O/0972/26

TRADE MARKS ACT 1994

IN THE MATTER OF REGISTRATION NO. UK00003869664
IN THE NAME OF SYPS BRANDS LTD
FOR THE FOLLOWING TRADE MARK:

Syps

IN CLASSES 30, 32 AND 33

AND

AN APPLICATION FOR A DECLARATION OF INVALIDITY
UNDER NO. 509233
BY SHAM SINGH CHOUDHRY

BACKGROUND AND PLEADINGS

1. Syps Brands Ltd ("the Proprietor") is the registered proprietor of trade mark number 3869664, **Syps** ("the Proprietor's mark"). The Proprietor's mark was filed on 19 January 2023 and became registered on 14 April 2023. It stands registered for goods in classes 30, 32 and 33 as shown in Annex A of this decision.

2. On 23 July 2025, Sham Singh Choudhry ("the Cancellation Applicant") made an application for a declaration of invalidity in respect of the Proprietor's mark pursuant to section 47 of the Trade Marks Act 1994 ("the Act"). The application is based upon section 5(2)(b) of the Act.

3. For the purpose of its claim the Cancellation Applicant relies upon its UK trade mark registration number 3546150, **GO SIP** ("the Cancellation Applicant's mark"). The Cancellation Applicant's mark was filed on 20 October 2020 and became registered on 26 February 2021. It stands registered for goods in classes 21, 29, 30, 32 and 33 but the Cancellation Applicant relies only on the goods listed in Annex B of this decision for the purposes of the invalidity.

4. In its statement of grounds, the Cancellation Applicant contends that the competing marks are visually, phonetically, and conceptually similar. It further submits that the respective specifications contain identical or closely related terms, giving rise to a likelihood of confusion. Accordingly, the Cancellation Applicant seeks a declaration that the Proprietor's mark is invalid in full under section 5(2)(b) of the Act.

5. The Proprietor filed a counterstatement denying the grounds of invalidity.

6. The Proprietor is unrepresented, while the Cancellation Applicant is represented by The Trademark Helpline. Both parties filed written submissions. The Proprietor alone filed evidence in these proceedings, which I shall summarise to the extent that I consider necessary. Neither party requested a

hearing. The Proprietor filed written submissions in lieu of a hearing. This decision is therefore made following careful consideration of the papers.

EVIDENCE

7. The Proprietor's evidence came in the form of the witness statement of David Olusegun dated 30 January 2026, which is accompanied by nine exhibits (SW1 – SW9). Mr Olusegun is the Director of the Proprietor. The exhibits comprise screenshots from the Proprietor's website and Instagram pages, together with invoices demonstrating the Proprietor's commercial activity. They also include Google search results relating to both parties' marks and screenshots showing the respective lists of goods covered by the registrations.

8. The Cancellation Applicant filed submissions in response to the Proprietor's evidence, questioning its relevance to the present proceedings. It states that the legal test remains a notional comparison of the marks as registered applied to notional and fair use of the respective specifications.

9. I agree with the Cancellation Applicant on this point. Much of the Proprietor's evidence has little bearing on the issues to be determined, given that the assessment concerns the notional assessment of the similarity of the competing marks and the goods covered by the respective specifications.[1] To the extent that the evidence does not assist in determining those issues, I do not propose to address it further.

RELEVANCE OF EU LAW

10. 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

[1] *Devinlec Développement Innovation Leclerc SA v Office for Harmonization in the Internal Market (Trade Marks and Designs) ("OHIM")*, Case C-171/06P.

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

11. Section 5(2)(b) of the Act has application in invalidation proceedings pursuant to section 47 of the Act. Section 47 of the Act reads as follows:

> "47. (1) […]
>
> (2) Subject to subsections (2A) and (2G), the registration of a trade mark may be declared invalid on the ground –
>
> (a) there is an earlier trade mark in relation to which the conditions set out in sections 5(1), (2) or (3) obtain, […]
>
> (2A) The registration of a trade mark may not be declared invalid on the ground that there is an earlier trade mark unless –
>
> (a) the registration procedure for the earlier trade mark was completed within the period of five years ending with the date of the application for the declaration,
>
> (b) the registration procedure for the earlier trade mark was not completed before that date, or
>
> (c) the use conditions are met.
>
> (5) Where the ground of invalidity exist in respect of only some of the goods or services for which the trade mark is registered, the trade mark shall be declared invalid as regards those goods or services only.

[…]

(6) Where the registration of a trade mark is declared invalid to any extent, the registration shall to that extent be deemed never to have been made: Provided that this shall not affect transactions past and closed.

12. Section 5(2)(b) of the Act reads 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"

13. An earlier trade mark is defined in section 6 of the Act, the relevant parts of which state:

"(1) In this Act an "earlier trade mark" means –

(a) a registered trade mark or international trade mark (UK) which has a date of application for registration earlier than that of the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks.

14. The Cancellation Applicant's mark relied upon is deemed an earlier mark in accordance with the above provisions. As the Cancellation Applicant's mark was not registered more than five years prior to the filing date of the contested mark the proof of use provisions under section 47(2A) of the Act do not apply.

Consequently, the Cancellation Applicant may rely upon all of its goods as identified.

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;
>
> (b) the matter must be judged through the eyes of the average consumer of the goods or services in question, who is deemed to be reasonably well informed and reasonably circumspect and observant, but who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them he has kept in his mind, and whose attention varies according to the category of goods or services in question;
>
> (c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details;
>
> (d) the visual, aural and conceptual similarities of the marks must normally be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components, but it is only when all other components of a complex mark are negligible that it is permissible to make the comparison solely on the basis of the dominant elements;
>
> (e) nevertheless, the overall impression conveyed to the public by a composite trade mark may, in certain circumstances, be dominated by one or more of its components;
>
> (f) and beyond the usual case, where the overall impression created by a mark depends heavily on the dominant features of the mark, it is quite possible that in a particular case an element corresponding to an earlier

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

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

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

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

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

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

Comparison of goods

16. In its written submissions the Cancellation Applicant contends that the respective goods are identical or highly similar. In response, the Proprietor in its submissions dated 30 January 2026 states that it "does not dispute that the specifications of goods in classes 30, 32, and 33 are identical or highly similar". Accordingly, I will proceed, in the Cancellation Applicant's favour, on the assumption that the goods are identical. If the claim fails on that basis, it must necessarily also fail where the goods are only highly similar.

The average consumer and the nature of the purchasing act

17. 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).

18. 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.

19. The Cancellation Applicant submits that the average consumer is an ordinary member of the public purchasing everyday desserts, confectionary, non-alcoholic beverages, and alcoholic beverages. It states that purchases are primarily visual, although aural considerations are also relevant particularly for beverages and ice-cream products that may be ordered orally. Finally, it states that the level of attention paid by consumers is normal.

20. The Proprietor submits that beverages in classes 30, 32, and 33 are everyday consumer products and therefore the average consumer is a member of the general public. Further, it states that while the level of attention may be moderate rather than high, it is sufficient to distinguish between a two-word imperative phrase and single invented word.

21. The goods in class 30, including ice cream, ice lollies, frozen confectionery, sweets, chocolates, caramels, cakes and similar confectionery products, are ordinary consumer goods directed primarily at the general public. They are generally relatively inexpensive and are likely to be purchased reasonably frequently. They may be selected from supermarket shelves, convenience stores, confectionery outlets, cafés, ice cream parlours or similar establishments, as well as online. Some purchases, particularly ice creams, ice lollies and confectionery, may be made on impulse. In making their selection, consumers are likely to take account of factors such as flavour, ingredients, dietary requirements, quantity, and price. Given the generally inexpensive and everyday nature of these goods, I consider that the average consumer will pay a low to medium degree of attention.

22. The specification also contains goods intended for the preparation or production of ice cream, such as *ice cream powder, ice cream mixes, powders for making ice cream, binding agents for ice cream* and *ice cream cone mixes*. Whilst these goods may be purchased by members of the general public, they may also be

directed towards professional users in the catering or food-production industries. Professional purchasers are likely to pay somewhat greater attention to matters such as the ingredients, quantity, suitability and price of the product. Accordingly, for this group, the level of attention is likely to be medium.

23. The class 32 goods encompass a broad range of everyday beverages, including water, fruit drinks, soft drinks, carbonated drinks, smoothies, non-alcoholic beverages and beer. The average consumer will again predominantly be a member of the general public. These goods are generally inexpensive and may be purchased frequently from supermarkets, convenience stores, cafés, restaurants, bars and similar establishments, as well as online. Depending on the goods, selection is likely to be influenced by factors such as flavour, ingredients, sugar or calorie content, alcohol content (for beers), quantity, and price. Purchases may sometimes be relatively casual or impulsive. Consequently, I consider that the average consumer will generally pay a low to medium degree of attention.

24. I note that the class 32 specifications also include *beer, malt beer, low alcohol beer* and various alcohol-free beers and wines. Although the circumstances surrounding individual purchases will vary, these remain ordinary beverages purchased by members of the general public, albeit those over the age of 18, and I do not consider that their inclusion materially alters the overall assessment.

25. The class 33 goods consist of alcoholic beverages, including wines, spirits, whisky, rum, vodka, distilled beverages, cocktails and other alcoholic drinks. The relevant average consumer will be an adult member of the general public who purchases and consumes alcoholic beverages. Depending upon the particular product, consumers are likely to consider matters such as the type of drink, flavour, alcoholic strength, and price. Although some premium wines and spirits can involve a considerably more considered purchasing decision, the specification is unrestricted as to price or quality and therefore encompasses ordinary, relatively inexpensive alcoholic beverages as well. I consider that the average consumer will generally demonstrate a medium degree of attention when purchasing these goods.

26. For all of the goods, the purchasing process will be predominantly visual. Consumers selecting goods from retail shelves, refrigerators or freezers will encounter the marks on packaging, bottles, cans, cartons and labels. Similarly, online purchases will involve viewing the goods and their trade marks on a screen. However, I bear in mind that beverages, ice creams and confectionery may also be requested orally in cafés, bars, restaurants, ice cream parlours and other establishments. Consequently, whilst the visual considerations are likely to carry greater weight, aural considerations should not be discounted.

Comparison of trade marks

27. It is clear from *Sabel BV v. Puma AG,* Case C-251/95 (particularly paragraph 23) that the average consumer normally perceives a trade mark as a whole and does not proceed to analyse its various details. The same case also explains that the visual, aural and conceptual similarities of the trade marks must be assessed by reference to the overall impressions created by the trade marks, bearing in mind their distinctive and dominant components. The CJEU stated at paragraph 34 of its judgement in Case C-591/12P, *Bimbo SA v OHIM*, that:

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

28. It would be wrong, therefore, to artificially dissect the trade marks, although it is necessary to take into account the distinctive and dominant components of the trade marks 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.

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

The Proprietor's mark	The Cancellation Applicant's mark
Syps	**GO SIP**

30. The Cancellation Applicant submits that, although the marks differ visually, they are aurally and conceptually similar. In particular, it states that "SYPS" would be pronounced "sips", making it highly similar to "SIP", which it considers the dominant element of its own mark. It further argues that aural similarity carries particular weight for beverages and ice-cream products, as such goods may be requested verbally, and that this may outweigh the visual differences where the goods are identical or highly similar. Conceptually, it argues that both marks evoke the notion of sipping or drinking, reinforcing their similarity. Overall, the Cancellation Applicant submits that the marks are similar to at least a medium degree.

31. The Proprietor submits that the marks are visually dissimilar. It argues that "GO SIP" comprises two ordinary words separated by a space and will be perceived as a phrase or instruction, whereas "SYPS" is a short, invented and compact four-letter word with no obvious meaning, distinguished by the central letter "Y". Overall, it contends that the contrast between the compact, single-word presentation of "SYPS" and the two-word construction of "GO SIP" creates sufficiently different visual impressions that consumers are unlikely to mistake one for the other.

32. The Proprietor also submits that the construction of the marks results in them being articulated differently. It argues that “GO SIP” will be pronounced as two distinct syllables, “GO” and “SIP”, giving the mark the rhythm and intonation of a short phrase or instruction. By contrast, it states that “SYPS” is a compact, single-syllable term, likely pronounced as “sips”, and that even if consumers perceive “SYPS” as a stylised form of “sips”, its pronunciation differs materially from the two-part articulation of “GO SIP”. Consequently, the Proprietor contends that the marks create distinct aural impressions and that confusion is unlikely.

33. Finally, the Proprietor submits that the marks are conceptually dissimilar. It contends that “GO SIP” comprises ordinary English words which, taken together, convey a descriptive or instructional message relating to the act of drinking. By contrast, “SYPS” is said to be an invented term with no dictionary definition or inherent semantic meaning, with the substitution of “Y” reinforcing its character as a distinctive brand name. Accordingly, the Proprietor argues that “GO SIP” conveys a descriptive message associated with consumption, whereas “SYPS” functions as an abstract indicator of trade origin, such that the marks create materially different conceptual impressions.

Overall Impression

34. The Cancellation Applicant’s mark consists of the two words “GO SIP”. There are no additional elements which contribute to its overall impression, which therefore resides in the words themselves. Neither word is dominant, since they are both ordinary English words which, when combined, form an intelligible phrase. Accordingly, the overall impression of the mark lies in the combination “GO SIP” as a whole.

35. The Proprietor’s mark consists of the single word “Syps”. There are no other elements in the mark to contribute to its overall impression, which lies in the word itself.

Visual Comparison

36. The Cancellation Applicant's mark consists of the two words "GO SIP", whereas the Proprietor's mark consists of the single word "Syps". Visually, the marks coincide in the letters "S" and "P", which appear in the Cancellation Applicant's second word "SIP" and in the Proprietor's mark "Syps". Whilst I note the difference in capitalisation/title case between "SIP" and "Syps" I do not consider it relevant to the visual impact, as the registration of a word mark gives protection irrespective of capitalisation.[2] However, these respective words differ in their length and composition: "SIP" comprises three letters, whereas "Syps" comprises four, with the Proprietor's mark containing the letter "y" in place of the "I" and an additional "s" at the end. Further, the Cancellation Applicant's mark contains the additional word "GO" at its beginning, a position which is generally regarded as having a greater impact on the consumer,[3] which has no counterpart in the Proprietor's mark. Taking these similarities and differences into account, and considering the marks as a whole, I find them to be visually similar to a low degree.

Aural Comparison

37. Aurally, the Cancellation Applicant's mark comprises two syllables, "GO-SIP", with each word likely to be pronounced in the ordinary way. By contrast, the Proprietor's mark comprises a single syllable and is likely to be pronounced "SIPS". There is therefore a high degree of aural similarity between "SIP" and "SIPS", the only difference being the additional "S" sound at the end of the Proprietor's mark. However, the Cancellation Applicant's mark begins with the word "GO", which has no counterpart in the Proprietor's mark and creates an additional point of aural difference. Taking the marks as a whole, I consider them to be aurally similar to a medium degree.

Conceptual Comparison

---

[2] *RadioCom,* T-254/06, EU:T:2008:165, paragraph 43.
[3] *El Corte Inglés, SA v OHIM*, Cases T-183/02 and T-184/02.

38. Conceptually, “GO SIP” is likely to be understood as an invitation or encouragement to take a sip or have a drink. The Proprietor’s mark, “Syps”, has no obvious dictionary meaning. Consequently, there will be some consumers who perceive it as an invented word and will not attribute any concept to it. However, given its similarity to the ordinary word “sips”, a significant proportion of consumers may perceive it as a misspelling of that word, thereby evoking the concept of sipping or drinking. To that extent, the marks share a conceptual association, although the addition of “GO” in the Cancellation Applicant’s mark conveys an element of encouragement that is absent from the Proprietor’s mark. Accordingly, for those consumers who perceive “Syps” as an invented word the marks are not considered conceptually similar due to the Cancellation Applicant’s mark conveying a recognisable concept whereas the Proprietor’s does not. However, for those who perceive “Syps” as a misspelling of “sips”, I find the marks to be conceptually similar to a medium degree.

Distinctive character of the earlier trade mark

39. The distinctive character of a trade mark can be appraised only, first, by reference to the goods and services in respect of which registration is sought and, secondly, by reference to the way it is perceived by the relevant public – *Rewe Zentral AG v OHIM (LITE)* [2002] ETMR 91. In *Lloyd Schuhfabrik*, 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)."

40. 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 distinctiveness of a mark can be enhanced by virtue of the use that has been made of it. However, as the Cancellation Applicant has not filed any evidence of use of its mark, I only have the inherent position to consider.

41. The Proprietor submits that "GO SIP" consists of ordinary English words which, when combined, form an instructional phrase meaning "go and sip". It contends that, in the context of beverages and beverage-related goods, the mark is descriptive of the act of consumption rather than indicative of trade origin. Accordingly, the Proprietor submits that "GO SIP" possesses a low degree of inherent distinctive character in relation to such goods.

42. The Cancellation Applicant disputes the Proprietor's contention that the earlier mark is inherently weak or descriptive. It submits that, even if the mark possesses only a moderate degree of inherent distinctive character, it remains entitled to protection where a later mark is confusingly similar and the respective goods are identical or highly similar.

43. The Cancellation Applicant's mark consists of the ordinary English words "GO" and "SIP". When used together, they are likely to be understood as an encouragement or invitation to take a sip or have a drink. In relation to the beverages covered by Classes 32 and 33, this meaning is clearly allusive of the manner in which the goods are consumed. Consequently, I consider the earlier mark to possess a low degree of inherent distinctive character in relation to those goods. Furthermore, for goods such as "Ice cream drinks; Ice beverages with a chocolate base; Ice beverages with a cocoa base; Ice beverages with a coffee base; Coffee-based beverages containing ice cream (affogato); Vegan hot chocolate" in Class 30, the same finding applies.

44. However, the remaining goods in the Cancellation Applicant's Class 30 specification are not ordinarily consumed by drinking but are instead eaten. The conceptual relationship between "GO SIP" and those goods is therefore more remote. Consequently, I consider the earlier mark to possess a medium degree of inherent distinctive character in relation to those goods.

Likelihood of confusion

45. 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 and services down to the responsible undertakings being the same or related.

46. 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 factors are interdependent, and, for instance, a lesser degree of similarity between the respective trade marks may be offset by a greater degree of similarity between the respective 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, 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.

47. Throughout the course of this decision, I have determined that:

- There is no dispute between the parties over the similarity of the respective goods. Consequently, I have proceeded on the basis that the goods are identical.

- The average consumers are predominantly members of the general public, although some of the Class 30 goods may also be purchased by professional users in the catering or food-production industries. As for the alcoholic goods, the consumer will be at least 18 years old. The general public will pay a low to medium degree of attention when purchasing the Class 30 and 32 goods, whilst professional purchasers of the Class 30 goods and consumers of the Class 33 goods will pay a medium degree of attention. The purchasing process will be predominantly visual, however, as some of the goods may also be ordered orally in cafés, bars, restaurants and similar establishments, aural considerations may also play a part.

- The marks at issue are visually similar to a low degree, and aurally similar to a medium degree. Conceptually, the marks range from being not similar where the consumer perceives “Syps” as a single invented word, or similar to a medium degree due to the shared concept of drinking/sipping.

- The Cancellation Applicant’s mark possesses a low degree of inherent distinctive character in relation to goods ordinarily consumed by drinking, and a medium degree of inherent distinctive character in relation to the remaining goods, which are ordinarily consumed by eating.

48. The Cancellation Applicant's mark consists of the two-word expression "GO SIP", whereas the Proprietor's mark consists of the single word "Syps". The Cancellation Applicant's mark will be perceived as a short, readily understood phrase, whereas the Proprietor's mark is a single four-letter word. I have found that neither element of the Cancellation Applicant's mark is dominant and its overall impression lies in the combination "GO SIP" as a whole. The presence of "GO", which has no counterpart in the contested mark, therefore creates a clear point of visual and aural difference.

49. Additionally, I acknowledge that "SIP" and "Syps", when the latter is pronounced as "sips", are aurally highly similar. Nevertheless, when the marks are considered as wholes, I have found them to be aurally similar to only a medium degree. The word "GO" at the beginning of the Cancellation Applicant's mark introduces an additional syllable that is not present in the Proprietor's mark, with this difference occurring at the beginning of the mark, where consumers generally tend to pay greater attention.

50. Further, whilst there is no special test applicable to the comparison of short marks [4], I consider that the brevity of the Proprietor's mark, "Syps", compared with the two-word construction of "GO SIP", makes the points of difference between the marks more readily apparent to consumers.

51. Conceptually, for those consumers who perceive "Syps" as a misspelling of "sips", both marks evoke the concept of sipping or drinking. However, "GO SIP" conveys the additional concept of an invitation or encouragement to take a sip, which is absent from "Syps". I therefore do not consider that the conceptual similarity between the marks is sufficient to overcome their visual and aural differences.

52. I have borne in mind the interdependency principle, including that the identity of the goods may offset a lower degree of similarity between the marks.

[4] See paragraph 44 of *BOSCO*, BL O/301/20

However, even allowing for the identity of the goods and the low to medium degree of attention paid in respect of some of them, the differences between "GO SIP" and "Syps" are, in my view, sufficient for the average consumer to distinguish between them. Furthermore, although the average consumer must rely on imperfect recollection, I do not consider that these differences would be overlooked or misremembered to the extent that one mark would be mistaken for the other. This remains the case for goods that may be ordered orally. Taking all of the above into account, I find that there is no likelihood of direct confusion.

53. That leaves indirect confusion to be considered. In respect of such, I remind myself of the case of *L.A. Sugar Limited v By Back Beat Inc,* Case BL O/375/10, wherein 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)".

54. These three categories are not exhaustive. Rather, they were intended to be illustrative of the general approach. [5]

55. For goods ordinarily consumed as drinks, the earlier mark possesses a low degree of inherent distinctive character, since "GO SIP" alludes to the manner in which those goods are consumed. In my view, any commonality that arises between "SIP" and "Syps" is therefore likely to be attributed to their shared allusion to sipping, rather than to a trade connection between the undertakings.

56. For the remaining Class 30 goods, which are ordinarily eaten, the earlier mark possesses a medium degree of inherent distinctive character. However, that distinctive character resides in "GO SIP" as a whole, rather than in "SIP" alone. The omission of "GO", the alteration of "SIP" to "Syps", and the change from a two-word expression to a single invented or deliberately misspelled word are not, in my mind, logical brand extensions or variations. Further, there is nothing

[5] As was confirmed by the Court of Appeal in *Liverpool Gin Distillery and others v Sazerac Brands, LLC and others* [2021] EWCA Civ 1207, paragraph 12.

in the construction of the marks that would lead the average consumer to regard "Syps" as a sub-brand, shortened form or alternative product line of "GO SIP".

57. Taking all relevant factors into account, I find that the average consumer would not believe that the respective goods originate from the same or economically linked undertakings. Consequently, I find no likelihood of indirect confusion.

58. Accordingly, as I have found no likelihood of confusion, whether direct or indirect, in respect of the identical goods, it follows that there can be no likelihood of confusion in respect of goods which are only highly similar. The application for a declaration of invalidity under section 5(2)(b) therefore fails.

Conclusion

59. The application to invalidate UK trade mark registration number 3869664 under section 5(2)(b) of the Act is unsuccessful in its entirety; the Proprietor's mark, subject to any successful appeal, will remain registered in the UK.

Costs

60. As the Proprietor has been successful, it is entitled to a contribution towards its costs. Tribunal Practice Notice (TPN) 1/2023 states that:

> "[…] unrepresented parties will be sent a proforma at the end of proceedings inviting them to set out the number of hours spent on the various steps of the proceedings. […] The sum to be awarded per hour will be analogous to that set out in the Civil Procedure Rules, Part 46, which is currently £19 per hour."

61. The Proprietor submits that it has used legal counsel throughout these proceedings and seeks £6,175 in respect of professional fees and disbursements said to have been incurred in defending its registration. However, no professional representative has been recorded with the Tribunal as acting on behalf of the Proprietor during these proceedings. I therefore do

not consider it appropriate to assess the Proprietor's costs by reference to the scale applicable to professionally represented parties.

62. The Tribunal's approach to costs is one of contribution, rather than compensation. As explained in Tribunal Practice Notice 1/2023, where a party is unrepresented, the Tribunal will consider the number of hours claimed for the various steps in the proceedings and assess whether the time spent was reasonable in the circumstances. The hourly rate currently applicable to an unrepresented party is £19 per hour.

63. I have considered the Proprietor's costs pro forma and am satisfied that the time claimed for each of the identified tasks is reasonable. The Proprietor claims 23 hours in total, comprising the following tasks:

Task	**Time claimed**
Considering forms filed by the Cancellation Applicant (TM6I)	1 hour 30 minutes
Preparing, reviewing and filing the defence	2 hours 30 minutes
Considering the Cancellation Applicant's initial written submissions	1 hour 30 minutes
Preparing the witness statement of David Olusegun	4 hours
Compiling and exhibiting supporting evidence	4 hours
Preparing the Proprietor's written submissions	3 hours
Considering the Cancellation Applicant's submissions in reply	1 hour 30 minutes
Preparing additional written submissions	3 hours
Preparing final written submissions	2 hours
Total	**23 hours**

64. Although I accept that those periods of time are reasonable, the Proprietor is to be treated as an unrepresented party for the purpose of costs. The fact that the

Proprietor may have incurred professional fees exceeding that amount does not alter the position, since the Tribunal's costs regime is intended to provide a contribution towards costs rather than compensate a successful party for the entirety of the costs actually incurred. Applying the prescribed rate of £19 per hour to the 23 hours reasonably incurred results in an award of **£437**.

65. I therefore order **Sham Singh Choudhry** to pay **SYPS BRANDS LTD** the sum of **£437**. 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 28th day of October 2026

Oliver Rose'Meyer
For the Registrar

Annex A

Registered Proprietor's goods:

Class 30

Ice; Ice milk [ice cream]; Ice cream; Cream (Ice -); Ice cubes; Ice lollies; Ice creams; Water ice; Ice [frozen water]; Ice, ice creams, frozen yogurts and sorbets; Cones for ice cream; Ice cream cones; Cooling ice; Ice cream drinks; Ice confectionery; Ice cream confectionery; Ice candy; Ice cream desserts; Ice cream sandwiches; Ice cream with fruit; Fruit ice cream; Ice cream confections; Ice cream bars; Ice cream cakes; Dairy ice cream; Ice confections; Ice candies; Fruit ice; Non-dairy ice cream; Ice for refreshment; Sauces for ice cream; Yoghurt based ice cream [ice cream predominating]; Ice cream powder; Ice cream gateaux; Ice cream powders; Powders for ice cream; Ice blocks; Edible ice; Vegan ice cream; Ice cream mixes; Fruit ice creams; Imitation ice cream; Ice pops; Frozen confectionery containing ice cream; Ice cream cone mixes; Ice cream substitute; Ice cream stick bars; Ice beverages with a chocolate base; Ice milk bars; Ice cream infused with alcohol; Ice creams flavoured with chocolate; Powder for making ice cream; Ice creams containing chocolate; Binding preparations for ice cream [edible ices]; Binding agents for ice cream [edible ices]; Ice lollies being milk flavoured; Fruit ice bars; Powders for making ice cream; Mixtures for making ice cream; Ice beverages with a cocoa base; Substances for binding ice cream; Instant ice cream mixes; Edible ice sculptures; Soya-based ice cream substitutes; Ice beverages with a coffee base; Ice lollies containing milk; Edible ice powder for use in icing machines; Soy-based ice cream substitute; Coffee-based beverages containing ice cream (affogato); Mixtures for making ice cream confections; Binding agents for ice cream; Ice cream (Binding agents for -); Ice in block form; Ice confectionery in the form of lollipops; Tarts [sweet or savoury]; Mousse (sweet); Sweet and sour sauce; Bars of sweet jellied bean paste (Yohkan); Caramels [sweets]; Chocolate sweets; Sugar-free sweets; Hard caramels [candies]; Sweets (Non-medicated -) in the nature of caramels; Sweets [candy]; Candy with caramel; Sweets (Non-medicated -) in the nature of chocolate eclairs; Mint flavoured sweets (Non-medicated -); Sweets; Sugarless sweets; Peppermint sweets; Sweets (Peppermint -); Soft pin-rolled cakes of pounded rice (gyuhi); Sweets (Non-medicated -) in the nature

of fudge; Candies (Non-medicated -) with honey; Hot chocolate mixes; Gelatin-based chewy candies; Sweets (Non-medicated -) in the nature of sugar confectionery; Candies [sweets]; Natural ripe honey; Sweets (Non-medicated -) being honey based; Candied cakes of popped rice; Sweets (Non-medicated -) in the nature of toffees; Candy-coated apples; Sweetmeats [candy] being flavoured with fruit; Sugar-free mint candies; Vegan hot chocolate; Peppermint sweets [other than for medicinal use]; Hard candy; Foodstuffs made of sugar for sweetening desserts; Foamed sugar sweets; Sugarfree sweets; Sweets (Non-medicated -) in the nature of nougat; Boiled sweets.

Class 32

Non-alcoholic beverages; Beverages (Non-alcoholic -); Syrups for beverages; Fruit-flavored beverages; Cordials (non-alcoholic beverages); Non-alcoholic carbonated beverages; Fruit-based beverages; Beer-based beverages; Fruit beverages (non-alcoholic); Sherbets [beverages]; Fruit-flavoured beverages; Kvass [non-alcoholic beverages]; Non-alcoholic beverages flavored with coffee; Non-alcoholic beer flavored beverages; Non-alcoholic malt beverages; Fruit beverages; Sorbets [beverages]; Non-alcoholic honey-based beverages; Honey-based beverages (Non-alcoholic -); Non-alcoholic beverages flavoured with coffee; Isotonic beverages; Vegetable-based beverages; Non-alcoholic beverages flavored with tea; Squashes [non-alcoholic beverages]; Smoothies [non-alcoholic fruit beverages]; Non-alcoholic beverages with tea flavor; Non-alcoholic flavored carbonated beverages; Non-alcoholic syrups for making beverages; Syrups for making non-alcoholic beverages; Coconut-based beverages; Sherbet beverages; Non-alcoholic drinks; Non-alcoholic beverages flavoured with tea; Non-alcoholic soda beverages flavoured with tea; Waters [beverages]; Frozen carbonated beverages; Iced fruit beverages; Root beers, non-alcoholic beverages; Non-alcoholic fruit juice beverages; Fruit juice beverages (Non-alcoholic -); Beverages (Whey -); Whey beverages; Non-alcoholic beverages containing fruit juices; Alcohol free beverages; Carbonated non-alcoholic drinks; Non-alcoholic dried fruit beverages; Protein-enriched sports beverages; Flavoured carbonated beverages; Essences for making non-alcoholic beverages; Non-alcoholic essences for making beverages; Frozen fruit-based beverages; Non-alcoholic fruit drinks; Non-alcoholic beverages containing vegetable juices; Sarsaparilla [non-alcoholic beverage]; Non-alcoholic malt free beverages [other than for medical use];

Kvass [non-alcoholic beverage]; Extracts for making non-alcoholic beverages; Non-alcoholic malt drinks; Syrups and other non-alcoholic preparations for making beverages; Non-alcoholic grape juice beverages; Non-alcoholic fruit extracts used in the preparation of beverages; Isotonic non-alcoholic drinks; Frozen fruit beverages; Vegetable juices [beverages]; Syrups for making beverages; Water; Aerated water [soda water]; Drinking water; Bottled water; Seltzer water; Water (Seltzer -); Mineral water; Soda water; Drinking mineral water; Aerated water; Bottled drinking water; Carbonated water; Coconut water; Drinking spring water; Distilled drinking water; Sparkling water; Purified drinking water; Water (Lithia -); Lithia water; Tonic water; Spring water; Glacial water; Drinking water with vitamins; Quinine water; Mineral water [beverages]; Carbonated mineral water; Coconut water as a beverage; Coconut water as beverage; Birch water; Fruit flavored soft drinks; Coffee-flavored soft drinks; Soft drinks flavored with tea; Bitter lemon; Fruit-based soft drinks flavored with tea; Low-calorie soft drinks; Fruit-flavored soft drinks; Soft drinks; Carbonated soft drinks; Low calorie soft drinks; Syrups for making soft drinks; Colas [soft drinks]; Non-carbonated soft drinks; Syrups used in the preparation of soft drinks; Low alcohol beer; Alcohol free wine; Malt syrup for beverages; Malt beer; Non-alcoholic beer; Beer; Non-alcoholic wine; Barley wine [Beer]; Barley wine [beer]; Alcohol free cider; Coffee-flavored beer; Flavored beer; Smoked plum juice beverages.

Class 33

Wine-based beverages; Spirits [beverages]; Rum-based beverages; Cordials [alcoholic beverages]; Alcoholic fruit beverages; Alcoholic beverages of fruit; Pre-mixed alcoholic beverages; Sugarcane-based alcoholic beverages; Distilled beverages; Beverages (Distilled -); Alcoholic carbonated beverages, except beer; Beverages (Alcoholic -), except beer; Alcoholic beverages, except beer; Alcoholic beverages (except beer); Alcoholic beverages except beers; Alcoholic beverages (except beers); Alcoholic beverages [except beers]; Pre-mixed alcoholic beverages, other than beer-based; Grain-based distilled alcoholic beverages; Alcoholic tea-based beverage; Fruit (Alcoholic beverages containing -); Alcoholic beverages containing fruit; Alcoholic coffee-based beverage; Beverages containing wine [spritzers]; Sweet cider; Sweet wine; Sweet wines; Japanese sweet rice-based mixed liquor (shiro-zake); Japanese sweet rice-based mixed liquor [shiro-zake]; Japanese sweet grape wine

containing extracts of ginseng and cinchona bark; Ginseng liquor; Aperitifs with a distilled alcoholic liquor base; Red ginseng liquor; Rum [alcoholic beverage]; Japanese white liquor (shochu); Japanese white liquor [shochu]; Whiskey; Whiskey [whisky]; Baijiu [Chinese distilled alcoholic beverage]; Hulless barley liquor; Flavored tonic liquors; Chinese brewed liquor (laojiou); Tonic liquor flavored with japanese plum extracts (umeshu); Extracts of spiritous liquors; Nira [sugarcane-based alcoholic beverage]; Wine coolers [drinks]; Alcoholic fruit cocktail drinks; Tonic liquor flavored with pine needle extracts (matsuba-zake); Japanese liquor flavored with pine needle extracts; Tonic liquor containing herb extracts (homeishu); Alcoholic cocktails containing milk; Wine-based drinks; Malt whisky; Chinese mixed liquor (wujiapie-jiou); Arrack; Rice alcohol; Alcohol (Rice -); Alcoholic cordials; Chinese white liquor (baiganr); Chinese white liquor [baiganr]; Alcoholic wines; Vodka; Alcoholic energy drinks; Whisky; Japanese liquor containing herb extracts; Alcoholic cocktails; Rum; Tonic liquor containing mamushi-snake extracts (mamushi-zake); Alcoholic bitters; Arak [arrack]; Arrack [arak].

Annex B

Cancellation Applicant's goods relied upon for the purposes of the declaration of invalidity:

Class 30

Ice; Ice milk [ice cream]; Ice cream; Cream (Ice -); Ice cubes; Ice lollies; Ice creams; Water ice; Ice [frozen water]; Ice, ice creams, frozen yogurts and sorbets; Cones for ice cream; Ice cream cones; Cooling ice; Ice cream drinks; Ice confectionery; Ice candy; Ice cream desserts; Ice cream sandwiches; Ice cream with fruit; Fruit ice cream; Ice cream confections; Ice cream bars; Ice cream cakes; Dairy ice cream; Ice confections; Ice candies; Fruit ice; Non-dairy ice cream; Ice for refreshment; Sauces for ice cream; Yoghurt based ice cream [ice cream predominating]; Ice cream powder; Ice cream gateaux; Ice cream powders; Powders for ice cream; Ice blocks; Edible ice; Vegan ice cream; Ice cream mixes; Fruit ice creams; Imitation ice cream; Ice pops; Frozen confectionery containing ice cream; Ice cream cone mixes; Ice cream substitute; Ice cream stick bars; Ice beverages with a chocolate base; Ice milk bars; Ice cream infused with alcohol; Ice creams flavoured with chocolate; Powder for making ice cream; Ice creams containing chocolate; Binding preparations for ice cream [edible ices]; Binding agents for ice cream [edible ices]; Ice lollies being milk flavoured; Fruit ice bars; Powders for making ice cream; Mixtures for making ice cream; Ice beverages with a cocoa base; Substances for binding ice cream; Instant ice cream mixes; Edible ice sculptures; Soya-based ice cream substitutes; Ice beverages with a coffee base; Ice lollies containing milk; Edible ice powder for use in icing machines; Soy-based ice cream substitute; Coffee-based beverages containing ice cream (affogato); Mixtures for making ice cream confections; Binding agents for ice cream; Ice cream (Binding agents for -); Ice in block form; Ice confectionery in the form of lollipops; Tarts [sweet or savoury]; Mousse (sweet); Sweet and sour sauce; Bars of sweet jellied bean paste (Yohkan); Caramels [sweets]; Chocolate sweets; Sugar-free sweets; Hard caramels [candies]; Sweets (Non-medicated -) in the nature of caramels; Sweets [candy]; Candy with caramel; Sweets (Non-medicated -) in the nature of chocolate eclairs; Mint flavoured sweets (Non-medicated -); Sweets; Sugarless sweets; Peppermint sweets; Sweets (Peppermint -); Soft pin-rolled cakes

of pounded rice (gyuhi); Sweets (Non-medicated -) in the nature of fudge; Candies (Non-medicated -) with honey; Hot chocolate mixes; Gelatin-based chewy candies; Sweets (Non-medicated -) in the nature of sugar confectionery; Candies [sweets]; Natural ripe honey; Sweets (Non-medicated -) being honey based; Candied cakes of popped rice; Sweets (Non-medicated -) in the nature of toffees; Candy-coated apples; Sweetmeats [candy] being flavoured with fruit; Sugar-free mint candies; Vegan hot chocolate; Peppermint sweets [other than for medicinal use]; Hard candy; Foodstuffs made of sugar for sweetening desserts; Foamed sugar sweets; Sugarfree sweets; Sweets (Non-medicated -) in the nature of nougat; Boiled sweets.

Class 32

Non-alcoholic beverages; Beverages (Non-alcoholic-); Syrups for beverages; Fruit-flavored beverages; Cordials (non-alcoholic beverages); Non-alcoholic carbonated beverages; Fruit-based beverages; Beer-based beverages; Fruit beverages (non-alcoholic); Sherbets [beverages]; Fruit-flavoured beverages; Kvass [non-alcoholic beverages]; Non-alcoholic beverages flavored with coffee; Non-alcoholic beer flavored beverages; Non-alcoholic malt beverages; Fruit beverages; Sorbets [beverages]; Non-alcoholic honey-based beverages; Honey-based beverages (Non-alcoholic -); Non-alcoholic beverages flavoured with coffee; Isotonic beverages; Vegetable-based beverages; Non-alcoholic beverages flavored with tea; Squashes [non-alcoholic beverages]; Smoothies [non-alcoholic fruit beverages]; Non-alcoholic beverages with tea flavor; Non-alcoholic flavored carbonated beverages; Non-alcoholic syrups for making beverages; Syrups for making non-alcoholic beverages; Coconut-based beverages; Sherbet beverages; Non-alcoholic drinks; Non-alcoholic beverages flavoured with tea; Non-alcoholic soda beverages flavoured with tea; Waters [beverages]; Frozen carbonated beverages; Iced fruit beverages; Root beers, non-alcoholic beverages; Non-alcoholic fruit juice beverages; Fruit juice beverages (Non-alcoholic -); Beverages (Whey -); Whey beverages; Non-alcoholic beverages containing fruit juices; Alcohol free beverages; Carbonated non-alcoholic drinks; Non-alcoholic dried fruit beverages; Protein-enriched sports beverages; Flavoured carbonated beverages; Essences for making non-alcoholic beverages; Non-alcoholic essences for making beverages; Frozen fruit-based beverages; Non-alcoholic fruit drinks; Non-alcoholic beverages containing vegetable juices; Sarsaparilla [non-

alcoholic beverage]; Non-alcoholic malt free beverages [other than for medical use]; Kvass [non-alcoholic beverage]; Extracts for making non-alcoholic beverages; Non-alcoholic malt drinks; Syrups and other non-alcoholic preparations for making beverages; Non-alcoholic grape juice beverages; Non-alcoholic fruit extracts used in the preparation of beverages; Isotonic non-alcoholic drinks; Frozen fruit beverages; Vegetable juices [beverages]; Syrups for making beverages; Water; Aerated water [soda water]; Drinking water; Bottled water; Seltzer water; Water (Seltzer –); Mineral water; Soda water; Drinking mineral water; Aerated water; Bottled drinking water; Carbonated water; Coconut water; Drinking spring water; Distilled drinking water; Sparkling water; Purified drinking water; Water (Lithia –); Lithia water; Tonic water; Spring water; Glacial water; Drinking water with vitamins; Quinine water; Mineral water [beverages]; Carbonated mineral water; Coconut water as a beverage; Coconut water as beverage; Birch water; Fruit flavored soft drinks; Coffee-flavored soft drinks; Soft drinks flavored with tea; Bitter lemon; Fruit-based soft drinks flavored with tea; Low-calorie soft drinks; Fruit-flavored soft drinks; Soft drinks; Carbonated soft drinks; Low calorie soft drinks; Syrups for making soft drinks; Colas [soft drinks]; Non-carbonated soft drinks; Syrups used in the preparation of soft drinks; Low alcohol beer; Alcohol free wine; Malt syrup for beverages; Malt beer; Non-alcoholic beer; Beer; Non-alcoholic wine; Barley wine [Beer]; Barley wine [beer]; Alcohol free cider; Coffee-flavored beer; Flavored beer; Smoked plum juice beverages.

Class 33

Alcohol (Rice -); Alcoholic aperitifs; Alcoholic beverages containing fruit; Alcoholic beverages, except beer; Alcoholic beverages (except beer); Alcoholic beverages except beers; Alcoholic beverages (except beers); Alcoholic beverages [except beers]; Alcoholic beverages of fruit; Alcoholic bitters; Alcoholic carbonated beverages, except beer; Alcoholic cocktails; Alcoholic cocktails containing milk; Alcoholic coffee-based beverage; Alcoholic cordials; Alcoholic energy drinks; Alcoholic fruit beverages; Alcoholic fruit cocktail drinks; Alcoholic tea-based beverage; Alcoholic wines; Aperitifs with a distilled alcoholic liquor base; Arak; Arak [arrack]; Arrack; Arrack [arak]; Baijiu [Chinese distilled alcoholic beverage]; Beverages (Alcoholic -), except beer; Beverages (Distilled -); Beverages containing wine [spritzers]; Chinese brewed liquor (laojiou); Chinese mixed liquor (wujiapie-jiou); Chinese white liquor (baiganr); Chinese

white liquor [baiganr]; Cordials [alcoholic beverages]; Distilled beverages; Extracts of spiritous liquors; Flavored tonic liquors; Fruit (Alcoholic beverages containing -); Ginseng liquor; Grain-based distilled alcoholic beverages; Hulless barley liquor; Japanese liquor containing herb extracts; Japanese liquor flavored with pine needle extracts; Japanese sweet grape wine containing extracts of ginseng and cinchona bark; Japanese sweet rice-based mixed liquor (shiro-zake); Japanese sweet rice-based mixed liquor [shiro-zake]; Japanese white liquor (shochu); Japanese white liquor [shochu]; Malt whisky; Nira [sugarcane-based alcoholic beverage]; Pre-mixed alcoholic beverages; Pre-mixed alcoholic beverages, other than beer-based; Red ginseng liquor; Rice alcohol; Rum; Rum [alcoholic beverage]; Rum-based beverages; Spirits [beverages]; Sugarcane-based alcoholic beverages; Sweet cider; Sweet wine; Sweet wines; Tonic liquor containing herb extracts (homeishu); Tonic liquor containing mamushi-snake extracts (mamushi-zake); Tonic liquor flavored with Japanese plum extracts (umeshu); Tonic liquor flavored with pine needle extracts (matsuba-zake); Vodka; Whiskey; Whiskey [whisky]; Whisky; Wine-based drinks; Wine-based beverages; Wine coolers [drinks].