O/0926/26

TRADE MARKS ACT 1994

IN THE MATTER OF INTERNATIONAL REGISTRATION NO. WO0000001686416 DESIGNATING THE UK

BY VALO THERAPEUTICS OY

VALOTX

IN CLASSES 1, 5, 10, 40, 42 AND 44

AND

IN THE MATTER OF OPPOSITION THERETO UNDER NO. 438879 BY VALO HEALTH, LLC

BACKGROUND AND PLEADINGS

1. Valo Therapeutics Oy is the holder ("the holder") of the International Trade Mark Registration no. 1686416 ("IR") as shown on the cover page of this decision. The IR was registered on 21 April 2022, and with effect from the same date, designated the UK as a territory in which it seeks to protect the mark under the terms of the Protocol to the Madrid Agreement. The mark claims priority from 24 January 2022.[1] The application to protect the IR was published on 21 October 2022. The holder seeks protection for the IR in relation to the goods and services contained in Annex 1 to this decision.

2. On 23 January 2022, Valo Health, LLC ("the opponent") fully opposed the protection of the IR in the UK based upon section 5(2)(b) of the Trade Marks Act 1994 ("the Act").

3. A decision was issued by a different Hearing Officer on 12 September 2025.[2] In that decision, the Hearing Officer found that the opposition failed under section 5(2)(b) of the Act. That decision was subject to appeal by the opponent, which culminated in the decision of Mr Geoffrey Pritchard KC, sitting as the Appointed Person, issued on 1 May 2026.[3] The appeal was brought on 2 grounds as set out in paragraph 7 of his decision, summarised as follows:

> "There are two grounds of appeal. They are in summary that the Hearing Officer erred because she:
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> a. failed to apply the interdependency principle (Ground 1), and
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> b. failed to find (and therefore failed to take into account) that TX had a descriptive meaning in a medical context (Ground 2)."

4. Having considered the matter, Mr Pritchard found that:

> "16. It is not necessary for a Hearing Officer to record all his/her thought processes. However, it is necessary for them to record sufficient of those processes for the decision to be understood. That is not the case here. It follows

[1] Priority country: EUIPO. Trade mark from which priority was claimed: 018644151
[2] BL O/0841/25
[3] BL O/0382/26

that either (a) the Hearing Officer failed to apply the interdependency principle as she was required to do so or (b) that she did so, but failed to explain the basis of her conclusion. In either case I consider that the Decision does not properly address the question of interdependency and therefore contains an error of principle.

17. It follows that the Hearing Officer's decision on the likelihood of direct confusion at paragraph 101 must be set aside. Neither party addressed me specifically on the Hearing Officer's decision on issue of indirect confusion, but it is clear to me that given the flaws in the analysis of direct confusion I have already addressed, that too must be set aside.

…

The primary reason that Ground 1 succeeded is failure of the Hearing Officer to carry out either any, or an adequately detailed, interdependency analysis. To that extent a vital part of the analysis that should have been done at first instance has not been done (for which see the Decision of Amanda Michaels sitting as the Appointed Person in **SWIFTPAY** O/542/0 at 31). **I therefore believe the appropriate course is to remit this matter to another Hearing Officer to determine the issue of the likelihood of confusion. As I have overturned the Hearing Officer on no other issue than the likelihood of confusion, all her remaining findings stand.** The question that is remitted is solely the determination of the likelihood of confusion based on the findings of the Hearing Officer that have not been disturbed on this appeal." (my emphasis)

5. The Hearing Officer summarised her findings for the purposes of whether a likelihood of confusion would arise at paragraphs 100 and 101 of her decision as follows:

"100.The following factors must be considered to determine if a likelihood of confusion can be established:

• I have found the marks to be visually similar to a medium degree.

• I have found the marks to be aurally similar to a medium degree.

• I have found the marks to be conceptually neutral.

• I have found the opponent's First Earlier IR and Second Earlier Mark to be inherently distinctive to a high degree.

• I have identified the average consumer as the general public and medical professionals (human and veterinary), who will select the goods and services primarily by visual means, although I do not discount an aural component.

• I have concluded that a high degree of attention will be paid during the purchasing process for all of the goods and services which improve the user's end health. For the "cloud computing" services, a medium degree of attention will be paid.

• The parties' goods and services range from being identical to similar to a low degree."

6. For the sake of clarity, in line with Mr Pritchard's comments as outlined above, these findings remain undisturbed and are therefore not for determination before me. This decision is, therefore, concerned solely with the assessment of the likelihood of confusion, having regard in particular to the interdependency principle. In that regard, the opponent relies upon the following trade marks:

VALO

International registration no. WO000001570555

International registration and designation date 3 December 2020.

Date of protection granted in UK 26 August 2021.

Priority date 3 June 2020.

("The First Earlier Mark")

VALO

Transformed mark, UK registration no. UK00004115585

Filing date 3 December 2020.

Registration date 26 August 2021.

Priority date 3 June 2020.

("The Second Earlier Mark")

7. The opponent relies upon all of the goods/services for which the marks are registered as set out in Annex 2 to this decision. The opponent claims that the marks are similar, and goods are similar, with the result that there is a likelihood of confusion.

8. The holder filed a counterstatement denying the grounds of opposition.

9. Following the matter being remitted back to the Registry, a main hearing was requested by the holder, which took place before me on 16 September 2026. The opponent was represented by Mr David Rose of Mishcon de Reya LLP, and the holder was represented by Ms Carin Burchell of BRANDED TM LIMITED T/A BRANDED! The parties were given a further opportunity to file written submissions ahead of the hearing and the parties both filed skeleton arguments on 14 September 2026 respectively.

EVIDENCE AND SUBMISSIONS

10. The evidence was outlined in full in the earlier decision at paragraph 9 and I do not propose to repeat the same.

11. I have taken all of the evidence and submissions into consideration in reaching my decision and will refer to them where necessary below.

RELEVANCE OF EU LAW

12. 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

SECTION 5(2)(b)

13. Section 5(2)(b) of the Act is as follows:

> "5(2) A trade mark shall not be registered if because-
>
> (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".

14. Section 5A of the Act states as follows:

> "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."

RELEVANT LAW

15. 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 Pairs Europe Inc & Anor*, [2025] UKSC 25:

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

LIKELIHOOD OF CONFUSION

16. Within their skeleton argument, the opponent submits as follows:

> "The Appointed Person's decision confirms that proper application of the interdependency principle requires the tribunal to assess the likelihood of confusion by reference to each category (or group of sufficiently comparable categories) of goods and services, and not compendiously across an entire specification which spans dissimilar categories and levels of similarity. As the Appointed Person held, an undifferentiated approach which "lumps together comparisons which range from dissimilar to identical" and which involve "a wide range of goods and services" is impermissible, particularly where the tribunal does not explain the basis upon which it considers itself able to treat those disparate categories compendiously.""

17. This was reiterated by Mr Rose during the hearing, at which time he stated that:

> "The correct approach is a granular category by category assessment. The particular rigour applied to the question of how the average consumer engages with the goods and services in question is a meaningful exercise. The application covers six classes, it has over 800 individual items…You'll be aware that in the original decision, the Hearing Officer grouped the specification into 24 separate categories for the purposes of comparison. Now those groupings are settled for the purposes of today's hearing, but it does mean we submit that the confusion assessment has to be done 24 times over, not once. And that is clearly the discipline which the Appointed Person held was missing first time around."

Mr Rose went on to suggest that I should make a separate assessment in respect of the average consumer and the interdependency principle for each of the 24 categories identified by the previous Hearing Officer.

18. I note that Mr Pritchard stated as follows:

> "Furthermore, the Hearing Officer failed to explain whether, and if so how, she felt able to address all 24 groups compendiously rather than individually. It is not necessary for a Hearing Officer to record all his/her thought processes. However, it is necessary for them to record sufficient of those processes for the decision to be understood."

When considering Mr Pritchard's comments, along with those set out above, I do not agree with the opponent's assertion that my assessment of the likelihood of confusion should be broken down in this granular way. Mr Pritchard is clear that it is not necessary for a Hearing Officer to record all of their thought processes, and I find the suggestion that this assessment needs to be addressed group by group is taking the APs findings too far, and that such an assessment is extremely onerous for a Hearing Officer and also sets an unnecessary precedent for future decisions. I consider that it is sufficient for me to explain my reasoning, and as such I will not address this further.

19. 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 the marks and the goods/services 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 respective trade marks may be offset by a greater degree of similarity between the respective goods/services and vice versa. As I mentioned above, it is necessary for me to keep in mind the distinctive character of the opponent's trade mark, 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.

20. I remind myself of the findings of the previous Hearing Officer, as set out in paragraph 5 of this decision, all of which stand.

21. The following aspects of the Decision were not in issue on appeal:

a. the test to be applied under section 5(2)(b) TMA (at paragraphs 13 – 24 of the Decision).

b. the earlier Hearing Officer's 24 separate findings as to identity, similarity and dissimilarity (paragraphs 24 - 64 of the Decision). In respect of the comparisons of goods and services she made, she found:

(a) 9 were identical:

(b) 1 was highly similar;

(c) 2 were of high to medium similarity;

(d) 6 were of medium similarity;

(e) 3 were of low similarity, and

(f) 3 were dissimilar.

c. the mark of the Application is pronounced VAY-LOW-TEE-EX (paragraph 78 of the Decision). I should note here that this was a point that the Respondent tried to challenge on appeal, but as it had no respondent's notice it was not entitled to.

d. the Appellant's mark, VALO, is inherently distinctive to a high degree (paragraph 98 of the Decision).

22. Further, I note that in relation to "TX", the opponent submitted that this is an abbreviation for the medical definition of "treatment". However, the earlier Hearing Officer did not accept this and found that "the letters on their own would not convey a particular concept over and above their existence as letters in the English alphabet to the UK average consumer." A finding which was upheld on appeal.

23. I begin by considering direct confusion. I do not consider that consumers would misremember or inaccurately recall which mark was which. Although the beginning of the marks is the same, and the beginnings of a word tend to have more visual and

aural impact than the ends,[4] in this instance the marks are both short, and I consider that the differences in the marks are likely to be easily identified by the average consumer. I have considered the notion of imperfect recollection, where the average consumer does not have the chance to make a direct comparison of the marks, but instead relies on the imperfect picture of them that they have kept in their mind. However, in my view, taking all of the relevant factors into account, including the overall impression of each word, the marks are not confusingly similar. Notwithstanding the findings on the level of attention and the distinctiveness of the earlier mark, I am satisfied that the differences between the marks are sufficient to rule out the likelihood of direct confusion on the part of the average consumer. I say this, bearing in mind that it has been found that the IR will be seen as a whole word and it would not be broken down into two elements, particularly in light of the finding that TX would not be regarded as an abbreviation.

24. In *Canon*,[5] the CJEU established that the global assessment of the likelihood of confusion implies some interdependence between the relevant factors and in particular, a similarity between the trade marks and between the goods/services. Accordingly, a lesser degree of similarity between the goods/services may be offset by a greater similarity between the marks and vice versa. This is referred to as the interdependency principle. I note that the Hearing Officer found the marks to be visually and aurally similar to a medium degree, and that they are conceptually neutral. Mr Rose reiterated during the hearing that the opponent's mark has been found to have a high level of inherent distinctiveness. However, I have found that the IR will be seen as a whole word and will not be broken down, which is reinforced by the fact that there is no clear conceptual hook for either mark, as both words are invented. Therefore, the VALO element will not be extracted from the whole of the IR as suggested. I do not consider that consumers, paying a high degree of attention (or a medium degree for "cloud computing" services), would misremember or inaccurately recall which mark was which. I find this to be the case in respect of goods/services which are identical, and as such, this will also apply to those goods/services which are similar to a high, medium to high, medium and low degree of similarity. Therefore,

[4] *El Corte Inglés, SA v OHIM*, Cases T-183/02 and T-184/02
[5] Case C-39/97

having given consideration to the interdependency principle, I do not find a likelihood of direct confusion.

25. This leads me to consider indirect confusion. In *L.A. Sugar Limited v By Back Beat Inc*, 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)."

26. These three categories are not exhaustive; rather, they were intended to be illustrative of the general approach, as has been confirmed by the Court of Appeal[6]. I recognise that a finding of indirect confusion should not be made merely because the competing marks share a common element. In this connection, it is not sufficient that a mark merely calls to mind another mark; this is mere association not indirect confusion[7]. The Court of Appeal has also emphasised that, where there is no direct confusion, there must be a "proper basis" for finding indirect confusion.

27. For indirect confusion to arise the average consumer must consider that as a result of the common element, there is an economic connection between the respective marks, such that the goods/services provided under one are regarded as a brand extension or sub brand of the other, for example.

28. In this instance, both marks share overlapping elements in the form of the whole of the opponent's mark appearing as the first four letters of the holder's mark, however, the average consumer will perceive the marks as a whole, and is unlikely to artificially dissect them, or proceed to analyse its various details. Both marks will be considered to be invented words. Whilst I note that the opponent's mark has been found to be highly distinctive, I do not consider it to be the case that the average consumer, when paying a medium or high degree of attention, would consider that no one but the opponent could be using it. At best, the opponent's mark may bring the holder's mark to mind, but this is mere association and does not amount to indirect confusion.[8] As above, it was upheld on appeal that TX would not be understood as being an abbreviation, meaning that it will not be viewed as a separate element, such that its addition to the word VALO would be a natural brand extension in the same way as extra/plus/lite etc. I therefore consider that the holder's mark will be viewed as a word in its entirety.

29. In my view, none of the categories set out in *LA Sugar* apply in this case and I can see no other basis upon which the average consumer would conclude that there is an economic connection between the marks. Taking all of the above into account, I do

[6] *Liverpool Gin Distillery and others v Sazerac Brands, LLC and others* [2021] EWCA Civ 1207
[7] *Duebros Limited v Heirler Cenovis GmbH,* BL O/547/17
[8] *Duebros Limited v Heirler Cenovis GmbH*

not consider that there exists a likelihood of indirect confusion between the marks, even when used on identical goods/services.

CONCLUSION

30. The opposition fails in its entirety. Therefore, subject to appeal, the designation to protect the International Registration in the UK no. 1686416 shall proceed to registration for all the goods and services as set out in the Annex.

COSTS

31. In relation to costs, Mr Pritchard said:

> "31. Ground 1 was the primary matter in issue on this appeal. On this the Appellant has succeeded and it is, overall, the winner of the Appeal. However, it (a) failed in respect of Ground 2 and (b) the likelihood of confusion remains to be determined. Given that, I shall make an award of costs in the sum of £1000, reduced from the sum of £1500 I would have made should the Appellant have succeeded on both grounds. As very little time was taken on a substantive analysis of the likelihood of confusion (as opposed to those matters I did consider under Ground 1) I make no separate discount in relation to this issue.
>
> 32. The Hearing Officer made an award of costs of £1200. If I make no further order this would have to be paid within 21 days of the date of this decision. As the matter has been remitted, it seems to me appropriate that these costs be reserved to be addressed by the Hearing Officer who hears the remitted case."

32. I note that Mr Pritchard made a costs award in the opponent's favour at the appeal hearing for the costs arising from the successful appeal, and this remains undisturbed.

33. As Mr Pritchard has reserved the position in respect of the holder's costs, I understand this to mean that I am to consider the costs of the original decision and the remittal afresh. The holder has been successful in the overall proceedings. Consequently, I find that the holder is entitled to a contribution towards its costs of the oppositions based upon the scale published in Tribunal Practice Notice 1/2023. With regard to the remittal proceedings, I bear in mind that it resulted in a further hearing

being listed before me and that both parties prepared additional skeleton arguments. In the circumstances, I award the holder the sum of £1,850, to be calculated as follows:

Considering the Notice of Opposition and preparing a counterstatement	£250
Considering the opponent's evidence and preparation for and attendance at the initial hearing	£950
Preparing for and attending the remitted hearing	£650
TOTAL	**£1,850**

34. I therefore order Valo Health, LLC to pay Valo Therapeutics Oy the sum of £1,850 in relation to costs arising from proceedings before the Tribunal. 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 13th day of October 2026

LA Bailey

For the Registrar

Annex 1

Class 1

Chemical and biological agents for scientific and research use; antioxidants for use in the manufacture of pharmaceuticals; animal albumen [raw material]; collagen for industrial purposes; antioxidants for use in manufacture; biochemical catalysts; chemical preparations for scientific purposes, other than for medical or veterinary use; protein [raw material]; preparations of microorganisms, other than for medical and veterinary use; biological preparations, other than for medical or veterinary purposes; diagnostic preparations, other than for medical or veterinary purposes.

Class 5

Biopharmaceutical and pharmaceutical preparations for treatment of autoimmune diseases, cancer, cardiovascular diseases and disorders, endocrine diseases and disorders, gastrointestinal diseases and disorders, infectious diseases, psychiatric and psychological diseases and disorders, neurological diseases and disorders, rare diseases, and respiratory diseases and disorders; therapeutic agents for the treatment of autoimmune diseases, cancer, cardiovascular diseases and disorders, endocrine diseases and disorders, gastrointestinal diseases and disorders, infectious diseases, psychiatric and psychological diseases and disorders, neurological diseases and disorders, rare diseases, and respiratory diseases and disorders; veterinary preparations; biological preparations for veterinary purposes; cultures of microorganisms for medical and veterinary use; biological preparations for medical purposes; drugs for medical purposes; diagnostic preparations for medical purposes; enzymes for medical purposes; biochemical medicines; vaccines; bioengineering pharmaceutical solutions for use in expanding cells for therapeutic use to patients with blood cancers and other diseases; biopharmaceuticals; cells and biological preparations intended for medical and clinical use, including, blood, stem cells, adult blood cells, immune cells, immunomodulatory cells, umbilical cord cells, umbilical cord blood, and placental tissue; bioengineered cells for use in immunotherapies; diagnostic materials and diagnostic preparations for medical purposes; gene and cell therapy and prophylaxis products; gene and cell therapy prophylaxis vector and vector manufacturing preparations; pharmaceutical preparations and products;

pharmaceutical preparations in the nature of cell solutions to enable cell expansion for therapeutic purposes; reagents for ex vivo cell processing in particular media suitable for the expansion of cells; cell therapy products, including stem and progenitor cell, adult cell, immune cell, cell therapy and gene therapy products; cells for medical purposes.

Class 10

Medical instruments and apparatus for the administration of gene and cell therapy, immunotherapy and immunomodulation and prophylaxis products; surgical and medical apparatus and instruments for gene and cell therapy, immunotherapy and immunomodulation and prophylaxis; veterinary apparatus and instruments; radiological apparatus for medical purposes; diagnostic apparatus for medical purposes; apparatus for use in medical analysis; medical apparatus and instruments; surgical apparatus and instruments; breast pumps; apparatus, devices and articles for nursing infants; physiotherapy apparatus; galvanic therapeutic appliances; blood testing apparatus; medical devices for ex vivo cell processing.

Class 40

Contract manufacturing of pharmaceuticals, cells and gene therapy reagents, including custom manufacturing services; custom manufacturing services for others in the field of pharmaceuticals, biopharmaceuticals, cellular immunotherapies, health care products and medical products; manufacture of pharmaceuticals and biopharmaceuticals to order and/or specification of others; custom manufacturing of biological tissue, blood, and cells (including stem and progenitor cells, adult cells and immune cells); treatment of materials, namely, pharmaceutical and chemical products and their components used in the manufacture of pharmaceuticals and biopharmaceuticals and cellular immunotherapies.

Class 42

Analysis of biological samples; biopharmaceutical and pharmaceutical development and research and evaluation services in the field of cell based therapeutics and gene therapy for the treatment of disease, injuries and disorders; biotechnology laboratory

services; medical and scientific laboratory services; scientific, medical and clinical research consultation services and scientific, medical and clinical research and development services, including in the field of haematology, immunology, cancer research, developmental biology and life sciences, biotechnology, medical technology, cell culture, tissue engineering, genetic engineering, regenerative medicine, immunotherapy and immunomodulation; pre-clinical and clinical trials; pharmaceutical, medical, scientific, biotechnology, and biopharmaceutical research and development; technical scientific consultation and product development for others in the field of biotechnology and immunology; development of pharmaceuticals; research and development in the field of computational biology, bioinformatics, and genomics; providing medical and scientific research information in the field of pharmaceuticals and clinical trials; research and development of pharmaceutical preparations and substances for use in clinical trials; cloud computing; chemical analysis; industrial design; conducting technical project studies; research and development of new products for others; material testing; biological research; scientific laboratory services; scientific research; bacteriological research.

Class 44

Medical services, including regenerative treatment services; medical diagnostic testing, monitoring and reporting services; medical evaluation of immuno-oncological disorders, cancer, diabetes, respiratory, heart, neurological and auto immune disorders; providing health and medical information about medical disorders and their diagnosis, prevention and treatment; cell therapy and gene therapy services.

Annex 2

The First Earlier IR

Class 5

Pharmaceutical preparations for treatment of cardiovascular diseases and disorders, and therapeutic agents for the treatment of cardiovascular diseases and disorders.

Class 42

Pharmaceutical, medical, scientific, biotechnology, and biopharmaceutical research and development; technical scientific consultation and product development for others in the field of biotechnology and immunology; development of pharmaceuticals; research and development in the field of computational biology, bioinformatics, and genomics; providing medical and scientific research information in the field of pharmaceuticals and clinical trials; research and development of pharmaceutical preparations and substances for use in clinical trials; providing on-line non downloadable computer software for genetic assessment and identification of cancer, diseases, health status and metrics, and gene mutations for scientific, medical, diagnostic, treatment, and research purposes; providing on-line non-downloadable computer software for collecting, analyzing, reporting, and tracking data and information in the fields of genetics, genomics, biology, biochemistry.

The Second Earlier Mark

Class 1

Chemical and biological agents for scientific and research use.

Class 5

Pharmaceutical preparations for treatment of autoimmune diseases, cancer, endocrine diseases and disorders, gastrointestinal diseases and disorders, infectious diseases, psychiatric and psychological diseases and disorders, neurological diseases and disorders, rare diseases, and respiratory diseases and disorders and therapeutic agents for the treatment of autoimmune diseases, cancer, endocrine

diseases and disorders, gastrointestinal diseases and disorders, infectious diseases, psychiatric and psychological diseases and disorders, neurological diseases and disorders, rare diseases, and respiratory diseases and disorders.

Class 9

Downloadable computer software for genetic assessment and identification of cancer, diseases, health status and metrics, and gene mutations for scientific, medical, diagnostic, treatment, and research purposes; downloadable computer software for collecting, analyzing, reporting, and tracking data and information in the fields of genetics, genomics, biology, biochemistry.