

O-191-03

**TRADE MARKS ACT 1994**

**IN THE MATTER OF APPLICATION No. 2261559  
BY KIDZ WORLD LIMITED  
TO REGISTER A SERIES OF TRADE MARKS  
IN CLASSES 21, 25, 41 AND 42**

**AND**

**IN THE MATTER OF OPPOSITION THERETO UNDER No. 90354  
BY MR FRANKLIN LOUFRANI**

**TRADE MARKS ACT 1994**

**IN THE MATTER OF APPLICATION No. 2261559  
by Kidz World Limited to register a series of Trade Marks  
in Classes 21, 25, 41 and 42**

**and**

**IN THE MATTER OF OPPOSITION thereto under No. 90354  
by Mr Franklin Loufrani**

**Background**

1. On 17 February 2001 Kidz World Limited applied to register SMILEE FACES and SMILEE FACE as a series of two marks. The application, which is numbered 2261559, specifies the following goods and services:

**Class: 21**

Ceramic articles; mugs, plates; ornaments.

**Class: 25**

Articles of clothing; footwear; headgear.

**Class: 41**

Entertainment services; provision of children's play areas.

**Class: 42**

Restaurant services; preparation of foodstuffs or meals for consumption off the premises; childminding services.

2. On 16 August 2001 Mr Franklin Loufrani filed notice of opposition to this application. He is the proprietor of the UK and CTM applications, full details of which appear in the Annex to this decision. Objection is taken under Section 5(2)(b) on the basis that the application in suit is for a similar mark and identical or similar goods such that there exists a likelihood of confusion on the part of the public. Further grounds contained in the original statement of grounds have been withdrawn and do not call for further comment.

3. The applicants filed a counterstatement denying the above ground and noting particularly the very wide range of goods and services covered by the trade mark applications relied on by the opponent. I will come to this and other submissions made by the applicants later in this decision.

4. Both sides ask for an award of costs in their favour.

5. Neither side has filed evidence. This decision is, therefore, taken on the basis of the information available to me in the statement of grounds and counterstatement and the law and legal authorities referred to below.

### **The law**

6. Section 5(2)

The Section reads:

“5.-(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.”

7. Sub-paragraph (b) applies here.

8. The term ‘earlier trade mark’ is itself defined in Section 6 of the Act. So far as is relevant this Section provides as follows:

“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,
- (b) .....
- (c) .....

(2) References in this Act to an earlier trade mark include a trade mark in respect of which an application for registration has been made and which, if registered, would be an earlier trade mark by virtue of subsection (1)(a) or (b), subject to its being so registered.”

### **Events prior to the issue of this decision**

9. It will be apparent from the information contained in the Annex to this decision that the trade marks relied on by the opponent have not yet progressed to registration. They, nevertheless,

have filing (and priority) dates that result in them having the capability of becoming earlier trade marks within the meaning of Section 6(1)(a) subject to their achieving registration (see Section 6(2)).

10. As part of the review process that takes place once the parties have filed or been given an opportunity to file evidence I wrote to the parties on 9 September 2002 indicating that it seemed to me that it should be possible to reach a decision without recourse to a hearing subject, of course, to either side's right to request a hearing or to file written submissions if they so wished. I also said that:

“... the parties should note any decision (if it was in favour of the opponent) would be conditional on the outcome of the trade mark applications relied on. This arises because they are not at present earlier trade marks within the meaning of Section 6(1)(a) having regard to the meaning of Section 6(2) of the Act. The parties may request suspension at this stage if they would prefer to await the determination of the applications in question.”

11. The opponent's attorneys replied requesting suspension. The applicants do not appear to have responded to the invitation or to have argued against suspension. The Registry's Law Section, therefore, agreed an initial suspension period of six months to run until 23 April 2003. At the same time the parties were advised that a review of the position would take place at that juncture. No further correspondence was received from the parties or their professional representatives. At the termination of the suspension period Law Section wrote to the parties (letter dated 23 May 2003) noting that there had been no further request to suspend proceedings and advising that it was assumed the parties were content for a decision to be taken from the papers. A period of 14 days was allowed for any contrary views to be expressed or for a further suspension to be requested. None has been received despite the fact that the opponent's applications have yet to be determined. That is perhaps a somewhat unfortunate state of affairs given the breadth of the specifications involved. I deal with the consequences of this below.

### **The case law**

12. I take into account the guidance provided by the European Court of Justice (ECJ) in *Sabel BV v Puma AG* [1998] E.T.M.R. 1, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc* [1999] E.T.M.R. 1, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* [2000] F.S.R. 77 and will draw on these cases in what follows.

### **Comparison of goods and services**

13. The applicants' counterstatement notes that the opponent's own applications cover a very large number of Classes and questions whether his business involves all of them. They further suggest that the true extent of his business may be more accurately reflected in a further CTM application (now registration) covering Classes 4, 26 and 27. The latter is, it seems to me, no more than speculation on the applicants' part. So far as the first point is concerned, the opponent has indeed sought protection for a wide range of goods and services. But there is no inherent reason why he should not do so. The fact of the matter is that I must consider the position based on the full extent of the specifications concerned.

14. However, in view of the extensive coverage of the opponent's specifications I do not propose at this stage to undertake a full-scale comparison of each and every item against the applied for specification. It will suffice to indicate a few specific examples of overlap and/or broad areas of identity or similarity. I am guided in this process by the European Court of Justice's observations in the *Canon* case to the effect that:

“In assessing the similarity of the goods or services concerned, as the French and United Kingdom Governments and the Commission have pointed out, all the relevant factors relating to those goods or services themselves should be taken into account. Those factors include, inter alia, their nature, their end users and their method of use and whether they are in competition with each other or are complementary.”

15. Taking the applicants' Classes in turn:

#### Class 21

The term 'ceramic articles' is itself a broad one and would include any article made from fired clay. Numerous items in the Class 21 specification of No. 731711 are not restricted as to their composition and could, therefore, be ceramic. I note too that No. 731711 covers earthenware and pottery. 'Mugs', 'plates' and 'ornaments' find very close parallels in table plates, beer glasses, goblets and works of art of porcelain, terra cotta or glass. In short identical and/or closely similar goods are in play.

#### Class 25

'Articles of clothing, footwear and headgear' are identical to clothing, footwear and specific types of headgear (caps, hats etc) in the opponent's application No. 2269521.

#### Class 41

'Entertainment services' are matched by the opponent's equivalent services in both No. 731711 and 2269521. The specific service of 'provision of children's play areas' has no direct equivalent in the opponent's specifications but is likely to be contained within the general terms entertainment and amusement parks or at least to share a lower degree of similarity with such services.

#### Class 42

'Restaurant services; preparation of foodstuffs or meals for consumption off the premises' are identical or very closely similar to the café-restaurants, caterias, self service restaurants, snack-bars, catering services etc in No. 731711 and providing of food and drink in No. 2269521. 'Childminding services' share some similarities with day-nurseries albeit that some distinction can be drawn between the two. I conclude that the goods and services applied are either identical or similar to the goods and services to be found in the opponent's own applications.

## **Similarity of marks**

16. The visual, aural and conceptual similarities of the marks must be assessed by reference to the overall impressions created by those marks bearing in mind their distinctive and dominant components, *Sabel v Puma* paragraph 23. The matter must be judged through the eyes of the average consumer of the goods/services in question, *Sabel v Puma*, paragraph 23, the average consumer is deemed to be reasonably well informed and reasonably circumspect and observant but rarely has the chance to make direct comparisons between marks. Imperfect recollection must, therefore, be allowed for, *Lloyd Schuhfabrik v Klijsen Handel*, paragraph 27.

17. In relation to the goods and services that I have found to be identical or similar, I take the average consumer to be the public at large.

18. The marks at issue are SMILEE FACES and SMILEE FACE (applicants' series) and SMILEY (opponent's). The applicants submit that their marks differ as they are made up of two words and employ a different spelling of the word that gives rise to the potential conflict. Both of those points are self-evidently true but do not provide a complete answer to the question of whether the marks are similar having regard to the prescribed test.

19. Before dealing with the visual, aural and conceptual considerations laid down in that test I should comment briefly on the distinctive character of the opponent's mark. In the absence of evidence I approach the matter on the basis that it is an unused mark and benefits only from its inherent rather than any acquired distinctiveness. I am not aware that SMILEY is a dictionary word. But that is not to say that it is a truly invented word. I believe it is used and likely to be seen as equivalent to the adjective smiling. It may also be a surname but, if it is, I have no evidence to indicate its prevalence or whether that signification would outweigh what I anticipate to be the more obvious meaning so far as the general public is concerned. I, therefore, consider that the word has a moderate degree of distinctive character.

20. Visually it is highly unlikely that the average consumer would fail to notice that the applied for marks contain two words as distinct from the single word of the opponents' mark. They may also notice the different spellings of the word element SMILEY/SMILEE. However, I consider the different endings to be within the normal range of alternatives that consumers would expect to encounter with the result that this feature of the marks is unlikely to materially affect consumer perceptions. Aurally, of course, there will be no difference at all in the appreciation of the words SMILEY and SMILEE.

21. Conceptually I find that there is a strong similarity between the marks. A smile is a facial expression so the word SMILEY can be said to carry with it the connotation of a smiling face. The marks, therefore, converge on a single idea.

## **Likelihood of confusion**

22. The likelihood of confusion must be appreciated globally taking account of all relevant factors (*Sabel v Puma*, paragraph 22). I have found that identical and similar goods and services

are involved and that the conceptual similarities between the marks create a single idea. The additional words in the applied for series of marks reinforce rather than detract from that point of similarity. I have little hesitation in concluding that there is a likelihood of confusion. As matters stand the opponent succeeds under Section 5(2)(b).

### **Implementation of this decision and appeal**

23. Whilst I have found the opposition to be successful, under the provisions of Section 6(2) the final outcome is dependent upon the fate of the UK and CTM applications. Accordingly this is a provisional decision. The opponent is to inform the Registry once the applications in question have been determined and a supplementary, final decision will be issued at that time. The period for appeal will begin from the date of that final decision.

### **Costs**

24. I make no order on costs at this stage and will, instead, deal with this matter in the light of the eventual outcome of the case.

**Dated this 2<sup>ND</sup> day of July 2003**

**M REYNOLDS  
For the Registrar  
the Comptroller General**

## ANNEX

Applications relied on by the opponent:

No.	Mark	Class	Specification
2269521 (UK)	SMILEY	05	Pharmaceutical preparations, dietetic substances adapted for medical use, dietetic foodstuffs and drinks adapted for medical use, food for babies, reducing tea for medical purposes, medical preparations for slimming purposes, nutritional supplements for medical purposes, mineral waters for medical purposes, medicinal infusions, mineral food supplements, vitamin preparations.
		18	Trunks and travelling bags; boxes of leather or leather board, purses, school satchels, card cases (notecases), hat boxes of leather, key cases (leatherware), vanity cases (not fitted), briefcases, school bags, net bags for shopping, covers for animals, attache cases, purses, not of precious metal, pocket wallets, sling bags for carrying infants, rucksacks, handbags, beach bags, travelling bags, bags (envelopes, pouches), of leather, for packaging, garment bags for travel, briefcases, travelling sets (leatherware).
		24	Fabric for underwear.
		25	Clothing; footwear (except orthopaedic footwear); swimsuits, bath robes, bibs, not of paper, berets, hosiery, boots, braces, pants, caps, belts, hats, footwear for sports, fancy dress costumes, napkins for babies, ear muffs, neckties, scarves, headscarves, gloves, layettes, slippers, soles for footwear, underclothing, aprons, sportswear.
		29	Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats; milk beverages (milk predominating); crystallised fruits; croquettes; garden herbs, preserved; preparations for making soup, soups; prepared or cooked dishes made from vegetables, meat or fish.
		30	Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery; yeast, mustard;



731711 (CTM) SMILEY		<p>vinegar, sauces (condiments); spices; ices; seaweed (condiments); pasta; confectionery for decorating Christmas trees; flavourings, other than essential oils, seasonings; cookies, cocoa-based beverages, coffee-based beverages, chocolate-based beverages; chips (cereal products), chocolate, condiments, decorations for cakes (edible); farinaceous foods; royal jelly for human consumption (not for medical purposes); chewing gum, not for medical purposes; infusions, not medicinal; honey; sandwiches; prepared or cooked dishes made with pastry, pasta, rice or cereals.</p> <p>31 Agricultural, horticultural and forestry products, neither prepared, nor processed; live animals; fresh fruits and vegetables; natural plants and flowers; foodstuffs for animals.</p> <p>32 Non-alcoholic drinks and preparations for making beverages (except for those based on coffee, tea or cocoa and milk beverages).</p> <p>33 Alcoholic beverages (except beers), liqueurs, spirits, wine.</p> <p>41 Entertainment, amusement parks, providing casino facilities (gambling), providing gaming room facilities, gaming.</p> <p>42 Providing of food and drink, rental of vending machines.</p> <p>03 Soaps, cosmetics, cosmetic preparations for slimming purposes, rust removing preparations, sun-tanning preparations (cosmetics), fabric softeners (for laundry use), cosmetic preparations for baths, shaving soap, cotton wool sticks for cosmetic purposes, skin whitening creams, laundry bleach, scented wood, shining preparations (polish), hair dyes, waving preparations for the hair, false eyelashes, shoe wax, depilatory wax, parquet floor wax, polishing wax, preservatives for leather (polishes), decorative transfers for cosmetic purposes, cosmetic sets, cosmetics for animals, shoe polishes, waxes for leather, preparations for cleaning waste pipes, scouring solutions, bleaching preparations (decolorants) for cosmetic purposes, grease-removing preparations other than for use in manufacturing processes, make-up</p>
---------------------	--	---

		<p>removing preparations, dentifrices, depilatory preparations, deodorants for personal use, stain removing preparations, scale removing preparations for household purposes, detergents other than those for use in manufacturing processes and for medical purposes, eau de toilette, anti-static preparations for household purposes, emery paper, emery cloth, polish for furniture and flooring, incense, make-up, fumigation preparations (perfumes), windscreen cleaning liquids, essential oils, bleach, hair lacquer, laundry preparations, sachets for perfuming linen, lotions for cosmetic purposes, after-shave lotions, hair lotions, tissues impregnated with cosmetic lotions, preparations for cleaning dentures, nail care preparations, false nails, cotton wool for cosmetic purposes, polishing paper, sandpaper, abrasive paper, wallpaper cleaning preparations, perfumes, cosmetic preparations for skin and hair care, paint stripping preparations, pumice stone, alum stones (antiseptic), adhesives for attaching false hair, perfumed pots-pourri, shaving preparations, shampoos, mouth washes, not for medical purposes, toiletries, varnish-removing preparations.</p>
	05	<p>Veterinary preparations; sanitary preparations for medical purposes and for intimate hygiene, disinfectants, herbicides, adhesives for dentures, adhesive tapes for medical purposes, air purifying preparations, air freshening preparations, animal washes, preparations for destroying vermin, mothproofing preparations, antiparasitic collars for animals, sunburn ointments, fly catching paper, therapeutic preparations for the bath, hygienic bandages, sanitary pads, confectionery, medicated, mouth washes for medical purposes, tobacco-free cigarettes for medical purposes, compresses, solutions for contact lenses, cotton for medical purposes, napkins for incontinents, breastfeeding pads, dental impression materials, porcelain for dental prostheses, material for stopping teeth, herbicides, deodorants other than for personal use, detergents for medical purposes, medicine cases (portable) (filled), mineral water salts, mineral waters for medical purposes, thermal water, milking grease, chemical preparations for the diagnosis of pregnancy, absorbent wadding, sanitary towels, insecticides, semen for artificial</p>

	08	<p>insemination, menstruation tampons, alloys of precious metal for dental purposes, contact lens cleaning preparations, smelling salts, preparations of trace elements for human and animal use, material for dressings, pharmaceutical preparations for skincare, pesticides, first-aid boxes (filled), panty liners (sanitary).</p> <p>Cutlery, non-electric, forks and spoons, side arms, sharpening instruments, sharpening stones, needle-threaders, sharpening instruments, leather strops, sharpening steels, reamers, nail extractors, diggers (hand tools), beard clippers, spades (hand tools), rams (hand tools), livestock marking tools, cattle shearers, nail drawers (hand tools), instruments for punching tickets, can openers, non-electric, graving tools (hand tools), nutcrackers, not of precious metal, non-electric hand operated haircurlers, hair clippers for personal use, shears, scissors, spanners (hand tools), vegetable knives, nail clippers (electric or non-electric), lifting jacks, hand operated, fruit pickers (hand tools), cutting tools (hand tools), trowels (gardening), tree pruners, swords, depilation appliances, electric or non-electric, hair-removing tweezers, squares (hand tools), vices, razor cases, hollowing bits (parts of hand tools), sickles, scythes, curling tongs, goffering irons, gimlets (hand tools), forks, lawn clippers (hand instruments), ice picks, gouges (hand tools), scrapers (hand tools), vegetable choppers, meat mincers, axes, harpoons, oyster openers, insecticide vaporisers (hand tools), hand tools for gardening, hand operated, razor blades, levers, files (tools), electric nail files, expanders (hand tools), electric manicure sets, manicure sets, hammers (hand tools), truncheons, bits (parts of hand tools), shaving sets, pedicure sets, shovels (hand tools), pliers, sugar tongs, pincers, pickaxes, guns (hand tools), hair clippers for animals (hand instruments), punches (hand tools), planes, rasps (hand tools), electric or non-electric razers, rakes (hand tools), flat irons, non-electric, sabres, hoes (hand tools), saws (hand tools), secateurs, bill-hooks, clamps (for carpenters or coopers), pliers, fire irons, shearers (hand instruments), screwdrivers, trowels, lifting jacks, hand operated, breast drills.</p>
	09	Nautical apparatus and instruments, weighing

	<p>apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs, automatic vending machines and mechanisms for coin-operated apparatus, calculating machines, data processing equipment, computers, protection devices for personal use against accidents, reflecting discs for wear for the prevention of traffic accidents, clothing for protection against accidents, irradiation and fire, accumulators, electric, chargers for electric batteries, sound alarms, aerometers, apparatus to check franking, electronic organisers, enlarging apparatus, alarms, alcoholometers, food analysis apparatus, cigar lighters for automobiles, altimeters, amplifiers, aerials, anti-glare glasses, anti-glare visors, anti-interference devices (electricity), sighting telescopes for firearms, apparatus and instruments for astronomy, electric devices for attracting and killing insects, audiovisual teaching apparatus, juke boxes (musical), automatic vending machines, anti-theft warning apparatus, fire alarms, azimuth instruments, safety tarpaulins, scales, beacons, luminous, meteorological balloons, magnetic tapes, video tapes and cassettes, barometers, weighbridges, hair-curlers, electrically heated, ticket dispensers, terminals (electricity), road signs, luminous or mechanical, marking buoys, life-buoys, signalling buoys, directional compasses, push buttons for bells, spirit levels, frames for photographic transparencies, cash registers, cinematographic cameras, video cameras, fuel dispensing pumps for service stations, smart cards, encoded cards, magnetic, identity cards, magnetic, video game cartridges, protective helmets, swimming belts, lifebelts, cinematographic film (exposed), printed circuits, integrated circuits, computer keyboards, blinkers (signalling lights), bar code readers, diving suits, control panels (electricity), commutators, compact discs (audio-video), compact discs (read-only memory), compasses (measuring instruments), thread counters, revolution counters, meters, connectors (electricity), contact lenses, heat regulating apparatus, speed checking apparatus for vehicles, plugs, sockets and other contacts (electric connections), electronic pens (for visual display units), shutter releases (photography), electric make-up removing appliances, animated cartoons, detectors, testing apparatus not for medical purposes, slides</p>
--	---

	<p>(photography), slide projectors, dictating machines, circuit breakers, optical discs, floppy discs, floppy disks, amusement apparatus adapted for use with television receivers only, magnetic data carriers, optical data carriers, dosimeters, fire escapes, screens (photography), projection screens, video screens, batteries, electric, transmitting sets (telecommunication), transmitters of electronic signals, time recording apparatus, apparatus for recording distance, sound recording apparatus, sound recording carriers, tape recorders, teaching apparatus, luminous signs, mechanical signs, gasoline pumps for service stations, spectacle cases, containers for contact lenses, fire-extinguishing apparatus, electric flat irons, optical fibres (light conducting filaments), nets for protection against accidents, safety nets, films, exposed, electric wires, telephone wires, flash-bulbs (photography), fuses, jigs (measuring instruments), gloves for divers, gas testing instruments, swimming jackets, lifejackets, bullet-proof vests, loudspeakers, printers for use with computers, indicators (electricity), quantity indicators, temperature indicators, speed indicators, data processing apparatus, intercommunication apparatus, interfaces (for computers), switches, electric, apparatus for games adapted for use with television receivers only, slot machines, automatic, peepholes (magnifying lenses) for doors, binoculars, optical lamps, magic lanterns, readers (data processing equipment), cassette readers, compact disc readers, optical character readers, contact lenses, computer software (recorded), telescopes, magnifying glasses (optics), optical goods, sunglasses, word processing machines, videorecorders, divers' masks, computer memories, meteorological instruments, rules (measuring instruments), microphones, microprocessors, microscopes, time switches, automatic, furniture especially made for laboratories, modems, monitors (computer hardware), navigational instruments, objectives (lenses) (optics), computer peripheral devices, lightning conductors, parking meters, periscopes, letter scales, photocopiers, cameras (photography), stands for photographic apparatus, time clocks, central processing units (processors), projection apparatus, radar apparatus, life-saving rafts, radios, audio-receivers and video-receivers, rulers (measuring instruments), light dimmers (regulators) (electric), telephone answering</p>
--	--

	11	<p>machines, diving suits, semi-conductors, vehicle breakdown warning triangles, signals, luminous or mechanical, sirens, sonars, bells (warning devices), mice (data processing equipment), facsimile machines, telephone apparatus, telescopes, television apparatus, thermostats, pocket electronic translators, but excluding banknote, coin, bill, counter or token validators, coin-operated, counter-operated or token operated mechanisms or apparatus for handling banknotes, coins, bills, counters or tokens.</p> <p>Air purifying and deodorising apparatus and machines, lamp shades, water softening apparatus and installations, air cooling apparatus, air conditioning installations, air filtering installations, gas lighters, electric light bulbs, heating apparatus for defrosting windows of vehicles, electric lights for Christmas trees, electric pressure cookers, bath tubs, heaters for baths, barbecues, electric heaters for feeding bottles, bidets, apparatus for cooling drinks, electric kettles, hot water bottles, anti-splash tap nozzles, roasting spits, tanning apparatus (sun beds), shower cubicles (enclosures), electric coffee machines, solar collectors (heating), heat accumulators, heat regenerators, heating boilers, electric heating apparatus, humidifiers for central heating radiators, water heaters, foot warmers (electric or non-electric), fireplaces (domestic), hair dryers, plate warmers, air conditioning apparatus, freezers, electric blankets, not for medical purposes, cookers, microwave cooking apparatus, toilet bowls, disinfectant apparatus, deodorising apparatus, not for personal use, light diffusers, showers, water filtering apparatus, water purifying apparatus and machines, ornamental fountains, lamps, electric radiators, sinks, flares, fountains, ovens, other than for experiments, refrigerating apparatus and machines, electric deep fryers, electric waffle irons, ice machines and apparatus, ice boxes, toasters, griddles (cooking appliances), ventilation hoods, oil lamps, lamps, electric pocket torches, fairy lights for decoration, hot plates, stoves (heating apparatus), heat pumps, cooking rings, rotisseries, refrigerators, taps, sanitary apparatus and installations, sauna bath installations, hand drying apparatus for washrooms, electric linen dryers, toilet seats, sterilisers, roasting jacks, electric cooking utensils, fans (air-conditioning), electric fans for</p>
--	----	--

		personal use, electric yoghurt makers.
	12	Vehicles, anti-dazzle devices for vehicles, anti-theft devices for vehicles, head-rests for vehicle seats, aircraft, luggage carriers for vehicles, air balloons, airships, boats, bicycles, wheelbarrows, bicycle frames, hoods for vehicles, caravans, safety belts for vehicle seats, anti-skid chains, inner tubes for pneumatic tyres, goods handling carts, golf carts, rolling stock for railways, airbags (safety devices for automobiles), cycles, hose carts, two-wheeled trolleys, fork lift trucks, safety seats for children (for vehicles), prams, hub caps, windscreen wipers, wheelchairs, vehicle covers (shaped), seat covers for vehicles, motorcycles, paddles for canoes, parachutes, air pumps (vehicle accessories), pushchairs, rearview mirrors, cable cars, chairlifts, delivery tricycles, sun-blinds adapted for automobiles, pneumatic tyres, horns for vehicles, steering wheels for vehicles, space vehicles, mopeds, cars.
	14	Precious metals and their alloys other than for dental purposes, jewellery, precious stones, horological and chronometric instruments, silver plate (plates, dishes), works of art of precious metal, boxes and cases of precious metal, earrings, buckles of precious metal, candlesticks of precious metal, bracelets, brooches, sun dials, ashtrays, of precious metal, for smokers, chains (jewellery), hat ornaments of precious metal, chronographs (watches), chronometers, novelty key rings, necklaces, tie pins, containers for household and kitchen use, kitchen and household utensils of precious metal, pins (jewellery), clocks, badges of precious metal, cuff links, medals, purses of precious metal, watches, straps for wrist watches, silver and gold ware, other than cutlery, forks and spoons, ornaments (jewellery), clocks, napkin holders of precious metal, alarm clocks, services (tableware) of precious metal, urns of precious metal, sacred vessels of precious metal.
	15	Musical instruments, musical boxes, bridges for musical instruments, cases for musical instruments, electronic musical instruments.
	16	Adhesive tapes for stationery or household purposes,

	<p>playing cards, posters, staples for offices, albums, almanacs, water colours (paintings), indoor aquaria, writing slates, engravings, lithographic works of art, atlases, stickers (stationery), bibs of paper, loose-leaf binders, beer mats, tickets, pads (stationery), boxes of cardboard or paper, pamphlets, paintbrushes, blotters, seals (stamps), coffee filters of paper, calendars, tracing patterns, note books, cards, greeting cards, cardboard articles, catalogues, tags for index cards, files (office requisites), glue for stationery or household purposes, confetti, letter trays, napkins for babies of paper or cellulose (disposable), wrappers (stationery), writing chalk, transfers (decalcomanias), tissues of paper for removing make-up, drawing instruments, graphic prints, adhesive tape dispensers (office requisites), folders for paper, document files (stationery), flags (of paper), typewriters, electric or non-electric, inkstands, writing instruments, rubber erasers, erasing products, elastic bands for offices, wrapping paper, ink, inkwells, signboards of paper or cardboard, envelopes (stationery), towels of paper, labels, not of textile, announcement cards (stationery), paper sheets (stationery), plastic bubble packs (for wrapping or packaging), index cards (stationery), forms (printed), school supplies (stationery), terrestrial globes, graphic representations, toilet paper, pictures, printed matter, newspapers, writing paper, table linen of paper, lithographs, books, book marks, booklets, manuals (handbooks), bags for microwave cooking, embroidery designs (patterns), handkerchiefs of paper, stationery, paper, paperweights, modelling paste, house painters' rollers, paintings (pictures), framed or unframed, plastic film for wrapping, office perforators, photographs, paintbrushes, prints (engravings), drawing boards, plans, pen cases, chequebook holders, pencils, pencil holders, pen holders, portraits, postcards, prospectuses, printed publications, thumbtacks, ledgers (books), rulers (for drawing), bookbindings, indexes, magazines, blinds of paper, table mats of paper, bags (envelopes, pouches) of paper or plastics, for packaging, book-ends, writing tablets, fountain pens, pencil sharpeners, inking pads, stamps (seals), postage stamps, transparencies (stationery), but excluding banknote, coin, bill, counter or token validators, coin-operated, counter-operated or token operated mechanisms or apparatus for handling</p>
--	---



		banknotes, coins, bills, counters or tokens.
	18	Umbrellas, parasols and walking sticks; whips, harness and saddlery; collars and leather leashes for animals; walking-stick seats.
	20	Furniture, mirrors, picture frames, display boards, decorations of plastic for foodstuffs, beds and kennels for household pets, medicine cabinets, works of art of wood, wax, plaster or plastic, playpens for babies, cots, drinking straws, letter boxes, not of metal or masonry, boxes, chests or cases of wood or plastic, corks for bottles, bottle racks, bottle closures, not of metal, office furniture, high chairs for children, easy chairs, coat hangers, toy chests, baskets, not of metal, bedding (except linen), sleeping bags for camping, cushions, towel dispensers, fixed, not of metal, cabinet work, placards of wood or plastic, ladders of wood or plastic, jewellery cases (caskets), not of precious metal, packaging containers of plastic, signboards of wood or plastic, garment covers (storage), plant holders (furniture), newspaper display stands, tailors' dummies, mobiles (decorations), school furniture, inflatable items for advertising purposes, umbrella stands, screens (furniture), registration plates, not of metal, magazine racks, coatstands, display stands, seats, boards for hanging keys, funeral urns.
	21	Non-electric kitchen utensils and containers (not of precious metal or coated therewith), combs, brushes (except paint brushes), drinking troughs, thermally insulated containers for food, litter boxes (trays) for pets, watering devices, works of art of porcelain, terracotta or glass, table plates, not of precious metal, pressure cookers, non-electric, brooms, shaving brushes, cocktail sticks, baby baths (portable), heaters for feeding bottles, non-electric, bottle gourds, beer glasses, glass jars (carboys), bread bins, soap boxes, tea caddies, not of precious metal, boxes of metal, for dispensing paper towels, boxes of glass, bowls (basins), demijohns, candy boxes, not of precious metal, corkscrews, kettles, non-electric, bottles, bottle openers, pitchers, toothbrushes, perfume burners, cabarets (trays), not of precious metal, coffee services, not of precious metal, coffee-pots, non-electric, not of precious metal, decanters, menu card holders, stew-

		<p>             pans, chamois leather for cleaning, shoe horns, shoe trees (stretchers), egg cups, not of precious metal, baskets, for household purposes, not of precious metal, cosmetic utensils, covers for dishes, pot lids, crystal (glassware), pots, mixing spoons (kitchen utensils), cooking pot sets, cookery moulds, cooking utensils, non-electric, toothpicks, cutting boards for the kitchen, deodorising apparatus for personal use, trivets (table utensils), toilet paper holders, soap dispensers, signboards of porcelain or glass, sponges for household purposes, toilet sponges, dusting cloths (rags), earthenware, strainers for household purposes, flower pots, gardening gloves, gloves for household purposes, ice buckets, cool boxes, portable, non-electric, moulds (ice cube), goblets, not of precious metal, drinking flasks for travellers, insect traps, clothes pegs, crumb trays, moulds (kitchen utensils), toilet cases, picnic baskets (including dishes), soap, paper towel and toilet paper dispensers, perfume vaporisers, ironing boards, pepper pots, not of precious metal, goods of porcelain, knife rests for the table, pottery, dustbins, dishes for table waste, napkin rings, not of precious metal, egg timers (sand glasses), insulating bags, services (tableware), not of precious metal, napkin holders, not of precious metal, piggy banks, not of metal, cloths for cleaning, urns, not of precious metal, glass (receptacles).           </p>
	24	<p>             Upholstery fabrics, bath linen (except clothing), canvas for tapestry or embroidery, oilcloth (for use as tablecloths), tissues of textile for removing make-up, flags (not of paper), labels (cloth), bed linen, household linen, table linen (textile), covers (loose) for furniture, mosquito nets, wall hangings of textile, curtains of textile or plastic, table mats (not of paper), blinds of textile.           </p>
	28	<p>             Games and playthings; gymnastic and sporting articles (except clothing, footwear, mats), toys for domestic pets, decorations for Christmas trees (except lights and confectionery), practical jokes (novelties), toy masks, kites, machines for physical exercises, novelties for parties, fish hooks, fishing tackle, swimming pools (sports or play articles), protective padding (parts of sports suits), parlour games.           </p>

	29	Bouillon; charcuterie; crustaceans (not live); cheese; mussels (not live); salted foods; yoghurt.
	31	Plant seeds; seaweeds for human or animal consumption; strengthening animal forage, edible objects for animals to chew; bulbs; garden herbs, fresh; products for animal litter; plants, dried, for decoration.
	32	Beers; mineral and aerated waters; fruit drinks and fruit juices; vegetable juices; syrups, isotonic drinks.
	33	Aperitifs, alcoholic beverages containing fruit, cider, cocktails, brandy.
	34	Tobacco, smokers' articles, not of precious metal, matches, match boxes, not of precious metal, cigar and cigarette boxes, not of precious metal, lighters for smokers, ashtrays, not of precious metal, for smokers, cigars, cigar cutters, cigar and cigarette cases, not of precious metal, cigarettes, pipes, tobacco jars, not of precious metal.
	35	Advertising, business management, business administration, office functions, arranging newspaper subscriptions (for others), business management and organisation consultancy, outdoor advertising, import-export agencies, commercial information agencies, advertising agencies, dissemination of advertising matter, office machines and equipment rental, employment agencies, book-keeping, personnel management consultancy, publicity columns preparation, shop window dressing, demonstration of goods, direct mail advertising, professional management of artistic businesses, document reproduction, auctioneering, marketing studies, efficiency experts, organisation of exhibitions for commercial or advertising purposes, computerized file management, organisation of fairs for commercial or advertising purposes, hotel administration, rental of advertising space, publicity material rental, modelling for advertising or sales promotion, marketing research, opinion polling, personnel recruitment, employment agencies, economic forecasting, sales promotion (for others), publication of publicity texts, public relations, relocation services for businesses, secretarial services, statistical information, but none of the aforesaid

		<p>services relating to the validation of banknotes, coins, bills or tokens or relating to or utilising banknote, coin, bill, counter or token validators, coin-operated, counter-operated or token operated mechanisms or apparatus for handling banknotes, coins, bills, counters or tokens.</p>
	36	<p>Insurance; financial affairs; monetary affairs; real estate affairs; banking; debt collection agencies; real estate agencies; art appraisal; charitable fund raising; mutual funds; capital investments; credit card services; exchanging money; issuing of travellers' cheques; organisation of collections; savings banks; financial evaluation (insurance, banking, real estate); fiscal valuations; real estate appraisal; financial information; real estate management; financial management, but none of the aforesaid services relating to the validation of banknotes, coins, bills or tokens or relating to or utilising banknote, coin, bill, counter or token validators, coin-operated, counter-operated or token operated mechanisms or apparatus for handling banknotes, coins, bills, counters or tokens.</p>
	38	<p>Telecommunications, news agencies, paging services (radio, telephone or other means of electronic communication), communications by computer terminals, communications by telephone, telecommunications apparatus rental, electronic mail, television broadcasting, radio broadcasting, cellular telephone communication, information about telecommunications, but none of the aforesaid services relating to the validation of banknotes, coins, bills or tokens or relating to or utilising banknote, coin, bill, counter or token validators, coin-operated, counter-operated or token operated mechanisms or apparatus for handling banknotes, coins, bills, counters or tokens.</p>
	39	<p>Transport; packaging and storage of goods; travel arrangement, arranging of tours, arranging of cruises, escorting of travellers, tourist offices (except for hotel and boarding house reservation), vehicle towing, pleasure boat transport, chauffeur services, packaging of goods, message delivery, removal services, energy distribution, delivery of goods, vehicle rental, car parking, salvaging, taxi transport, sightseeing (tourism), guarded transport of valuables, but none of</p>

		<p>the aforesaid services relating to the validation of banknotes, coins, bills or tokens or relating to or utilising banknote, coin, bill, counter or token validators, coin-operated, counter-operated or token operated mechanisms or apparatus for handling banknotes, coins, bills, counters or tokens.</p>
	41	<p>Education; providing of training; sporting and cultural activities; animal training, entertainer services, mobile library services, sport camp services, holiday camp services (entertainment), movie studios, circuses, club services (entertainment or education), health club services, arranging and conducting of colloquiums, organisation of sports competitions, organisation of competitions (education or entertainment), arranging and conducting of conferences, seminars, congresses, discotheque services, entertainment information, radio entertainment, television entertainment, tuition, providing sports facilities, providing cinema facilities, organisation of exhibitions for cultural or educational purposes, film production, lending libraries, publication of books, audio apparatus rental, rental of video tapes, providing recreation facilities, operating of lotteries, providing museum facilities (presentations, exhibitions), music halls, orchestra services, organisation of live performances (theatrical booking services), arranging and conducting of training workshops, publication of texts (other than publicity texts), theatre productions, rental of sports equipment (except vehicles), but none of the aforesaid services relating to the validation of banknotes, coins, bills or tokens or relating to or utilising banknote, coin, bill, counter or token validators, coin-operated, counter-operated or token operated mechanisms or apparatus for handling banknotes, coins, bills, counters or tokens.</p>
	42	<p>Temporary accommodation, medical, hygienic and beauty care, veterinary and agricultural services, legal services, scientific and industrial research, computer programming, personal body guarding, escorting in society (chaperoning), detective agencies, providing hotel and boarding house accommodation, night guards, marriage bureaux, farming equipment rental, animal breeding, pet grooming, arbitration services, architecture, dentistry, veterinary assistance, graphic arts designing, blood bank services, cocktail lounge</p>

	<p>services, beauty salons, editing of written texts, café-restaurants, cafeterias, providing campsite facilities, holiday camp services (lodging), canteens, plastic surgery, guards, dating services, hairdressing salons, flower arranging, architectural consultation, intellectual property consultancy, security consultancy, environmental protection consultancy, legal services, quality control, convalescent homes, personal letter writing, cosmetics research, child care services, design of interior decor, industrial design, dress designing, packaging design services, computer software design, technical project studies, surveying, providing facilities for exhibitions, undertaking, nursing (medical), genealogical research, horticulture, hospitals, hotels, hotel reservations, printing, meteorological information, fashion information, gardening, landscape gardening, self-service restaurants, licensing of intellectual property, uniform rental, rental of chairs, tables, table linen and glassware, rental of temporary accommodation, rental of computer software, leasing access time to a computer database, clothing rental, maintenance of computer software, rest homes, retirement homes, holiday homes, butler services, manicure services, massage, medical assistance, opticians' services, consultancy in the field of computer hardware, vocational guidance, psychological testing, pharmacy advice, photography, photographic reporting, day-nurseries, psychologists' services, research and development (for others), news reporters' services, snack-bars, sanatoriums, healthcare, styling (industrial design), translation, catering services, sorting waste and raw materials for recycling, but none of the aforesaid services relating to the validation of banknotes, coins, bills or tokens or relating to or utilising banknote, coin, bill, counter or token validators, coin-operated, counter-operated or token operated mechanisms or apparatus for handling banknotes, coins, bills, counters or tokens.</p>
--	--