter overlapping with the upper part of the second letter. For this reason, the defendant argues that it is very difficult to visualize two letters. According to the defendant, even if the public perceives the contested sign as a stylized representation of an intertwined combination of the letters 'BR', the public will not consider the signs visually similar, because the visual differences will not be ignored.

19. The defendant argues that it is not possible to pronounce the signs concerned, due to the mirrored B in the trademarks invoked, the fact that the trademark invoked could also consist of three letters (with an 'H' in the middle) and the fact that the letters in the contested sign are intertwined. Therefore, there is no aural similarity.

20. According to the defendant, the signs have no meaning and for this reason the conceptual aspect does not influence the assessment of the similarity of the signs.

21. The defendant also argues that the goods concerned are chosen after visual inspection and for this reason, the visual aspects play a greater role in the global assessment of the likelihood of confusion.

22. Furthermore, the defendant refers to prior decisions from the Opposition Division and the Boards of Appeal of the European Union Intellectual Property Office (EUIPO) concerning opposition proceedings between signs that consist of two B's (including a reversed 'B') in which it was decided that there was no likelihood of confusion.

23. The defendant concludes that there is no likelihood of confusion and requests that the Office rejects the opposition and orders the opponent to pay the costs of the proceedings.

**III. DECISION****A.1 Likelihood of confusion**

24. In accordance with article 2.14, 1 BCIP, the applicant or holder of a prior trademark may submit a written opposition to the Office, within a period of two months to be calculated from the publication date of the application, against a trademark which in the order of priority, ranks after its own in accordance with Article 2.3 (a) and (b) BCIP.

25. Article 2.3 (a) and (b) BCIP stipulates that *“In determining the order of priority for filings, account shall be taken of rights, existing at the time of filing and maintained at the time of the litigation, in: a. identical trademarks filed for identical goods or services; b. identical or similar trademarks filed for identical or similar goods or services, where there exists on the part of the public a likelihood of confusion that includes the likelihood of association with the prior trademark.”*

26. According to case law of the Court of Justice of the European Union (hereinafter: the “CJEU”) concerning the interpretation of Directive 2008/95/EG of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trademarks (hereinafter: “Directive”), the likelihood of confusion of the public, which is defined as the risk that the public might believe that the goods or services in question come from the same undertaking or, as the case may be, from economically-linked undertakings, must be appreciated globally taking into account all factors relevant to the circumstances of the case (CJEU, Canon, C-39/97, 29 September 1998, Lloyd Schuhfabrik Meyer, C-342/97, 22 June 1999; CJBen, Brouwerij Haacht/Grandes Sources belges, A 98/3, 2 October 2000; Marca Mode/Adidas, A 98/5, 7 June 2002; Supreme Court of the Netherlands, Flügel-bottle, C02/133HR, 14 November 2003; Brussels, N-20060227-1, 27 February 2006).



### **Comparison of the signs**

27. The wording of Article 4, 1 (b) of the Directive (cf. article 2.3, (b) BCIP) “there exists a likelihood of confusion on the part of the public” shows that the perception of marks in the mind of the average consumer of the type of goods or services in question plays a decisive role in the global assessment of the likelihood of confusion. The average consumer normally perceives a mark as a whole and does not proceed to analyse its various details (CJEU, Sabel, C-251/95, 11 November 1997).

28. Global assessment of the visual, aural or conceptual similarity of the marks in question, must be based on the overall impression given by the marks, bearing in mind, in particular, their distinctive and dominant components (CJEU, Sabel and Lloyd, already cited).

29. The overall impression created in the memory of the relevant public by a complex mark might, in certain circumstances, be dominated by one or more components of that mark (CJEU, Limonchello, C-334/05 P, 12 June 2007). With regard to the assessment of the dominant characteristics of one or more components of a complex trademark, account must be taken, in particular, of the intrinsic qualities of each of these components by comparing them with those of other components. In addition, account may be taken of the relative position of the various components within the arrangement of the complex mark (EGC, Matratzen, T-6/01, 23 October 2002 and El Charcutero Artesano, T-242/06, 13 December 2007).

30. Since the trademarks invoked are identical, the signs to be compared are the following:

Opposition based on:	Opposition directed against:
	

31. Both signs are combined word/figurative marks. The trademark invoked consists of the capital letters B and R. These letters are connected with one another at the top, at the bottom and in the middle. Although the letter B is reversed, the Office is of the opinion that the public will easily recognize this letter.

32. Contrary to the opponent's point of view, the Office considers that it cannot be concluded that the public will perceive the contested sign as an image of two letters. The contested sign consists of an abstract figure. To the extent that the public will see a letter in this abstract figure, the public could recognise the letter R. If the public recognises any other letters, it is completely uncertain which letters will be recognized or in which sequence the letters will be perceived. Therefore, the Office is of the opinion that in the case of such an abstract figure, in which it is not clear which letters are being depicted, the public will not refer to it aurally and if they do, it is not clear which phonetic reproduction the public will use. For this reason, an aural comparison is not possible.

33. Furthermore, if the public perceives the contested sign as a depiction of any letter(s), the display is very different. The letters in the trademark invoked are displayed in a fanciful typeface, while the contested sign is displayed in a squared typeface. The letter B in the trademark invoked is reversed, which causes a significant visual difference. Furthermore, the letters in the trademark invoked are written side by side, whereas in the contested sign, if it is perceived as two letters, these letters are vertically intertwined, which is a distinctive element that also causes a notable difference between the signs. Moreover, in short signs, small differences are more easily noticed by the public (reference is made to EGC, COR/DOR, T-342/05, 23 May 2007). For these reasons, the signs are visually different.

34. Conceptually, the signs do not have a clear and precise meaning for the public in the relevant territory. For this reason, the conceptual comparison is also not possible.

#### *Conclusion*

35. Taking into account that an aural and conceptual comparison is not possible, and that the signs are visually different, the Office concludes that the signs, considered as a whole, are not similar or at least are not similar enough that there could exist a likelihood of confusion.

#### ***Comparison of the goods and services***

36. As the overall impression of the signs is not similar, the Office will – for procedural reasons – not proceed with the comparison of the goods. After all, likelihood of confusion cannot exist if there is no similarity between the signs (see Article 2.3 (b) BCIP, as well as EGC decisions, easyHotel, T-316/07, 22 January 2009 en YOKANA, T-103/06, 13 April 2010). The goods are displayed in the Annex accompanying this decision to enhance the comprehensibility of the extent of the present decision.

#### **B. Other factors**

37. With regard to the parties' references to decisions from INPI and EUIPO concerning, in the parties' view, similar oppositions (paragraph 14 and 22), the Office points out that it is obliged to render a decision based on regulation and case law applicable in the Benelux. The Office is not bound by decisions from other offices, whether they refer to similar cases or not (see, by analogy with, GEU, Curon, T- 353/04, 13 February 2007).

38. The opposition proceedings with the Office provide for an allocation of the costs of the proceedings to the losing party. Article 2.16, 5 BCIP and rule 1.32, 3 IR only stipulates in this respect that an amount equaling the basic opposition fee shall be borne by the losing party (paragraph 15 and 23).

**C. Conclusion**

39. Based on the foregoing the Office concludes that there is no likelihood of confusion.

**IV. DECISION**

40. The opposition with number 2011544 is rejected.

41. Benelux application with number 1317187 will be registered.

42. The opponent shall pay the defendant 1,000 euros in accordance with article 2.16, 5 BCIP in conjunction with rule 1.32, 3 Implementing Regulations, as the opposition is rejected in its entirety. This decision constitutes an enforceable order pursuant to article 2.16, 5 BCIP.

The Hague, 22 March 2017

Eline Schiebroek  
(*rapporteur*)

Pieter Veeze

Diter Wuytens

Administrative officer: François Veneri



**ANNEX: list of goods and services**

<b>Opposition based on:</b>	<b>Opposition directed against:</b>
<p><i>EU Trademark 4509378</i></p> <p>Cl 3 Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; including body and bath soaps, lotions, powders and salts; perfumery and eau de toilette; cosmetic treatments; hair shampoos and preparations; perfume, eau de perfume, bath oil, bathing bubbles, bath powder, shower gel, bath salts, cleanser, body and skin lotion, facial scrub, facial mask, face creme, skin toner, astringent, lip balm, eye balm, eye gelee, eye cream, shampoo, hair conditioner, hair gel, aftershave, aftershave moisturizing lotion, shaving cream, shaving soap, talc, essential oils for personal use, massage oil.</p>	<p>Cl 3 Soaps and gels, perfumery, colognes, toilet water, after-shave lotions, deodorants for personal use, essential oils, hair lotions, preparations for the cleaning, care and beautification of the skin, scalp and hair; toothpaste; cosmetics/make-up, make-up preparations; make-up removing preparations, nail polish, nail care preparations, shaving articles, toiletries, cleansing milk for toilet purposes, shoe polish, shoe wax, lip gloss.</p>
<p><i>EU trademark 4509378</i></p> <p>Cl 9 Scientific, nautical, surveying, electric, photographic, cinematographic, optical, including glasses, sunglasses, and accessories, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments for transmission, distribution, transformation storage, adjustment or control of electric current; apparatus for recordation, transmission or reproduction of sound or images, numerical and magnetic data carriers, magnetic encoded cards and cards containing an integrated circuit chip, namely, smart cards containing programming used to purchase merchandise and services, phonograph records, cassette tapes and compact discs; recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; software, computer memories, modems; video discs, optical and numerical discs, keyboards, computer terminals, screens, computer printers; telematic apparatus; fire-extinguishing apparatus.</p> <p><i>EU Trademark 6286959</i></p> <p>Cl 9 Electronic cards containing information; credit cards; charge cards; discount cards; stored value cards; electronic cards used in conjunction with incentive award programs and customer loyalty</p>	<p>Cl 9 Eyewear, including glasses, sunglasses, spectacle frames, ski goggles, pouches and cases for eyeglasses; covers and cases for cameras, mobile telephones, tablets, portable computers and communications and wireless communications equipment; bags and cases adapted for holding or carrying telephones, mobile telephones, communications and wireless communications equipment; electronic and computerized personal organizers; CDs; DVDs; covers for DVD and CV; pocket calculators; headphones; telephone handsets; loudspeakers; reading tablets and other devices for reading and viewing text; mouse pads; computer software for social networking, downloading, publishing, displaying, posting, labelling, blogging, shopping, receipt and transmission of data; software applications, including downloadable user programs (apps) for installation on telephones, mobile telephones and communications and wireless communication devices and devices for the transmission of sound or images; downloadable music files, downloadable image files, downloadable files, downloadable films, downloadable ringtones; leather covers and bags for laptops, tablets and cell phones; spectacle chains and cords.</p>

<p>programs.</p> <p><i>EU Trademark 10658136</i></p> <p>Cl 9 Computer application software for mobile phones that enables customers to search an online searchable database in the field of clothing, accessories, bags, shoes, personal care products and home products to purchase consumer goods and view retail product information.</p>	
<p><i>EU Trademark 4471264</i></p> <p>Cl 14 Jewellery and watches.</p>	<p>Cl 14 Jewellery coated with precious metals, jewellery coated with precious metal alloys, jewellery in precious metals; jewelry, jewellery cases, precious stones and semi-precious stones and their imitations; clocks, watches, wrist watches, cases for watches and clocks, watch chains, key rings, lanyards, tie clips, hair pins, cuff links, earrings, diadems, shoe ornaments of precious metal.</p>
<p><i>EU Trademark 9608043</i></p> <p>Cl 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); printers' type; printing blocks.</p>	<p>Cl 16 Printed matter, pamphlets, stationary, post cards, photograph albums, diaries, notebooks, calendars, artist materials, school supplies, pens, pencils, pen cases, rubber erasers, rulers, stands for pens and pencils, glue, paint brushes, posters, graphic prints, graphic reproductions, printed photographs, printed publications, stickers, books.</p>
<p><i>EU Trademark 4471264</i></p> <p>Cl 18 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; tote bags, duffel bags, backpacks, hand bags, bike bags, and wallets.</p>	<p>Cl 18 Bags, handbags, evening bags, shoulder bags, beach bags, waist bags, bags for sports, wallets, purses, credit card holders, briefcases, wheeled shopping bags, rucksacks/backpacks, school bags, tote bags, trunks and traveling bags, cosmetic and toiletry cases sold empty; umbrellas and parasols; goods made of leather and imitation leather namely belts, bags, key bags, wallets, purses, credit card holders, rucksacks, briefcases.</p>
<p><i>EU Trademark 4471264</i></p> <p>Cl 25 Clothing, namely pants, shorts, sweatpants, overalls, shirts, tee-shirts, sweatshirts, dresses, skirts, blouses, jackets, vests, coats, rainwear, lingerie, sleepwear, underwear, loungewear, beachwear, swimwear, infantwear, gloves, hosiery, belts, scarves, hats, ties, footwear, shoes, slippers.</p>	<p>Cl 25 Clothing, footwear, headgear for men, women and children and infants; bonnets, hats, caps, headbands, ear muffs, bandanas, sweatbands, scarves, shawls, wrist bands, gloves, mittens, jackets, coats, blazers, parkas, rainwear, waterproof clothing, wind resistant jackets, overcoats, ponchos, fleece tops, leisure clothing, athletic apparel, warm-up suits, sweatpants, sweat shirt, sport coats, sports bras, clothing for dancing namely leotards and ballet suits, swimwear, bathing suits, bikinis, swim trunks, shorts, shirts, golf shirts, t-shirts, polo shirts, tops, knit wear, knit tops, woven tops, tank tops, tunics, blouses,</p>

	<p>suits, pants, skirts, leggings, tights, jump suits, belts [clothing], dresses, pullovers, cardigans, underwear, undergarment, robes, dressing gowns, dresses, evening dresses, ties, bow ties, vests, jerseys, turtle-necks, trousers, jeans, denim wear, dresses, wedding dresses, overalls, jumpers, sleepwear, pyjamas, sleep masks, sarongs, bathrobes, shower caps, lingerie, boxer shorts, belts made of leather [clothing], bodysuits, layettes, cloth bibs, sleep masks; wedding clothing; masquerade costumes; footwear, footwear made of wood, shoes, gym shoes, sneakers, running shoes, socks, stockings, hosiery, boots, canvas shoes, rain boots, beach shoes, bathing shoes, sandals, slippers, shoe covers, galoshes, suspenders, soles for footwear.</p>
<p><i>EU Trademark 4509378</i>  CI 35 Advertising, including advertising and promotion services; business management and business administration; business information; commercial information; rental of advertising space on the Internet; direct-mail advertising; dissemination of advertising and promotional materials; compilation of mailing lists; preparation of issuing of publicity materials; market research; distribution and demonstration of goods and samples; organization, operating and supervision of sales and promotional schemes; computerized information services related to marketing; ordering products and services for third parties via electronic data transmission; organization of exhibitions for business or commerce; television advertising; data storage and retrieval services, all for information, images, audio material and text; provision of the aforesaid services on on-line from a computer database or the Internet; professional business consultancy and advisory services; information and advisory services; information and advisory services relating to all of the aforesaid; loyalty card incentive program to promote retail store services featuring apparel and fashion accessories; excluding all the aforesaid services in relation to hotel, restaurant, bar and cafeteria services.</p> <p><i>EU Trademark 6286959</i>  CI 35 Retail store services in relation to clothing, footwear, headgear, clothing accessories, bags, clothing design bags, luggage, leather goods, sunglasses and eyeglasses, jewellery, clocks, hair accessories, cosmetics, toiletries, fragrances, personal care products, stationery, giftware, toys,</p>	<p>CI 35 Advertising; business management; business administration; administrative services; retail business services relating to, and the bringing together (excluding transport) of products made of leather, clothing, clothing accessories, footwear and headgear for third parties in order to enable consumers to view and buy these products; sales promotion; business mediation in the purchase and sale of the following products: soaps and gels, perfumery, colognes, toilet water, after-shave lotions, deodorants for personal use, essential oils, hair lotions, preparations for the cleaning, care and beautification of the skin, scalp and hair, toothpaste, cosmetics/make-up, make-up preparations, make-up removing preparations, nail polish, nail care preparations, shaving articles, toiletries, cleansing milk for toilet purposes, shoe polish, shoe wax, lip gloss, eyewear, including glasses, sunglasses, spectacle frames, ski goggles, pouches and cases for eyeglasses, covers and cases for cameras, mobile telephones, tablets, portable computers and communications and wireless communications equipment, bags and cases adapted for holding or carrying telephones, mobile telephones, communications and wireless communications equipment, electronic and computerized personal organizers, CDs, DVDs, covers for DVD and CV, pocket calculators, headphones, telephone handsets, loudspeakers, reading tablets and other devices for reading and viewing text , mouse pads, computer software for social networking, downloading, publishing, displaying, posting, labelling, blogging, shopping, receipt and transmission of data, software applications, including downloadable user programs (apps) for installation on telephones, mobile telephones and communications and wireless communication devices and devices for the transmission of sound or images, downloadable music</p>

<p>games and sporting articles, household products for dining, bed and bath, house wares and glass, paper goods; home furnishings, food and beverage products, bedding, beverage ware, glassware, and other merchandise; loyalty card programs and incentive award programs to promote retail store services featuring apparel and fashion accessories.</p> <p><i>EU Trademark 9608043</i></p> <p>Cl 35 Advertising; business management; business administration; office functions.</p>	<p>files, downloadable image files, downloadable files, downloadable films, downloadable ringtones, jewellery coated with precious metals, jewellery coated with precious metal alloys, jewellery in precious metals, jewelry, jewellery cases, precious stones and semi-precious stones and their imitations, clocks, watches, wrist watches, cases for watches and clocks, watch chains, key rings, lanyards, tie clips, hair pins, cuff links, earrings, diadems, shoe ornaments of precious metal, printed matter, pamphlets, stationary, post cards, photograph albums, diaries, notebooks, calendars, artist materials, school supplies, pens, pencils, pen cases, rubber erasers, rulers, stands for pens and pencils, glue, paint brushes, posters, graphic prints, graphic reproductions, printed photographs, printed publications, stickers, books, bags, handbags, evening bags, shoulder bags, beach bags, waist bags, bags for sports, bags for athletic items, wallets, purses, credit card holders, briefcases, wheeled shopping bags, rucksacks/backpacks, school bags, tote bags, trunks and traveling bags, cosmetic and toiletry cases, laptop bags, tablet bags, umbrellas and parasols, goods made of leather and imitation leather namely belts, bags, key bags, wallets, purses, credit card holders, rucksacks, briefcases, covers and bags for laptops, tablets and cell phones, clothing, footwear, headgear for men, women and children and infants, bonnets, hats, caps, headbands, ear muffs, bandanas, sweatbands, scarves, shawls, wrist bands, gloves, mittens, jackets, coats, blazers, parkas, rainwear, waterproof clothing, wind resistant jackets, overcoats, ponchos, fleece tops, leisure clothing, athletic apparel, warm-up suits, sweatpants, sweat shirt, sport coats, sports bras, clothing for dancing namely leotards and ballet suits, swimwear, bathing suits, bikinis, swim trunks, shorts, shirts, golf shirts, t- shirts, polo shirts, tops, knit wear, knit tops, woven tops, tank tops, tunics, blouses, suits, pants, skirts, leggings, tights, jump suits, belts [clothing], dresses, pullovers, cardigans, underwear, undergarment, robes, dressing gowns, dresses, evening dresses, ties, bow ties, vests, jerseys, turtle-necks, trousers, jeans, denim wear, dresses, wedding dresses, overalls, jumpers, sleepwear, pyjamas, sleep masks, sarongs, bathrobes, shower caps, lingerie, boxer shorts, belts made of leather [clothing], bodysuits, layettes, cloth bibs, sleep masks, wedding clothing, masquerade costumes, footwear, footwear made of wood, shoes, gym shoes, sneakers, running shoes, socks, stockings, hosiery, boots, canvas shoes, rain boots, beach shoes, bathing shoes, sandals, slippers, shoe covers, galoshes, suspenders, soles for footwear;</p> <p>mediation in the marketing of products in the context of the</p>
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	<p>services of wholesalers; administrative services in connection with preparing and concluding of franchise and license agreements relating to the aforesaid services; the aforesaid services also provided via electronic channels, including the internet; marketing, management of commercial affairs; retail services with respect to the goods as follows: soaps and gels, perfumery, colognes, toilet water, after-shave lotions, deodorants for personal use, essential oils, hair lotions, cosmetic preparations for the cleaning, care and beautification of the skin, scalp and hair; aforementioned services also by electronic means, including Internet; management of a customer loyalty program, including development of customer loyalty; organization of promotional activities in order to promote customer loyalty.</p>
<p><i>EU Trademark 6286959</i>  CI 36 Financial services; credit card services; distribution of loyalty and prepaid stored value cards; providing rebates and other financial incentives as part of an incentive award program or as part of a customer loyalty program; insurance; financial affairs; monetary affairs; real estate affairs; financial consultancy and advisory services; charitable services; personal financial banking services, pension fund services; arranging the hire purchase of goods; lease purchase financing; guarantee services; information and advisory services relating to the foregoing.</p>	
<p><i>EU Trademark 9608043</i>  CI 41 Education; providing of training; entertainment; sporting and cultural activities.</p>	