

O-198-04

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 2

My written decision in these proceedings, 1 June 2004, and the subsequent supplementary decision, 11 June 2004 both contained an error. It has been brought to my attention that the costs award did not reflect the actual decision. The necessary power to correct this is provided by Rule 66 which states:

A66. 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 paragraph 60 of my written decisions in these proceedings to read as follows:

Conclusion and costs

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 applicant 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 proprietor to pay the applicant 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 7th day of July 2004

George W Salthouse
For the Registrar
The Comptroller-General