

O/0783/25

TRADE MARKS ACT 1994

IN THE MATTER OF REGISTRATION NO. UK00003983529

IN THE NAME OF ABIMBOLA ALORA OWOSEJE

FOR THE TRADE MARK:

JOURNAL MINDED

IN CLASS 16

AND

AN APPLICATION FOR A DECLARATION OF INVALIDITY THERETO

UNDER NO. 507605 BY

MINDJOURNAL LTD

BACKGROUND AND PLEADINGS

1. The trade mark shown on the cover page of this decision (“the contested mark”) is owned by Abimbola Alora Owoseje (“the proprietor”). The contested mark was filed on 23 November 2023 and registered on 19 July 2024. It stands registered for the goods listed in Annex 1 to this decision.

2. On 30 July 2024, MindJournal Ltd (“the applicant”) applied to invalidate the contested mark pursuant to section 47 of the Trade Marks Act 1994 (“the Act”). The applicant relies upon sections 5(2)(b), 5(3) and 5(4)(a) of the Act. Under section 5(2)(b) of the Act, the applicant relies upon the following registration:

MINDJOURNAL/ **MINDJOURNAL**

(series of 2)

UKTM no. 3847989

Filing date: 10 November 2022

Registration date: 5 May 2023

3. The earlier registration is protected for the goods and services listed in Annex 2 to this decision. Under section 5(2)(b) of the Act, the applicant relies upon only those goods and services in classes 9, 16, 35 and 41. The applicant claims that the marks are similar, and the goods and services are identical or similar, with the result that there is a likelihood of confusion.

4. Under section 5(3) of the Act, the applicant claims that the earlier registration listed above has a reputation for all of the goods and services for which it is registered. The applicant claims that use of the contested mark would, without due cause, take unfair advantage of, and/or be detrimental to, the distinctive character and/or repute of the earlier registration.

5. Under section 5(4)(a) of the Act, the applicant relies upon the sign MINDJOURNAL which it claims to have used throughout the UK since 2016 in relation to “printed

matter; journals; notebooks; stationery”. The applicant claims that use of the contested mark would be contrary to the law of passing off.

6. The proprietor filed a counterstatement denying the grounds of invalidation.

THE HEARING

7. A short format hearing took place before me on 24 June 2025, by video conference. Both parties attended.

8. The proprietor has been self-represented throughout these proceedings. She attended the hearing, and filed written submissions in advance (I return to the admissibility of these below).

9. The applicant was represented at the hearing by Ms Miruna Bercariu of Counsel, instructed by Trade Mark Wizards. Ms Bercariu filed a skeleton argument in advance of the hearing.

EVIDENCE AND SUBMISSIONS

10. The applicant filed evidence in chief in the form of the witness statement of Natasha Baker dated 18 November 2024, which is accompanied by 4 exhibits (NB1 to NB4). Ms Baker is the Co-Founder and Chief Operating Officer of the applicant.

11. The proprietor did not file evidence during the evidence rounds, but filed undated written submissions on 30 December 2024.

12. The applicant did not file evidence in reply.

13. The proprietor filed written submissions in advance of the hearing dated 21 June 2025. These were accompanied by a series of documents entitled “Evidence Bundle”. I will deal with this below.

RELEVANCE OF EU LAW

14. 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.

PRELIMINARY ISSUES

Late Evidence

15. As noted above, the proprietor filed written submissions accompanied by a series of documents entitled "Evidence Bundle" on 21 June 2025 (3 days prior to the hearing). The written submissions appear to stray into the realm of evidence in parts, and the accompanying documents are plainly evidence of fact (rather than legal argument, which should be the subject of written submissions).

16. As I explained to the proprietor at the hearing, the appropriate time for such evidence to be filed is during the evidence rounds. Given the lateness of the evidence, I confirmed that it could only be admitted into proceedings (and, therefore, considered as part of this decision) if the proprietor made a successful application to file late evidence.

17. As this was a short format hearing (and, therefore, we had limited time for preliminary matters), I gave a brief preliminary view on this at the hearing, which was to refuse the application, but gave both parties the opportunity to make any arguments that they wished to make in favour or against the evidence being admitted during the course of their submissions. I have taken into consideration what was said at the hearing, but it did not change my preliminary view on the matter.

18. I explained to the proprietor at the hearing that there are certain factors that need to be considered for the purposes of determining an application to file late evidence.¹

These are:

- a. The materiality of the evidence in question to the issues that the Registrar has to determine;
- b. The justice and fairness of subjecting the opposite party to the burden of the evidence in question at the stage that the registry proceedings have reached, including the reasons why the evidence was not filed earlier;
- c. Whether the admission of the further evidence would prejudice the opposite party in ways that cannot be compensated for in costs (e.g. excessive delays);
- d. The fairness to the proprietor of excluding the evidence in question, including prejudice to the proprietor if it is unable to rely on such evidence.

19. The evidence in question consists of the proprietor's account of her business activity and a number of accompanying documents that show: 1) the proprietor's merchandise, 2) the gender breakdown of the proprietor's Instagram followers, 3) a review of the proprietor's business activities and 4) correspondence about a potential sponsorship of one of the proprietor's events. This evidence is largely undated or dated after the relevant date, meaning that its usefulness is limited. Further, I must consider all the ways in which the contested mark may be used in the future. This means that the assessment I must undertake is not limited to the way in which the proprietor is currently using the contested mark or her existing target audience. As such, I do not consider the evidence to be material. Further, I do not consider that there is any prejudice to the proprietor in not being able to rely upon it, for the same reason. Consequently, I decline to admit the late filed evidence of the proprietor.

¹ *Property Renaissance Ltd (t/a Titanic Spa) v Stanley Dock Hotel Ltd (t/a Titanic Hotel Liverpool) & Ors* [2016] EWHC 3103 (Ch)

20. To the extent that the document includes legal argument, rather than evidence of fact, I will take that into account in reaching my decision.

The Previous Opposition

21. At the hearing, the proprietor noted that the applicant had previously filed an opposition against the contested mark prior to registration. That opposition was withdrawn. Whilst I appreciate the uncertainty surrounding whether or not her mark is validly registered has been difficult for the proprietor and her business, there are no adverse inferences to be drawn from the withdrawal of that opposition. Consequently, I will say no more about it.

DECISION

Section 5(2)(b)

22. 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.”

23. 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.”

24. Given its earlier filing date, the registration upon which the applicant relies qualifies as an earlier trade mark pursuant to section 6 of the Act. As the earlier registration had not completed its registration process more than 5 years prior to the filing date of the contested mark, it is not subject to the use provisions in section 6A of the Act.

25. The following principles are gleaned from the decisions of the EU courts in *Sabel BV v Puma AG*, Case C-251/95, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*, Case C-39/97, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* Case C-342/97, *Marca Mode CV v Adidas AG & Adidas Benelux BV*, Case C-425/98, *Matratzen Concord GmbH v OHIM*, Case C-3/03, *Medion AG v. Thomson Multimedia Sales Germany & Austria GmbH*, Case C-120/04, *Shaker di L. Laudato & C. Sas v OHIM*, Case C-334/05P and *Bimbo SA v OHIM*, Case C-591/12P:

(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 be dominated by one or more of its components;

(f) however, it is also possible that in a particular case an element corresponding to an earlier trade mark may retain an independent distinctive role in a composite mark, without necessarily constituting a dominant element of that mark;

(g) a lesser degree of similarity between the goods or services may be offset by a 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 to mind the earlier mark, is not sufficient;

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

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

Comparison of goods and services

26. The competing goods and services are set out in the Annexes to this decision. I note the proprietor's submissions at the hearing that there are differences in the way in which the parties' journals are presented in practice and their different target audiences. However, this is not relevant to my assessment because, as explained above, I must undertake a notional assessment based upon all the ways in which the parties' marks may be used.

27. At the hearing, Ms Bercariu identified the terms “journal”, “blank journals”, “books” and “stationery” as the applicant’s best case. To my mind, those terms are plainly identical to the proprietor’s “journals”, whether self-evidently or because one party’s term is incorporated by the other.² As that represents the applicant’s best case, I will proceed on that basis.

The average consumer and the nature of the purchasing act

28. 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*.

29. In *Hearst Holdings Inc, Fleischer Studios Inc v A.V.E.L.A. Inc, Poeticgem Limited, The Partnership (Trading) Limited, U Wear Limited, J Fox Limited*, [2014] EWHC 439 (Ch), Birss J. described the average consumer in these terms:

“60. The trade mark questions have to be approached from the point of view of the presumed expectations of the average consumer who is reasonably well informed and reasonably circumspect. The parties were agreed that the relevant person is a legal construct and that the test is to be applied objectively by the court from the point of view of that constructed person. The words “average” denotes that the person is typical. The term “average” does not denote some form of numerical mean, mode or median.”

30. The average consumer for the goods is most likely to be a member of the general public. The cost of the goods is likely to be relatively low, but factors such as aesthetics of the cover and quality/type of paper are likely to be taken into consideration. Consequently, I disagree with Ms Bercariu’s submissions that only a low degree of

² *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T- 133/05

attention will be paid and find that a medium (or average) degree of attention will be paid during the purchasing process.

31. The goods are likely to be self-selected from the shelves of a retail outlet or online equivalents. Consequently, I consider that visual considerations will dominate the purchasing process. However, given that advice may be sought from retail assistants, I do not discount an aural component to the purchasing process.

Comparison of trade marks

32. 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 Court of Justice of the European Union (“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.”

33. 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.

34. Ms Bercariu accepted that nothing turned on the difference between the two marks within the earlier registration. Consequently, I have reproduced only the word only version in the table below. With that in mind, the respective trade marks are shown below:

Applicant's registration	The contested mark
MIND JOURNAL	JOURNAL MINDED

35. I have borne in mind the decision of this Tribunal in *VENTUREPRO*, relied upon by Ms Bercariu. In that case, the hearing officer considered the marks VenturePro and ProVenture and concluded that they were visually similar to between a medium and high degree, aurally similar to a medium degree and conceptually neutral.³ However, I am satisfied that that case can be distinguished from the present case because I am not considering the reverse of two identical words (MIND JOURNAL v JOURNAL MIND); I am considering MIND JOURNAL v JOURNAL MINDED. As a result, the marks are less similar than the findings made by the hearing officer in the *VENTUREPRO* case for the reasons given below.

Overall Impression

36. Both parties' marks consist of two dictionary words. In my view, the overall impression of each mark resides in the combination of those words.

Visual Comparison

37. The marks overlap in the common presence of the word JOURNAL. They also overlap in that the letters MIND appear in both marks. However, in the contested mark these letters appear as part of the word MINDED, whereas in the applicant's mark they stand alone. The word JOURNAL also appears as the first word in the contested mark and the second word in the applicant's mark. In my view, the marks are visually similar to a medium degree.

³ BL O/532/18

Aural Comparison

38. The contested mark will be pronounced JUR-NAL-MIND-EDD. The applicant's mark will be pronounced MIND-JUR-NAL. There is an extra syllable in the contested mark and although three of the syllables are pronounced the same, they are in a different order. In my view, the marks are aurally similar to a medium degree.

Conceptual Comparison

39. The word JOURNAL is an ordinary dictionary word which will be attributed the same meaning in both marks. However, when combined with the word MIND in the applicant's mark, I consider that it will be understood as referring to the somewhat abstract concept of a journal for the mind, perhaps alluding to mindfulness journalling. I agree with the proprietor that the contested mark will be understood as referring to someone who is minded to do journalling. In my view, whilst both share a reference to journalling, this is a non-distinctive point of conceptual overlap. Any conceptual similarity is at a low degree.

Distinctive character of the earlier registration

40. 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).”

41. 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.

42. The earlier registration consists of the words MIND JOURNAL. These are both ordinary dictionary words which, when combined, allude to the concept of a journal for the mind. This concept is somewhat abstract (it is not as clear in its meaning as, for example, travel journal, food journal etc.). However, it is allusive. In my view, the earlier registration is inherently distinctive to between a low and medium degree.

43. During the period 2016 to 2024, the applicant has sold products worth over £6.7million. This amounts to an average of around £837,500 per year. Ms Baker explains that this equates to just over 192,500 units sold during that time. The applicant has spent over £3million on advertising its products. It’s not clear whether this relates to the UK market only, or total spend worldwide. I have no evidence before me of market share. I also have no evidence as to the geographical spread of the use within the UK. Taking all of the evidence into account, at best, I consider that the applicant benefits from a small degree of enhancement to the distinctive character of the mark. Consequently, I will proceed on the basis that the earlier registration is distinctive to a medium degree for journals.

Likelihood of confusion

44. 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 earlier registration, 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.

45. I have found as follows:

- a. The goods are identical.
- b. The average consumer for the goods is a member of the general public, who will pay a medium (or average) degree of attention when purchasing the goods.
- c. The purchasing process is predominantly visual, although I do not discount an aural component to the purchase.
- d. I have found the marks to be visually and aurally similar to a medium degree and conceptually similar to a low degree.
- e. The earlier registration is inherently distinctive to between a low and medium degree, which has been enhanced through use to a medium degree in relation to journals.

46. The proprietor made submissions regarding the absence of evidence of confusion. Whilst this may be relevant in some circumstances, I do not consider it to be persuasive here. That is because, I have no evidence before me as to the extent of use made of the contested mark by the proprietor so as to be sure that both marks have been on the marketplace at the same time prior to the relevant date. In any event, by the proprietor's own admission, her business is relatively new and very small. Consequently, the potential for customers to have come into contact with both parties' marks is very limited.

47. Bearing in mind the differences between the marks, I do not consider it likely that they will be mistakenly recalled one for the other, even when used on identical goods. This is because of the different concepts created by each mark and the fact that the average consumer is unlikely to overlook the difference between MIND and MINDED (and their positioning) in each mark.

48. 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)".

49. In this case, the common elements are not strikingly distinctive. The additional letters -ED and the rearranging of the words is not a non-distinctive addition, nor is it a natural and logical brand extension. Whilst the above categories are not exhaustive, I can see no other basis upon which indirect confusion would arise. I do not consider there to be a likelihood of indirect confusion, even when the marks are used on identical goods.

Final Remarks

50. As I have found no likelihood of confusion in relation to identical goods, it follows that the same is true of the goods and services that share a lesser degree of similarity. I recognise that the word JOURNAL may not be descriptive for all of the goods and services in issue (where they are not journals, or journal-related products) and would, therefore, have a higher inherent starting point in terms of distinctiveness than discussed above. However, in respect of those goods/services, the applicant would not benefit from enhanced distinctiveness. Further, I find that the distance between the proprietor's goods and the remaining goods and services in the specification would

offset any benefit that the applicant might receive from a higher inherent starting position. In my view, there is no likelihood of direct or indirect confusion for any of the goods and services in issue.

51. The application based upon section 5(2)(b) of the Act is dismissed.

Section 5(3)

52. 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.”

53. 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.”

54. 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*).

55. The conditions of section 5(3) are cumulative. Firstly, the applicant must show that the earlier registration and the contested mark are similar. Secondly, the applicant must show that the earlier registration has achieved a level of knowledge/reputation amongst a significant part of the public. Thirdly, it must be established that the level of reputation and the similarities between the marks will cause the public to make a link between them in the sense of the earlier registration being brought to mind by the contested mark. 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.

Reputation

56. In *General Motors*, Case C-375/97, the CJEU held that:

“25. It cannot be inferred from either the letter or the spirit of Article 5(2) of the Directive that the trade mark must be known by a given percentage of the public so defined.

26. The degree of knowledge required must be considered to be reached when the earlier mark is known by a significant part of the public concerned by the products or services covered by that trade mark.

27. In examining whether this condition is fulfilled, the national court must take into consideration all the relevant facts of the case, in particular the market share held by the trade mark, the intensity, geographical extent and duration of its use, and the size of the investment made by the undertaking in promoting it.

28. Territorially, the condition is fulfilled when, in the terms of Article 5(2) of the Directive, the trade mark has a reputation 'in the Member State'. In the absence of any definition of the Community provision in this respect, a trade mark cannot be required to have a reputation 'throughout' the territory of the Member State. It is sufficient for it to exist in a substantial part of it.”

57. In determining whether the applicant has demonstrated a reputation for the goods and services relied upon, it is necessary for me to consider whether its registration will be known by a significant part of the public concerned with those goods and services. In reaching this decision, I must take into account all of the evidence including “the market share held by the trade mark, the intensity, geographical extent and duration of use, and the size of the investment made by the undertaking in promoting it”.

58. Whilst the tests for enhanced distinctiveness and reputation are different, the same factors are relevant to both. Consequently, I consider that the applicant has (at best) a modest reputation in relation to journals for the same reasons set out above.

Link

59. 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 have found the marks to be visually and aurally similar to a medium degree and conceptually similar to a low degree.

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 will proceed on the basis that the goods are identical, as this represents the applicant's best case.

The strength of the earlier marks' reputation

The earlier registration had (at best) a modest reputation for journals at the relevant date.

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

The earlier registration is inherently distinctive to between a low and medium degree, which has been enhanced through use to a medium degree.

Whether there is a likelihood of confusion

I do not consider there to be a likelihood of direct or indirect confusion.

60. Taking all of the above factors into account, particularly the fact that the applicant had (at best) only a modest reputation at the relevant date, the distance between the marks and the only medium degree of distinctiveness of the earlier registration, I do not consider that a link would be made in the mind of the relevant public, even when used on identical goods. If a link was made, it would be too fleeting to result in damage.

61. The application for invalidation based upon section 5(3) of the Act is dismissed.

Section 5(4)(a)

62. Section 5(4)(a) of the Act states as follows:

“5(4) A trade mark shall not be registered if, or to the extent that, its use in the United Kingdom is liable to be prevented -

a) by virtue of any rule of law (in particular, the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade, where the condition in subsection (4A) is met,

aa)...

b) ...

A person thus entitled to prevent the use of a trade mark is referred to in this Act as the proprietor of “an earlier right” in relation to the trade mark.”

63. Subsection (4A) of section 5 of the Act states:

“(4A) The condition mentioned in subsection (4)(a) is that the rights to the unregistered trade mark or other sign were acquired prior to the date of application for registration of the trade mark or date of the priority claimed for that application.”

64. I can deal with this ground relatively swiftly. Whilst I accept that the applicant had a modest (but protectable) goodwill for journals at the relevant date, I do not consider that misrepresentation and damage would occur. I accept that the test for misrepresentation is different from that for likelihood of confusion in that it entails “deception of a substantial number of members of the public” rather than “confusion of the average consumer”. However, it has been acknowledged that they are unlikely to produce different outcomes in practice.⁴ Certainly, I believe that to be the case here.

65. The application for invalidation based upon section 5(4)(a) of the Act is dismissed.

CONCLUSION

66. The application for invalidation is unsuccessful and, subject to appeal, the contested mark may remain registered.

COSTS

67. The proprietor has been successful and is, therefore, entitled to a contribution towards her costs. The proprietor has filed a costs proforma setting out the costs claimed. This is as follows:

Notice of cancellation	140 hours
Considering forms filed by the other party	14 hours
Written submissions	5 hours
Business consultant fees	10 hours

68. In addition to the “business consultant fees” referred to above, the proprietor also claimed disbursements totalling £5,041.31 for, *inter alia*, loss of a partnership opportunity, shopify account and business expenses, photography costs for branding, advertising and partnership promotion costs and trade mark fees. I should begin by noting that costs awarded before this tribunal are contributory, rather than

⁴ *Marks and Spencer PLC v Interflora* [2012] EWCA (Civ) 1501

compensatory. Consequently, none of the disbursements claimed are recoverable as costs in these proceedings.

69. I accept that the proprietor is unrepresented and, as such, would have been required to spend additional time on research before the preparation of forms in these proceedings. I also note that whilst 140 hours has been claimed in relation to the Notice of cancellation, this presumably relates to the Form TM8 (as the proprietor did not file a Notice of cancellation in these proceedings). To my mind, this is too high. I consider 15 hours to be appropriate. I consider the 14 hours claimed in relation to considering the Notice of opposition to be appropriate. I consider 5 hours for written submissions during the evidence rounds to be appropriate.

70. In terms of time claimed for the hearing, the proprietor wrote to the Tribunal on 1 May 2025 with the following costs breakdown, which appears to relate to the hearing preparation:

Case preparation and evidence review	140 hours
Completion of forms	30 hours
Drafting written submissions	10 hours
Business consultancy support (self)	20 hours

71. Again, the number of hours claimed appears high. It is not clear to me what forms would have been related to preparation for the hearing, apart from, perhaps, the completion of the costs proforma. Whilst I note that the proprietor prepared further written submissions in advance of the hearing (which she was entitled to do) these mainly consisted of evidence which I have not admitted. Consequently, a very limited amount of time is recoverable in that respect. Further, 140 hours for preparation for the hearing is excessive. It is not clear to me what is meant by “business consultancy support (self)”. I consider 15 hours to be reasonable for preparation for the hearing (including the preparation of written submissions, to the extent they were admissible).

72. Taking all of this into account, the total amount of time that I consider to be reasonable for the defence of this case is 49 hours. The level of compensation for litigants in person in Court proceedings is set out in The Litigants in Person (Costs and

Expenses) Act 1975 (as amended); it is set at £19 per hour. This takes the total due to **£931** (49 hours at £19 per hour).

73. I therefore order MindJournal Ltd to pay Abimbola Alora Owoseje the sum of **£931**. 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 27th day of August 2025

S WILSON

For the Registrar

ANNEX 1

Class 16

Journals; Medical journals; Trade journals; Legal journals; Blank journals; Blank writing journals; Blank journal books; Magazines [periodicals]; Periodical publications; Periodicals; Printed periodical publications; Printed publications; Publications (Printed -); Periodical magazines; Annuals [printed publications]; Educational publications; Ledgers [books]; Monographs; Magazines; Printed periodicals in the field of movies; Binding materials for books and papers; Wirebound books; Manuscript books; Printed periodicals; Publication paper; Printed periodicals in the field of music; Jackets of paper for books; Ledger books; Folders for papers; Printed publications relating to computers; Books; Printed periodicals in the field of tourism; Magazine supplements for newspapers; Printed periodicals in the field of plays; Document holders being articles of stationery; Writing books; Jackets for papers; Printed periodicals in the field of figurative arts; Advertising publications; Printed periodicals in the field of dance; Stationery; Envelopes [stationery]; Paper stationery; Stickers [stationery]; Printed stationery; Office stationery; Stencils [stationery]; Stationery boxes; Wrappers [stationery]; Binders [stationery]; Stationery folders; Folders [stationery]; Office paper stationery; Writing stationery; Adhesives for stationery; Scented stationery; Paper folders [stationery]; Pads [stationery]; Thumbtacks [stationery]; Party stationery; Transparencies [stationery]; Pencil ornaments (stationery); Pencil ornaments [stationery]; Files [stationery]; Protractors [for stationery and office use]; Envelopes for stationery use; School supplies [stationery]; Copying paper [stationery]; Seals [stationery]; Stationery and educational supplies; Covers [stationery]; Marking pens [stationery]; Paper sheets [stationery]; Pocket books [stationery]; Pins [stationery]; Announcement cards [stationery]; Clips for paper [stationery]; Manifolds [stationery]; Cases for stationery; Stationery cases; Index cards [stationery]; Glitter pens for stationery purposes; Document holders [stationery]; Stationery (Cabinets for -) [office requisites]; Cabinets for stationery [office requisites]; Glitter for stationery purposes; Adhesives for stationery purposes; Glue pens for stationery purposes; Writing cases [stationery]; Desktop cabinets for stationery [office requisites]; Adhesive pads [stationery]; Tapes (adhesive -) [stationery]; Self-adhesive tapes for stationery and household purposes; Self-adhesive tapes for stationery or household purposes; Adhesive foils stationery; Adhesives for stationery or household purposes; Felt mats

for Chinese calligraphy (stationery); Plantable seed paper [stationery]; Marking inks for stationery purposes; Document files [stationery]; Pastes for stationery or household purposes; Organizers for stationery use; Self-adhesive tapes for stationery use; Glue for stationery or household purposes; Label printing machines for household and stationery use; Gummed tape [stationery]; Adhesives for stationery or household use; Adhesives for stationery and household use; Paste for stationery or household purposes; Adhesive tapes for stationery or household purposes; Gummed cloth for stationery purposes; Adhesive tapes for stationery purposes; Rubber bands [stationery]; Pastes and other adhesives for stationery or household purposes; Rubber cements for stationery; Seaweed glue for stationery; Notepads; Plastic adhesives for stationery or household purposes; Gelatine glue for stationery or household purposes; Glue for stationery or household use; Isinglass for stationery or household purposes; Gums [adhesives] for stationery or household purposes; Adhesive bands for stationery purposes; Gluten [glue] for stationery or household purposes; Gum arabic glue for stationery or household purposes; Spirit gum for stationery purposes; Glitter glue for stationery purposes; Latex glue for stationery or household purposes; Paper embossers [office requisites]; Notepaper; Letterhead paper; Adhesive tape for stationery purposes; Letterheads; Adhesive tape cutters being stationery; Adhesives [glues] for stationery or household purposes; File pockets for stationery use; Starch paste for stationery; Paper envelopes for packaging; Wood pulp board [stationery]; Adhesive tape dispensers for household or stationery use; Printed paper invitations; Automatic paper clip dispensing machines for office or stationery use; Reinforced stationery tabs; Paper boxes for storing greeting cards; Stapling guns (Electric -) for stationery use; Office requisites.

ANNEX 2

Class 9

Computer software and hardware; computer software packages; computer software for use in collecting, compiling, storing, registering, creating, downloading, managing, summarising, sharing, collaborating, supplying, transmitting, exchanging, reading, identifying, transcribing, organising, compare, synchronise, merge, viewing, interpreting, cleansing, consolidating, engineering, calculating, projecting, performance requirements and quality compliance reports, tracking, analysing, visualising, recording, describing, modelling, researching, transforming, supporting, generating, mapping, operating, controlling, scheduling, dispatching, planning, design, development, testing, engineering, reporting, monitoring, systemising, settling, tracking changes and modifications, updating, maintaining, calculating, projecting, forecasting, tracking, assessing, visualising, recording, transforming, supporting, mapping, operating, scheduling, dispatching, planning, monitoring, systemising, settling, updating, maintaining, displaying, and processing data, information, analytics, displaying, processing data, information, analytics, graphics, projects, prioritizing, assigning, tracking, auditing, summaries, cost-benefit analysis in relation to mental welfare, therapeutic techniques, psychology, (neuro)science, life coaching, personal development, spiritual healing and the functioning of the consciousness and the subconscious mind; electronic databases recorded for computer media, database server software in relation to mental welfare, therapeutic techniques, psychology, (neuro)science, life coaching, personal development, spiritual healing and the functioning of the consciousness and the subconscious mind; computer software relating to diaries; mobile app; educational mobile applications; downloadable mobile application in relation to mental welfare, therapeutic techniques, psychology, (neuro)science, life coaching, personal development, spiritual healing and the functioning of the consciousness and the subconscious mind; electronic diaries; computerised personal organisers; digital organisers; electronic agendas; downloadable printable planners and organisers; electronic notebooks; digital notepads; cases for electronic diaries; audio books; audio books in relation to mental welfare, therapeutic techniques, psychology, (neuro)science, life coaching, personal development, spiritual healing and the functioning of the consciousness and the subconscious mind; e-books; DVDs; podcasts; None of the aforesaid relating to

charitable services; None of the above relating to printing & copyright processes; None of the aforesaid relating to machines and systems for producing and processing plastics and rubber; none of the above being USB flash drives, measuring instruments including rules.

Class 16

Paper and cardboard; printed matter; bookbinding material; photographs; stationery and office requisites, except furniture; adhesives for stationery or household purposes; drawing materials and materials for artists; paintbrushes; instructional and teaching materials; plastic sheets, films and bags for wrapping and packaging; printers' type, printing blocks; activity books; journals; guided journals; blank journals; blank paper notebooks; book covers; book holders; booklets; books; brochures; cardboard packaging; cards; children's activity books; covers for books; covers [stationery]; desk diaries; desk organisers; diaries; diaries [printed matter]; document files; document files [stationery]; desk pad; desk accessories; writing accessories; document portfolios; exercise books; exercise-book covers; folders; folders [stationery]; pens; colouring pens; artists' pens; steel pens; fountain pens; pen trays; pen sets; drawing pens; pen refills; pen cartridges; highlighter pens; inkless pens; pen nibs; etching pens; pen holders; pen stands; pen boxes; marker pens; pen cases; rollerball pens; ballpoint pens; ink pens; boxes for pens; cases for pens; pen ink cartridges; ink for pens; gel roller pens; felt tip pens; pen accessories; stands for pens; pens for marking; pens of precious metal; pen and pencil cases; refills for ballpoint pens; ink cartridges for pens; pen or pencil holders; ink for fountain pens; ink pen refill cartridges; fountain pen ink cartridges; pen and pencil holders; pen and pencil boxes; stands for pens and pencils; ink cartridges for fountain pens; ball-point pen and pencil sets; crayons; forms, printed; gift books; guide books; handbooks [manuals]; illustrated notepads; instructional manuals for teaching purposes; leaflets; leather book covers; leather appointment book covers; manuals [handbooks]; note books; notebooks; notepads; note cards; office paper stationery; office stationery; packaging containers of card; packaging containers of paper; packaging materials made of recycled paper; pads [stationery]; pads (Writing -); paper; paper folders [stationery]; paper sheets for note taking; paper sheets [stationery]; paper stationery; planners [printed matter]; printed educational materials; printed informational cards; printed lessons; printed publications; printed stories in illustrated form; printed teaching materials; printed visuals; printing paper;

promotional publications; protective covers for books; covers for planners; leather covered diaries; publication paper; publications (Printed -); school supplies [stationery]; spiral-bound notebooks; stationery; stationery boxes; stationery cases; study guides; teaching materials [except apparatus]; textbooks; user manuals; writing cases [sets]; writing cases [stationery]; writing or drawing books; writing pads; writing paper; writing paper pads; writing stationery; year planners; monthly planners, weekly planners, daily planners; day planners; wall planners; desk top planners; pocket diaries; agendas; calendars; None of the aforesaid relating to charitable services; None of the aforesaid relating to machines and systems for producing and processing plastics and rubber.

Class 28

Playing cards and card games; trading cards for games; game boards for trading card games; trading cards [card game]; card games; cards [games]; equipment sold as a unit for playing card games; game cards; trading card games.

Class 35

Advertising; business management, organization and administration; business consultancy; office functions; collection of data; advertising, marketing and promotional services; marketing campaigns; advertising services to create corporate and brand identity; video marketing services; production of video for advertising and marketing purposes; advertising and marketing services provided by means of social media; promotional services; retail and wholesale services in relation to computer software and hardware, computer software packages, computer software for use in collecting, compiling, storing, registering, creating, downloading, managing, summarising, sharing, collaborating, supplying, transmitting, exchanging, reading, identifying, transcribing, organising, compare, synchronise, merge, viewing, interpreting, cleansing, consolidating, engineering, calculating, projecting, performance requirements and quality compliance reports, tracking, analysing, visualising, recording, describing, modelling, researching, transforming, supporting, generating, mapping, operating, controlling, scheduling, dispatching, planning, design, development, testing, engineering, reporting, monitoring, systemising, settling, tracking changes and modifications, updating, maintaining, calculating, projecting, forecasting, tracking, assessing, visualising, recording, transforming, supporting,

mapping, operating, scheduling, dispatching, planning, monitoring, systemising, settling, updating, maintaining, displaying, and processing data, information, analytics, displaying, processing data, information, analytics, graphics, projects, prioritizing, assigning, tracking, auditing, summaries, cost-benefit analysis in relation to mental welfare, therapeutic techniques, psychology, (neuro)science, life coaching, personal development, spiritual healing and the functioning of the consciousness and the subconscious mind, electronic databases recorded for computer media, database server software in relation to mental welfare, therapeutic techniques, psychology, (neuro)science, life coaching, personal development, spiritual healing and the functioning of the consciousness and the subconscious mind, computer software relating to diaries, mobile app, educational mobile applications, downloadable mobile application in relation to mental welfare, therapeutic techniques, psychology, (neuro)science, life coaching, personal development, spiritual healing and the functioning of the consciousness and the subconscious mind, electronic diaries, computerised personal organisers, digital organisers, electronic agendas, downloadable printable planners and organisers, electronic notebooks, digital notepads, cases for electronic diaries, audio books, audio books in relation to mental welfare, therapeutic techniques, psychology, (neuro)science, life coaching, personal development, spiritual healing and the functioning of the consciousness and the subconscious mind, e-books, DVDs, podcasts, paper and cardboard, printed matter, bookbinding material, photographs, stationery and office requisites, except furniture, adhesives for stationery or household purposes, drawing materials and materials for artists, paintbrushes, instructional and teaching materials, plastic sheets, films and bags for wrapping and packaging, printers' type, printing blocks, activity books, journals, guided journals, blank journals, blank paper notebooks, book covers, book holders, booklets, books, brochures, cardboard packaging, cards, children's activity books, covers for books, covers [stationery], desk diaries, desk organisers, diaries, diaries [printed matter], document files, document files [stationery], deskpad, desk accessories, writing accessories, document portfolios, exercise books, exercise-book covers, folders, folders [stationery], pens, colouring pens, artists' pens, steel pens, fountain pens, pen trays, pen sets, drawing pens, pen refills, pen cartridges, highlighter pens, inkless pens, pen nibs, etching pens, pen holders, pen stands, pen boxes, marker pens, pen cases, rollerball pens, ballpoint pens, ink pens, boxes for pens, cases for pens, pen ink cartridges, ink for pens, gel roller pens, felt tip pens, pen

accessories, stands for pens, pens for marking, pens of precious metal, pen and pencil cases, refills for ballpoint pens, ink cartridges for pens, pen or pencil holders, ink for fountain pens, ink pen refill cartridges, fountain pen ink cartridges, pen and pencil holders, pen and pencil boxes, stands for pens and pencils, ink cartridges for fountain pens, ball-point pen and pencil sets, crayons, forms, printed, gift books, guide books, handbooks [manuals], illustrated notepads, note cards, instructional manuals for teaching purposes, leaflets, leather book covers, leather appointment book covers, manuals [handbooks], note books, notebooks, notepads, office paper stationery, office stationery, packaging containers of card, packaging containers of paper, packaging materials made of recycled paper, pads [stationery], pads (Writing -), paper, paper folders [stationery], paper sheets for note taking, paper sheets [stationery], paper stationery, planners [printed matter], printed educational materials, printed informational cards, printed lessons, printed publications, printed stories in illustrated form, printed teaching materials, printed visuals, printing paper, promotional publications, protective covers for books, covers for planners, leather covered diaries, publication paper, publications (Printed -), school supplies [stationery], spiral-bound notebooks, stationery, stationery boxes, stationery cases, study guides, teaching materials [except apparatus], textbooks, user manuals, writing cases [sets], writing cases [stationery], writing or drawing books, writing pads, writing paper, writing paper pads, writing stationery, year planners, monthly planners, weekly planners, daily planners, day planners, wall planners, desk top planners, pocket diaries, agendas, calendars, playing cards and card games, trading cards for games, game boards for trading card games, trading cards [card game], card games, cards [games], equipment sold as a unit for playing card games, game cards, trading card games; None of the aforesaid relating to charitable services; None of the above relating to urban development, landscaping or horticulture.

Class 38

Telecommunication services; transmission of video films; streaming of audio material on the internet; streaming of video material on the internet; data streaming; video on demand transmissions; podcasting; podcasting services; transmission of podcasts; streaming of data; video, audio and television streaming services; streaming audio and video material on the Internet; live streaming videos and digital media content

delivered by means of telecommunication networks, wireless communication networks, the Internet, and mobile communication devices.

Class 41

Education; providing of training; education services; adult training; advanced training; provision of educational information relating to the topics of mindfulness, mental health and wellbeing; entertainment; entertainment and educational services featuring electronic media, multimedia content, audio and video content, movies, pictures, photographs, graphics, images, text and related information provided via the Internet and other communications networks relating to mindfulness, mental health and wellbeing; publication of magazines, books, texts and printed matter relating to mindfulness, mental health and wellbeing; book and review publishing; book publishing; books (publication of-); business educational services; business training; business training consultancy services; business training services; career advisory services (education or training advice); career and vocational counselling; career counseling [education]; career counselling and coaching; career counselling [training and education advice]; career information and advisory services (educational and training advice); charitable services, namely education and training; charitable services, namely, provision of vocational training; coaching; coaching [training]; conducting instructional courses; conducting of business conferences; conducting of courses; conducting of educational conferences; conducting of educational courses; conducting of educational courses in business; conducting of educational courses relating to business; conducting workshops and seminars in personal awareness; conducting workshops and seminars in self awareness; conducting workshops [training]; consultancy and information services relating to arranging, conducting and organisation of conferences; consultancy and information services relating to arranging, conducting and organisation of workshops; consultancy services relating to engineering training; consultancy services relating to the designing of training courses; consultancy services relating to the education and training of management and of personnel; consultancy services relating to the training of employees; consultancy services relating to training; consultation services relating to the publication of books; consultation services relating to the publication of magazines; electronic publication; consultation services relating to the publication of written texts; publication and editing of printed matter; publication and edition of books; publication of audio books;

publication of books; publication of books, reviews; publication of brochures; publication of educational and training guides; publication of educational books; publication of educational materials; publication of educational printed matter; publication of educational teaching materials; publication of educational texts; publication of electronic books and journals on-line; publication of electronic magazines; publication of instructional literature; publication of journals; publication of leaflets; publication of magazines; publication of manuals; publication of periodicals and books in electronic form; publication of printed matter and printed publications; publication of printed matter in electronic form; publication of printed matter relating to education; publication of text books; publication of texts; publication of texts, books, journals; publication of texts, books, magazines and other printed matter; publication of the editorial content of sites accessible via a global computer network; publication of training manuals; publishing; publishing, including online publishing; publishing of books; publishing of books, magazines; publishing of documents; publishing of educational material; publishing of educational matter; publishing of electronic publications; publishing of instructional books; publishing of magazines in electronic form on the Internet; publishing of printed matter; publishing of stories; publishing of web magazines; publishing services; publishing services carried out by computerised means; publishing services, except printing; publishing services for books; publishing services for books and magazines; publishing services (including electronic publishing services); self-awareness courses [instruction]; services for the publication of books; services for the publication of magazines; teaching of life saving techniques; teaching of meditation practices; training and education services; training and further training consultancy; training consultancy; training courses; training courses (provision of-); workshops (Arranging and conducting of -) [training]; workshops (arranging and conducting of-) [training]; workshops for cultural purposes; workshops for educational purposes; workshops for training purposes; writing and publishing of texts, other than publicity texts; writing of texts; writing of texts, other than publicity texts; writing of texts [other than publicity texts]; written training courses; provision of television programmes, radio programmes, films, audio and/or visual material and games online (not downloadable) relating to mindfulness, mental health and wellbeing; sporting and cultural activities; life coaching; life coaching services in relation to personal and business development; online life coaching services; workshops; workshops in relation to life coaching; arranging and conducting workshops in relation to life

coaching; events in relation to personal and business development; organising, arranging and conducting webinars, seminars, online seminars, speaking platforms in relation to life coaching; arranging, conducting and provision of training courses relating to mindfulness, mental health and wellbeing; arrangement of conferences for educational purposes; arrangement of conventions for educational purposes; arrangement of seminars for educational purposes; arranging and conducting conferences; arranging and conducting conferences and seminars; arranging and conducting educational conferences; arranging and conducting of conferences; arranging and conducting of day school courses for adults; arranging and conducting of educational discussion groups, not on-line; arranging and conducting of educational seminars; arranging and conducting of in-person educational forums; arranging and conducting of meetings in the field of education; arranging and conducting of seminars and workshops; arranging and conducting of training courses; arranging and conducting of training workshops; arranging and conducting of tutorials; arranging and conducting of workshops; arranging and conducting of workshops [training]; arranging and conducting seminars; arranging and conducting workshops; arranging conferences; arranging for students to participate in educational activities; arranging for students to participate in educational courses; arranging of an annual educational conference; arranging of conferences relating to business; arranging of conferences relating to cultural activities; arranging of conferences relating to education; arranging of conferences relating to entertainment; arranging of conferences relating to training; arranging of conventions for business purposes; arranging of conventions for cultural purposes; arranging of conventions for educational purposes; arranging of conventions for training purposes; arranging of courses of instruction; arranging of demonstrations for cultural purposes; arranging of demonstrations for educational purposes; arranging of demonstrations for training purposes; arranging of exhibitions for cultural purposes; arranging of exhibitions for educational purposes; arranging of exhibitions for training purposes; arranging of festivals for educational purposes; arranging of festivals for training purposes; arranging of presentations for cultural purposes; arranging of presentations for educational purposes; arranging of presentations for training purposes; arranging of seminars relating to business; arranging of seminars relating to cultural activities; arranging of seminars relating to education; arranging of seminars relating to training; arranging of workshops; arranging professional workshop and training courses; arranging teaching

programmes; vocational counselling; videotaping; production of TV shows; audio production; video production; audio and video recording services; media content creation; production of video content; video production; video presentation; video and audio production services; multimedia video production services; video editing; video entertainment services; videotape productions; videotape film production, production of video recordings; production of video films; production of training videos; production of musical videos; production of pre-recorded video films; production of sound and video recordings; audio, video and photographic production; film and videotape production; services for the production of entertainment in the form of video; post editing services in the field of music, video and film; production of corporate videos; production of business videos; animation production services; entertainment services; events management; advisory services relating to all of the abovementioned; None of the aforesaid relating to charitable services; None of the above relating to urban development, landscaping or horticulture.

Class 42

Scientific and technological services and research and design relating thereto; industrial analysis, industrial research and industrial design services; quality control and authentication services; design and development of computer hardware and software; website design; software design; mobile app design; journal design; diaries design; None of the aforesaid relating to charitable services; None of the above relating to urban development, landscaping or horticulture.