BL O/0928/26

TRADE MARKS ACT 1994

IN THE MATTER OF
TRADE MARK APPLICATION NO. 4279364
IN THE NAME OF ALDI STORES LIMITED

TO REGISTER AS A TRADE MARK:

FORCE FOR GOOD

IN CLASSES 16, 35 AND 41

AND

IN THE MATTER OF FAST TRACK OPPOSITION THERETO
UNDER NO. 600003954
BY LADY ANA OGDEN

BACKGROUND AND PLEADINGS

1. On 16 October 2025, Aldi Stores Limited ("the applicant") filed an application for the trade mark shown on the cover page of this decision ("the contested mark") in the UK. The trade mark was published for opposition purposes on 19 December 2025, and registration is sought for goods and services in classes 16, 35 and 41, as set out in the Annex to this decision.

2. On 10 February 2026, under the fast track opposition procedure,[1] Lady Ana Ogden ("the opponent") partially opposed the application, based upon section 5(2)(b) of the Trade Marks Act ("the Act").[2] The opposition is directed at some of the goods and services in classes 16, 35 and 41.[3]

3. The opponent relies upon her earlier UK trade mark no. 3666883, 'VIS PRO BONO FORCE FOR GOOD' ("the earlier mark"). The earlier mark was filed on 9 July 2021 and became registered on 12 November 2021. The opponent relies upon all of the goods and services covered by the earlier mark in classes 9, 16, 25, 30 and 36.[4]

4. The above mark qualifies as an earlier mark under section 6(1) of the Act. As it had not completed its registration procedure more than five years before the application date for the contested mark, it is not subject to the use provisions contained in section 6A of the Act.

5. The opponent submits that the marks are visually, phonetically and conceptually similar to a high degree, and that the respective goods and services are either identical or similar to varying degrees, resulting in a risk of confusion on the part of the public, including the likelihood of association between the marks.

6. The applicant filed a counterstatement denying the ground of opposition.

[1] Pursuant to The Trade Marks (Fast Track Opposition) (Amendment) Rules 2013.
[2] 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. See also Tribunal Practice Notice ("TPN") 2/2020 End of Transition Period – impact on tribunal proceedings.
[3] See the goods and services comparison at paragraph 22.
[4] See the goods and services comparison at paragraph 22.

7. Rule 6 of the Trade Marks (Fast Track Opposition) (Amendment) Rules 2013, S.I. 2013/2235, disapplies paragraphs 1-3 of Rule 20 of the Trade Mark Rules 2008, but provides that Rule 20(4) shall continue to apply. Rule 20(4) states that:

> "(4) The registrar may, at any time, give leave to either party to file evidence upon such terms as the registrar thinks fit."

8. The net effect of the above is to require parties to seek leave in order to file evidence in fast-track oppositions. No leave was sought in respect of these proceedings.

9. Rule 62(5) (as amended) states that arguments in fast-track proceedings shall be heard orally only if (i) the Office requests it or (ii) either party to the proceedings requests it and the Registrar considers that oral proceedings are necessary to deal with the case justly and at proportionate costs; otherwise, written arguments will be taken. A hearing was neither requested nor considered necessary.

10. Only the opponent filed written submissions in lieu of a hearing. This decision is taken following a careful review of the papers before me.

11. The opponent is represented by Mohun Aldridge Sykes Limited; the applicant is represented by Freeths LLP.

DECISION

Section 5(2)(b)

12. 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."

13. 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."

14. 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;

b) the matter must be judged through the eyes of the average consumer of the goods or services in question. The average consumer is deemed to be reasonably well informed and reasonably circumspect and observant, but someone who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them they have kept in their 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 the earlier mark to mind, is not sufficient;

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

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

Comparison of goods and services

15. In *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc,* Case C-39/97, the Court of Justice of the European Union ("CJEU") stated that:

> "23. In assessing the similarity of the goods or services concerned, … all the relevant factors relating to those goods or services themselves should be taken into account. Those factors include, inter alia, their nature, their intended purpose and their method of use and whether they are in competition with each other or are complementary".

16. In *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T-133/05, the General Court ("GC") stated that:

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

17. Additionally, the factors for assessing similarity between goods and services identified in *British Sugar Plc v James Robertson & Sons Limited ("Treat")* [1996] R.P.C. 281 include an assessment of the users and the channels of trade of the respective goods or services.

18. For the purposes of considering the issue of similarity of goods and services, it is permissible to consider groups of terms collectively where appropriate: *Separode Trade Mark*, BL O-399-10.[5]

19. In the case of goods and services, the terms used should not be interpreted widely but confined to the core of the possible meanings attributable to the terms: *SkyKick UK Ltd & Anor v Sky Ltd & Ors (Rev1) [2024] UKSC 36*, at [365].

20. Pursuant to section 60A of the Act, I am mindful of the fact that the goods and services are not to be automatically regarded as being similar to each other on the

[5] Paragraph 5.

ground that they appear in the same class, nor automatically regarded as dissimilar from each other on the ground that they appear in different classes.

21. I also note that in *Unicorn Studio Inc v Veronese* Case CH-2023-000214, Iain Purvis KC, sitting as Deputy High Court Judge, stated that any finding of similarity (between goods and services) requires the exercise of common sense.

22. The competing goods and services are as follows:

The applicant's goods and services

Class 16 Printed matter; teaching and instructional material (except apparatus); stickers [stationery]; paper banners; paper flags; paper flyers; posters; poster holders made of paper or cardboard; postcards; brochures; signs made of paper or cardboard; magazines; newspapers.

Class 35 Retail services, including via the internet, relating to food; retail services, including via the internet, in relation to stationery and office supplies, books and other printed matter; retail services, including via the internet, relating to clothing, headgear, footwear; business operation of supermarkets, retail stores, and discount retail stores for food; business operation of supermarkets, retail stores, and discount retail stores for stationery and office supplies, books and other printed matter; business operation of supermarkets, retail stores, and discount retail stores for clothing, headwear, shoes.

Class 41 Entertainment; sporting and cultural activities; desktop publishing [creating publications using a computer]; organization of live events; television entertainment; publication of texts, except for advertising texts; information about entertainment events; online provision of electronic, non-downloadable publications; online publication of electronic books and magazines; organization and hosting of conferences; organization and hosting of symposiums; broadcast entertainment; entertainment; organization and holding of seminars; organization and holding of

workshops [training]; organization and management of colloquiums; organization of exhibitions for cultural or educational purposes; writing of texts, except advertising texts; provision of information in the field of entertainment; online provision of non-downloadable electronic publications; online publication of electronic books and magazines.

The opponent's goods and services

Class 9 Downloadable electronic books; audio books.

Class 16 Books, magazines, printed publications, stationery.

Class 25 Clothing, footwear, headgear.

Class 30 Coffee, tea, cocoa and artificial coffee; rice, pasta and noodles; tapioca and sago; flour and preparations made from cereals; bread, pastries and confectionery; chocolate; ice cream, sorbets and other edible ices; sugar, honey, treacle; yeast, baking-powder; salt, seasonings, spices, preserved herbs; vinegar, sauces and other condiments; ice (frozen water).

Class 36 Charitable fund raising related to the environment; financial sponsorship and funding of cultural, sporting and entertainment events; organisation of charitable collections; charitable collections; charitable fundraising; management and allocation of charitable funds.

The comparison

23. With regard to the similarity of the goods and services, both parties have provided comments. Whilst I do not intend to summarise these here, I confirm that I have given them due consideration in making the following comparisons.

Class 16

Printed matter; teaching and instructional material (except apparatus); stickers [stationery]; paper banners; paper flags; paper flyers; posters; poster holders made of paper or cardboard; postcards; brochures; signs made of paper or cardboard; magazines; newspapers

24. With regard to the above contested goods, the following is noted from the applicant's counterstatement:

> "The Applicant concedes that the above Class 16 goods of the application may be considered identical and/or similar to the Class 16 goods of the Opponent's registration forming the basis of the opposition."

25. Although the applicant uses the word 'concedes', this is qualified by the words 'may be considered'. Moreover, the applicant does not identify which of the contested class 16 goods are said to be identical or similar, the goods with which they should be compared, or the degree of any similarity. I do not therefore regard the statement as an unequivocal concession that all of the contested class 16 goods are at least similar to the class 16 goods covered by the earlier registration. Accordingly, I will assess the contested class 16 goods in the ordinary way.

26. I agree with the applicant's viewpoint insofar as the following goods are concerned:

- The contested term *magazines* appears identically in the opponent's specification; therefore, these goods are identical.

- The contested *brochures* and *newspapers* clearly fall within the opponent's broad term *printed publications.* The goods are therefore identical in line with the principle set out in *Meric.*

- The contested broad term *printed matter* encompasses the opponent's *books, magazines* and *printed publications.* Therefore, the goods are identical in line with the principle set out in *Meric.*

- The broad term *stationery* in the opponent's specification encompasses the contested *stickers [stationery]*. Therefore, these goods are identical in line with the principle set out in *Meric.*

- The opponent's broad term *printed publications* overlaps with the contested *teaching and instructional material (except apparatus)*, which may take the form of printed publications. The goods are therefore identical in line with the principle set out in *Meric*.

- With regard to the contested term *postcards*, I find that it shares a degree of similarity with the opponent's broad term *stationery*. Stationery includes correspondence articles made of paper or card, such as writing paper and envelopes, used for writing letters, etc. Postcards are card-based products intended for, inter alia, the communication of written messages. Consequently, I find that there can be an overlap in purpose and the producers, users and trade channels may overlap. There may also be a degree of competition, as a consumer may choose to communicate via a postcard rather than by using writing paper and an envelope. Overall, I find the goods to be similar to a medium degree.

- The contested *posters; paper flyers; signs made of paper or cardboard* and *paper banners*, like the opponent's *printed publications*, are printed paper or card products. They may also overlap in purpose, insofar as they are used to convey information or promotional content, and may coincide in producers, users and trade channels. That said, they differ in their usual format and method of use and are neither in competition nor complementary. Overall, I find these goods to be similar to a low degree.

27. However, I find that the contested *poster holders made of paper or cardboard* and *paper flags* differ in nature, purpose and method of use from the opponent's *books,*

magazines, printed publications and *stationery*. They are neither in competition nor complementary, and any overlap in users or trade channels is at a high level of generality. Accordingly, I find these goods to be dissimilar. The same conclusion applies in respect of the opponent's remaining goods and services in classes 9, 25, 30 and 36, as they share no relevant points of similarity with the above contested goods.

Class 35

28. In *Oakley, Inc v OHIM*, Case T-116/06, at paragraphs 46–57, the GC held that although retail services are different in nature, purpose and method of use from goods, retail services for particular goods may be complementary to those goods, and distributed through the same trade channels, and therefore similar to a degree.

Retail services, including via the internet, relating to food; retail services, including via the internet, in relation to stationery and office supplies, books and other printed matter; retail services, including via the internet, relating to clothing, headgear, footwear

29. The contested services enable consumers to view and purchase *food*, *stationery and office supplies, books and other printed matter,* and *clothing, headgear* and *footwear*. The earlier registration covers corresponding goods, namely various *food* products in class 30; *books, magazines, printed publications* and *stationery* in class 16; and *clothing, footwear* and *headgear* in class 25.

30. I acknowledge that the respective goods and services differ in nature, purpose and method of use, and they are not in competition. However, their users overlap and there is a close commercial relationship between them, since the retail services are expressly concerned with the sale of goods identical to those covered by the earlier registration. The goods may be offered through the contested retail services and encountered by consumers in the same commercial context, whether in physical stores or online. Consumers may therefore believe that responsibility for the goods and the retail services lies with the same undertaking.

31. Taking these factors into account, I find there to be a medium degree of similarity between the contested *retail services* relating to the corresponding goods and the opponent's corresponding food products in class 30; *books, magazines, printed publications* and *stationery* in class 16; and *clothing, footwear* and *headgear* in class 25.

Business operation of supermarkets, retail stores, and discount retail stores for food; business operation of supermarkets, retail stores, and discount retail stores for stationery and office supplies, books and other printed matter; business operation of supermarkets, retail stores, and discount retail stores for clothing, headwear, shoes

32. The contested services concern the business operation of supermarkets, retail stores and discount retail stores, whereas the opponent's specification covers, inter alia, various goods in classes 9, 16, 25 and 30. The respective nature, purpose and method of use are different. The contested services are directed at those requiring the operation or management of retail establishments, while the goods are purchased by consumers for their inherent purposes. The respective users, providers and trade channels therefore differ. The goods and services are neither in competition nor complementary. Accordingly, I find the contested services to be dissimilar to all the goods in the opponent's specification. The same conclusion applies in respect of the opponent's services in class 36, as they share no relevant points of similarity with the contested services.

Class 41

Online provision of electronic, non-downloadable publications; online provision of non-downloadable electronic publications; online publication of electronic books and magazines

33. The above contested services share a similar purpose with the opponent's *downloadable electronic books* in class 9 and *books, magazines* and *printed publications* in class 16, insofar as they all provide consumers with written content. Although the respective goods and services differ in nature and method of use, they may coincide in subject matter, users, providers and channels of trade. They may also

be in competition, since consumers may choose between accessing a publication online, downloading it or purchasing it in printed form. Overall, I find these goods and services to be similar to a medium degree.

Desktop publishing [creating publications using a computer]; publication of texts, except for advertising texts; writing of texts, except advertising texts

34. The contested *desktop publishing [creating publications using a computer]; publication of texts, except for advertising texts* and *writing of texts, except advertising texts* concern the creation or production of publications and written content, rather than their provision to consumers. These services differ in nature, purpose and method of use from the opponent's goods in classes 9 and 16 and are not in competition with them. However, there may be some overlap in providers and channels of trade, and consumers may perceive a commercial connection between the services and the finished publications. Overall, I find the respective goods and services to be similar to a low degree.

Entertainment; sporting and cultural activities; organization of live events; television entertainment; information about entertainment events; entertainment; provision of information in the field of entertainment; organization and hosting of conferences; organization and hosting of symposiums; broadcast entertainment; organization and holding of seminars; organization and holding of workshops [training]; organization and management of colloquiums; organization of exhibitions for cultural or educational purposes

35. I find that the above contested services differ in nature, purpose and method of use from the opponent's goods in classes 9, 16, 25 and 30. They have different users, providers and trade channels, and are neither in competition nor complementary.

36. As regards the opponent's services in class 36, I recognise that its *financial sponsorship and funding of cultural, sporting and entertainment events* may coincide in subject matter with some of the contested services. However, I am of the view that this would be at a very general level. Overall, I find that the respective services differ in nature, purpose and method of use, and will ordinarily be provided by different

undertakings through different trade channels. Further, the services are neither in competition nor complementary. Moreover, although the opponent submits that *'the Earlier Mark lists various services in class 36 that are similar to some of the services listed in class 41 of the Opposed Mark'*, the exact services in question have not been identified, nor has an explanation been provided as to why those services should be regarded as similar. Accordingly, I find the above contested services to be dissimilar to all of the opponent's goods and services.

37. As some degree of similarity between goods and services is necessary to engage the test for likelihood of confusion, my findings above mean that the opposition directed against those goods and services I have found to be dissimilar will fail. For ease of reference, the opposition under section 5(2)(b) fails against the following goods and services:

Class 16 Poster holders made of paper or cardboard and paper flags.

Class 35 Business operation of supermarkets, retail stores, and discount retail stores for food; business operation of supermarkets, retail stores, and discount retail stores for stationery and office supplies, books and other printed matter; business operation of supermarkets, retail stores, and discount retail stores for clothing, headwear, shoes.

Class 41 Entertainment; sporting and cultural activities; organization of live events; television entertainment; information about entertainment events; entertainment; provision of information in the field of entertainment; organization and hosting of conferences; organization and hosting of symposiums; broadcast entertainment; organization and holding of seminars; organization and holding of workshops [training]; organization and management of colloquiums; organization of exhibitions for cultural or educational purposes.

The average consumer and the nature of the purchasing act

38. 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 or services in question (see *Lloyd Schuhfabrik Meyer*, Case C-342/97).

39. In *Iconix* (cited above), the Supreme Court approved the comments of Arnold LJ in *Lidl Great Britain Ltd & Anor v Tesco Stores Ltd & Anor (Rev1)* [2024] EWCA Civ 262, where he pointed out that:

> (a) Consumers who are ill-informed or careless, or consumers with specialised knowledge or who are excessively careful are excluded from consideration;
>
> (b) The average consumer provides a standard which enables the courts to strike a balance between the competing interests involved, such as trade mark owners, their competitors and consumers;
>
> (c) The average consumer is neither a single hypothetical person nor a mathematical average; assessment from the perspective of the average consumer does not involve a statistical test. There is no single meaning rule and if, having regard to the perceptions and expectations of the average consumer, the court considers that a significant proportion of the relevant public is likely to be confused, a finding of infringement may properly be made;
>
> (d) Assessment from the perspective of the average consumer is intended to facilitate adjudication of trade mark disputes by providing an objective criterion, by promoting consistency of assessment and by enabling courts and tribunals to determine such issues so far as possible without the need for evidence;
>
> (e) The average consumer's level of attention varies according to the category of goods or services in question; and

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

40. The average consumer of the goods and services at issue will be a member of the general public or, in respect of certain services, a business or professional user. When selecting the goods and services, the average consumer will consider factors such as their nature, suitability, quality and cost. Overall, I consider that a medium degree of attention will be paid, though the level may be higher where the services are selected by business or professional users, albeit not, in my view, the highest.

41. The goods and services are likely to be selected primarily by visual means, following inspection in retail outlets or online, for example. The selection and purchasing process will therefore be predominantly visual. However, as word-of-mouth recommendations may also play a role, I do not discount an aural component.

Comparison of the marks

42. It is clear from *Sabel BV v Puma AG* 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 them, bearing in mind their distinctive and dominant components. The CJEU stated in *Bimbo SA v OHIM* that:

> "34. […] 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."

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

44. The trade marks to be compared are as follows:

The opponent’s mark	The applicant’s mark
VIS PRO BONO FORCE FOR GOOD	FORCE FOR GOOD

45. With regard to the similarity of the marks, in its counterstatement the applicant submits:

> “The Opponent's Trade Mark is significantly longer and more complex than the Applicant's Trade Mark. The Opponent's Trade Mark consists of the additional and visually prominent words "VIS PRO BONO" at the beginning of the mark. The words "VIS PRO BONO," immediately catch the consumer's attention due to their position and their unfamiliar, Latin construction. By contrast, the Applicant's Trade Mark is short, simple and self-contained, consisting of only three common English words.
>
> The Applicant submits that whilst the words "FORCE FOR GOOD" appear in both marks, they are not visually dominant within the Opponent's Trade Mark. The inclusion of "VIS PRO BONO" materially alters the overall structure, length and appearance of the Opponent's Trade Mark. The Opponent's Trade Mark comprises five words [sic], whereas the Applicant's Trade Mark comprises only three words which creates a noticeably different visual impression.
>
> Furthermore, consumers tend to place particular weight on the beginning of a mark when viewing it. The presence of "VIS PRO BONO" at the beginning of the Opponent's Trade Mark creates a clear point of visual divergence which

cannot be overlooked or ignored. The Applicant submits that taken as a whole, the respective trade marks present distinct visual identities, and the shared component is insufficient to render the respective trade marks visually similar.

[…]

The Applicant's Trade Mark conveys a broad, aspirational concept of being a positive or beneficial influence. It is general in nature and capable of wide application across many sectors and contexts.

By contrast, the Opponent's Trade Mark conveys a more specific and nuanced concept. The phrase "VIS PRO BONO" is a well-known Latin expression associated with legal or professional services provided for the public good.

The conceptual message conveyed by the Opponent's Trade Mark is therefore more complex and specialised, combining the idea of pro bono professional services with the notion of being a force for good. This is materially different from the simpler, broader message of the Applicant's Trade Mark.

The Applicant asserts that even though both marks may loosely allude to positive action, they do so in distinct conceptual ways, leading to different overall impressions."

46. In its written submissions,[6] the opponent states:

"The Applicant's defence focuses on the additional Latin wording VIS PRO BONO; however, that approach fails properly to apply the principles of imperfect recollection, independent distinctive role and indirect confusion established by the authorities. The central question is not whether the marks can be distinguished in a side-by-side comparison, but whether the average consumer, relying upon imperfect recollection, would believe that the goods and services originate from the same or economically linked undertakings.

[6] Written submissions in lieu of a hearing, dated 8 June 2026.

[…]

It is clear that the Applicant's Mark is wholly reproduced in the Earlier mark. Visually, the entirety of the Applicant's Mark appears in the Earlier Mark. Aurally, the marks share the identical phrase FORCE FOR GOOD. Conceptually, both marks communicate the notion of positive action for the public benefit.

[…]

Thus, the average consumer is considerably more likely to remember and repeat the ordinary English phrase FORCE FOR GOOD than the unfamiliar Latin wording, particularly with imperfect recollection. FORCE FOR GOOD is immediately understood, memorable and capable of being used naturally in everyday conversation. By contrast, many consumers will not know the meaning of VIS PRO BONO and so they may not remember it accurately when the marks are not compared side-by-side. Essentially, the Applicant's conceptual distinction only exists for a minority, and for many consumers the marks share exactly the same concept: "FORCE FOR GOOD". The commercial message of the Earlier Mark resides primarily in the phrase FORCE FOR GOOD. That phrase is the memorable component likely to remain in the consumer's mind.

[…]

The phrase FORCE FOR GOOD retains an independent distinctive role within the Earlier Mark. Whilst VIS PRO BONO contributes to the overall impression, the words FORCE FOR GOOD are a distinctive element of the Earlier Mark and it is, itself, immediately recognisable. The Applicant has adopted precisely that distinctive element in its entirety. This is consistent with the principles established in *Medion AG v Thomson Multimedia Sales Germany & Austria GmbH (C-120/04),* where an element retained an independent distinctive role notwithstanding its inclusion within a composite mark.

> Because “FORCE FOR GOOD” functions naturally as an initiative title, the average consumer may readily assume that the Applicant’s Mark is a specific charitable or ethical sub-brand or partnership run by or with the Opponent.”

Overall impression

47. The applicant’s mark consists of the words FORCE FOR GOOD. I am of the view that the average consumer is likely to perceive the mark as a phrase. Accordingly, the overall impression of the mark lies in the combination of these words.

48. The opponent’s mark consists of the six words VIS PRO BONO FORCE FOR GOOD. Given that the first three words are Latin and the final three are English, I consider that the average consumer is likely to perceive the mark as comprising two separate phrases, namely ‘VIS PRO BONO’ and ‘FORCE FOR GOOD’, rather than as a single unitary phrase. Accordingly, I find that each phrase will make an independent and equal contribution to the overall impression of the mark.

Visual comparison

49. Visually, the marks overlap to the extent that they both contain the phrase FORCE FOR GOOD. However, the presence of the additional phrase VIS PRO BONO at the beginning of the opponent’s mark constitutes a point of visual difference. Taking the similarities and differences into account, I find the marks to be visually similar to a medium degree.

Aural comparison

50. Aurally, the phrase FORCE FOR GOOD will be pronounced identically in both marks. However, the additional phrase VIS PRO BONO at the beginning of the opponent’s mark constitutes a point of aural difference. Taking the similarities and differences into account, I find the marks to be aurally similar to a medium degree.

Conceptual comparison

51. For a conceptual message to be relevant it must be capable of immediate grasp by the average consumer. This is highlighted in numerous judgments of the GC and the CJEU including *Ruiz Picasso v OHIM* [2006] E.C.R.-I-643; [2006] E.T.M.R. 29. The assessment must, therefore, be made from the point of view of the average consumer.

52. In its statement of grounds, the opponent submits:

> "The Opposed Mark is highly similar to the Earlier Mark, with the latter part of the Earlier Mark "FORCE FOR GOOD" being wholly replicated in the Opposed Mark. Whilst the Earlier Mark includes the words "VIS PRO BONO" at the start, this translates to "FORCE FOR GOOD", thereby reinforcing the words "FORCE FOR GOOD". Thus, there is a high degree of visual, phonetic and conceptual similarity between the Earlier Mark and the Opposed Mark."

53. In its counterstatement, the applicant submits:

> […] the Opponent's Trade Mark conveys a more specific and nuanced concept. The phrase "VIS PRO BONO" is a well-known Latin expression associated with legal or professional services provided for the public good."

54. As regards the phrase VIS PRO BONO in the opponent's mark, a proportion of UK consumers with some knowledge of Latin may attribute to it a meaning associated with force or strength used for good. However, I do not consider that such consumers will constitute a significant proportion of the relevant public. In my view, the majority of consumers will perceive VIS PRO BONO as unfamiliar foreign words to which no immediate concept will be attributed.

55. The phrase FORCE FOR GOOD, which is present identically in both marks, will likely be understood as referring to a person, group or other entity that has the power

or influence to bring about positive change. Accordingly, the phrase conveys the same concept in both marks.

56. For consumers who attribute meaning to the Latin words VIS PRO BONO, the earlier mark will be perceived as expressing closely related concepts associated with force or strength used for good in Latin and English. For consumers who perceive VIS PRO BONO as unfamiliar foreign words, those words will convey no immediate concept, leaving FORCE FOR GOOD as the only conceptual message conveyed by the marks. Accordingly, either way, I find the marks to be conceptually similar to a high degree.

Distinctive character of the earlier mark

57. The distinctive character of a trade mark can be measured only, first, by reference to the goods or services in respect of which registration is sought and, second, by reference to the way it is perceived by the relevant public. In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, 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-0000, 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)."

58. 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 and services, 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. The opponent has not claimed that its mark has acquired enhanced distinctiveness through use. Consequently, I have only the inherent position to consider.

59. In *Kurt Geiger Ltd v A-List Corporate Ltd*,[7] the Appointed Person observed that the distinctive character of the earlier mark as a whole is relevant to the likelihood of confusion only insofar as it resides in the element common to the marks. The earlier mark comprises the Latin phrase VIS PRO BONO followed by the English phrase FORCE FOR GOOD. As set out above, while a proportion of UK consumers may attribute to VIS PRO BONO a meaning associated with force or strength used for good, I am of the view that the majority will perceive it as an unfamiliar foreign phrase with no immediate meaning. FORCE FOR GOOD will likely be understood as referring to a person, group or other entity having the power or influence to bring about positive change. Although that phrase is neither descriptive nor strongly allusive of the goods and services at issue, it conveys a broad positive or aspirational message and, consequently, possesses a low to medium degree of inherent distinctive character. Considering the earlier mark as a whole, including its unusual combination of Latin and English phrases, I find it to possess a medium degree of inherent distinctive character.

Likelihood of confusion

60. Confusion can be direct or indirect. Direct confusion involves the average consumer mistaking one mark for the other, while indirect confusion is where the

[7] BL O/075/13.

average consumer realises the marks are not the same but puts the similarity that exists between them, and the goods and services, down to the responsible undertaking 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 marks may be offset by a greater degree of similarity between the goods and services and vice versa. It is necessary for me to keep in mind the distinctive character of the earlier mark, the average consumer for the goods and services at issue, 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 they have retained in their mind.

61. Earlier in the decision I found that:

- The goods and services remaining under consideration range from identical to similar to a low degree.

- The average consumer will be a member of the general public or a business or professional user. A medium degree of attention will generally be paid, though the level may be higher for business or professional users, albeit not the highest.

- The purchasing process will be predominantly visual, although I do not discount an aural component.

- The marks are visually and aurally similar to a medium degree, and conceptually similar to a high degree.

- The shared phrase FORCE FOR GOOD present in the marks possesses a low to medium degree of inherent distinctive character; however, when considered as a whole, the earlier mark VIS PRO BONO FORCE FOR GOOD is inherently distinctive to a medium degree.

62. Taking the above into account, I consider that the average consumer will notice and recall the presence of the additional Latin phrase VIS PRO BONO at the beginning of the opponent's mark. That phrase contributes independently and equally to the overall impression of the earlier mark and creates clear visual and aural differences between the marks. Bearing in mind those differences and the level of attention paid by the average consumer, I do not consider that the marks will be mistaken for one another, even allowing for imperfect recollection. Accordingly, I find that there is no likelihood of direct confusion.

63. I will now consider whether there is a likelihood of indirect confusion.

64. In *L.A. Sugar Limited v By Back Beat Inc* Case BL O/375/10, Mr Iain Purvis Q.C. (as he then was), 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)."

65. These examples are not exhaustive but provide helpful focus.

66. In *Liverpool Gin Distillery Ltd & Ors v Sazerac Brands, LLC & Ors* [2021] EWCA Civ 1207, Arnold LJ referred to the comments of James Mellor QC (as he then was), sitting as the Appointed Person in *Cheeky Italian Ltd v Sutaria* (O/219/16), where he said at [16] that "a finding of a likelihood of indirect confusion is not a consolation prize for those who fail to establish a likelihood of direct confusion". Arnold LJ agreed, pointing out that there must be a "proper basis" for concluding that there is a likelihood of indirect confusion where there is no likelihood of direct confusion. He added that "trade mark law was about consumers' unwitting assumptions, not what they could find out if they thought to check".

67. Accordingly, it is necessary for me to consider whether the common element FORCE FOR GOOD, viewed in the context of each mark as a whole, provides a proper basis for consumers to assume that the marks denote the same or economically linked undertakings.

68. Although consumers will recognise the differences between the marks, FORCE FOR GOOD is reproduced identically in the applicant's mark and forms a separate, immediately intelligible phrase within the earlier mark. Whilst I have found that the shared phrase possesses only a low to medium degree of inherent distinctive character, I bear in mind that it retains an independent and equal role in the overall impression of the earlier mark. Consumers who attribute meaning to VIS PRO BONO

may perceive the earlier mark as presenting closely related Latin and English expressions and may therefore regard the applicant's mark as an English-only version of the same brand. Those who do not understand the Latin wording will nevertheless perceive FORCE FOR GOOD as a self-contained and memorable phrase. In the context of identical or similar goods and services, I consider that a significant proportion of consumers will regard the omission of the unfamiliar Latin phrase as a logical simplification of the earlier mark, rather than as denoting an unrelated undertaking, leading them to conclude that the applicant's mark is a shortened version or brand variant of the earlier mark. Accordingly, I find that there is a likelihood of indirect confusion.

CONCLUSION

69. The opposition has been partially successful under section 5(2)(b) of the Act. Accordingly, subject to any successful appeal against my decision, the application is refused in respect of the following goods and services:

Class 16 Printed matter; teaching and instructional material (except apparatus); stickers [stationery]; paper banners; paper flyers; posters; postcards; brochures; signs made of paper or cardboard; magazines; newspapers.

Class 35 Retail services, including via the internet, relating to food; retail services, including via the internet, in relation to stationery and office supplies, books and other printed matter; retail services, including via the internet, relating to clothing, headgear, footwear.

Class 41 Online provision of electronic, non-downloadable publications; online provision of non-downloadable electronic publications; online publication of electronic books and magazines; desktop publishing [creating publications using a computer]; publication of texts, except for advertising texts; writing of texts, except advertising texts.

70. The application may proceed to registration in respect of the following unopposed goods and services and those for which the opposition under section 5(2)(b) has failed:

Class 16 Paper flags; poster holders made of paper or cardboard.

Class 35 Retail services, including via the internet, relating to detergents, cleaning and cleaning products, cleaning supplies, disinfectants, cosmetics/personal care products, hygiene products, over-the-counter medicines, dietary supplements; retail services, including via the internet, in relation to fireworks, electrical and electronic household appliances, information technology equipment, audiovisual equipment, navigation devices, smartphones, smartwatches, mobile phones, computers and computer accessories, compact discs, computer hardware and software, lighting equipment; retail services, including via the internet, in relation to tools, garden tools and accessories, bicycles and accessories, car accessories, watches and jewelry, furniture and other furnishings, garden furniture, household and kitchen appliances, bedding, including pillows, bed linen, household textiles; retail services, including via the internet, relating to sports equipment, toys, leisure items, pet food, plants, tobacco products; retail services, including via the internet, relating to travel, printing and photographic and cinematographic development, flower delivery, and telephone and internet services; business operation of supermarkets, retail stores, and discount retail stores for food, detergents, cleaning and cleaning supplies, cleaning equipment, disinfectants, cosmetics/personal care products, hygiene products, over-the-counter medicines, dietary supplements; business operation of supermarkets, retail stores, and discount retail stores for fireworks, electrical appliances/accessories, electronic devices and their accessories, computers and computer accessories, compact discs, computer hardware and software, lighting equipment; retail services, including via the internet, relating to room fragrancing products, room scenting sprays, air fragrance preparations, reed diffusers, fragrance refills for reed diffusers, scented oils, essential oils for use in air fresheners, scented wax melts, refills for electric and non electric room fragrance dispensers, fragrances for automobiles, scented linen sprays, potpourri; retail services, including via the internet,

relating to candles, scented candles, aromatherapy fragranced candles, floating candles, tealight candles; retail services, including via the internet, relating to air freshener, air freshener sprays, deodorising room sprays, air freshener refills, air purifying preparations, car air fresheners; retail services, including via the internet, relating to vacuum cleaners, portable vacuum cleaners, vacuum cleaner bags, multi cyclonic vacuum cleaners, cyclonic handheld and/or stick vacuum cleaners, vacuum cleaner robots, ultrasonic cleaners, sewing machines; retail services, including via the internet, relating to cutlery, fruit and vegetable peelers, fruit and vegetable slicers, fruit and vegetable shredders, egg slicers, kitchen knives, household scissors, pasta cutters, pizza cutters; retail services, including via the internet, relating to apparatus and installations for lighting, heating, cooling, steam generating, cooking, drying, ventilating, water supply and sanitary purposes, air freshening apparatus, air freshener plug-ins, air freshener dispensing systems, electric dispensers for air fresheners, electric and scented electric candles, led candles, electric warmers to melt scented wax melts, deodorising apparatus for dispensing scents in motor vehicles, candle lighter, fans, tower fans, floor fans (high velocity), fan heaters, stove fans, cordless fans, rechargeable fans, bug repellent fans, ceiling fans, dehumidifiers, dehumidifier with remote control, led ultrasonic humidifier, convector heaters, convector heater with remote control, air purifier with led, air conditioners, air coolers, heated towel rails, towel warmers, electric stoves, surround heaters, steam station incorporating irons, heating blankets; retail services, including via the internet, relating to household and kitchen utensils and containers, butter dishes, kitchen moulds, cake moulds, pastry and biscuit cutters, spaghetti tongs, garlic presses, whisks, scoops, chopsticks, ice cube trays, coasters, cocktail stirrers, hand operated coffee grinders, non-electric coffee percolators, baking tins, baking trays, chopping boards, butlers' trays, cutlery trays, trays for household purposes, jars for household use, glass flasks, cooking pots, cooking skewers of metal, corkscrews, graters, drinking flasks for travellers, insulating flasks, cooking pans, frying pans, funnels, napkin rings, pepper pots, pepper mills, salt cellars, salt shakers, rolling

pins, stoppers, strainers, tableware, tongs, ladles, combs and sponges, brushes, articles for cleaning purposes, scrubbing brushes, cloths for cleaning, sponges, toilet brushes, toilet paper dispensers, brooms, dustpans, buckets, mops, cloths, dusters, cleaning pads, scouring pads, steelwool, steelwool scouring pads impregnated with soap, scouring sponges, ironing boards, ironing board covers, clothes airers, rubber gloves for household use, plungers for cleaning blocked drains, unworked or semi-worked glass (except glass used in building), porcelain, glassware and earthenware, crockery, drinking glasses, jugs, water bottles, sports bottles, drinking straws, bowls, cups, egg cups, dishes, mugs, plates, teapots, dispensers for cling film, cooking pans and implements, sieves, colanders, ornaments of precious metal, synthetic resin ornaments, plaster ornaments, plastic ornaments, wooden ornaments, glass ornaments, crystal ornaments, ceramic ornaments, stone ornaments, china ornaments, earthenware ornaments, terra cotta ornaments, aquarium ornaments, porcelain ornaments, toothbrush holders, food feeding troughs and bowls, bird feeders, drinking troughs and bowls, animal cages, bird cages, fish bowls and tanks, litter trays, litter scoops, holders for incense sticks, incense burners, incense pots, candlesticks, candle holders, broom handles, plant pots, aromatic oil diffusers electric and non electric, plates for diffusing aromatic oil, candle holders, candle sticks, candle jars (holders), plates for diffusing aromatic oil, fragrant oil burners, tea light burners, perfume burners candle warmers, potpourris pots; retail services, including via the internet, relating to furniture, mirrors, magnifying mirrors, compact mirrors, photograph and picture frames, statues, carvings, knobs, sculptures, ornaments, bins, boxes, shelves, figurines, photograph frames, trophies, plaques, placards, figures, door stops, baskets, wall decorations, corks, cork memo boards, corks for bottles and containers, bamboo canes, split cane flower sticks, cane plant supports (sticks), planters, tubs, baskets of wicker, shells, household and kitchen utensils and containers, butter dishes, kitchen moulds, cake moulds, pastry and biscuit cutters, spaghetti tongs, garlic presses, whisks, scoops, chopsticks, ice cube trays, coasters, cocktail

stirrers, hand operated coffee grinders, non-electric coffee percolators, baking tins, baking trays, chopping boards, butlers' trays, cutlery trays, trays for household purposes, jars for household use, sieves, colanders, glass flasks, cooking pots, cooking skewers of metal, corkscrews, graters, drinking flasks for travellers, insulating flasks, cooking pans, frying pans, funnels, napkin rings, pepper pots, pepper mills, salt cellars, salt shakers, rolling pins, stoppers, strainers, tableware, tongs, ladles, combs and sponges, brushes, articles for cleaning purposes, scrubbing brushes, cloths for cleaning, sponges, toilet brushes, toilet paper dispensers, brooms, dustpans, buckets, mops, cloths, dusters, cleaning pads, scouring pads, steelwool, steelwool scouring pads impregnated with soap, scouring sponges, ironing boards, ironing board covers, clothes airers, plungers for cleaning blocked drains, porcelain, glassware and earthenware, crockery, drinking glasses, jugs, water bottles, drinking straws, bowls, cups, egg cups, dishes, mugs, plates, teapots, dispensers for cling film, cooking pans and implements, dustbins; retail services, including via the internet, relating to household textiles and substitutes for textiles, household linen, curtains, bed covers, cushions, bed linen, household textile goods, towels, tea towels, quilts, pillow cases, mosquito nets, kitchen linen, chair covers, wash cloths, comforters, pan protectors, canopy covers, bed canopies, armchair and sofa covers, napery of textile, wall decorations of textile; retail services, including via the internet, relating to rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings; retail services, including via the internet, relating to artificial flowers, dried flowers; retail services, including via the internet, relating to Christmas tree skirts, artificial Christmas trees, Christmas tree decorations, Christmas stockings, festive decorations; business operation of supermarkets, retail stores, and discount retail stores for tools, garden tools and accessories, bicycles and accessories, car accessories, watches and jewelry, stationery and office supplies, books and other printed matter, furniture and other furnishings, garden furniture, household and kitchen appliances, bedding, including pillows, bed linen, household textiles; business operation of supermarkets, retail

stores, and discount retail stores for clothing, headwear, shoes, sports equipment, toys, leisure items, pet food, plants, tobacco products; provision of information on the internet, namely information about consumer products, consumer advice and customer service information; arrangement of contracts for third parties for the purchase and sale of goods and the provision of services, including on the internet.

Class 41 Education; training; entertainment; sporting and cultural activities; information about leisure activities; demonstration lessons in practical exercises; leisure services; services of a newspaper reporter; organization of live events; creation of photo reports; education and teaching; television entertainment; film production, except for advertising film production; film production [in studios]; information about entertainment events; organization and hosting of conferences; organization and hosting of symposiums; broadcast entertainment; entertainment; organization and holding of seminars; organization and holding of workshops [training]; organization and management of colloquiums; organization of exhibitions for cultural or educational purposes; compilation of radio and television programs; provision of information in the field of education and training; provision of information in the field of entertainment.

COSTS

71. As both parties have enjoyed some measure of success, I do not consider it necessary to make an award of costs in favour of either party. The parties are, therefore, ordered to bear their own costs.

Dated this 13th day of October 2026

Sam Congreve
For the Registrar

Annex

Class 16 Printed matter; teaching and instructional material (except apparatus); stickers [stationery]; paper banners; paper flags; paper flyers; posters; poster holders made of paper or cardboard; postcards; brochures; signs made of paper or cardboard; magazines; newspapers.

Class 35 Retail services, including via the internet, relating to food, detergents, cleaning and cleaning products, cleaning supplies, disinfectants, cosmetics/personal care products, hygiene products, over-the-counter medicines, dietary supplements; retail services, including via the internet, in relation to fireworks, electrical and electronic household appliances, information technology equipment, audiovisual equipment, navigation devices, smartphones, smartwatches, mobile phones, computers and computer accessories, compact discs, computer hardware and software, lighting equipment; retail services, including via the internet, in relation to tools, garden tools and accessories, bicycles and accessories, car accessories, watches and jewelry, stationery and office supplies, books and other printed matter, furniture and other furnishings, garden furniture, household and kitchen appliances, bedding, including pillows, bed linen, household textiles; retail services, including via the internet, relating to clothing, headgear, footwear, sports equipment, toys, leisure items, pet food, plants, tobacco products; retail services, including via the internet, relating to travel, printing and photographic and cinematographic development, flower delivery, and telephone and internet services; business operation of supermarkets, retail stores, and discount retail stores for food, detergents, cleaning and cleaning supplies, cleaning equipment, disinfectants, cosmetics/personal care products, hygiene products, over-the-counter medicines, dietary supplements; business operation of supermarkets, retail stores, and discount retail stores for fireworks, electrical appliances/accessories, electronic devices and their accessories, computers and computer accessories, compact discs, computer hardware and software, lighting equipment; retail services, including via

the internet, relating to room fragrancing products, room scenting sprays, air fragrance preparations, reed diffusers, fragrance refills for reed diffusers, scented oils, essential oils for use in air fresheners, scented wax melts, refills for electric and non electric room fragrance dispensers, fragrances for automobiles, scented linen sprays, potpourri; retail services, including via the internet, relating to candles, scented candles, aromatherapy fragranced candles, floating candles, tealight candles; retail services, including via the internet, relating to air freshener, air freshener sprays, deodorising room sprays, air freshener refills, air purifying preparations, car air fresheners; retail services, including via the internet, relating to vacuum cleaners, portable vacuum cleaners, vacuum cleaner bags, multi cyclonic vacuum cleaners, cyclonic handheld and/or stick vacuum cleaners, vacuum cleaner robots, ultrasonic cleaners, sewing machines; retail services, including via the internet, relating to cutlery, fruit and vegetable peelers, fruit and vegetable slicers, fruit and vegetable shredders, egg slicers, kitchen knives, household scissors, pasta cutters, pizza cutters; retail services, including via the internet, relating to apparatus and installations for lighting, heating, cooling, steam generating, cooking, drying, ventilating, water supply and sanitary purposes, air freshening apparatus, air freshener plug-ins, air freshener dispensing systems, electric dispensers for air fresheners, electric and scented electric candles, led candles, electric warmers to melt scented wax melts, deodorising apparatus for dispensing scents in motor vehicles, candle lighter, fans, tower fans, floor fans (high velocity), fan heaters, stove fans, cordless fans, rechargeable fans, bug repellent fans, ceiling fans, dehumidifiers, dehumidifier with remote control, led ultrasonic humidifier, convector heaters, convector heater with remote control, air purifier with led, air conditioners, air coolers, heated towel rails, towel warmers, electric stoves, surround heaters, steam station incorporating irons, heating blankets; retail services, including via the internet, relating to household and kitchen utensils and containers, butter dishes, kitchen moulds, cake moulds, pastry and biscuit cutters, spaghetti tongs, garlic presses, whisks, scoops, chopsticks, ice cube trays, coasters, cocktail stirrers,

hand operated coffee grinders, non-electric coffee percolators, baking tins, baking trays, chopping boards, butlers' trays, cutlery trays, trays for household purposes, jars for household use, glass flasks, cooking pots, cooking skewers of metal, corkscrews, graters, drinking flasks for travellers, insulating flasks, cooking pans, frying pans, funnels, napkin rings, pepper pots, pepper mills, salt cellars, salt shakers, rolling pins, stoppers, strainers, tableware, tongs, ladles, combs and sponges, brushes, articles for cleaning purposes, scrubbing brushes, cloths for cleaning, sponges, toilet brushes, toilet paper dispensers, brooms, dustpans, buckets, mops, cloths, dusters, cleaning pads, scouring pads, steelwool, steelwool scouring pads impregnated with soap, scouring sponges, ironing boards, ironing board covers, clothes airers, rubber gloves for household use, plungers for cleaning blocked drains, unworked or semi-worked glass (except glass used in building), porcelain, glassware and earthenware, crockery, drinking glasses, jugs, water bottles, sports bottles, drinking straws, bowls, cups, egg cups, dishes, mugs, plates, teapots, dispensers for cling film, cooking pans and implements, sieves, colanders, ornaments of precious metal, synthetic resin ornaments, plaster ornaments, plastic ornaments, wooden ornaments, glass ornaments, crystal ornaments, ceramic ornaments, stone ornaments, china ornaments, earthenware ornaments, terra cotta ornaments, aquarium ornaments, porcelain ornaments, toothbrush holders, food feeding troughs and bowls, bird feeders, drinking troughs and bowls, animal cages, bird cages, fish bowls and tanks, litter trays, litter scoops, holders for incense sticks, incense burners, incense pots, candlesticks, candle holders, broom handles, plant pots, aromatic oil diffusers electric and non electric, plates for diffusing aromatic oil, candle holders, candle sticks, candle jars (holders), plates for diffusing aromatic oil, fragrant oil burners, tea light burners, perfume burners candle warmers, potpourris pots; retail services, including via the internet, relating to furniture, mirrors, magnifying mirrors, compact mirrors, photograph and picture frames, statues, carvings, knobs, sculptures, ornaments, bins, boxes, shelves, figurines, photograph frames, trophies, plaques, placards, figures, door

stops, baskets, wall decorations, corks, cork memo boards, corks for bottles and containers, bamboo canes, split cane flower sticks, cane plant supports (sticks), planters, tubs, baskets of wicker, shells, household and kitchen utensils and containers, butter dishes, kitchen moulds, cake moulds, pastry and biscuit cutters, spaghetti tongs, garlic presses, whisks, scoops, chopsticks, ice cube trays, coasters, cocktail stirrers, hand operated coffee grinders, non-electric coffee percolators, baking tins, baking trays, chopping boards, butlers' trays, cutlery trays, trays for household purposes, jars for household use, sieves, colanders, glass flasks, cooking pots, cooking skewers of metal, corkscrews, graters, drinking flasks for travellers, insulating flasks, cooking pans, frying pans, funnels, napkin rings, pepper pots, pepper mills, salt cellars, salt shakers, rolling pins, stoppers, strainers, tableware, tongs, ladles, combs and sponges, brushes, articles for cleaning purposes, scrubbing brushes, cloths for cleaning, sponges, toilet brushes, toilet paper dispensers, brooms, dustpans, buckets, mops, cloths, dusters, cleaning pads, scouring pads, steelwool, steelwool scouring pads impregnated with soap, scouring sponges, ironing boards, ironing board covers, clothes airers, plungers for cleaning blocked drains, porcelain, glassware and earthenware, crockery, drinking glasses, jugs, water bottles, drinking straws, bowls, cups, egg cups, dishes, mugs, plates, teapots, dispensers for cling film, cooking pans and implements, dustbins; retail services, including via the internet, relating to household textiles and substitutes for textiles, household linen, curtains, bed covers, cushions, bed linen, household textile goods, towels, tea towels, quilts, pillow cases, mosquito nets, kitchen linen, chair covers, wash cloths, comforters, pan protectors, canopy covers, bed canopies, armchair and sofa covers, napery of textile, wall decorations of textile; retail services, including via the internet, relating to rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings; retail services, including via the internet, relating to artificial flowers, dried flowers; retail services, including via the internet, relating to Christmas tree skirts, artificial Christmas trees, Christmas tree decorations, Christmas stockings, festive decorations; business

operation of supermarkets, retail stores, and discount retail stores for tools, garden tools and accessories, bicycles and accessories, car accessories, watches and jewelry, stationery and office supplies, books and other printed matter, furniture and other furnishings, garden furniture, household and kitchen appliances, bedding, including pillows, bed linen, household textiles; business operation of supermarkets, retail stores, and discount retail stores for clothing, headwear, shoes, sports equipment, toys, leisure items, pet food, plants, tobacco products; provision of information on the internet, namely information about consumer products, consumer advice and customer service information; arrangement of contracts for third parties for the purchase and sale of goods and the provision of services, including on the internet.

Class 41 Education; training; entertainment; sporting and cultural activities; information about leisure activities; demonstration lessons in practical exercises; desktop publishing [creating publications using a computer]; leisure services; services of a newspaper reporter; organization of live events; creation of photo reports; education and teaching; television entertainment; film production, except for advertising film production; film production [in studios]; publication of texts, except for advertising texts; information about entertainment events; online provision of electronic, non-downloadable publications; online publication of electronic books and magazines; organization and hosting of conferences; organization and hosting of symposiums; broadcast entertainment; entertainment; organization and holding of seminars; organization and holding of workshops [training]; organization and management of colloquiums; organization of exhibitions for cultural or educational purposes; writing of texts, except advertising texts; compilation of radio and television programs; provision of information in the field of education and training; provision of information in the field of entertainment; online provision of non-downloadable electronic publications; online publication of electronic books and magazines.