

O/331/18

TRADE MARKS ACT 1994

**IN THE MATTER OF APPLICATION NO 3219814
BY SKY UK LIMITED TO REGISTER THE TRADE MARK**

TALK SHIELD

IN CLASSES 9, 35, 38, 41 AND 42

AND

**THE OPPOSITION THERETO UNDER NO 409780
BY TALKTALK BRANDS LIMITED**

Background and pleadings

1. On 20 March 2017, Sky UK Limited (“the applicant”) applied for the mark TALK SHIELD for a very long list of goods and services in classes 9, 35, 38, 41 and 42¹. The application was published for opposition purposes on 14 April 2017. TalkTalk Brands Limited (“the opponent”) opposed the application, claiming that it offends sections 3(1)(c), 5(2)(b), 5(3) and 5(4)(a) of the Trade Marks Act 1994 (“the Act”). Sections 5(3) and 5(4)(a) were not pursued after the defence was filed because the opponent filed no evidence to support them.



2. The section 3(1)(c) objection is expressed as follows:

“The Opponent submits that the applications “TALK SHIELD” is descriptive of the goods and services of classes 9, 38 and 41, especially “*call screening, barring and blocking software; call blocker devices*” in class 9 and “*Call blocker services; Call barring services; Telecommunications services, namely intercepting and preventing unsolicited calls; Nuisance call blocking solutions including call screening, blocking and diverting; Telecommunications services, namely collating unsolicited calls and placing on a call blocker services that is customized by customer; consultancy, information and advisory services relating to all the aforesaid services*” in class 38 and “*Design and development of call screening, barring and blocking technology*” in class 42. The wording “talk shield” refers to a shield, a protection against having to talk to unwanted callers. The Applicant simply describes a characteristic of the goods and services offered. It also describes their intended purpose.”

3. The opponent relies upon the four earlier marks set out in the table below, for a lengthy list of goods and services in the classes listed:

| Mark | Number | Classes | Filing and registration dates |
|-------------|------------------|--------------------|--------------------------------------|
| talktalk | EUTM 15218928 | 9, 35, 38, 41 & 42 | 15 March 2016; 8 July 2017 |

¹ Shown in the Annex to this decision.

| | | | |
|---|---------|--------------------|-------------------------------------|
| TalkTalk | 3141240 | 9, 35, 38, 41 & 42 | 17 December 2015; 1 April 2016 |
|  TalkSafe | 3213875 | 38 | 20 February 2017; 12 May 2017 |
|  TalkSafe | 3127310 | 38 | 16 September 2015; 11 December 2015 |

4. The opponent claims that, under section 5(2)(b) of the Act, there is a likelihood of confusion because of the ‘high degree of similarity’ between the parties’ marks and identical or highly similar goods. The opponent also relies upon a ‘family of marks’ claim; i.e. that it uses several ‘talk-’ pre-fixed marks and so the average consumer will assume that the application is another one of the opponent’s marks. Based on its family of marks claim, the opponent also claims an enhanced level of distinctive character. However, as the opponent filed no evidence that it has used any of the marks upon which it relies, it has not shown that the average consumer has become accustomed to seeing its marks in use and to see them as a ‘family’ of marks². I need say no more about the family of marks claim (or about the claimed enhanced level of distinctive character).

5. The applicant filed a counterstatement in which it denies the claims made by the opponent because the marks are insufficiently similar to cause a likelihood of confusion and that the mark is not descriptive of any of the goods and services covered by the application.

6. Both parties filed evidence. The matter came to be heard on 10 May 2018, by video conference. The applicant was represented by Mr Jeremy Heald, of Counsel, instructed by CMS Cameron McKenna Nabarro Olswang LLP. The opponent did not attend, but sent written submissions in lieu of attendance.

² *Il Ponte Finanziaria SpA v OHIM*, Case C-234/06, Court of Justice of the European Union.

Evidence

7. The opponent's evidence comes from its trade mark attorney, Mr Yoann Fouquet, of Venner Shipley LLP. The evidence is filed in support of the section 3(1)(c) ground of opposition. Mr Fouquet states that he searched for the meanings of the words Talk and Shield on the online webpage of the Cambridge Dictionary. He states that the definitions given are that 'talk' means 'to speak to someone' while 'shield' means 'something used as protection or providing protection'. The definitions are exhibited at Exhibit YF1.

8. The applicant has filed witness statements from two individuals. The first is from Mr Vincent de Vos, who is an investigator with Bishop IP Investigations Ltd. Mr de Vos states that, on 28 December 2017, his company was instructed to investigate whether 'Talk Shield' was used in relation to mobile and telephony goods and/or telecommunications services in the UK and Ireland, excluding references to the applicant. Mr de Vos states that he performed the investigations. Other than to the applicant, the only instances of use of the words in the sequence 'talk shield' in the UK are a domain name, talkshield.co.uk, in the ownership of an individual in Surrey, which redirects to a website called truecall.co.uk, which is a nuisance phone call blocking system; and Talk:Shield which is a forum for a gaming site, literally for 'talking' about 'shield', shield being a reference to the fictional characters 'Marvel, Agents of S.H.I.E.L.D.'

9. The second witness statement comes from a Trade Mark paralegal named Yuk Yan Ng, at the applicant's firm of trade mark attorneys. The purpose of the evidence is to show that talk-formative trade marks are common in the UK in the telecommunications sector. Ms Ng states that she searched for such trade marks on the UK and EUIPO registers and stopped when she reached the following 12 examples which she believed to be in use in the UK, and which pre-date the application:

| Number | Mark name | What the mark relates to |
|--------|----------------|---|
| 1. | TALK UNLIMITED | A telephone call package offered to the proprietor's consumers. |
| 2. | TALKCAST | A digital messaging and news service. |
| 3. | TALK 60 | A telephone call package offered to the proprietor's consumers. |
| 4. | TALK 21 | Email account service. |
| 5. | TALK&VISION | Providers of visual communication services. |
| 6. | Talk2M | Secure file hosting cloud service for industrial use. |
| 7. | Talkwalker | Platform that analyses the internet footprint of consumers. |
| 8. | Talkmate | Platform for online language courses. |
| 9. | TALKSHARE | Mobile call package offered to the proprietor's consumers. |
| 10. | TALKSPORT | National radio station. |
| 11. | Talk Plan | Mobile call package offered to the proprietor's consumers. |
| 12. | TalkMobile | Provider of SIM cards and telephone packages to Vodafone users |

10. Ms Ng performed another internet search, unrelated to the trade mark registers, and found twenty UK Talk-formative brand names and websites, pre-dating the application, the first eleven of which are:

| Number | Domain Names/Brands | What the mark relates to |
|--------|---|--|
| 1. | Talkback http://talkbackproductions.tv/ | Production company of television shows and entertainment. |
| 2. | TalkSpirit https://www.talkspirit.com/ | Online platform allowing for businesses to communicate with each other. |
| 3. | TalkGram https://itunes.apple.com/ua/app/talkgram-unofficial-telegram/id1076859626?l=uk&mt=8 | IPhone and Android Application for sending messages securely. |
| 4. | TalkHome https://itunes.apple.com/gb/app/talk-home-app/id993137075?mt=8 | Calling application available for download on IOS and Android. |
| 5. | TALKTELECOM http://www.talk-telecom.co.uk/about/ | Independent telecommunication specialists who help companies with their telecommunications requirements. |
| 6. | TALKBACK https://www.androidcentral.com/what-google-talk-back | Service dedicated to the visually-impaired by way of an Android App. |
| 7. | TALKRADIO http://talkradio.co.uk/talkradio?page=5 | National talk radio station. |
| 8. | TALKTIMEUK http://www.talktimeuk.co.uk/ | Company offering tailored technological needs to businesses. |
| 9. | TALKTECH http://www.talktech.co.uk/ | Telecommunications company providing technology services to consumers. |
| 10. | TALKONAUT https://play.google.com/store/apps/details?id=com.talkonaut.android&hl=en_GB | IPhone and Android application for calling and messaging. |
| 11. | TALKROOM https://play.google.com/store/apps/details?id=com.Talkroom | Messaging application for iPhone and Android. |

11. Ms Ng examined the company accounts of a number of the UK companies referred to in these tables in order to show that they were actively trading using the marks and names, or that there is a high probability that the marks are in use; e.g. Talk Unlimited, a Virgin call package: the accounts show that Virgin has 800,000 mobile phone customers.

Decision

Section 3(1)(c) of the Act

12. Section 3(1)(c) states:

“3.— (1) The following shall not be registered –

(a)

(b)

(c) trade marks which consist exclusively of signs or indications which may serve, in trade, to designate the kind, quality, quantity, intended purpose, value, geographical origin, the time of production of goods or of rendering of services, or other characteristics of goods or services,

(d)

Provided that, a trade mark shall not be refused registration by virtue of paragraph (b), (c) or (d) above if, before the date of application for registration, it has in fact acquired a distinctive character as a result of the use made of it.”

13. The case law under section 3(1)(c) (corresponding to article 7(1)(c) of the EUTM Regulation, formerly article 7(1)(c) of the CTM Regulation) was summarised by

Arnold J. in *Starbucks (HK) Ltd v British Sky Broadcasting Group Plc* [2012] EWHC 3074 (Ch):

“91. The principles to be applied under art.7(1)(c) of the CTM Regulation were conveniently summarised by the CJEU in *Agencja Wydawnicza Technopol sp. z o.o. v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)* (C-51/10 P) [2011] E.T.M.R. 34 as follows:

“33. A sign which, in relation to the goods or services for which its registration as a mark is applied for, has descriptive character for the purposes of Article 7(1)(c) of Regulation No 40/94 is – save where Article 7(3) applies – devoid of any distinctive character as regards those goods or services (as regards Article 3 of First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks (OJ 1989 L 40 , p. 1), see, by analogy, [2004] ECR I-1699 , paragraph 19; as regards Article 7 of Regulation No 40/94 , see *Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) v Wm Wrigley Jr Co* (C-191/01 P) [2004] 1 W.L.R. 1728 [2003] E.C.R. I-12447; [2004] E.T.M.R. 9; [2004] R.P.C. 18 , paragraph 30, and the order in *Streamserve v OHIM* (C-150/02 P) [2004] E.C.R. I-1461 , paragraph 24).

36. ... due account must be taken of the objective pursued by Article 7(1)(c) of Regulation No 40/94 . Each of the grounds for refusal listed in Article 7(1) must be interpreted in the light of the general interest underlying it (see, inter alia , *Henkel KGaA v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)* (C-456/01 P) [2004] E.C.R. I-5089; [2005] E.T.M.R. 44 , paragraph 45, and *Lego Juris v OHIM* (C-48/09 P), paragraph 43).

37. The general interest underlying Article 7(1)(c) of Regulation No 40/94 is that of ensuring that descriptive signs relating to one or more characteristics of the goods or services in respect of which registration as a mark is sought may be freely used by all traders offering such

goods or services (see, to that effect, *OHIM v Wrigley* , paragraph 31 and the case-law cited).

38. With a view to ensuring that that objective of free use is fully met, the Court has stated that, in order for OHIM to refuse to register a sign on the basis of Article 7(1)(c) of Regulation No 40/94 , it is not necessary that the sign in question actually be in use at the time of the application for registration in a way that is descriptive. It is sufficient that the sign could be used for such purposes (*OHIM v Wrigley*, paragraph 32; *Campina Melkunie*, paragraph 38; and the order of 5 February 2010 in *Mergel and Others v OHIM* (C-80/09 P), paragraph 37).

39. By the same token, the Court has stated that the application of that ground for refusal does not depend on there being a real, current or serious need to leave a sign or indication free and that it is therefore of no relevance to know the number of competitors who have an interest, or who might have an interest, in using the sign in question (Joined Cases C-108/97 and C-109/97 *Windsurfing Chiemsee* [1999] ECR I-2779, paragraph 35, and Case C-363/99 *Koninklijke KPN Nederland* [2004] ECR I-1619, paragraph 38). It is, furthermore, irrelevant whether there are other, more usual, signs than that at issue for designating the same characteristics of the goods or services referred to in the application for registration (*Koninklijke KPN Nederland*, paragraph 57).

And

46. As was pointed out in paragraph 33 above, the descriptive signs referred to in Article 7(1)(c) of Regulation No 40/94 are also devoid of any distinctive character for the purposes of Article 7(1)(b) of that regulation. Conversely, a sign may be devoid of distinctive character for the purposes of Article 7(1)(b) for reasons other than the fact that it may be descriptive (see, with regard to the identical provision laid down

in Article 3 of Directive 89/104, *Koninklijke KPN Nederland* , paragraph 86, and *Campina Melkunie*, paragraph 19).

47. There is therefore a measure of overlap between the scope of Article 7(1)(b) of Regulation No 40/94 and the scope of Article 7(1)(c) of that regulation (see, by analogy, *Koninklijke KPN Nederland*, paragraph 67), Article 7(1)(b) being distinguished from Article 7(1)(c) in that it covers all the circumstances in which a sign is not capable of distinguishing the goods or services of one undertaking from those of other undertakings.

48. In those circumstances, it is important for the correct application of Article 7(1) of Regulation No 40/94 to ensure that the ground for refusal set out in Article 7(1)(c) of that regulation duly continues to be applied only to the situations specifically covered by that ground for refusal.

49. The situations specifically covered by Article 7(1)(c) of Regulation No.40/94 are those in which the sign in respect of which registration as a mark is sought is capable of designating a 'characteristic' of the goods or services referred to in the application. By using, in Article 7(1)(c) of Regulation No 40/94 , the terms 'the kind, quality, quantity, intended purpose, value, geographical origin or the time of production of the goods or of rendering of the service, or other characteristics of the goods or service', the legislature made it clear, first, that the kind, quality, quantity, intended purpose, value, geographical origin or the time of production of the goods or of rendering of the service must all be regarded as characteristics of goods or services and, secondly, that that list is not exhaustive, since any other characteristics of goods or services may also be taken into account.

50. The fact that the legislature chose to use the word 'characteristic' highlights the fact that the signs referred to in Article 7(1)(c) of Regulation No 40/94 are merely those which serve to designate a property, easily recognisable by the relevant class of persons, of the

goods or the services in respect of which registration is sought. As the Court has pointed out, a sign can be refused registration on the basis of Article 7(1)(c) of Regulation No 40/94 only if it is reasonable to believe that it will actually be recognised by the relevant class of persons as a description of one of those characteristics (see, by analogy, as regards the identical provision laid down in Article 3 of Directive 89/104, *Windsurfing Chiemsee*, paragraph 31, and *Koninklijke KPN Nederland*, paragraph 56).”

92. In addition, a sign is caught by the exclusion from registration in art.7(1)(c) if at least one of its possible meanings designates a characteristic of the goods or services concerned: see *OHIM v Wrigley* [2003] E.C.R. I-12447 at [32] and *Koninklijke KPN Nederland NV v Benelux-Merkenbureau* (C-363/99 [2004] E.C.R. I-1619; [2004] E.T.M.R. 57 at [97].”

14. The opponent’s pleadings are vague as to whether it objects to all the goods and services in the application or just those which it has listed in its explanation of the section 3(1)(c) ground. In any event, the high point of its case appears to be the specified goods and services which means that if it cannot succeed in relation to these, it will not succeed for the remainder of the goods and services. I will, therefore, confine my analysis of the mark in relation to *call screening, barring and blocking software; call blocker devices, call blocker services; call barring services; telecommunications services, namely intercepting and preventing unsolicited calls; nuisance call blocking solutions including call screening, blocking and diverting; telecommunications services, namely collating unsolicited calls and placing on a call blocker services that is customized by customer; consultancy, information and advisory services relating to all the aforesaid services, design and development of call screening, barring and blocking technology.*

15. The average consumer, who is deemed to be reasonably observant and circumspect, consists of the general public and also business users of telecommunication goods and services which enable the blocking or barring of unwanted telephone communication. The opponent relies upon the dictionary definitions of ‘talk’ and ‘shield’. Whilst this may take the opponent so far, it is trite law

that marks must be considered as wholes. This is because the average consumer does not analyse marks in detail in order to establish whether they are meaningful or not; what matters is the average consumer's immediate perception of the whole. On the other hand, combining words does not necessarily provide a mark with distinctive character. In *Campina Melkunie BV and Benelux-Merkenbureau*, Case C-265/00, the Court of Justice of the European Union stated that:

“39 As a general rule, the mere combination of elements, each of which is descriptive of characteristics of the goods or services in respect of which registration is sought, itself remains descriptive of those characteristics within the meaning of Article 3(1)(c) of the Directive even if the combination creates a neologism. Merely bringing those elements together without introducing any unusual variations, in particular as to syntax or meaning, cannot result in anything other than a mark consisting exclusively of signs or indications which may serve, in trade, to designate characteristics of the goods or services concerned.

40 However, such a combination may not be descriptive within the meaning of Art.3(1)(c) of the Directive, provided that it creates an impression which is sufficiently far removed from that produced by the simple combination of those elements. In the case of a word mark, which is intended to be heard as much as to be read, that condition will have to be satisfied as regards both the aural and the visual impression produced by the mark.

41 Thus, a mark consisting of a neologism composed of elements, each of which is descriptive of characteristics of the goods or services in respect of which registration is sought, is itself descriptive of those characteristics within the meaning of Art.3(1)(c) of the Directive, unless there is a perceptible difference between the neologism and the mere sum of its parts: that assumes that, because of the unusual nature of the combination in relation to the goods or services, the word creates an impression which is sufficiently far removed from that produced by the mere combination of meanings lent by the elements of which it is composed, with the result that the word is more than the sum of its parts.”

16. I consider the present case to consist of two words which, together, create a distinctive impression which is more than the mere sum of the two words. The opponent submits that ‘talk’ is a verb. It also submits that the combination of talk shield is not unusual syntax and that it is grammatically correct.

17. Talk, as a verb, either requires an adverb following it (e.g. talk quickly) or a preposition before its object or subject (e.g. talk to/talk about). As acknowledged by Mr Heald, the dictionary definitions given in evidence by the opponent do show talk without a preposition, but in the examples the object is the subject matter of the discussion, and so the combination makes sense: “talk politics” and “talk business”. It does not make sense to ‘talk shield’.

18. As highlighted by Arnold J in the above extract from *Starbucks*, marks are objectionable under section 3(1)(c) if they “designate a property, easily recognisable by the relevant class of persons, of the goods or the services in respect of which registration is sought”³. I consider that the ellipsis created by the grammatically incorrect, or incomplete, combination of ‘talk shield’ would not lead the average consumer to embark upon a process of analysis to decipher a descriptive meaning. To put it another way, the immediate perception would not be that of a description because there is not “a sufficiently direct and specific relationship between the sign and the goods and services in question to enable the public concerned immediately to perceive, without further thought, a description of the goods and services in question or one of their characteristics”⁴. The mark is no more than allusive of the goods and services which provide protection for or against ‘talk’. Consequently, the ground of opposition under section 3(1)(c) of the Act fails.

Section 5(2)(b) of the Act

19. Section 5(2)(b) of the Act states:

³ *Technopol*

⁴ *Starbucks*, paragraph 94, quoting Case T-207/06 *Europig SA v OHIM* [2007] ECR II-1961, General Court.

“(2) A trade mark shall not be registered if because –

(a) ...

(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.”

20. The following principles are gleaned from the decisions of the Court of Justice of the European Union (“the CJEU”) in *Sabel BV v Puma AG*, Case C-251/95, *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc*, Case C-39/97, *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V.* Case C-342/97, *Marca Mode CV v Adidas AG & Adidas Benelux BV*, Case C-425/98, *Matratzen Concord GmbH v OHIM*, Case C-3/03, *Medion AG v. Thomson Multimedia Sales Germany & Austria GmbH*, Case C-120/04, *Shaker di L. Laudato & C. Sas v OHIM*, Case C-334/05P and *Bimbo SA v OHIM*, Case C-591/12P.

The principles

(a) The likelihood of confusion must be appreciated globally, taking account of all relevant factors;

(b) the matter must be judged through the eyes of the average consumer of the goods or services in question, who is deemed to be reasonably well informed and reasonably circumspect and observant, but who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them he has kept in his mind, and whose attention varies according to the category of goods or services in question;

(c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details;

(d) the visual, aural and conceptual similarities of the marks must normally be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components, but it is only when all other components of a complex mark are negligible that it is permissible to make the comparison solely on the basis of the dominant elements;

(e) nevertheless, the overall impression conveyed to the public by a composite trade mark may be dominated by one or more of its components;

(f) however, it is also possible that in a particular case an element corresponding to an earlier trade mark may retain an independent distinctive role in a composite mark, without necessarily constituting a dominant element of that mark;

(g) a lesser degree of similarity between the goods or services may be offset by a great degree of similarity between the marks, and vice versa;

(h) there is a greater likelihood of confusion where the earlier mark has a highly distinctive character, either per se or because of the use that has been made of it;

(i) mere association, in the strict sense that the later mark brings the earlier mark to mind, is not sufficient;

(j) the reputation of a mark does not give grounds for presuming a likelihood of confusion simply because of a likelihood of association in the strict sense;

(k) if the association between the marks creates a risk that the public might believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

21. None of the earlier marks are subject to proof of their use (section 6A of the Act). The earlier marks fall into two distinct groups, the ‘talktalk’ marks and the composite word and device marks. It is convenient to assess them separately, beginning with the talktalk marks.

22. Rather than undertake a full comparison of the lengthy specifications of both parties’ goods and services, I will assume the best case for the opponent; i.e. that the goods and services are identical. I have already made some comments about the average consumer. For the purpose of assessing the likelihood of confusion, it must be borne in mind that the average consumer's level of attention is likely to vary according to the category of goods or services in question: *Lloyd Schuhfabrik Meyer*, Case C-342/97. The average consumer is likely to display at least a normal level of attention in what can be expensive, infrequent purchases, entailing some level of research. The marks will primarily be perceived visually during the purchasing process, although I do not discount the potential for aural references to be made, for example when purchasing a mobile phone and the accompanying telecommunication provider’s services.

23. It is clear from *Sabel BV v. Puma AG* (particularly paragraph 23) that the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details. The same case also explains that the visual, aural and conceptual similarities of the marks must be assessed by reference to the overall impressions created by the marks, bearing in mind their distinctive and dominant components. The CJEU stated at paragraph 34 of its judgment in Case C-591/12P, *Bimbo SA v OHIM*, that:

“.....it is necessary to ascertain, in each individual case, the overall impression made on the target public by the sign for which registration is sought, by means of, inter alia, an analysis of the components of a sign and of their relative weight in the perception of the target public, and then, in the light of that overall impression and all factors relevant to the circumstances of the case, to assess the likelihood of confusion.”

24. It is necessary to take into account the distinctive and dominant components of the marks and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions created by the marks. The marks to be compared are:

| Earlier marks | Application |
|-----------------------------------|-------------|
| (i) talktalk (ii) TalkTalk | TALK SHIELD |

25. The application clearly consists of two dictionary words, neither of which is more dominant than the other in the overall impression of the mark. The earlier marks consist of the same word, talk, repeated and conjoined, which creates the overall impression of the marks.

26. There is a single point of visual and aural similarity between the parties' marks: the word talk, which is positioned at the beginning of the marks. The second element of the application, shield, is entirely different, both visually and aurally, to the second element in the earlier marks (also the word talk). There is a low to medium level of visual and aural similarity between the marks.

27. Earlier in this decision, I decided that the application is allusive of goods and services which provide protection for or against 'talk'. This is the overall concept of the application. The earlier marks do not share this concept, although it can be said that the parties' marks do both share the meaning of 'talk'. However, the repetition of talk in the earlier marks almost displaces the common meaning of talk from the immediate perception of the marks; it is unusual. If there is any conceptual similarity between the parties' marks, it is very low.

28. In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*⁵ the CJEU stated that:

“22. In determining the distinctive character of a mark and, accordingly, in assessing whether it is highly distinctive, the national court must make an overall assessment of the greater or lesser capacity of the mark to identify the goods or services for which it has been registered as coming from a particular undertaking, and thus to distinguish those goods or services from those of other undertakings (see, to that effect, judgment of 4 May 1999 in Joined Cases C-108/97 and C-109/97 *Windsurfing Chiemsee v Huber and Attenberger* [1999] ECR I-0000, paragraph 49).

23. In making that assessment, account should be taken, in particular, of the inherent characteristics of the mark, including the fact that it does or does not contain an element descriptive of the goods or services for which it has been registered; the market share held by the mark; how intensive, geographically widespread and long-standing use of the mark has been; the amount invested by the undertaking in promoting the mark; the proportion of the relevant section of the public which, because of the mark, identifies the goods or services as originating from a particular undertaking; and statements from chambers of commerce and industry or other trade and professional associations (see *Windsurfing Chiemsee*, paragraph 51).”

29. As noted at the beginning of this decision, the opponent has not filed any evidence that it has used its marks, so I will assess the level of distinctive character of the marks from the position of inherent distinctiveness, rather than any enhanced level which is a result from use.

30. The applicant’s evidence shows that the word talk is a popular component of marks in the telecommunications field. The evidence does not surprise me because the word ‘talk’ is a convenient word to use to denote the ability to communicate by telephone. However, the repetition of talk in the earlier marks is unusual, almost

⁵ Case C-342/97

creating the impression of an invented word. So, although the single word 'talk' is relatively low in distinctive character for telecommunications goods and services, its repetition as 'talktalk' elevates the distinctive character of the mark, as a whole, at least to a medium level.

31. That said, it is the distinctiveness of the common element between the parties' marks, 'talk', which is key. In *Kurt Geiger v A-List Corporate Limited*, BL O/075/13, Mr Iain Purvis Q.C., sitting as the Appointed Person, observed that the level of 'distinctive character' is only likely to increase the likelihood of confusion to the extent that it resides in the element(s) of the marks that are identical or similar. He said:

"38. The Hearing Officer cited *Sabel v Puma* at paragraph 50 of her decision for the proposition that 'the more distinctive it is, either by inherent nature or by use, the greater the likelihood of confusion'. This is indeed what was said in *Sabel*. However, it is a far from complete statement which can lead to error if applied simplistically.

39. It is always important to bear in mind what it is about the earlier mark which gives it distinctive character. In particular, if distinctiveness is provided by an aspect of the mark which has no counterpart in the mark alleged to be confusingly similar, then the distinctiveness will not increase the likelihood of confusion at all. If anything it will reduce it."

32. Whilst I bear in mind that a lesser degree of similarity between the trade marks may be offset by a greater degree of similarity between the goods and services, and vice versa (*Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc.*), the marks have no or little conceptual similarity, and are visually similar to a low (nor more than medium) degree. Added to that, the distinctiveness of the earlier mark lies in the repetition of 'talktalk' which has no counterpart in the application. The marks have very different overall impressions. I conclude that, even assuming identical goods and services, there is no likelihood of confusion. Further, although I have found that the average consumer will display at least an average level of attention, I would also have found no likelihood of confusion in relation to the opponent's 'talktalk' marks if

the average consumer's level of attention had been lower (which might increase the chance of imperfect recollection) owing to the weight of the factors pulling against confusion.

33. Moving to the opponent's composite marks, my comments regarding the nature of the average consumer and the purchasing process apply equally. The opponent relies on these marks to oppose the applicant's class 38 services only. The applicant accepts that the parties' services are identical or highly similar.

34. The opponent's earlier marks are:



TalkSafe

and



TalkSafe

35. As before, the application clearly consists of two dictionary words, neither of which is more dominant than the other in the overall impression of the mark. The opponent's marks are complex, consisting of the conjoined words 'Talk' and 'safe', which appear beneath a device, the device consisting of a dark circle, within which appears a shield device, within which appears either a telephone handset or a telephone (depending on which mark is being looked at). The composite device in each earlier mark is larger than the words and dominates the overall impression of both earlier marks. Although the circle is not negligible, it is likely to be seen as a dark background which enables the central part, the shield and telephone apparatus, to be seen. The eye is drawn to the centre of the device, comprising the shield and

telephone apparatus, which carries the greatest weight in the overall impression of the marks.

36. The only point of visual similarity between the marks is the word 'talk', which appears at the beginning of the word components of the parties' marks. There is a low degree of visual similarity between the marks. The device will not be articulated in oral use of the marks, so there are only the words to compare. The second word 'safe' is entirely different aurally to 'shield'. There is a low to medium level of aural similarity between the parties' marks.

37. As said earlier, the applicant's mark alludes to services which provide protection for or against 'talk'. The words in the opponent's mark have a similar allusion to services which keep 'talk' safe; i.e. protect 'talk'. A shield protects. Further, the earlier marks both contain a shield device, upon which the telephone apparatus (handset or telephone) appears. The shield device reinforces the idea of safety and the telephone apparatus reinforces the idea of talk. The marks share a high degree of conceptual similarity.

38. In terms of distinctiveness of the earlier marks, there is, again, no use to consider. No single element is distinctive but, in combination, the marks are distinctive to an average degree.

39. Whilst the marks have only a low degree of visual similarity and a low to medium degree of aural similarity, they have a high degree of conceptual similarity. The analogous semantic content will present a hook upon which the average consumer will hang their recall of the marks. The marks are unlikely to be confused directly, in view of the presence/absence of the device element. However, I consider that there will be indirect confusion because the similar meaning in the wording, together with the reinforcing device elements and the identical/highly similar services, will cause the average consumer to assume that the marks emanate from parties who are the same or economically linked. The opposition under section 5(2)(b) succeeds in relation to the class 38 services of the application.

Outcome

40. The section 3(1)(c) ground fails. The opposition under section 5(2)(b) partially succeeds. The application is refused for all the class 38 services, but may proceed to registration in respect of the goods and services in classes 9, 35, 41 and 42.

Costs

41. The opponent has successfully opposed the class 38 services. However, overall, it lost far more than it won, as can be seen from the length of the applicant's list of goods and services contained in the annex to this decision. The applicant is therefore entitled to an award of costs, offset to take into account the opponent's partial success. I award the following costs to the applicant, according to the scale published in Tribunal Practice Notice 2/2016:

| | |
|--|--------------|
| Considering the notice of opposition and filing the counterstatement | £400 |
| Considering the opponent's evidence and filing evidence | £475 |
| Preparing for and attending a hearing | £675 |
| Total | £1550 |

42. I order TalkTalk Brands Limited to pay Sky UK Limited the sum of £1550 which, in the absence of an appeal, should be paid within fourteen days of the expiry of the appeal period.

Dated this 30th day of May 2018

Judi Pike
For the Registrar,

the Comptroller-General

Annex

Class 9:

Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; compact discs, DVDs and other digital recording media; mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment; computers; computer software; fire-extinguishing apparatus; 3D spectacles; Abacuses; Accumulators, electric; Acid hydrometers; Acidimeters for batteries; Acoustic alarms / Sound alarms; Acoustic conduits; Acoustic couplers; Actinometers; Adding machines; Aerials; Aerometers; Air analysis apparatus; Alarm bells, electric; Alarms; Alcoholmeters; Alidades; Altimeters; Ammeters; Amplifiers; Amplifying tubes / Amplifying valves; Anemometers; Animated cartoons; Anode batteries / high tension batteries; Anodes; Answering machines; Anti-dazzle shades; Anti-glare glasses; Anti-glare visors; Anti-interference devices [electricity]; Anti-theft warning apparatus; Anticathodes; Apertometers [optics]; Apparatus and installations for the production of X-rays, not for medical purposes; Apparatus and instruments for astronomy; Apparatus and instruments for physics; Apparatus for changing record player needles; Apparatus for editing cinematographic film; Apparatus for fermentation [laboratory apparatus]; Apparatus for measuring the thickness of skins; Apparatus to check franking; Appliances for measuring the thickness of leather; Armatures [electricity]; Asbestos clothing for protection against fire; Asbestos gloves for protection against accidents; Asbestos screens for firemen; Audio- and video-receivers; Audio interfaces; audio mixers; Audiovisual teaching apparatus; Automated teller machines [ATM]; Automatic indicators of low pressure in vehicle tires; Azimuth instruments; baby monitors; Baby scales; Bags adapted for laptops; Balances [steelyards]; Balancing apparatus; Bar code readers; Barometers; Bathroom scales; Batteries, electric; Batteries, electric, for vehicles; Batteries for

lighting; Batteries for electronic cigarettes; Battery boxes / accumulator jars; Battery chargers; Battery jars / accumulator jars; Beacons, luminous; Bells [warning devices]; Betatrons; Binoculars; biochips; black boxes [data recorders]; Blinkers [signalling lights]; Blueprint apparatus; Boiler control instruments; Branch boxes [electricity]; Breathing apparatus, except for artificial respiration; Breathing apparatus for underwater swimming; Bullet-proof waistcoats; bullet-proof clothing; Buzzers; Cabinets for loudspeakers; Cables, electric; Calculating disks; Calculating machines; Calibrating rings; Calipers; Calorimeters; Camcorders; Cameras [photography]; Capacitors; Capillary tubes; Carpenters' rules; Carriers for dark plates [photography]; Cases especially made for photographic apparatus and instruments; cases for smartphones; Cases fitted with dissecting instruments [microscopy]; Cash registers; Cassette players; Cathodes; Cathodic anti-corrosion apparatus; cell switches [electricity] / reducers [electricity]; Cell phone straps; Centering apparatus for photographic transparencies; apparatus for changing record player needles; Central processing units [processors]; Chargers for electric batteries; chargers for electronic cigarettes; charging stations for electric vehicles; apparatus to check franking / apparatus to check stamping mail; Chemistry apparatus and instruments; Chips [integrated circuits]; Choking coils [impedance]; Chromatography apparatus for laboratory use; Chronographs [time recording apparatus]; Cinematographic cameras; Cinematographic film, exposed; Circuit breakers; Circuit closers; circular slide rules; Cleaning apparatus for phonograph records; close-up lenses; Clinometers; Clothing especially made for laboratories; Clothing for protection against accidents, irradiation and fire; Clothing for protection against fire; Coaxial cables; Coils, electric; Coin-operated mechanisms for television sets; Collectors, electric; Commutators; Compact disc players; Compact discs [audio-video]; Compact discs [read-only memory]; Comparators; Compasses [measuring instruments]; Computer game software; Computer keyboards; Computer memory devices; Computer operating programs, recorded; Computer peripheral devices; Computer programmes [downloadable software]; Computer software applications, downloadable; programs [downloadable software]; Computer software, recorded; computer hardware; Computers; condensers [capacitors] / capacitors; Conductors, electric; connected bracelets [measuring instruments]; Connections for electric lines; Connectors [electricity]; Contact lenses; Contacts, electric; Containers for contact lenses; Containers for microscope slides; Control panels [electricity]; Converters,

electric; Copper wire, insulated; cordless telephones; Correcting lenses [optics]; Cosmographic instruments; counterfeit [false] coin detectors / false coin detectors; counters / meters; Couplers [data processing equipment]; Couplings, electric; Covers for electric outlets; covers for smartphones; covers for personal digital assistants [PDAs]; covers for tablet computers; Crash test dummies; Cupels [laboratory]; Current rectifiers; Cyclotrons; Darkroom lamps [photography]; Darkrooms [photography]; Data processing apparatus; Decompression chambers; Decorative magnets; Demagnetizing apparatus for magnetic tapes; Densimeters; Densitometers; Detectors; Diagnostic apparatus, not for medical purposes; Diaphragms [acoustics]; Diaphragms for scientific apparatus; Diaphragms [photography]; Dictating machines; Diffraction apparatus [microscopy]; Digital photo frames; digital signs; digital weather stations; Directional compasses; discharge tubes, electric, other than for lighting; Disk drives for computers; Disks, magnetic; Distance measuring apparatus; Distance recording apparatus; Distillation apparatus for scientific purposes; Distribution boards [electricity]; Distribution boxes [electricity]; Distribution consoles [electricity]; Divers' masks; Diving suits; DNA chips; Dog whistles; Dosimeters; Downloadable image files; Downloadable music files; Downloadable ring tones for mobile phones; drainers for use in photography; Dressmakers' measures; Drying apparatus for photographic prints; Drying racks [photography]; Ducts [electricity]; DVD players; Dynamometers; Ear plugs for divers; editing appliances for cinematographic films; egg timers; Egg-candlers; electricity conduits; Electric apparatus for commutation; Electric apparatus for remote ignition; Electric discharge tubes, other than for lighting; Electric door bells; Electric installations for the remote control of industrial operations; Electric loss indicators; Electricity conduits; Electrified fences; Electrified rails for mounting spot lights; Electro-dynamic apparatus for the remote control of railway points; Electro-dynamic apparatus for the remote control of signals; Electrolysers; electronic book readers; Electromagnetic coils; electronic collars to train animals; electronic access control systems for interlocking doors; electric and electronic effects units for musical instruments; electronic interactive white boards; electronic key fobs being remote control apparatus; electronic sheet music, downloadable; Electronic agendas; Electronic notice boards; Electronic pens [visual display units]; Electronic pocket translators; Electronic publications, downloadable; Electronic tags for goods; Encoded identification bracelets, magnetic; Encoded magnetic cards; encoded key

cards; Enlarging apparatus [photography]; Epidiascopes; equalizers [audio apparatus]; Ergometers; Exposure meters [light meters]; Eyeglass cases; Eyeglass chains; Eyeglass cords; Eyeglass frames; Eyepieces; Facsimile machines; False coin detectors; Fibre [fiber (Am.)] optic cables; Film cutting apparatus; Films, exposed; Filters for respiratory masks; Filters for ultraviolet rays, for photography; Filters [photography]; Fire alarms; Fire beaters; Fire blankets; Fire boats; Fire engines; Fire escapes; Fire extinguishers; fire extinguishing apparatus; Fire hose; Fire hose nozzles; Fire pumps; Flash-bulbs [photography]; flashing lights [luminous signals]; Flashlights [photography]; Floppy disks; flowmeters; Fluorescent screens; Fog signals, non-explosive; Food analysis apparatus; Frames for photographic transparencies; Frequency meters; Furniture especially made for laboratories; Fuse wire; Fuses; Galena crystals [detectors]; Galvanic batteries; Galvanic cells; Galvanometers; Garments for protection against fire; Gas testing instruments; Gasometers [measuring instruments]; Gauges; Glass covered with an electrical conductor; Glazing apparatus for photographic prints; Global Positioning System [GPS] apparatus; Gloves for divers; Gloves for protection against accidents; Gloves for protection against X-rays for industrial purposes; Goggles for sports; Graduated glassware; Grids for batteries; Hands free kits for phones; Head cleaning tapes [recording]; Headphones; Heat regulating apparatus; Heliographic apparatus; Hemline markers; High-frequency apparatus; Holders for electric coils; Holograms; Horns for loudspeakers; Hourglasses; humanoid robots with artificial intelligence; Hydrometers; Hygrometers; Identification sheaths for electric wires; Identification threads for electric wires; Identity cards, magnetic; Incubators for bacteria culture; Inductors [electricity]; infrared detectors; Instruments containing eyepieces; Integrated circuit cards [smart cards]; Integrated circuits; Intercommunication apparatus; Interfaces for computers; interactive touch screen terminals; Inverters [electricity]; Invoicing machines; Ionization apparatus not for the treatment of air or water; Jigs [measuring instruments]; Juke boxes for computers; Juke boxes, musical; Junction boxes [electricity]; Junction sleeves for electric cables; Knee-pads for workers; Laboratory centrifuges; Laboratory trays; Lactodensimeters; Lactometers; Laptop computers; Lasers, not for medical purposes; Lens hoods; Lenses for astrophotography; Letter scales; Levelling instruments; Levels [instruments for determining the horizontal]; Life belts; Life buoys; Life jackets; Life nets; Life saving apparatus and equipment; Life-saving rafts; Light conducting filaments [optical fibers

[fibres]]; Light dimmers [regulators], electric; Light-emitting diodes [LED]; Light-emitting electronic pointers; Lighting ballasts; Lightning arresters; Limiters [electricity]; Locks, electric; Logs [measuring instruments]; Loudspeakers; Magic lanterns; Magnetic data media; Magnetic encoders; Magnetic tape units for computers; Magnetic tapes; Magnetic wires; Magnets; Magnifying glasses [optics]; Manometers; Marine compasses; Marine depth finders; Marking buoys; Marking gauges [joinery]; Masts for wireless aerials; Material testing instruments and machines; Materials for electricity mains [wires, cables]; Mathematical instruments; Measures; Measuring apparatus; Measuring devices, electric; Measuring instruments; Measuring spoons; Mechanical signs; Mechanisms for coin-operated apparatus; Mechanisms for counter-operated apparatus; Megaphones; Mercury levels; Metal detectors for industrial or military purposes; Meteorological balloons; Meteorological instruments; Meters; Metronomes; Micrometer screws for optical instruments; Micrometers; Microphones; Microprocessors; Microscopes; Microtomes; Milage recorders for vehicles; Mirrors for inspecting work; Mirrors [optics]; Modems; Money counting and sorting machines; Monitoring apparatus, electric; Monitors [computer hardware]; Monitors [computer programs]; Mouse [data processing equipment]; Mouse pads; Nautical apparatus and instruments; Naval signalling apparatus; Navigation apparatus for vehicles [on-board computers]; Navigational instruments; needles for surveying compasses; Neon signs; Nets for protection against accidents; Nose clips for divers and swimmers; Notebook computers; Objectives [lenses] [optics]; Observation instruments; Octants; Ohmmeters; Optical apparatus and instruments; Optical character readers; Optical condensers; Optical data media; Optical discs; Optical glass; Optical goods; Optical lamps; Optical lenses; Oscillographs; Ovens for laboratory use; Oxygen transvasing apparatus; Ozonisers [ozonators]; Parking meters; Particle accelerators; Pedometers; Peepholes [magnifying lenses] for doors; Periscopes; Personal stereos; Petri dishes; Petrol gauges; Phonograph records; Photocopiers [photographic, electrostatic, thermic]; Photographic racks; Photometers; Phototelegraphy apparatus; Photovoltaic cells; Pince-nez; Pipettes; Pitot tubes; Plane tables [surveying instruments]; Planimeters; Plates for batteries; Plotters; Plugs, sockets and other contacts [electric connections]; Plumb bobs; Plumb lines; Pocket calculators; Polarimeters; Portable media players; Portable telephones; Precision balances; Precision measuring apparatus; Pressure indicator plugs for valves; Pressure indicators; Pressure

measuring apparatus; Printed circuit boards; Printed circuits; Printers for use with computers; Prisms [optics]; Probes for scientific purposes; Projection apparatus; Projection screens; Protection devices against X-rays, not for medical purposes; Protection devices for personal use against accidents; protective films adapted for smartphones; Protective helmets; Protective helmets for sports; Protective masks; Protective suits for aviators; Protractors [measuring instruments]; Punched card machines for offices; Push buttons for bells; Pyrometers; Quantity indicators; Radar apparatus; Radio pagers; Radiological apparatus for industrial purposes; Radiology screens for industrial purposes; Radios; Radiotelegraphy sets; Radiotelephony sets; Railway traffic safety appliances; Readers [data processing equipment]; Record players; Reducers [electricity]; Reflecting discs for wear, for the prevention of traffic accidents; Refractometers; Refractors; Regulating apparatus, electric; Relays, electric; Remote control apparatus; Resistances, electric; Respirators for filtering air; Respirators, other than for artificial respiration; Resuscitation mannequins [teaching apparatus]; Retorts; Retorts' stands; Revolution counters; Rheostats; Riding helmets; Road signs, luminous or mechanical; Rods for water diviners; Rods [surveying instruments]; Rulers [measuring instruments]; Rules [measuring instruments]; Saccharometers; Safety restraints, other than for vehicle seats and sports equipment; Safety tarpaulins; Salinometers; Satellite navigational apparatus; Satellites for scientific purposes; Scales; scales with body mass analyzers; Scanners [data processing equipment]; Screens for photoengraving; Screens [photography]; Screw-tapping gauges; security tokens [encryption devices]; Semi-conductors; Sextants; Sheaths for electric cables; Shoes for protection against accidents, irradiation and fire; Shutter releases [photography]; Shutters [photography]; Sighting telescopes for firearms; Signal bells; Signal lanterns; Signalling buoys; Signalling panels, luminous or mechanical; Signalling whistles; Signals, luminous or mechanical; Signs, luminous; Simulators for the steering and control of vehicles; Sirens; Sleeves for laptops; Slide calipers; Slide projectors; Slide-rules; Slides [photography]; smart rings ; Smoke detectors; Solar batteries; Solderers' helmets; Solenoid valves [electromagnetic switches]; Sonars; Sound alarms; Sound locating instruments; Sound recording apparatus; Sound recording carriers; Sound recording strips; Sound reproduction apparatus; Sound transmitting apparatus; Sounding apparatus and machines; Sounding leads; Sounding lines; Spark-guards; Speaking tubes; Spectacle cases; Spectacle frames; Spectacle lenses; Spectacles [optics];

Spectrograph apparatus; Spectroscopes; Speed checking apparatus for vehicles; Speed indicators; Speed measuring apparatus [photography]; Speed regulators for record players; Spherometers; Spirit levels; Spools [photography]; squares for measuring; square rulers for measuring; Sprinkler systems for fire protection; Stage lighting regulators; Stands for photographic apparatus; Starter cables for motors; Steering apparatus, automatic, for vehicles; Step-up transformers; Stereoscopes; Stereoscopic apparatus; Stills for laboratory experiments; Stroboscopes; Styli for record players; subwoofers; Sulphitometers; Sunglasses; Surveying apparatus and instruments; Surveying chains; Surveying instruments; Surveyors' levels; Switchboards; Switchboxes [electricity]; Switches, electric; T-squares for measuring; Tachometers; Tape recorders; Taximeters; Teaching apparatus; Teeth protectors; Telegraph wires; Telegraphs [apparatus]; Telemeters; Telephone apparatus; Telephone receivers; Telephone transmitters; Telephone wires; Teleprinters; Teleprompters; Telerupters; Telescopes; Television apparatus; Temperature indicator labels, not for medical purposes; Temperature indicators; Terminals [electricity]; Test tubes; Testing apparatus not for medical purposes; Theft prevention installations, electric; Theodolites; thermal imaging cameras; Thermionic tubes; Thermometers, not for medical purposes; thermo-hygrometers; Thermostats; Thermostats for vehicles; Ticket dispensers; Time clocks [time recording devices]; Time recording apparatus; Time switches, automatic; Tone arms for record players; Totalizers; Traffic cones; Traffic-light apparatus [signalling devices]; Transformers [electricity]; Transistors [electronic]; Transmitters of electronic signals; Transmitters [telecommunication]; Transmitting sets [telecommunication]; Transponders; Triodes; Tripods for cameras; Urinometers; USB flash drives; Vacuum gauges; Vacuum tubes [radio]; Variometers; Vehicle breakdown warning triangles; Vehicle radios; Verniers; Video cassettes; Video game cartridges; Video recorders; Video screens; Video telephones; Videotapes; Viewfinders, photographic; Viscosimeters; Voltage regulators for vehicles; Voltage surge protectors; Voltmeters; Voting machines; Wafers for integrated circuits; Waling glasses; Walkie-talkies; Washing trays [photography]; Water level indicators; Wavemeters; Weighbridges; Weighing apparatus and instruments; Weighing machines; Weights; Whistle alarms; Wind socks for indicating wind direction; Wire connectors [electricity]; Wires, electric; Workmen's protective face-shields; Wrist rests for use with computers; X-ray apparatus not for medical purposes; X-ray films, exposed; X-ray photographs, other

than for medical purposes; X-ray tubes not for medical purposes; data storage apparatus and instruments, software and data storage software, and software for video-conferencing, radio, television, sound recording, sound reproducing, telecommunications and teaching apparatus and instruments; apparatus for recording television programmes; apparatus for reproduction or reception of sound, images or audio visual content; electrical and electronic apparatus for use in the reception of satellite, terrestrial or cable broadcasts; televisions; LCD and plasma screens; home cinema systems; amplifiers; speakers; radios; wireless audio and/or audio visual devices; portable wireless audio and/or audio visual devices; remote controls; wireless keypads; television receivers including a decoder; set-top boxes; digital set-top boxes; high definition set-top boxes; personal video recorder; set-top boxes for use in decoding and reception of satellite, terrestrial and cable broadcasts; apparatus for decoding encoded signals including set-top boxes for television reception; set-top box apparatus including a decoder and an interactive viewing guide; set-top box apparatus including a decoder and a recorder for recording television and audio programmes; set-top box apparatus including a decoder and a recorder programmable to transfer stored recordings to storage and also to delete the older recordings; satellite dishes; low noise blocks; satellite meters; computer software to enable searching of data; encoded programs for computers and for data processing and telecommunications; telephones; mobile telephones; PDAs; telephone and radio modems; television receivers including a decoder; set-top boxes for use in decoding and reception of satellite, terrestrial cable and digital subscriber line (DSL), Internet or other electronic broadcasts; apparatus for decoding encoded signals; recorded television and radio programmes; recorded programmes for broadcasting or other transmission on television, radio, mobile telephones, PDAs and on PCs; video recordings; multimedia apparatus and instruments; portable or hand-held computers; DVD players; computers; computer hardware; firmware; computer firmware; computer hardware, apparatus and instruments all for transmitting, displaying, receiving, storing and searching electronic information; computer programs; computer software; computer software and telecommunications apparatus to enable connection to databases and the Internet; computer software supplied from the Internet; network termination equipment; wired and/or wireless computer network routers, modems, firewalls and/or bridges; computer software and computer programs for distribution to, and for use by, viewers of a digital television

channel for the viewing and purchase of goods and services; computer games software and computer quiz software; computer programs for interactive television and for interactive games and/or quizzes; interactive video game devices comprised of computer software namely software for operating game controllers; portable and/or hand-held electronic devices for receiving, playing and transmitting music, sounds, images, text, signals, information and code; electronic publications; computer games (computer software); computer video games (computer software); video screens; video projectors; tapes, discs and wires, all being magnetic; cassettes and cartridges, all adapted for use with the aforesaid tapes; blank and pre-recorded audio and video cassettes, tapes and cartridges; compact discs; DVD discs; phonographic records; laser readable discs for recording sound or video; ROM cartridges, CD ROMs, cards and discs, integrated circuit cards, memory carriers, recording media, all pre-recorded with computer video games and/or quizzes; encoded cards; radio and television signal antennae; downloadable music, sounds, videos, images, text and information provided by a telecommunications network, by on-line delivery and by way of the Internet and/or the world-wide web or other communications network; interactive sound and/or audio recordings; music, video, sound and/or audio recordings (downloadable) provided from MP3 Internet websites; MP3 players, MP3 readers; audio and/or video file recorders and/or players; portable audio and/or video file recorders and/or players; telephone ring tones (downloadable); downloadable ring tones for mobile phones; apparatus and instruments for the reception of radio and television broadcasts including the reception of cable, satellite and digital broadcasts; smart cards; credit cards; loyalty cards; acoustic apparatus or instruments, namely acoustic discs, acoustic meters, acoustic sound alarms; adaptors; aerials; antennae; amplifiers; communication apparatus and instruments; encoded or magnetic banking or credit cards; cinematographic film; cinematographic instruments and apparatus; data carriers; data storage apparatus, equipment and instruments; electrical telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus; electronic telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus; film reproducing instruments and apparatus; hand held electrical telecommunications and/or communications and/or broadcast and/or transmission

and/or decoding and/or image processing and/or audio visual instruments and apparatus; hand held electronic telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus; mobile telephones; motion pictures; telephone apparatus and equipment; parts and fittings for all the aforesaid goods; sunglasses, leather cases for holding mobile phones; downloadable media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless transmission, satellite or terrestrial broadcast service; cases, containers, protective coverings and parts and fittings therefor, all for use with MP3 players, music storage devices, media storage devices and other audio, visual and computer devices; electrical, electronic and computer equipment for machinery for use in conservation, generation and efficient use of heat, light and water, including thermostatic controls, solar panels for electricity generation, photovoltaic devices, solar cells turbines and motion detectors; electrical and electronic equipment for use in the generation of solar power; electrical, electronic and computer equipment for use in the generation of alternative energy including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels; control and monitoring equipment for use in the generation of alternative energy including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels; automated control apparatus for local management of lighting, heating and water supplies; electronic publications (downloadable), including electronic publications, magazines and newsletters regarding environmental protection, energy conservation and ecology, animal welfare and renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels; apparatus and instruments for closed circuit television and surveillance systems; apparatus and instruments for personal security monitoring; apparatus and instruments for home security monitoring and control; home and personal security apparatus; home and personal security devices; home and personal security alarms; electronic protection equipment, including fire detecting and alarm equipment, intruder and burglar alarm equipment and motion detecting equipment; radio, telephonic, television and signalling apparatus and instruments, cameras, sound and video monitoring and recording and sound and video reproducing apparatus and instruments, all for control and telemetry purposes for the home and personal

security; closed-circuit television systems (CCTV); monitors; cameras; optical lenses; camera casings; prepackaged cameras; videocassette recorders (VCRs); system controlling software; video monitoring apparatus; detectors; access control apparatus; readers; magnetic or encoded access control cards; monitoring apparatus; electronic panels for alarm management and monitoring; alarm panels; glass breakage detectors; smoke detectors; carbon monoxide detectors; digital audio recorders; digital video recorders; digital audio servers; digital video servers; electrical communication equipment; message programming equipment; radio paging equipment; electronic locking systems; life-saving apparatus and equipment; electric alarms; electronic devices for opening doors; electronic devices for protection; intruder alarms and anti-theft equipment; intruder detection apparatus; motion detecting equipment; electronic control apparatus; electronic apparatus for controlling operation of machines; remote apparatus for controlling operation of machines; computer apparatus for controlling operation of machines; electronic network equipment; electronic communication equipment; message programming devices; electronic locking apparatus; parts and fittings for all the aforesaid goods; computer software, operating system software, devices, and hardware for transmitting, receiving, synchronizing, displaying, backing-up, monitoring, controlling, sharing, coding, decoding, encrypting, accessing, remotely accessing, creating, collecting, storing, securing, removing, transferring, disseminating, locating, organizing or otherwise utilizing data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data, including over a global communications network; computer software, operating system software, devices, and hardware for synchronizing data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other information between computers and hand-held or other devices, and vice versa; communications platforms for enabling instantaneous, continuous, scheduled and perpetual synchronization of data between computers and hand-held or other devices, and vice versa; multimedia cards, memory cards, flash memory cards, memory chips, data storage media devices, plugs, plug-in cards, magnetic cards, SIM cards, telephone calling cards, headphones, headsets, portable and/or hand held electronic devices for receiving, storing, playing and transmitting data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data;

online dictionaries, encyclopaedias, and reference texts (downloadable); online publications, including newspapers, magazines (periodicals), comics, journals (publications), books, user manuals, instructional and teaching materials (downloadable); online posters, photographs, pictures, articles, vouchers and tickets (downloadable), online electronic dictionaries, encyclopaedias and reference texts (downloadable); computer software for processing electronic payments and transferring funds to and from others; online and downloadable authentication software; conversion software and databases, including currency conversion and measurement conversion; computer software for the purpose of monitoring online communications and chat room conversations and alerting third parties to the contents; computer software for monitoring the use of computers and the Internet by children; computer software relating to online protection and online security; protective clothing [against accident or injury] for cycling; locks (electric) for bicycles; parts and fittings for all the aforesaid goods; satellite navigational system for bicycles; global positioning systems for use with bicycles; computers for use with bicycles; ergometers; computer apparatus for remote meter reading; bicycle meters; distance meters; power meters; speed meters; eyewear; sports eyewear; protective eyewear; sunglasses; cases for eyewear; cases for sunglasses; frames for eyewear; lenses for eyewear; straps for sunglasses and eyewear; helmets; cyclists helmets; crash helmets; protective sports helmets; sports bags for protective helmets; sporting articles for protective purposes; protective body and limb pads for cycling; face masks for cycling; protective gloves; visors; radios; communicators; aerials for radios; parts for radios; carrying cases for radios; electronic radio apparatus; mobile radios; mounting fittings for radios; radio receivers and transmitters; radio transceivers; radios for vehicles; solar powered radios; wireless boosters; wireless transmitters; wireless communication apparatus; two way wireless communication systems; digital electronic devices for recording, organizing, transmitting, receiving, manipulating, playing and reviewing text, data, image, audio and video files; computer software for use in organizing, transmitting, receiving, manipulating, playing and reviewing text, data, image, audio, and video files; computer hardware and computer software for the reproduction, processing and streaming of audio, video and multimedia content; computer hardware and software for controlling the operation of audio and video devices and for viewing, searching and/or playing audio, video, television, movies, photographs and other digital images, and other

multimedia content; computer software for creating and editing music and sounds; computer hardware, peripherals and devices for portable media storage and digital media streaming; computer hardware for upload, storage, retrieval, download, transmission and delivery of digital content; virtual reality systems; virtual reality glasses or goggle, data gloves, head mounted displays, datasuits, virtual reality clothing, headphones, speakers, joysticks, equipment and apparatus for virtual reality rooms; virtual reality software; Virtual reality headsets, helmets and viewers; Virtual Reality (VR) and Augmented Reality (AR) products namely goggles, gloves, 3D glasses for smartphones, headsets and head mounted displays adapted for use in watching videos and movies, headphones, head trackers, motion trackers, data gloves, 3D controllers, haptic devices, stereoscopic 3D displays, 2D monoscopic, monocular; Virtual Reality and Augmented Reality headsets, helmets, display screens, and sound systems comprised primarily of speakers, all adapted for use in playing video games, viewing motion pictures, and participating in Virtual Reality and Augmented Reality environments in which users can interact for recreational, leisure, or entertainment purposes; Electronic and optical communications instruments and components, namely, display screens for virtual reality visualization, manipulation, immersion and integration of audio, video, text, binary, still images, graphics and multimedia files; Personal video display devices in the nature of wearable displays for viewing digital content including Virtual Reality, Augmented Reality, and mixed reality content; virtual reality motion platforms; Cameras for use in virtual reality products (headsets, head mounted displays adapted for use in watching videos and movies, headphones, head trackers, stereoscopic 3D displays); Motion tracking sensors; Hologram apparatus; Holographic apparatus; Virtual Reality immersion and integration of geographic information in interaction with on-line member communities, other applications and the data itself; Smart phones; Portable virtual reality systems; Wearable computers; Vision processing unit; Holographic Processing Unit; inertial measurement unit; virtual reality games software; virtual reality hardware and peripheral devices; Virtual reality software; Augmented reality software; Software in the field of virtual reality, motion tracking, location, position, and orientation sensing; Software for developing and interfacing with virtual reality/augmented reality software; Software, namely, mobile application for setting up, configuring, viewing and running virtual reality/augmented reality software; Hardware and software for use in enabling computers, handheld consoles, tablet

computers, mobile devices, and smart phones to provide virtual world experiences; Virtual Reality software for creating, sharing, and viewing Virtual Reality content over the Internet; Virtual reality computer platform; Earphones for mobile computer terminals; microphones; earphones; smart phones; webcams; head-mounted video displays; micro-displays, namely, head mounted video displays and near eye video displays; parts and accessories for micro-display; video processors; software and firmware for video drivers and video processing; personal video display screens; personal video display devices in the nature of wearable displays for viewing digital content including virtual reality, augmented reality, and mixed reality content; downloadable computer game programs for cellular phones, mobile computer terminals, set-top boxes, DVD players connected to network and television sets connected to network; downloadable computer game programs; downloadable video game programs; game programs for home video game machines; game programs for hand-held games with liquid crystal displays; downloadable or installable computer and video game programs for home video game machines; downloadable or installable additional image data for home video game machines; downloadable or installable computer and video game programs for hand-held games with liquid crystal displays; downloadable or installable additional image data for hand-held games with liquid crystal displays; downloadable image file containing artwork, text, audio, video, games and Internet Web links relating to sporting and cultural activities; downloadable images for cellular phones and mobile computer terminals; downloadable stand by image for cellular phones; downloadable ring tones for mobile phones; downloadable electronic publications in the nature of books, manuals, magazines, newspapers in the field of video games, game software, music and video movies; earphones for home video game machines; headphones for home video game machines; microphones for home video game machines; keyboards for home video game machines; mouse for home video game machines; webcams exclusively for use with home video game machines; earphones exclusively for use with hand-held games with liquid crystal displays; headphones exclusively for use with hand-held games with liquid crystal displays; microphones exclusively for use with hand-held games with liquid crystal displays; keyboards exclusively for use with hand-held games with liquid crystal displays; mouse exclusively for use with hand-held games with liquid crystal displays; computer software for creating and editing music and sounds, computer hardware, peripherals and devices for portable media

storage and digital media streaming, computer hardware for upload, storage, retrieval, download, transmission and delivery of digital content; Telecommunications apparatus, equipment and instruments for logging, barring, recording and managing telephone calls; Call screening, barring and blocking software; Call blocker devices; providing downloadable pre-recorded music and video for a fee or pre-paid subscription via the Internet; parts and fittings for all of the above.

Class 35:

Advertising; business management; business administration; office functions; Accounting; Administrative processing of purchase orders; Advertising by mail order; Advisory services for business management; Arranging newspaper subscriptions for others; Arranging subscriptions to telecommunication services for others; Auctioneering; Bill-posting; Business appraisals; Business auditing; Business efficiency expert services; Business information; Business inquiries; Business investigations; business intermediary services relating to the matching of potential private investors with entrepreneurs needing funding; Business management and organization consultancy; Business management assistance; Business management consultancy; Business management of hotels; Business management of performing artists; Business management of sports people; Business organization consultancy; Business research; Commercial administration of the licensing of the goods and services of others; Commercial information agencies; Commercial information and advice for consumers [consumer advice shop]; Commercial or industrial management assistance; Compilation of information into computer databases; compiling indexes of information for commercial or advertising purposes; Compilation of statistics; Computerized file management; consultancy regarding public relations communications strategy; consultancy regarding advertising communications strategy; Cost price analysis; Data search in computer files for others; Demonstration of goods; Direct mail advertising; Dissemination of advertising matter; Distribution of samples; Document reproduction; Drawing up of statements of accounts; Economic forecasting; Employment agencies; Import-export agencies; Invoicing; Layout services for advertising purposes; Marketing; Marketing research; Marketing studies; Modelling for advertising or sales promotion; negotiation of business contracts for others; News clipping services; Office machines and

equipment rental; On-line advertising on a computer network; Opinion polling; Organization of exhibitions for commercial or advertising purposes; Organization of fashion shows for promotional purposes; Organization of trade fairs for commercial or advertising purposes; Outsourcing services [business assistance]; Payroll preparation; Personnel management consultancy; Personnel recruitment; Photocopying services; Presentation of goods on communication media, for retail purposes; Price comparison services; Procurement services for others [purchasing goods and services for other businesses]; Production of advertising films; production of teleshopping programmes; Professional business consultancy; Psychological testing for the selection of personnel; Public relations; Publication of publicity texts; Publicity; Publicity agencies; Publicity columns preparation; Publicity material rental; Radio advertising; registration of written communications and data ; Relocation services for businesses; Rental of advertising space; Rental of advertising time on communication media; Rental of photocopying machines; Rental of vending machines; Retail or wholesale services connected with the sale of pharmaceutical, veterinary and sanitary preparations and medical supplies; Sales promotion for others; Secretarial services; Shop window dressing; Shorthand; Sponsorship search; Systemization of information into computer databases; Tax preparation; Telemarketing services; Telephone answering for unavailable subscribers; Television advertising; Transcription; Typing; Updating of advertising material; updating and maintenance of information in registries; Word processing; Writing of publicity texts; promotional services; administration services for businesses; accounting services; customer relationship management; organisation, operation and supervision of sales and promotional incentive schemes; online advertisements; provision of product information and advice to prospective purchasers of home entertainment equipment, multi-media apparatus and instruments, television and radio equipment, audio visual equipment, set-top boxes, personal video recorders, video recorders, computer games software, hardware and peripheral devices; demonstration services for advertising, business, commercial & trade purposes; rental of advertising space; television advertising commercials; preparation and presentation of audio visual displays for advertising purposes; dissemination of advertising matter; arranging and conducting of trade shows and exhibitions; arranging and conducting trade show exhibitions in the field of electronic, computer and video games for the computer and video game industry; advertisement and

promotion of television services; compilation of business statistics and commercial information; loyalty card services; marketing studies; marketing of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-recorded video discs; monitoring and analysis of call information (office services); business planning, inspection, survey and appraisal services; receipt and provision of computerised business information data; compilation of business statistics and commercial information, all relating to television, radio, satellite broadcasting and video games; magazine and newspaper subscriptions; the bringing together, for the benefit of others of a variety of goods namely bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, cleaning, bleaching and abrasive preparations and substances, all for laundry use, anti-perspirants, perfumes, non-medicated toilet preparations, cosmetic preparations, dentifrices, toilet articles, hair preparations, shampoos, soaps, essential oils, beauty products, toiletries, colognes, eau de toilette, deodorants, body sprays, perfumed body sprays, oils, creams and lotions for the skin, preparations for the bath and shower, shampoos and conditioners, hair styling products, shaving gel, foams and cream, pre and post shave balms, aftershaves, razors, razor blades, chamois creams, embrocation creams, depilatory preparations, sunscreen preparations, cosmetics, perfumery, candles including all the aforesaid made from unbleached and/or organic and/or biodegradable ingredients, pharmaceutical and veterinary preparations, industrial oils and greases, lubricants, fuels (including motor spirit) and illuminants, fuel additives and preparations for enhancing combustion of fuels, machine tools, motors and engines, turbines for power generation, control panels for turbines for power generation, machines for household use, building and construction materials (non-metallic), building glass, sheet materials, metal hardware, insulation, cladding, roofing materials, pipes, doors, door furniture, windows, window furniture, joinery materials, ladders, kitchen units, kitchen furniture, bedroom furniture, dining room furniture, flooring, lighting, radiators, soft furnishings, storage, shelving, fireplaces and surrounds, living room furniture, natural materials for use as horticultural fertilizers, horticultural implements, gardening equipment, horticultural frames, garden tools (hand operated), watering cans, garden sprayers, garden lighting, garden furniture, covers for garden furniture, garden ornaments, gardening gloves, seeds, plants, gardening clothing, gardening footwear, gardening

headwear, garden storage boxes, paints and varnishes, hand tools, scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, radio, television, sound recording, sound reproducing, telecommunications, signalling, checking (supervision) and teaching apparatus and instruments, apparatus for recording television programmes, apparatus for recording, transmission, reproduction or reception of sound, images or audio visual content, electrical and electronic apparatus for use in the reception of satellite, terrestrial or cable broadcasts, televisions, LCD and plasma screens, home cinema systems, amplifiers, speakers, radios, wireless audio and/or audio visual devices, portable wireless audio and/or audio visual devices, remote controls, games controllers, wireless gaming controllers, wireless keypads, television receivers including a decoder, set-top boxes, digital set-top boxes, high definition set-top boxes, personal video recorder, set-top boxes for use in decoding and reception of satellite, terrestrial and cable broadcasts, apparatus for decoding encoded signals including set-top boxes for television reception, set-top box apparatus including a decoder and an interactive viewing guide, set-top box apparatus including a decoder and a recorder for recording television and audio programmes, set-top box apparatus including a decoder and a recorder programmable to transfer stored recordings to storage and also to delete the older recordings, satellite dishes, low noise blocks, satellite meters, computer software to enable searching of data, encoded programs for computers and for data processing and telecommunications, telephones, mobile telephones, PDAs, telephone and radio modems, television receivers including a decoder, set-top boxes for use in decoding and reception of satellite, terrestrial cable and digital subscriber line (DSL), Internet or other electronic broadcasts, apparatus for decoding encoded signals, recorded television and radio programmes, recorded programmes for broadcasting or other transmission on television, radio, mobile telephones, PDAs and on PCs, video recordings, multimedia apparatus and instruments, portable or hand-held computers, DVD players, computers, computer hardware and peripheral devices, computer hardware, apparatus and instruments all for transmitting, displaying, receiving, storing and searching electronic information, computer programs, electronic computer games, electronic interactive computer games, computer software, computer software and telecommunications apparatus to enable connection to databases and the Internet, computer software supplied from the Internet, network termination equipment, wired and/or wireless computer network

routers, modems, firewalls and/or bridges, computer software and computer programs for distribution to, and for use by, viewers of a digital television channel for the viewing and purchase of goods and services, computer games software and computer quiz software, computer video games and/or quizzes adapted for use with television receivers and screens or with video monitors or with computer screens, computer programs for interactive television and for interactive games and/or quizzes, electronic apparatus adapted for use with television receivers in playing games, games consoles, interactive video game devices comprised of computer hardware and software and accessories, namely game consoles, game controllers and software for operating game controllers, portable and/or hand-held electronic devices for interactive computer and video games, portable and/or hand-held electronic devices for receiving, playing and transmitting music, sounds, images, text, signals, information and code, Portable Wireless Audio Devices, virtual reality systems, home entertainment systems, multi-media equipment, audio visual equipment, video and television equipment, electronic publications, computer games, computer video games, video screens, video projectors, tapes, discs and wires, all being magnetic, cassettes and cartridges, all adapted for use with the aforesaid tapes, blank and pre-recorded audio and video cassettes, tapes and cartridges, compact discs, DVD discs, phonographic records, laser readable discs for recording sound or video, ROM cartridges, CD ROMs, cards and discs, integrated circuit cards, memory carriers, recording media, all pre-recorded with computer video games and/or quizzes, encoded cards, radio and television signal antennae, music, sounds, videos, images, text and information provided by a telecommunications network, by on-line delivery and by way of the Internet and/or the world-wide web or other communications network, interactive sound and/or audio recordings, music, video, sound and/or audio recordings (downloadable) provided from MP3 Internet websites, MP3 players, MP3 readers, audio and/or video file recorders and/or players, portable audio and/or video file recorders and/or players, personal video recorders, telephone ring tones (downloadable), apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, apparatus and instruments for the reception of radio and television broadcasts including the reception of cable, satellite and digital broadcasts, smart cards, credit cards, loyalty cards, acoustic apparatus or instruments, namely acoustic discs, acoustic meters, acoustic sound alarms,

adaptors, aerials, antennae, amplifiers, amusement apparatus and instruments adapted for use with an external display screen or monitor, communication apparatus and instruments, encoded or magnetic banking or credit cards, cinematographic film, cinematographic instruments and apparatus, data carriers, data storage apparatus, equipment and instruments, electrical telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, electronic telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, film reproducing instruments and apparatus, hand held electrical telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, hand held electronic telecommunications and/or communications and/or broadcast and/or transmission and/or decoding and/or image processing and/or audio visual instruments and apparatus, interactive educational or entertainment games for use with television receivers and video apparatus, mobile telephones, motion pictures, telephone apparatus and equipment, parts and fittings for all the aforesaid goods, sunglasses, leather cases for holding mobile phones, downloadable media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless transmission, satellite or terrestrial broadcast service, cases, containers, protective coverings and parts and fittings therefor, all for use with MP3 players, music storage devices, media storage devices and other audio, visual and computer devices, electrical, electronic and computer equipment for machinery for use in conservation, generation and efficient use of heat, light and water, including thermostatic controls, solar panels for electricity generation, photovoltaic devices, solar cells, turbines and motion detectors, electrical, electronic and computer equipment for use in the generation of alternative energy including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, control and monitoring equipment for use in the generation of alternative energy including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, electronic publications (downloadable), including electronic publications, magazines and newsletters regarding environmental protection, energy conservation and ecology, animal welfare and renewable energy

projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, apparatus and instruments for closed circuit television and surveillance systems, apparatus and instruments for personal security monitoring, apparatus and instruments for home security monitoring and control, home and personal security apparatus, home and personal security devices, home and personal security alarms, electronic protection equipment, including fire detecting and alarm equipment, intruder and burglar alarm equipment and motion detecting equipment, radio, telephonic, television and signalling apparatus and instruments, cameras, sound and video monitoring and recording and sound and video reproducing apparatus and instruments, all for control and telemetry purposes for the home and personal security, closed-circuit television systems (CCTV), monitors, cameras, optical lenses, camera casings, prepackaged cameras, videocassette recorders (VCRs), system controlling software, video monitoring apparatus, detectors, access control apparatus, readers, magnetic or encoded access control cards, monitoring apparatus, electronic panels for alarm management and monitoring, alarm panels, glass breakage detectors, smoke detectors, carbon monoxide detectors, digital audio recorders, digital video recorders, digital audio servers, digital video servers, electrical communication equipment, message programming equipment, radio paging equipment, electronic locking systems, life-saving apparatus and equipment, electric alarms, electronic devices for opening doors, electronic devices for protection, intruder alarms and anti-theft equipment, intruder detection apparatus, motion detecting equipment, electronic control apparatus, electronic apparatus for controlling operation of machines, remote apparatus for controlling operation of machines, computer apparatus for controlling operation of machines, electronic network equipment, electronic communication equipment, message programming devices, electronic locking apparatus, computer software, operating system software, devices, and hardware for transmitting, receiving, synchronizing, displaying, backing-up, monitoring, controlling, sharing, coding, decoding, encrypting, accessing, remotely accessing, creating, collecting, storing, securing, removing, transferring, disseminating, locating, organizing or otherwise utilizing data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data, including over a global communications network, computer software, operating system software, devices, and hardware for synchronizing data, files, e-mails, contacts,

calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other information between computers and hand-held or other devices, and vice versa, communications platforms for enabling instantaneous, continuous, scheduled and perpetual synchronization of data between computers and hand-held or other devices, and vice versa, multimedia cards, memory cards, flash memory cards, memory chips, data storage media devices, plugs, plug-in cards, magnetic cards, SIM cards, telephone calling cards, headphones, headsets, portable and/or hand held electronic devices for receiving, storing, playing and transmitting data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data, online dictionaries, encyclopaedias, and reference texts (downloadable), online publications, including newspapers, magazines (periodicals), comics, journals (publications), books, user manuals, instructional and teaching materials (downloadable), online posters, photographs, pictures, articles, tickets (downloadable), online electronic dictionaries, encyclopaedias and reference texts, (downloadable) computer software for processing electronic payments and transferring funds to and from others, online and downloadable authentication software, online conversion software and databases, including currency conversion and measurement conversion, computer software for the purpose of monitoring online communications and chat room conversations and alerting third parties to the contents, computer software for monitoring the use of computers and the Internet by children, computer software relating to online protection and online security, spectacles, contact lenses, musical instruments, medical equipment, domestic electrical and electronic equipment, washing machines, tumble dryers, washer dryers, fridges, freezers, dishwashers, cookers, ovens, hobs, microwaves, jewellery, clocks, watches, stationery, apparatus for controlling temperature including remote and computer apparatus and instruments, apparatus for controlling water supply, apparatus for controlling lighting including remote and computer apparatus and instruments, apparatus for energy efficient lighting, heating and water supply purposes, in particular, light bulbs, apparatus for water conservation and water use minimization, automated control apparatus for local management of lighting, heating and water supplies, vehicles, apparatus for locomotion by land, air or water, vehicles adapted for use with renewable energy sources including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, paper,

cardboard, paper and cardboard articles namely albums, boxes, archive boxes, tubes, mailing tubes, office paper stationery, pads, notemakers, note pads, jotter, journal, refill pads, notebooks, business book, message pads, graph pad, tracing pads, flipchart pads, business card books, telephone/address books, files, folders, suspension files, pocket files, flap wallets, portfolio wallets, slip file, gusset files, box files, lever arch files, magazine file, ring binders, dividers, paper sorter, repositionable note, page markers, envelopes, labels, string tags, CD/DVD sleeves, raffle tickets, business cards, filing modules, desktop collection tray, recycling bin, year planners, bookmark, cardboard packaging, advertisement boards of paper or cardboard, advertising signs of paper or cardboard, banners of paper or cardboard, placards of paper or cardboard, signboards of paper or cardboard, packaging bags of paper or cardboard, packaging boxes of paper or cardboard, packaging container of paper or cardboard, paper bags, disposable paper products, paper napkins, paper hand towels, drying towels of paper, tissues, handkerchiefs of paper, paper cups, paper plates, dinner mats of paper, coasters, paper place mats, cocktail mats, coffee filters, paper table covers, paper table runners, containers for ice made of paper or cardboard, bibs of paper, fly catching paper, portable / standing paper lanterns, decorative paper centrepieces, adhesive wall decoration of paper, wrapping paper, gift paper, paper party decorations, paper party bags, cake decorations, drawer liners, dust bags of paper for cleaning apparatus, flags of paper or cardboard, flower-pot covers of paper or cardboard, lining paper, make-up pads of paper, paper badges, name badges, picture mounts, paper shopping bags, paper tissues, works of art and figurines of paper or cardboard, architects models, paper party hats, paper party favours, paper trumpets, paper face masks, wall paper, artificial flowers of paper, paper hats (clothing), paper clothing, bed linen of paper, bed covers of paper, paper toys, absorbent paper, account books, cheque book holders, adhesive paper, almanacs, baking paper, baking parchment, dressmaking patterns, hat boxes of cardboard, lithographs, maps, menus, name cards, paper doilies, paper toilet seat covers, toilet tissue, postage stamps, scented paper, sandwich bags, stencils, printed matter, publications, newspapers, magazines (periodicals), comics, journals (publications) and books, publications including strategy guides, user manuals, books and magazines all in the field of computer games, science fiction, games and entertainment, quiz books, shopping guides listing products for purchase, promotional literature relating to the promotion of goods for sale via digital television,

the Internet or other telecommunication channels, photographs, instructional and teaching materials (other than apparatus), posters, postcards and greeting cards, calendars, diaries, cards and stickers for collecting and collating in albums, writing requisites, rulers, erasers, writing paper, writing sets, catalogues, adhesive stickers, advertising material, advertisements, bags, credit cards, instructional manuals, newsletters, pens, pencils, writing instruments, pen and pencil holders, programme guides, stationery, user guides or manuals, paper, cardboard, printed matter, bookbinding material, photographs, stationery, adhesives for stationery or household purposes, artists' materials, plastic materials for packaging, publications, magazines, including all the aforesaid made from recycled and/or unbleached materials and/or from organic matter, insulation materials, in particular, for the conservation of heat within residential and commercial buildings, leather and imitations of leather, animal skins, hides, trunks and travelling bags, umbrellas, parasols and walking sticks, whips, harness and saddlery, handbags, backpacks, school bags, beach bags, travelling bags, suitcases, trunks, haversacks, bags for campers, fur-skins, collars for animals, covers for animals, boxes of leather or leather board, attaché cases, pocket wallets, school satchels and briefcases, key cases (leatherwear) attaché cases, backpacks, beach bags, briefcases, canes, card cases, key cases, leather shoulder belts, net bags, parasols, pocket wallets, purses, pouches, rucksacks, school bags, school satchels, sling bags, shopping bags, suitcases, garment bags, tote bags, travelling trunks, valises, vanity cases, umbrella covers, and wallets, clothing, footwear, headgear, underclothing, clothing for men, women, children and infants, jeans, slacks, trousers, skirts, shorts, wraps, jerseys, sweaters, waistcoats, dresses, jumpers, sleepwear, robes, warm-up suits, rainwear, sweaters, scarves, hats, caps, mittens, snow suits, belts, smocks, swimwear, playsuits, bibs, stockings, socks, waterproof clothing, underwear, footwear for men, women, children, and infants shoes, sneakers, sandals, slippers, boots, headgear for men, women, children, and infants hats, headbands, earmuffs, caps, sweaters, dress shirts, blouses, jackets, ties, suits, bathing suits, belts, skirts, dresses, coats, hats, caps, tuxedos, pants, vests, hosiery, scarves, pyjamas, underwear, kilts, mufflers, shawls, footwear, shoes, boots, slippers, and athletic shoes, blazers, headbands, wristbands, coveralls, overalls, sweat pants, and sleepwear, hair bands, ribbons for hair, hair slides, hair scrunchies, headbands, headwraps, hair elastics, hair combs, lighting, kitchenware, glassware, china, porcelain, ornaments, furniture, kitchens, sanitary ware, art,

paintings, posters, postcards, prints, photographs, household containers and utensils, crockery, cutlery, furnishings namely home furnishings, floor coverings, window dressings, soft furnishings, carpets, textiles, table linen, bed linen, haberdashery, sewing machines and equipment, toys, games and playthings, electronic games, hand-held devices for playing electronic, computer or video games, video games apparatus, playing cards, card games, sporting articles, games involving gambling, amusement machines, amusement apparatus and instruments, interactive educational or entertainment games, playing cards, sports equipment, fitness equipment, camping equipment, pets goods, namely pet cleaning products, hygienic and beauty implements for animals, pet shampoos and conditioners, pet towels, pet brushes, pet clothing, blankets for animals, pet cushions, rugs for pets, pet collars, ID tags for pets, leads/leashes for pets, beds for pets, nesting boxes, pet carriers, pet feeding dishes, food containers for pets, pet automatic feeders, toys, games and playthings for pets, ropes for use on pet toys, pet scratching furniture, food and drink, massage apparatus, massage chairs and massage cushions, foot spas, deck chairs, aromatherapy apparatus, saunas, hammocks, yoga equipment, pilates equipment, meditation equipment, water features, heat therapy, light therapy, sound therapy software and recordings, motor vehicles and their parts, protective clothing for cycling, locks for bicycles, lights for bicycles, cycling shoes, cycling clothing, cycling headwear including helmets, protective clothing for cycling, cycling products, namely, bike bags, wheel bags, bike box, cycle cameras, bicycles dynamos, bicycle reflectors, bicycle saddle covers, forks, stands for bicycles, bicycle mirrors, bike mounts for phones, gear and brake cables, cassettes, derailleurs, lubricants and cleaners, frame protection kits, chainstay protector, map holders, protective gloves, visors, protective body and limb pads for cycling, face masks, cases and/or bags adapted for carrying bicycles, stationary exercise bicycles, nutritional supplements in the form of bars, gels, beverages and preparations for making beverages, vitamin and mineral supplements in the form of bars, gels, beverages and preparations for making beverages, food products for use during exercise, proteinaceous preparations in the form of bars, gels, beverages and preparations for making beverages, bicycles, bicycle parts, helmets and water bottles, mudguards, bicycle seats, repair kits for cycling, including puncture repair kits, Satellite navigational system for bicycles, global positioning systems for use with bicycles, computers for use with bicycles, ergometers, computer apparatus for

remote meter reading, bicycle meters, distance meters, power meters, speed meters, eyewear, sports eyewear, sun visors, protective eyewear, sunglasses, cases for eyewear, cases for sunglasses, frames for eyewear, lenses for eyewear, straps for sunglasses and eyewear, helmets, cyclists helmets, crash helmets, protective sports helmets, sports bags for protective helmets, sporting articles for protective purposes, visors, radios, communicators, aerials for radios, parts for radios, carrying cases for radios, electronic radio apparatus, mobile radios, mounting fittings for radios, radio receivers and transmitters, radio transceivers, radios for vehicles, solar powered radios, parts and fittings for all of the above, heart monitors, heart monitors to be worn during exercise, parts and fittings for all of the above, bicycle lights, parts and fittings therefor, bicycles, track bicycles, velodrome bicycles, mountain bicycles, racing bicycles, cross country bicycles, cyclo-cross bicycles, bmx bicycles, indoor bicycles, all terrain bicycles, parts and fittings for all the aforementioned goods, bicycle frames, handlebars and handlebar stems for bicycles, handlebar tape, handlebar grips, saddles, saddle posts, bicycle seat posts, bicycle rims, bicycle gears, group sets of gears, chains for bicycles, bicycle bells, baskets for bicycles, brakes for bicycles, spokes for bicycles, dress guards for bicycles, pedals for bicycles, bicycle pumps, wheels and tyres for bicycles, inner tubes for bicycles, mudguards for bicycles, bicycle stands (supports), bicycle bags, bicycle stabilisers, luggage bags for bicycles, panniers for bicycles, bicycle carriers and racks, auxiliary child seats for bicycles and parts and fittings therefor, covers for bicycles and bicycle saddles, direction indicators and signals for bicycles, fittings for bicycles for carrying beverages and food, bidons, bottle cages for bicycles, fittings for bicycles for carrying luggage and panniers, puncture repair outfits and kits for bicycle tyres, toe straps and toe clips for use on bicycles, twist grips for bicycles, trailers for use with bicycles, roof racks, roof racks for vehicles, roof rack and storage containers for land vehicles, cranks for bicycles, power meters for bicycles, parts and fittings for all of the above, horological and chronometric instruments, watches, clocks, bands for watches, bracelets for watches, straps for watches of any material, cases for watches and clocks, watch chains, clock and watch hands, dials for watches, faces for watches, electric watches, mechanical and automatic watches, movements for watches and clocks, parts for clocks and watches, pendant watches, sports watches, watch and clock springs, watch clasps, watches for outdoor use, watches for sporting use, watches incorporating a memory function, time keeping devices, stop watches parts

and fittings for all of the above, sportswear, sports clothing, sports footwear, sports headwear, caps, hats, sports uniforms, sun visors, parts and fittings for all of the above, rollers for bicycles, trainers for bicycles, turbo trainers for bicycles, rollers for stationary bicycles, computer controlled exercise apparatus, parts and fittings for all of the above, meat, fish, poultry and game, preserved, frozen, dried and cooked fruits and vegetables, jellies, jams, compotes, eggs, milk and milk products, edible oils and edible fats, dairy products, butter, margarine and other butter substitutes, preserves, pickles, edible nuts and seeds and products prepared there from, shellfish, snacks, prepared meals and prepared dishes, soups, gravy and preparations for making gravy or soup, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals or from flour, bread, pastry and confectionery, ices, honey, treacle, yeast, baking powder, salt, mustard, pepper, vinegar, sauces (condiments), ice, spices, biscuits (other than biscuits for animals), cakes, pasta, pasta products and pastry products, chocolate, chocolates non-medicated confectionery, ice-cream, water ices and frozen confections, coffee substitutes, coffee essences and coffee extracts, beverages and preparations therefor, puddings, desserts, prepared meals and prepared snacks and fillings, fresh fruit and fresh vegetables, shellfish, beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices, syrups and other preparations for making beverages, alcoholic beverages other than beer, energy drinks, wireless boosters, wireless transmitters, wireless communication apparatus, two way wireless communication systems, digital electronic devices for recording, organizing, transmitting, receiving, manipulating, playing and reviewing text, data, image, audio and video files, computer software for use in organizing, transmitting, receiving, manipulating, playing and reviewing text, data, image, audio, and video files, computer hardware and computer software for the reproduction, processing and streaming of audio, video and multimedia content, computer hardware and software for controlling the operation of audio and video devices and for viewing, searching and/or playing audio, video, television, movies, photographs and other digital images, and other multimedia content; computer software for creating and editing music and sounds, computer hardware, peripherals and devices for portable media storage and digital media streaming; computer hardware for upload, storage, retrieval, download, transmission and delivery of digital content, virtual reality systems, virtual reality glasses or goggle, data gloves, head mounted displays,

datasuits, virtual reality clothing, headphones, speakers, joysticks, equipment and apparatus for virtual reality rooms, virtual reality software, Virtual reality headsets, helmets and viewers, Virtual Reality (VR) and Augmented Reality (AR) products namely goggles, gloves, 3D glasses for smartphones, headsets and head mounted displays adapted for use in watching videos and movies, headphones, head trackers, motion trackers, data gloves, 3D controllers, haptic devices, stereoscopic 3D displays, 2D monoscopic, monocular, Virtual Reality and Augmented Reality headsets, helmets, display screens, and sound systems comprised primarily of speakers, all adapted for use in playing video games, viewing motion pictures, and participating in Virtual Reality and Augmented Reality environments in which users can interact for recreational, leisure, or entertainment purposes, Electronic and optical communications instruments and components, namely, display screens for virtual reality visualization, manipulation, immersion and integration of audio, video, text, binary, still images, graphics and multimedia files, Personal video display devices in the nature of wearable displays for viewing digital content including Virtual Reality, Augmented Reality, and mixed reality content, virtual reality motion platforms, Cameras for use in virtual reality products (headsets, head mounted displays adapted for use in watching videos and movies, headphones, head trackers, stereoscopic 3D displays), Motion tracking sensors, Hologram apparatus, Holographic apparatus, Virtual Reality immersion and integration of geographic information in interaction with on-line member communities, other applications and the data itself, Smart phones, Portable virtual reality systems, Wearable computers, Vision processing unit, Holographic Processing Unit, inertial measurement unit, virtual reality games software, virtual reality hardware and peripheral devices, Virtual reality software, Augmented reality software, Software in the field of virtual reality, motion tracking, location, position, and orientation sensing, Software for developing and interfacing with virtual reality/augmented reality software, Software, namely, mobile application for setting up, configuring, viewing and running virtual reality/augmented reality software, Hardware and software for use in enabling computers, handheld consoles, tablet computers, mobile devices, and smart phones to provide virtual world experiences, Virtual Reality software for creating, sharing, and viewing Virtual Reality content over the Internet, Virtual reality computer platform, Earphones for mobile computer terminals, microphones, earphones, smart phones, webcams, head-mounted video displays, micro-displays, namely, head

mounted video displays and near eye video displays, parts and accessories for micro-display, video processors, software and firmware for video drivers and video processing; personal video display screens, personal video display devices in the nature of wearable displays for viewing digital content including virtual reality, augmented reality, and mixed reality content, downloadable computer game programs for cellular phones, mobile computer terminals, set-top boxes, DVD players connected to network and television sets connected to network, downloadable computer game programs, downloadable video game programs, game programs for home video game machines, game programs for hand-held games with liquid crystal displays, downloadable or installable computer and video game programs for home video game machines, downloadable or installable additional image data for home video game machines, downloadable or installable computer and video game programs for hand-held games with liquid crystal displays, downloadable or installable additional image data for hand-held games with liquid crystal displays, downloadable image file containing artwork, text, audio, video, games and Internet Web links relating to sporting and cultural activities, downloadable images for cellular phones and mobile computer terminals, downloadable stand by image for cellular phones, downloadable ring tones for mobile phones, downloadable electronic publications in the nature of books, manuals, magazines, newspapers in the field of video games, game software, music and video movies, earphones for home video game machines, headphones for home video game machines, microphones for home video game machines, keyboards for home video game machines, mouse for home video game machines, webcams exclusively for use with home video game machines, earphones exclusively for use with hand-held games with liquid crystal displays, headphones exclusively for use with hand-held games with liquid crystal displays, microphones exclusively for use with hand-held games with liquid crystal displays, keyboards exclusively for use with hand-held games with liquid crystal displays, mouse exclusively for use with hand-held games with liquid crystal displays, promotional literature, programmes, leaflets, tickets and passes, banners and wall hangings made of paper or cardboard, stickers, temporary tattoos, beer mats and coasters, all made of paper or card, virtual reality games, home video game machines, handset cradles for home video game machines, game controllers for home video game machines, joysticks exclusively for use with home video game machines, parts and accessories for home video game

machines, protective carrying cases specially adapted for handheld video games, hand-held games with liquid crystal displays, support stands exclusively for use with hand-held games with liquid crystal displays, mounts exclusively for hand-held games with liquid crystal displays, dolls, game cards included in this class, trading card games, computer software for creating and editing music and sounds, computer hardware, peripherals and devices for portable media storage and digital media streaming, computer hardware for upload, storage, retrieval, download, transmission and delivery of digital content, programmes, leaflets, tickets and passes, banners and wall hangings made of paper or cardboard, stickers, temporary tattoos, beer mats and coasters, all made of paper or card, Telecommunications apparatus, equipment and instruments for logging, barring, recording and managing telephone calls; Call screening, barring and blocking software; Call blocker devices; enabling customers to conveniently view and purchase those goods including via an Internet website, an interactive television shopping channel, a digital television shopping channel, an Internet walled garden or by means of interactive television and/or telecommunications (including voice, telephony and/or transfer of digital information or data) and/or interactive digital media; business customer information and consultancy services for promotional, advertising and marketing purposes in relation to broadcast reception apparatus and instruments and parts and fittings therefor including cable, satellite and terrestrial, analogue or digital reception; advertising and promotional services in relation to lifestyle, ecological and environmental issues; business management and conducting of renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels and projects in connection with other renewable energy sources; collection and processing of operational data in connection with renewable energy projects, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, including compilation of statistics relating to operation and production; The bringing together, for the benefit of others, of a variety of advertising agency services, advertising services, aerial photography services, alarm monitoring services, alternative energy products installation, maintenance and repair services, anti-spamming services, archive library services, arranging and conducting of seminars, conferences, arranging and conducting workshops, audio and video recording services, audio, film, video and television recording facilities, banking services, bar services, beauty salon services,

beauty therapy services, betting services and electronic betting services, bicycle rental services, booking of seats for entertainment, sporting and cultural events, bookmaking services, box office services in relation to booking of tickets for entertainment, educational, sporting and cultural activities, box office information services in relation to booking of tickets for entertainment, educational, sporting and cultural activities, brand creation services, brand design services, broadband services, broadcasting services, business consultancy services, business data analysis services, business management advisory services, business management services, cable and satellite broadcasting and transmission services, call recording services, card services, career advisory services, casino services, catering services, charitable fundraising services, mentoring (personal) services, education and training services, education, training and entertainment services in the form of skills studios for children and young people in the field of media, television and news reporting, education, training, entertainment and sporting activities involving athletes and celebrities in the form of initiatives to promote confidence, sports skills and life skills in children and young people, education, training and entertainment services related to the promotion of creative skills in children and young people, including creative studios, financial services relating to scholarships and bursary schemes for children and young people in the fields of sport, the arts, media and television, promotional services relating to work experience and employment opportunities for young people, promotional services relating to apprenticeships and graduate employment, education, training and entertainment services in the field of initiatives to inspire young people and to provide them with life skills, business skills, opportunities for development and self-confidence, administration services relating to the organising and conducting of volunteer programmes and community service projects, chat room services, cholesterol testing services, cinema services, cloud computing/storage services, coaching services, coffee shops, communication services, computer advisory services, computer and information technology consultancy services, computer firewall services, computer installation, maintenance, repair and updating services, computer programming services, computer services, computer software advisory services, computer support services, computer system analysis services, concert ticket booking services, conference services, consumer advisory services, consumer market information services, educational course services, correspondence course services, sports coaching services, training course

services, professional workshop and training course services, commercial, trade and business workshops and training course services, problem solving, think-tank and brainstorming workshops, seminars and training courses services, technical studies course services, credit betting services, credit card services, cycling event services, cycling training services, data broadcasting services, data communication services, data encryption services, data recovery services, data security services, data storage services, data streaming services, data transmission services, database services, debit card services, delicatessen restaurant services, retail delicatessen services connected with the sale of food and drink, design services, scientific development services, technical development services, development services of new products for others, development services in the field of environmental protection, energy conservation and alternative energy sources, and ecology, development services in relation to computer hardware and software, technology development services, diet advisory services, dietary education services, television programme directing services, radio programme directing services, film, music, plays, theatrical production, musical shows, concerts, exhibitions, sporting events and road show directing services, directory enquiry services, discussion group and chat room services, distance learning services, distribution services, domain name services, editing services, education services, electricity distribution services, electricity generating services, electricity supply services, electronic bulletin board services, electronic conferencing services, e-mail services, employment agency/bureau services, entertainment agency services, entertainment services, environmental conservation services, environmental consultancy services, online market place services in relation to streamable and downloadable media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless transmission, satellite or terrestrial broadcast, exercise class services, fan club services, fast food/takeaway services, financial services, fitness club services, fitness testing services, fixed and mobile telephone services, flower delivery services, food development services, food nutrition services, gambling services, gaming services, gas services, gift selection/delivery services, greeting cards custom manufacture service, delivery services relating to greeting cards, gym services, hairdressing salon services, health advice and information services, health club services, health farm/spa services, hiring, leasing or rental services in relation to radio programmes, television

programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, dvds or pre-recorded video discs, hiring, rental and leasing service in relation to entertainment, holiday accommodation services, horoscope services, website hosting services, computer hosting services, hotel reservation services, hotel services, instant messaging services, instruction services, insurance services, intellectual property advisory and consultancy services, interactive entertainment services, interactive games services, interactive news services, interactive services, interactive sport services, interactive television services, internet access services, internet portal services, ISP services, IT services, leisure services, lottery services, loyalty, incentive and bonus program services, magazine and newspaper subscription services, maintenance services, gaming apparatus, equipment and instrument installation and repair services, broadcasting apparatus, equipment and instrument installation and repair services, telecommunication and/or communications apparatus equipment and instrument installation and repair services, domestic electronic equipment installation and repair services, electronic business equipment installation and repair services, alarm, lock and safe installation and repair services, computer software installation and repair services, electric and/or electrical appliance installation and repair services, market analysis studies, market assessment services, market forecasting services, marketing advisory services, marketing agency services, marketing information services, marketing research services, marketing services, music broadcasting services, on demand entertainment services, streaming, downloading and transmission services relating to entertainment, educational, sporting and cultural activities, night club services, nutrition services, online auction services, online distance learning services, online fraud protection services, online gaming services, online internet security services, online magazine and book services, online reward and incentive program services, online security services, pay to play games services, peer to peer interactive gaming services, personal training services, photographic services, photography services, podcasting services, price comparison services, product information services, product launch services, audio, visual and video production services relating to entertainment, education, training, sport and/or culture, business management services relating to cyclists, cycling teams and/or cycling events, sports promotional services, sports financial sponsorship services, administration services relating to the arranging, organising and running and/or

conducting of cyclists, cycling teams and/or cycling events, rental services relating to telecommunication facilities and equipment, pub services, real estate services, recreation services, recycling services, scientific research services, technical research services, research services of new products for others, research services in the field of environmental protection, energy conservation and alternative energy sources, ecology, business research services, research services in relation to computer hardware and software, technology research services, reservation services, restaurant reservation services, restaurant services, sales promotion services, satellite services, security services, server hosting services, short message services (sms), slimming club services, social networking services, special events planning services, sponsorship services, sporting services, sporting tuition course services, storage services, taxi services, teaching services, team building services, telecommunication services, telephone marketing services, therapy services, ticket agency services (entertainment), ticket booking services, ticket reservation services, tour reservation services, tourist information services, training services, transport services, travel agency services, travel guide services, travel services, tuition services, university services, utility distribution services, utility services, utility supply services, video messaging services, video on demand services, video-conferencing services, videotext services, voicemail services, WAP services, warranty services, web portal services, webcasting services, website design/maintenance services enabling customers to conveniently view and purchase those services, including over a global computer network; electronic and online retrieval of data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other data or information; online auction services; provision of an online database of advertisements including personal advertisements, employment and placement opportunities advertisements and real estate advertisements; provision of online financial services comparisons; provision of online price comparison services; advertising agency services; brand creation services; business consultancy services; business data analysis services; business management advisory services; business management services; career advisory services (other than education and training advice); consumer market information services; online market place services in relation to streamable and downloadable media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless

transmission, satellite or terrestrial broadcast; database management services; magazine and newspaper subscription services; market analysis studies; market assessment services; market forecasting services; marketing advisory services; marketing agency services; marketing information services; marketing research services, marketing services; product launch services; business management services relating to cyclists, cycling teams and/or cycling events; sports promotional services; administration services relating to the arranging, organising and running and/or conducting of cyclists, cycling teams and/or cycling events; sales promotion services; telephone marketing services; provision of online word processing, spreadsheet, calendar, presentation and database management services; arranging, organisation and running of individual cyclist and or cycling teams; provision of virtual online office support staff services; on-line ordering/purchase of gift items; online posting of loyalty rewards information; loyalty, incentive and bonus program services; provision of online reward and incentive programs; provision of business information and advice; management of amusement parks and theme parks; insurance quotation comparisons; promotional sponsorship of individual cyclists and/or cycling teams and/or cycling events; provision of interactive business calendars from a computer database or over the Internet; provision of online reward and incentive programs relating to fitness tracking, health tracking, personal tracking, lifestyle tracking and emotional tracking; advertising, marketing and promotion consultancy; advertising services; advertising services for the promotion of radio programmes, television programmes, films and motion pictures; advertising services relating to radio programmes, television programmes, films and motion pictures; advertising services for the promotion of radio programmes, television programmes, films and motion pictures based on the customers viewing habits/preferences; promotion of radio programmes, television programmes, films and motion pictures; promotion of radio programmes, television programmes, films and motion pictures based on the customers viewing habits/preferences; market research for compiling information on viewers of television; advertising and commercial information services via audio, video, digital, and online media; promotional sponsorship; organization and conducting of exhibitions and special shows for commercial or advertising purposes; business management, particularly in respect of organizing and conducting exhibitions and special shows; arranging of entertainment, sporting or cultural events, concerts, festivals, gigs and live band events for business,

commercial and advertising purposes; promoting live entertainment events and ticket sales; promoting musical artists; promotion of venues; accounting and office functions in connection with the reservation, issuing and sales of admission tickets; radio advertising; television advertising; arranging subscriptions to telecommunication services for others; online advertising; online business services for connecting social network users with businesses; providing online music subscription services; providing ad funded music subscription services; rental of advertising time on communication media; commercial administration of the licensing of the goods and services of others; provision of business information and advice; advertising by transmission of on-line publicity for third parties through electronic communications networks; advertising, including promotion relating to the sale of articles and services for third parties by the transmission of advertising material and the dissemination of advertising messages on computer networks; electronic commerce services, namely, providing information about products and services via audio, video, digital, and online media for advertising and sales purposes; advertising services in the nature of matching and connecting advertisers and video content publishers for the purpose of advertising, marketing and promotional services; advertising and publicity services, namely, promoting the goods, services, brand identity and commercial information and news of third parties through audio, video, digital, and online media; provision of business information and advice; consultancy, information and advisory services relating to all the aforesaid services; professional consultancy, information and advisory services relating to all the aforesaid services; consultancy, information and advisory services relating to all the aforesaid services provided on-line from a computer database or via a helpline or the Internet.

Class 38:

Telecommunications; Cable television broadcasting; Cellular telephone communication; Communications by computer terminals; Communications by fiber [fibre] optic networks; Communications by telegrams; Communications by telephone; Computer aided transmission of messages and images; Electronic bulletin board services [telecommunications services]; Electronic mail; Facsimile transmission; Information about telecommunication; Message sending; Paging services [radio,

telephone or other means of electronic communication]; Providing access to databases; Providing internet chatrooms; Providing online forums; Providing telecommunication channels for teleshopping services; Providing telecommunications connections to a global computer network; Providing user access to global computer networks; Radio broadcasting; Rental of access time to global computer networks; Rental of facsimile apparatus; Rental of message sending apparatus; Rental of modems; Rental of telecommunication equipment; Rental of telephones; Satellite transmission; Telecommunications routing and junction services; Teleconferencing services; Telegraph services; Telephone services; Television broadcasting; Telex services; Transmission of digital files; Transmission of greeting cards online; Transmission of telegrams; Videoconferencing services; Voice mail services; Wire service; Wireless broadcasting; Broadcasting of television programs in bars, pubs, clubs, hotels and other public venues; video-conferencing services and sharing of files, images, music, video, photos, drawings, audio-visual, text, documents and data; telegraph communications services; mobile and fixed telecommunications services; communications services; satellite, cellular and radio communication services; television and radio broadcasting; transmission and communication services; broadcasting and/or transmission of radio and/or television programmes and/or films; satellite, DTT, cable, DSL and broadband broadcasting and/or transmission of audio and/or audio visual programming; transmission of audio, video and/or audio visual programming (by any means); transmission of video films; broadcasting and transmission of television programmes and films to personal computers; broadcasting and communications by means of or aided by computer; transmission of audio, video and/or audio visual programming by Internet protocol (IPTV); telecommunications services over the Internet including but not limited to services provided using voice over Internet protocol (VOIP); provision of access and/or connectivity to broadband networks whether fixed, portable or wireless; transmission of text, messages, sound and/or pictures; telecommunication and/or communication and/or broadcast and/or transmission of audio visual content; communication of information and data (including web pages), for others by radio, telecommunications and by satellite; online managing and filtering of electronic communications; telephone, mobile telephone, message collection and transmission, radio-paging, call diversion, answerphone and directory enquiry services; personal numbering services; television screen based information broadcasting and retrieval

services; loan of replacement telecommunications and communications apparatus and instruments in case of breakdown, loss or theft; computer aided transmission of messages and images; messaging services namely, sending, receiving and forwarding messages in the form of text, audio, graphic images or video or a combination of these formats; instant messaging; short message services (SMS); multimedia messaging services (MMS); unified messaging services; voicemail services; video conferencing services; video telephone services; providing access to telecommunications infrastructures for other operators; provision of access to electronic conferencing, discussion groups and chat rooms; provision of chat rooms; hire, leasing or rental of apparatus, instruments, installations or components for use in the provision of the aforementioned services; communications services by satellite, television and/or radio; news agency services; provision of access to news, current affairs and sports information; hiring, rental and leasing of communications apparatus; electronic mail services; telecommunication services relating to the Internet; telecommunication of information (including web pages); provision of location based services for telecommunications and communications apparatus and instruments; provision of wireless application protocol services including those utilising a secure communications channel; provision of information relating to or identifying telecommunications and communications apparatus and instruments; provision of telecommunications links to computer databases and websites on the Internet; telecommunications services dedicated to retailing goods and services through interactive communications with customers; interactive television services being telecommunications and/or communications and/or broadcasting and/or transmission services; interactive services for television viewers including those watching on mobile telephones and PCs being telecommunications and/or communications and/or broadcasting and/or transmission services; television broadcasting services incorporating interactive services for viewing guides and intelligent automated selection for programme recordal; interactive services for television viewers facilitating the recordal of programmes automatically initiated on the basis of customer viewing habits/preferences being telecommunications and/or communications and/or broadcasting and/or transmission services; providing interactive television viewers (including those watching on their mobile telephones or PCs) with access to information, data, graphics, audio and/or audio-visual content from a restricted group of Internet websites or portals; broadcasting and transmission

of interactive television, interactive games, interactive news, interactive sport, interactive entertainment and interactive competitions; video on demand and near on demand telecommunication and/or communication and/or broadcast and/or transmission services; streaming delivery of video on demand streams to viewers; providing access to movies, videos and television programmes to viewers on demand and near on demand; professional consultancy services relating to broadcasting; providing access to a database storing information relating to a variety of goods and services; enabling access to the Internet; provision of a connection between websites and television viewers via an interactive television portal; internet portal services; web portal services; provision of broadband services; interactive television portal services providing access to Internet websites for television viewers via their television receiving equipment including digital television receiving equipment; providing access to Internet websites to mobile telephone users; leasing access time to an information database; telecommunications information; factual information services relating to television broadcasting; audio visual communication services; data communication services; data broadcasting services; delivery of messages; telecommunication and/or communication and/or broadcast and/or transmission of radio programmes, television programmes, films and motion pictures; telecommunication and/or communication and/or broadcast and/or transmission of audio and/or visual material and material from pre-recorded video tapes: transmission of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-recorded video discs; rental, leasing or hire of communications equipment; message sending; telephonic or telephone communications services; wireless communication services; delivery by telecommunication of media content, including video and films, television programmes, computer games, music, images and ring tones provided by internet, telephone line, cable, wireless transmission, satellite or terrestrial broadcast service; organisation of call information; monitoring and analysis of call information; call screening services; call alerting services; provision of communication services for accessing a communications or computer network; provision of communication services for accessing entertainment, education, information and data via telephone, line, cable, wire or fibre, database or computer network; provision of communication services for accessing information, messages, text, sound, images and data via a

computer network; provision of communication services for accessing and retrieving radio and television programmes; consultancy, transfer and transmission of programs, data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other information via telecommunications and global communications networks; data synchronization over telecommunications, communications and computer networks; remote data access services; e-mail, email notification and alert services; online instant messaging; provision of online conferencing, discussion groups, message boards and chat rooms; internet portal services; web portal services; online video on demand or near on demand telecommunication and/or communication and/or broadcast and/or transmission services; online telecommunications services to enable the accessing and retrieving of data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other information via a computer or computer network or electronic device including services provided over a global communications network; online telecommunications services relating to webcasting and podcasting including services provided over a global communications network; peer to peer network communication services; provision of interactive polling services being telecommunications and/or communications and/or broadcasting services; rental of radio equipment; broadcasting services; cable and satellite broadcasting and transmission services; call recording services; data streaming services; data transmission services; e-mail services; delivery services relating to greeting cards; instant messaging services; internet access services; ISP services; music broadcasting services; podcasting services; video messaging services; videotext services; webcasting services; streaming, downloading and transmission services relating to entertainment, educational, sporting and cultural activities; Provision of access to on demand entertainment services; broadcasting and transmission of virtual reality/augmented reality content; providing access to online dictionaries, encyclopaedias, and reference texts; providing access to online publications, including newspapers, magazines (periodicals), comics, journals (publications), books, user manuals, instructional and teaching materials; providing access to online posters, photographs, pictures, articles, vouchers and tickets; streaming of radio programmes and audio material on the Internet; transmitting streamed sound, audio-visual recordings and multimedia content via mobile telephone devices; transmitting

audio-visual recordings and multimedia content via the Internet; Internet communication services; data streaming services; streaming of audio, visual and audio visual content; providing community forums for users to post, search, watch, share, critique, rate, and comment on, videos and other multimedia content via the Internet and other communications networks; providing access to a video sharing portal for entertainment and education purposes; electronic transmission and streaming of digital media content for others via global and local computer networks; podcasting; Call blocker services; Call barring services; Telecommunications services, namely intercepting and preventing unsolicited calls; Nuisance call blocking solutions including call screening, blocking and diverting; Telecommunication services, namely collating unsolicited calls and placing on a call blocker service that is customized by customer; consultancy, information and advisory services relating to all the aforesaid services; professional consultancy, information and advisory services relating to all the aforesaid services; consultancy, information and advisory services relating to all the aforesaid services provided on-line from a computer database or via a helpline or the Internet.

Class 41:

Education; providing of training; entertainment; sporting and cultural activities; Academies [education]; aikido instruction; Amusement parks; Amusements; Animal training; Arranging and conducting of colloquiums; Arranging and conducting of concerts; Arranging and conducting of conferences; Arranging and conducting of congresses; Arranging and conducting of seminars; Arranging and conducting of symposiums; Arranging and conducting of workshops [training]; Arranging of beauty contests; Boarding schools; Booking of seats for shows; Bookmobile services; Calligraphy services; Cinema presentations; Circuses; Club services [entertainment or education]; Coaching [training]; Conducting fitness classes; Correspondence courses; Disc jockey services; Discotheque services; Dubbing; Education information; Educational examination; Electronic desktop publishing; Entertainer services; Entertainment information; Film production, other than advertising films; Gambling; Game services provided on-line from a computer network; Games equipment rental; Gymnastic instruction; Health club services [health and fitness training]; Holiday camp services [entertainment]; Language interpreter services;

Layout services, other than for advertising purposes; Lending libraries; Microfilming; Modelling for artists; Movie studios; Music composition services; Music-halls; News reporters services; Night clubs; Nursery schools; Operating lotteries; Orchestra services; Organization of balls; Organization of competitions [education or entertainment]; Organization of exhibitions for cultural or educational purposes; Organization of fashion shows for entertainment purposes; Organization of shows [impresario services]; Organization of sports competitions; Party planning [entertainment]; Personal trainer services [fitness training]; Photographic reporting; Photography; Physical education; Practical training [demonstration]; Presentation of live performances; Production of music; Production of radio and television programmes; Production of shows; Providing amusement arcade services; Providing casino facilities [gambling]; providing films, not downloadable, via video-on-demand transmission services; providing television programmes, not downloadable, via video-on-demand transmission services; Providing golf facilities; Providing karaoke services; Providing museum facilities [presentation, exhibitions]; Providing on-line electronic publications, not downloadable; Providing recreation facilities; Providing sports facilities; Publication of books; Publication of electronic books and journals on-line; Publication of texts, other than publicity texts; Radio entertainment; Recording studio services; Recreation information; Religious education; rental of artwork; Rental of audio equipment; Rental of camcorders; Rental of cine-films; rental of indoor aquaria; Rental of lighting apparatus for theatrical sets or television studios; Rental of movie projectors and accessories; Rental of radio and television sets; Rental of show scenery; Rental of skin diving equipment; Rental of sound recordings; Rental of sports equipment, except vehicles; Rental of sports grounds; Rental of stadium facilities; Rental of stage scenery; Rental of tennis courts; Rental of video cassette recorders; Rental of videotapes; sado instruction [tea ceremony instruction]; Scriptwriting services; Services of schools [education]; Sign language interpretation; Sport camp services; Subtitling; Television entertainment; Theatre productions; Ticket agency services [entertainment]; Timing of sports events; Toy rental; training services provided via simulators; Translation; Tuition; Videotape editing; Videotape film production; Videotaping; Vocational guidance [education or training advice]; Vocational retraining; Writing of texts, other than publicity texts; Zoological garden services; provision and production of audio visual content relating to entertainment, education, training, sport and culture; education and entertainment

services by means of radio, television, telephony, the Internet and on-line databases; hiring, rental and leasing of cine-films, videos, DVDs, sound recordings, sound recording apparatus, sports apparatus, television sets and video recorders, DVD recorders and radio recorders; production of films for television and cinema; providing on-line electronic publications (not downloadable); publication of magazines, books, texts and printed matter; publication of electronic books or journals on-line; provision of electronic publications; online dictionaries, encyclopaedias, and reference texts; provision of online publications, including newspapers, magazines (periodicals), comics, journals (publications), books, user manuals, instructional and teaching materials; online posters, photographs, pictures, articles; issuing of online tickets in relation to entertainment, educational, sporting and cultural activities; provision of recording studio facilities; hire of recording studios; live show production services; organising of sporting activities and competitions; box office services; box office services in relation to booking of tickets for entertainment, educational, sporting and cultural activities, box office information services in relation to booking of tickets for entertainment, educational, sporting and cultural activities; production and presentation of programmes transmitted by television, the Internet or other telecommunication channels for the conduct of the interactive viewing, selection and purchase of goods; ticket reservation services relating to entertainment; production, presentation and distribution of radio and television programmes, interactive television, interactive games, interactive entertainment and interactive competitions; production, presentation and provision of competitions, contests, games, quizzes, studio entertainment and audience participation events; interactive television programme selection services for viewers; provision and production of interactive entertainment, news, cultural activities and sport for television viewers; interactive entertainment, educational, sporting and cultural services for television viewers; viewing guide services; viewing guide services facilitating the recordal and fixed term rental of programmes and movies; television programme recording services automatically initiated on the basis of customer viewing habits/preferences; video on demand and near video on demand entertainment, educational, sporting and cultural services; providing movies, videos and television programmes to viewers on demand and near video on demand; betting, gaming and gambling services; credit betting, gaming, gambling, lottery or bookmaking services; credit card betting, gaming, gambling, lottery or bookmaking

services; organising and conducting lotteries; electronic betting, gaming, gambling, lottery or bookmaking services provided by means of the Internet, or via a global computer network, or on-line from a computer network database, or via telephony including to mobile telephones, or via a television channel including a television channel distributed by satellite, terrestrial or cable television broadcast; arranging and conducting competitions for video game players and computer game players; pay to play games services; peer to peer interactive games and gaming services; interactive poker games and gaming including single and multi player gaming formats; presentation and production of poker competitions, tournaments, games and gaming; educational or entertainment games played online; electronic publishing services; publishing services (including electronic publishing services); video taping and filming services; information and advisory services relating to the aforesaid services; provision of news, current affairs and sports information; news, current affairs and educational information services; information and advisory services relating to television and radio programmes, to education, recreation, entertainment, music and to sport; Booking and issuing of tickets for entertainment, sporting and cultural events; information and advisory services relating to television and radio programmes, to education, recreation, entertainment, music and to sport, provided on-line from a computer database or the Internet or to mobile telephones; factual information services relating to television and radio programmes, news and sport; instruction services; training services; leisure services; demonstration services for cultural, training, educational & entertainment purposes; advisory services relating to entertainment; arranging conferences, seminars, symposiums or workshops; arranging exhibitions or festivals; booking agency services; cinema services; cinema studio services; distribution of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-recorded video discs; production of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-recorded video discs; editing of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-recorded video discs; hire, leasing or rental of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-

recorded video discs; exhibition of radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, DVDs or pre-recorded video discs for entertainment, educational, sporting or cultural purposes; amusement park services with a theme of films, radio or television productions; organisation of amusement parks and theme parks; organisation of entertainment; preparation and production of radio programmes, television programmes, films, pre-recorded video tapes, DVDs, audio and/or visual material, pre-recorded video cassettes, pre-recorded video discs or motion pictures for distribution for transmission or broadcast by any means; provision of radio programmes, television programmes, films, audio and/or visual material or motion pictures online (not downloadable); publication of printed media and recordings; digital imaging services; dubbing; video tape editing; entertainment; film production; rental of motion pictures; movie studios; providing movie theatres facilities; production of shows; video film tape production; rental of audio equipment; rental of lighting apparatus for theatrical sets or television studios; rental of motion pictures; rental of movie projectors and movie projector accessories; rental of televisions and television equipment; rental of sports equipment; rental of video cameras; rental of video tapes; rental of video recorders; theatre productions; movie studio services; organising or hosting awards ceremonies; presentation of films; production of special effects for films; reservation services (included in this class) for sporting, scientific, political and cultural events; recording studio services; provision of video and audio content by rental, whereby the consumer is entitled to single or multiple viewings of the media content via any form of playback device, all relating to entertainment, education, sports and culture; education and providing of training in connection with environmental protection, energy conservation and ecology and animal welfare; education and providing of training in connection with alternative energy sources, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels; publication of instructional material and promotional material relating to environmental protection, energy conservation and ecology and animal welfare; arranging and conducting of seminars and workshops (training); establishing training programmes; preparation and publication of training manuals; organising and conducting safety courses and educational courses; online news reporting services; online provision of information and general encyclopaedic knowledge relating to entertainment, education, training, sports, culture, news,

current affairs, satellite, television and radio programmes, music, films, books and other printed matter, video games, computer games, amusement machines, amusement centres or amusement parks; online translation services; online library services including the lending and exchanging of books and other publications and photographs; provision of online classes, seminars, workshops, exhibitions and displays; leasing, booking and providing of diving equipment; online card games; organization of sports and holiday camps; ring tones (not downloadable) provided via the Internet; arranging, organisation and running of individual cyclists and/or cycling teams and/or cycling events; provision of professional cycling services; organisation of cycling events; provision of online fitness tracking; leasing, rental and hiring of data rooms; high-definition studios, edit suites, voice-over studios and audio suites; career counselling; aerial photography services; archive library services; audio and video recording services; audio, film, video and television recording facilities; booking of seats for entertainment, sporting and cultural events; career advisory services (education or training); casino services; concert ticket booking services; sports coaching services; professional workshop and training course services; commercial, trade and business workshops and training course services; provision of workshops, seminars and training courses relating to problem solving, think-tank and brainstorming; cycling training services; dietary education services; television programme directing services; radio programme directing services; film, music, plays, theatrical production, musical shows, concerts, exhibitions, sporting events and road show directing services; distance learning services; entertainment agency services; exercise class services; fan club services; fitness club services; gym services; hiring, leasing or rental services in relation to radio programmes, television programmes, films, motion pictures, pre-recorded video tapes, audio and/or visual material, pre-recorded video cassettes, dvds or pre-recorded video discs; hiring, rental and leasing service in relation to entertainment; interactive entertainment services, interactive games services, interactive news services, interactive services, interactive sport services, interactive television services; online distance learning services; photography services; photographic services; personal training services; online gaming services; recreation services; special events planning services; sporting services; sporting tuition course services; teaching services; team building (education); university services; Organisation of cycling events; leasing, rental and hiring of data rooms for entertainment, sporting and cultural events; high-definition

studios, edit suites, voice-over studios and audio suites; circuses; arranging, organisation, promotion, production, management, conducting, presentation and staging of entertainment, events, concerts, festivals, gigs and live band performances including such services provided on-line from a computer database or the Internet; arranging of festivals for entertainment, cultural and recreational purposes; festival services; performance of music, dance, comedy, theatre, poetry and circus entertainment, including such services provided on-line from a computer database or the Internet; arranging of musical events; organisation of events for fund raising; entertainment and cultural events; provision of information relating to festivals; provision of leisure, entertainment and recreation facilities; provision of playrooms and games rooms; organisation of parties; provision of facilities for parties; party and event organisation and planning services; organisation and staging of dance events, music and live music entertainment; provision of live music; provision of live musical performances & shows; arranging of music performances; entertainment in the form of live musical performances; music festival services; music performance services; music entertainment services; nightclub services; organising nightclub events; publication of texts (other than publicity texts); entertainment services, namely, providing podcasts; recording of music onto a variety of media; presentation and distribution of sound and video recordings; hiring disc jockeys; composition of music; music production; music publishing and music recording services; music recording; song publishing; provision of on-line music and on-line videos (not downloadable); production, presentation, distribution, syndication, networking and rental of radio and television programmes and of music, sound and video recordings; non-downloadable radio programmes, television programmes, videos, sound, images or data accessed from the Internet or other communication networks; providing on-line electronic publications; organisation of competitions, concerts and live shows; club services [entertainment]; disc jockey services; presentation of live performances; music composition services; providing on-line voting services via the Internet or a wireless communication device for entertainment purposes; production of dance shows, music shows and video award shows; comedy shows, game shows and sports events before live audiences which are broadcast live or taped for later broadcast; organising talent contests and music and television award events; entertainment, namely providing streamed or downloadable music, film, tv-programs, audio books and games to users online via a

communication network; creating and publication of playlists; entertainment services, namely, a musical chart service that provides the consumer with updated statistical ranking of songs based on radio airplay, sales of recordings, streaming of music to devices and views of internet videos; Virtual reality studios; Production, presentation and distribution of virtual reality/augmented reality content; consultancy, information and advisory services relating to all the aforesaid services; professional consultancy, information and advisory services relating to all the aforesaid services; consultancy, information and advisory services relating to all the aforesaid services provided on-line from a computer database or via a helpline or the Internet.

Class 42:

Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; Analysis for oil-field exploitation; Architectural consultation; Architecture; Authenticating works of art; Bacteriological research; Biological research; Calibration [measuring]; Chemical analysis; Chemical research; Chemistry services; Clinical trials; Cloud seeding; Computer programming; Computer rental; Computer software consultancy; Computer software design; Computer system analysis; Computer system design; Computer virus protection services; Construction drafting; Consultancy in the design and development of computer hardware; Consultancy in the field of energy-saving; Conversion of data or documents from physical to electronic media; Cosmetic research; creating and designing website-based indexes of information for others [information technology services]; Creating and maintaining web sites for others; Data conversion of computer programs and data [not physical conversion]; data security consultancy; data encryption services; Design of interior decor; Digitization of documents [scanning]; Dress designing; Duplication of computer programs; electronic monitoring of personally identifying information to detect identity theft via the internet; electronic monitoring of credit card activity to detect fraud via the internet; Energy auditing; Engineering; Geological prospecting; Geological research; Geological surveys; Graphic arts design; Handwriting analysis [graphology]; Hosting computer sites [web sites]; Industrial design; Information technology [IT] consulting services; Installation of computer software; internet security consultancy; Land surveys; Maintenance of computer

software; Material testing; Mechanical research; Monitoring of computer systems by remote access; monitoring of computer systems to detect breakdowns; monitoring of computer systems for detecting unauthorized access or data breach; Oil-field surveys; Oil prospecting; Oil-well testing; Packaging design; Physics [research]; Providing search engines for the internet; Provision of scientific information, advice and consultancy in relation to carbon offsetting; Quality control; Quality evaluation of wool; Quality valuation of standing timber; Recovery of computer data; Rental of computer software; Rental of web servers; Research and development of new products for others; Research in the field of environmental protection; Scientific laboratory services; Scientific research; Server hosting; Software as a service [SaaS]; Styling [industrial design]; Surveying; Technical project studies; Technical research; Textile testing; unlocking of mobile phones; Underwater exploration; Updating of computer software; Urban planning; Vehicle roadworthiness testing; Water analysis; Weather forecasting; Web site design consultancy; design and development of virtual reality software; Leasing and rental of computer and electronic equipment; Platform as a Service (Paas); Infrastructure as a service (IaaS); online storage of files, data, photographs, graphics, documents, videos, images, audio files, audio-visual files, visual files, computer files, computer applications and information for others, electronic data storage services for personal and business use, and services for the electronic storage and organization of files, images, music, audio, video, photos, drawings, audio-visual, text, documents and data; electronic storage services; data storage services (other than physical storage), computerised data storage services; electronic and online storage service; storage of computerised business information data; online technical storage facilities, online technical back-up services and online technical back-up facilities, software as a service [saas] services, and electronic hosting of files, data, photographs, graphics, documents, videos, images, audio files, audio-visual files, visual files, computer files, computer applications, information for others and video-conferencing services; computer services for accessing a communications or computer network; computer services relating to entertainment, education, retrieval of information and data via telephone, line, cable, wire or fibre, database or computer network; computer services for retrieving information, messages, text, sound, images and data via a computer network; computer services relating to radio and television programmes; computer services; design, drawing and commissioned writing all for the compilation

of web pages on the Internet; hosting websites; creating and maintaining websites; computer services for interactive communications and broadcasting; installation, rental and maintenance of computer software; maintenance and repair of software for operating game controllers; home computer services namely computer consultancy, installation, repair and maintenance of computer software, updating software and computer support services; computer services, namely the organisation of an infrastructure to enable television subscribers to access internet services via the television; advice relating to the development of computer systems; advisory services relating to computer based information systems; advisory services relating to computer hardware or software; design, installation, maintenance or updating of computer software; design of computer hardware; design services; designing electrical or electronic systems; design services for artwork for animated films; computer programming services; internet walled garden services; operation of search engines; rental or leasing of computer hardware or software; testing, research, assessing, consultancy, advising or providing information in relation to the foregoing; computer services for on-line shopping; computer services relating to the processing of orders and payments; providing information and advice with regard to environmental protection, energy conservation and alternative energy sources, ecology as well as conducting research and drawing up expert reports in the aforementioned fields; research of durable use of nature and the environment; Development services for products, new technologies, activities and construction projects all relating to nature and the environment; technical assistance concerning environmental protection, energy conservation and alternative energy sources, ecology and animal welfare and effecting such projects; development and testing for renewable energy sources including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuels, and components therefor; effecting research projects concerning environmental protection, energy conservation and alternative energy sources, ecology and animal welfare; provision of non-downloadable computer software for transmitting, receiving, synchronizing, displaying, backing-up, monitoring, controlling, sharing, coding, decoding, encrypting, accessing, remotely accessing, creating, collecting, storing, securing, removing, transferring, disseminating, locating, organizing or otherwise utilizing data, voice, multimedia, audio, visual, music, photographs, drawings, images, audiovisual, video, text, graphics or other data, including over a global communications network;

application service provider services; technical advisory services including these services provided by a helpline relating to scientific and technological issues; provision of software updates electronically; weather forecasting online; weather forecasting; provision of online mapping; production of artwork for animated films; provision of customised webpages containing user defined information, search engines and links to other websites; online scanning, detecting, quarantining and eliminating of viruses, worms, trojans, spyware, malware and unauthorised data and programs on computers and electronic devices; online hosting services allowing users to publicise and share data online; online provision of information and general encyclopaedic knowledge relating to computer security, online security, environmental protection, energy conservation, ecology, alternative energy sources, including wind power, hydroelectric power, tidal power, geothermal power, solar power, biomass, and biofuel; provision of remote back-up services for computer data including services provided over a global communications network; anti-spamming services; brand design services; cloud computing and storage services; computer advisory services; computer software advisory services; computer and information technology consultancy services; computer firewall services; computer system analysis services; data encryption services; data recovery services; data security services; scientific development services; technical development services; technology development services; database development services; online internet security services; online security services relating to IT and data protection; environmental conservation services; environmental consultancy services; food development services; design and development of electronic greeting cards; website hosting services, computer hosting services; server hosting services; , synchronization, of programs, data, files, e-mails, contacts, calendars, task lists, text messages, photos, music, audio, visual, audio visual, video, text, graphics, programs and other information via telecommunications and global communications networks; conversion of data and computer programs other than physical conversion; conversion of data and documents from a physical medium to an electronic medium; data conversion of electronic information; providing temporary use of non-downloadable software to enable uploading, capturing, posting, showing, editing, playing, streaming, viewing, previewing, displaying, tagging, blogging, sharing, manipulating, distributing, publishing, reproducing, or otherwise providing electronic media, multimedia content, videos, movies, pictures, images, text, photos, user-

generated content, audio content, and information via the Internet and other communications networks; providing temporary use of non-downloadable software to enable sharing of multimedia content and comments among users; computer services featuring streaming software to enable hosting, recording, transmitting and broadcasting of audio, visual , audio visual media and any other performances live or recorded, in real time or otherwise; consultancy, information and advisory services relating to all the aforesaid services; Design of virtual reality software; Development of virtual reality software; provision of a website that contains information about building and developing virtual reality software and hardware; Providing non-downloadable software to enable streaming of video, audio, multimedia, music, movies, games, and audio-visual material, and for hosting digital multimedia content for others via the internet and other computer and electronic communication networks; technical support services, namely, troubleshooting in the nature of diagnosing and repairing application software problems for mobile phones, personal computers, portable computers, TV and MP3 players; development, maintenance, and management of application software for mobile phones, personal computers, portable computers, TV and MP3 players; hosting of websites providing digital contents, music, movies and games; providing information concerning computer software via the internet and other computer and electronic communication networks; providing technical consulting services and technical troubleshooting support for computer software and for handheld mobile digital electronic devices and other consumer electronics; computer hardware and software consulting services; consulting services in relation to multimedia, music, movies, games and audio-visual software; technical support services and consultation services for developing computer systems and databases; information relating to computer hardware or software provided on-line from a global computer network or the Internet; development of web-sites featuring multimedia materials; hosting the web-sites of others; scientific and technological services and research and design relating to the installation of wireless telecommunications equipment, wireless boosters and wireless communication devices; Design and development of call screening, barring and blocking technology; consultancy, information and advisory services relating to all the aforesaid services; professional consultancy, information and advisory services relating to all the aforesaid services; consultancy, information and advisory

services relating to all the aforesaid services provided on-line from a computer database or via a helpline or the Internet.