

O-171-04

TRADE MARKS ACT 1994  
IN THE MATTER OF APPLICATION No 12036  
BY REED SOLUTIONS PLC  
FOR A DECLARATION OF INVALIDITY  
IN RESPECT OF TRADE MARK No 2111878  
REED RETAIL INFORMATION  
IN THE NAME OF REED BUSINESS INFORMATION LIMITED

SUPPLEMENTARY DECISION

My written decision in these proceedings, 1 June 2004, contained an error. It has been brought to my attention that the conclusion did not reflect the actual decision. The necessary power to correct this is provided by Rule 66 which states:

“66. Subject to Rule 68 below, any irregularity in procedure in or before the Office or the registrar, may be rectified on such terms as the registrar may direct.”

I therefore correct paragraphs 59 and 60 of my written decision in these proceedings to read as follows:

Conclusion and costs

59) My finding under Section 3(1)(b) has the effect that the registration is deemed never to have been made.

60) The application for invalidity failed totally in relation to the grounds under 5(2)(b) and 5(4)(a), but was successful in relation to Section 3(1)(b). Therefore, the proprietor is entitled to a contribution towards costs. I have taken into account the fact that this case was one of three, with substantially the same evidence and issues. All three cases were dealt with at the same hearing with effectively, common skeleton arguments. The normal contribution to costs has therefore been reduced to take account of these factors. I order the applicant to pay the proprietor the sum of £1,600. 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 11th day of June 2004

George W Salthouse  
For the Registrar  
The Comptroller-General