

O-189-03

TRADE MARKS ACT 1994
IN THE MATTER OF APPLICATION No 2211204
BY ANTONINE PRINTING INKS LIMITED
TO REGISTER A TRADE MARK
IN CLASSES 2

AND IN THE MATTER OF OPPOSITION THERETO
UNDER NUMBER 80480
BY API GROUP PLC

BACKGROUND

1) On 16 December 1999, Antonine Printing Inks Limited of Newhouse Industrial Estate, Motherwell, ML1 5RX applied under the Trade Marks Act 1994 for registration of the following mark:



2) Honest concurrent use with registration no 2028226 and others was claimed.

3) The application was in respect of the following goods in Class 2: "Printing ink; printers' pastes, printing compositions; flexographic and gravure inks."

4) On the 21 December 2001 API Group Plc of Silk House, Park Green, Macclesfield, Cheshire, SK11 7NU filed notice of opposition to the application. The grounds of opposition are in summary:

a) The opponent is the proprietor of the four UK trade marks and three Community Trade Marks (CTM) detailed at Annex A.

b) The application offends against Sections 5(1), 5(2)(a) and 5(2)(b) of the Trade Mark Act 1994.

5) The applicant subsequently filed a counterstatement denying the opponent's claims. The applicant claimed to have been using the mark applied for on the goods covered in the specification since 1979.

6) Both sides filed evidence in these proceedings. Both sides ask for an award of costs and the matter came to be heard on 13 May 2003 when the opponent was represented by Mr St. Ville of Counsel; instructed by Messrs Page White Farrer. The applicant was represented by Mr Kennedy of Messrs Kennedys.

OPPONENT'S EVIDENCE

7) The opponent filed a declaration, dated 23 July 2002, by Edward John Richards the

Assistant Company Secretary of API Group Plc, a position he has held for six years. At exhibit EJR1 he provides copies of his company's annual reports for the years 1996-1998 inclusive. These he claims show that his company is one of the largest manufacturers of stamping foil in the world. He states that they also show that the opponent is active in the field of printing, paper and inks including printing foils and laminates and converted paper and film. Samples of the opponent's brochures describing their products are provided at EJR2. It is clear from the exhibits that the opponent is active in these fields.

8) Mr Richards states that in his view the opponent's mark 2207546 is identical to the mark in suit. He also claims that the specification of the opponent's mark 2207546 includes "printing ink; printers' pastes, printing compositions". These terms, he claims, include flexographic inks and gravure inks. He states that the terms "flexographic" and "gravure" are directly descriptive of the actual printing techniques used, which require an ink to be suitably formulated. He states that the flexographic process prints a design using a rubber roll or blanket on to which the design has been cut or etched, whereas the gravure process prints using a metallic cylinder into which the required design has been etched. At exhibit EJR3 he provides an extract from the Shorter Oxford English Dictionary describing flexography and photogravure, which is abbreviated as gravure. At exhibit EJR4 he provides copies from the Larousse Dictionary of Science and Technology describing flexographic and photogravure.

9) Mr Richards states that the opponent's API FOILS mark is simply the API mark combined with the natural term for the foils used in printing and ink. At exhibit EJ5 he provides a copy of the opponent's foil guide. He states that:

"Stamping foils consist of a substrate supporting a transferrable layer of solid ink. Printing is carried out by transferring impressions from the foil to the product by means of pressure and in some cases heat, and often by the use of stamps, foiling dies or embossing dies."

10) Similarly, Mr Richards states that the mark API DIELESS is again semi descriptive. He states that where the transfer of the foil layers is effected without the use of a die, using a roller for example, then the term "dieless" is appropriate. Mr Richards also provides his opinion on the similarity of the opponent's other marks and the mark in suit. However I do not find these to be of assistance.

APPLICANT'S EVIDENCE

11) This consists of a declaration by Kenneth Thompson the Managing Director of the applicant company a position he has held since 1979. He states that his company was incorporated in 1979 and "have since that date actively and continuously traded under both the name "Antonine Printing Inks" and the abbreviation of this name, namely "api". He states that his company trades primarily in printing inks and, in particular, liquid printing inks. At exhibit KT1 he provides a brochure which details his company's products, and show use of the mark "api". He provides turnover and advertising figures as shown below:

Year Ending 31 May	Turnover £	Promotion £
1996	3,258,000	12,000
1997	4,041,000	12,000
1998	4,459,000	14,000
1999	4,886,000	15,000

12) At exhibit KT2 Mr Thomson provides samples of his company's promotional materials, none of which are dated prior to the relevant date.

13) Mr Thomson states that his company was incorporated in 1979 (copy of certificate at exhibit KT3) whilst the opponent took the name on 11 July 1990. Mr Thomson offers his view on the similarity of the parties marks and also refers to two trade mark cases, "*SPACE*" opposition number 48223, and *Road Runner* [1996] FSR 805. I shall not summarise his comments here but will refer to them as necessary in my decision.

14) Mr Thomson provides evidence of use of the mark in suit in exhibits KT4-10. However, exhibits KT4-KT8 inclusive are either undated or are dated after the relevant date. Exhibit KT9 is a letter, dated 19 April 2001, from Mr Young the Managing Director of Simpac. He states that he has dealt with the applicant for fifteen years and has always referred to them as either "Antonine" or "api". He also states that he has seen the applicant use "api" on stationery, product labels and correspondence for the past decade. At exhibit KT10 are copies of six letters between July 1986 and April 1988 which show use of the mark in suit.

OPPONENT'S EVIDENCE IN REPLY

15) This consists of a second declaration by Mr Richards dated 23 January 2003. He comments on the applicant's evidence disputing that they have shown use of the mark in suit for the period claimed. I do not find Mr Richards comments on other aspects of the applicant's evidence of assistance.

16) That concludes my review of the evidence.

DECISION

17) At the hearing the opponent sought to amend its pleadings. In the statement of case the opponent's mark 2207546 was referred to only with regard to the ground of opposition under Section 5(1) and not Section 5(2)(b). Mr St. Ville sought to amend the pleadings so that he could rely upon registration 2207546 under Section 5(2)(b). Mr Kennedy objected to the pleadings being amended at such a late stage in the proceedings and stated that if the amendment were to be allowed it would unfairly prejudice his client as he had prepared his defence of the 5(2) ground to take account of the opponent's trade marks referred to in the statement of case, which did not include trade mark 2207546. Mr Kennedy sought time to consult his client with regard to this point and was given a week in which to provide any

written submissions on the issue. However, in the event Mr Kennedy decided not to do so.

18) The opposition in relation to the opponent's other six trade marks was based upon Section 5(2)(b). The applicant had to have prepared a defence against the opponent's other marks in relation to Section 5(2)(b). As there are only minor differences between the opponent's mark 2207546 and its other trade marks I do not believe the applicant to be unduly prejudiced by the amendment to the pleadings and the amendment is therefore allowed.

19) The grounds of opposition are under Sections 5(1), 5(2)(a) and 5(2)(b) of the Act which state:-

“5.-(1) A trade mark shall not be registered if it is identical with an earlier trade mark and the goods or services for which the trade mark is applied for are identical with the goods or services for which the earlier trade mark is protected.

(2) A trade mark shall not be registered if because -

(a) it is identical with an earlier trade mark and is to be registered for goods or services similar to those for which the earlier trade mark is protected, or

(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.”


20) An earlier right is defined in Section 6, the relevant parts of which state:

“6.-(1) In this Act an "earlier trade mark" means -

(a) a registered trade mark, international trade mark (UK) or Community trade mark 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,”

21) The opponent has listed four UK trade marks and three Community Trade Marks at annex A. All were registered prior to the relevant date of 16 December 1999 and are therefore “earlier trade marks”.

22) I first consider the grounds of opposition under Sections 5(1) and 5(2)(a). The opponent contends that its trade mark 2207546 is identical to the mark in suit. For ease of reference the marks of the two parties are:

Applicant's Mark	Opponent's mark
	<p style="text-align: center;">API</p>

23) Mr St. Ville referred me to the recent decision of the European Court of Justice (ECJ) in the *LTJ Diffusion SA v Sadas* case C-291/00 (unreported) where at paragraphs 49-54 they stated:

“49. On the other hand, Article 5(1)(a) of the directive does not require evidence of such a likelihood in order to afford absolute protection in the case of identity of the sign and the trade mark and of the goods or services.

50. The criterion of identity of the sign and the trade mark must be interpreted strictly. The very definition implies that the two elements compared should be the same in all respects. Indeed, the absolute protection in the case of a sign which is identical with the trade mark in relation to goods or services which are identical with those for which the trade mark is registered, which is guaranteed by Article 5(1)(a) of the directive, cannot be extended beyond the situations for which it was envisaged, in particular, to those situations which are more specifically protected by Article 5(1)(b) of the directive.

51. There is therefore identity between the sign and the trade mark where the former reproduces, without any modification or addition, all the elements constituting the latter.

52. However, the perception of identity between the sign and the trade mark must be assessed globally with respect to an average consumer who is deemed to be reasonably well informed, reasonably observant and circumspect. The sign produces an overall impression on such a consumer. That consumer only rarely has the chance to make a direct comparison between signs and trade marks and must place his trust in the imperfect picture of them that he has kept in his mind. Moreover, his level of attention is likely to vary according to the category of goods or services in question (see, to that effect, Case C-342/97 *Lloyd Schuhfabrik Meyer* [1999] ECR I-3819, paragraph 26).

53. Since the perception of identity between the sign and the trade mark is not the result of a direct comparison of all the characteristics of the elements compared, insignificant differences between the sign and the trade mark may go unnoticed by the average consumer.

54. In those circumstances, the answer to the question referred must be that Article 5(1)(a) of the directive must be interpreted as meaning that a sign is identical with the trade mark where it reproduces, without any modification or addition, all the elements constituting the trade mark or where, viewed as a whole, it contains differences so insignificant that they may go unnoticed by an average consumer.”

24) Mr St. Ville contended that the mark applied for is merely the letters API in lower case in an ordinary typeface, albeit blown up, and therefore reproduces without any modification or any addition the mark of the opponent. For the applicant Mr Kennedy disagreed with this contention describing the mark as “It is a very bold, fat font which is not used in normal text. You would not read a page full of a font like that, so there is a distinctive element to the font that is being used”. He also claimed that the border of the letters are darkened. Mr Kennedy also referred me to the registry decision BL 0/457/00 for the mark *Space*. In this decision the hearing officer determined that the applicant’s mark was a composite one and not similar to the plain word space. However, in that case the mark was a very strong graphical creation and I do not believe that it is on all fours with the instant case.

25) To my mind the applicant’s mark is the letters “api” in lower case in a normal typeface which has been enlarged. The average consumer would view the difference between this and the upper case mark of the opponent as insignificant. The applicant has already accepted that the goods are identical, as the marks are also identical the opposition based upon Sections 5(1) and 5(2)(a) succeed.

26) The applicant seeks sanctuary under Section 7(1) of the Trade Marks Act 1994 which relates to honest concurrent use. Section 7 of the Trade Marks Act states:

7.- (1) This section applies where on an application for the registration of a trade mark it appears to the registrar -

(a) that there is an earlier trade mark in relation to which the conditions set out in section 5(1), (2) or (3) obtain, or

(b) that there is an earlier right in relation to which the condition set out in section 5(4) is satisfied,

but the applicant shows to the satisfaction of the registrar that there has been honest concurrent use of the trade mark for which registration is sought.

(2) In that case the registrar shall not refuse the application by reason of the earlier trade mark or other earlier right unless objection on that ground is raised in opposition proceedings by the proprietor of that earlier trade mark or other earlier right.

(3) For the purposes of this section “honest concurrent use” means such use in the United Kingdom, by the applicant or with his consent, as would formerly have amounted to honest concurrent use for the purposes of Section 12(2) of the Trade Marks Act 1938.

(4) Nothing in this section affects-

(a) the refusal of registration on the grounds mentioned in section 3 (absolute grounds for refusal), or

(b) the making of an application for a declaration of invalidity under section 47(2) (application on relative grounds where no consent to registration).

(5) This section does not apply when there is an order in force under section 8 below.

27) First of all, I note that this provision of the Act does not derive from Council Directive No. 89/104/EEC of December 21, 1998 to approximate the laws of the Member States relating to trade marks. It is thus a piece of home spun legislation which can only be interpreted as complementing rather than conflicting with the Directive. This is because Article 5 of the Directive (the equivalent of section 5 of the Trade Marks Act 1994) requires a trade mark to be excluded from the Register if it conflicts with an earlier trade mark or other earlier right. However, the fifth recital to the Directive gives Member States latitude as to the stage at which such relative grounds are to be taken into consideration. The fifth recital states:

“Whereas Member States also remain free to fix the provisions of procedure concerning the registration, the revocation and invalidity of trade marks acquired by registration; whereas they can, for example, determine the form of trade mark registration and invalidity procedures, decide whether earlier rights should be invoked either in the registration procedure or in the invalidity procedure or both and, if they allow earlier rights to be invoked in the registration procedure, have an opposition procedure or an *ex officio* examination procedure or both; whereas member states remain free to determine the effects of revocation or invalidity of trade marks.”

28) In relation to all applications for registration under the Act, the Trade Marks Registry must examine them against the provisions of sections 3 and 5 and undertake a search under the provisions of section 37 for that purpose. If, and when, as a result of the search an earlier trade mark is identified which is considered to be the same or similar in respect of both the trade mark and the specification of goods and services, then the Trade Marks Registry must raise an objection to the application for registration if the Registrar is of the view that, *prima facie*, there is a likelihood of confusion. However, if the applicant is able to show, to the satisfaction of the Trade Marks Registry, that there has been honest concurrent use of the trade mark, the subject of the application, with the earlier mark, under the provisions of section 7, and with due regard to the fifth recital, then the application may be accepted and published. Where the concurrent use has not been in respect of all of the goods or services for which the trade mark is sought to be registered, the acceptance will be for those goods or services where there has been honest concurrent use. If there is no opposition to the application for registration either from the owner of the earlier trade mark against which the applicant for registration claims honest concurrent use or any third party, then the application will in due course be registered. However, if opposition is filed then the Registrar must determine whether the grounds for refusal upon which the opposition is based are made out. If the opposition is based upon section 5 then the provisions of the appropriate subsections must be considered. The fact that honest concurrent use has been shown at the examination stage cannot of itself overcome the objection.

29) If, for example, the trade mark the subject of the application for registration, and the trade mark the subject of the earlier trade mark were identical, and the specification of goods or services of the application was identical to the specification of goods or services covered by

the earlier trade mark, then refusal must follow under Section 5(1), which bars absolutely the registration of identical trade marks in respect of identical goods or services (unless the proprietor of the earlier trade mark consents to the registration of the later trade mark). But in relation to section 5(2) the respective trade marks or respective specifications of goods or services may only be similar and the fact that there has been actual use of the trade mark in suit concurrently with the earlier trade mark, may be relevant in determining whether there is a likelihood of confusion.

30) At the hearing it was common ground that the specifications of the two parties are identical. I have decided above that the marks are also identical. It therefore follows that as the marks and the specifications are identical, the opposition must succeed under section 5(1) notwithstanding any concurrent use. I therefore find that the opposition under Section 5(1) is successful.

31) In the event that I am wrong regarding Sections 5(1) and 5(2)(a) I now turn to the ground of opposition under Section 5(2)(b). In determining the question under this section, I take into account the guidance provided by the European Court of Justice (ECJ) in *Sabel BV v. Puma AG* [1998] R.P.C. 199, *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* [1999] R.P.C. 117, *Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel B.V.* [2000] F.S.R. 77 and *Marca Mode CV v. Adidas AG* [2000] E.T.M.R. 723. It is clear from these cases that:

- (a) the likelihood of confusion must be appreciated globally, taking account of all relevant factors; *Sabel BV v. Puma AG* page 224;
- (b) the matter must be judged through the eyes of the average consumer of the goods/services in question; *Sabel BV v. Puma AG* page 224, 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; *Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel B.V.* page 84, paragraph 27;
- (c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details; *Sabel BV v. Puma AG* page 224;
- (d) the visual, aural and conceptual similarities of the marks must therefore be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components; *Sabel BV v. Puma AG* page 224;
- (e) a lesser degree of similarity between the marks may be offset by a greater degree of similarity between the goods, and vice versa; *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* page 132, paragraph 17;
- (f) there is a greater likelihood of confusion where the earlier trade mark has a highly distinctive character, either per se or because of the use that has been made of it; *Sabel BV v. Puma AG* page 224;


- (g) mere association, in the sense that the later mark brings the earlier mark to mind, is not sufficient for the purposes of Section 5(2); *Sabel BV v. Puma AG* page 224;
- (h) further, 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; *Marca Mode CV v. Adidas AG* page 732, paragraph 41;
- (i) but if the association between the marks causes the public to wrongly believe that the respective goods come from the same or economically linked undertakings, there is a likelihood of confusion within the meaning of the section; *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* page 133 paragraph 29.

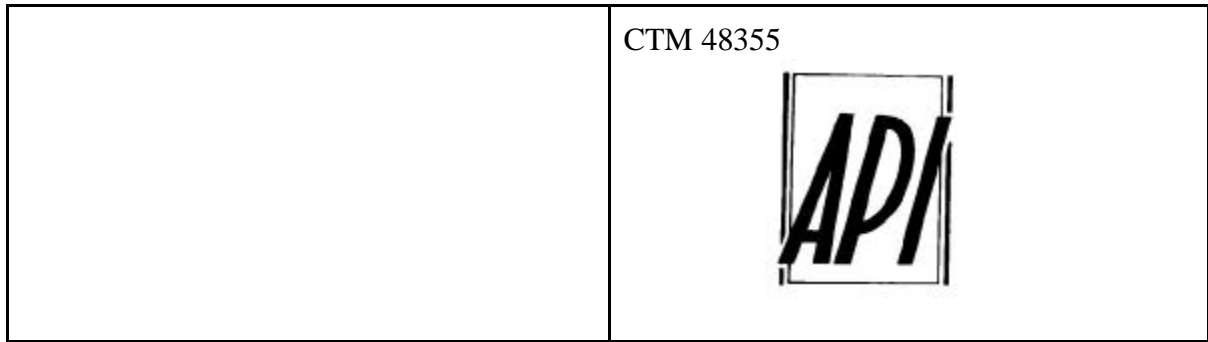
32) In essence the test under Section 5(2) is whether there are similarities in marks and goods and/or services which would combine to create a likelihood of confusion. In my consideration of whether there are similarities sufficient to show a likelihood of confusion I am guided by the judgements of the European Court of Justice mentioned above. The likelihood of confusion must be appreciated globally and I need to address the degree of visual, aural and conceptual similarity between the marks, evaluating the importance to be attached to those different elements taking into account the degree of similarity in the goods and/or services, the category of goods and/or services in question and how they are marketed. Furthermore, I must compare the mark applied for and the opponent's registrations on the basis of their inherent characteristics assuming normal and fair use of the marks on a full range of the goods and services covered within the respective specifications.

33) At the hearing the applicant accepted that the specification of the mark in suit was identical to those of all of the opponent's marks listed at annex A.

34) It is clear from the above cases that in the overall assessment of a likelihood of confusion, the similarity of goods is but one aspect. Due regard should be given to the closeness of the respective marks, the reputation the earlier mark enjoys in respect of the services for which it is registered, and any other relevant factors.

35) As the applicant objected to the amendment of pleading with regard to the opponent's trade mark 2207546 I shall also include trade mark CTM 48355 which I believe provides the opponent with its next strongest case. For ease of reference the marks to be compared are reproduced below:

Applicant's Mark	Opponent's marks
	UK 2207546 API



36) Whilst CTM 48355 is set on a rectangle with pronounced borders this does not detract from the dominant feature. All three marks consist of the letters “API” although they use different fonts and sizes. The marks are clearly visually and aurally similar if not identical. The only concept that they convey is the three letters.

37) Whilst I accept that honest concurrent use is not of itself a defence to a Section 5 based opposition, the fact of concurrent use, without evidence of confusion, could have a bearing on the likelihood of confusion (*Road Tech Computer Systems Limited v Unison Software* 1996 FSR 805). However, in this case the marks, even if not identical, are very similar and the goods are identical. In these circumstances the absence of evidence of confusion cannot be taken as an indication that there is no likelihood of confusion if these marks were used concurrently in the same market in respect of the same goods.



38) Allowing for the dictum of imperfect recollection, I come to the conclusion that when all factors are considered, that there was a likelihood of confusion at 16 December 1999. Consequently, the opposition under Section 5(2)(b) succeeds.

39) The opposition having succeeded the opponent is entitled to a contribution towards costs. I order the applicant to pay the opponent the sum of £2000. This sum to be paid within seven days of the expiry of the appeal period or within seven days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 1st day of July 2003


George W Salthouse
For the Registrar
The Comptroller General

ANNEX A

Mark	Number	Effective Date	Class	Specification
 	UK 2028226	24.07.95	2	Printing ink; printers' pastes, printing compositions; metallic ink; coatings; light sensitive coatings; anti-corrosive preparations and substances; anti-corrosive bands; anti-corrosive substances coated on or impregnated into paper, board and fabrics; anti-rust greases; anti-rust oils; anti-rust preparations.
			6	Stamping foils of non-precious metal; materials wholly or principally of common metal in the form of film; tapes made of plastics combined with metal foil or of paper combined with metal foil, the metal foil predominating, for use with hot stamping machines.
			7	Stamping machines and parts and fittings therefor; embossing tools; coding machines and tools; printing apparatus and machinery.
			9	Computer hardware; computer software; variable information print apparatus and instruments; apparatus and machines for printing and applying bar codes, and parts and fittings therefor.
			14	Stamping foils of precious metal; materials wholly or principally of precious metal in the form of films; gold leaf.
			16	Barrier coated papers; bakery papers; metal coated paper; metal coated transparent wrapping material in the nature of paper; ink; stamping foils in the nature of paper and being stationery; stamps; stamping dies; printers' blankets (non-textile); printers' reglets; printing blocks; portable printing sets; printing type; non-textile labels; plastic materials for wrapping and packaging; paper; cardboard, board, paperboard and goods made from these materials; film made wholly or principally of paper; silicone coated papers; silicone coated film; metalised film; security film; holographic film; embossing film; laminates made of cardboard; laminated boards; adhesive materials; office requisites; labelling apparatus; embossing tapes; tape embossers; film and paper, for embossing purposes; self adhesive transparent protecting film; stationery; packaging and packing materials; self adhesive security closures; padded envelopes; envelopes; tapes; labels; thermal transfer ribbon; protective film coated with or incorporating anti-corrosion materials.
17	Plastics in the form of sheets (non-textile), films and wound on reels; laminates of plastics with other materials, in the form of sheets, of films or wound on reels, the plastics materials predominating; foamed polypropylene film laminated to paper or to board, the foamed polypropylene film predominating; all the aforesaid goods for use in manufacture; plastic film; anti-corrosive film; silicone coated film; metalised film; security film; holographic film; embossing film; film made wholly or principally of plastics; packaging articles and materials; self adhesive security closures; tapes (other than stationery and not for medical or household purposes); decorative laminates made wholly or principally of plastics; thermal transfer printing ribbon.			
39	Transport, packaging, distribution and storage of printing materials.			

			42	Consultancy services relating to the supply and manufacture of stamping foil; consultancy services to the printing and embossing industry; printing and stamping machinery design services; design and consultancy services relating to print-based security products.
API DIELESS	UK 2181928	12.11.98	2	Printing ink; printers' pastes, printing compositions; metallic ink; coatings; light sensitive coatings.
			6	Stamping foils of non-precious metal; materials wholly or principally of common metal in the form of film; tapes made of plastics combined with metal foil or of paper combined with metal foil, the metal foil predominating.
			7	Stamping machines and parts and fittings therefor; embossing tools; coding machines and tools; printing apparatus and machinery.
			14	Stamping foils of precious metal; materials wholly or principally of precious metal in the form of films; gold leaf.
			16	Metal coated paper; metal coated transparent wrapping material in the nature of paper; ink; stamping foils in the nature of paper and being stationery; stamps; stamping dies; printers' blankets (non-textile); printers' reglets; printing blocks; portable printing sets; printing type; non-textile labels; plastic materials for wrapping and packaging; paper; cardboard, board, paperboard and goods made from these materials; film made wholly or principally of paper; silicone coated papers; silicone coated film; metalised film; security film; holographic film; embossing film; adhesive materials; office requisites; labelling apparatus; embossing tapes; tape embossers; film and paper for embossing purposes; stationery; packaging and packing materials; tapes; labels; thermal transfer ribbon; protective film coated with or incorporating anti-corrosion materials.
			17	Plastics in the form of sheets (non-textile), films and wound on reels; laminates of plastics with other materials, in the form of sheets, of films or wound on reels, the plastics materials predominating; all the aforesaid goods for use in manufacture; plastic film; silicone coated film; metalised film; security film; holographic film; embossing film; film made wholly or principally of plastics; packaging articles and materials; tapes (other than stationery and not for medical or household purposes); thermal transfer printing ribbon.
	UK 2186645	21.01.99	2	Printing ink; printers' pastes, printing compositions; metallic ink; coating light sensitive coatings; anti-corrosive substances coated on or impregnated into paper, board and fabrics; anti-rust greases; anti-rust oils; anti-rust preparations; printing foils for coding and labelling.
			6	Stamping foils of non-precious metal; materials wholly or principally of common metal in the form of film; tapes made of plastics combined with metal foil or of paper combined with metal foil, the metal foil predominating, for use with hot stamping machines; metal coated plastic film; stamping foils and metal coated plastics film, all with or without an adhesive backing and included in Class 6.
			7	Stamping machines and parts and fittings therefor; embossing tools; coding machines and tools; printing apparatus and machinery; tape embossing machines; labelling machines.

			9	Computer hardware; computer software; variable information print apparatus and instruments; apparatus and machines for printing and applying bar codes, and parts and fittings therefor.
			14	Stamping foils of precious metal; materials wholly or principally of precious metal in the form of films; gold leaf.
			16	Barrier coated paper; bakery papers; metal coated paper; metal coated transparent wrapping material in the nature of paper; ink; stamping foils in the nature of paper and being stationery; stamps; stamping dies; foiling dies; embossing dies; printers' blankets (non-textile); printers' reglets; printing blocks; portable printing sets; printing type; non-textile labels; plastic materials for wrapping and packaging; paper; cardboard, board, paperboard and goods made from these materials; film made wholly or principally of paper; silicone coated papers; silicone coated film; metalised film; security film; holographic film; embossing film; laminates made of cardboard; laminated boards; adhesive materials; office requisites; labelling apparatus; embossing tapes; tape embossers; film and paper, for embossing purposes; self adhesive transparent protecting film; stationery; packaging and packing materials; self adhesive security closures; padded envelopes; envelopes; tapes; labels; thermal transfer ribbon; protective film coated with or incorporating anti-corrosion materials.
			17	Plastics in the form of sheets (non-textile), films and wound on reels; laminates of plastics with other materials, in the form of sheets, of films or wound on reels, the plastics materials predominating; foamed polypropylene film laminated to paper or to board, the foamed polypropylene film predominating; all the aforesaid goods for use in manufacture; plastic film; anti-corrosive film; silicone coated film; metalised film; security film; holographic film; embossing film; film made wholly or principally of plastics; packaging articles and materials; self adhesive security closures; tapes (other than stationery and not for medical or household purposes); decorative laminates made wholly or principally of plastics; thermal transfer printing ribbon.
			39	Transport, packaging, distribution and storage of printing and packaging materials.
			42	Consultancy services relating to the supply and manufacture of stamping foil; consultancy services to the printing and embossing industry; printing and stamping machinery design services; design and consultancy services relating to print-based security products.
API	UK 2207546	02.09.99	2	Printing ink; printing foils; printers' pastes, printing compositions; metallic ink; coatings; light sensitive coatings; anti-corrosive preparations and substances; anti-corrosive bands; anti-corrosive substances coated on or impregnated into paper, board and fabrics; anti-rust greases; anti-rust oils; anti-rust preparations; printing foils for coding and labelling.
			6	Stamping foils of non-precious metals; materials wholly or principally of common metal in the form of film; tapes made of plastics combined with metal foil or of paper combined with metal foil, the metal foil predominating, for use with hot stamping machines; metal coated plastic film; stamping foils and metal coated plastics film, all with or without an adhesive backing and included in Class 6.

			7	Stamping machines and parts and fittings therefor; embossing tools; coding machines and tools; printing apparatus and machinery; tape embossing machines; labelling machines.
			9	Computer hardware, computer software; all for use in the printing industry and for product tracking and authentication; variable information print apparatus and instruments; apparatus and machines for printing and applying bar codes, and parts and fittings therefor.
			14	Stamping foils of precious metal; materials wholly or principally of precious metal in the form of films; gold leaf.
			16	Barrier coated paper; bakery papers; metal coated paper; metal coated transparent wrapping material in the nature of paper; ink; stamping foils in the nature of paper and being stationery; stamps; stamping dies; foiling dies; embossing dies; printers' blankets (non-textile); printers' reglets; printing blocks; portable printing sets; printing type; non-textile labels; plastic materials for wrapping and packaging; paper; cardboard, board, paperboard and goods made from these materials; film made wholly or principally of paper; silicone coated papers; silicone coated film; metalised film; security film; holographic film; embossing film; laminates made of cardboard; laminated boards; adhesive materials; office requisites; labelling apparatus; embossing tapes; tape embossers; film and paper, for embossing purposes; self adhesive transparent protecting film; stationery; packaging and packing materials; self adhesive security closures; padded envelopes; envelopes; tapes; labels; thermal transfer ribbon; protective film coated with or incorporating anti-corrosion materials.
			17	Plastics in the forms of sheets (non-textile), films and wound on reels; laminates of plastics with other materials, in the form of sheets, of films or wound on reels, the plastics materials predominating; foamed polypropylene film laminated to paper or to board, the foamed polypropylene film predominating; all the aforesaid goods for use in manufacture; plastic film; anti-corrosive film; silicone coated film; metalised film; security film; holographic film; embossing film; film made wholly or principally of plastics; packaging articles and materials; self adhesive security closures; tapes (other than stationery and not for medical or household purposes); decorative laminates made wholly or principally of plastics; thermal transfer printing ribbon.
			39	Transport, packaging, distribution and storage of printing and packaging materials.
			42	Consultancy services relating to the supply and manufacture of printing and stamping foil; consultancy services to the printing and embossing industry; printing and stamping machinery design services; design and consultancy services relating to print-based security products.
	CTM 48355	01.04.96	2	Printing ink; printers' pastes, printing compositions; metallic ink; coatings; light sensitive coatings; anti-corrosive preparations and substances; anti-corrosive bands; anti-corrosive substances coated on or impregnated into paper, board and fabrics; anti-rust greases; anti-rust oils; anti-rust preparations; all being for industrial or wholesale use.

			6	Stamping foils of non-precious metal; materials wholly or principally of common metal in the form of film; tapes made of plastics combined with metal foil or of paper combined with metal foil, the metal foil predominating, for use with hot stamping machines.
			7	Stamping machines for use in printing and parts and fittings therefor; embossing tools; coding machines and tools; printing apparatus and machinery; tape embossing machines.
			9	Computer hardware and computer software, all for use in the printing industry and for product tracking and authentication; variable information print apparatus and instruments; apparatus and machines for printing and applying bar codes, and parts and fittings therefor.
			14	Stamping foils of precious metal; materials wholly or principally of precious metal in the form of films; gold leaf.
			17	Plastics in the form of sheets (non-textile), films and wound on reels; laminates of plastics with other materials, in the form of sheets, of films or wound on reels, the plastics materials predominating; foamed polypropylene film laminated to paper or to board, the foamed polypropylene film predominating; all the aforesaid goods for use in manufacture; plastic film; anti-corrosive film for industrial and commercial packing use; silicone or metalised film for industrial and commercial packing; film made wholly or principally of plastics; packaging articles and materials of rubber or plastics; tapes (other than stationery and not for medical or household purposes); decorative laminates made wholly or principally of plastics; self adhesive transparent protective film for use in industrial and commercial packaging; plastic or rubber padding for envelopes in class 17; protective film coated or incorporating anti-corrosion materials for use in industrial and commercial packaging in class 17; all being for industrial or wholesale use.
			39	Transport, packaging, distribution and storage of printing materials
			42	Consultancy services relating to the supply and manufacture of stamping foil; consultancy services to the printing and embossing industry; printing and stamping machinery design services; design and consultancy services relating to print-based security products.
	CTM 1247485	15.07.99	2	Printing ink; printers' pastes, printing compositions; metallic ink; coatings; light sensitive coatings; anti-corrosive substances coated on or impregnated into paper, board and fabrics; anti-rust greases; anti-rust oils; anti-rust preparations; printing foils for coding and labelling.
			6	Stamping foils of non-precious metal; materials wholly or principally of common metal in the form of film; tapes made of plastics combined with metal foil or of paper combined with metal foil, the metal foil predominating, for use with hot stamping machines; metal coated plastic film; stamping foils and metal coated plastics film, all with or without an adhesive backing and included in class 6.

			16	Barrier coated paper; bakery papers; metal coated paper; metal coated transparent wrapping material in the nature of paper; ink; stamping foils in the nature of paper and being stationery; stamps; stamping dies; foiling dies; embossing dies; printers' blankets (non-textile); printers' reglets; printing blocks; portable printing sets; printing type; non-textile labels; plastic materials for wrapping and packaging; paper; cardboard, board, paperboard and goods made from these materials; film made wholly or principally of paper; silicone coated papers; silicone coated film; metalised film; security film; embossing film; laminates made of cardboard; laminated boards; adhesive materials; office requisites; labelling apparatus; embossing tapes; tape embossers; film and paper for embossing purposes; self adhesive transparent protecting film; stationery; packaging and packing materials; self adhesive security closures; padded envelopes; envelopes; tapes; labels; thermal transfer ribbon; protective film coated with or incorporating anti-corrosion materials.
			17	Plastics in the form of sheets (non-textile), films and wound on reels; laminates of plastics with other materials, in the form of sheets, of films or wound on reels, the plastics materials predominating; foamed polypropylene film laminated to paper or to board, the foamed polypropylene film predominating; all the aforesaid goods for use in manufacture; plastic film; anti-corrosive film; silicone coated film; metalised film; embossing film; film made wholly or principally of plastics; plastic foil and plastic film for use in the production of laminated security documents and holograms; packaging articles and materials; self adhesive security closures; tapes (other than stationery and not for medical or household purposes); decorative laminates made wholly or principally of plastics.
API DIELESS	CTM 1165158	30.04.99	2	Printing ink; printers' pastes, printing compositions; metallic ink; coatings; light sensitive coatings; foils included in Class 2.
			6	Stamping foils of non-precious metal; materials wholly or principally of common metal in the form of film; tapes made of plastics combined with metal foil or of paper combined with metal foil, the metal foil predominating.
			7	Stamping machines and parts and fittings therefor; stamping dies: embossing tools; coding machines and tools; printing apparatus and machinery.
			14	Stamping foils of precious metal; materials wholly or principally of precious metal in the form of films; gold leaf.
			16	Metal coated paper; metal coated transparent wrapping material in the nature of paper; ink; stamping foils in the nature of paper and being stationery; stamps; printers' blankets (non-textile); printers' reglets; printing blocks; portable printing sets; printing type; non-textile labels; plastic materials for wrapping and packaging; paper; cardboard, board, paperboard and goods made from these materials; film made wholly or principally of paper; silicone coated papers; silicone coated film; metalised film; security film; holographic film; embossing film; adhesive materials; office requisites; labelling apparatus; embossing tapes; tape embossers; film and paper for embossing purposes; stationery; packaging and packing materials; tapes; labels; thermal transfer ribbon; protective film coated with or incorporating anti-corrosion materials.

			17	Plastics in the form of sheets (non-textile), films and wound on reels; laminates of plastics with other materials, in the form of sheets, of films or wound on reels, the plastics materials predominating; all the aforesaid goods for use in manufacture; plastic film; silicone coated film; metalised film; security film; holographic film; embossing film; film made wholly or principally of plastics; packaging articles and materials; tapes (other than stationery and not for medical or household purposes); thermal transfer printing ribbon.
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