

TRADE MARKS ACT 1994

SUPPLEMENTARY DECISION

IN THE MATTER OF REGISTRATION NO. 3182381

IN THE NAME OF PURPLE POOCH LIMITED

FOR THE FOLLOWING TRADE MARK:

Dolls Club

IN CLASS 28

AND

AN APPLICATION FOR A DECLARATION OF INVALIDITY

UNDER NO. 501519 BY PETERKIN UK LTD

BACKGROUND

1. It has been drawn to my attention that the decision issued in this matter on 15 March 2018 contained a typographical error at paragraph 59, which read:

“59. The applicant has been successful and would ordinarily be entitled to an award of costs. However, as the applicant is an unrepresented party, the tribunal wrote to the applicant and asked it complete and return a costs pro-forma if it intended to seek an award of costs. It was advised that, if the pro-forma was not returned, no award of costs would be made. The pro-forma has not been received by the tribunal and I therefore direct that the parties bear their own costs”.

2. The paragraph should have read:

“59. The proprietor has been successful and would ordinarily be entitled to an award of costs. However, as the proprietor is an unrepresented party, the tribunal wrote to the proprietor and asked it complete and return a costs pro-forma if it intended to seek an award of costs. It was advised that, if the pro-forma was not returned, no award of costs would be made. The pro-forma has not been received by the tribunal and I therefore direct that the parties bear their own costs”.

3. The error is an irregularity in procedure capable of correction under Rule 74 of the Trade Marks Rules 2008. Consequently, I give the parties notice that paragraph 59 of the decision will be amended to the version shown above and apply as though that paragraph had appeared in the original version of the decision.

Dated this 20th day of March 2018

Heather Harrison

For the Registrar

The Comptroller-General