O/1133/25

TRADE MARKS ACT 1994

IN THE MATTER OF REGISTRATION NO. 3556996
IN THE NAME OF LMS001 LTD
IN RESPECT OF THE TRADE MARK

LUMOUS

IN CLASS 21

AND

IN THE MATTER OF APPLICATION FOR INVALIDATION THERETO
UNDER NO. 506556
BY WARNER BROS. ENTERTAINMENT INC.

BACKGROUND AND PLEADINGS

1. LMS001 LTD ("the proprietor), under its previous name Lumos Import Ltd, applied to register the trade mark no. 3556996 in respect of the mark LUMOUS, in the UK on 17 November 2020. It was accepted and registered on 25 June 2021. It is registered in respect of the following list of goods:

Class 21: *Household or kitchen utensils; Kitchen utensils; Household utensils*.

2. On 2 October 2023, Warner Bros. Entertainment Inc. ("the applicant") applied to invalidate the mark on the basis of section 47, section 3(6) and section 5(4)(a) of the Trade Marks Act 1994 ("the Act"). In its letter of 5 April 2024, the applicant informed the Registry that it was no longer pursuing the section 5(4)(a) grounds. Consequently, it is not necessary to refer further to this ground.

3. The applicant claims that the application to register the contested mark was made in bad faith and therefore contrary to section 3(6) of the Act. It asserts that the LUMOS mark (being the name of a spell) and other marks associated with the Harry Potter film franchise have a high level of legal protection by virtue of their extensive use and the applicant's licensing and merchandising programme in the UK. It claims that the proprietor filed the contested mark with an intention to secure a monopoly for itself without connection to the applicant and not to engage fairly in competition. It alleges that this is inconsistent with honest practices and that the proprietor is capitalising on and appropriating the goodwill and reputation of the earlier mark without payment to the applicant.

4. Additionally, or in the alternative, the applicant asserts that the proprietor is seeking to use the trade mark system to obtain an exclusive monopoly, to which it is not entitled, for highly distinctive signs within copyright works which have been commercialised by the applicant. The proprietor's bad faith intention is demonstrated by Mr Abdul Rafeh Tahir, the sole director and majority shareholder of the proprietor, and his alleged clear pattern of registering company names and trade marks which include names associated with the Harry Potter film franchise. It is alleged that he is acting in concert with another individual who is selling seemingly unlicensed and unauthorised products featuring names from Harry Potter films. It concludes that this

behaviour falls short to the standards of acceptable commercial behaviour and amounts to bad faith.

5. The applicant filed a counterstatement denying the claims made. It contends that it sells totally different items on totally different selling platforms.

6. The parties both filed evidence in these proceedings. This will be summarised to the extent that it is considered necessary. A Hearing took place on 5 November 2025, with the applicant represented by Mr Michael Hicks of Counsel, instructed by Wiggin LLP. The proprietor was represented by an associate of Mr Tahir, Ms Ameena Fatima Kashif. The proprietor was unrepresented throughout the proceedings. The submissions made during the hearing have been fully considered in reaching this decision and will be referred to as and when appropriate.

7. 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.

Evidence

8. The applicant's evidence is in the form of the witness statement of Ms Amanda D. Phillips, Senior Director, Legal, Intellectual Property Counsel at the applicant, together with Exhibits AP1 – AP32. The evidence also includes an Annex to Ms Phillips' witness statement. This is covered by a confidentiality order and contains the UK revenues generated by the Harry Potter films between 2005 and 2020, and the revenues earned from licensing in respect of consumer products during the same period but are not stated as being related to the UK.

9. The proprietor's evidence consists of the witness statement of Mr Tahir.

DECISION

10. Section 3(6) is relevant in invalidation proceedings because of section 47 of the Act, the relevant part of which is:

> "47. (1) The registration of a trade mark may be declared invalid on the ground that the trade mark was registered in breach of section 3 or any of the provisions referred to in that section (absolute grounds for refusal of registration).
>
> […]
>
> (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."

11. Section 3(6) of the Act states:

> "(6) A trade mark shall not be registered if or to the extent that the application is made in bad faith."

12. In *SkyKick UK Ltd & Anor v Sky Ltd & Ors (Rev1)* [2024] UKSC 36, Lord Kitchin summarised the general principles applicable to bad faith at [240] as follows:

> "(i) […]
>
> (ii) The date for assessing whether an application to register [a] trade mark was made in bad faith is the date the application for registration was made (Lindt, para 35).
>
> (iii) Bad faith in this context is an autonomous concept of EU law which must be given a uniform interpretation […], and must be interpreted in the context of Directive 89/104 in the same manner as in the context of Regulation 40/94 ([Malaysia Dairy Industries Pte Ltd v Ankenaevnet for Patenter og Varemaerker (C-320/12) EU:C:2013:435 ("Malaysia Dairy")], para 29; [Sky plc v SkyKick UK Ltd (C-371/18) EU:C:2020:45 ("Sky CJEU")], para 73).

(iv) While, in accordance with its usual meaning in everyday language, the concept of bad faith presupposes the presence of a dishonest state of mind or

intention, the concept must also be understood in the context of trade mark law, which involves the use of marks in the course of trade. Further, it must have regard to the objectives of the […] law of trade marks, namely the establishment and functioning of […] a system of undistorted competition in which each undertaking must, in order to attract and retain customers by the quality of its goods or services, be able to have registered as trade marks signs which enable consumers, without any possibility of confusion, to distinguish those goods or services from those which have a different origin (Lindt, para 45; [Koton Mağazacilik Tekstil Sanayi ve Ticaret AS v European Union Intellectual Property Office (EUIPO) (C-104/18) EU:C:2019:724 ("Koton")], para 45).

(v) Consequently, the objection will be made out where the proprietor made the application for registration, not with the aim of engaging fairly in competition but either (a) with the intention of undermining, in a manner inconsistent with honest practices, the interests of third parties; or (b) with the intention of obtaining, without even targeting a specific third party, an exclusive right for purposes other than those falling within the functions of a trade mark, and in particular the essential function of indicating origin (Koton, para 46; Sky CJEU, para 75).

(vi) The intention of the applicant is a subjective matter, but it must be capable of being established objectively by the competent administrative or judicial authorities having regard to the objective circumstances of the case ([Hasbro Inc v EUIPO, Kreativni Dogaaji d.o.o. (intervening) (Case T-663/19) EU:T:2021:211 ("Hasbro")], paras 39 and 40; Koton, para 47).

(vii) The burden of proving that an application for a registered mark was made in bad faith lies on the party making the allegation. But where the circumstances of the case may lead to a rebuttal of the presumption of good faith, it is for the proprietor of the mark to explain and provide a plausible explanation of the objectives and commercial logic pursued by the application for registration (Hasbro, paras 42 and 43).

(viii) Whether the applicant was acting in bad faith must be the subject of an overall assessment, taking into account all of the factors relevant to the particular case (Lindt, para 37).

(ix) The applicant for a trade mark is not required to indicate or to know precisely when the application is filed or examined, the use that will be made of it (Sky CJEU, para 76; [AS v Deutsches Patent-und Markenamt (C-541/18) EU:C:2019:725], para 22).

(x) Nevertheless, the registration by an applicant of a mark without any intention to use it in relation to the goods and services covered by the registration may constitute bad faith where there is no rationale for the application in the light of the aims referred to in Regulation 40/94 and Directive 89/104 (Sky CJEU, para 77).

(xi) Such bad faith may, however, be established only where there are objective, relevant and consistent indicia tending to show that, when the application was filed, the applicant for registration had the intention either of undermining, in a manner inconsistent with honest practices, the interests of third parties, or of obtaining, without targeting a specific third party, an exclusive right for purposes other than those falling within the functions of a trade mark (Sky CJEU, para 77).

(xii) It follows that the bad faith of the applicant cannot be presumed on the basis of a mere finding that, at the time of filing the application, the applicant had no economic activity corresponding to the goods and services referred to in the application (Sky CJEU, para 78).

(xiii) When the absence of an intention to use the mark in accordance with the essential functions of a trade mark concerns only certain goods or services referred to in the application for registration, that constitutes making the application in bad faith only in so far as it relates to those goods or services (Sky CJEU, para 81).

(xiv) If, at the end of the day, the court concludes that, despite formal observance of the relevant rules and conditions for obtaining registration, the purpose of the rules has not been achieved, and that there was an intention to take advantage of the rules by creating artificially the conditions laid down for obtaining the registration, this may amount to an abuse sufficient to find that the application was made in bad faith (see, for example, Hasbro, para 72).

(xv) Directive 89/104 does not preclude a provision of national law under which an applicant for registration must state that the mark is being used in relation to the goods or services in relation to which it is sought to register the mark, or that the applicant has a bona fide intention that it should be used, provided that infringement of such an obligation cannot constitute a ground for invalidity. It may, however, constitute evidence for the purposes of establishing possible bad faith on the part of the applicant when the application was filed (Sky CJEU, paras 86 and 87)."

13. In *SkyKick UK Ltd & Anor v Sky Ltd & Ors (Rev1)* [2024] UKSC 36, Lord Kitchin considered the question of what amounts to bad faith. He underlined that the categories of bad faith and the circumstances which may constitute bad faith are not closed, and continued:

"152. In seeking to identify the relevant principles, it is necessary to have in mind two fundamental aspects of trade mark law to which I have already referred: first, it is concerned with the use of marks in trade to denote the origin of goods and services. Secondly, the aim of the trade mark regime is to contribute to a system of undistorted competition in which businesses are able to attract and retain customers by the quality of their goods and services, and for that purpose are able to have registered signs which enable consumers to distinguish the goods and services of one undertaking from those of another. Such a system must also provide an incentive and protection for the investment by a brand owner in the quality and other beneficial aspects of its goods and services, and so allow it to develop a goodwill in its business relating to their sale and supply.

> 153. Against this background, the essence of the objection that an application to register a mark was made in bad faith may be understood: it is that the motive or intention of the applicant was to engage in conduct that departed from accepted principles of ethical behaviour or honest commercial practices having regard to the purposes of the trade mark system which I have described. Whether the conduct was undertaken with that motive or intention and did indeed depart from such ethical behaviour or honest commercial practices must be assessed having regard to all the objective circumstances of the case: see, for example, Koton Mağazacilik Tekstil Sanayi ve Ticaret AS v European Union Intellectual Property Office (EUIPO) (C-104/18) EU:C:2019:724 ("Koton"), paras 46 and 47 […]."

14. The date for assessing whether an application to register a trade mark was made in bad faith is the date the application for registration was made.[1] In this case, the relevant date is 17 November 2020.

15. Whilst I recognise that it is not a substitute for the statute, the key questions identified by the Appointed Person in *Alexander Trade Mark*, BL O/036/18 provide a useful structure that I will use to consider the allegation of bad faith. These key questions are:

> (a) What, in concrete terms, was the objective that the applicant has been accused of pursuing?
>
> (b) Was that an objective for the purposes of which the contested application could not be properly filed? and
>
> (c) Was it established that the contested application was filed in pursuit of that objective?

16. It is necessary to ascertain what the applicant knew at the relevant date: *Red Bull GmbH v Sun Mark Limited and Sea Air & Land Forwarding Limited* [2012] EWHC 1929 (Ch). Evidence about subsequent events may be relevant, if it casts light backwards on the position at the relevant date: *Hotel Cipriani SRL and others v Cipriani*

[1] See *Chocoladefabriken Lindt & Sprüngli AG v Franz Hauswirth GmbH* at [35]

(Grosvenor Street) Limited and others, [2009] RPC 9 (approved by the Court of Appeal in England and Wales: [2010] RPC 16).

What, in concrete terms, was the objective that the applicant has been accused of pursuing?

17. The applicant claims that the proprietor filed the contested mark with an intention to secure a monopoly without a connection to the applicant and not to engage fairly in competition and, further, asserts that the filing of the contested mark forms part of a pattern of behaviour of registering company names and trade marks with links to the Harry Potter film franchise. At the hearing, Mr Hicks expanded on this claim and submitted that, at the relevant date, the proprietor (through Mr Tahir) knew of the reputation and success of the Harry Potter film franchise and the names used in them and that Mr Tahir, and those connected to him, are involved in this pattern of behaviour.

Was that an objective for the purposes of which the contested application could not be properly filed?

18. Yes. The proprietor's objective, as asserted by the applicant, if made out, would be for the purpose of obtaining an application not properly filed.

Was it established that the contested application was filed in pursuit of that objective?

19. At the hearing, Mr Hicks drew my attention to the following evidence:

- The original name of the proprietor was LUMOS IMPORT LTD before it changed its name to LMS001 LTD on 27 November 2023. LUMOS is a name of a spell used in the Harry Potter franchise.[2]
- On 13 June 2023, the proprietor made UK trade mark application no. 3922309 for the word OBLIVIATE[3] in Class 8. The application was subsequently

[2] Witness statement of Ms Phillips (hereafter WS1) at [23]
[3] Another name of a spell that features in the Harry Potter stories, see WS1 at [23]

withdrawn following a notice of threatened opposition and two complaint letters from the current applicant;[4]

- A company with the name "9ThreeQuarters Ltd" was incorporated on 24 July 2020, with the same address as the proprietor and with Mr Tahir was the sole director. The applicant has trade mark registrations for PLATFORM 9 ¾. It changed its name to a non-Harry Potter related name on the same day that the proprietor changed its name;[5]
- A company with the name "Deathly Hallows Ltd" was incorporated on 15 May 2020. It changed its name on 4 October 2021 to a non-Harry Potter related name. It has the same registered address as the proprietor. The applicant has UK trade marks for DEATHLY HALLOWS and HARRY POTTER AND THE DEATHLY HALLOWS for goods in classes 9, 16, 25, 28 and 41;[6]
- Hogwarts Ltd was incorporated on 15 May 2020 with, at the date of Ms Phillips witness statement, the same registered office as the proprietor. Its registered office was subsequently changed. Its director and shareholder is Zoya Imran. It changed its name to Tahir001 Ltd on the same day that the proprietor changed its name.[7] The applicant owns several UK trade mark registrations protecting the name HOGWARTS and it is the name of the wizards' school in Harry Potter;[8]
- Mr Imran is linked by an email address to a Facebook page called "Kids Fun Shop." Mr Hicks directed me to a post, dated 8 March 2020, that allegedly shows a duvet set marked "I'd rather stay at HOGWARTS" with embroidery or printing reminiscent of the school. The image is clear and shows this text;[9]
- Mr Tahir is director and majority shareholder of the company One Step Games Ltd whose registered office is also the location of a convenience store named "GoLocalExtra." On 6 October 2023, investigators instructed by the applicant saw boxes marked "Hogwarts Ltd" being loaded onto a courier's vehicle;[10]

[4] See WS1 at [45] and Exhibit AP26
[5] WS1 at [46a]
[6] WS1 at [46a] and Exhibit AP27
[7] WS1 at [48]
[8] WS1 at [49]
[9] WS1 at [51] and Exhibit 29
[10] WS1 at [50] and a photograph of the boxes is provided at Exhibit AP28

- There is also evidence of a company called SDS002 Ltd also registering the mark LUMOUS in classes 14 and 28. The applicant draws attention to the similar name structure to the proprietor and contends that its director and majority shareholder, Nighat Yasmin, is connected to Mr Tahir. Further searches for companies with Ms Yasmin as director identified a company called Art Four Ltd that is the owner of UK trade marks 3907869 EXPECTRO in class 25 and 3929443 REPARO in class 8. A review of the Register shows that these marks were originally held by SD002 Ltd. The applicant points out the first of these marks has close similarities to its own trade mark registrations for EXPECTO PATRONUM and that the second is the same as a spell name in Harry Potter.[11]

20. It was asserted by Mr Hicks that Mr Tahir or companies controlled by him (including the proprietor) or individuals and businesses connected with him have been involved in the use of other names which are important in the Harry Potter films and books.

21. The proprietor's position is set out in Mr Tahir's witness statement. Submissions are repeated and/or overlap, but I understand the proprietor's case to be, in essence:

- the applicant's case that references the proprietor's previous name LUMOS IMPORT LTD, and what he describes as "our applications" for the trade marks OBLIVATE, EXPECTRO and REPARO, are built on unfounded allegations and speculation rather than fact.
- the change of the proprietor's name from LUMOS IMPORT LTD to LMS001 LTD was undertaken as part of a corporate restructuring process and "was carried out in full compliance with legal and regulatory requirements".[12] He also claims that the registration of LUMOUS was done independently of any association with the applicant and its mark LUMOS "and was conceived to represent the qualities of brightness and utility inherent in [the proprietor's] products".[13]
- In respect of what Mr Tahir describes as "our applications for trademarks such as 'OBLIVIATE', 'EXPECTRO', and 'REPARO'" he states that these were part

[11] See WS1 at [52] – [55] and Exhibit AP30, - Exhibit AP32
[12] Mr Tahir's witness statement (hereafter "WS2") at [3]
[13] WS2 at [3.1]

of a broader strategy to develop unique product lines and that the terms were selected for reasons unrelated to the Harry Potter universe. He further states that none of the products under these marks have been marketed in a way that could be associated with the applicant's intellectual property.[14] There was no intent to capitalise on the Harry Potter universe or infringe the intellectual property rights of the applicant.[15] The proprietor submits that the claim that it systematically applied for Harry Potter-related terms in bad faith is unsubstantiated.[16]

- It categorically denies the bad faith allegation and relies upon its claim that it had a legitimate commercial intent when applying to register the contested mark (as well as other marks such as OBLIVIATE, EXPECTRO and REPARO).[17]

22. I keep in mind that Harry Potter films and books are very popular and well known both in the UK and elsewhere. I take judicial notice of this, but nevertheless, this is supported by the evidence of Ms Phillips who provides UK box office figures for the eight Harry Potter films totalling £578 million[18] and accompanying exhibits supporting the applicant's narrative evidence that these films are part of one of the highest grossing film franchises in the world.[19] In light of this, I consider it highly likely that the proprietor was fully aware of this commercial success and, sensibly, there has been no attempt to claim otherwise. The proprietor's knowledge of the Harry Potter film franchise is further demonstrated by its (and its associates) use of numerous signs associated with film franchise as trade marks and company names.

23. At the hearing Ms Kashif repeated the submissions and also submitted that the manner of use made of the proprietor's mark was not use compatible with merchandising.

24. In respect of the first point (listed in paragraph 21 above), that the applicant's case is built on unfounded allegations and speculation rather than fact, I keep in mind the

[14] WS2 at [3.3]
[15] WS2 under heading numbered [3.3]
[16] Ditto
[17] WS2 under heading number [5]
[18] WS2 at [13]
[19] See WS1 at [9] and [12]

following comments of the Appointed Person in *BRUTT Trade Mark*,[20] referred to by Mr Hicks, at the hearing:

> "[29] … an allegation of bad faith is a serious allegation which must be distinctly alleged and which should not be made unless it can be properly pleaded. I also agree that it must be distinctly proved: as discussed above, the standard of proof is on the balance of probabilities, but cogent evidence is required due to the seriousness of the allegation. It is not enough to prove facts which are also consistent with good faith. I do not believe that Mr Thorley meant to say that inference has no part to play in the proof of bad faith. As with the proof of fraud, it may be necessary and proper to rely upon inference. An example of this is Ferrero SpA's Trade Marks [2004] R.P.C. 29.
>
> [30] Of course, it depends what one means by 'inference'. An 'inference' was defined by Street C.J. in Gurnett v Macquarie Stevedoring Co Pty (1955) 72 WN (NSW) 261 as, 'a reasonable conclusion drawn as a matter of strict logical deduction from known or assumed facts.' Understood in this way, the drawing of inferences is a key mode of Judicial reasoning. It is to be distinguished from mere conjecture or, as Street C.J. put it, a guess."

25. Therefore, as the Appointed Person stated, the standard of proof is on the balance of probabilities that can be established by inference. This is the case here and the applicant's case is based upon such inference and not merely unfounded allegations and speculation. It has explained the inferences it makes from the factual background, and it is for the proprietor to provide evidence that these inferences are wrong. It has not done so beyond a general assertion that it had a legitimate commercial intent.

26. In respect of the manner of use point, the issue before me is whether the contested application was applied for in bad faith and not whether the way the mark is used amounts to bad faith. The manner in which a trade mark is used may vary over time and a trade mark registration would cover use in different ways, including

[20] [2007] R.P.C. 19

merchandising. Therefore, the manner of use, whilst not irrelevant, does not necessarily shed light on the reason for the trade mark application.

27. The proprietor's submission that its mark is in the field of household goods and not films or their merchandising is not persuasive because use of signs associated with the Harry Potter film franchise, in respect of such goods, regardless of whether it would be perceived as merchandising or not, would still gain benefit from being associated with the reputation of the franchise because of the immediate association created by such a sign. An improper motive may exist regardless of whether or not the goods are being presented as "merchandise". In terms of the relevance of the manner of use claimed, I balance this with the pattern of behaviour of the proprietor and associated individuals and companies that have, either through trade mark protection, company names registration or trading activities (such as the use of Hogwarts Ltd on boxes) appropriated words (or in the current case, a word very similar) or phrases associated with the Harry Potter film franchise. Despite having the opportunity to do so, the proprietor has not provided any credible reason for adopting the contested mark or what is its claimed legitimate commercial intent.

28. The proprietor merely asserts that the applicant's case is based on unfounded allegations and speculation rather than fact, that the proprietor's application to register the contested mark was part of a broader strategy to develop unique product lines and, the terms were selected for reasons unrelated to the Harry Potter universe. Again, it does not elaborate what the broader strategy was or why the contested mark (or other words and names associated with the Harry Potter film franchise) was chosen. It would have been easy for the proprietor to provide a genuine reason for choosing the contested mark if one existed, but it has not done so.

29. I dismiss the defence that the applicant's case is based on unfounded allegations and speculation. The evidence summarised at paragraph 19, above, plainly illustrates that the proprietor, Mr Tahir and those connected to him have had a pattern of registering company names and trade marks which use names and words associated with the Harry Potter film franchise and without the permission of, or obtaining a licence from the applicant. This is the factual background that, as I have already noted, the proprietor has not addressed, despite it being easy for it to do if there was a genuine reason for choosing the contested mark. I consider that the evidence illustrates that

the filing of the contested mark was made as part of this pattern of behaviour of using words and names associated with the Harry Potter film franchise.

30. The proprietor/Mr Tahir must have known that LUMOS was a name associated with the Harry Potter film franchise. The clear inference is that the word LUMOUS was chosen as a variant to LUMOS which would not be noticed by the average consumer who, as Mr Hicks submitted, may not know, or recall the correct spelling of LUMOS. Further, and as Mr Hicks also pointed out, the original name of the proprietor included the word LUMOS. I state again that the proprietor/Mr Tahir has failed to provide a plausible explanation for filing the contested mark. Further, the relevant facts in the applicant's evidence have not been challenged.

31. I agree with Mr Hick's submission that if the contested mark's registration is maintained it may be used to block the applicant from licensing merchandise and it may block trade mark registrations made by the applicant.

32. I conclude that the proprietor's intention when filing the contested trade mark was to illegitimately feed off the reputation associated with the Harry Potter film franchise and amounts to bad faith[21] and was part of a pattern of behaviour of appropriating, without permission, signs for use as trade marks and company names that are associated with this franchise. The facts before me illustrate that the conduct of the proprietor falls below the standards of acceptable commercial behaviour observed by a reasonable and experienced persons in the sector.

Conclusion

33. The proprietor's application to register the contested mark was made in bad faith and the invalidation application succeeds. The contested mark is invalidated in its entirety.

[21] This finding is also consistent with the findings of fact of the Appointed Person in *Fianna Fail and Fine Gael v Patrick Melly* [2008] ETMR 41 at [58]

COSTS

34. The applicant has been successful and is entitled to a contribution towards its costs. At the hearing Mr Hicks submitted that these should be on the normal scale of costs except for the costs associated with the proprietor's three attempts to file its evidence and the associated case management conference ("CMC"). At the CMC, the applicant was not wholly successful in its challenge to the proprietor's evidence, where I showed some leniency to the proprietor in light of its clear efforts to try and comply with evidential requirements. However, I acknowledge that the evidence finally admitted was only after the proprietor had had three attempts to file it, all of which would have required review by the applicant's representatives, and only after it was further amended following criticisms from the applicant at the CMC. Consequently, I agree with the applicant that it should be entitled to a cost award relating to the review of the various iterations of the proprietor's evidence and for preparation and attendance at the CMC. I consider £700 to be a reasonable amount to reflect this.

35. In the circumstances I award the applicant the sum of £3100 as a contribution towards the cost of the proceedings. The sum is calculated as follows:

Official fees:	£200
Preparing and filing TM26(I) and considering the counterstatement:	£400
Considering multiple attempts to file evidence and preparing and attending CMC:	£700
Preparing and filing evidence:	£1000
Preparing for, and attending hearing:	£800
Total:	**£3100**

36. I therefore order LMS001 LTD to pay Warner Bros. Entertainment Inc. the sum of £3100. The above sum should be paid within twenty-one days of the expiry of the appeal period or within twenty-one days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 3rd day of December 2025

For the Registrar,

The Comptroller-General