

TRADE MARKS ACT 1994

**IN THE MATTER OF TRADE MARK APPLICATION NO. UK00003740463 IN THE
NAME OF RONIX (UK) LIMITED**

**AND IN THE MATTER OF OPPOSITION NO. OP00433024 THERETO BY DE
LONGHI BENELUX S.A.**

DECISION ON COSTS

1. In a Decision issued by me on 11 February 2025 (O-0121-25) the appeal against the decision of James Hopkins, acting on behalf of the Registrar of Trade Marks dated 18 March 2024 (O-0229-24) was dismissed.
2. As the applicant was not professionally represented for the purposes of the opposition proceedings or the appeal in paragraph [71] of my Decision directions were given for the purposes of the applicant making an application for costs of with respect to the conduct of the appeal.
3. In accordance with the timetable set in paragraph [71] of my Decision and the further directions given subsequently both parties filed written submissions with respect to the applicant's claim for costs. Neither side requested a hearing and therefore this Decision on Costs has been made on the basis of the papers before me.
4. The applicant claims a total sum of the time spent and expenses incurred in defending the appeal totaling £2,061.93. Of that sum a total of £1,605.93 was by way of disbursements. This was set out in a Statement of Costs dated 3 March 2025 together with copies of relevant invoices.
5. In its submissions in response dated 17 March 2025 the opponent maintained that the costs award should be '*appropriately reduced to reflect fairness and duplicate costs award requests*'.
6. In its response the applicant set out its rebuttal of the points raised by the opponent and maintained that the costs claimed were '*both reasonable and necessary*'.
7. In principle the successful party on appeal is entitled to a contribution towards their costs. I have carefully considered the costs claimed by the applicant on this appeal. The overall sums are not large and seem to me to be reasonable. However, it seems to me that there is some force in the submission that there has been some limited duplication with respect to the work that has been claimed and that therefore some deduction should be made with respect to the costs to be awarded.

8. Having regarded to the materials before me and the submissions of the parties it seems to me that in the exercise of my discretion the appropriate order is for the opponent to pay to the applicant the sum of £1,850 as a contribution to their costs of the proceedings.
9. I therefore order that De Longhi Benelux S.A. pay to Ronix (UK) Limited the sum of £1,850 on or before 28 April 2025.

EMMA HIMSWORTH KC

14 April 2025