

O-504-15

TRADE MARKS ACT 1994

**IN THE MATTER OF REGISTRATION NO 2507803
FOR THE TRADE MARK "FORBIDDEN CITY"
IN THE NAME OF FORBIDDEN CITY LTD**

**AND THE APPLICATION FOR REVOCATION THERETO
UNDER NO 500633
BY GENGIS PRODUCTIONS, LIMITED**

Background and pleadings

1) Forbidden City Limited (“the proprietor”) is the registered proprietor of trade mark registration No. 2507803 in respect of the mark FORBIDDEN CITY. The trade mark was filed on 3 February 2009 and completed its registration procedure on 4 September 2009. It was registered in respect of the following list of services in Class 43:

Services for providing food and drink; restaurants; self-service restaurants; cafés; cafeterias; bar and lounge services; cake shop services; fast food restaurant services; delicatessen services; catering services; takeaway and home delivery services relating to food and drink; providing temporary accommodation, none of the aforesaid being in China; hospitality, reservation, information and consultancy services relating to food and drink and temporary accommodation, none of the aforesaid being in China.

2) Following a request for partial surrender received on 29 January 2015, the registration now stands in respect of the following services in Class 43:

Services for providing food and drink; restaurants, none being self-service restaurants or fast food restaurants; cafés; bar and lounge services; catering services; takeaway services relating to food and drink; hospitality, reservation, information and consultancy services relating to food and drink, none of the aforesaid being in China.

3) This partial surrender has no effect on the proceedings as Mr Geoffrey Hobbs QC, sitting as the Appointed Person, in *Rapier Trade Mark*, BL O/170/07 observed, at paragraph 29:

“[...] a duly filed request for surrender of all or part of a registration should be processed in accordance with Section 45 and Rule 26 without prejudice to the continuation of any application for revocation that may have been filed prior to the filing of the trade mark proprietor’s TM22 or TM23 as the case may be. The surrender takes effect *ex nunc*, not *ex tunc* and does not of itself render the pending revocation application moot or academic. I see no reason why the power conferred upon the Registrar by Section 46(6) of the Act should cease to be exercisable in relation to the surrendered registration:

(6) Where the registration of a trade mark is revoked to any extent, the rights of the proprietor shall be deemed to have ceased to that extent as from -

(a) the date of the application for revocation, or

(b) if the registrar or court is satisfied that the grounds for revocation existed at an earlier date, that date.”

4) The decision will must therefore include an assessment as to whether there was genuine use in respect of all the services that the proprietor’s mark was originally

registered, including those surrendered. That said, it is my understanding that the proprietor was motivated to partially surrender the registration because it was conceding that it had made no use in respect of the surrendered services.

5) Gengis Productions Limited (“the applicant”) seeks revocation of the trade mark registration on the grounds of non use based upon Section 46(1)(a) and (b) of the Trade Marks Act 1994 (“the Act”). The application for revocation was filed on 21 September 2014. The proprietor filed a counterstatement and claimed that the mark had been put to genuine use in respect of all the services listed in paragraph 2, above.

6) The proprietor states that it first made “serious plans” to work on a restaurant business in 2013. It claims that a UK company called Forbidden Den Limited was set up to run a bar/restaurant at premises in London. Forbidden Den Limited was given a licence by the proprietor that included a licence to use the contested mark. Various preparations were made in the setting up of the restaurant from March 2014 with furnishing and fitting out being commenced in June 2014. The restaurant opened in August 2014, initially as a “pop-up” style restaurant to test the new menu. After the success of this the restaurant closed for further refurbishment before re-opening in November 2014 as a “secret bar” specialising in a Chinese food and cocktail drink pairing. Preparations have also been made for the provision of a takeaway food service.

7) Revocation has been sought under Section 46(1)(a) in respect of the 5 year time period following the date of completion of the registration procedure, namely 5 September 2009 to 4 September 2014. Revocation is therefore sought from 5 September 2014. Revocation is also sought under Section 46(1)(b) in respect of the time period 26 September 2009 and 25 September 2014. Revocation is therefore sought from 26 September 2014.

8) Only the registered proprietor filed evidence in these proceedings. This will be summarised to the extent that it is considered appropriate/necessary. The applicant filed written submissions which will not be summarised but will be referred to as and where appropriate during this decision. A hearing took place before me where the proprietor was represented by Ms Sharon Kirby for Kilburn & Strode LLP and the applicant by Ms Catherine Wolfe for Boulton Wade and Tennant.

The proprietor’s evidence

9) This consists of two witness statements, the first by Mr Lo Kai Kin, a director of the proprietor and the second by Ms Kirby, trade mark attorney for Kilburn & Strode LLP, the proprietor’s representative in these proceedings.

10) Mr Kin states that when the proprietor company was first set up it focussed on selling furniture and household accessories but that it was always the intention to set up restaurant-based services in the UK. The first restaurant was planned for the Victoria area of London. At Exhibit B, Mr Kin provides a copy of the floor plan of a restaurant that he states was sent to him by business associates, Mr Terry Kuet and Mr Andrew Wong who already operated a restaurant in London. Mr Kin states that it

was sent to him in October 2013 with a view to entering into a joint venture restaurant business.

11) Mr Kin explains that Forbidden Den Limited was set up by an affiliate company of the proprietor and an affiliate company to Mr Wong. It was incorporated in the UK on 17 March 2014. The certificate of incorporation is provided at Exhibit C. Also attached at Exhibit C is a copy of the signed licence agreement between the proprietor and Forbidden Den Limited dated 12 June 2014. This includes the licence of the mark at issue “for the operation of the Restaurant”.

12) Exhibit D consists of a series of e-mails that Mr Kin states are from May and June 2014 demonstrating that preparations were under way to launch the restaurant. Not all of these are dated, but one is dated 9 June 2014. This same email makes reference to an invoice for curtain fabric for the restaurant dated 26 May 2014.

13) Further emails relating to the sourcing of materials for the restaurant such as wall signage, menus, uniforms, takeaway bags etc are provided at Exhibit E. Once again, not all are dated, but several within the email chain carry the date 9 June 2014. Similar emails relating to choosing business cards and paper bags for the restaurant are provided at Exhibit F.

14) Exhibit G consists of emails regarding plans about the physical layout of the restaurant dated 11 June 2014.

15) Mr Kin states that the fitting out of the restaurant began in June 2014, and promotional activities began in July 2014. These activities included advertising in the Post Magazine, that Mr Kin describes as one of Hong Kong’s most prestigious Sunday magazines particularly amongst native English speakers. Mr Kin also states that there is a sizeable British community in Hong Kong (33,500 in 2011 according to the Hong Kong Census) and with a further half a million visitors from the UK each year. Mr Kin also points out that many Hong Kong residents travel to the UK with 160,000 doing so in 2013 and that many students from Hong Kong choose to attend university in London. Exhibit I comprises of copies of front pages and extracts from the Post magazine dated 27 July 2014 and 24 August 2014. The first of these extracts includes an advertisement announcing the launch of the restaurant in London. The second contains an advertisement for the same restaurant.

16) Mr Kin states that the restaurant opened in August 2014. A copy of the restaurant menu is provided at Exhibit K. Unsurprisingly this is undated but it does show the contested mark appearing with a device element and it also carries the restaurant’s London address.

17) Exhibit L is a print out of an online review of the Forbidden City restaurant dated 4 September 2014. It was posted on @foodiehk suggesting that it was a Hong Kong focus. The same exhibit also includes a copy of a review of “Two Hot New Openings” in London, one of which is the Forbidden City restaurant. It is dated 5 September 2014. The review is provided by “our Foodie correspondent in London”. Finally, undated photographs of both the inside and outside of the restaurant are also provided. The contested mark is visible together with a device mark on the door to the restaurant and on the restaurant walls/dividers.

18) Following what Mr Kin describes as the “soft opening”, a decision was made to promote the restaurant as a “secret” bar and restaurant specialising in pairing Chinese food with wines, beers and cocktails. It is open to the general public. Exhibit M consists of a copy of a review of secret bars in London that appeared on the Time Out website. It is undated but was printed on “09/12/14” (it is not clear whether this date is presented in the style of day/month/year or month/day/year). The review is entitled “Secret bars and nights out in London”. A short review is provided for eight different bars, but not for The Forbidden City.

19) Mr Kin states that the opening party for the revamped restaurant took place on 15 November 2014 specifically for food writers and restaurant critics. Exhibit P consists of a copy of an invitation to the event, photographs taken at the event and articles subsequently written about the restaurant. It is clear from these reviews that the event related to the opening of a bar below the restaurant of Mr Wong where “Chinese snacks are paired with wine, beer or cocktails”. The second review is dated 23 November 2014 and refers to the Forbidden City bar opening its doors “last week” and describes it as being “focused heavily on food and drink pairings” with “Asian snacks and tapas sitting beautifully alongside ... cocktail[s]...”.

20) In her witness statement, Ms Kirby provides an extract from the London Evening Standard’s website where there is a review dated 19 November 2014. Its restaurant critic, Fay Maschler when commenting on five things she ate that week in London, said: “At the opening party for Forbidden City, the sultry bar below the restaurant A Wong, honey-barbequed pork jerky matched with Macao port, cherry juice, bourbon and egg white cocktail”.

Legislation

21) Section 46(1) of the Act states that:

“The registration of a trade mark may be revoked on any of the following grounds-

(a) that within the period of five years following the date of completion of the registration procedure it has not been put to genuine use in the United Kingdom, by the proprietor or with his consent, in relation to the goods or services for which it is registered, and there are no proper reasons for non-use;

(b) that such use has been suspended for an uninterrupted period of five years, and there are no proper reasons for non-use;

(c).....
.....

(d).....

(2) For the purpose of subsection (1) use of a trade mark includes use in a form differing in elements which do not alter the distinctive character of the

mark in the form in which it was registered, and use in the United Kingdom includes affixing the trade mark to goods or to the packaging of goods in the United Kingdom solely for export purposes.

(3) The registration of a trade mark shall not be revoked on the ground mentioned in subsection (1)(a) or (b) if such use as is referred to in that paragraph is commenced or resumed after the expiry of the five year period and before the application for revocation is made: Provided that, any such commencement or resumption of use after the expiry of the five year period but within the period of three months before the making of the application shall be disregarded unless preparations for the commencement or resumption began before the proprietor became aware that the application might be made.

(4) An application for revocation may be made by any person, and may be made to the registrar or to the court, except that –

(a) if proceedings concerning the trade mark in question are pending in the court, the application must be made to the court; and

(b) if in any other case the application is made to the registrar, he may at any stage of the proceedings refer the application to the court.

(5) Where grounds for revocation exist in respect of only some of the goods or services for which the trade mark is registered, revocation shall relate to those goods or services only.

6) Where the registration of a trade mark is revoked to any extent, the rights of the proprietor shall be deemed to have ceased to that extent as from –

(a) the date of the application for revocation, or

(b) if the registrar or court is satisfied that the grounds for revocation existed at an earlier date, that date.”

22) Section 100 is also relevant, which reads:

“If in any civil proceedings under this Act a question arises as to the use to which a registered trade mark has been put, it is for the proprietor to show what use has been made of it.”

Decision

23) In *Stichting BDO v BDO Unibank, Inc.*, [2013] EWHC 418 (Ch), Arnold J. stated as follows:

“51. Genuine use. In *Pasticceria e Confetteria Sant Ambroeus Srl v G & D Restaurant Associates Ltd* (SANT AMBROEUS Trade Mark) [2010] R.P.C. 28 at [42] Anna Carboni sitting as the Appointed Person set out the following helpful summary of the jurisprudence of the CJEU in *Ansul BV v Ajax Brandbeveiliging BV* (C-40/01) [2003] E.C.R. I-2439; [2003] R.P.C. 40 ; *La*

Mer Technology Inc v Laboratoires Goemar SA (C-259/02) [2004] E.C.R. I-1159; [2004] F.S.R. 38 and *Silberquelle GmbH v Maselli-Strickmode GmbH* (C-495/07) [2009] E.C.R. I-2759; [2009] E.T.M.R. 28 (to which I have added references to *Sunrider v Office for Harmonisation in the Internal Market (Trade Marks and Designs)* (OHIM) (C-416/04 P) [2006] E.C.R. I-4237):

(1) Genuine use means actual use of the mark by the proprietor or third party with authority to use the mark: *Ansul*, [35] and [37].

(2) The use must be more than merely token, which means in this context that it must not serve solely to preserve the rights conferred by the registration: *Ansul*, [36].

(3) The use must be consistent with the essential function of a trade mark, which is to guarantee the identity of the origin of the goods or services to the consumer or end-user by enabling him, without any possibility of confusion, to distinguish the goods or services from others which have another origin: *Ansul*, [36]; *Sunrider* [70]; *Silberquelle*, [17].

(4) The use must be by way of real commercial exploitation of the mark on the market for the relevant goods or services, i.e. exploitation that is aimed at maintaining or creating an outlet for the goods or services or a share in that market: *Ansul*, [37]-[38]; *Silberquelle*, [18].

(a) Example that meets this criterion: preparations to put goods or services on the market, such as advertising campaigns: *Ansul*, [37].

(b) Examples that do not meet this criterion: (i) internal use by the proprietor: *Ansul*, [37]; (ii) the distribution of promotional items as a reward for the purchase of other goods and to encourage the sale of the latter: *Silberquelle*, [20]-[21].

(5) All the relevant facts and circumstances must be taken into account in determining whether there is real commercial exploitation of the mark, including in particular, the nature of the goods or services at issue, the characteristics of the market concerned, the scale and frequency of use of the mark, whether the mark is used for the purpose of marketing all the goods and services covered by the mark or just some of them, and the evidence that the proprietor is able to provide: *Ansul*, [38] and [39]; *La Mer*, [22] -[23]; *Sunrider*, [70]-[71].

(6) Use of the mark need not always be quantitatively significant for it to be deemed genuine. There is no de minimis rule. Even minimal use may qualify as genuine use if it is the sort of use that is appropriate in the economic sector concerned for preserving or creating market share for the relevant goods or services. For example, use of the mark by a single client which imports the relevant goods can be sufficient to demonstrate that such use is genuine, if it appears that the import operation has a genuine commercial justification for the proprietor: *Ansul*, [39]; *La Mer*, [21], [24] and [25]; *Sunrider*, [72]".

24) Although minimal use may qualify as genuine use, the Court of Justice of the European Union (“the CJEU”) stated in paragraph 32 of Case C-141/13 P, *Reber Holding GmbH & Co. KG v OHIM (“Reber”)*, that “*not every proven commercial use may automatically be deemed to constitute genuine use of the trade mark in question*”. The factors identified in point (5) above must therefore be applied in order to assess whether minimal use of the mark qualifies as genuine use.

25) The relevant dates are identified in paragraph 4 above. The proprietor must show genuine use of its mark for the following five year periods:

5 September 2009 and 4 September 2014

and

26 September 2009 and 25 September 2014

26) At the hearing, Ms Kirby drew attention to the following timeline that is evident from a reading of the proprietor’s evidence:

October 2013: the original idea for the “Forbidden City” restaurant;

March 2014: a company was set up to operate the restaurant;

May/June 2014: Preparations were made to prepare the premises and open the restaurant;

July 2014: The opening was advertised to English speakers in Hong Kong;

August/September 2014: The restaurant was launched;

November 2014: The restaurant was re-launched.

27) Ms Kirby submitted that these activities amounted to the normal promotion associated with launching a restaurant and that this amounts to genuine use of the mark. Ms Kirby identified the re-launch of the restaurant in November 2014 as being relevant despite this being after the end of the relevant dates. She referred to the following comments of the CJEU in *Le Mer Technology Inc v Laboratories Goemar SA*, C-259/02 to support this:

29. It is clear from Article 12(1) of the Directive that the preservation of a trade mark proprietor's right is predicated on the mark being put to genuine use, in any event before an application for revocation is filed, and that the commencement or resumption of use of the mark, even if it occurs before the filing of an application for revocation, does not necessarily serve to maintain the rights of the proprietor, if it appears that such commencement or resumption occurred only after he became aware that such an application might be filed.

30. It follows from the foregoing that the Directive makes the classification of use of the trade mark as ‘genuine use’ of the mark consequential on

consideration of the circumstances which pertain during the relevant period and which therefore predate the filing of the application for revocation.

31. Nevertheless, the Directive does not expressly preclude in assessing the genuineness of use during the relevant period, account being taken, where appropriate, of any circumstances subsequent to that filing. Such circumstances may make it possible to confirm or better assess the extent to which the trade mark was used during the relevant period and the real intentions of the proprietor during that time.

32. It is for the national court to determine whether any circumstances subsequent to the filing of the application for revocation confirm the conclusion that the use of the mark was genuine during the relevant period or whether, conversely, they reflect an intention on the part of the proprietor to defeat that claim.

33. The answer to the seventh question must therefore be that, while the Directive makes the classification of use of the trade mark as genuine use consequential only on consideration of the circumstances which pertain in respect of the relevant period and which predate the filing of the application for revocation, it does not preclude, in assessing the genuineness of use during the relevant period, account being taken, where appropriate, of any circumstances subsequent to that filing. It is for the national court to determine whether such circumstances confirm that the use of the mark during the relevant period was genuine or whether, conversely, they reflect an intention on the part of the proprietor to defeat that claim.

28) Ms Wolfe claims that the actual launch of the restaurant was in November and, therefore, after the relevant date, that the evidence does not indicate the numbers who attended the “soft opening” or how long it was open. She summarised by claiming that this amounts to token use because it was done with “an eye on the date” and to preserve the mark.

29) I reject the argument that the use shown was motivated by a wish to preserve the mark on the register. The evidence illustrates that there was a genuine effort to establish a restaurant business in London called “Forbidden City”. Normal activities involved in setting up such a business are demonstrated such as choosing furnishings, fitting out the premises, promoting the restaurant (albeit, somewhat unusually in Hong Kong) and establishing a company to run the restaurant business. Such activities strike me as going beyond what would be necessary merely to attempt to preserve the mark. Further, and as Ms Kirby submitted, the full opening of the restaurant in November 2014, whilst being outside the relevant periods, adds further weight to the proposition that the activities shown during the relevant periods were for the purpose of commencing a business and not merely activities undertaken with the aim of preserving the trade mark registration.

30) Having concluded this, it is still necessary for me to consider whether such use and preparations for use is sufficient for me to reach a conclusion that genuine use has been made of the mark. As I have already noted, whilst minimal use may qualify

as genuine use, the CJEU stated *Reber* that “not every proven commercial use may automatically be deemed to constitute genuine use of the trade mark in question”

31) In *Naazneen Investments Ltd v OHIM*, Case T-250/13, the General Court (“the GC”) upheld a decision by the OHIM Board of Appeal that the sale of EUR 800 worth of non-alcoholic beverages under a mark over a 5 year period, which had been accepted was not purely to maintain the trade mark registration, was insufficient, in the economic sector concerned, for the purposes of maintaining or creating market share for the goods covered by that Community trade mark. The use was therefore not genuine use. The relevant part of the judgment of the GC is as follows:

“46. In the fifth place, the applicant argues that, in accordance with the case-law cited in paragraph 25 above, use of a trade mark is to be regarded as token if its sole purpose is to preserve the rights conferred by the registration of the mark. It claims that the Board of Appeal contradicted itself by stating, on the one hand, in paragraph 31 of the contested decision, that the total amount of transactions over the relevant period seemed to be token, and by stating, on the other hand, in paragraph 42 of the contested decision, that it did not doubt the intention of the proprietor of the mark at issue to make real use of that mark in relation to the goods in question.

47. In this connection, suffice it to point out that the applicant’s argument is based on an incorrect reading of the contested decision. The Board of Appeal used the term ‘token’ to describe the total amount of transactions, approximately EUR 800, and not to categorise the use of the mark at issue.

48. In the sixth place, the applicant claims that the Board of Appeal, by relying solely on the insufficient use made of the mark at issue, did not comply with the case-law according to which there is no quantitative threshold, determined a priori and in the abstract, that must be chosen in order to determine whether use is genuine. The Board of Appeal also failed to comply with the case-law according to which even minimal use may be sufficient in order to be deemed genuine.

49. According to the case-law, the turnover achieved and the volume of sales of the goods under the mark at issue cannot be assessed in absolute terms but must be assessed in relation to other relevant factors, such as the volume of commercial activity, the production or marketing capacities or the degree of diversification of the undertaking using the trade mark and the characteristics of the goods or services on the relevant market. As a result, use of the mark at issue need not always be quantitatively significant in order to be deemed genuine (see, to that effect, judgments in *VITAFRUIT*, cited in paragraph 25 above, EU:T:2004:225, paragraph 42, and *HIPOVITON*, cited in paragraph 27 above, EU:T:2004:223, paragraph 36). Even minimal use can therefore be sufficient in order to be deemed genuine, provided that it is warranted, in the economic sector concerned, to maintain or create market shares for the goods or services protected by the mark. Consequently, it is not possible to determine a priori, and in the abstract, what quantitative threshold should be chosen in order to determine whether use is genuine. A de minimis rule, which would not allow OHIM or, on appeal, the General Court, to appraise all the circumstances

of the dispute before it, cannot therefore be laid down (see, to that effect, order of 27 January 2004 in *La Mer Technology*, C-259/02, ECR, EU:C:2004:50, paragraphs 25 and 27, and judgment of 11 May 2006 in *Sunrider v OHIM*, C-416/04 P, ECR, EU:C:2006:310, paragraph 72).

50. In the present case, contrary to what the applicant claims, the Board of Appeal did not determine a minimum threshold 'a priori and in the abstract' so as to determine whether the use was genuine. In accordance with the case-law, it examined the volume of sales of the goods in question in relation to other factors, namely the economic sector concerned and the nature of the goods in question.

51. The Board of Appeal accordingly took the view that the market for the goods in question was of a significant size (paragraph 28 of the contested decision). It found also that the goods in question, namely non-alcoholic beverages, were for everyday use, were sold at a very reasonable price and that they were not expensive, luxury goods sold in limited numbers on a narrow market (paragraph 29 of the contested decision). Furthermore, it took the view that the total amount of transactions over the relevant period, an amount of EUR 800, seemed to be so token as to suggest, in the absence of supporting documents or convincing explanations to demonstrate otherwise, that use of the mark at issue could not be regarded as sufficient, in the economic sector concerned, for the purposes of maintaining or creating market shares for the goods covered by that mark (paragraph 31 of the contested decision).

52. It is therefore apparent, contrary to what the applicant claims, that it was in accordance with the case-law cited in paragraph 49 above that the Board of Appeal took the view that, in the present case, minimal use was not sufficient to be deemed genuine."

32) It is clear from this guidance that whilst it is wrong to apply a minimum threshold test when considering whether use is genuine, equally, not every case of non-sham use is sufficient to demonstrate genuine use. In applying this guidance to the facts of the current case, a number of points are relevant:

- (i) The applicant undertook a "soft opening" of its restaurant in August 2014 and that this was just within the two five year periods relevant to these proceedings. There is no indication of exactly which date in August the soft opening took place, how long the restaurant remained open or the volume of business the restaurant attracted during this soft opening;
- (ii) A *tweet* about a night out at the restaurant (dated 4 September 2014) and a review about the restaurant's opening night (dated 5 September 2014), both shown in Exhibit L, appear to confirm that the "soft opening" occurred, but fails to assist in indicating anything beyond this;
- (iii) The restaurant closed after an undisclosed time, was revamped and re-launched on 15 November 2014, after the end of both relevant periods in these proceedings.

33) These points are all relevant factors that lead me to conclude that the evidence fails to show use sufficient to be deemed genuine. The evidence is deficient in a

number of respects. It fails to show if the soft opening was for anything more than one evening or when precisely the soft opening was. Evidence of the level of success of the soft opening is conspicuously absent from the evidence and the fact that it closed shortly after opening for a revamp suggests that the original concept did not prove popular. Such a low level of use, that was halted shortly after it commenced, fails to demonstrate commercial exploitation aimed at maintaining or creating an outlet for the services claimed.

Conclusion

34) Taking all of the above into account, I conclude that there is insufficient evidence to conclude that use constitutes genuine use of any of the services, for which the mark was originally registered, within the meaning of Section 46(1)(a) of the Act and the application for revocation is successful in its entirety from the earliest date sought, namely 5 September 2014.

COSTS

35) The applicant for revocation has been successful and is entitled to a contribution towards its costs. In the circumstances, I award the applicant for revocation the sum of £1800 as a contribution towards the cost of the proceedings. The sum is calculated as follows:

Preparing and filing a statement & considering other side's statement (including official fee)	£500
Considering other side's evidence	£500
Preparation for, and attending hearing	£800
TOTAL	£1800

36) I therefore order Forbidden City Limited to pay Gengis Productions Limited the sum of £1800. The above sum should be paid within seven days of the expiry of the appeal period or within 14 days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 28th day of October 2015

**Mark Bryant
For the Registrar,
The Comptroller-General**