



BENELUX OFFICE FOR INTELLECTUAL PROPERTY

OPPOSITION DECISION

N° 2012158

of 27 April 2018

Opponent: **Boohoo.com UK Limited**
49-51 Dale Street
M1 2HF Manchester
Great-Britain

Representative: **Office Hanssens S.p.r.l.**
Square Marie-Louise 40, Boîte 19
1000 Brussels
Belgium

Invoked right 1: **EU trademark 9472036**

BOOHOO

Invoked right 2: **EU trademark 12392569**

BOOHOO

against

Defendant: **BOOBOO INTERNATIONAL LIMITED**
Regent Street 207 3rd Floor
W1B 3HH London
Great-Britain

Representative: **Trademarkers Merkenbureau C.V.**
Amersfoortsestraatweg 33b
1401 CV Bussum
The Netherlands

Contested trademark: **Benelux application 1332423**

Booboo

I. FACTS AND PROCEEDINGS

A. Facts

1. On 17 May 2016 the defendant filed an application for a trademark in the Benelux for the word mark "Booboo" for goods and services in classes 3, 9, 14, 16, 25, 26, 35, 38 and 41. This application was processed under number 1332423 and was published on 20 May 2016.

2. On 15 July 2016 the opponent filed an opposition against the registration of the application. The opposition is based on the following earlier trademarks:

- EU trademark 9472036 of the word mark BOOHOO filed on 8 October 2010 and registered on 27 October 2015 for goods and services in classes 2, 3, 4, 8, 9, 10, 11, 12, 14, 16, 18, 20, 21, 23, 24, 25, 26, 27, 28, 31, 35, 36, 42, 44 and 45;
- EU trademark 12392569 of the word mark BOOHOO, filed on 3 December 2013 and registered on 28 April 2014 for services in classes 38, 40 and 41.

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) the Benelux Convention on Intellectual Property (hereinafter: "BCIP").

6. The language of the proceedings is English.

B. Chronological order of the proceedings

7. The opposition is admissible and was notified to the parties on 20 July 2016. During the administrative phase of the proceedings both parties filed arguments. All of the documents submitted meet the requirements as stated in the BCIP and the Implementing Regulations (hereinafter "IR"). The administrative phase was completed on 27 February 2017.

II. ARGUMENTS

8. The opponent filed an opposition at the Benelux Office for Intellectual Property (hereinafter: "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. Arguments of the opponent

9. The opponent argues that the goods and services of the defendant are identical and/or similar to the goods and services for which the rights invoked are registered.

10. Furthermore, the opponent argues that the signs only differ as to one single character. Therefore, they are visually as well as aurally highly similar. Conceptually the relevant public will recognize the English word 'BOO' as an exclamation often used to jokingly frighten people. This word figures at the beginning of both signs and is also repeated in the contested sign. Thus, the signs are conceptually similar.

11. The earlier trademark BOOHOO is a fanciful term in the context of the relevant goods and services and has no descriptive meaning, according to the opponent. Therefore, the rights invoked possess an inherently high level of distinctiveness. The distinctive and dominant component in the respective signs is the identical verbal element 'BOO' which is present at the beginning of both signs and is also repeated in the contested sign.

12. Based on the foregoing the opponent states that there is a real risk of confusion that the average consumer will believe that the contested goods and services stem from the same enterprise as the opponent or that there is some economic relationship or connection between them. The minor difference of a single character between the signs is not sufficient to outweigh the similarities and the average consumer will not distinguish the signs. Thus, the opponent asks that this opposition is upheld, that the registration of the contested sign is refused and that the defendant bears all costs incurred by the opponent in filing this procedure.

B. Arguments of the defendant

13. The defendant states that although the goods and services of the conflicting signs coincide in parts of their specifications, they are not entirely identical or similar and therefore they do not risk creating a likelihood of confusion in the mind of the relevant public, particularly taking into account the dissimilarity of the signs. The defendant argues that merely because the earlier mark is protected for a far-ranging specification of goods and services this does not imply per se that any other trademark seeking protection for a specification of goods or services in the same class should be denied by the Office. In any case, there are some clear differences between the specifications, according to the defendant. For example, class 41 of the earlier right is aimed purely at message and chat boards, while the contested sign has a much broader scope.

14. Visually the signs at issue are dissimilar, according to the defendant. A different letter 'b' is used in the middle of the contested sign as compared to the letter 'h' in the middle of the earlier rights. This is sufficient to draw any reader's attention to the difference between the two signs. In addition, the letter 'b' in the middle of the contested sign seems visually like an extra letter 'o' with a slight different detail, whereas the letter 'h' in the rights invoked looks entirely different. Aurally the signs are also dissimilar, according to the defendant. The contested sign 'Booboo' has a repetitive and easy sound, whereas the rights invoked 'BOOHOO' require two well distinguished syllable sounds. Finally, the signs also differ conceptually. The defendant explains that the word 'booboo' means 'a mistake' or 'a minor injury' according to the Oxford Dictionary, whereas 'boohoo' may signify 'to cry noisily'. These strong differences in the meanings of the signs are sufficient to avoid confusion in the mind of an average consumer.

15. The defendant is of the opinion that even if the Office were to conclude that there are some similarities between the goods and services, the substantial differences between the signs are such that the requirements for a likelihood of confusion are not met and thus the opposition should be rejected. He asks that the contested sign is registered and that the opponent is ordered to bear all costs and fees arising in connection with these proceedings.

III. DECISION

A.1 Likelihood of confusion

16. 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 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.

17. 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.”*

18. According to case law of the Court of Justice of the European Union 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

19. 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).

20. 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).

21. As the rights invoked are identical, they will only be mentioned once below and they will be referred to together as ‘the right invoked’. The signs to be compared are the following:

Opposition based on:	Opposition directed against:
BOOHOO	Booboo

Visual comparison

22. The right invoked is a word mark, consisting of one word of six letters: 'BOOHOO'. The contested sign is also a word mark, consisting of one word of six letters, 'Booboo'. The trademark invoked is displayed in capital letters and in the contested sign, only the first letter is a capital letter. The difference between the signs with regard to the use of capital letters or lower case letters is however not relevant for the visual comparison between two word marks (reference is made to EGC case, Babilu, T-66/11, 31 January 2013).

23. Both signs are practically identical. They each consist of one word of six letters of which five are placed identically in the same order, BOO-OO. They only differ in their fourth letter, respectively 'H' in the right invoked and 'b' in the contested sign.

24. The consumer normally attaches more value to the first part of a sign (EGC, Mundicor, T-183/02 and T-184/02, 17 March 2004). The first three letters of the right invoked and the contested sign, BOO, are identical.

25. The Office finds that the signs are visually highly similar.

Aural comparison

26. The right invoked consists of one word that is pronounced in two syllables: BOO-HOO. The contested sign also consists of one word of two syllables: BOO-BOO.

27. As already mentioned, consumers generally take more note of the beginning of a sign than of its end (Mundicor, already cited). Aurally the first syllable of the signs, BOO, is identical. The second syllables are only slightly different because of their different first letter, H or B. The final sound of the second syllables, -OO, is identical in both signs. Thus the overall pronunciation of the signs is practically identical.

28. For this reason, the Office concludes that the signs are aurally highly similar.

Conceptual comparison

29. Although part of the public might perceive the right invoked as a reference to someone crying noisily, the Office finds that the majority of the Benelux public will not attribute a particular meaning to the word BOOHOO.

30. The contested sign Booboo has no meaning for the Benelux public. This English word, which only seems to be used in an informal way to indicate 'a mistake'¹, does not belong to the basic knowledge of English of the Benelux public.

31. As the signs do not have a clear and precise meaning for the Benelux public, a conceptual comparison is not relevant here.

Conclusion

32. The right invoked and the contested sign are visually and aurally highly similar. A conceptual comparison is not relevant.

¹ <https://dictionary.cambridge.org/dictionary/english/boo-boo>.

Comparison of the goods and services

33. In assessing the similarity of the goods and services concerned, all the relevant factors relating to these goods or services themselves should be taken into account. These factors include, inter alia, their nature, their end users and their method of use and whether they are in competition with each other or are complementary (Canon, already cited).

34. In the comparison of the goods and services of the trademark invoked and the goods and services against which the opposition is filed, the goods and services are considered only on the basis of what is expressed in the register or as indicated in the trademark application.

35. The goods and services to be compared are the following:

Opposition based on:	Opposition directed against:
CI 2 Paints, varnishes and lacquers (EU Trademark 9472036)	
CI 3 Soaps; cosmetics; perfumery; essential oils; eau de parfum; eau de toilette; cologne; fragrances and fragrance products for personal use; massage oils; hair lotions; cosmetic preparations for skin care; skin care cosmetics; skin care preparations; preparations for the bath and shower; shower gel; bath gels; scented body lotions and creams; scented moisturizing skin cream; moisturisers; body lotions and creams; moisturising creams; scented skin soap; body oil; face, lip and cheek make-up; face powder; face glitter; lipstick; lip gloss; non-medicated lip balm; lip pencils; perfumed shimmer sticks; eye shadow; eye pencils; mascara; eye make-up; eyeliners; eye creams; eye gels; eye balms; highlighter; cleansers; toners; clarifiers; exfoliators; foundation make-up; blusher; compacts; make-up remover; fragrance sachets; room fragrances; beauty care preparations; beauty care products; beauty creams; beauty tonics for application to the body; beauty tonics for application to the face; non-medicated beauty preparations; non-medicated skin care beauty products; skin care products for personal use, namely, face, eye and lip moisturisers; face and skin creams; lotions and serums; anti-aging treatments; foundation for the face; hair care products; shampoo; hair conditioners; hair gel and hair spray; nail care preparations; nail polish; nail strengtheners and nail polish remover; shaving cream; shaving gel; after-shave preparations; after-shave lotion; depilatory	CI 3 Perfumery; essential oils; cosmetics; make-up; eye make-up; eyeliners; blushers; lipsticks; hair lotions; soaps.

<p>preparations; personal deodorant; antiperspirants; potpourri; sun tanning preparations; cosmetic preparations for skin tanning; artificial tanning preparations; artificial nails; artificial eyelashes (EU Trademark 9472036)</p>	
<p>Cl 4 Candles; bougies; night lights. (EU Trademark 9472036)</p>	
<p>Cl 8 Cutlery; spoons; razors; non-electrical curling tongs; manicure tweezers; manicure scissors; depilating tweezers; nail files; nail clippers; hair clippers (manual); ice tongs; manicure sets; scissors; sugar tongs; chopping knives and instruments or appliances for cutting vegetables included in this class. (EU Trademark 9472036)</p>	
<p>Cl 9 On-line electronic publications downloadable from the internet; printed publications in electronically readable form; publications downloadable in electronic form from the internet; eyewear; spectacles; spectacle frames; lenses; spectacle boxes; sunglasses; photograph frames; electrically heated curlers; electrically heated hair straighteners; glasses; frames, cords and cases for sunglasses not included in other classes; computer software downloaded from the Internet; electronic publications (downloadable). (EU Trademark 9472036)</p>	<p>Cl 9 Computer hardware; computer software; computer peripherals; electronic data processing equipment; computer networking and data communications equipment; computer components and parts; electronic memory devices; electronic control apparatus; programmed-data-carrying electronic circuits; wires for communication; electrodes; telephones; aerials; batteries; micro processors; keyboards; video films.</p>
<p>Cl 10 Baby comforters; panty-hose, tights and elastic stockings (surgical); feeding bottles; teats and valves for feeding bottles; drawsheets; soothing or teething rings. (EU Trademark 9472036)</p>	
<p>Cl 11 Apparatus for lighting; apparatus for heating; apparatus for cooking; apparatus for ventilating; apparatus for sanitary purposes; lampshades; lamp bases; fireplaces; portable fireplaces; simulated fireplaces; grates; hearths. (EU Trademark 9472036)</p>	
<p>Cl 12 Baby carriages; covers for baby carriages; bicycles; hoods for baby carriages; safety seats and supports designed for transporting infants and children in vehicles; trolleys; baggage trolleys; parts and pieces of equipment for these articles not included in other classes; vehicles (EU Trademark 9472036)</p>	
<p>Cl 14 Jewellery; imitation jewellery; precious metals and articles made thereof; precious stones and articles made thereof; horological instruments;</p>	<p>Cl 14 Precious metals; jewellery; precious stones; chronometric instruments.</p>

<p>clocks; watches; watch straps; watch bands and bracelets; cuff links; tie pins; tie clips; tie fasteners; keyrings; keyrings of precious metal; boxes; jewel cases; ornaments of precious metals; jewellery boxes; jewel boxes made of precious metals; articles made of precious metals, namely necklaces, bracelets, rings, ear rings and ankle bracelets; precious stones; chronometric instruments; precious metals and alloys thereof; goods of precious metal or coated therewith, namely, necklaces, bracelets, rings, ear rings and ankle bracelets; key fobs.</p> <p><i>(EU Trademark 9472036)</i></p>	
<p>Cl 16 Printed matter; printed publications; pages downloaded from the internet (in paper format); books; periodical publications, all relating to garments, fashion or home decoration; photograph albums; photograph stands; catalogues; boxes of paper or cardboard for documents; stationery; posters; diaries; calendars; brochures; paper; cardboard; paper articles; cardboard articles not included in other categories; photographs; wrapping and packing materials not included in other categories; artists' materials (with the exception of appliances); address and note pads; albums; water-colours; paper and plastic bags; book ends; bookmarks; writing instrument holders; writing materials and instruments; confetti; crucifixes; transfers; erasers; embroidery patterns; clothes patterns; engravings; files; leaflets or folders; greetings cards; hat boxes (cardboard); personal organisers and pages for the same; book jackets; knitting patterns or designs; labels; cards; notebooks; patterns for making clothes; paper table cloths; paper napkins; paper tissues; etchings; packing ribbons and tapes; stands for writing instruments; paper table linen; paper containers; magazines; decalcomanias; pencil cases; pencils; pens; paperweights; writing paper; envelopes; binders; packaging; newsletters; writing pads; passport holders; pictures; tissues of paper for removing make-up; wrapping paper; bags of paper or plastic for packaging; boxes of paper or card or plastic for packaging; stands for pens; stands for pencils; wrapping paper; gift vouchers.</p> <p><i>(EU Trademark 9472036)</i></p>	<p>Cl 16 Paper; cardboard; printed publications; printed matter; computer printers (Inking ribbons for -); bookbinding materials; books; adhesives for stationery or household purposes; artists' paint brushes; music sheets; music scores; periodical magazines; photographs; stationery and educational supplies; typewriters; Instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printing blocks.</p>
<p>Cl 18 Leather and imitations thereof; Animal skins, hides; Hides.</p> <p><i>(EU Trademark 9472036)</i></p>	

<p>Cl 20 Furniture; cushions and pillows; picture frames; cutlery boxes; coat hangers; figurines; wall plaques; goods (not included in other classes) made principally or wholly 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; mirrors; baskets; cabinet work; clothes hooks; coat stands; curtain hooks; curtain rails; curtain rings; curtain rods; curtain rollers; curtain tie-backs; embroidery frames; fans for personal use; bed fittings; door fittings; furniture fittings; window fittings; magazine racks; mattresses; mirror tiles; screens; statues of wood, wax, plaster or plastic; wickerwork; writing desks; picture frames; picture stands; wicker baskets; furniture trimmings (non-metal); billboards and display units; bolsters; framing battens; filing cabinets; coat and hat pegs (non-metallic); clothes-pegs; plastic packing containers; cradles; clothes covers; decorative bead curtains; drinking straws; pedestals for flower pots; flower stands (floral arrangements); screens; head rests (furniture); non-metallic boards and panels for keys; removable sink coverings; mobiles (decorative objects); non-metallic name plates; dressers; playpens for babies; trays; all aforementioned products insofar as they are not included in other categories; ornaments and statuettes included in this category; wooden or plastic boxes; bedding with the exception of bed linen; non-metallic household and kitchen baskets; non-metallic fittings and trimmings for furniture, doors and windows; non-metallic cases, cabinets and chests; curtains used as interior blinds; non-metallic screens for furniture; shelves for furniture and storage space in the form of shelves not included in other categories; non-metallic and non-textile wall plaques; sofas and armchairs; butchers tables.</p> <p><i>(EU Trademark 9472036)</i></p>	
<p>Cl 21 Tableware; glassware; porcelain; stoneware; chinaware; ceramic and pottery ware; tea services and coffee services; ornaments; baskets; candlesticks, candle holders and candelabras; coasters; napkin holders; household, kitchen and cooking utensils and containers as well as parts and equipment for the same not included in other categories; vacuum containers; crockery; drinking vessels; combs; sponges; brushes (with the</p>	

<p>exception of paintbrushes); cleaning materials; raw or semi-processed glass; bowls; basins; tools and utensils for kitchen use included in this category and which are not made of precious metals; drinking containers; bootjacks; shoetrees; bottle openers; bottles; breadbaskets; breadboards; cheeseboards; chopping boards; butter dishes; cake moulds; manual coffee grinders and non-electrical coffee filters; coffee services not made of precious metals; non-electrical coffee-makers not made of precious metals; frying pans; cooking pots; lids for frying pans; ice buckets; corkscrews; cosmetic utensils; cruets and oil and vinegar sets not made of precious metals; egg cups; cups; beakers and tumblers; pitchers; saucers; dishes; sauce and gravy boats all made of materials other than precious metals; fruit bowls; glasses (containers); soap dispensers and holders; bottles; flower pots; flower-pot covers; fly whisks; non-electrical fruit squeezers and garlic presses for household use; funnels; refuse bins; jars; gloves and graters for domestic use; non-electrical spice mills; non-metallic money boxes; cooking moulds and stands; nail brushes; napkin rings and holders not made from precious metals; hand salt and pepper mills; mustard pots; perfume sprays and atomizers; powder cases not made of precious metals; powder puffs; trouser presses; dustbins; saltcellars not made of precious metals; shoehorns; spice sets; tea services and teapots all made of materials other than precious metals; devices for maintaining the shape of ties; toilet bags; toilet-paper dispensers; tooth-brushes; trays or baskets for domestic use and not made of precious metals; insulated bottles and flasks; vases not made of precious metals; worked and semi-worked glass (with the exception of glass used in construction); porcelain, china, earthenware or glass ornaments; statuettes; pomanders; aerosol dispensers for non-medical use; soap and sweet boxes and tins not made of precious metals; non-electrical percolators for domestic use; candlesticks not made of precious metals; decanter stands other than those made of paper or fabric; cake dishes not made of precious metals; decanters not made of precious metals; porcelain and china knobs.</p> <p><i>(EU Trademark 9472036)</i></p>	
<p>Cl 23 Yarns and threads, for textile use.</p> <p><i>(EU Trademark 9472036)</i></p>	

<p>CI 24 Woven products not included in other classes; textiles; textile goods; textile piece goods; textile articles; furnishing fabrics in the piece; household textile articles; curtains; towels; beach towels; valances; sheets; duvet covers; bath and bed linen; table and household linen; bed blankets, cloths and covers; bed spreads; coasters; eiderdowns; handkerchiefs; labels; mats of textile; mattress covers; fabric products; fabric (piece goods); printed fabrics; textile fabrics; pillow cases; pillow shams; quilts; runners; sleeping bags (sheeting); table cloths; wall hangings; bed sheets; quilt covers; blinds; mattress protectors; blankets; throws; cushion covers; duvets; face cloths of textile; face flannels of textile; mattress covers of textile; pyjama cases; table covers (not of paper); table linen (not of paper); textile seat covers (loose) for furniture; textile covers (loose) for hot water bottles; underblankets of textile; wall coverings made of textile materials; wall decorations of textile; cloths in pieces or in rolls; coasters of textile; place mats of textile; travellers' rugs of textile; travelling rugs (lap robes); napkins of textile; serviettes of textile; furniture covers; household linen; bed clothes; covers for eiderdowns; blinds of textile; face towels of textile; textile tissues for removing make up; flannels; travelling rugs; bumpers for cots; dish cloths; mosquito nets; flags; banners.</p> <p><i>(EU Trademark 9472036)</i></p>	
<p>CI 25 Articles of clothing; lingerie; bras; pants; thongs; stockings; tights; suspender belts; camisoles; dressing gowns; negligees; corsets; night dresses; sleep shirts; sarongs; shoulder wraps; leggings; headgear; belts; trousers; shorts; jeans; wristbands; headbands; hats; gloves; jackets; coats; jumpers; shirts; t-shirts; sweaters; vests; trousers; skirts; waistcoats; waterproof clothing; bathing costumes; pyjamas; undergarments; scarves; socks; suits; dresses; blouses; sun visors; anoraks; articles of clothing for leisurewear; articles of clothing for casualwear; articles of clothing for sportswear; articles of outer clothing; articles of weatherproof clothing; blazers; denims; jerseys; knitwear; parkas; sweatshirts; tops; windcheaters; swimwear; mittens; layettes; sashes and shawls; bathing caps; braces; suspenders; collars; cuffs; ear muffs; gaiters; garters.</p> <p><i>(EU Trademark 9472036)</i></p>	<p>CI 25 Clothing; footwear; headgear; swimwear; sportswear; leisurewear.</p>

<p>Cl 26 Badges included in class 26; rosettes of textile materials; patches; buttons; hairbands and slides; belt clasps; blouse, clothing and shoe fasteners; hairgrips; hair and shoe ornaments; sewing thimbles; hat ornaments; shoe laces; numerals or letters for marking linen; hairnets; brooches and buckles; fancy goods; haberdashery; lace; embroidery; ribbons; braids; tapes; trimmings particularly cards, fringes and frills; artificial flowers; false hair; porcelain and china buttons. (EU Trademark 9472036)</p>	<p>Cl 26 Lace; Embroidery; ribbons; braid; buttons; hooks and eyes; pins; needles; artificial flowers.</p>
<p>Cl 27 Rugs; carpets; straw mats; mats and matting; wallpaper and non-textile wall hangings; ceiling paper; borders for decorating walls. (EU Trademark 9472036)</p>	
<p>Cl 28 Toys; games; mobiles; dolls and accessories therefore; dolls' beds; dolls' clothes; dolls' houses; puzzles; playthings and accessories for those items included in this class; amusement articles not included in other categories; Christmas tree decorations; fun and theatrical masks; novelties not included in other classes; playing cards. (EU Trademark 9472036)</p>	
<p>Cl 31 Flowers and natural plants; seed; bulbs; plantlets and seedlings; young plants; young cuttings or wild stock; dried plants and flowers as well as wreaths, garlands and displays made up from them; nuts; fresh fruit; wreaths made of natural or dried flowers; pine and fir cones. (EU Trademark 9472036)</p>	
<p>Cl 35 The bringing together, for the benefit of others, of a variety of goods, namely soaps, cosmetics, perfumery, essential oils, eau de parfum, eau de toilette, cologne, fragrances and fragrance products for personal use, massage oils, hair lotions, cosmetic preparations for skin care, skin care cosmetics, skin care preparations, preparations for the bath and shower, shower gel, bath gels, scented body lotions and creams, scented moisturizing skin cream, moisturisers, body lotions and creams, moisturising creams, scented skin soap, body oil, face make-up, lip make-up, cheek make-up, face powder, face glitter, lipstick, lip gloss, non-medicated lip balm, lip pencils, perfumed shimmer sticks, eye shadow, eye pencils, mascara, eye make-up, eyeliners, eye creams, eye gels, eye balms, highlighter, cleansers, toners, clarifiers, exfoliators, foundation make-up, blusher, compacts, make-up remover, fragrance sachets,</p>	<p>Cl 35 Provision of information and advice to consumers regarding the selection of products and items to be purchased; provision of business and commercial information; business consultancy services; assistance and advice regarding business organization and management; advertising; advertising particularly services for the promotion of goods; arranging of contracts for the purchase and sale of goods and services, for others; market research and marketing studies; compilation of computer databases; office functions; retail services relating to furniture; retail services connected with the sale of clothing and clothing accessories; online retail store services in relation to clothing.</p>

room fragrances, beauty care preparations, beauty care products, beauty creams, beauty tonics for application to the body, beauty tonics for application to the face, non-medicated beauty preparations, non-medicated skin care beauty products, skin care products for personal use, namely, face, eye and lip moisturisers, face and skin creams, lotions and serums, anti-aging treatments, foundation for the face, hair care products, shampoo, hair conditioners, hair gel, hair spray, nail care preparations, nail polish, nail strengtheners, nail polish remover, shaving cream, shaving gel, after-shave preparations, after-shave lotion, depilatory preparations, personal deodorant, antiperspirants, potpourri, sun tanning preparations, cosmetic preparations for skin tanning, artificial tanning preparations, artificial nails, artificial eyelashes, on-line electronic publications downloadable from the internet, printed publications, printed publications in electronically readable form, publications downloadable in electronic form from the internet, goods of precious metal or coated therewith, textiles, textile goods, textile piece goods, textile articles, furnishing fabrics in the piece, household textile articles, curtains, towels, beach towels, valances, sheets, duvet covers, bath and bed linen, table and household linen, bed blankets, cloths and covers, bed spreads, coasters, eiderdowns, handkerchiefs, labels, mats of textile, mattress covers, fabric products, fabric (piece goods), printed fabrics, textile fabrics, pillow cases, pillow shams, quilts, runners, sleeping bags (sheeting), table cloths, wall hangings, bed sheets, quilt covers, blinds, mattress protectors, blankets, throws, cushion covers, duvets, face cloths of textile, face flannels of textile, mattress covers of textile, pyjama cases, table covers (not of paper), table linen (not of paper), textile seat covers (loose) for furniture, textile covers (loose) for hot water bottles, underblankets of textile, wall coverings made of textile materials, wall decorations of textile, cloths in pieces or in rolls, coasters of textile, place mats of textile, travellers' rugs of textile, travelling rugs (lap robes), napkins of textile, serviettes of textile, articles of clothing, lingerie, bras, pants, thongs, stockings, tights, suspender belts, camisoles, dressing gowns, negligees, corsets, night dresses, sleep shirts, sarongs, shoulder wraps, leggings, headgear, belts, trousers, shorts, jeans, wristbands,

headbands, hats, gloves, jackets, coats, jumpers, shirts, t-shirts, sweaters, vests, trousers, skirts, waistcoats, waterproof clothing, bathing costumes, pyjamas, undergarments, scarves, socks, suits, dresses, blouses, sun visors, anoraks, articles of clothing for leisurewear, articles of clothing for casualwear, articles of clothing for sportswear, articles of outer clothing, articles of weatherproof clothing, blazers, denims, jerseys, knitwear, parkas, sweatshirts, tops, windcheaters, badges, rosettes of textile materials, patches, buttons, ribbons and braid, hairbands and slides, belt clasps, blouse, clothing and shoe fasteners, hairgrips, hair and shoe ornaments, sewing thimbles, hat ornaments, shoe laces, numerals or letters for marking linen, hairnets, brooches and buckles, fancy goods, rugs, paints, varnishes and lacquers, candles, bougies, night lights, cutlery, spoons, razors, non-electrical curling tongs, manicure tweezers, manicure scissors, depilating tweezers, nail files, nail clippers, hair clippers (manual), ice tongs, manicure sets, scissors, sugar tongs, chopping knives and instruments or appliances for cutting vegetables, eyewear, spectacles, spectacle frames, lenses, spectacle boxes, sunglasses, photograph frames, electrically heated curlers, electrically heated hair straighteners, glasses, frames, cords and cases for sunglasses, computer software downloaded from the Internet, electronic publications (downloadable), baby comforters, panty-hose, tights and elastic stocking (surgical), feeding bottles, teats and valves for feeding bottles, drawsheets, soothing or teething rings, articles for infants, articles for use during pregnancy, apparatus for lighting, apparatus for heating, apparatus for cooking, apparatus for ventilating, apparatus for sanitary purposes, lampshades, lamp bases, fireplaces, portable fireplaces, simulated fireplaces, grates, hearths, baby carriages, covers for baby carriages, bicycles, hoods for baby carriages, safety seats and supports designed for transporting infants and children in vehicles, trolleys, baggage trolleys, parts and pieces of equipment for these articles, vehicles, jewellery, imitation jewellery, precious metals and articles made thereof, precious stones and articles made thereof, horological instruments, clocks, watches, watch straps, wrist watch bands and bracelets, cuff links, tie pins, tie clips and tie fasteners, keyrings, keyrings of precious metal,

boxes, jewel cases, ornaments of precious metals, jewellery boxes, jewel boxes made of precious metals, articles made of precious metals, precious stones, chronometric instruments, precious metals and alloys thereof, printed matter, pages downloaded from the internet (in paper format), books, periodical publications, all relating to garments, fashion or home decoration, photograph albums, photograph stands, catalogues, boxes of paper or cardboard for documents, stationery, posters, diaries, calendars, brochures, paper, cardboard, paper articles, cardboard articles, photographs, wrapping and packing materials, artists' materials (with the exception of appliances), address and note pads, albums, water-colours, paper and plastic bags, book ends, bookmarks, writing instrument holders, writing materials and instruments, confetti, crucifixes, transfers, erasers, embroidery patterns, clothes patterns, engravings, files, leaflets or folders, greetings cards, hat boxes (cardboard), personal organisers and pages for the same, book jackets, knitting patterns or designs, labels, cards, notebooks, patterns for making clothes, paper table cloths, paper napkins, paper tissues, etchings, packing ribbons and tapes, stands for writing instruments, paper table linen, paper containers, magazines, decalcomanias, pencil cases, pencils, pens, paperweights, writing paper, envelopes, binders, packaging, newsletters, packing paper, writing pads, passport holders, pictures, tissues of paper for removing make-up, wrapping paper, bags of paper or plastic for packaging, boxes of paper or card or plastic for packaging, stands for pens, stands for pencils, wrapping paper, leather and imitations of leather, and goods made of these materials and not included in other classes namely briefcases, card cases, suitcases, wallets, purses, waterbags, credit card holders, diary cases, hat boxes, key fobs, key cases, straps, luggage labels, note pad holders, sport bags, animal skins, hides, trunks and travelling bags, belts, cases, satchels, pouches, rucksacks, beach bags, sport bags, briefcases, wallets, key cases, credit card cases, purses, umbrellas, parasols, walking sticks, back packs, jewellery rolls, tote bags, shoulder bags, shopping bags, cosmetics bags, luggage, holdalls, suitcases, cases for hand held multimedia devices, cases and bags for portable computers, notepad holders,

water bags, furniture, cushions and pillows, picture frames, cutlery boxes, coat hangers, figurines, wall plaques, goods made principally or wholly 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, mirrors, baskets, cabinet work, clothes hooks, coat stands, curtain hooks, curtain rails, curtain rings, curtain rods, curtain rollers, curtain tie-backs, embroidery frames, fans for personal use, bed fittings, door fittings, furniture fittings, window fittings, magazine racks, mattresses, mirror tiles, screens, statues of wood, wax, plaster or plastic, wickerwork, writing desks, picture frames, picture stands, wicker baskets, furniture trimmings (non-metal), billboards and display units, bolsters, framing battens, filing cabinets, coat and hat pegs (non-metallic), clothes-pegs, plastic packing containers, cradles, clothes covers, decorative bead curtains, drinking straws, pedestals for flower pots, flower stands (floral arrangements), screens, head rests (furniture), non-metallic boards and panels for keys, removable sink coverings, mobiles (decorative objects), non-metallic name plates, dressers, playpens for babies, trays, ornaments and statuettes, wooden or plastic boxes, bedding with the exception of bed linen, non-metallic household and kitchen baskets, non-metallic fittings and trimmings for furniture, doors and windows, non-metallic cases, cabinets and chests, curtains used as interior blinds, non-metallic screens for furniture, shelves for furniture and storage space in the form of shelves, non-metallic and non-textile wall plaques, sofas and armchairs, butchers tables, tableware, glassware, porcelain, stoneware, chinaware, ceramic and pottery ware, tea services and coffee services, ornaments, baskets, candlesticks, candle holders and candelabras, coasters, napkin holders, household, kitchen and cooking utensils and containers as well as parts and equipment for the same, vacuum containers, crockery, drinking vessels, combs, sponges, brushes (with the exception of paintbrushes), cleaning materials, raw or semi-processed glass, bowls, basins, tools and utensils for kitchen use which are not made of precious metals, drinking containers, bootjacks, shoetrees, bottle openers, bottles, breadbaskets, breadboards, cheeseboards, chopping boards, butter dishes,

cake moulds, manual coffee grinders and non-electrical coffee filters, coffee services not made of precious metals, non-electrical coffee-makers not made of precious metals, frying pans, lids for frying pans, cooking pots, ice buckets, corkscrews, cosmetic utensils, cruets and oil and vinegar sets not made of precious metals, egg cups, cups, beakers and tumblers, pitchers, saucers, dishes, sauce and gravy boats all made of materials other than precious metals, fruit bowls, glasses (containers), soap dispensers and holders, bottles, flower pots, flower-pot covers, fly whisks, non-electrical fruit squeezers and garlic presses for household use, funnels, refuse bins, jars, gloves and graters for domestic use, non-electrical spice mills, non-metallic money boxes, cooking moulds and stands, nail brushes, napkin rings and holders not made from precious metals, hand salt and pepper mills, mustard pots, perfume sprays and atomizers, powder cases not made of precious metals, powder puffs, trouser presses, dustbins, saltcellars not made of precious metals, shoehorns, spice sets, tea services and teapots all made of materials other than precious metals, devices for maintaining the shape of ties, toilet bags, toilet-paper dispensers, tooth-brushes, trays or baskets for domestic use and not made of precious metals, insulated bottles and flasks, vases not made of precious metals, worked and semi-worked glass (with the exception of glass used in construction), porcelain, china, earthenware or glass ornaments, statuettes, pomanders, aerosol dispensers for non-medical use, soap and sweet boxes and tins not made of precious metals, non-electrical percolators for domestic use, candlesticks not made of precious metals, decanter stands other than those made of paper or fabric, cake dishes not made of precious metals, decanters not made of precious metals, porcelain and china knobs, yarns and threads, for textile use, woven products, furniture covers, household linen, bed clothes, covers for eiderdowns, blinds of textile, face towels of textile, textile tissues for removing make up, flannels, travelling rugs, for cots, dish cloths, mosquito nets, flags, banners, handkerchiefs of textile, boots, slippers, swimwear, mittens, layettes, sashes and shawls, bathing caps, braces, suspenders, collars, cuffs, ear muffs, fittings for boots and shoes, gaiters, garters, haberdashery, lace, embroidery,

ribbons, braids, tapes, trimmings particularly cards, fringes and frills, artificial flowers, false hair, porcelain and china buttons, rugs, carpets, straw mats, mats and matting, wallpaper and non-textile wall hangings, ceiling paper, borders for decorating walls, toys, games, mobiles, dolls and accessories therefore, dolls' beds, dolls' clothes, dolls' houses, puzzles, playthings and accessories for those items, amusement articles, Christmas tree decorations, fun and theatrical masks, novelties, playing cards, flowers and natural plants, seeds, bulbs, plantlets and seedlings, young plants, young cuttings or wild stock, dried plants and flowers as well as wreaths, garlands and displays made up from them, nuts, fresh fruit, wreaths made of natural or dried flowers, pine and fir cones, enabling customers to conveniently view and purchase those goods, including from a clothing and clothing accessories catalogue by mail order or by means of telecommunications; retail services connected with soaps, cosmetics, perfumery, essential oils, eau de parfum, eau de toilette, cologne, fragrances and fragrance products for personal use, massage oils, hair lotions, cosmetic preparations for skin care, skin care cosmetics, skin care preparations, preparations for the bath and shower, shower gel, bath gels, scented body lotions and creams, scented moisturizing skin cream, moisturisers, body lotions and creams, moisturising creams, scented skin soap, body oil, face make-up, lip make-up, cheek make-up, face powder, face glitter, lipstick, lip gloss, non-medicated lip balm, lip pencils, perfumed shimmer sticks, eye shadow, eye pencils, mascara, eye make-up, eyeliners, eye creams, eye gels, eye balms, highlighter, cleansers, toners, clarifiers, exfoliators, foundation make-up, blusher, compacts, make-up remover, fragrance sachets, room fragrances, beauty care preparations, beauty care products, beauty creams, beauty tonics for application to the body, beauty tonics for application to the face, non-medicated beauty preparations, non-medicated skin care beauty products, skin care products for personal use, namely, face, eye and lip moisturisers, face and skin creams, lotions and serums, anti-aging treatments, foundation for the face, hair care products, shampoo, hair conditioners, hair gel, hair spray, nail care preparations, nail polish, nail strengtheners, nail polish remover, shaving cream, shaving gel, after-

shave preparations, after-shave lotion, depilatory preparations, personal deodorant, antiperspirants, potpourri, sun tanning preparations, cosmetic preparations for skin tanning, artificial tanning preparations, artificial nails, artificial eyelashes, on-line electronic publications downloadable from the internet, printed publications, printed publications in electronically readable form, publications downloadable in electronic form from the internet, goods of precious metal or coated therewith, textiles, textile goods, textile piece goods, textile articles, furnishing fabrics in the piece, household textile articles, curtains, towels, beach towels, valances, sheets, duvet covers, bath and bed linen, table and household linen, bed blankets, cloths and covers, bed spreads, coasters, eiderdowns, handkerchiefs, labels, mats of textile, mattress covers, fabric products, fabric (piece goods), printed fabrics, textile fabrics, pillow cases, pillow shams, quilts, runners, sleeping bags (sheeting), table cloths, wall hangings, bed sheets, quilt covers, blinds, mattress protectors, blankets, throws, cushion covers, duvets, face cloths of textile, face flannels of textile, mattress covers of textile, pyjama cases, table covers (not of paper), table linen (not of paper), textile seat covers (loose) for furniture, textile covers (loose) for hot water bottles, underblankets of textile, wall coverings made of textile materials, wall decorations of textile, cloths in pieces or in rolls, coasters of textile, place mats of textile, travellers' rugs of textile, travelling rugs (lap robes), napkins of textile, serviettes of textile, articles of clothing, lingerie, bras, pants, thongs, stockings, tights, suspender belts, camisoles, dressing gowns, negligees, corsets, night dresses, sleep shirts, sarongs, shoulder wraps, leggings, headgear, belts, trousers, shorts, jeans, wristbands, headbands, hats, gloves, jackets, coats, jumpers, shirts, t-shirts, sweaters, vests, trousers, skirts, waistcoats, waterproof clothing, bathing costumes, pyjamas, undergarments, scarves, socks, suits, dresses, blouses, sun visors, anoraks, articles of clothing for leisurewear, articles of clothing for casualwear, articles of clothing for sportswear, articles of outer clothing, articles of weatherproof clothing, blazers, denims, jerseys, knitwear, parkas, sweatshirts, tops, windcheaters, badges, rosettes of textile materials, patches, buttons, ribbons and braid, hairbands and slides, belt clasps, blouse,

clothing and shoe fasteners, hairgrips, hair and shoe ornaments, sewing thimbles, hat ornaments, shoe laces, numerals or letters for marking linen, hairnets, brooches and buckles, fancy goods, rugs, paints, varnishes and lacquers, candles, bougies, night lights, cutlery, spoons, razors, non-electrical curling tongs, manicure tweezers, manicure scissors, depilating tweezers, nail files, nail clippers, hair clippers (manual), ice tongs, manicure sets, scissors, sugar tongs, chopping knives and instruments or appliances for cutting vegetables, eyewear, spectacles, spectacle frames, lenses, spectacle boxes, sunglasses, photograph frames, electrically heated curlers, electrically heated hair straighteners, glasses, frames, cords and cases for sunglasses, computer software downloaded from the Internet, electronic publications (downloadable), baby comforters, panty-hose, tights and elastic stocking (surgical), feeding bottles, teats and valves for feeding bottles, drawsheets, soothing or teething rings, articles for infants, articles for use during pregnancy, apparatus for lighting, apparatus for heating, apparatus for cooking, apparatus for ventilating, apparatus for sanitary purposes, lampshades, lamp bases, fireplaces, portable fireplaces, simulated fireplaces, grates, hearths, baby carriages, covers for baby carriages, bicycles, hoods for baby carriages, safety seats and supports designed for transporting infants and children in vehicles, trolleys, baggage trolleys, parts and pieces of equipment for these articles, vehicles, jewellery, imitation jewellery, precious metals and articles made thereof, precious stones and articles made thereof, horological instruments, clocks, watches, watch straps, wrist watch bands and bracelets, cuff links, tie pins, tie clips and tie fasteners, keyrings, keyrings of precious metal, boxes, jewel cases, ornaments of precious metals, jewellery boxes, jewel boxes made of precious metals, articles made of precious metals, precious stones, chronometric instruments, precious metals and alloys thereof, printed matter, pages downloaded from the internet (in paper format), books, periodical publications, all relating to garments, fashion or home decoration, photograph albums, photograph stands, catalogues, boxes of paper or cardboard for documents, stationery, posters, diaries, calendars, brochures, paper, cardboard, paper articles, cardboard articles,

photographs, wrapping and packing materials, artists' materials (with the exception of appliances), address and note pads, albums, water-colours, paper and plastic bags, book ends, bookmarks, writing instrument holders, writing materials and instruments, confetti, crucifixes, transfers, erasers, embroidery patterns, clothes patterns, engravings, files, leaflets or folders, greetings cards, hat boxes (cardboard), personal organisers and pages for the same, book jackets, knitting patterns or designs, labels, cards, notebooks, patterns for making clothes, paper table cloths, paper napkins, paper tissues, etchings, packing ribbons and tapes, stands for writing instruments, paper table linen, paper containers, magazines, decalcomanias, pencil cases, pencils, pens, paperweights, writing paper, envelopes, binders, packaging, newsletters, packing paper, writing pads, passport holders, pictures, tissues of paper for removing make-up, wrapping paper, bags of paper or plastic for packaging, boxes of paper or card or plastic for packaging, stands for pens, stands for pencils, wrapping paper, leather and imitations of leather, and goods made of these materials and not included in other classes namely briefcases, card cases, suitcases, wallets, purses, waterbags, credit card holders, diary cases, hat boxes, key fobs, key cases, straps, luggage labels, note pad holders, sport bags, animal skins, hides, trunks and travelling bags, belts, cases, satchels, pouches, rucksacks, beach bags, sport bags, briefcases, wallets, key cases, credit card cases, purses, umbrellas, parasols, walking sticks, back packs, jewellery rolls, tote bags, shoulder bags, shopping bags, cosmetics bags, luggage, holdalls, suitcases, cases for hand held multimedia devices, cases and bags for portable computers, notepad holders, water bags, furniture, cushions and pillows, picture frames, cutlery boxes, coat hangers, figurines, wall plaques, goods made principally or wholly 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, mirrors, baskets, cabinet work, clothes hooks, coat stands, curtain hooks, curtain rails, curtain rings, curtain rods, curtain rollers, curtain tie-backs, embroidery frames, fans for personal use, bed fittings, door fittings, furniture fittings, window fittings, magazine racks,

mattresses, mirror tiles, screens, statues of wood, wax, plaster or plastic, wickerwork, writing desks, picture frames, picture stands, wicker baskets, furniture trimmings (non-metal), billboards and display units, bolsters, framing battens, filing cabinets, coat and hat pegs (non-metallic), clothes-pegs, plastic packing containers, cradles, clothes covers, decorative bead curtains, drinking straws, pedestals for flower pots, flower stands (floral arrangements), screens, head rests (furniture), non-metallic boards and panels for keys, removable sink coverings, mobiles (decorative objects), non-metallic name plates, dressers, playpens for babies, trays, ornaments and statuettes, wooden or plastic boxes, bedding with the exception of bed linen, non-metallic household and kitchen baskets, non-metallic fittings and trimmings for furniture, doors and windows, non-metallic cases, cabinets and chests, curtains used as interior blinds, non-metallic screens for furniture, shelves for furniture and storage space in the form of shelves, non-metallic and non-textile wall plaques, sofas and armchairs, butchers tables, tableware, glassware, porcelain, stoneware, chinaware, ceramic and pottery ware, tea services and coffee services, ornaments, baskets, candlesticks, candle holders and candelabras, coasters, napkin holders, household, kitchen and cooking utensils and containers as well as parts and equipment for the same, vacuum containers, crockery, drinking vessels, combs, sponges, brushes (with the exception of paintbrushes), cleaning materials, raw or semi-processed glass, bowls, basins, tools and utensils for kitchen use which are not made of precious metals, drinking containers, bootjacks, shoetrees, bottle openers, bottles, breadbaskets, breadboards, cheeseboards, chopping boards, butter dishes, cake moulds, manual coffee grinders and non-electrical coffee filters, coffee services not made of precious metals, non-electrical coffee-makers not made of precious metals, frying pans, lids for frying pans, cooking pots, ice buckets, corkscrews, cosmetic utensils, cruets and oil and vinegar sets not made of precious metals, egg cups, cups, beakers and tumblers, pitchers, saucers, dishes, sauce and gravy boats all made of materials other than precious metals, fruit bowls, glasses (containers), soap dispensers and holders, bottles, flower pots, flower-pot covers, fly whisks, non-

electrical fruit squeezers and garlic presses for household use, funnels, refuse bins, jars, gloves and graters for domestic use, non-electrical spice mills, non-metallic money boxes, cooking moulds and stands, nail brushes, napkin rings and holders not made from precious metals, hand salt and pepper mills, mustard pots, perfume sprays and atomizers, powder cases not made of precious metals, powder puffs, trouser presses, dustbins, saltcellars not made of precious metals, shoehorns, spice sets, tea services and teapots all made of materials other than precious metals, devices for maintaining the shape of ties, toilet bags, toilet-paper dispensers, tooth-brushes, trays or baskets for domestic use and not made of precious metals, insulated bottles and flasks, vases not made of precious metals, worked and semi-worked glass (with the exception of glass used in construction), porcelain, china, earthenware or glass ornaments, statuettes, pomanders, aerosol dispensers for non-medical use, soap and sweet boxes and tins not made of precious metals, non-electrical percolators for domestic use, candlesticks not made of precious metals, decanter stands other than those made of paper or fabric, cake dishes not made of precious metals, decanters not made of precious metals, porcelain and china knobs, yarns and threads, for textile use, woven products, furniture covers, household linen, bed clothes, covers for eiderdowns, blinds of textile, face towels of textile, textile tissues for removing make up, flannels, travelling rugs, for cots, dish cloths, mosquito nets, flags, banners, handkerchiefs of textile, boots, slippers, swimwear, mittens, layettes, sashes and shawls, bathing caps, braces, suspenders, collars, cuffs, ear muffs, fittings for boots and shoes, gaiters, garters, haberdashery, lace, embroidery, ribbons, braids, tapes, trimmings particularly cards, fringes and frills, artificial flowers, false hair, porcelain and china buttons, rugs, carpets, straw mats, mats and matting, wallpaper and non-textile wall hangings, ceiling paper, borders for decorating walls, toys, games, mobiles, dolls and accessories therefore, dolls' beds, dolls' clothes, dolls' houses, puzzles, playthings and accessories for those items, amusement articles, Christmas tree decorations, fun and theatrical masks, novelties, playing cards, flowers and natural plants, seeds, bulbs, plantlets and seedlings, young plants, young

cuttings or wild stock, dried plants and flowers as well as wreaths, garlands and displays made up from them, nuts, fresh fruit, wreaths made of natural or dried flowers, pine and fir cones; mail order retail services connected with soaps, cosmetics, perfumery, essential oils, eau de parfum, eau de toilette, cologne, fragrances and fragrance products for personal use, massage oils, hair lotions, cosmetic preparations for skin care, skin care cosmetics, skin care preparations, preparations for the bath and shower, shower gel, bath gels, scented body lotions and creams, scented moisturizing skin cream, moisturisers, body lotions and creams, moisturising creams, scented skin soap, body oil, face make-up, lip make-up, cheek make-up, face powder, face glitter, lipstick, lip gloss, non-medicated lip balm, lip pencils, perfumed shimmer sticks, eye shadow, eye pencils, mascara, eye make-up, eyeliners, eye creams, eye gels, eye balms, highlighter, cleansers, toners, clarifiers, exfoliators, foundation make-up, blusher, compacts, make-up remover, fragrance sachets, room fragrances, beauty care preparations, beauty care products, beauty creams, beauty tonics for application to the body, beauty tonics for application to the face, non-medicated beauty preparations, non-medicated skin care beauty products, skin care products for personal use, namely, face, eye and lip moisturisers, face and skin creams, lotions and serums, anti-aging treatments, foundation for the face, hair care products, shampoo, hair conditioners, hair gel, hair spray, nail care preparations, nail polish, nail strengtheners, nail polish remover, shaving cream, shaving gel, after-shave preparations, after-shave lotion, depilatory preparations, personal deodorant, antiperspirants, potpourri, sun tanning preparations, cosmetic preparations for skin tanning, artificial tanning preparations, artificial nails, artificial eyelashes, on-line electronic publications downloadable from the internet, printed publications, printed publications in electronically readable form, publications downloadable in electronic form from the internet, goods of precious metal or coated therewith, textiles, textile goods, textile piece goods, textile articles, furnishing fabrics in the piece, household textile articles, curtains, towels, beach towels, valances, sheets, duvet covers, bath and bed linen, table and household linen, bed blankets, cloths and

covers, bed spreads, coasters, eiderdowns, handkerchiefs, labels, mats of textile, mattress covers, fabric products, fabric (piece goods), printed fabrics, textile fabrics, pillow cases, pillow shams, quilts, runners, sleeping bags (sheeting), table cloths, wall hangings, bed sheets, quilt covers, blinds, mattress protectors, blankets, throws, cushion covers, duvets, face cloths of textile, face flannels of textile, mattress covers of textile, pyjama cases, table covers (not of paper), table linen (not of paper), textile seat covers (loose) for furniture, textile covers (loose) for hot water bottles, underblankets of textile, wall coverings made of textile materials, wall decorations of textile, cloths in pieces or in rolls, coasters of textile, place mats of textile, travellers' rugs of textile, travelling rugs (lap robes), napkins of textile, serviettes of textile, articles of clothing, lingerie, bras, pants, thongs, stockings, tights, suspender belts, camisoles, dressing gowns, negligees, corsets, night dresses, sleep shirts, sarongs, shoulder wraps, leggings, headgear, belts, trousers, shorts, jeans, wristbands, headbands, hats, gloves, jackets, coats, jumpers, shirts, t-shirts, sweaters, vests, trousers, skirts, waistcoats, waterproof clothing, bathing costumes, pyjamas, undergarments, scarves, socks, suits, dresses, blouses, sun visors, anoraks, articles of clothing for leisurewear, articles of clothing for casualwear, articles of clothing for sportswear, articles of outer clothing, articles of weatherproof clothing, blazers, denims, jerseys, knitwear, parkas, sweatshirts, tops, windcheaters, badges, rosettes of textile materials, patches, buttons, ribbons and braid, hairbands and slides, belt clasps, blouse, clothing and shoe fasteners, hairgrips, hair and shoe ornaments, sewing thimbles, hat ornaments, shoe laces, numerals or letters for marking linen, hairnets, brooches and buckles, fancy goods, rugs, paints, varnishes and lacquers, candles, bougies, night lights, cutlery, spoons, razors, non-electrical curling tongs, manicure tweezers, manicure scissors, depilating tweezers, nail files, nail clippers, hair clippers (manual), ice tongs, manicure sets, scissors, sugar tongs, chopping knives and instruments or appliances for cutting vegetables, eyewear, spectacles, spectacle frames, lenses, spectacle boxes, sunglasses, photograph frames, electrically heated curlers, electrically heated hair straighteners, glasses, frames, cords and cases for

sunglasses, computer software downloaded from the Internet, electronic publications (downloadable), baby comforters, panty-hose, tights and elastic stocking (surgical), feeding bottles, teats and valves for feeding bottles, drawsheets, soothing or teething rings, articles for infants, articles for use during pregnancy, apparatus for lighting, apparatus for heating, apparatus for cooking, apparatus for ventilating, apparatus for sanitary purposes, lampshades, lamp bases, fireplaces, portable fireplaces, simulated fireplaces, grates, hearths, baby carriages, covers for baby carriages, bicycles, hoods for baby carriages, safety seats and supports designed for transporting infants and children in vehicles, trolleys, baggage trolleys, parts and pieces of equipment for these articles, vehicles, jewellery, imitation jewellery, precious metals and articles made thereof, precious stones and articles made thereof, horological instruments, clocks, watches, watch straps, wrist watch bands and bracelets, cuff links, tie pins, tie clips and tie fasteners, keyrings, keyrings of precious metal, boxes, jewel cases, ornaments of precious metals, jewellery boxes, jewel boxes made of precious metals, articles made of precious metals, precious stones, chronometric instruments, precious metals and alloys thereof, printed matter, pages downloaded from the internet (in paper format), books, periodical publications, all relating to garments, fashion or home decoration, photograph albums, photograph stands, catalogues, boxes of paper or cardboard for documents, stationery, posters, diaries, calendars, brochures, paper, cardboard, paper articles, cardboard articles, photographs, wrapping and packing materials, artists' materials (with the exception of appliances), address and note pads, albums, water-colours, paper and plastic bags, book ends, bookmarks, writing instrument holders, writing materials and instruments, confetti, crucifixes, transfers, erasers, embroidery patterns, clothes patterns, engravings, files, leaflets or folders, greetings cards, hat boxes (cardboard), personal organisers and pages for the same, book jackets, knitting patterns or designs, labels, cards, notebooks, patterns for making clothes, paper table cloths, paper napkins, paper tissues, etchings, packing ribbons and tapes, stands for writing instruments, paper table linen, paper containers, magazines, decalcomanias,

pencil cases, pencils, pens, paperweights, writing paper, envelopes, binders, packaging, newsletters, packing paper, writing pads, passport holders, pictures, tissues of paper for removing make-up, wrapping paper, bags of paper or plastic for packaging, boxes of paper or card or plastic for packaging, stands for pens, stands for pencils, wrapping paper, leather and imitations of leather, and goods made of these materials and not included in other classes namely briefcases, card cases, suitcases, wallets, purses, waterbags, credit card holders, diary cases, hat boxes, key fobs, key cases, straps, luggage labels, note pad holders, sport bags, animal skins, hides, trunks and travelling bags, belts, cases, satchels, pouches, rucksacks, beach bags, sport bags, briefcases, wallets, key cases, credit card cases, purses, umbrellas, parasols, walking sticks, back packs, jewellery rolls, tote bags, shoulder bags, shopping bags, cosmetics bags, luggage, holdalls, suitcases, cases for hand held multimedia devices, cases and bags for portable computers, notepad holders, water bags, furniture, cushions and pillows, picture frames, cutlery boxes, coat hangers, figurines, wall plaques, goods made principally or wholly 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, mirrors, baskets, cabinet work, clothes hooks, coat stands, curtain hooks, curtain rails, curtain rings, curtain rods, curtain rollers, curtain tie-backs, embroidery frames, fans for personal use, bed fittings, door fittings, furniture fittings, window fittings, magazine racks, mattresses, mirror tiles, screens, statues of wood, wax, plaster or plastic, wickerwork, writing desks, picture frames, picture stands, wicker baskets, furniture trimmings (non-metal), billboards and display units, bolsters, framing battens, filing cabinets, coat and hat pegs (non-metallic), clothes-pegs, plastic packing containers, cradles, clothes covers, decorative bead curtains, drinking straws, pedestals for flower pots, flower stands (floral arrangements), screens, head rests (furniture), non-metallic boards and panels for keys, removable sink coverings, mobiles (decorative objects), non-metallic name plates, dressers, playpens for babies, trays, ornaments and statuettes, wooden or plastic boxes, bedding with the exception of bed linen,

non-metallic household and kitchen baskets, non-metallic fittings and trimmings for furniture, doors and windows, non-metallic cases, cabinets and chests, curtains used as interior blinds, non-metallic screens for furniture, shelves for furniture and storage space in the form of shelves, non-metallic and non-textile wall plaques, sofas and armchairs, butchers tables, tableware, glassware, porcelain, stoneware, chinaware, ceramic and pottery ware, tea services and coffee services, ornaments, baskets, candlesticks, candle holders and candelabras, coasters, napkin holders, household, kitchen and cooking utensils and containers as well as parts and equipment for the same, vacuum containers, crockery, drinking vessels, combs, sponges, brushes (with the exception of paintbrushes), cleaning materials, raw or semi-processed glass, bowls, basins, tools and utensils for kitchen use which are not made of precious metals, drinking containers, bootjacks, shoetrees, bottle openers, bottles, breadbaskets, breadboards, cheeseboards, chopping boards, butter dishes, cake moulds, manual coffee grinders and non-electrical coffee filters, coffee services not made of precious metals, non-electrical coffee-makers not made of precious metals, frying pans, lids for frying pans, cooking pots, ice buckets, corkscrews, cosmetic utensils, cruets and oil and vinegar sets not made of precious metals, egg cups, cups, beakers and tumblers, pitchers, saucers, dishes, sauce and gravy boats all made of materials other than precious metals, fruit bowls, glasses (containers), soap dispensers and holders, bottles, flower pots, flower-pot covers, fly whisks, non-electrical fruit squeezers and garlic presses for household use, funnels, refuse bins, jars, gloves and graters for domestic use, non-electrical spice mills, non-metallic money boxes, cooking moulds and stands, nail brushes, napkin rings and holders not made from precious metals, hand salt and pepper mills, mustard pots, perfume sprays and atomizers, powder cases not made of precious metals, powder puffs, trouser presses, dustbins, saltcellars not made of precious metals, shoehorns, spice sets, tea services and teapots all made of materials other than precious metals, devices for maintaining the shape of ties, toilet bags, toilet-paper dispensers, tooth- brushes, trays or baskets for domestic use and not made of precious metals,

insulated bottles and flasks, vases not made of precious metals, worked and semi-worked glass (with the exception of glass used in construction), porcelain, china, earthenware or glass ornaments, statuettes, pomanders, aerosol dispensers for non-medical use, soap and sweet boxes and tins not made of precious metals, non-electrical percolators for domestic use, candlesticks not made of precious metals, decanter stands other than those made of paper or fabric, cake dishes not made of precious metals, decanters not made of precious metals, porcelain and china knobs, yarns and threads, for textile use, woven products, furniture covers, household linen, bed clothes, covers for eiderdowns, blinds of textile, face towels of textile, textile tissues for removing make up, flannels, travelling rugs, for cots, dish cloths, mosquito nets, flags, banners, handkerchiefs of textile, boots, slippers, swimwear, mittens, layettes, sashes and shawls, bathing caps, braces, suspenders, collars, cuffs, ear muffs, fittings for boots and shoes, gaiters, garters, haberdashery, lace, embroidery, ribbons, braids, tapes, trimmings particularly cards, fringes and frills, artificial flowers, false hair, porcelain and china buttons, rugs, carpets, straw mats, mats and matting, wallpaper and non-textile wall hangings, ceiling paper, borders for decorating walls, toys, games, mobiles, dolls and accessories therefore, dolls' beds, dolls' clothes, dolls' houses, puzzles, playthings and accessories for those items, amusement articles, Christmas tree decorations, fun and theatrical masks, novelties, playing cards, flowers and natural plants, seeds, bulbs, plantlets and seedlings, young plants, young cuttings or wild stock, dried plants and flowers as well as wreaths, garlands and displays made up from them, nuts, fresh fruit, wreaths made of natural or dried flowers, pine and fir cones; electronic shopping retail services connected with soaps, cosmetics, perfumery, essential oils, eau de parfum, eau de toilette, cologne, fragrances and fragrance products for personal use, massage oils, hair lotions, cosmetic preparations for skin care, skin care cosmetics, skin care preparations, preparations for the bath and shower, shower gel, bath gels, scented body lotions and creams, scented moisturizing skin cream, moisturisers, body lotions and creams, moisturising creams, scented skin soap, body oil, face make-up, lip make-up,

cheek make-up, face powder, face glitter, lipstick, lip gloss, non-medicated lip balm, lip pencils, perfumed shimmer sticks, eye shadow, eye pencils, mascara, eye make-up, eyeliners, eye creams, eye gels, eye balms, highlighter, cleansers, toners, clarifiers, exfoliators, foundation make-up, blusher, compacts, make-up remover, fragrance sachets, room fragrances, beauty care preparations, beauty care products, beauty creams, beauty tonics for application to the body, beauty tonics for application to the face, non-medicated beauty preparations, non-medicated skin care beauty products, skin care products for personal use, namely, face, eye and lip moisturisers, face and skin creams, lotions and serums, anti-aging treatments, foundation for the face, hair care products, shampoo, hair conditioners, hair gel, hair spray, nail care preparations, nail polish, nail strengtheners, nail polish remover, shaving cream, shaving gel, after-shave preparations, after-shave lotion, depilatory preparations, personal deodorant, antiperspirants, potpourri, sun tanning preparations, cosmetic preparations for skin tanning, artificial tanning preparations, artificial nails, artificial eyelashes, on-line electronic publications downloadable from the internet, printed publications, printed publications in electronically readable form, publications downloadable in electronic form from the internet, goods of precious metal or coated therewith, textiles, textile goods, textile piece goods, textile articles, furnishing fabrics in the piece, household textile articles, curtains, towels, beach towels, valances, sheets, duvet covers, bath and bed linen, table and household linen, bed blankets, cloths and covers, bed spreads, coasters, eiderdowns, handkerchiefs, labels, mats of textile, mattress covers, fabric products, fabric (piece goods), printed fabrics, textile fabrics, pillow cases, pillow shams, quilts, runners, sleeping bags (sheeting), table cloths, wall hangings, bed sheets, quilt covers, blinds, mattress protectors, blankets, throws, cushion covers, duvets, face cloths of textile, face flannels of textile, mattress covers of textile, pyjama cases, table covers (not of paper), table linen (not of paper), textile seat covers (loose) for furniture, textile covers (loose) for hot water bottles, underblankets of textile, wall coverings made of textile materials, wall decorations of textile, cloths in pieces or in rolls, coasters of textile, place mats of

textile, travellers' rugs of textile, travelling rugs (lap robes), napkins of textile, serviettes of textile, articles of clothing, lingerie, bras, pants, thongs, stockings, tights, suspender belts, camisoles, dressing gowns, negligees, corsets, night dresses, sleep shirts, sarongs, shoulder wraps, leggings, headgear, belts, trousers, shorts, jeans, wristbands, headbands, hats, gloves, jackets, coats, jumpers, shirts, t-shirts, sweaters, vests, trousers, skirts, waistcoats, waterproof clothing, bathing costumes, pyjamas, undergarments, scarves, socks, suits, dresses, blouses, sun visors, anoraks, articles of clothing for leisurewear, articles of clothing for casualwear, articles of clothing for sportswear, articles of outer clothing, articles of weatherproof clothing, blazers, denims, jerseys, knitwear, parkas, sweatshirts, tops, windcheaters, badges, rosettes of textile materials, patches, buttons, ribbons and braid, hairbands and slides, belt clasps, blouse, clothing and shoe fasteners, hairgrips, hair and shoe ornaments, sewing thimbles, hat ornaments, shoe laces, numerals or letters for marking linen, hairnets, brooches and buckles, fancy goods, rugs, paints, varnishes and lacquers, candles, bougies, night lights, cutlery, spoons, razors, non-electrical curling tongs, manicure tweezers, manicure scissors, depilating tweezers, nail files, nail clippers, hair clippers (manual), ice tongs, manicure sets, scissors, sugar tongs, chopping knives and instruments or appliances for cutting vegetables, eyewear, spectacles, spectacle frames, lenses, spectacle boxes, sunglasses, photograph frames, electrically heated curlers, electrically heated hair straighteners, glasses, frames, cords and cases for sunglasses, computer software downloaded from the Internet, electronic publications (downloadable), baby comforters, panty-hose, tights and elastic stocking (surgical), feeding bottles, teats and valves for feeding bottles, drawsheets, soothing or teething rings, articles for infants, articles for use during pregnancy, apparatus for lighting, apparatus for heating, apparatus for cooking, apparatus for ventilating, apparatus for sanitary purposes, lampshades, lamp bases, fireplaces, portable fireplaces, simulated fireplaces, grates, hearths, baby carriages, covers for baby carriages, bicycles, hoods for baby carriages, safety seats and supports designed for transporting infants and children in vehicles, trolleys, baggage trolleys, parts and

pieces of equipment for these articles, vehicles, jewellery, imitation jewellery, precious metals and articles made thereof, precious stones and articles made thereof, horological instruments, clocks, watches, watch straps, wrist watch bands and bracelets, cuff links, tie pins, tie clips and tie fasteners, keyrings, keyrings of precious metal, boxes, jewel cases, ornaments of precious metals, jewellery boxes, jewel boxes made of precious metals, articles made of precious metals, precious stones, chronometric instruments, precious metals and alloys thereof, printed matter, pages downloaded from the internet (in paper format), books, periodical publications, all relating to garments, fashion or home decoration, photograph albums, photograph stands, catalogues, boxes of paper or cardboard for documents, stationery, posters, diaries, calendars, brochures, paper, cardboard, paper articles, cardboard articles, photographs, wrapping and packing materials, artists' materials (with the exception of appliances), address and note pads, albums, water-colours, paper and plastic bags, book ends, bookmarks, writing instrument holders, writing materials and instruments, confetti, crucifixes, transfers, erasers, embroidery patterns, clothes patterns, engravings, files, leaflets or folders, greetings cards, hat boxes (cardboard), personal organisers and pages for the same, book jackets, knitting patterns or designs, labels, cards, notebooks, patterns for making clothes, paper table cloths, paper napkins, paper tissues, etchings, packing ribbons and tapes, stands for writing instruments, paper table linen, paper containers, magazines, decalcomanias, pencil cases, pencils, pens, paperweights, writing paper, envelopes, binders, packaging, newsletters, packing paper, writing pads, passport holders, pictures, tissues of paper for removing make-up, wrapping paper, bags of paper or plastic for packaging, boxes of paper or card or plastic for packaging, stands for pens, stands for pencils, wrapping paper, leather and imitations of leather, and goods made of these materials and not included in other classes namely briefcases, card cases, suitcases, wallets, purses, waterbags, credit card holders, diary cases, hat boxes, key fobs, key cases, straps, luggage labels, note pad holders, sport bags, animal skins, hides, trunks and travelling bags, belts, cases, satchels, pouches,

rucksacks, beach bags, sport bags, briefcases, wallets, key cases, credit card cases, purses, umbrellas, parasols, walking sticks, back packs, jewellery rolls, tote bags, shoulder bags, shopping bags, cosmetics bags, luggage, holdalls, suitcases, cases for hand held multimedia devices, cases and bags for portable computers, notepad holders, water bags, furniture, cushions and pillows, picture frames, cutlery boxes, coat hangers, figurines, wall plaques, goods made principally or wholly 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, mirrors, baskets, cabinet work, clothes hooks, coat stands, curtain hooks, curtain rails, curtain rings, curtain rods, curtain rollers, curtain tie-backs, embroidery frames, fans for personal use, bed fittings, door fittings, furniture fittings, window fittings, magazine racks, mattresses, mirror tiles, screens, statues of wood, wax, plaster or plastic, wickerwork, writing desks, picture frames, picture stands, wicker baskets, furniture trimmings (non-metal), billboards and display units, bolsters, framing battens, filing cabinets, coat and hat pegs (non-metallic), clothes-pegs, plastic packing containers, cradles, clothes covers, decorative bead curtains, drinking straws, pedestals for flower pots, flower stands (floral arrangements), screens, head rests (furniture), non-metallic boards and panels for keys, removable sink coverings, mobiles (decorative objects), non-metallic name plates, dressers, playpens for babies, trays, ornaments and statuettes, wooden or plastic boxes, bedding with the exception of bed linen, non-metallic household and kitchen baskets, non-metallic fittings and trimmings for furniture, doors and windows, non-metallic cases, cabinets and chests, curtains used as interior blinds, non-metallic screens for furniture, shelves for furniture and storage space in the form of shelves, non-metallic and non-textile wall plaques, sofas and armchairs, butchers tables, tableware, glassware, porcelain, stoneware, chinaware, ceramic and pottery ware, tea services and coffee services, ornaments, baskets, candlesticks, candle holders and candelabras, coasters, napkin holders, household, kitchen and cooking utensils and containers as well as parts and equipment for the same, vacuum containers, crockery, drinking vessels, combs,

sponges, brushes (with the exception of paintbrushes), cleaning materials, raw or semi-processed glass, bowls, basins, tools and utensils for kitchen use which are not made of precious metals, drinking containers, bootjacks, shoetrees, bottle openers, bottles, breadbaskets, breadboards, cheeseboards, chopping boards, butter dishes, cake moulds, manual coffee grinders and non-electrical coffee filters, coffee services not made of precious metals, non-electrical coffee-makers not made of precious metals, frying pans, lids for frying pans, cooking pots, ice buckets, corkscrews, cosmetic utensils, cruets and oil and vinegar sets not made of precious metals, egg cups, cups, beakers and tumblers, pitchers, saucers, dishes, sauce and gravy boats all made of materials other than precious metals, fruit bowls, glasses (containers), soap dispensers and holders, bottles, flower pots, flower-pot covers, fly whisks, non-electrical fruit squeezers and garlic presses for household use, funnels, refuse bins, jars, gloves and graters for domestic use, non-electrical spice mills, non-metallic money boxes, cooking moulds and stands, nail brushes, napkin rings and holders not made from precious metals, hand salt and pepper mills, mustard pots, perfume sprays and atomizers, powder cases not made of precious metals, powder puffs, trouser presses, dustbins, saltcellars not made of precious metals, shoehorns, spice sets, tea services and teapots all made of materials other than precious metals, devices for maintaining the shape of ties, toilet bags, toilet-paper dispensers, tooth-brushes, trays or baskets for domestic use and not made of precious metals, insulated bottles and flasks, vases not made of precious metals, worked and semi-worked glass (with the exception of glass used in construction), porcelain, china, earthenware or glass ornaments, statuettes, pomanders, aerosol dispensers for non-medical use, soap and sweet boxes and tins not made of precious metals, non-electrical percolators for domestic use, candlesticks not made of precious metals, decanter stands other than those made of paper or fabric, cake dishes not made of precious metals, decanters not made of precious metals, porcelain and china knobs, yarns and threads, for textile use, woven products, furniture covers, household linen, bed clothes, covers for eiderdowns, blinds of textile, face towels of textile,

textile tissues for removing make up, flannels, travelling rugs, for cots, dish cloths, mosquito nets, flags, banners, handkerchiefs of textile, boots, slippers, swimwear, mittens, layettes, sashes and shawls, bathing caps, braces, suspenders, collars, cuffs, ear muffs, fittings for boots and shoes, gaiters, garters, haberdashery, lace, embroidery, ribbons, braids, tapes, trimmings particularly cards, fringes and frills, artificial flowers, false hair, porcelain and china buttons, rugs, carpets, straw mats, mats and matting, wallpaper and non-textile wall hangings, ceiling paper, borders for decorating walls, toys, games, mobiles, dolls and accessories therefore, dolls' beds, dolls' clothes, dolls' houses, puzzles, playthings and accessories for those items, amusement articles, Christmas tree decorations, fun and theatrical masks, novelties, playing cards, flowers and natural plants, seeds, bulbs, plantlets and seedlings, young plants, young cuttings or wild stock, dried plants and flowers as well as wreaths, garlands and displays made up from them, nuts, fresh fruit, wreaths made of natural or dried flowers, pine and fir cones; shop retail services connected with soaps, cosmetics, perfumery, essential oils, eau de parfum, eau de toilette, cologne, fragrances and fragrance products for personal use, massage oils, hair lotions, cosmetic preparations for skin care, skin care cosmetics, skin care preparations, preparations for the bath and shower, shower gel, bath gels, scented body lotions and creams, scented moisturizing skin cream, moisturisers, body lotions and creams, moisturising creams, scented skin soap, body oil, face make-up, lip make-up, cheek make-up, face powder, face glitter, lipstick, lip gloss, non-medicated lip balm, lip pencils, perfumed shimmer sticks, eye shadow, eye pencils, mascara, eye make-up, eyeliners, eye creams, eye gels, eye balms, highlighter, cleansers, toners, clarifiers, exfoliators, foundation make-up, blusher, compacts, make-up remover, fragrance sachets, room fragrances, beauty care preparations, beauty care products, beauty creams, beauty tonics for application to the body, beauty tonics for application to the face, non-medicated beauty preparations, non-medicated skin care beauty products, skin care products for personal use, namely, face, eye and lip moisturisers, face and skin creams, lotions and serums, anti-aging treatments, foundation for the

face, hair care products, shampoo, hair conditioners, hair gel, hair spray, nail care preparations, nail polish, nail strengtheners, nail polish remover, shaving cream, shaving gel, after-shave preparations, after-shave lotion, depilatory preparations, personal deodorant, antiperspirants, potpourri, sun tanning preparations, cosmetic preparations for skin tanning, artificial tanning preparations, artificial nails, artificial eyelashes, on-line electronic publications downloadable from the internet, printed publications, printed publications in electronically readable form, publications downloadable in electronic form from the internet, goods of precious metal or coated therewith, textiles, textile goods, textile piece goods, textile articles, furnishing fabrics in the piece, household textile articles, curtains, towels, beach towels, valances, sheets, duvet covers, bath and bed linen, table and household linen, bed blankets, cloths and covers, bed spreads, coasters, eiderdowns, handkerchiefs, labels, mats of textile, mattress covers, fabric products, fabric (piece goods), printed fabrics, textile fabrics, pillow cases, pillow shams, quilts, runners, sleeping bags (sheeting), table cloths, wall hangings, bed sheets, quilt covers, blinds, mattress protectors, blankets, throws, cushion covers, duvets, face cloths of textile, face flannels of textile, mattress covers of textile, pyjama cases, table covers (not of paper), table linen (not of paper), textile seat covers (loose) for furniture, textile covers (loose) for hot water bottles, underblankets of textile, wall coverings made of textile materials, wall decorations of textile, cloths in pieces or in rolls, coasters of textile, place mats of textile, travellers' rugs of textile, travelling rugs (lap robes), napkins of textile, serviettes of textile, articles of clothing, lingerie, bras, pants, thongs, stockings, tights, suspender belts, camisoles, dressing gowns, negligees, corsets, night dresses, sleep shirts, sarongs, shoulder wraps, leggings, headgear, belts, trousers, shorts, jeans, wristbands, headbands, hats, gloves, jackets, coats, jumpers, shirts, t-shirts, sweaters, vests, trousers, skirts, waistcoats, waterproof clothing, bathing costumes, pyjamas, undergarments, scarves, socks, suits, dresses, blouses, sun visors, anoraks, articles of clothing for leisurewear, articles of clothing for casualwear, articles of clothing for sportswear, articles of outer clothing, articles of weatherproof

clothing, blazers, denims, jerseys, knitwear, parkas, sweatshirts, tops, windcheaters, badges, rosettes of textile materials, patches, buttons, ribbons and braid, hairbands and slides, belt clasps, blouse, clothing and shoe fasteners, hairgrips, hair and shoe ornaments, sewing thimbles, hat ornaments, shoe laces, numerals or letters for marking linen, hairnets, brooches and buckles, fancy goods, rugs, paints, varnishes and lacquers, candles, bougies, night lights, cutlery, spoons, razors, non-electrical curling tongs, manicure tweezers, manicure scissors, depilating tweezers, nail files, nail clippers, hair clippers (manual), ice tongs, manicure sets, scissors, sugar tongs, chopping knives and instruments or appliances for cutting vegetables, eyewear, spectacles, spectacle frames, lenses, spectacle boxes, sunglasses, photograph frames, electrically heated curlers, electrically heated hair straighteners, glasses, frames, cords and cases for sunglasses, computer software downloaded from the Internet, electronic publications (downloadable), baby comforters, panty-hose, tights and elastic stocking (surgical), feeding bottles, teats and valves for feeding bottles, drawsheets, soothing or teething rings, articles for infants, articles for use during pregnancy, apparatus for lighting, apparatus for heating, apparatus for cooking, apparatus for ventilating, apparatus for sanitary purposes, lampshades, lamp bases, fireplaces, portable fireplaces, simulated fireplaces, grates, hearths, baby carriages, covers for baby carriages, bicycles, hoods for baby carriages, safety seats and supports designed for transporting infants and children in vehicles, trolleys, baggage trolleys, parts and pieces of equipment for these articles, vehicles, jewellery, imitation jewellery, precious metals and articles made thereof, precious stones and articles made thereof, horological instruments, clocks, watches, watch straps, wrist watch bands and bracelets, cuff links, tie pins, tie clips and tie fasteners, keyrings, keyrings of precious metal, boxes, jewel cases, ornaments of precious metals, jewellery boxes, jewel boxes made of precious metals, articles made of precious metals, precious stones, chronometric instruments, precious metals and alloys thereof, printed matter, pages downloaded from the internet (in paper format), books, periodical publications, all relating to garments, fashion or home decoration, photograph

albums, photograph stands, catalogues, boxes of paper or cardboard for documents, stationery, posters, diaries, calendars, brochures, paper, cardboard, paper articles, cardboard articles, photographs, wrapping and packing materials, artists' materials (with the exception of appliances), address and note pads, albums, water-colours, paper and plastic bags, book ends, bookmarks, writing instrument holders, writing materials and instruments, confetti, crucifixes, transfers, erasers, embroidery patterns, clothes patterns, engravings, files, leaflets or folders, greetings cards, hat boxes (cardboard), personal organisers and pages for the same, book jackets, knitting patterns or designs, labels, cards, notebooks, patterns for making clothes, paper table cloths, paper napkins, paper tissues, etchings, packing ribbons and tapes, stands for writing instruments, paper table linen, paper containers, magazines, decalcomanias, pencil cases, pencils, pens, paperweights, writing paper, envelopes, binders, packaging, newsletters, packing paper, writing pads, passport holders, pictures, tissues of paper for removing make-up, wrapping paper, bags of paper or plastic for packaging, boxes of paper or card or plastic for packaging, stands for pens, stands for pencils, wrapping paper, leather and imitations of leather, and goods made of these materials and not included in other classes namely briefcases, card cases, suitcases, wallets, purses, waterbags, credit card holders, diary cases, hat boxes, key fobs, key cases, straps, luggage labels, note pad holders, sport bags, animal skins, hides, trunks and travelling bags, belts, cases, satchels, pouches, rucksacks, beach bags, sport bags, briefcases, wallets, key cases, credit card cases, purses, umbrellas, parasols, walking sticks, back packs, jewellery rolls, tote bags, shoulder bags, shopping bags, cosmetics bags, luggage, holdalls, suitcases, cases for hand held multimedia devices, cases and bags for portable computers, notepad holders, water bags, furniture, cushions and pillows, picture frames, cutlery boxes, coat hangers, figurines, wall plaques, goods made principally or wholly 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, mirrors, baskets, cabinet work, clothes hooks, coat stands, curtain hooks, curtain

rails, curtain rings, curtain rods, curtain rollers, curtain tie-backs, embroidery frames, fans for personal use, bed fittings, door fittings, furniture fittings, window fittings, magazine racks, mattresses, mirror tiles, screens, statues of wood, wax, plaster or plastic, wickerwork, writing desks, picture frames, picture stands, wicker baskets, furniture trimmings (non-metal), billboards and display units, bolsters, framing battens, filing cabinets, coat and hat pegs (non-metallic), clothes-pegs, plastic packing containers, cradles, clothes covers, decorative bead curtains, drinking straws, pedestals for flower pots, flower stands (floral arrangements), screens, head rests (furniture), non-metallic boards and panels for keys, removable sink coverings, mobiles (decorative objects), non-metallic name plates, dressers, playpens for babies, trays, ornaments and statuettes, wooden or plastic boxes, bedding with the exception of bed linen, non-metallic household and kitchen baskets, non-metallic fittings and trimmings for furniture, doors and windows, non-metallic cases, cabinets and chests, curtains used as interior blinds, non-metallic screens for furniture, shelves for furniture and storage space in the form of shelves, non-metallic and non-textile wall plaques, sofas and armchairs, butchers tables, tableware, glassware, porcelain, stoneware, chinaware, ceramic and pottery ware, tea services and coffee services, ornaments, baskets, candlesticks, candle holders and candelabras, coasters, napkin holders, household, kitchen and cooking utensils and containers as well as parts and equipment for the same, vacuum containers, crockery, drinking vessels, combs, sponges, brushes (with the exception of paintbrushes), cleaning materials, raw or semi-processed glass, bowls, basins, tools and utensils for kitchen use which are not made of precious metals, drinking containers, bootjacks, shoetrees, bottle openers, bottles, breadbaskets, breadboards, cheeseboards, chopping boards, butter dishes, cake moulds, manual coffee grinders and non-electrical coffee filters, coffee services not made of precious metals, non-electrical coffee-makers not made of precious metals, frying pans, lids for frying pans, cooking pots, ice buckets, corkscrews, cosmetic utensils, cruets and oil and vinegar sets not made of precious metals, egg cups, cups, beakers and tumblers, pitchers, saucers, dishes,

sauce and gravy boats all made of materials other than precious metals, fruit bowls, glasses (containers), soap dispensers and holders, bottles, flower pots, flower-pot covers, fly whisks, non-electrical fruit squeezers and garlic presses for household use, funnels, refuse bins, jars, gloves and graters for domestic use, non-electrical spice mills, non-metallic money boxes, cooking moulds and stands, nail brushes, napkin rings and holders not made from precious metals, hand salt and pepper mills, mustard pots, perfume sprays and atomizers, powder cases not made of precious metals, powder puffs, trouser presses, dustbins, saltcellars not made of precious metals, shoeorns, spice sets, tea services and teapots all made of materials other than precious metals, devices for maintaining the shape of ties, toilet bags, toilet-paper dispensers, tooth-brushes, trays or baskets for domestic use and not made of precious metals, insulated bottles and flasks, vases not made of precious metals, worked and semi-worked glass (with the exception of glass used in construction), porcelain, china, earthenware or glass ornaments, statuettes, pomanders, aerosol dispensers for non-medical use, soap and sweet boxes and tins not made of precious metals, non-electrical percolators for domestic use, candlesticks not made of precious metals, decanter stands other than those made of paper or fabric, cake dishes not made of precious metals, decanters not made of precious metals, porcelain and china knobs, yarns and threads, for textile use, woven products, furniture covers, household linen, bed clothes, covers for eiderdowns, blinds of textile, face towels of textile, textile tissues for removing make up, flannels, travelling rugs, for cots, dish cloths, mosquito nets, flags, banners, handkerchiefs of textile, boots, slippers, swimwear, mittens, layettes, sashes and shawls, bathing caps, braces, suspenders, collars, cuffs, ear muffs, fittings for boots and shoes, gaiters, garters, haberdashery, lace, embroidery, ribbons, braids, tapes, trimmings particularly cards, fringes and frills, artificial flowers, false hair, porcelain and china buttons, rugs, carpets, straw mats, mats and matting, wallpaper and non-textile wall hangings, ceiling paper, borders for decorating walls, toys, games, mobiles, dolls and accessories therefore, dolls' beds, dolls' clothes, dolls' houses, puzzles, playthings and accessories for those

<p>items, amusement articles, Christmas tree decorations, fun and theatrical masks, novelties, playing cards, flowers and natural plants, seeds, bulbs, plantlets and seedlings, young plants, young cuttings or wild stock, dried plants and flowers as well as wreaths, garlands and displays made up from them, nuts, fresh fruit, wreaths made of natural or dried flowers, pine and fir cones; organisation, operation and supervision of loyalty programmes and of sales and promotional incentive schemes. (EU Trademark 9472036)</p>	
<p>Cl 36 Financial services; banking and credit services; insurance services; credit card services; cash card services; debit card services; financial services relating to the provision of vouchers for the purchase of goods; issuing of vouchers; issuing of tokens or vouchers of value in relation to customer loyalty schemes; pre-payment card and stored value prepaid card services; loans; provision of credit; savings accounts and schemes; monetary affairs; loan and credit services and consultancy services relating to all the aforesaid. (EU Trademark 9472036)</p>	
<p>Cl 38 Chat room services; providing internet chat rooms; operating chat rooms; providing online forums; providing an online interactive bulletin board; interactive communications services by means of computer; broadcasting of video and audio programming over the Internet; delivery of digital audio and/or video by telecommunications; providing on-line access to digital audio and/or video; electronic transmission of data and images by television and video broadcasting; television and radio broadcasting services; teleshopping services (EU trademark 12392569)</p>	<p>Cl 38 Telecommunication services; communication services for the electronic transmission of voices; transmission of data; electronic transmission of images, photographs, graphic images and illustrations over a global computer network; transmission of data, audio, video and multimedia files; simulcasting broadcast television over global communication networks, the Internet and wireless networks; provision of telecommunication access to video and audio content provided via an online video- on-demand service; satellite communication services; telecommunications gateway services</p>
<p>Cl 40 Tailoring services; dressmaking; needlework; clothing alterations; custom manufacture of clothes. (EU trademark 12392569)</p>	

<p>CI 41 Education and training services; entertainment services; providing non-downloadable electronic publications; providing online publications (not downloadable); providing online non-downloadable magazines; entertainment and education in the field of fashion; organisation of fashion shows for entertainment purposes; organising and conducting of games, contests, competitions, awards, conferences, conventions, events and exhibitions; arranging, organising and conducting of award ceremonies; entertainment and educational services provided via the Internet and other computer and communications networks; entertainment and educational services featuring electronic media, multimedia content, audio and video content, movies, pictures, photographs, graphics, images, tekst and related information provided via the Internet and other computer and communications networks; film production services; publication of magazines, books, texts and printed matter; publishing by electronic means; information, advisory and consultancy services in relation to all of the aforesaid. (EU trademark 12392569)</p>	<p>CI 41 Production of radio and television shows and programmes; film production services; Education, teaching and training; Entertainment services; Presentation of movies; Film distribution; Provision of non-downloadable films and television programs via a video-on-demand service; Arranging and conducting of workshops and seminars; Arranging and conducting of congresses; Organization of exhibitions for cultural and educational purposes; Publication of electronic books and journals online.</p>
<p>CI 42 Interior design services; interior decoration and design. (EU trademark 12392569)</p>	
<p>CI 44 Beauty salons; health spa services; hairdressing salons; manicuring services. (EU trademark 12392569)</p>	
<p>CI 45 Licensing of intellectual property rights. (EU trademark 12392569)</p>	

36. The defendant states (see point 13) that the goods and services of the conflicting signs are not entirely identical or similar. He argues in general wording that there are some clear differences between the specifications of the goods and services of the signs and only explains for class 41 the differences between the specifications of the earlier right and the contested sign. He then concludes *“in light of the above analysis, the goods and services of the conflicting trademarks, although they coincide in parts of their specifications, are not entirely identical or similar”*. The Office establishes that in his analysis the defendant only explicitly disputes the similarity of the contested services in class 41. However, no arguments are raised to dispute the similarity of the remaining contested goods and services (classes 3, 9, 14, 16, 25, 26, 35 and 38). Therefore, the Office concludes that the similarity of the remaining goods and services in the classes 3, 9, 14, 16, 25, 26, 35 and 38 is *in confesso* between the parties. The Office will only proceed to a comparison of the contested services in class 41 with the goods and services of the opponent.

Class 41

37. The “entertainment services; film production services” are mentioned *expressis verbis* in both lists of services and are thus identical. Furthermore, the services “*education, teaching and training*” services of the defendant are identical to the opponent’s “*education and training services*”.

38. The services “*publication of electronic books and journals online*” of the defendant are identical to the services “*publishing by electronic means*” of the opponent. The services “*production of radio and television shows and programmes; presentation of movies; film distribution; provision of non-downloadable films and television programs via a video-on-demand service*” of the defendant can be considered as identical to the “*entertainment services*” of the opponent. Furthermore, the defendant’s “*arranging and conducting of workshops and seminars; arranging and conducting of congresses*” are considered identical to the opponent’s “*education and training services*”. Finally, the defendant’s “*organization of exhibitions for cultural and educational purposes*” are considered identical to the opponent’s “*organising and conducting of games, contests, competitions, awards, conferences, conventions, events and exhibitions*”. The Office considers that according to established case law, if the services of the earlier trademark also contain services that are mentioned in the application for the contested sign, these services are considered identical (see EGC, Fifties, T-104/01, 23 October 2002; Arthur et Félicie, T-346/04, 24 November 2005 and Prazol, T-95/07, 21 October 2008). For each category of the opponent’s services mentioned above applies that they are all formulated in such a broad manner that they can cover the more specifically formulated services of the defendant. As the broad category of services of the opponent encompasses the services of the defendant they can be considered identical

Conclusion

39. The similarity of the goods and services in classes 3, 9, 14, 16, 25, 26, 35 and 38 is *in confesso*. The services in class 41 of the defendant are identical to the services of the opponent.

A.2 Global assessment

40. When assessing the likelihood of confusion, in particular the level of attention of the relevant public, the similarity of the goods and services in question and the similarity of the signs are important factors.

41. The average consumer is deemed to be reasonably well-informed and reasonably observant and circumspect (case Lloyd, already cited). It should also be borne in mind that the average consumer’s level of attention is likely to vary in accordance with the category of goods or services in question. The present case concerns goods and services which are targeted at the public in general. For these goods and services, the average level of attention of the public concerned may be deemed normal.

42. The global assessment of the likelihood of confusion assumes that there is a certain degree of interdependence between the factors to be taken into account, particularly between the level of similarity of the signs and of the goods or services which they cover. A lesser degree of similarity between the relevant goods or services can be offset by a greater degree of similarity between the trademarks, and vice versa (Canon and Lloyd, already cited).

43. It should also be taken into consideration here that normally, the average consumer perceives a mark as a whole and does not proceed to an analysis of its various details (Sabel and Lloyd, already cited). Furthermore, it

is of importance that the average consumer only rarely has the chance to make a direct comparison between the different trademarks but must place his trust in the imperfect picture of them that he has kept in his mind.

44. The more distinctive the earlier trademark, the greater the likelihood of confusion. Marks with a highly distinctive character, either *per se* or because of the reputation they possess on the market, enjoy broader protection than marks with a less distinctive character (Canon, Sabel and Lloyd, already cited). In the present case, the trademark invoked has a normal level of distinctiveness.

45. The right invoked and the contested sign are visually and aurally highly similar. A conceptual comparison is not relevant. The goods and services of the defendant are either identical or similar to the goods and services of the opponent. Given these circumstances, the Office finds that the relevant public might believe that the goods and services in question originate from the same undertaking or from economically-linked undertakings.

B. Conclusion

46. Based on the foregoing the Office concludes that there exists a likelihood of confusion.

IV. DECISION

47. The opposition with number 2012158 is justified.

48. Benelux application with number 1332423 will not be registered.

49. The defendant shall pay the opponent 1,030 euros in accordance with article 2.16 (5) BCIP in conjunction with rule 1.32 (3) IR, as the opposition is justified in its entirety. This decision constitutes an enforceable order pursuant to article 2.16 (5) BCIP.

The Hague, 27 April 2018

Tineke Van Hoey
(*rappporteur*)

Diter Wuytens

Camille Janssen

Administrative officer: Rudolf Wiersinga