

O/0221/26

TRADE MARKS ACT 1994

CONSOLIDATED PROCEEDINGS

IN THE MATTER OF APPLICATION NOS. UK00003819487, UK00003819462 AND
UK00003819485

BY ZHEJIANG GEELY HOLDING GROUP CO., LTD
TO REGISTER THE TRADE MARKS:



L E V C

IN CLASS 12

AND

IN THE MATTER OF CONSOLIDATED OPPOSITIONS THERETO
UNDER NOS. 438901, 438902 AND 438903 BY
ASTON MARTIN LAGONDA LIMITED

BACKGROUND AND PLEADINGS

1. On 12 August 2022, Zhejiang Geely Holding Group Co., Ltd (“the applicant”) applied to register the following trade marks in the UK:



UKTM no. 3819487
 (“the First Application”)



UKTM no. 3819462
 (“the Second Application”)



L E V C

UKTM no. 3819485
 (“the Third Application”)

(together “the applications”)

2. The applications were published for opposition purposes on 28 October 2022 and registration is sought in respect of the following goods:

Class 12 Plug-in electric cars; Gear boxes for land vehicles; Motors, electric, for land vehicles; Propulsion mechanisms for land vehicles; Sports cars; Cars; Motor homes; Self-driving cars; Vehicle frames; Electric vehicles.

3. On 27 January 2023, the applications were opposed by Aston Martin Lagonda Limited (“the opponent”) based upon sections 5(2)(b), 5(3) and 5(4)(a) of the Trade Marks Act 1994 (“the Act”). Under section 5(2)(b) of the Act, the opponent relies upon the following trade marks:



UKTM no. 1210862

Filing date 16 January 1984; registration date 16 January 1984
 (“the First Earlier Mark”)



UKTM no. 908367823¹

Filing date 16 June 2009; registration date 17 February 2010
 (“the Second Earlier Mark”)



UKTM no. 908367831

Filing date 16 June 2009; registration date 17 February 2010
 (“the Third Earlier Mark”)

¹ On 1 January 2021, the UK left the EU after the expiry of the transition period. Under Article 54 of the Withdrawal Agreement, the Registry created comparable UK trade marks for all rights holders with an existing EU trade mark (“EUTM”). As a result of the opponent having EUTMs being protected as at the end of the Implementation Period, comparable UK trade marks were automatically created. The comparable trade marks shown here are now recorded on the UK trade mark register, have the same legal status as if they had been applied for and registered under UK law, and retain their original filing dates.



UKTM no. 3054819

Filing date 8 May 2014; registration date 22 August 2014

("the Fourth Earlier Mark")



UKTM no. 913101514

Filing date 21 July 2014; registration date 15 December 2014

("the Fifth Earlier Mark")

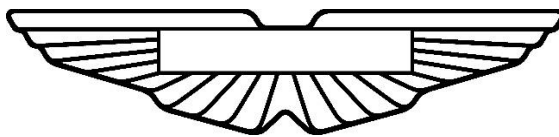


UKTM no. 3686880

Filing date 26 August 2021; registration date 25 February 2022

Priority date: 1 March 2021 (Jamaica)

("the Sixth Earlier Mark")



UKTM no. 3686883

Filing date 26 August 2021; registration date 25 February 2022

Priority date: 1 March 2021 (Jamaica)

("the Seventh Earlier Mark")

4. Under section 5(2)(b), the opponent relies upon some of the goods for which the earlier marks are registered, as set out in Annex 1 to this decision. The opponent

claims that the marks are similar, and the goods are identical or similar, with the result that there is a likelihood of confusion.

5. Under section 5(3) of the Act, the opponent relies upon the First, Second, Third, Sixth and Seventh Earlier Marks. It claims that these marks have a reputation for the goods set out in Annex 1 to this decision and that use of the applicant's marks would, without due cause, take unfair advantage of, and/or be detrimental to, the distinctive character and/or repute of the earlier marks.

6. Under section 5(4)(a) of the Act, the opponent relies upon signs identical to the Second, Third, Sixth and Seventh Earlier Marks. It claims to have used the first two throughout the UK since at least 2003, and the second two since at least 2021 in relation to: "Land vehicles, automobiles, sport utility vehicles, passenger cars and racing cars, and parts and fittings therefor". The opponent claims that use of the applications would be contrary to the law of passing off.

7. The applicant filed counterstatements denying the grounds of opposition and putting the opponent to proof of use of the First, Second, Third, Fourth and Fifth Earlier Marks.

HEARING AND REPRESENTATION

8. A hearing took place before me on 10 September 2025, by video conference.

9. The applicant was represented by Christopher Hall of Counsel, instructed by Sonder & Clay IP Limited and the opponent was represented by Simon Malynicz KC, instructed by JA Kemp LLP. Both parties filed skeleton arguments in advance of the hearing.

EVIDENCE AND SUBMISSIONS

10. The opponent filed evidence in chief in the form of:

- a. The first witness statement of Aaron Newell dated 25 March 2024, which is accompanied by 34 exhibits (AN1 to AN34). Mr Newell is a Partner at the opponent's representatives.
- b. The second witness statement of Mr Newell dated 25 March 2024, which is accompanied by 4 exhibits (CAN1 to CAN4). A confidentiality order was issued on 15 May 2024, the result of which is that pages 6 to 8 of Exhibit CAN1, the entirety of CAN2, page 8 of Exhibit CAN3 and page 4 of CAN4 are not open to public inspection.

11. The applicant filed evidence in the form of:

- a. The witness statement of Bo Tian dated 19 June 2024, which is accompanied by 13 exhibits (BT1 to BT13). Mr Tian is the IP Director of the applicant.
- b. The witness statement of Matthew Sammon dated 19 June 2024, which is accompanied by 25 exhibits (MS1 to MS25). Mr Sammon is a Director at the applicant's representatives.

12. The opponent filed evidence in reply in the form of the third witness statement of Mr Newell dated 20 September 2024, which is accompanied by 22 exhibits (AN1 to AN22).

RELEVANCE OF EU LAW

13. The provisions of the Act relied upon in these proceedings are assimilated law, as they are derived from EU law. Although the UK has left the EU, section 6(3)(a) of the European Union (Withdrawal) Act 2018 (as amended by Schedule 2 of the Retained EU Law (Revocation and Reform) Act 2023) requires tribunals applying assimilated law to follow assimilated EU case law. That is why this decision refers to decisions of the EU courts which predate the UK's withdrawal from the EU.

DECISION

My Approach

14. At the hearing, Mr Malynicz accepted that if his client was unable to succeed on the basis of the Sixth and Seventh Earlier Marks, then it was unlikely to succeed in relation to the other marks relied upon. I agree. Consequently, I will focus my assessment under sections 5(2)(b) and 5(3) on the Sixth and Seventh Earlier Marks only.

Section 5(2)(b)

15. Section 5(2)(b) of the Act reads as follows:

“5(2) A trade mark shall not be registered if because –

(a)...

(b) it is similar to an earlier trade mark and is to be registered for goods or services identical with or similar to those for which the earlier trade mark is protected

there exists a likelihood of confusion on the part of the public, which includes the likelihood of association with the earlier trade mark.”

16. Section 5A of the Act is as follows:

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

17. Given their earlier filing/priority dates, the Sixth and Seventh Earlier Marks qualify as earlier trade marks pursuant to section 6 of the Act. As they had not completed their

registration process more than 5 years prior to the filing date of the applications, the Sixth and Seventh Earlier Marks are not subject to the use provisions in section 6A of the Act. Consequently, the opponent can rely upon all of the goods identified.

18. The following standard summary of the principles applicable to the assessment of the likelihood of confusion was approved by the Supreme Court in *Iconix Luxembourg Holdings SARL v Dream Paris Europe Inc & Anor*, [2025] UKSC 25:

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

(b) the matter must be judged through the eyes of the average consumer of the goods or services in question, who is deemed to be reasonably well informed and reasonably circumspect and observant, but who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them he has kept in his mind, and whose attention varies according to the category of goods or services in question;

(c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details;

(d) the visual, aural and conceptual similarities of the marks must normally be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components, but it is only when all other components of a complex mark are negligible that it is permissible to make the comparison solely on the basis of the dominant elements;

(e) nevertheless, the overall impression conveyed to the public by a composite trade mark may, in certain circumstances, be dominated by one or more of its components;

(f) and beyond the usual case, where the overall impression created by a mark depends heavily on the dominant features of the mark, it is quite possible that in a particular case an element corresponding to an earlier trade mark may

retain an independent distinctive role in a composite mark, without necessarily constituting a dominant element of that mark;

(g) a lesser degree of similarity between the goods or services may be offset by a greater degree of similarity between the marks, and vice versa;

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

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

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

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

Comparison of goods

19. I have set out the full list of terms relied upon by the opponent in Annex 1 to this decision. However, I have included only the terms which represent the opponent's best case in the table below. With that in mind, the competing goods are as follows:

Opponent's goods	Applicant's goods
The Sixth and Seventh Earlier Marks <u>Class 12</u> Land vehicles; gear boxes for land vehicles; parts and fittings for automobiles.	<u>Class 12</u> Plug-in electric cars; Gear boxes for land vehicles; Motors, electric, for land vehicles; Propulsion mechanisms for land vehicles; Sports cars; Cars; Motor

	homes; Self-driving cars; Vehicle frames; Electric vehicles.
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20. In *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T- 133/05, the General Court stated that:

“29. In addition, the goods can be considered as identical when the goods designated by the earlier mark are included in a more general category, designated by trade mark application (Case T-388/00 *Institut for Lernsysteme v OHIM – Educational Services* (ELS) [2002] ECR II-4301, paragraph 53) or where the goods designated by the trade mark application are included in a more general category designated by the earlier mark.”

Plug-in electric cars; Sports cars; Cars; Motor homes; Self-driving cars; Electric vehicles.

21. These goods all fall within the broader category of “land vehicles” in the specifications of the Sixth and Seventh Earlier Marks. Consequently, they are identical on the principle outlined in *Merici*.

Gear boxes for land vehicles.

22. This term appears identically in the specifications of the Sixth and Seventh Earlier Marks.

Motors, electric, for land vehicles; Propulsion mechanisms for land vehicles; Vehicle frames.

23. These terms are identical on the principle outlined in *Merici* to “parts and fittings for automobiles” in the specifications of the Sixth and Seventh Earlier Marks.

The average consumer and the nature of the purchasing act

24. The average consumer is deemed to be reasonably well informed and reasonably observant and circumspect. For the purpose of assessing the likelihood of confusion, it must be borne in mind that the average consumer's level of attention is likely to vary according to the category of goods in question: *Lloyd Schuhfabrik Meyer*, Case C-342/97.

25. In *Iconix Luxembourg Holdings SARL v Dream Paris Europe Inc & Anor*, [2025] UKSC 25, the Supreme Court approved the comments of Arnold LJ in *Lidl Great Britain Ltd & Anor v Tesco Stores Ltd & Anor (Rev1)* [2024] EWCA Civ 262, where he pointed out that:

(a) Consumers who are ill-informed or careless, or consumers with specialised knowledge or who are excessively careful are excluded from consideration;

(b) The average consumer provides a standard which enables the courts to strike a balance between the competing interests involved, such as trade mark owners, their competitors and consumers;

(c) The average consumer is neither a single hypothetical person nor a mathematical average; assessment from the perspective of the average consumer does not involve a statistical test. There is no single meaning rule and if, having regard to the perceptions and expectations of the average consumer, the court considers that a significant proportion of the relevant public is likely to be confused, a finding of infringement may properly be made;

(d) Assessment from the perspective of the average consumer is intended to facilitate adjudication of trade mark disputes by providing an objective criterion, by promoting consistency of assessment and by enabling courts and tribunals to determine such issues so far as possible without the need for evidence;

(e) The average consumer's level of attention varies according to the category of goods or services in question; and

(f) the average consumer rarely has the opportunity to make direct comparisons between trade marks (or between trade marks and signs) and must instead rely upon the imperfect picture of the trade mark they have kept in their mind.

26. I understood Mr Malynicz to suggest that I should take account of the fact that the opponent is a producer of high end sports cars, which attract a particularly high price point. Whilst that may be the case, I must conduct a notional assessment on the basis of the full breadth of the parties' respective specifications. The vast majority of the terms in the parties' specifications are not, in any way, limited to those goods with a higher price point (other than that they are goods which tend to be more expensive goods than others); whilst I accept that perhaps "sports cars" in the applicant's specification might suggest goods which are more luxury/expensive, there is still a wide range of cars (in terms of both quality and price) which would fall within that term. I do not, therefore, accept Mr Malynicz's submission.

27. The average consumer for the goods is a member of the general public. The goods are likely to be infrequent purchases which are expensive. Even where the goods are parts and fittings, as opposed to vehicles themselves and may, therefore, attract a lower cost, there will still be considerable attention paid by the average consumer to ensure compatibility with their vehicle (particularly given the potential safety/cost implications of installing a part/fitting which is not compatible). Consequently, I find that a high degree of attention will be paid during the purchasing process for the goods in issue.

28. The goods are likely to be selected following perusal of signage on physical premises (such as showrooms or service centres) or on websites. Consequently, I find that visual considerations will dominate the purchasing process. However, I do not discount an aural component to the purchase given that advice may be sought from retail assistants or mechanics.

Distinctive character of the earlier marks

29. In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, Case C-342/97 the CJEU stated that:

“22. In determining the distinctive character of a mark and, accordingly, in assessing whether it is highly distinctive, the national court must make an overall assessment of the greater or lesser capacity of the mark to identify the goods or services for which it has been registered as coming from a particular undertaking, and thus to distinguish those goods or services from those of other undertakings (see, to that effect, judgment of 4 May 1999 in Joined Cases C-108/97 and C-109/97 *Windsurfing Chiemsee v Huber and Attenberger* [1999] ECR I-2779, paragraph 49).

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

30. Registered trade marks possess varying degrees of inherent distinctive character, ranging from the very low, because they are suggestive or allusive of a characteristic of the goods, to those with high inherent distinctive character, such as invented words which have no allusive qualities. The distinctive character of a mark can be enhanced by virtue of the use that has been made of it.

31. A significant focus of the parties’ submissions in this case is regarding the question of whether ‘winged devices’ are common within the car market and, therefore, have a lower degree of distinctiveness. If that is correct, then the applicant argues that smaller

differences between the marks will enable the average consumer to differentiate between them, thus avoiding a likelihood of confusion. In this regard, Mr Hall relied upon *Lifestyle Equities CV v Royal County of Berkshire Polo Club Ltd* [2024] FSR 24, in which Arnold LJ stated:

“49. [...] But in any event, the issue here is not the impact of the defendant’s use of it’s sign on the distinctive character of the trade mark, but the impact of third party use of other signs. There is no good reason to discount this. On the contrary, experience shows that third party use of similar signs does tend to diminish the distinctiveness of a trade mark. In a crowded market it is harder for one mark to stand out.” (my emphasis)

32. With that in mind, I will now consider the distinctiveness of the Sixth and Seventh Earlier Marks.

33. Mr Hall summarised the evidence of use of wing logos within the car industry as follows:



34. It is not in dispute that the parties have both used their own marks (or prior versions of them) which include wing devices. Mr Malynicz pointed to the fact that the applicant's vehicles are London taxis and so operate in a particular sector of the market. However, even leaving aside the use of the parties themselves, a number of wing logo marks have been identified by the applicant. Those are the marks of Mini, Bentley, Genesis, Morgan and Chrysler. Mr Newell has provided a copy of a YouGov survey relating to "Q2 2024", which I take to mean quarter two of 2024.² I acknowledge, therefore, that this document is almost two years after the relevant date. The survey in question identifies the most popular car brands in the UK; Mini is number 15, Bentley is number 18, Morgan is number 38, Chrysler is number 43 and Genesis is number 57. This survey was assessed by reference to the number of people who gave a positive opinion of a car brand; to give context to the positions given to each brand, 38% of respondents had a positive opinion of the Genesis brand (resulting in it being given position number 57 out of 67). To my mind, this evidence does support a finding that the relevant public would be aware of, at least most, of these brands on the market. I have no reason to believe that the position would have been any different at the relevant date, given the longstanding nature of these brands.

35. However, that is not the end of the matter. In Mr Malynicz's submission, whilst this might show that people are aware of the brands, it does not necessarily follow that they would also be aware of the logos; would the relevant public be aware that all of these brands had 'wing' logos? I accept Mr Malynicz's point that the exact intricacies of the particular logos of each these businesses might not be immediately known to the relevant public; it is possible that they might simply be known by the names that would be used to describe them verbally. However, on the balance of the evidence before me, it seems to me to be a reasonable inference that the relevant public would, at the very least, know that most of these brands had 'wing' logos. It does not seem to me that it is necessary that the average consumer be able to identify the exact details of the logos themselves; knowledge on the part of the average consumer that there are multiple brands within this market which have 'wing' devices as their trade marks is sufficient. Whilst I accept that Genesis and Morgan are, perhaps, less well known brands, Bentley and Mini are household names and their logos are likely to be known

² Exhibit AN2 to Mr Newell's third statement.

by the relevant public (notwithstanding the fact that most people would not, themselves, own a Bentley).

36. The effect of this is that my primary finding is that the average consumer would be accustomed to seeing 'wing' logos in the marketplace. With that in mind, I find the Seventh Earlier Mark to be inherently distinctive to a low degree. The Sixth Earlier Mark contains the words ASTON MARTIN, which are likely to be viewed as a name. Further, it is quite an unusual name. Consequently, I find the Sixth Earlier Mark to be inherently distinctive to between a medium and high degree.

37. Again, that is not the end of the matter. I do not understand it to be in dispute that the distinctiveness of the Sixth Earlier Mark has been enhanced through use; plainly this is correct. In relation to the Seventh Earlier Mark, Mr Hall did not accept that the distinctiveness of that mark had been enhanced because, he said, the use shown by the opponent relates to the logo which contains the name ASTON MARTIN. In this regard, Mr Malynicz referred me to the *Specsavers* judgment, where it was found that use of the overlapping circles with the words SPECSAVERS across the middle of them did not alter the distinctive character of the mark (which was the overlapping circles alone).³ However, in the present case the question is not whether the distinctiveness of the mark is altered by the presence or absence of the words ASTON MARTIN but how strongly the mark in question acts as a badge of origin, identifying the goods and services of one undertaking from those of another. I have reviewed the evidence before me and I agree with Mr Hall that there are no examples of the wing logo being used by the opponent without the words. That is not to say that the wings themselves have not gained some enhanced distinctiveness; I consider it likely that they have. However, this is to a much lesser degree than the combination of the wings and ASTON MARTIN together (as in the Sixth Earlier Mark). Consequently, whilst I accept that the distinctiveness of the Sixth Earlier Mark has been enhanced through use to a high degree, the enhancement to the distinctiveness of the Seventh Earlier Mark is modest.

³ *Specsavers International Healthcare Limited & Others v Asda Stores Limited*, Case C-252/12




Comparison of trade marks

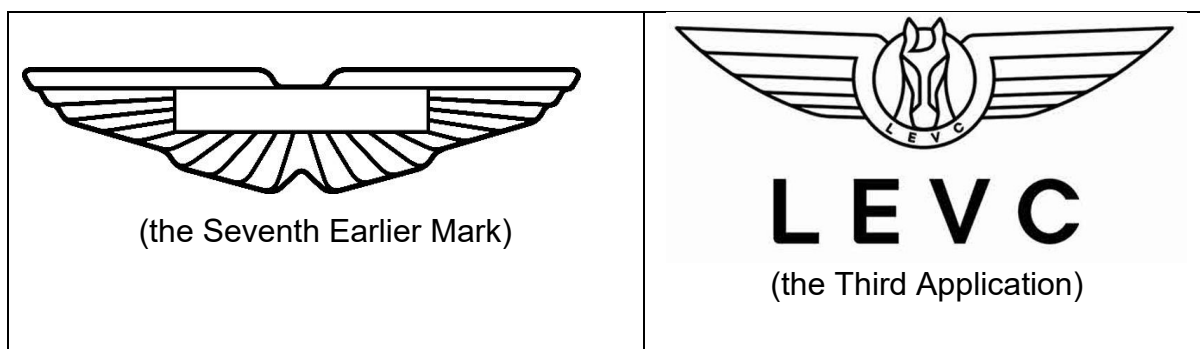
38. It is clear from *Sabel* that the average consumer normally perceives a trade mark as a whole and does not proceed to analyse its various details. The same case also explains that the visual, aural and conceptual similarities of the trade marks must be assessed by reference to the overall impressions created by the trade marks, bearing in mind their distinctive and dominant components. The CJEU stated at paragraph 34 of its judgment in Case C-591/12P, *Bimbo SA v OHIM*, that:

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

39. It would be wrong, therefore, to dissect the trade marks artificially, although it is necessary to take into account the distinctive and dominant components of the marks and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions created by the marks.

40. The respective trade marks are shown below:

Opponent's trade marks	Applicant's trade marks
 <p>(the Sixth Earlier Mark)</p>	 <p>(the First Application)</p>  <p>(the Second Application)</p>



Overall Impression

41. The Sixth Earlier Mark consists of a wing device with the words ASTON MARTIN presented in a rectangular box at the centre. In my view, the overall impression of the mark lies in the combination of these elements, with the words ASTON MARTIN playing the greater role due to the eye naturally being drawn to the element of the mark that can be read.

42. The Seventh Earlier Mark consists of a wing device with a rectangular box at the centre. The overall impression of the mark lies in the combination of these elements.

43. The First Application consists of a pair of wings with a horse's head at the centre. Whilst I note Mr Malynicz's submission that the effect of the device being in the form of a line drawing renders it less recognisable as a horse's head, I disagree. In my view, this will be clearly identified by the average consumer. Overall, the mark gives the impression of a winged-horse. In my view, the overall impression of the mark lies in the combination of these elements.

44. The Second Application also consists of the same winged-horse device with the additional wording LEVC presented within the wings beneath the horse's head. Whilst the eye is naturally drawn to the element of the mark that can be read, due to its size, the winged-horse device plays a slightly greater role in this case, with the text element playing a slightly lesser role.

45. The same is true of the Third Application, although this also includes a large text version of the letters LEVC presented beneath the device. In my view, it is the letters

that play a slightly greater role in the overall impression (due to their size and the eye naturally being drawn to text elements) with the winged-horse device playing a slightly lesser role.

Visual Comparison

Comparison with the Sixth Earlier Mark

46. The Sixth Application and the First Application coincide in that they both contain wing devices. However, they differ in the presentation of those wings. Further, the words ASTON MARTIN (presented in a rectangular box) in the Sixth Earlier Mark and the horse's head device in the First Application are clear differences. In my view, there is between a low and medium degree of visual similarity between the marks.

47. The same differences/similarities are present when compared with the Second Application. However, there is an additional point of difference created by the text LEVC, although I bear in mind that I have found this to be of less impact in the overall impression due to its very small size. In my view, these marks are also visually similar to between a low and medium degree, albeit to a slightly lesser degree than the First Application.

48. The same differences/similarities are present when compared with the Third Application. However, the additional point of difference in this case, being the large text element LEVC, which I have found to play a greater role in the overall impression of the mark, has more of an impact. In my view, the marks are visually similar to a low degree.

Comparison with the Seventh Earlier Mark

49. The Seventh Earlier Mark and the First Application coincide in the presence of wing devices, albeit they differ in the presentation of those wings. The rectangular box in the Seventh Earlier Mark and the horse's head in the First Application are points of visual difference. In my view, the marks are visually similar to a medium degree.

50. The same similarities/differences apply in relation to the comparison with the Second Application. However, the text element LEVC is an additional point of difference, albeit one which carries less weight in the overall impression due to its size. In my view, the marks are similar to a slightly lower than medium degree.

51. The same similarities/differences apply in relation to the comparison with the Third Application. However, the large text element LEVC is an additional point of difference, which I have found to play the greatest role in the overall impression. In my view, the marks are visually similar to between a low and medium degree.

Aural Comparison

Comparison with the Sixth Earlier Mark

52. The words ASTON MARTIN in the Sixth Earlier Mark are the only elements that can be articulated. There is no aural component to the First Application. Consequently, they are aurally dissimilar.

53. The Sixth Earlier Mark and the Second and Third Applications are aurally dissimilar. This is because the words ASTON MARTIN which are the only element of the Sixth Earlier Mark which would be articulated are entirely different from the only text elements of the Second and Third Applications which would be articulated (being the letters, LEVC).

Comparison with the Seventh Earlier Mark

54. Neither the Seventh Earlier Mark, nor the First Application, have any element that can be articulated. Consequently, the aural position is neutral.

55. The only element of the Second and Third Applications which will be articulated are the text elements, LEVC. There is no aural element to the Seventh Earlier Mark. Consequently, they are aurally dissimilar.

Conceptual Comparison

Comparison with the Sixth Earlier Mark

56. The marks will coincide conceptually to the extent that they all contain wings. The words ASTON MARTIN in the Sixth Earlier Mark are likely to be viewed as a name, which is a concept absent from the applications. The horse's device in the applications is a further point of conceptual difference. I do not consider that the letters LEVC will convey any meaning for the average consumer. In my view, the marks are conceptually similar to between a low and medium degree.

Comparison with the Seventh Earlier Mark

57. The only element of the Seventh Earlier Mark which will convey any conceptual message to the average consumer is the wing device. This coincides with the applications. The horse's head device in the applications will be a point of conceptual difference, although I do not consider the letters LEVC to convey any conceptual meaning. In my view, the marks are conceptually similar to a medium degree.

Likelihood of confusion

58. Confusion can be direct or indirect. Direct confusion involves the average consumer mistaking one mark for the other, while indirect confusion is where the average consumer realises the marks are not the same but puts the similarity that exists between them and the goods down to the responsible undertakings being the same or related. There is no scientific formula to apply in determining whether there is a likelihood of confusion; rather, it is a global assessment where a number of factors need to be borne in mind. The first is the interdependency principle i.e. a lesser degree of similarity between the goods may be offset by a greater degree of similarity between the marks, and vice versa. As I mentioned above, it is necessary for me to keep in mind the distinctive character of the Sixth and Seventh Earlier Marks, the average consumer for the goods and the nature of the purchasing process. In doing so, I must be alive to the fact that the average consumer rarely has the opportunity to make direct comparisons between trade marks and must instead rely upon the imperfect picture of them that he has retained in his mind.

59. I have found as follows:

- a. The goods are identical.
- b. The average consumer is a member of the general public, who will pay a high degree of attention during the purchasing process.
- c. The purchasing process is predominantly visual, although I do not discount an aural component.
- d. The Seventh Earlier Mark is inherently distinctive to a low degree, which has been enhanced through use to a modest degree.
- e. The Sixth Earlier Mark is inherently distinctive to between a medium and high degree, which has been enhanced through use to a high degree in relation to the relevant goods.
- f. The First Application is visually and conceptually similar to the Sixth Earlier Mark to between a low and medium degree and aurally dissimilar.
- g. The First Application is visually and conceptually similar to the Seventh Earlier Mark to a medium degree. The aural position is neutral.
- h. The Second Application is visually and conceptually similar to the Sixth Earlier Mark to between a low and medium degree, and aurally dissimilar.
- i. The Second Application is visually similar to the Seventh Earlier Mark to a slightly lower than medium degree, aurally dissimilar and conceptually similar to a medium degree.
- j. The Third Application is visually similar to the Sixth Earlier Mark to a low degree, aurally dissimilar and conceptually similar to between a low and medium degree.

- k. The Third Application is visually similar to the Seventh Earlier Mark to between a low and medium degree, aurally dissimilar and conceptually similar to a medium degree.

No evidence of confusion

60. I have borne in mind the applicant's argument that both parties have been trading for a number of years and there is no evidence of confusion before me. However, as pointed out by Mr Malynicz, the mark that the applicant has been using is different to the marks applied for (the wing device is far squatter and more rounded). Consequently, I do not consider that this line of argument assists the applicant in the question of whether there is a likelihood of confusion between the marks in issue.

Post-sale confusion

61. At the hearing, and in his skeleton argument, Mr Malynicz sought to rely upon a likelihood of post-sale confusion. In his skeleton argument, he stated as follows:

“59. [...] If one looks at the way the [opponent's] marks are typically applied to cars it is very often at an angle, so that it is only when viewed from the front, looking down, that can have a clear view of the logo on the bonnet. [...]

60. It is clear that viewed from a normal angle, say front on or from the side, much of the detail (particularly the inner detail of the wings and what may be depicted in the centre of the device) would be lost.

61. [...] one can see [that the applicant's existing mark in use] are also placed on the front of the bonnet facing slightly upwards like [the opponent's] logos. It is a reasonable inference (and certainly within the doctrine of notional and fair use) that [the applicant] would make the same sort of use of the [contested applications] on cars and sports cars and electric cars, for example.

62. These are thus realistic and representative angles of view and from those viewpoints the marks are likely to be seen to be even more similar to each other.”

62. This line of argument was not pleaded and, consequently, I do not consider that it was open to the opponent to raise it at the hearing/in skeleton arguments, for the first time. In any event, it does not assist the opponent. I bear in mind the comments of Phillip Johnson, sitting as the Appointed Person in *Group Lotus Limited v Motus Group (UK) Limited*, in which he stated:⁴

“9. Post-sale confusion is only relevant where the information given to the third party is different from that given to the original purchaser.

[...]

11. The information provided might be different because the third party has more information, less information, or even inaccurate information. For instance, a third party could not know there was a disclaimer at the point of sale (*C-206/01 Arsenal v Matthew Reed* [2002] ECR I-10273, [57]), the third party might view a sign differently in use from how it is seen by the original purchaser in the sales environment (*Iconix v Dream Pairs* [2024] EWCA Civ 29, [34]) or, maybe, the sign is visible to a third party on the product only after it has been sold (*Montres Breguet SA v Samsung Electronics Co Ltd* [2023] EWCA Civ 1478, [89]).

12. It is not enough that the third party paid less attention to the mark in the post-sale context or that it was possible only to view the mark fleetingly. This is evident from what was said by the Court of Justice in *C-361/04P Ruiz-Picasso v OHIM* [2006] ECR I-643, [41] to [43]: [...].”

63. The examples identified by Mr Malynicz in this case were as follows:

⁴ BL O/0668/24

“66. The realistic and representative scenario is directly applicable to the present dispute. A consumer looking at a badged vehicle by [the opponent] does not generally (if ever) see the badge front-on, but with a top-down view. [...] Moreover, from a normal viewpoint and standing at a reasonable distance, minor details such as the presence or absence of an equine head element, or the precise number of feathers, is not likely to be possible. Therefore, the respective outlines are likely to have greater significance.”

64. Insofar as the argument regarding the viewing angle of the marks, when positioned on a car bonnet, this is no different to the way in which the marks would be encountered by the original purchaser (who will also be looking at the mark on the vehicle in the same position). With regard to the argument about the distance from which the mark might be viewed, this is akin to an argument that the marks would be seen fleetingly i.e. it is not a realistic or proper viewing of the marks at all. Consequently, the opponent’s arguments regarding post-sale confusion have no merit.

Conclusions on likelihood of confusion

65. Given the differences between the marks, I can see no reason why one mark would be mistakenly recalled or misremembered as the other. In respect of the Sixth Earlier Mark, the change from the words ASTON MARTIN at the centre of the wing device to the horse’s head would not go unnoticed. Even in respect of the Seventh Earlier Mark, I do not consider that the absence/presence of the horse’s head would go unnoticed. This is particularly the case given that the average consumer would be paying a high degree of attention during the purchasing process. Whilst I bear in mind that the Sixth Earlier Mark is highly distinctive, this comes mostly from the presence of the words ASTON MARTIN, which are absent from the applications and it is, of course, important to consider not just how distinctive the earlier mark is, but where the distinctiveness of the earlier mark lies.⁵ The Seventh Earlier Mark is, of course, more similar to the applications, but this is offset by the only modest enhancement to the distinctive

⁵ *Kurt Geiger v A-List Corporate Limited*, BL O-075-13

character of the mark. Consequently, I find there to be no likelihood of direct confusion, even when the marks are used on identical goods.

66. I will now consider whether there is a likelihood of indirect confusion. In *L.A. Sugar Limited v By Back Beat Inc*, Case BL O/375/10, Mr Iain Purvis Q.C., as the Appointed Person, explained that:

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

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

- (a) where the common element is so strikingly distinctive (either inherently or through use) that the average consumer would assume that no-one else but the brand owner would be using it in a trade mark at all. This may apply even where the other elements of the later mark are quite distinctive in their own right (‘26 RED TESCO’ would no doubt be such a case).
- (b) where the later mark simply adds a non-distinctive element to the earlier mark, of the kind which one would expect to find in a sub-brand or brand extension (terms such as ‘LITE’, ‘EXPRESS’, ‘WORLDWIDE’, ‘MINI’ etc.).

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

67. The common element, being the wing devices, is not so strikingly distinctive that the average consumer would assume that no-one but the brand owner would be using it. Category (a) of *LA Sugar* does not, therefore, apply. I also do not consider that category (b) applies, as the addition/removal of the horse's head and/or the words ASTON MARTIN cannot be said to be a non-distinctive addition. I can see no basis why the addition/removal of the horse's head and/or the words ASTON MARTIN would be considered a logical and consistent brand extension as per category (c). Whilst I bear in mind that these categories are not exhaustive, I can see no other convincing basis for finding indirect confusion, nor has the opponent identified any. In this regard, I bear in mind that there was no suggestion on the part of the opponent that any mark containing a wing device in relation to these goods would be associated with the applicant; indeed, Mr Malynicz made it clear that the opponent does not seek to monopolise wings. Taking all of this into account, I find there to be no likelihood of indirect confusion even when the marks are used on identical goods.

Final Remarks

68. Mr Malynicz placed a great deal of emphasis on the fact that there may be said to be a significant proportion of average consumers who would not be familiar with the various brands of cars discussed above that use wing devices; for that significant proportion, the argument is that there would be a greater likelihood of confusion because the distinctiveness of the Sixth and Seventh Earlier Marks would not be reduced. For the avoidance of doubt, even in those circumstances, I would still have found no likelihood of confusion. This is because the wing device in the earlier marks would have been inherently distinctive to no more than a medium degree on its own. In combination with the words ASTON MARTIN it would have been more distinctive and, certainly through use, highly distinctive. However, I do not consider that this would result in confusion with any wing-based mark, particularly where the central element used in the wings is different (i.e. the words ASTON MARTIN vs a horse's head or a

rectangular box vs a horse's head). This is particularly the case in the context of an average consumer who is paying a high degree of attention, as they would be in this case. Having noticed the differences between the marks, I can see no reason why the average consumer would conclude that they originate from the same or linked undertakings, nor has the opponent identified any convincing explanation as to why that would be the case. Consequently, I would still have found no likelihood of direct or indirect confusion.

69. The oppositions based upon section 5(2)(b) of the Act are dismissed.

Section 5(3)

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

“5(3) A trade mark which -

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

71. Section 5(3A) of the Act states:

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

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

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

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

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

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

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

(f) Detriment to the distinctive character of the earlier mark occurs when the mark's ability to identify the goods/services for which it is registered is weakened as a result of the use of the later mark, and requires evidence of a change in the economic behaviour of the average consumer of the goods/services for which the earlier mark is registered, or a serious risk that this will happen in future; *Intel, paragraphs 76 and 77 and Environmental Manufacturing, paragraph 34*.

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

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

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

73. The conditions of section 5(3) are cumulative. Firstly, the opponent must show that the Sixth and Seventh Earlier Marks and the applicant's marks are similar. Secondly, the opponent must show that the earlier marks have achieved a level of knowledge/reputation amongst a significant part of the public. Thirdly, it must be established that the level of reputation and the similarities between the marks will cause the public to make a link between them in the sense of the earlier marks being brought to mind by the later marks. Finally, assuming the first three conditions have been met, section 5(3) requires that one or more of the types of damage will occur. It is unnecessary for the purposes of section 5(3) that the goods be similar, although the relative distance between them is one of the factors which must be assessed in deciding whether the public will make a link between the marks.

Preliminary matter

74. In his skeleton argument and at the hearing, Mr Malynicz alleged that there was an intention on the part of the applicant to take unfair advantage. As Mr Hall pointed out, this was not pleaded. Mr Malynicz states that it had been raised for the first time by Mr Newell. However, when I asked Mr Malynicz to direct me to which part of the evidence was relied upon in this regard, he was unable to locate any part of the evidence which referred to intention explicitly. The only part of the evidence relied upon was Mr Newell's third statement where he makes reference to the development of the applicant's mark (the implication being that it has become more similar to the opponent's mark over time).

75. In my view, it would not be appropriate to draw any adverse inferences against the applicant in circumstances where they were not put on notice that any allegations of intent were levied against them until 2 days before the hearing; in those circumstances, it is not surprising that they have not sought to address what their intentions were. If parties wish to raise such arguments, then the burden is on them to plead their case in that regard. In the absence of such a pleading, I decline to consider this line of argument.

Similarity of the marks

76. I have already found the marks to be similar for the reasons given above.

Reputation

77. I bear in mind the guidance of the CJEU in *General Motors*, Case C-375/97. I have summarised what I consider to be the key factors from the opponent's evidence above. Whilst enhanced distinctiveness and reputation are different, the factors relevant to both assessments are the same. For the same reasons given above, I find that the opponent had a strong reputation in relation to the Sixth Earlier Mark. Any reputation in relation to the Seventh Earlier Mark is only modest. The reputation is for cars.

Link

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

The degree of similarity between the conflicting marks

I apply the same findings made in paragraphs 41 to 57 of this decision.

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

I have found all of the goods in the contested specifications to be identical to the terms which are, or relate to, "land vehicles" in the opponent's specifications. That is plainly a broader term than the goods to which the opponent's reputation relate (which are limited to cars only), but even accounting for that, the goods would still coincide in trade channels, purpose, method of use and user and would be similar to between a medium and high degree at least.

I have found the relevant public to be members of the general public, who will pay a high degree of attention during a predominantly visual purchasing process.

The strength of the earlier mark's reputation

The Sixth Earlier Mark has a strong reputation in the UK. Any reputation in relation to the Seventh Earlier Mark is only modest.

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

The Sixth Earlier Mark is distinctive to between a medium and high degree, which has been enhanced to a high degree through use. The Seventh Earlier Mark is inherently distinctive to a low degree, which has been enhanced through use to only a modest degree.

Whether there is a likelihood of confusion

I do not consider there to be a likelihood of confusion for the same reasons given above.

Conclusions on link

79. In my view, the distance between the marks is sufficient to overcome the identity/similarity between the goods and the strength of the opponent's reputation. This is because the distinctiveness of the Sixth Earlier Mark predominantly lies in the words ASTON MARTIN which are absent from the contested marks. The only modest reputation of the Seventh Earlier Marks will offset the increased similarity between the marks. Consequently, I do not consider that a link will be made. If a link is made, then it will be too fleeting to give rise to damage.

80. The oppositions based upon section 5(3) of the Act are dismissed.

Section 5(4)(a)

81. At the hearing, Mr Malynicz accepted that the 5(4)(a) ground does not go any wider than the 5(2)(b) ground. I agree. Consequently, I do not need to consider this ground any further as it will not put the opponent in any stronger position.

CONCLUSION

82. The oppositions are unsuccessful and, subject to any successful appeal of this decision, the applications may proceed to registration.

COSTS

83. The applicant has been successful and is, therefore, entitled to a contribution towards its costs based upon the scale published in Tribunal Practice Notice 2/2016.⁶ In the circumstances, I award the applicant the sum of **£2,200**, calculated as follows:

Preparing counterstatements and considering the Notices of opposition	£400
Preparing evidence and considering the other side's evidence	£900
Preparing for and attending the hearing	£900
Total	£2,200

84. I therefore order Aston Martin Lagonda Limited to pay Zhejiang Geely Holding Group Co., Ltd the sum of **£2,200**. This sum is to be paid within 21 days of the expiry of the appeal period or, if there is an appeal, within 21 days of the conclusion of the appeal proceedings.

Dated this 16th day of March 2026

S WILSON
For the Registrar

⁶ As the proceedings were initiated prior to 1 February 2023, this is the applicable Tribunal Practice Notice.

ANNEX 1

The First Earlier Mark

Class 12

Motor cars and parts thereof included in Class 12.

The Second Earlier Mark

Class 12

Land, water and air vehicles; apparatus for locomotion by land, air or water; engines; ships, boats, yachts; remote control land, rail, water and air vehicles; carpets adapted (shaped) for land, rail, water and air vehicles; parts and fittings for the aforesaid.

The Third Earlier Mark

Class 12

Land, water and air vehicles; apparatus for locomotion by land, air or water; engines; ships, boats, yachts; remote control land, rail, water and air vehicles; carpets adapted (shaped) for land, rail, water and air vehicles; parts and fittings for the aforesaid.

The Fourth Earlier Mark

Class 12

Land vehicles; apparatus for locomotion by land; cars; motor cars; motor land vehicles, namely, automobiles; parts and fittings for the aforesaid goods.

The Fifth Earlier Mark

Class 12

Land vehicles; apparatus for locomotion by land; cars; motor cars; parts and fittings for the aforesaid goods; motor land vehicles, namely, automobiles.

The Sixth Earlier Mark

Class 12

Land, water and air vehicles; amphibious vehicles; electric vehicles; bicycles, mopeds, scooters, motorcycles; apparatus for locomotion by land, air or water; air vehicles; seaplanes; boats; locomotives; cars; motor cars; engines and motors for automobiles, bikes, motorcycles; boats, watercraft, yachts; parts and fittings for automobiles, boats,

air vehicles, amphibious vehicles, two-wheeled vehicles, scooters, motorcycles; motor land vehicles, namely, automobiles; structural parts for vehicles, automobiles, boats, air vehicles; automobile chassis; hoods for vehicle engines; hoods for vehicles; clutches; transmissions for automobiles, bikes, motorcycles; gear boxes for land vehicles; transmission shafts for automobiles, bikes, motorcycles; sunroofs; deflectors for vehicles, automobiles, aircraft, watercraft; directional signals; horns for vehicles, automobiles, aircraft, watercraft; rear view and side view mirrors; mud flaps; roof-racks; ski-racks for automobiles, shock absorbers for automobiles; convertors (torque) for land vehicles; steering wheels; steering linkages for vehicles, automobiles, aircraft, watercraft; suspension systems for vehicles, automobiles, aircraft, watercraft; windshield sunshades for vehicles, automobiles, aircraft, watercraft; windshield wipers; arm rests for vehicles, automobiles, aircraft, watercraft; submersible vehicles; luggage racks for motor cars; ski carriers for motor cars; brakes for vehicles; brake hardware for vehicles, automobiles, aircraft, watercraft; brake lining for vehicles, automobiles, aircraft, watercraft; brake pads for vehicles, automobiles, aircraft, watercraft; caps for vehicle fuel tanks; storage compartments specifically fitted for use in automobiles; spoilers; safety restraints for use in vehicles; anti-theft alarms for vehicles, automobiles, aircraft, watercraft; alarm systems for cars; alarms for vehicles; air bags for vehicles; seat cushions; seat covers for vehicles, automobiles, aircraft, watercraft, vehicle windows; luggage carriers for vehicles, automobiles, aircraft, watercraft; airbags for vehicles; safety seats for children; wheels, tyres and continuous tracks; tyres and wheels for automobiles; petrol tank caps for motor cars; bicycles; cycles; trolleys; baby carriages; children's safety seats for cars; sleighs (vehicles).

The Seventh Earlier Mark

Class 12

Land, water and air vehicles; amphibious vehicles; electric vehicles; bicycles, mopeds, scooters, motorcycles; apparatus for locomotion by land, air or water; air vehicles; seaplanes; boats; locomotives; cars; motor cars; engines and motors for automobiles, bikes, motorcycles; boats, watercraft, yachts; parts and fittings for automobiles, boats, air vehicles, amphibious vehicles, two-wheeled vehicles, scooters, motorcycles; motor land vehicles, namely, automobiles; structural parts for vehicles, automobiles, boats, air vehicles; automobile chassis; hoods for vehicle engines; hoods for vehicles; clutches; transmissions for automobiles, bikes, motorcycles; gear boxes for land

vehicles; transmission shafts for automobiles, bikes, motorcycles; sunroofs; deflectors for vehicles, automobiles, aircraft, watercraft; directional signals; horns for vehicles, automobiles, aircraft, watercraft; rear view and side view mirrors; mud flaps; roof-racks; ski-racks for automobiles, shock absorbers for automobiles; convertors (torque) for land vehicles; steering wheels; steering linkages for vehicles, automobiles, aircraft, watercraft; suspension systems for vehicles, automobiles, aircraft, watercraft; windshield sunshades for vehicles, automobiles, aircraft, watercraft; windshield wipers; arm rests for vehicles, automobiles, aircraft, watercraft; submersible vehicles; luggage racks for motor cars; ski carriers for motor cars; brakes for vehicles; brake hardware for vehicles, automobiles, aircraft, watercraft; brake lining for vehicles, automobiles, aircraft, watercraft; brake pads for vehicles, automobiles, aircraft, watercraft; caps for vehicle fuel tanks; storage compartments specifically fitted for use in automobiles; spoilers; safety restraints for use in vehicles; anti-theft alarms for vehicles, automobiles, aircraft, watercraft; alarm systems for cars; alarms for vehicles; air bags for vehicles; seat cushions; seat covers for vehicles, automobiles, aircraft, watercraft, vehicle windows; luggage carriers for vehicles, automobiles, aircraft, watercraft; airbags for vehicles; safety seats for children; wheels, tyres and continuous tracks; tyres and wheels for automobiles; petrol tank caps for motor cars; bicycles; cycles; trolleys; baby carriages; children's safety seats for cars; sleighs (vehicles).