

**O/431/19**

**TRADE MARKS ACT 1994**

**IN THE MATTER OF APPLICATION NO. UK00003295534**

**BY KOLCHAGOV BARBA LTD**

**TO REGISTER THE TRADE MARK:**



**IN CLASSES 3, 18 AND 25**

**AND**

**IN THE MATTER OF OPPOSITION THERETO**

**UNDER NO. 413656 BY**

**BARBA S.R.L.**

## BACKGROUND AND PLEADINGS

1. On 9 March 2018, Kolchagov Barba LTD (“the applicant”) applied to register the trade mark shown on the cover page of this decision in the UK. The application was published for opposition purposes on 8 June 2018. Registration is sought for the goods shown in the **Annex** to this decision.

2. The application is opposed by BARBA S.R.L. (“the opponent”) based upon section 5(2)(b) of the Trade Marks Act 1994 (“the Act”). The opponent relies on EUTM registration no. 2293504 for the mark **BARBA**. The earlier mark was filed on 9 July 2001 and registered on 2 August 2006. The opponent relies on all goods for which the earlier mark is registered, specifically:

Class 3      Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Class 18      Leather and imitations of leather, and goods made of these materials and not included in other classes, animal skins; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

Class 25      Clothing, footwear, headgear.

3. The opponent submits that the respective goods are identical or similar and that the marks are similar.

4. The applicant filed a counterstatement denying the claims made and requesting that the opponent prove use of its earlier mark.

5. The opponent is represented by Beck Greener LLP and the applicant is unrepresented. The opponent filed evidence in chief in the form of the witness statement of Raffaele Barba dated 21 January 2019. The applicant filed evidence in the form of the witness statement of Emilio Barba dated 21 March 2019. The opponent

did not file evidence in reply. No hearing was requested, but both parties filed written submissions in lieu. This decision is taken following a careful perusal of the papers.

## **EVIDENCE**

### **Opponent's Evidence**

6. As noted above, the opponent's evidence consists of the witness statement of Raffaele Barba ("RB") dated 21 January 2019. This was accompanied by 8 exhibits. RB is the founder and sole Director of the opponent; a role he has held since February 1998.

7. RB states that the opponent has made use of its mark in the UK and the EU in respect of the following goods for which its earlier mark is registered<sup>1</sup>:

*"Class 18*

Leather and imitations of leather, and goods made of these materials and not included in other classes, animal skins.

*Class 25*

Clothing, footwear, headgear."

8. RB states that since 1998, the opponent has used BARBA and BARBA NAPOLI in relation to its products. RB states that the opponent's products are sold in the UK, Germany, France, Netherlands, Italy, Austria, Spain, Greece, Sweden, Denmark, Belgium, Bulgaria, Cyprus, Estonia, Finland, Latvia, Lithuania, Luxembourg, Poland, Romania, Slovakia, Slovenia, Hungary and Czech Republic. RB explains that the opponent has been in a licence agreement with a third party since 2001.

9. RB states that the opponent has provided the following products:

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<sup>1</sup> Witness statement of Raffaele Barba, para. 4

“Shirts & blouses, jackets, knitwear, dresses, jackets, suits, coats, trousers, scarves, hats, shoes and belts, ties, pocket squares.”

10. RB has provided a print out from the BARBA NAPOLI website which he states is correct as of 7 January 2019<sup>2</sup>. However, as this is dated after the relevant period this does not assist the opponent. RB has provided print outs from the BARBA NAPOLI website dated 7 August 2013, 19 December 2014, 18 January 2016, 21 December 2016, 4 August 2017, 30 August 2017, 14 March 2018 and 10 April 2018. A number of these documents are in Italian and no certified translation has been provided. However, the print out dated 10 April 2018 is in English and includes product categories such as shirts, knitwear, jackets, trousers, polo shirts, shoes, ties, scarves and dresses<sup>3</sup>.

11. A print out from the website shirtsandtiesvenice.co.uk dated 5 February 2018 shows BARBA NAPOLI clothing available for sale in the UK<sup>4</sup>. This shows cardigans, sweaters and shirts for sale.

12. RB has provided the following sales figures for products sold under the BARBA mark in the EU and UK<sup>5</sup>:

<u>Year</u>	<u>Total value of EU sales in €</u>
2013	9.578.894,00
2014	10.389.221,00
2015	12.198.799,00
2016	13.223.401,00
2017	13.995.958,00

13. RB has provided a selection of invoices which relate to the sale of BARBA goods in the EU<sup>6</sup>. Those addressed to businesses in the UK are dated between 13 March

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<sup>2</sup> Exhibit RB1

<sup>3</sup> Exhibit RB2

<sup>4</sup> Exhibit RB4

<sup>5</sup> Witness statement of Raffaele Barba, para. 11

<sup>6</sup> Exhibit RB5

2014 and 22 March 2018. Again, these invoices are in Italian but they clearly relate to sales of shirts, trousers, leather jackets, knitwear, scarves and ties. I note that some of these are marked with a destination for the goods as being “Ukraine” even though they are addressed to UK based companies. The invoices all display the following mark:



14. Other invoices dated between 14 March 2014 and 31 March 2017 are addressed to businesses located in other countries. Again, as these are in Italian and no certified translations are provided, it is not possible to identify the location of all of the businesses. However, it is clear that the locations include Italy, France, Denmark, Sweden, Spain, Greece and Austria and that the invoices relate to polo shirts, leather jackets, shirts, ties, trousers and knitwear. The invoices all display the same mark shown in paragraph 13 above.

15. RB has provided print outs of advertisements placed in Italian publications by the opponent, such as the Italian edition of Vanity Fair Magazine, dated between 2014 and 2017<sup>7</sup>. These show both men’s and women’s clothing alongside the word only mark BARBA NAPOLI and the following marks:



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<sup>7</sup> Exhibits RB6 to RB8

16. RB has provided the following advertising expenditure figures for the EU and UK<sup>8</sup>:

<u>Year</u>	<u>Total marketing spend in the EU in €</u>
2013	229.846,48
2014	216.371,37
2015	222.569,10
2016	240.817,17
2017	240.658,12

17. The opponent also filed written submissions in lieu of a hearing. Whilst I do not propose to summarise those submissions here, I have taken them into consideration in reaching this decision.

### **Applicant's Evidence**

18. As noted above, the applicant's evidence consists of the witness statement of Emilio Barba ("EB") dated 21 March 2019. This was accompanied by 6 exhibits. Mr Barba is the co-founder and co-director of the applicant; a position he has held since July 2013.

19. EB's evidence focuses on the use that has been made of the applied for mark by the applicant both since and prior to its application for registration. However, the applicant is not required to prove use of its mark and it has made no attempt to invalidate the opponent's mark. In any event, the evidence of the applicant's use of its mark does not pre-date the filing of the opponent's mark. The evidence of the applicant's use is, therefore, not relevant for the purpose of this opposition.

20. The applicant also filed written submissions in lieu of a hearing. Whilst I do not propose to summarise those submissions here, I have taken them into consideration in reaching this decision.

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<sup>8</sup> Witness statement of Raffaele Barba, para. 14

## PROOF OF USE

21. The first issue is whether, or to what extent, the opponent has shown genuine use of the earlier mark. The relevant statutory provisions are as follows:

“Raising of relative grounds in opposition proceedings in case of non-use

6A-(1) This section applies where –

(a) an application for registration of a trade mark has been published,

(b) there is an earlier trade mark of a kind falling within section 6(1)(a), (b) or (ba) in relation to which the conditions set out in section 5(1), (2) or (3) obtain, and

(c) the registration procedure for the earlier trade mark was completed before the start of the period of five years ending with the date of publication.

(2) In opposition proceedings, the registrar shall not refuse to register the trade mark by reason of the earlier mark unless the use conditions are met.

(3) The use conditions are met if –

(a) within the period of five years ending with the date of publication of the application the earlier trade mark has been put to genuine use in the United Kingdom by the proprietor or with his consent in relation to the goods or services for which it is registered, or

(b) the earlier trade mark has not been so used, but there are proper reasons for non-use.

(4) For these purposes –

(a) use of a trade mark includes use in a form differing in elements which do not alter the distinctive character of the mark in the form of which it was registered, and

(b) use in the United Kingdom includes affixing the trade mark to goods or to the packaging of goods in the United Kingdom solely for export purposes.

(5) In relation to a Community trade mark or international trade mark (EC), any reference in subsection (3) or (4) to the United Kingdom shall be construed as a reference to the European Community.

(6) Where an earlier trade mark satisfies the use conditions in respect of some only of the goods or services for which it is registered, it shall be treated for the purposes of this section as if it were registered only in respect of those goods or services.”

22. Section 100 of the Act is also relevant, which reads:

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

23. According to section 6(3)(a) of the Act, the relevant period in which genuine use must be established is the five-year period ending on the date of publication of the applied for mark. The relevant period is, therefore, 9 June 2013 to 8 June 2018.

24. In *Walton International Ltd & Anor v Verweij Fashion BV* [2018] EWHC 1608 (Ch) Arnold J summarised the law relating to genuine use as follows:

“114.....The CJEU has considered what amounts to “genuine use” of a trade mark in a series of cases: Case C-40/01 *Ansul BV v Ajax Brandbeveiliging BV*



[2003] ECR I-2439, *La Mer* (cited above), Case C-416/04 P *Sunrider Corp v Office for Harmonisation in the Internal Market (Trade Marks and Designs)*  
[2006] ECR I-4237, Case C-442/07 *Verein Radetsky-Order v Bunderversvereinigung Kamaradschaft 'Feldmarschall Radetsky'* [2008] ECR I-9223, Case C-495/07 *Silberquelle GmbH v Maselli-Strickmode GmbH* [2009] ECR I-2759, Case C-149/11 *Leno Marken BV v Hagelkruis Beheer BV* [EU:C:2012:816], [2013] ETMR 16, Case C-609/11 P *Centrotherm Systemtechnik GmbH v Centrotherm Clean Solutions GmbH & Co KG* [EU:C:2013:592], [2014] ETMR, Case C-141/13 P *Reber Holding & Co KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs)* [EU:C:2014:2089] and Case C-689/15 *W.F. Gözze Frottierweberei GmbH v Verein Bremer Baumwollbörse* [EU:C:2017:434], [2017] Bus LR 1795.

115. The principles established by these cases may be summarised as follows:

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

(2) The use must be more than merely token, that is to say, serving solely to preserve the rights conferred by the registration of the mark: *Ansul* at [36]; *Sunrider* at [70]; *Verein* at [13]; *Leno* at [29]; *Centrotherm* at [71]; *Reber* at [29].

(3) The use must be consistent with the essential function of a trade mark, which is to guarantee the identity of the origin of the goods or services to the consumer or end user by enabling him to distinguish the goods or services from others which have another origin: *Ansul* at [36]; *Sunrider* at [70]; *Verein* at [13]; *Silberquelle* at [17]; *Leno* at [29]; *Centrotherm* at [71]. Accordingly, affixing of a trade mark on goods as a label of quality is not genuine use unless it guarantees, additionally and simultaneously, to consumers that those goods come from a single undertaking under the control of which the goods are manufactured and which is responsible for their quality: *Gözze* at [43]-[51].

(4) Use of the mark must relate to goods or services which are already marketed or which are about to be marketed and for which preparations to secure

customers are under way, particularly in the form of advertising campaigns: *Ansul* at [37]. Internal use by the proprietor does not suffice: *Ansul* at [37]; *Verein* at [14] and [22]. Nor does the distribution of promotional items as a reward for the purchase of other goods and to encourage the sale of the latter: *Silberquelle* at [20]-[21]. But use by a non-profit making association can constitute genuine use: *Verein* at [16]-[23].

(5) The use must be by way of real commercial exploitation of the mark on the market for the relevant goods or services, that is to say, use in accordance with the commercial *raison d'être* of the mark, which is to create or preserve an outlet for the goods or services that bear the mark: *Ansul* at [37]-[38]; *Verein* at [14]; *Silberquelle* at [18]; *Centrotherm* at [71]; *Reber* at [29].

(6) All the relevant facts and circumstances must be taken into account in determining whether there is real commercial exploitation of the mark, including: (a) whether such use is viewed as warranted in the economic sector concerned to maintain or create a share in the market for the goods and services in question; (b) the nature of the goods or services; (c) the characteristics of the market concerned; (d) the scale and frequency of use of the mark; (e) whether the mark is used for the purpose of marketing all the goods and services covered by the mark or just some of them; (f) the evidence that the proprietor is able to provide; and (g) the territorial extent of the use: *Ansul* at [38] and [39]; *La Mer* at [22]-[23]; *Sunrider* at [70]-[71], [76]; *Leno* at [29]-[30], [56]; *Centrotherm* at [72]-[76]; *Reber* at [29], [32]-[34].

(7) Use of the mark need not always be quantitatively significant for it to be deemed genuine. Even minimal use may qualify as genuine use if it is deemed to be justified in the economic sector concerned for the purpose of creating or preserving market share for the relevant goods or services. For example, use of the mark by a single client which imports the relevant goods can be sufficient to demonstrate that such use is genuine, if it appears that the import operation has a genuine commercial justification for the proprietor. Thus there is no *de minimis* rule: *Ansul* at [39]; *La Mer* at [21], [24] and [25]; *Sunrider* at [72] and [76]-[77]; *Leno* at [55].

(8) It is not the case that every proven commercial use of the mark may automatically be deemed to constitute genuine use: *Reber* at [32].”

25. As the earlier mark is an EUTM, the comments of the Court of Justice of the European Union (“CJEU”) in *Leno Merken BV v Hagelkruis Beheer BV*, Case C-149/11, are relevant. The court noted that:

“36. It should, however, be observed that [...] the territorial scope of the use is not a separate condition for genuine use but one of the factors determining genuine use, which must be included in the overall analysis and examined at the same time as other such factors. In that regard, the phrase ‘in the Community’ is intended to define the geographical market serving as the reference point for all consideration of whether a Community trade mark has been put to genuine use.”

And:

“50. Whilst there is admittedly some justification for thinking that a Community trade mark should – because it enjoys more extensive territorial protection than a national trade mark – be used in a larger area than the territory of a single Member State in order for the use to be regarded as ‘genuine use’, it cannot be ruled out that, in certain circumstances, the market for the goods or services for which a Community trade mark has been registered is in fact restricted to the territory of a single Member State. In such a case, use of the Community trade mark on that territory might satisfy the conditions both for genuine use of a Community trade mark and for genuine use of a national trade mark.”

And:

“55. Since the assessment of whether the use of the trade mark is genuine is carried out by reference to all the facts and circumstances relevant to establishing whether the commercial exploitation of the mark serves to create or maintain market shares for the goods or services for which it was registered,

it is impossible to determine a priori, and in the abstract, what territorial scope should be chosen in order to determine whether the use of the mark is genuine or not. A *de minimis* rule, which would not allow the national court to appraise all the circumstances of the dispute before it, cannot therefore be laid down (see, by analogy, the order in *La Mer Technology*, paragraphs 25 and 27, and the judgment in *Sunrider v OHIM*, paragraphs 72 and 77)".

The court held that:

"Article 15(1) of Regulation No 207/2009 of 26 February 2009 on the Community trade mark must be interpreted as meaning that the territorial borders of the Member States should be disregarded in the assessment of whether a trade mark has been put to 'genuine use in the Community' within the meaning of that provision.

A Community trade mark is put to 'genuine use' within the meaning of Article 15(1) of Regulation No 207/2009 when it is used in accordance with its essential function and for the purpose of maintaining or creating market share within the European Community for the goods or services covered by it. It is for the referring court to assess whether the conditions are met in the main proceedings, taking account of all the relevant facts and circumstances, including the characteristics of the mark concerned, the nature of the goods or services protected by the trade mark and the territorial extent and the scale of the use as well as its frequency and regularity."

26. In *The London Taxi Corporation Limited v Frazer-Nash Research Limited & Ecotive Limited*, [2016] EWHC 52, Arnold J. reviewed the case law since the *Leno* case and concluded as follows:

"228. Since the decision of the Court of Justice in *Leno* there have been a number of decisions of OHIM Boards of Appeal, the General Court and national courts with respect to the question of the geographical extent of the use required for genuine use in the Community. It does not seem to me that a clear picture has yet emerged as to how the broad principles laid down in *Leno* are

to be applied. It is sufficient for present purposes to refer by way of illustration to two cases which I am aware have attracted comment.

229. In Case T-278/13 *Now Wireless Ltd v Office for Harmonization in the Internal Market (Trade Marks and Designs)* the General Court upheld at [47] the finding of the Board of Appeal that there had been genuine use of the contested mark in relation to the services in issue in London and the Thames Valley. On that basis, the General Court dismissed the applicant's challenge to the Board of Appeal's conclusion that there had been genuine use of the mark in the Community. At first blush, this appears to be a decision to the effect that use in rather less than the whole of one Member State is sufficient to constitute genuine use in the Community. On closer examination, however, it appears that the applicant's argument was not that use within London and the Thames Valley was not sufficient to constitute genuine use in the Community, but rather that the Board of Appeal was wrong to find that the mark had been used in those areas, and that it should have found that the mark had only been used in parts of London: see [42] and [54]-[58]. This stance may have been due to the fact that the applicant was based in Guilford, and thus a finding which still left open the possibility of conversion of the community trade mark to a national trade mark may not have sufficed for its purposes.

230. In *The Sofa Workshop Ltd v Sofaworks Ltd* [2015] EWHC 1773 (IPEC), [2015] ETMR 37 at [25] His Honour Judge Hacon interpreted *Leno* as establishing that "genuine use in the Community will in general require use in more than one Member State" but "an exception to that general requirement arises where the market for the relevant goods or services is restricted to the territory of a single Member State." On this basis, he went on to hold at [33]-[40] that extensive use of the trade mark in the UK, and one sale in Denmark, was not sufficient to amount to genuine use in the Community. As I understand it, this decision is presently under appeal and it would therefore be inappropriate for me to comment on the merits of the decision. All I will say is that, while I find the thrust of Judge Hacon's analysis of *Leno* persuasive, I would not myself express the applicable principles in terms of a general rule and an exception to

that general rule. Rather, I would prefer to say that the assessment is a multi-factorial one which includes the geographical extent of the use.”

27. The General Court (“GC”) restated its interpretation of *Leno* in Case T-398/13, *TVR Automotive Ltd v OHIM* (see paragraph 57 of the judgment). This case concerned national (rather than local) use of what was then known as a Community trade mark (now a European Union trade mark). Consequently, in trade mark opposition and cancellation proceedings the registrar continues to entertain the possibility that use of an EUTM in an area of the Union corresponding to the territory of one Member State may be sufficient to constitute genuine use of an EUTM. This applies even where there are no special factors, such as the market for the goods/services being limited to that area of the Union.

28. Whether the use shown is sufficient for this purpose will depend on whether there has been real commercial exploitation of the EUTM, in the course of trade, sufficient to create or maintain a market for the goods at issue in the Union during the relevant 5-year period. In making the assessment I am required to consider the relevant factors, including:

- a) The scale and frequency of the use shown;
- b) The nature of the use shown;
- c) The goods for which use has been shown;
- d) The nature of those goods and the market(s) for them; and
- e) The geographical extent of the use shown.

29. Proven use of a mark which fails to establish that “the commercial exploitation of the mark is real” because the use would not be “viewed as warranted in the economic sector concerned to maintain or create a share in the market for the goods or services protected by the mark” is, therefore, not genuine use.

## Form of the mark

30. In *Colloseum Holdings AG v Levi Strauss & Co.*, Case C-12/12, which concerned the use of one mark with, or as part of, another mark, the CJEU found that:

“31. It is true that the ‘use’ through which a sign acquires a distinctive character under Article 7(3) of Regulation No 40/94 relates to the period before its registration as a trade mark, whereas ‘genuine use’, within the meaning of Article 15(1) of that regulation, relates to a five-year period following registration and, accordingly, ‘use’ within the meaning of Article 7(3) for the purpose of registration may not be relied on as such to establish ‘use’ within the meaning of Article 15(1) for the purpose of preserving the rights of the proprietor of the registered trade mark.

32. Nevertheless, as is apparent from paragraphs 27 to 30 of the judgment in *Nestle*, the ‘use’ of a mark, in its literal sense, generally encompasses both its independent use and its use as part of another mark taken as a whole or in conjunction with that other mark.

33. As the German and United Kingdom Governments pointed out at the hearing before the Court, the criterion of use, which continues to be fundamental, cannot be assessed in the light of different considerations according to whether the issue to be decided is whether use is capable of giving rise to rights relating to a mark or of ensuring that such rights are preserved. If it is possible to acquire trade mark protection for a sign through a specific use made of the sign, that same form of use must also be capable of ensuring that such protection is preserved.

34. Therefore, the requirements that apply to verification of the genuine use of a mark, within the meaning of Article 15(1) of Regulation No 40/94, are analogous to those concerning the acquisition of a sign of distinctive character through use for the purpose of its registration, within the meaning of Article 7(3) of the regulation.

35. Nevertheless, as pointed out by the German Government, the United Kingdom Government and the European Commission, a registered trade mark that is used only as part of a composite mark or in conjunction with another mark must continue to be perceived as indicative of the origin of the product at issue for that use to be covered by the term 'genuine use' within the meaning of Article 15(1)". (emphasis added)

31. In *Nirvana Trade Mark*, BL O/262/06, Mr Richard Arnold Q.C. (as he then was), sitting as the Appointed Person, summarised the test under section 46(2) of the Act as follows:

"33. ...The first question [in a case of this kind] is what sign was presented as the trade mark on the goods and in the marketing materials during the relevant period...

34. The second question is whether that sign differs from the registered trade mark in elements which do not alter the latter's distinctive character. As can be seen from the discussion above, this second question breaks down in the sub-questions, (a) what is the distinctive character of the registered trade mark, (b) what are the differences between the mark used and the registered trade mark and (c) do the differences identified in (b) alter the distinctive character identified in (a)? An affirmative answer to the second question does not depend upon the average consumer not registering the differences at all."

32. Although this case was decided before the judgment of the CJEU in *Colloseum*, it remains sound law so far as the question is whether the use of a mark in a different form constitutes genuine use of the mark as registered. The later judgment of the CJEU must also be taken into account where the mark is used as registered, but as part of a composite mark.

33. Where the opponent's mark has been used in word only form as registered, this will clearly be use upon which the opponent may rely (such as in the product descriptions on invoices). However, the opponent's mark also appears in its evidence in the following variants:



a) 

b) 

c) 

34. Variant a) displays the word BARBA in a slightly stylised font with the word NAPOLI in much smaller, cursive text beneath it. As per *Colloseum*, use in combination with additional matter is use upon which the opponent may rely. The word NAPOLI is likely to be seen as a reference to a particular place and, therefore, will be attributed little trade mark weight by the consumer.

35. Variants b) and c) both display the word BARBA, again with the word NAPOLI presented beneath it. For the reasons stated above, I consider the addition of the word NAPOLI in the marks is an acceptable variation. A device appears above the word BARBA in these variants and in variant c) the word FEMME is also presented beneath it. In my view, the word BARBA remains the distinctive element of both marks due to its size and use in combination with this additional matter will still be use upon which the opponent may rely.

## **Sufficient Use**

36. An assessment of genuine use is a global assessment, which includes looking at the evidential picture as a whole, not whether each individual piece of evidence shows use by itself<sup>9</sup>.

37. As indicated in the case law cited above, use does not need to be quantitatively significant in order to be genuine. The assessment must take into account a number of factors in order to ascertain whether there has been real commercial exploitation of the mark which can be regarded as “warranted in the economic sector concerned to maintain or create a share in the market for the goods or services protected by the mark.”

38. There are certainly issues with the opponent’s evidence, not least due to the lack of certified translations. However, RB states that its mark has been used throughout the EU since 1998 and images provided from the opponent’s website and one of its UK distributors dated during the relevant period show images of clothing available for sale. The opponent has provided EU sales figures for the period between 2013 and 2017 which amount to several million euros each year, although I note that no breakdown is given as to which products these figures relate to. The invoices provided can be identified as addressed to companies in the UK, Italy, France, Denmark, Sweden, Spain, Greece and Austria and, again, relate to items of clothing. These are dated within the relevant period. Examples of advertisements in magazines have also been provided, along with the opponent’s advertising spend for the period between 2013 and 2017. This amounts to over €200,000 per year. Despite the issues with the opponent’s evidence, when considering the picture as a whole, I am satisfied that it has done enough to establish genuine use of the mark during the relevant period.

## **Fair Specification**

39. I must now consider whether, or the extent to which, the evidence shows use for all of the goods relied upon.

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<sup>9</sup> *New Yorker SHK Jeans GmbH & Co KG v OHIM*, T-415/09

40. In *Euro Gida Sanayi Ve Ticaret Limited v Gima (UK) Limited*, BL O/345/10, Mr Geoffrey Hobbs Q.C. as the Appointed Person summed up the law as being:

“In the present state of the law, fair protection is to be achieved by identifying and defining not the particular examples of goods or services for which there has been genuine use but the particular categories of goods or services they should realistically be taken to exemplify. For that purpose the terminology of the resulting specification should accord with the perceptions of the average consumer of the goods or services concerned.”

41. In *Property Renaissance Ltd (t/a Titanic Spa) v Stanley Dock Hotel Ltd (t/a Titanic Hotel Liverpool) & Ors* [2016] EWHC 3103 (Ch), Mr Justice Carr summed up the law relating to partial revocation as follows:

“iii) Where the trade mark proprietor has made genuine use of the mark in respect of some goods or services covered by the general wording of the specification, and not others, it is necessary for the court to arrive at a fair specification in the circumstance, which may require amendment; *Thomas Pink Ltd v Victoria’s Secret UK Ltd* [2014] EWHC 2631 (Ch) (“Thomas Pink”) at [52].

iv) In cases of partial revocation, pursuant to section 46(5) of the Trade Marks Act 1994, the question is how would the average consumer fairly describe the services in relation to which the trade mark has been used; *Thomas Pink* at [53].

v) It is not the task of the court to describe the use made by the trade mark proprietor in the narrowest possible terms unless that is what the average consumer would do. For example, in *Pan World Brands v Tripp Ltd* (Extreme Trade Mark) [2008] RPC 2 it was held that use in relation to holdalls justified a registration for luggage generally; *Thomas Pink* at [53].

vi) A trade mark proprietor should not be allowed to monopolise the use of a trade mark in relation to a general category of goods or services simply because

he has used it in relation to a few. Conversely, a proprietor cannot reasonably be expected to use a mark in relation to all possible variations of the particular goods or services covered by the registration. *Maier v Asos Plc* [2015] EWCA Civ 220 ("Asos") at [56] and [60].

vii) In some cases, it may be possible to identify subcategories of goods or services within a general term which are capable of being viewed independently. In such cases, use in relation to only one subcategory will not constitute use in relation to all other subcategories. On the other hand, protection must not be cut down to those precise goods or services in relation to which the mark has been used. This would be to strip the proprietor of protection for all goods or services which the average consumer would consider to belong to the same group or category as those for which the mark has been used and which are not in substance different from them; *Mundipharma AG v OHIM* (Case T-256/04) ECR II-449; EU:T:2007:46.”

42. As noted above, RB states that the opponent has used its mark in relation to the following goods:

“*Class 18*

Leather and imitations of leather, and goods made of these materials and not included in other classes, animal skins.

*Class 25*

Clothing, footwear, headgear.”

43. I note that this is a narrower list of goods than the opponent is seeking to rely upon. The opponent has filed no evidence of use of the broader specification for which its mark is registered. I am satisfied that the opponent’s evidence shows use of its mark in relation to a range of clothing items. There is also an example of shoes available for sale on the opponent’s website. The only reference to hats in the opponent’s evidence is as a sub-category under “Accessories” in a print out of the BARBA NAPOLI website which is dated January 2019. This is well after the end of the relevant period. Further a print out of what appears to be the same website which is dated during the relevant

period includes the heading “Accessories” but does not list hats as a sub-category. The only leather goods that the opponent has shown use in relation to are belts and leather jackets. However, these are proper to class 25 and not class 18.

44. I, therefore, consider a fair specification to be:

Class 25      Clothing, footwear.

## **DECISION**

45. Section 5(2)(b) of the Act reads as follows:

“5(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.”

46. An earlier trade mark is defined in section 6 of the Act, the relevant parts of which state:

“6(1) In this Act an “earlier trade mark” means –

(a) a registered trade mark, international trade mark (UK) or Community trade mark or international trade mark (EC) which has a date of application for registration earlier than that of the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks

(2) References in this Act to an earlier trade mark include a trade mark in respect of which an application for registration has been made and which, if registered, would be an earlier trade mark by virtue of subsection (1)(a) or (b) subject to its being so registered.”

47. The trade mark upon which the opponent relies qualifies as an earlier trade mark under the above provisions.

### **Section 5(2)(b) – case law**

48. The following principles are gleaned from the decisions of the EU courts 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.

(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 to mind the earlier mark, 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 will wrongly believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

### **Comparison of goods**

49. In light of my findings at paragraph 44 above, the opponent may only rely upon “clothing” and “footwear”. As noted above, the applicant’s full specification is set out in the Annex to this decision.

50. When making the comparison, all relevant factors relating to the goods and services in the specifications should be taken into account. In the judgment of the CJEU in *Canon*, Case C-39/97, the court stated at paragraph 23 of its judgment that:

“In assessing the similarity of the goods or services concerned, as the French and United Kingdom Governments and the Commission have pointed out, all the relevant factors relating to those goods or services themselves should be taken into account. Those factors include, inter alia, their nature, their intended purpose and their method of use and whether they are in competition with each other or are complementary.”

51. Guidance on this issue has also come from Jacob J. (as he then was) in the *Treat* case, [1996] R.P.C. 281, where he identified the factors for assessing similarity as:

- (a) The respective uses of the respective goods or services;
- (b) The respective users of the respective goods or services;
- (c) The physical nature of the goods or acts of service;
- (d) The respective trade channels through which the goods or services reach the market;
- (e) In the case of self-serve consumer items, where in practice they are respectively found or likely to be found in supermarkets and, in particular, whether they are or are likely to be found on the same or different shelves;
- (f) The extent to which the respective goods or services are competitive. This inquiry may take into account how those in trade classify goods, for instance, whether market research companies, who of course act for industry, put the goods or services in the same or different sectors.

52. In *YouView TV Ltd v Total Ltd*, [2012] EWHC 3158 (Ch), Floyd J. (as he then was) stated that:



“... Trade mark registrations should not be allowed such a liberal interpretation that their limits become fuzzy and imprecise: see the observations of the CJEU in Case C-307/10 *The Chartered Institute of Patent Attorneys (Trademarks) (IP TRANSLATOR)* [2012] ETMR 42 at [47]-[49]. Nevertheless the principle should not be taken too far. Treat was decided the way it was because the ordinary and natural, or core, meaning of ‘dessert sauce’ did not include jam, or because the ordinary and natural description of jam was not ‘a dessert sauce’. Each involved a straining of the relevant language, which is incorrect. Where words or phrases in their ordinary and natural meaning are apt to cover the category of goods in question, there is equally no justification for straining the language unnaturally so as to produce a narrow meaning which does not cover the goods in question.”

53. In *Beautimatic International Ltd v Mitchell International Pharmaceuticals Ltd and Another*, [2000] F.S.R. 267 (HC), Neuberger J. (as he then was) stated that:

“I should add that I see no reason to give the word “cosmetics” and “toilet preparations”... anything other than their natural meaning, subject, of course, to the normal and necessary principle that the words must be construed by reference to their context.”

54. In *Gérard Meric v Office for Harmonisation in the Internal Market*, Case T- 133/05, the GC stated that:

“29. In addition, the goods can be considered as identical when the goods designated by the earlier mark are included in a more general category, designated by trade mark application (Case T-388/00 *Institut for Lernsysteme v OHIM – Educational Services (ELS)* [2002] ECR II-4301, paragraph 53) or where the goods designated by the trade mark application are included in a more general category designated by the earlier mark.”

55. In *Kurt Hesse v OHIM*, Case C-50/15 P, the CJEU stated that complementarity is an autonomous criterion capable of being the sole basis for the existence of similarity

between goods. In *Boston Scientific Ltd v Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM)*, Case T-325/06, the GC stated that “complementary” means:

“... there is a close connection between them, in the sense that one is indispensable or important for the use of the other in such a way that customers may think the responsibility for those goods lies with the same undertaking.”

56. In *Sanco SA v OHIM*, Case T-249/11, the GC indicated that goods and services may be regarded as ‘complementary’ and therefore similar to a degree in circumstances where the nature and purpose of the respective goods and services are very different, i.e. *chicken* against *transport services for chickens*. The purpose of examining whether there is a complementary relationship between goods/services is to assess whether the relevant public are liable to believe that responsibility for the goods/services lies with the same undertaking or with economically connected undertakings. As Mr Daniel Alexander Q.C. noted, as the Appointed Person, in *Sandra Amelia Mary Elliot v LRC Holdings Limited*, BL-0-255-13:

“It may well be the case that wine glasses are almost always used with wine – and are, on any normal view, complementary in that sense – but it does not follow that wine and glassware are similar goods for trade mark purposes.”

Whilst on the other hand:

“... it is neither necessary nor sufficient for a finding of similarity that the goods in question must be used together or that they are sold together.”

57. I note that in its written submissions, the applicant states:

“16. Although the goods covered by classes 3, 18 and 25 the Applicant are similar to the goods in the Opponent’s registration, the manufacture is completely different. In fact, as stated in paragraph 5, Kolchagov Barba is a demi-couture label – which means each creation required highly skilled designers, to be hand cut and stitched mostly made to measure, making it more

unique and precious which significantly vary by the products, mainly shirts produced by Barba.”

58. For the avoidance of doubt, for the purposes of this opposition, I must undertake a notional assessment of the similarity between the goods in the specifications of the applied for/registered marks. This assessment does not focus on the actual goods sold by the parties, but on the goods that could be covered by the terms included in their specification.

### Class 3

59. In *Frag Comercio Internacional, SL v OHIM*, Case T-162/08, at paragraph 30 of its judgment, the GC found that there is no similarity between perfumery goods in class 3 and goods in class 18 and class 25, stating:

“Secondly, the Board of appeal did not err in finding, in paragraph 20 of the contested decision, that the goods in Classes 18 and 25 covered by the earlier Community mark were not complementary in relation to the ‘perfumery’ in Class 3 covered by the mark applied for. In that regard, the Court has held previously that perfumery goods and leather goods in Class 18 cannot be considered similar. Perfumery goods and leather goods are plainly different as regards both their nature and their intended purpose or their method of use. Moreover, there is nothing that enables them to be regarded as in competition with each other or functionally complementary. The same conclusion must be drawn concerning a comparison between perfumery goods and clothing in Class 25. Those goods, as of themselves, also differ as regards both their nature and their intended purpose or their method of use. There is nothing, either, that enables them to be regarded as in competition with each other or complementary (Case T-150/04 *Mülhens v OHIM – Minoronzoni (TOSCA BLU)* [2007] ECR II-2353, paragraphs 31 and 32).”

60. I consider that the above applies not only to the perfumery goods in the applicant’s specification but all of the goods in this class of the applicant’s specification. These goods have a different nature, use and method of use. They will overlap on a

superficial level in user because they will all be used by members of the general public, but this is not sufficient on its own for a finding of similarity. Whilst I accept that there are some well-known brands that sell both cosmetics, fragrance and clothing, this is not a common overlap in trade channels. There is no competition or complementarity. I consider the goods to be dissimilar.

### Class 18

61. In *El Corte Ingles SA v OHIM*, Case T-443/05, the GC stated:

“42. First, the goods in class 25 and those in class 18 are often made of the same raw material, namely leather or imitation leather. The fact may be taken into account when assessing the similarity between the goods. However, given the wide variety of goods which can be made of leather or imitation leather, that factor alone is not sufficient to establish that the goods are similar (see, to that effect, Case T-169/03 *Sergio Rossi v OHIM – Sissi Rossi (SISSI ROSSI)* [2005] ECR II-685, paragraph 55).

43. Second, it is apparent that the distribution channels of some goods at issue are identical. However, a distinction must be made according to whether the goods in class 25 are compared to one or other of the groups of goods in class 18 identified by OHIM.

44. On the one hand, as regards the second group of goods in class 18 (leather and imitations of leather, animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery), the Board of Appeal rightly held that the distribution channels were different from those used for the distribution of goods in class 25. The fact that those two categories of goods may be sold in the same commercial establishments, such as department stores or supermarkets, is not particularly significant since very different kinds of goods may be found in such shops, without consumers automatically believing that they have the same origin (see, to that effect, Case T-8/03 *El Corte Ingles v OHIM – Pucci (EMILIO PUCCI)* [2004] ECR II-4297, paragraph 43).

45. On the other hand, as regards the first group of goods in class 18, namely leather and imitation leather goods not included in other classes such as, for example, handbags, purses or wallets, it should be noted that those goods are often sold with goods in class 25 at points of sale in both major retail establishments and more specialised shops. That is a factor which must be taken into account in assessing the similarity of those goods.

46. It must be recalled that the Court has also confirmed the existence of a slight similarity between 'ladies' bags' and 'ladies' shoes' (*S/SSI ROSSI*, paragraph 42 above, paragraph 68). That finding must be extended to the relationship between all the goods in class 25 designated by the mark applied for and the leather and imitation leather goods not included in other classes, in class 18, designated by the earlier mark.

47. In light of the foregoing, it must be held that there is a slight similarity between the goods in class 25 and the first group of goods in class 18. Consequently, the Board of Appeal could not conclude that there was no likelihood of confusion on the part of the relevant public solely on the basis of a comparison of the goods concerned.

48. As to whether clothing, footwear and headgear in class 25 are complementary to 'leath and imitations of leather, and goods of these materials and not included in other classes' in class 18, it must be recalled that, according to the case-law, goods are complementary if there is a close connection between them, in the sense that one is indispensable or important for the use of the other in such a way that customers may think that the responsibility for the production of those goods lies with the same undertaking (*S/SSI ROSSI*, paragraph 42 above, paragraph 60).

49. Goods such as shoes, clothing, hats or handbags may, in addition to their basic function, have a common aesthetic function by jointly contributing to the external image ('look') of the consumer concerned.

50. The perception of the connections between them must therefore be assessed by taking account of any attempt at coordinating presentation of that look, that is to say coordination of its various components at the design stage or when they are purchased. The coordination may exist in particular between clothing, footwear and headgear in class 25 and the various clothing accessories which complement them such as handbags in class 18. Any such coordination depends on the consumer concerned, the type of activity for which that look is put together (work, sport or leisure in particular), or the marketing strategies of the businesses in the sector. Furthermore, the fact that the goods are often sold in the same specialist sales outlets is likely to facilitate the perception by the relevant consumer of the close connections between them and strengthen the perception that the same undertaking is responsible for the production of those goods.

51. It is clear that some consumers may perceive a close connection between clothing, footwear and headgear in class 25 and certain 'leather and imitations of leather, and goods made of these materials and not included in other classes' in class 18 which are clothing accessories, and that they may therefore be led to believe that the same undertaking is responsible for the production of those goods. Therefore, the goods designated by the mark applied for in class 25 show a degree of similarity with the clothing accessories included in 'leather and imitations of leather, and goods made of these materials and not included in other classes' in class 18 which cannot be classified as slight."

62. However, the following extract from *ASOS v ASSOS*, Case T-647/11, shows that in a different case the GC reached different conclusions in relation to specific items of goods in class 18:

"45. It is apparent from the case-law that goods such as shoes, clothing, hats or handbags may, in addition to their basic function, have a common aesthetic function by jointly contributing to the external image ('look') of the consumer concerned. The perception of the connections between them must therefore be assessed by taking account of any attempt at coordinating presentation of that look, that is to say, coordination of its various components at the design stage

or when they are purchased. That coordination may exist in particular between clothing, footwear and headgear in class 25 and the various clothing accessories which complement them, such as handbags in Class 18 (*PiraNAM diseno original Juan Bolanos*, cited in paragraph 15 above, paragraphs 49 and 50).

46. In the present case, in the contested decision, the Board of Appeal held that ‘bumbags; sports bags; casual bags; briefcases; attaché cases; satchels; beauty cases; credit card cases and holders; wallets; purses’ in Class 18 – contrary to the ‘clothing, footwear, headgear’ in Class 25, which had an aesthetic function – essentially had a practical function, namely that of containing sports equipment, documents, banknotes and coins, are not perceived as part of the external image, have no aesthetic function and are not included in the marketing strategy for fashion accessories. The Board of Appeal consequently held that the abovementioned goods, coming within Class 18, were not complementary to ‘clothing, footwear, headgear’ in Class 25. It added that it was unlikely that, when buying a briefcase or a wallet, the purchaser would be asked about the colour of the suits or shoes normally worn or, when buying a sports bag, the colour of his tracksuit.

47. That appraisal by the Board of Appeal must be upheld.

48. Firstly, the ‘bumbags; sports bags; casual bags; briefcases; attaché cases; satchels; beauty cases; credit card cases and holders; wallets; purses’ in Class 18, unlike the ‘clothing, footwear, headgear’ in Class 25, have an essentially utilitarian function and not an essentially aesthetic function. There is therefore no reason for the consumer to coordinate them with the ‘clothing, footwear, headgear’ in Class 25. In contrast to handbags, coming within Class 18, the goods at issue in Class 18 do not contribute to the external image of consumers.

49. Secondly, the purchase of the goods at issue in Class 18 is viewed independently from the purchase of ‘clothing, footwear, headgear’ in Class 25. The average consumer will purchase ‘bumbags; sports bags; casual bags; briefcases; attaché cases; satchels; beauty cases; credit card cases and

holders; wallets; purses' without worrying about the concomitant possession or purchase of 'clothing, footwear, headgear' in Class 25. Conversely, for the average consumer, the decision to buy 'clothing, footwear, headgear' in Class 25 is generally not influenced by, or subject to, the purchase or possession of the goods at issue in Class 18.

50. It follows that the 'bumbags; sports bags; casual bags; briefcases; attaché cases; satchels; beauty cases; credit card cases and holders; wallets; purses' in Class 18 cannot be considered clothing accessories.

51. In addition, even if the goods at issue in Class 18 were to share with the goods at issue in Class 25 the same distribution channels and have the same end users, that would not suffice for the conclusion that there is a similarity between those goods. Lastly, the intervener's argument that those goods in Class 18 and the 'clothing, footwear, headgear' in Class 25 are generally produced by the same manufacturer has not been substantiated.

52. It follows that the Board of Appeal acted correctly in holding that the 'bumbags; sports bags; casual bags; briefcases; attaché cases; satchels; beauty cases; credit card cases and holders; wallets; purses' in Class 18 and referred to in the application for the mark sought and the goods in Class 25 covered by the earlier mark, were not similar.

63. Nonetheless, the underlying principle is the same i.e. the goods are similar to the extent that the intention is to create a 'coordinated look'. In applying this principle to the comparison at issue, I consider the following goods to be similar to the opponent's goods to a medium degree:

Artificial fur bags; Bags; Bags made of imitation leather; Bags made of leather; Bucket bags; Children's shoulder bags; Clutch bags; Clutch handbags; Clutch purses [handbags]; Crossbody bags; Cross-body bags; Evening bags; Evening handbags; Fashion handbags; Gentlemen's handbags; Gent's handbags; Hand bags; Handbags; Handbags for ladies; Handbags for men; Handbags made of imitations leather; Handbags made of leather; Handbags, not made of precious



metal; Handbags, not of precious metal; Handbags [...]; Imitation leather bags; Ladies handbags; Ladies' handbags; Leather bags; Leather bags [...]; Leather handbags; Reticules; Shoulder bags; Slouch handbags; Small bags for men; Sporrans; Tote bags; Travelling handbags.

64. The following goods in the applicant's specification are all types of animal skin or imitations of animal skin, some of which could be used in the production of secondary goods:

Animal hides; Animal skins; Animal skins and hides; Animal skins, hides; Butts [parts of hides]; Cattle skins; Chamois leather, other than for cleaning purposes; Faux fur; Fur; Fur pelts; Fur-skins; Furs sold in bulk; Gold beaters' skin; Goldbeaters' skin; Hides; Imitation hide; Imitation hides; Imitation leather; Imitation leather sold in bulk; Imitations of leather; Leather; Leather and imitation leather; Leather and imitations of leather; Leather cloth; Leather for harnesses; Leather for shoes; Leather (Imitation -); Leather sold in bulk; Leather, unworked or semi-worked; Leather [unworked or semi-worked]; Leather, unwrought or semi-wrought; Leatherboard; Moleskin [imitation leather]; Moleskin [imitation of leather]; Peltry; Pelts; Polyurethane leather; Raw skins; Semi-worked fur; Sheets of imitation leather for use in manufacture; Sheets of leather for use in manufacture; Skin (Goldbeaters' -); Skins and hides; Skins (Animal -); Skins (Cattle -); Skins of chamois, other than for cleaning purposes; Studs of leather; Synthetic leather; Tanned leather; Unworked leather; Valves of leather; Worked or semi-worked hides and other leather.

65. In my view, there is no overlap in trade channels, method of use, nature or use between the goods and the opponent's goods. The fact that some of these goods may be used as parts of secondary products (which may themselves be similar or identical to the opponent's goods) is not sufficient for a finding of similarity<sup>10</sup>. I consider these goods to be dissimilar. If I am wrong in this finding, then they will be similar to only a low degree.

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<sup>10</sup> *Led Editions Albert Rene v OHIM*, Case T-336/03

66. “Skates (Straps for -)” and “Straps for skates” in the applicant’s specification are parts of skates which would fall within the category of “footwear” in the opponent’s specification. However, as noted above, the fact that one product is part of another, is not sufficient for a finding of similarity. The goods differ in nature, method of use and purpose. There may be a degree of overlap in trade channels to the extent that consumers may return to the original seller for replacement parts or repairs. I consider the goods to be similar to a low degree.

67. “Baby backpacks”, “Baby carriers [slings or harnesses]”, “Baby carriers worn on the body”, “Baby carrying bags”, “Back frames for carrying children”, “Backpacks for carrying babies”, “Changing bags”, “Diaper bags”, “Infant carriers worn on the body”, “Nappy bags”, “Nappy wallets”, “Pouch baby carriers”, “Reins for guiding children”, “Sling bags”, “Sling bags for carrying babies”, “Sling bags for carrying infants”, “Slings for babies”, “Slings for carrying babies” and “Slings for carrying infants” in the applicant’s specification may be sold through shops specialising in childcare products. This might include clothing and footwear for babies and children. Consequently, there may be a degree of overlap in trade channels with the opponent’s goods. There may also be an overlap in user since parents, guardians, etc. purchasing the applicant’s goods are also likely to purchase children’s clothing and footwear. The goods differ in nature, method of use and purpose. I consider the goods to be similar to a medium degree.

68. With regard to the remaining goods in class 18, I can see no point of similarity with the opponent’s goods. They differ in trade channels, use, method of use and nature. They would not be selected as part of a ‘look’ as envisaged by the case law cited above. They are neither competitive nor complementary. I consider the goods to be dissimilar.

#### Class 25

69. “Clothing” and “footwear” appear in both the applicant’s specification and the opponent’s specification and are self-evidently identical.

70. "Articles of clothing" and "clothes" in the applicant's specification are self-evidently identical to "clothing" in the opponent's specification.

71. The following goods in the applicant's specification are all types of headgear:

Albs; Babushkas; Balaclavas; Bandanas; Bandannas; Baseball caps; Baseball caps and hats; Baseball hats; Bathing caps; Beach hats; Beanie hats; Beanies; Berets; Boaters; Bobble hats; Bonnets; Bonnets [headwear]; Bucket caps; Burnouses; Caps; Caps being headwear; Caps [headwear]; Caps (Shower -); Caps with visors; Chefs' hats; Children's headwear; Cycling caps; Ear muffs; Ear muffs [clothing]; Ear warmers; Earbands; Earmuffs; Eye masks; Fake fur hats; Fascinator hats; Fashion hats; Fedoras; Fezzes; Fishing headwear; Garrison caps; Golf caps; Hat frames [skeletons]; Hats; Hats (Paper -) [clothing]; Head bands; Head scarves; Head sweatbands; Head wear; Headbands; Headbands against sweating; Headbands [clothing]; Headbands for clothing; Headdresses [veils]; Headgear; Headgear for wear; Headscarfs; Headscarves; Headshawls; Headsquares; Headwear; Knitted caps; Knot caps; Leather headwear; Mantillas; Masks (Sleep -); Millinery; Miters [hats]; Mitres [hats]; Nightcaps; Paper hats [clothing]; Paper hats for use as clothing items; Paper hats for wear by chefs; Paper hats for wear by nurses; Party hats [clothing]; Peaked caps; Peaked headwear; Rain hats; Sedge hats (suge-gasa); Shawls and headscarves; Shower caps; Ski balaclavas; Ski hats; Skull caps; Sleep masks; Small hats; Snoods [scarves]; Sports caps; Sports caps and hats; Sports headgear [other than helmets]; Sun hats; Sun visors; Sun visors [headwear]; Sweat bands for the head; Swim caps; Swimming caps; Swimming caps [bathing caps]; Tam o'shanter; Tams; Thermal headgear; Top hats; Toques [hats]; Turbans; Ushankas [fur hats]; Veils; Veils [clothing]; Visors; Visors [clothing]; Visors [headwear]; Waterpolo caps; Wimples; Woolly hats; Yashmaghs; Yashmaks.

72. They will overlap in trade channels and user with the "clothing" in the opponent's specification. There will also be an overlap in use as the goods are all intended to cover, protect and adorn the body. I consider the goods to be similar to a medium to high degree.

73. The following goods in the applicant's specification are all parts and/or fittings for clothing and footwear:

Boot cuffs; Boot uppers; Bra straps; Bra straps [parts of clothing]; Cleats for attachment to sports shoes; Collar guards for protecting clothing collars; Collar liners for protecting clothing collars; Collar protectors; Embossed heels of rubber or of plastic materials; Embossed soles of rubber or of plastic materials; Fittings of metal for boots and shoes; Fittings of metal for footwear; Football boots (Studs for -); Footwear (Fittings of metal for -); Footwear (Non-slipping devices for -); Footwear soles; Footwear (Tips for -); Footwear uppers; Footwear (Welts for -); Gaiter straps; Gussets for bathing suits [parts of clothing]; Gussets for footlets [parts of clothing]; Gussets for leotards [parts of clothing]; Gussets for stockings [parts of clothing]; Gussets for tights [parts of clothing]; Gussets for underwear [parts of clothing]; Gussets [parts of clothing]; Heel inserts; Heel pieces for shoes; Heel pieces for stockings; Heelpieces for footwear; Heelpieces for stockings; Heels; Hoods; Hoods [clothing]; Inner soles; Insoles; Insoles for footwear; Insoles for shoes and boots; Insoles [for shoes and boots]; Intermediate soles; Jacket liners; Linings (Ready-made -) [parts of clothing]; Metal fittings for Japanese style wooden clogs; Non-slipping devices for footwear; Protective metal members for shoes and boots; Pullstraps for shoes and boots; Ready-made linings [parts of clothing]; Rubber soles for jikatabi; Rubbers [footwear]; Shoe covers, other than for medical purposes; Shoe inserts for non-orthopedic purposes; Shoe soles; Shoe soles for repair; Shoe straps; Shoe uppers; Shoes soles for repair; Ski and snowboard shoes [...] parts thereof; Slipper soles; Soles for footwear; Soles for Japanese style sandals; Soles [Inner]; Spats; Stockings (Heel pieces for -); Straps (Gaiter -); String fasteners for haori (haori-himo); Studs for football boots; Tips for footwear; Toe boxes; Toe straps for Japanese style sandals [zori]; Toe straps for Japanese style wooden clogs; Toe straps for zori [Japanese style sandals]; Tongues for shoes and boots; Traction attachments for footwear; Trouser straps; Underarm gussets [parts of clothing]; Uppers (Footwear -); Uppers for Japanese style sandals; Uppers of woven rattan for Japanese style sandals; Welts for footwear; Wooden bodies for Japanese style clogs; Wooden main

bodies of Japanese style wooden clogs; Wooden supports of Japanese style wooden clogs; Yokes (Shirt -).

74. As noted above, the fact that a particular good is used as a part, element or component of another is not sufficient for it to be similar to the finished article. The customers, nature and intended purpose of the goods will differ. However, in this case I consider that there will be an overlap in customers because members of the general public that purchase items of clothing or footwear may return to the original seller for replacement parts or repairs. There will also be an overlap in trade channels and a degree of complementarity. I consider the goods to be similar to a low degree.

75. The same is also true of “Cap peaks”, “Cap visors”, “Frames (Hat -) [skeletons]”, “Peaks (Cap -)” and “Visors [hatmaking]” in the applicant’s specification because they are all component parts of hats used in the manufacture of the finished article.

76. The remaining goods in the applicant’s specification are all types of clothing and footwear or accessories such as scarves. Where they are types of clothing and footwear, they will fall within the broader categories in the opponent’s specification and will be identical on the principle outlined in *Merix*. Where they are accessories there will be an overlap in trade channels and user. There will also be an overlap in use in that accessories are also used to adorn and cover the body. They will be similar to at least a medium degree.

77. As some degree of similarity between the goods is necessary to engage the test for likelihood of confusion<sup>11</sup>, my findings above mean that the opposition must fail in respect of those goods which I have found to be dissimilar.

### **The average consumer and the nature of the purchasing act**

78. As the case law above indicates, it is necessary for me to determine who the average consumer is for the respective parties’ goods. I must then determine the manner in which the goods are likely to be selected by the average consumer. In

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<sup>11</sup> *eSure Insurance v Direct Line Insurance*, [2008] ETMR 77 CA

*Hearst Holdings Inc, Fleischer Studios Inc v A.V.E.L.A. Inc, Poeticgem Limited, The Partnership (Trading) Limited, U Wear Limited, J Fox Limited*, [2014] EWHC 439 (Ch), Birss J described the average consumer in these terms:

“60. The trade mark questions have to be approached from the point of view of the presumed expectations of the average consumer who is reasonably well informed and reasonably circumspect. The parties were agreed that the relevant person is a legal construct and that the test is to be applied objectively by the court from the point of view of that constructed person. The words “average” denotes that the person is typical. The term “average” does not denote some form of numerical mean, mode or median.”

79. I have no submissions from either party on the average consumer or the nature of the purchasing process. I consider that the average consumer for the goods is likely to be a member of the general public. However, I also note that some of the goods may be purchased by businesses involved in the manufacture of secondary goods. The goods are unlikely to be very expensive and will not be purchased infrequently. However, a number of factors will be taken into account during the purchasing process such as material, cut and aesthetic appearance. I, therefore, consider that at least a medium degree of attention will be paid during the purchasing process for the goods in issue, bearing in mind that manufacturers may pay a slightly higher degree of attention during the purchasing process than members of the general public.

80. The goods are, in my experience, most likely to be obtained by self-selection from a retail outlet or online or catalogue equivalent. Visual considerations are, therefore, likely to dominate the selection process. However, I do not discount that there will also be an aural component to the purchase of the goods, bearing in mind that verbal advice may be sought from a sales assistant or representative.

### **Comparison of the trade marks**


81. It is clear from *Sabel BV v. Puma AG* (particularly paragraph 23) that the average consumer normally perceives a trade 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 trade marks must be assessed by reference to the overall impressions created by the trade 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.”

82. It would be wrong, therefore, to artificially dissect the trade marks, although 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.

83. The respective trade marks are shown below:

Opponent's trade mark	Applicant's trade mark
BARBA	

84. In its written submissions in lieu the applicant has made reference to other marks which it states are closer to the opponent's marks than its own. The applicant also states:

“14. The Applicant's Kolchagov Barba mark and the Opponent's are visually, phonetically and conceptually dissimilar.

[...]

15. The marks Kolchagov Barba is composed by the two co-founders surnames which are present with a mirror image at its bottom – making both names readable from any angle [...]

The two surnames (Kolchagov Barba) are united by a logo which represents the two initials KB [...]

[...] this logo represents graphically circa 41% of the total mark (3300 pixels of 8200 pixels) making it a significantly part of the total mark, being nearly double of size of the 'BARBA' element of the mark, therefore the mark in full should be the tribunal's focus of attention. We don't believe it will cause any confusion to consumers nor lead anyone to believe there is any possible connection between the parties."

85. In its written submission in lieu, the opponent states:

"21. The Opponent's BARBA marks and the Applicant's mark are visually, phonetically and conceptually similar. The Applicant's mark incorporates the Opponent's BARBA mark in its entirety. The general rule followed under EU trade mark law is that if a sign as a whole is fully incorporated in the other sign, as in this case, the signs are considered similar, and when the goods are identical or highly similar, there will also be likelihood of confusion (as held in EUIPO's decision in Opposition No. B 1 683 807 GO!/GO GLORIA ORTIZ, and by the Court of First Instance in Case T-32/03 JELLO SCHUHPARK/SCHUHPARK, Case T-286/02 KIAP MOU/MOU and T-169/02 NEGRA MODELO/MODELO).

22. The marks are separated only by the insignificant figurative elements in the Applicant's mark and addition of the word 'Kolchagov', which as mentioned above would be perceived as forename and of lesser distinctiveness to the surname, 'Barba'. The insignificant figurative elements of the Applicant's mark would not affect the average consumer's perception of the dominant and distinctive 'Barba' element.



23. As the marks at issue are identical in respect of the dominant and distinctive element 'Barba', the likelihood of confusion is increased.

24. Even if it is argued that the marks are capable of being discerned when closely analysed, their recollection by the average consumer will not be perfect. The principle of 'imperfect recollection' is well settled in EU trade mark law as a relevant factor in determining the likelihood of confusion. As the average consumer is unlikely to have the chance of comparing the marks of the respective parties side by side, he must rely and place trust in his fallible memory of them (see *Lodestart v Austin Nichols* [2008] ETMR 54). The dominant 'Barba' element of the Applicant's mark is what will remain in the mind of the average consumer and this will be confused with the Opponent's BARBA registration."

86. The opponent's mark consists of the word BARBA. There are no other elements to contribute to the overall impression which lies in the word itself. The applicant's mark consists of the words KOLCHAGOV BARBA presented in gold font with a device presented above it which contains what appear to be symbols of some kind (although the applicant states that these are the letters K and B). The words are reflected beneath them, although they appear faded. The device is larger than the wording, but the eye is naturally drawn to the element of the mark that it can read. I consider that the overall impression lies in the combination of these elements, with the wording and device playing a greater role and the colour and reflected words playing a lesser role.

87. Visually, the marks coincide in the presence of the word BARBA. Registration of the opponent's mark in black and white covers use of the mark in any colour and so the difference in colour between the marks is not significant. They differ in the presence of the word KOLCHAGOV (and the reflected words) and the device in the applicant's mark, which have no counterpart in the opponent's mark. As noted above, the reflected words play a lesser role in the overall impression than the wording and the device. I consider the marks to be visually similar to no more than a medium degree.

88. Aurally, the only elements of the applicant's mark that will be pronounced are the words KOLCHAGOV BARBA. I do not consider that the reflection will be pronounced, not least because it is upside down and it appears faded. I also do not consider that the letters K and B in the device will be pronounced, even if they are recognised. The word BARBA in both marks will be pronounced identically. The point of aural difference will, therefore, be the word KOLCHAGOV which has no counterpart in the opponent's mark. I consider the marks to be aurally similar to a medium degree.

89. Conceptually, both marks are likely to be viewed by the British public as invented or foreign language words with no particular meaning. In my view, neither BARBA nor KOLCHAGOV are likely to be recognised as names. I do not consider that the device in the applicant's mark will be identified as bearing the letters K and B. In any event, there is no clear conceptual meaning conveyed by the device and it will not add anything to the overall message conveyed by the mark. The marks will, therefore, be conceptually neutral. However, if I am wrong and the words KOLCHAGOV and BARBA are recognised as names then it is likely that the word KOLCHAGOV in the applicant's mark will be viewed as a forename rather than a surname as it is not separated from the word BARBA by an ampersand or the word "AND". I do not consider that the positioning of the device between the words will suggest to the consumer that both words should be viewed as surnames. If both marks are recognised as names then they will be conceptually similar to a higher than medium degree.

### **Distinctive character of the earlier trade mark**

90. In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, Case C-342/97 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 1-2779, 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)."

91. Registered trade marks possess varying degrees of inherent distinctive character, ranging from the very low, because they are suggestive or allusive of a characteristic of the goods or services, to those with high inherent distinctive character, such as invented words which have no allusive qualities. A marks distinctive character may be enhanced by virtue of the use made of it.

92. The opponent has made no claim to enhanced distinctive character. However, for the avoidance of doubt, the sales and advertising figures provided by the opponent are for the EU as a whole and are not broken down by country. No market share figure is provided for the UK. No examples of adverts placed in the UK have been provided. Bearing in mind that the relevant market for the purposes of assessing enhanced distinctive character is the UK, I do not consider that the opponent's evidence is sufficient to support a finding of enhanced distinctiveness.

93. I now turn to the inherent distinctiveness of the opponent's mark. As noted above, I consider it most likely that the word BARBA will be viewed as an invented or foreign language word. It will have no identifiable meaning for the UK average consumer. Consequently, I consider that it will have a high degree of inherent distinctive character. If I am wrong in this finding, and the opponent's mark is recognised as a

name, I bear in mind the comments of the CJEU in *Becker v Harman International Industries*, Case C-51/09 P, in which it was stated that:

“Although it is possible that, in part of the European Union, surnames have, as a general rule, a more distinctive character than forenames, it is appropriate to take account of factors specific to the case and, in particular, to the fact that the surname concerned is unusual or, on the contrary, very common, which is likely to have an effect on that distinctive character.”

94. Even if the opponent’s mark is recognised as a name (whether a forename or a surname) it will be an unusual name for the UK consumer. Consequently, it will be attributed a medium to high degree of inherent distinctive character.

### **Likelihood of confusion**

95. Confusion can be direct or indirect. Direct confusion involves the average consumer mistaking one mark for the other, while indirect confusion is where the average consumer realises the marks are not the same but puts the similarity that exists between the marks and the goods and services down to the responsible undertakings being the same or related. There is no scientific formula to apply in determining whether there is a likelihood of confusion; rather, it is a global assessment where a number of factors need to be borne in mind. The first is the interdependency principle i.e. a lesser degree of similarity between the respective trade marks may be offset by a greater degree of similarity between the respective parties’ goods or services and vice versa. As I mentioned above, it is necessary for me to keep in mind the distinctive character of the opponent’s trade mark, the average consumer for the goods and the nature of the purchasing process. In doing so, I must be alive to the fact that the average consumer rarely has the opportunity to make direct comparisons between trade marks and must instead rely upon the imperfect picture of them that he has retained in his mind.

96. I have found the parties marks to be visually similar to no more than a medium degree and aurally similar to a medium degree. I have found the marks to be conceptually neutral if they are just viewed as invented or foreign language words with

no recognisable meaning or conceptually similar to a higher than medium degree if they are both recognised as names. I have identified the average consumer to be a member of the general public or businesses who will select the goods primarily by visual means (although I do not discount an aural component). I have concluded that the average consumer will pay at least a medium degree of attention when selecting the goods. I have found the parties goods to range from being identical to similar to only a low degree (except for those that I have found to be dissimilar). I have found the opponent's mark to have a high degree of inherent distinctive character if it is viewed as an invented or foreign language word or a medium to high degree of inherent distinctive character if it is recognised as a name (albeit an unusual one).

97. Notwithstanding the principle of imperfect recollection, I consider that there are sufficient visual differences between the marks to avoid them being mistakenly recalled as each other. I do not consider that the stylisation, device and additional word in the applicant's mark will be forgotten by the average consumer. I am satisfied that there is no likelihood of direct confusion.

98. It now falls to me to consider the likelihood of indirect confusion. Indirect confusion was described in the following terms by Iain Purvis Q.C., sitting as the Appointed Person, in *L.A. Sugar Limited v By Back Beat Inc*, Case BL-O/375/10:

“16. Although direct confusion and indirect confusion both involve mistakes on the part of the consumer, it is important to remember that these mistakes are very different in nature. Direct confusion involves no process of reasoning – it is a simple matter of mistaking one mark for another. Indirect confusion, on the other hand, only arises where the consumer has actually recognized that the later mark is different from the earlier mark. It therefore requires a mental process of some kind on the part of the consumer when he or she sees the later mark, which may be conscious or subconscious but, analysed in formal terms, is something along the following lines: “The later mark is different from the earlier mark, but also has something in common with it. Taking account of the common element in the context of the later mark as a whole, I conclude that it is another brand of the owner of the earlier mark.”

99. I recognise that there may be different interpretations of the applicant's mark. That is, some people may see it as a name and others may see it as two foreign language or invented words which have no particular meaning. I consider that a significant proportion of average consumers will adopt the latter approach. For those consumers, the word BARBA will have a distinctive significance which is independent of the significance of the whole<sup>12</sup>. For those consumers, I consider that this will be viewed as a variant mark used by the same, or an economically linked undertaking and there is, therefore, a likelihood of indirect confusion. This is particularly the case given that the opponent's mark will be highly distinctive for these consumers.

100. As I have found that a significant proportion of average consumers will view the marks as consisting of invented or foreign language words with no particular meaning, the fact that there is a likelihood of confusion for those consumers is sufficient for a finding that there is a likelihood of confusion overall. However, I will go on to consider the position for those consumers who view the applicant's mark as a name.

101. In *El Corte Inglés, SA v OHIM*, Case T-39/10, the GC found that:

"54. As the applicant asserted in its pleadings, according to the case-law, the Italian consumer will generally attribute greater distinctiveness to the surname than to the forename in the marks at issue (Case T-185/03 Fusco v OHIM – Fusco International (ENZO FUSCO) [2005] ECR II-715, paragraph 54). The General Court applied a similar conclusion concerning Spanish consumers, having established that the first name that appeared in the mark in question was relatively common and, therefore, not very distinctive (Case T-40/03 Murúa Entrena v OHIM – Bodegas Murúa (Julián Murúa Entrena) [2005] ECR II-2831, paragraphs 66 to 68).

55. Nevertheless, it is also clear from the case-law that that rule, drawn from experience, cannot be applied automatically without taking account of the specific features of each case (judgment of 12 July 2006 in Case T-97/05 Rossi v OHIM – Marcorossi (MARCOROSSI), not published in the ECR, paragraph

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<sup>12</sup> *Whyte and Mackay Ltd v Origin Wine UK Ltd and Another* [2015] EWHC 1271 (Ch)

45). In that regard, the Court of Justice has held that account had to be taken, in particular, of the fact that the surname concerned was unusual or, on the contrary, very common, which is likely to have an effect on its distinctive character. Account also had to be taken of whether the person who requests that his first name and surname, taken together, be registered as a trade mark is well known (Case C-51/09 P Becker v Harman International Industries [2010] ECR I-5805, paragraphs 36 and 37). Likewise, according to the case-law cited in the previous paragraph, the distinctive character of the first name is a fact that should play a role in the implementation of that rule based on experience.”

102. In this case, both words (one of which will be viewed as the forename and the other of which will be viewed as the surname) will be distinctive to a medium to high degree. They are both very unusual names in the UK. Notwithstanding the fact that the name KOLCHAGOV is, in itself unusual, I consider that consumers are likely to recognise the name BARBA and assume that the marks come from the same or economically linked undertakings. The stylisation and device will be viewed as additional elements added to this variant mark. I consider there to be a likelihood of indirect confusion.

103. My finding that there is a likelihood of indirect confusion applies to all of the goods which I have found to be similar to at least a medium degree.

## **CONCLUSION**

104. The opposition has succeeded in relation to the following goods, for which the application is refused:

Class 18      Artificial fur bags; Baby backpacks; Baby carriers [slings or harnesses]; Baby carriers worn on the body; Baby carrying bags; Back frames for carrying children; Backpacks for carrying babies; Bags; Bags made of imitation leather; Bags made of leather; Bucket bags; Changing bags; Children's shoulder bags; Clutch bags; Clutch handbags; Clutch purses [handbags]; Crossbody bags; Cross-body bags; Diaper bags; Evening bags; Evening handbags; Fashion handbags; Gentlemen's handbags;

Gent's handbags; Hand bags; Handbags; Handbags for ladies; Handbags for men; Handbags made of imitations leather; Handbags made of leather; Handbags, not made of precious metal; Handbags, not of precious metal; Handbags [...]; Imitation leather bags; Infant carriers worn on the body; Ladies handbags; Ladies' handbags; Leather bags; Leather bags [...]; Leather handbags; Nappy bags; Nappy wallets; Pouch baby carriers; Reins for guiding children; Reticules; Shoulder bags; Sling bags; Sling bags for carrying babies; Sling bags for carrying infants; Slings for babies; Slings for carrying babies; Slings for carrying infants; Slouch handbags; Small bags for men; Sporrans; Tote bags; Travelling handbags.

Class 25 Adhesive bras; After ski boots; Aikido suits; Aikido uniforms; Albs; Aloha shirts; American football bibs; American football pants; American football shirts; American football shorts; American football socks; Anglers' shoes; Ankle boots; Ankle socks; Anklets [socks]; Anoraks; Anoraks [parkas]; Anti-perspirant socks; Anti-sweat underclothing; Anti-sweat underwear; Après-ski boots; Apres-ski shoes; Aprons; Aprons [clothing]; Aqua shoes; Arm warmers [clothing]; Army boots; Articles of clothing; Articles of clothing for theatrical use; Articles of clothing made of hides; Articles of clothing made of leather; Articles of outer clothing; Articles of sports clothing; Articles of underclothing; Ascots; Ascots (ties); Athletic clothing; Athletic footwear; Athletic shoes; Athletic tights; Athletic uniforms; Athletics footwear; Athletics hose; Athletics shoes; Athletics vests; Babies' clothing; Babies' outerclothing; Babies' pants [clothing]; Babies' pants [underwear]; Babies' undergarments; Babushkas; Baby bibs [not of paper]; Baby bodysuits; Baby boots; Baby bottoms; Baby clothes; Baby doll pyjamas; Baby layettes for clothing; Baby pants; Baby sandals; Baby tops; Balaclavas; Ball gowns; Ballet shoes; Ballet slippers; Ballet suits; Ballroom dancing shoes; Bandanas; Bandanas [neckerchiefs]; Bandannas; Bandeaux [clothing]; Barber smocks; Baseball caps; Baseball caps and hats; Baseball hats; Baseball shoes; Baseball uniforms; Baselayer bottoms; Baselayer tops; Basic upper garment of Korean traditional clothes [Jeogori]; Basketball shoes;



Basketball sneakers; Bath robes; Bath sandals; Bath shoes; Bath slippers; Bathing caps; Bathing costumes; Bathing costumes for women; Bathing drawers; Bathing suit cover-ups; Bathing suits; Bathing suits for men; Bathing trunks; Bathrobes; Bathwraps; Beach clothes; Beach clothing; Beach cover-ups; Beach footwear; Beach hats; Beach robes; Beach shoes; Beach wraps; Beachwear; Beanie hats; Beanies; Bed jackets; Bed socks; Belts [clothing]; Belts for clothing; Belts made from imitation leather; Belts made of leather; Belts made out of cloth; Belts (Money -) [clothing]; Belts of textile; Berets; Bermuda shorts; Bib overalls for hunting; Bib shorts; Bib tights; Bibs, not of paper; Bibs, sleeved, not of paper; Bikinis; Blazers; Bloomers; Blouses; Blouson jackets; Blousons; Blue jeans; Board shorts; Boardshorts; Boas; Boas [clothing]; Boas [necklets]; Boaters; Bobble hats; Bodices; Bodices [lingerie]; Bodies [clothing]; Bodies [underclothing]; Body linen [garments]; Body stockings; Body suits; Body warmers; Bodysuits; Boiler suits; Boleros; Bolo ties; Bolo ties with precious metal tips; Bomber jackets; Bonnets; Bonnets [headwear]; Bootees (woollen baby shoes); Booties; Boots; Boots for motorcycling; Boots for sport; Boots for sports; Boots (Ski -); Bottoms [clothing]; Bow ties; Bowling shoes; Bowties; Boxer briefs; Boxer shorts; Boxing shoes; Boxing shorts; Boy shorts [underwear]; Boys' clothing; Braces as suspenders; Braces for clothing; Braces for clothing [suspenders]; Braces [suspenders]; Bralettes; Bras; Brassieres; Breeches; Breeches for wear; Bridal garters; Bridal gowns; Bridesmaid dresses; Bridesmaids wear; Briefs; Briefs [underwear]; Bucket caps; Burnouses; Bushjackets; Bustiers; Bustle holder bands for obi (obiage); Bustles for obi-knots (obiage-shin); Button down shirts; Button-front aloha shirts; Caftans; Cagoules; Camiknickers; Camisoles; Camouflage gloves; Camouflage jackets; Camouflage pants; Camouflage shirts; Camouflage vests; Canvas shoes; Capelets; Capes; Capes (clothing); Caps; Caps being headwear; Caps [headwear]; Caps (Shower -); Caps with visors; Car coats; Cardigans; Cargo pants; Cashmere clothing; Cashmere scarves; Casual clothing; Casual footwear; Casual jackets; Casual shirts; Casual trousers; Casual wear; Casualwear; Chaps; Chaps (clothing); Chasubles; Chefs' hats; Chefs'

whites; Chemise tops; Chemises; Chemisettes; Cheongsams (Chinese gowns); Children's clothing; Childrens' clothing; Children's footwear; Children's headwear; Children's outerclothing; Children's wear; Chino pants; Choir robes; Christening gowns; Christening robes; Climbing boots; Climbing boots [mountaineering boots]; Climbing footwear; Cloaks; Clogs; Cloth bibs; Cloth bibs for adult diners; Clothes; Clothes for sport; Clothes for sports; Clothing; Clothing for babies; Clothing for children; Clothing for cycling; Clothing for cyclists; Clothing for fishermen; Clothing for gymnastics; Clothing for horse-riding [other than riding hats]; Clothing for infants; Clothing for leisure wear; Clothing for martial arts; Clothing for men, women and children; Clothing for skiing; Clothing for sports; Clothing for wear in judo practices; Clothing for wear in wrestling games; Clothing layettes; Clothing made of fur; Clothing made of imitation leather; Clothing made of leather; Clothing of imitations of leather; Clothing of leather; Coats; Coats for men; Coats for women; Coats made of cotton; Coats of denim; Coats (Top -); Cocktail dresses; Collared shirts; Collars; Collars [clothing]; Collars for dresses; Combative sports uniforms; Combinations [clothing]; Corduroy pants; Corduroy shirts; Corduroy trousers; Corselets; Corsets; Corsets [clothing, foundation garments]; Corsets [foundation clothing]; Corsets [underclothing]; Costumes; Costumes for use in children's dress up play; Costumes for use in role-playing games; Costumes (Masquerade -); Cotton coats; Coveralls; Coverups; Cover-ups; Cows [clothing]; Cravates; Cravats; Crew neck sweaters; Crinolines; Crop tops; Cuffs; Culotte skirts; Culottes; Cumberbunds; Cycling caps; Cycling Gloves; Cycling pants; Cycling shoes; Cycling shorts; Cycling tops; Cyclists' clothing; Dance clothing; Dance costumes; Dance shoes; Dance slippers; Deck shoes; Deck-shoes; Denim coats; Denim jackets; Denim jeans; Denim pants; Denims [clothing]; Desert boots; Detachable collars; Detachable neckpieces for kimonos (haneri); Dinner jackets; Dinner suits; Disposable slippers; Disposable underwear; Donkey jackets; Down jackets; Down vests; Drawers as clothing; Drawers [clothing]; Dress pants; Dress shields; Dress shirts; Dress shoes; Dress suits; Dresses; Dresses for evening wear; Dresses for infants and toddlers;

Dresses made from skins; Dressing gowns; Driving gloves; Driving shoes; Dry suits; Duffel coats; Duffle coats; Dungarees; Dust coats; Ear muffs; Ear muffs [clothing]; Ear warmers; Earbands; Earmuffs; Espadrilles; Esparto shoes or sandals; Esparto shoes or sandals; Evening coats; Evening dresses; Evening gowns; Evening suits; Evening wear; Exercise wear; Eye masks; Fabric belts; Fabric belts [clothing]; Fake fur hats; Fancy dress costumes; Fascinator hats; Fashion hats; Fedoras; Fezzes; Figure skating clothing; Fingerless gloves; Fingerless gloves as clothing; Fishermen's jackets; Fishing boots; Fishing clothing; Fishing footwear; Fishing headwear; Fishing jackets; Fishing shirts; Fishing smocks; Fishing vests; Fishing waders; Fitted swimming costumes with bra cups; Flat caps; Flat shoes; Fleece pullovers; Fleece shorts; Fleece tops; Fleece vests; Fleeces; Flip-flops; Flip-flops for use as footwear; Flying suits; Foam pedicure slippers; Folk costumes; Foot volleyball shoes; Football boots; Football jerseys; Football shirts; Football shoes; Footless socks; Footless tights; Footmuffs, not electrically heated; Footwear; Footwear [excluding orthopedic footwear]; Footwear for men; Footwear for men and women; Footwear for snowboarding; Footwear for sport; Footwear for sports; Footwear for track and field athletics; Footwear for use in sport; Footwear for women; Footwear made of vinyl; Footwear made of wood; Footwear not for sports; Formal evening wear; Formal wear; Formalwear; Foulards [clothing articles]; Foundation garments; Frock coats; Full-length kimonos (nagagi); Functional underwear; Fur cloaks; Fur coats; Fur coats and jackets; Fur hats; Fur jackets; Fur muffs; Fur stoles; Furs [clothing]; Gabardines; Gabardines [clothing]; Gaiters; Galoshes; Garments for protecting clothing; Garrison caps; Garter belts; Garters; Gauchos; Gilets; Girdles; Girdles [corsets]; Girls' clothing; Gloves; Gloves as clothing; Gloves [clothing]; Gloves for apparel; Gloves for cyclists; Gloves including those made of skin, hide or fur; Gloves with conductive fingertips that may be worn while using handheld electronic touch screen devices; Golf caps; Golf clothing, other than gloves; Golf footwear; Golf pants, shirts and skirts; Golf shirts; Golf shoes; Golf shorts; Golf skirts; Golf trousers; Goloshes; Gowns; Gowns for doctors;

Greatcoats; G-strings; Guernseys; Gym boots; Gym shorts; Gym suits; Gymnastic shoes; Gymshoes; Gymwear; Hairdressing capes; Half-boots; Halloween costumes; Halter tops; Handball shoes; Handwarmers [clothing]; Haneri [detachable neckpieces for kimonos]; Hat frames [skeletons]; Hats; Hats (Paper -) [clothing]; Head bands; Head scarves; Head sweatbands; Head wear; Headbands; Headbands against sweating; Headbands [clothing]; Headbands for clothing; Headdresses [veils]; Headgear; Headgear for wear; Headscarfs; Headscarves; Headshawls; Headsquares; Headwear; Heavy coats; Heavy jackets; High rain clogs (ashida); High-heeled shoes; Hiking boots; Hiking shoes; Hockey shoes; Hooded pullovers; Hooded sweat shirts; Hooded sweatshirts; Hooded tops; Hoodies; Horse-riding boots; Horse-riding pants; Hosiery; House coats; Housecoats; Hunting boot bags; Hunting boots; Hunting jackets; Hunting pants; Hunting shirts; Hunting vests; Imitation leather dresses; Infant clothing; Infant wear; Infants' boots; Infants' clothing; Infants' footwear; Infants' shoes; Infants' trousers; Infantwear; Inner socks for footwear; Innersocks; Jackets; Jackets being sports clothing; Jackets [clothing]; Jackets (Stuff -) [clothing]; Japanese footwear of rice straw (waraji); Japanese kimonos; Japanese sleeping robes (nemaki); Japanese sleeping robes [nemaki]; Japanese split-toed work footwear (jikatabi); Japanese style clogs and sandals; Japanese style sandals of felt; Japanese style sandals of leather; Japanese style sandals (zori); Japanese style socks (tabi); Japanese style socks (tabi covers); Japanese style wooden clogs (geta); Japanese toe-strap sandals (asaura-zori); Japanese traditional clothing; Jeans; Jerkins; Jerseys; Jerseys [clothing]; Jockstraps [underwear]; Jodhpurs; Jogging bottoms; Jogging bottoms [clothing]; Jogging outfits; Jogging pants; Jogging sets [clothing]; Jogging shoes; Jogging suits; Jogging tops; Judo suits; Judo uniforms; Jump Suits; Jumper dresses; Jumper suits; Jumpers; Jumpers [pullovers]; Jumpers [sweaters]; Jumpsuits; Kaftans; Karate suits; Karate uniforms; Kendo outfits; Kerchiefs; Kerchiefs [clothing]; Khakis; Kilts; Kimonos; Knee warmers [clothing]; Knee-high stockings; Knickerbockers; Knickers; Knit jackets; Knit shirts; Knit tops; Knitted baby shoes; Knitted caps; Knitted clothing; Knitted gloves;

Knitted tops; Knitted underwear; Knitwear; Knitwear [clothing]; Knot caps; Korean outer jackets worn over basic garment [Magoja]; Korean topcoats [Durumagi]; Korean traditional women's waistcoats [Baeja]; Laboratory coats; Lace boots; Ladies' boots; Ladies' clothing; Ladies' dresses; Ladies' footwear; Ladies' outerclothing; Ladies' sandals; Ladies' suits; Ladies' underwear; Ladies wear; Layettes; Layettes [clothing]; Leather belts [clothing]; Leather clothing; Leather (Clothing of -); Leather (Clothing of imitations of -); Leather coats; Leather dresses; Leather garments; Leather headwear; Leather jackets; Leather pants; Leather shoes; Leather slippers; Leather suits; Leather waistcoats; Leg warmers; Leggings [leg warmers]; Leggings [trousers]; Legwarmers; Leg-warmers; Leisure clothing; Leisure footwear; Leisure shoes; Leisure suits; Leisure wear; Leisurewear; Leotards; Light-reflecting coats; Light-reflecting jackets; Linen (Body -) [garments]; Linen clothing; Lingerie; Liveries; Long jackets; Long johns; Long sleeve pullovers; Long sleeved vests; Long-sleeved shirts; Lounge pants; Loungewear; Lounging robes; Low wooden clogs (hiyori-geta); Low wooden clogs (koma-geta); Low wooden clogs [koma-geta]; Lumberjackets; Mackintoshes; Maillots; Maillots [hosiery]; Maniples; Mankinis; Mantillas; Mantles; Martial arts uniforms; Masks (Sleep -); Masquerade costumes; Maternity bands; Maternity clothing; Maternity dresses; Maternity leggings; Maternity lingerie; Maternity pants; Maternity shirts; Maternity shorts; Maternity sleepwear; Maternity smocks; Maternity tops; Maternity underwear; Maternity wear; Men's and women's jackets, coats, trousers, vests; Men's clothing; Men's dress socks; Men's sandals; Men's socks; Men's suits; Men's underwear; Menswear; Millinery; Miniskirts; Miters [hats]; Mitres [hats]; Mittens; Mitts [clothing]; Moccasins; Mock turtleneck shirts; Mock turtleneck sweaters; Mock turtlenecks; Moisture-wicking sports bras; Moisture-wicking sports pants; Moisture-wicking sports shirts; Money belts [clothing]; Monokinis; Morning coats; Motorcycle gloves; Motorcycle jackets; Motorcycle rain suits; Motorcycle riding suits; Motorcyclist boots; Motorcyclists' clothing; Motorcyclists' clothing of leather; Motorists' clothing; Mountaineering boots; Mountaineering shoes; Mufflers; Mufflers as neck scarves; Mufflers [clothing]; Mufflers

[neck scarves]; Muffs; Muffs [clothing]; Mules; Muumuus; Nappy pants [clothing]; Neck scarfs [mufflers]; Neck scarves; Neck scarves [mufflers]; Neck tubes; Neckbands; Neckerchiefs; Neckerchieves; Neckties; Neckwear; Negligees; Night gowns; Night shirts; Nightcaps; Nightdresses; Nightgowns; Nighties; Nightshirts; Nightwear; Non-slip socks; Nurse dresses; Nurse overalls; Nurse pants; Nurses' uniforms; Oilskins [clothing]; One-piece clothing for infants and toddlers; One-piece playsuits; One-piece suits; Open-necked shirts; Outer clothing; Outer soles; Outerclimbing; Outerclimbing for boys; Outerclimbing for girls; Outerclimbing for men; Outerwear; Overalls; Overalls for infants and toddlers; Overcoats; Overshirts; Overshoes; Overtrousers; Overtrousers; Padded pants for athletic use; Padded shirts for athletic use; Padded shorts for athletic use; Pajama bottoms; Pajamas; Pajamas (Am.); Pantaloon; Pantie-girdles; Panties; Pants; Pants (Am.); Pantsuits; Pantyhose; Pantyhose; Paper aprons; Paper clothing; Paper hats [clothing]; Paper hats for use as clothing items; Paper hats for wear by chefs; Paper hats for wear by nurses; Pareos; Pareus; Parkas; Party hats [clothing]; Pea coats; Peaked caps; Peaked headwear; Pedal pushers; Pedicure sandals; Pedicure slippers; Peignoirs; Pelerines; Pelisses; Petticoats; Petti-pants; Pinafore dresses; Pinafores; Pique shirts; Pirate pants; Plastic aprons; Plastic baby bibs; Plastic slippers; Platform shoes; Play suits; Playsuits [clothing]; Pleated skirts for formal kimonos (hakama); Plimsolls; Plus fours; Plush clothing; Pocket kerchiefs; Pocket squares; Pocket squares [clothing]; Pockets for clothing; Polar fleece jackets; Polo boots; Polo knit tops; Polo neck jumpers; Polo shirts; Polo sweaters; Ponchos; Pop socks; Pram suits; Printed t-shirts; Pullovers; Pumps [footwear]; Puttees; Puttees and gaiters; Pyjamas; Pyjamas [from tricot only]; Quilted jackets [clothing]; Quilted vests; Rain boots; Rain coats; Rain hats; Rain jackets; Rain ponchos; Rain shoes; Rain slickers; Rain suits; Rain trousers; Rain wear; Raincoats; Rainproof clothing; Rainproof jackets; Rainshoes; Rainwear; Ramie shirts; Rash guards; Ready-made clothing; Ready-to-wear clothing; Referees uniforms; Removable collars; Replica football kits; Reversible jackets; Riding boots; Riding gloves; Riding Gloves;

Riding jackets; Riding shoes; Riding trousers; Robes; Robes (Bath -); Roll necks [clothing]; Roller shoes; Romper suits; Rompers; Ruanas; Rubber fishing boots; Rubber shoes; Rugby boots; Rugby jerseys; Rugby shirts; Rugby shoes; Rugby shorts; Rugby tops; Running shoes; Running Suits; Running vests; Russian felted boots (Valenki); Sabots; Safari jackets; Sailing wet weather clothing; Sailor suits; Salopettes; Sandal-clogs; Sandals; Sandals and beach shoes; Sarees; Saris; Sarongs; Sash bands for kimono (obi); Sashes for wear; Scarfs; Scarves; School uniforms; Scrimmage vests; Sedge hats (suge-gasa); Serapes; Shampoo capes; Shawls; Shawls and headscarves; Shawls and stoles; Shawls [from tricot only]; Sheepskin coats; Sheepskin jackets; Shell jackets; Shell suits; Shields (Dress -); Shift dresses; Shirt fronts; Shirt yokes; Shirt-jacs; Shirts; Shirts and slippers; Shirts for suits; Shoes; Shoes for casual wear; Shoes for foot volleyball; Shoes for infants; Shoes for leisurewear; Shoes with hook and pile fastening tapes; Short overcoat for kimono (haori); Short petticoats; Short sets [clothing]; Short trousers; Shortalls; Shorts; Shorts [clothing]; Short-sleeve shirts; Short-sleeved shirts; Short-sleeved T-shirts; Shoulder scarves; Shoulder straps for clothing; Shoulder wraps; Shoulder wraps [clothing]; Shoulder wraps for clothing; Shower caps; Shrugs; Silk clothing; Silk scarves; Silk ties; Singlets; Skating outfits; Ski balaclavas; Ski boot bags; Ski boots; Ski gloves; Ski hats; Ski jackets; Ski pants; Ski suits; Ski suits for competition; Ski trousers; Ski wear; Skiing shoes; Skirt suits; Skirts; Skorts; Skull caps; Slacks; Sleep masks; Sleep pants; Sleep shirts; Sleeping garments; Sleepsuits; Sleepwear; Sleeved jackets; Sleeveless jackets; Sleeveless jerseys; Sleeveless pullovers; Sliding shorts; Slip-on shoes; Slipovers; Slipovers [clothing]; Slipper socks; Slippers; Slippers made of leather; Slips; Slips [clothing]; Slips [underclothing]; Slips [undergarments]; Small hats; Smocks; Smoking jackets; Snap crotch shirts for infants and toddlers; Sneakers; Sneakers [footwear]; Snoods [scarves]; Snow boarding suits; Snow boots; Snow pants; Snow suits; Snowboard boots; Snowboard gloves; Snowboard jackets; Snowboard mittens; Snowboard shoes; Snowboard trousers; Snowsuits; Soccer bibs; Soccer boots; Soccer shirts; Soccer shoes; Sock suspenders;

Socks; Socks and stockings; Socks for infants and toddlers; Socks for men; Spiked running shoes; Sport coats; Sport shirts; Sport shoes; Sport stockings; Sports [Boots for -]; Sports bras; Sports caps; Sports caps and hats; Sports clothing; Sports clothing [other than golf gloves]; Sports footwear; Sports headgear [other than helmets]; Sports jackets; Sports jerseys; Sports jerseys and breeches for sports; Sports over uniforms; Sports overuniforms; Sports pants; Sports shirts; Sports shirts with short sleeves; Sports shoes; Sports singlets; Sports socks; Sports vests; Sports wear; Sportswear; Stiffeners for boots; Stiffeners for shoes; Stocking suspenders; Stockings; Stockings [sweat-absorbent]; Stockings (Sweat-absorbent -); Stoles; Stoles (Fur -); Strapless bras; Strapless brassieres; Stretch pants; Stuff jackets; Stuff jackets [clothing]; Suede jackets; Suit coats; Suits; Suits (Bathing -); Suits made of leather; Suits of leather; Sun hats; Sun visors; Sun visors [headwear]; Sundresses; Sunsuits; Surf wear; Surfwear; Suspender belts; Suspender belts for men; Suspender belts for women; Suspenders; Suspenders [braces]; Swaddling clothes; Sweat bands; Sweat bands for the head; Sweat bands for the wrist; Sweat bottoms; Sweat jackets; Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; Sweat-absorbent socks; Sweat-absorbent stockings; Sweat-absorbent underclothing; Sweat-absorbent underclothing [underwear]; Sweat-absorbent underwear; Sweatbands; Sweaters; Sweatjackets; Sweatpants; Sweatshirts; Sweatshorts; Sweatsuits; Swim briefs; Swim caps; Swim shorts; Swim suits; Swim trunks; Swim wear for children; Swim wear for gentlemen and ladies; Swimming caps; Swimming caps [bathing caps]; Swimming costumes; Swimming suits; Swimming trunks; Swimsuits; Swimwear; Synthetic fur stoles; Tabards; Taekwondo suits; Taekwondo uniforms; Tail coats; Tam o'shanter; Tams; Tank tops; Tankinis; Tank-tops; Tap pants; Tap shoes; Tartan kilts; Teddies; Teddies [underclothing]; Teddies [undergarments]; Tee-shirts; Tennis dresses; Tennis pullovers; Tennis shirts; Tennis shoes; Tennis shorts; Tennis skirts; Tennis socks; Tennis sweatbands; Tennis wear; Theatrical costumes; Thermal clothing; Thermal headgear; Thermal socks; Thermal underwear; Thermally insulated clothing; Thobes; Thong



sandals; Thongs; Three piece suits [clothing]; Ties; Ties [clothing]; Tightening-up strings for kimonos (datejime); Tights; Togas; Top coats; Top hats; Topcoats; Tops; Tops [clothing]; Toques [hats]; Track and field shoes; Track jackets; Track pants; Track suits; Tracksuit bottoms; Tracksuit tops; Tracksuits; Trainers; Trainers [footwear]; Training shoes; Training suits; Trekking boots; Trench coats; Trenchcoats; Trews; Triathlon clothing; Trouser socks; Trousers; Trousers for children; Trousers for sweating; Trousers of leather; Trousers shorts; Trunks; Trunks (Bathing -); Trunks [underwear]; T-shirts; Tube tops; Tunics; Turbans; Turtleneck pullovers; Turtleneck shirts; Turtleneck sweaters; Turtleneck tops; Turtlenecks; Tutus; Tuxedo belts; Tuxedos; Twin sets; Umpires uniforms; Under garments; Under shirts; Underclothes; Underclothing; Underclothing (Anti-sweat -); Underclothing for women; Undergarments; Underpants; Underpants for babies; Undershirts; Undershirts for kimonos (juban); Undershirts for kimonos (koshimaki); Undershirts for kimonos [koshimaki]; Underskirts; Underwear; Underwear (Anti-sweat -); Underwear for women; Uniforms; Uniforms for commercial use; Uniforms for nurses; Union suits; Unitards; Ushankas [fur hats]; Valenki [felted boots]; Veils; Veils [clothing]; Vest tops; Vests; Vests (Fishing -); Vests for use in barber shops and salons; Visors; Visors [clothing]; Visors [headwear]; V-neck sweaters; Volleyball jerseys; Volleyball shoes; Waders; Waist belts; Waist cinchers; Waist strings for kimonos (koshihimo); Waistbands; Waistcoats; Waistcoats [vests]; Walking boots; Walking breeches; Walking shoes; Walking shorts; Warm up suits; Warm-up jackets; Warm-up pants; Warm-up suits; Warm-up tops; Water socks; Waterpolo caps; Waterproof boots; Waterproof boots for fishing; Waterproof capes; Waterproof clothing; Waterproof jackets; Waterproof outerclothing; Waterproof pants; Waterproof shoes; Waterproof suits for motorcyclists; Waterproof trousers; Water-resistant clothing; Waterskiing suits; Weather resistant outer clothing; Weatherproof clothing; Weatherproof jackets; Weatherproof pants; Wedding dresses; Wedding gowns; Wellington boots; Wellingtons; Wet suits; Wet suits for surfing; Wet suits for water-skiing; Wet suits for water-skiing and sub-aqua; Wet suits for

windsurfing; Wetsuit gloves; Wetsuits; Wetsuits for surface watersports; Wetsuits for surfing; Wetsuits for water-skiing; White coats for hospital use; Wimples; Wind coats; Wind jackets; Wind pants; Wind resistant jackets; Wind suits; Wind vests; Windcheaters; Wind-jackets; Windproof clothing; Windproof jackets; Wind-resistant jackets; Wind-resistant vests; Windshirts; Winter boots; Winter coats; Winter gloves; Women's ceremonial dresses; Women's clothing; Women's foldable slippers; Womens' outerclothing; Women's shoes; Women's suits; Womens' underclothing; Womens' undergarments; Women's underwear; Wooden shoes; Wooden shoes [footwear]; Woolen clothing; Woollen socks; Woollen tights; Woolly hats; Work boots; Work clothes; Work overalls; Work shoes; Working overalls; Woven clothing; Woven shirts; Wrap belts for kimonos (datemaki); Wraps [clothing]; Wrist bands; Wrist warmers; Wristbands; Wristbands [clothing]; Yashmaghs; Yashmaks; Yoga bottoms; Yoga pants; Yoga shirts; Yoga shoes; Zoot suits; Zori.

105. The application will, therefore, proceed to registration in respect of the following goods only:

Class 3      Make up foundations; Make up removing preparations; Makeup; Make-up; Make-up bases in the form of pastes; Make-up for compacts; Make-up for the face; Make-up for the face and body; Make-up foundation; Make-up foundations; Make-up kits; Make-up pads of cotton wool; Make-up pencils; Make-up powder; Make-up preparations; Make-up preparations for the face and body; Make-up primer; Make-up primers; Make-up remover; Make-up removers; Make-up removing creams; Make-up removing gels; Make-up removing lotions; Make-up removing milk; Make-up removing milks; Make-up removing preparations; Makeup setting sprays; Mascara; Mascaras; Mask pack for cosmetic purposes; Masks (Beauty -); Massage candles for cosmetic purposes; Massage creams, not medicated; Massage gels other than for medical purposes; Massage gels, other than for medical purposes; Massage oil; Massage oils; Massage oils and lotions; Massage oils, not medicated; Massage waxes; Microdermabrasion polish; Milk for cosmetic purposes; Milks

[cosmetics]; Milky lotions for skin care; Mineral oils [cosmetic]; Mineral water sprays for cosmetic purposes; Mint essence [essential oil]; Mint for perfumery; Moist paper hand towels impregnated with a cosmetic lotion; Moisture body lotion; Moisturiser; Moisturisers; Moisturisers [cosmetics]; Moisturising body lotion [cosmetic]; Moisturising concentrates [cosmetic]; Moisturising creams, lotions and gels; Moisturising gels [cosmetic]; Moisturising preparations; Moisturising skin creams [cosmetic]; Moisturising skin lotions [cosmetic]; Moisturizers; Moisturizing body lotions; Moisturizing milk; Moisturizing preparations for the skin; Mould removing preparations; Mousses being hair styling aids; Mousses [cosmetics]; Mousses [toiletries] for use in styling the hair; Multifunctional cosmetics; Multifunctional makeup; Musk [natural]; Musk [perfumery]; Pencils (Cosmetic -); Pencils (Eyebrow -); Pencils for cosmetic purposes; Peppermint oil [perfumery]; Perfume; Perfume oils; Perfume oils for the manufacture of cosmetic preparations; Perfume water; Perfumed body lotions [toilet preparations]; Perfumed creams; Perfumed lotions [toilet preparations]; Perfumed oils for skin care; Perfumed potpourris; Perfumed powder; Perfumed powder [for cosmetic use]; Perfumed powders [for cosmetic use]; Perfumed soap; Perfumed soaps; Perfumed tissues; Perfumeries; Perfumery; Perfumery and fragrances; Perfumery, essential oils; Perfumery products; Perfumes; Personal deodorants; Pomanders [aromatic substances]; Pot pourri; Potpourri; Potpourris [fragrances]; Powder compact refills [cosmetics]; Powder compacts [cosmetics]; Powder (Make-up -); After shave lotions; After sun creams; After sun moisturisers; Aftershave; After-shave; Aftershave balm; Aftershave balms; After-shave balms; Aftershave creams; After-shave creams; Aftershave emulsions; After-shave emulsions; After-shave gel; Aftershave gels; Aftershave lotions; After-shave lotions; Aftershave milk; Aftershave moisturising cream; Aftershave preparations; After-shave preparations; Aftershaves; After-sun creams; After-sun lotions; After-sun lotions [for cosmetic use]; After-sun milk; After-sun milk [cosmetics]; After-sun milk for cosmetic use; After-sun milks; After-sun milks [cosmetics]; After-sun oils [cosmetics]; After-sun preparations for cosmetic use; Age retardant gel; Age

retardant lotion; Anti-ageing creams; Anti-ageing creams [for cosmetic use]; Anti-ageing moisturiser; Anti-ageing serum; Anti-aging cream; Anti-aging creams; Anti-aging creams [for cosmetic use]; Anti-aging moisturizers; Anti-aging moisturizers used as cosmetics; Anti-aging skincare preparations; Scented body creams; Scented body lotions; Scented body lotions and creams; Scented body spray; Scented ceramic stones; Scented linen sprays; Scented linen water; Scented oils; Scented soaps; Scented water; Scented wood; Scents; Soap; Eaux de toilette; Perfumes.

Class 18 Airline travel bags; All purpose sport bags; All-purpose athletic bags; All-purpose carrying bags; All-purpose leather straps; All-purpose sports bags; Alpenstocks; Animal apparel; Animal carriers [bags]; Animal covers; Animal harnesses; Animal hides; Animal leashes; Animal skins; Animal skins and hides; Animal skins, hides; Ankle-mounted wallets; Art portfolios [cases]; Articles of clothing for horses; Articles of luggage; Athletic bags; Athletics bags; Attaché bags; Attache cases; Attaché cases; Attache cases made of imitation leather; Attache cases made of leather; Back packs; Backpacks; Backpacks [rucksacks]; Baggage; Bags [envelopes, pouches] for packaging of leather; Bags [envelopes, pouches] of leather for packaging; Bags [envelopes, pouches] of leather, for packaging; Bags for campers; Bags for carrying animals; Bags for climbers; Bags for clothes; Bags for school; Bags for sports; Bags for sports clothing; Bags for travel; Bags for umbrellas; Bags (Game -) [hunting accessories]; Bags (Garment -) for travel; Bags (Net -) for shopping; Bags (Nose -) [feed bags]; Bandoliers; Bands of leather; Banknote holders; Barrel bags; Beach bags; Beach umbrellas; Beach umbrellas [beach parasols]; Beachbags; Beauty cases; Beauty cases [not fitted]; Belt bags; Belt bags and hip bags; Belt pouches; Belts (Leather shoulder -); Billfolds; Bits for animals; Bits for animals [harness]; Bits [harness]; Blankets for animals; Blankets for horses; Blinders for horses; Blinders [harness]; Blinkers for horses [blinders for horses]; Blinkers [harness]; Book bags; Boot bags; Boston bags; Boxes made of leather; Boxes of leather; Boxes of leather (Hat -); Boxes of leather or

leather board; Boxes of leather or leatherboard; Boxes of vulcanised fibre; Boxes of vulcanized fiber; Boxes of vulcanized fibre; Bridles [harness]; Bridles [harnessing]; Bridoons; Brief cases; Briefbags; Briefcases; Briefcases and attache cases; Briefcases for documents; Briefcases [leather goods]; Briefcases [leatherware]; Briefcases made of leather; Briefcase-type portfolios; Bum bags; Bumbags; Business card cases; Business cases; Butts [parts of hides]; Cabin bags; Calling card cases; Camping bags; Cane handles; Canes; Canvas bags; Canvas shopping bags; Card cases [notecases]; Card holders made of imitation leather; Card holders made of leather; Card wallets; Card wallets [leatherware]; Carriers for suits, for shirts and for dresses; Carriers for suits, shirts and dresses; Carry-all bags; Carryalls; Carrying cases; Carrying cases for documents; Carry-on bags; Cases for business cards; Cases for holding keys; Cases for keys; Cases of imitation leather; Cases of leather or leatherboard; Cases, of leather or leatherboard; Casings, of leather, for plate springs; Casings, of leather, for springs; Casual bags; Cat o' nine tails; Cattle skins; Chain mesh purses; Chamois leather, other than for cleaning purposes; Change purses; Change purses of precious metal; Charm bags (omamori-ire); Charm bags [omamori-ire]; Chin straps, of leather; Cloth bags; Clothes for animals; Clothing for animals; Clothing for dogs; Clothing for domestic pets; Clothing for pets; Cloths for saddles; Clutch purses; Clutches [purses]; Coats for cats; Coats for dogs; Coin holders; Coin purse frames; Coin purses; Coin purses not made of precious metal; Coin purses, not of precious metal; Coin purses, not of precious metals; Collars for animals; Collars for cats; Collars for pets; Collars for pets bearing medical information; Collars of animals; Combination walking sticks and umbrellas; Commutation-ticket holders; Compression cubes adapted for luggage; Conference folders; Conference portfolios; Cosmetic bags; Cosmetic bags sold empty; Cosmetic cases sold empty; Cosmetic purses; Costumes for animals; Courier bags; Coverings (Furniture -) of leather; Covers and wraps for animals; Covers for animals; Covers for horse saddles; Covers for horse-saddles; Covers for parasols; Covers for umbrellas; Covers (Umbrella -); Credit card cases;

Credit card cases [wallets]; Credit card holders; Credit card holders made of imitation leather; Credit card holders made of leather; Credit-card holders; Cribbing straps for horses; Curried skins; Daypacks; Diplomatic bags; Document cases; Document cases of leather; Document holders [carrying cases]; Dog apparel; Dog bellybands; Dog clothing; Dog coats; Dog collars; Dog leads; Dog leashes; Dog parkas; Dog shoes; Draw reins; Drawstring bags; Drawstring pouches; Driving licence cases; Duffel bags; Duffel bags for travel; Duffle bags; Electronic pet collars; Empty instrument cases for use by doctors; Envelopes, of leather, for packaging; Equine boots; Equine leg wraps; Evening purses; Face masks for equines; Fanny packs; Fastenings for saddles; Faux fur; Feed bags; Feed bags for animals; Fitted belts for luggage; Fitted protective covers for luggage; Fittings (Harness -); Flexible bags for garments; Flight bags; Fly masks for animals; Fly masks for horses; Foal slips; Folding briefcases; Folding walking sticks; Folio cases; Frames for umbrellas; Frames for umbrellas or parasols; Frames (Handbag -); Fur; Fur pelts; Furniture coverings of leather; Furniture (Leather trimmings for -); Furs sold in bulk; Fur-skins; Game bags; Game bags [hunting accessories]; Garden umbrellas; Garment bags; Garment bags for travel; Garment bags for travel made of leather; Garment carriers; Garments for pets; General purpose sport trolley bags; Girths of leather; Gladstone bags; Gold beaters' skin; Goldbeaters' skin; Golf bag tags of leather; Golf umbrellas; Grips [bags]; Grips for holding shopping bags; Grocery tote bags; Gym bags; Halters; Handbag frames; Handbag straps; [...] Purses and wallets; Handles for canes; Handles for walking-sticks; Handles (Suitcase -); Handles (Walking stick -); Harness; Harness fittings; Harness fittings of iron; Harness for animals; Harness for horses; Harness made from leather; Harness straps; Harness traces; Harnesses; Harnesses for animals; Hat boxes for travel; Hat boxes of leather; Haversacks; Headbands for horses; Head-stalls; Hides; Hiking bags; Hiking poles; Hiking rucksacks; Hiking sticks; Hip bags; Hipsacks; Holdalls; Hold-alls; Holdalls for sports clothing; Holders in the nature of cases for keys; Holders in the nature of wallets for keys; Hoof guards; Horse bits; Horse blankets; Horse bridles; Horse cloths; Horse collars;

Horse covers; Horse fly sheets; Horse halters; Horse leg wraps; Horse quarter sheets; Horse sheets; Horse tail wraps; Horseshoes; Horseshoes made of plastic; Hunters' game bags; Hunting bags; Hunting crops; Imitation hide; Imitation hides; Imitation leather; Imitation leather hat boxes; Imitation leather sold in bulk; Imitations of leather; Industrial packaging containers of leather; Inserts for luggage in the form of compression cubes; Japanese oiled-paper umbrellas (janome-gasa); Japanese paper umbrellas (karakasa); Japanese paper umbrellas [karakasa]; Japanese utility pouches (shingen-bukuro); Jockey sticks; Key bags; Key cases; Key cases [leather goods]; Key cases made of leather; Key cases of imitation leather; Key cases of leather; Key holders; Key pouches; Key wallets; Keycases; Key-cases; Key-cases of leather and skins; Keyholders; Kid; Kit bags; Knap sacks; Knapsacks; Knee-pads for horses; Knitted bags; Knitted bags, not of precious metals; Knitting bags; Kori wicker trunks; Labels for luggage; Labels of leather; Laces (Leather -); Lashes [whips]; Lead reins; Leads for animals; Leads (Leather -); Leashes for animals; Leashes (Leather -); Leather; Leather and imitation leather; Leather and imitations of leather; Leather [...] wallets; Leather boxes; Leather briefcases; Leather cases; Leather cases for keys; Leather cloth; Leather coin purses; Leather cords; Leather credit card cases; Leather credit card holder; Leather credit card wallets; Leather for furniture; Leather for harnesses; Leather for shoes; Leather (Imitation -); Leather key cases; Leather laces; Leather leads; Leather leashes; Leather luggage straps; Leather or leather-board boxes; Leather pouches; Leather purses; Leather shopping bags; Leather shoulder belts; Leather shoulder straps; Leather sold in bulk; Leather straps; Leather suitcases; Leather thongs; Leather thread; Leather trimmings for furniture; Leather twist; Leather, unworked or semi-worked; Leather [unworked or semi-worked]; Leather, unwrought or semi-wrought; Leather wallets; Leatherboard; Leathers (Stirrup -); Leggings for animals; Lockable luggage straps; Luggage; Luggage bags; Luggage, bags, wallets and other carriers; Luggage covers; Luggage label holders; Luggage labels; Luggage straps; Luggage tags; Luggage tags [leatherware]; Luggage trunks; Lunge

reins; Makeup bags; Make-up bags; Make-up bags sold empty; Make-up boxes; Make-up cases; Martingales; Mesh shopping bags; Messenger bags; Metal horseshoes; Metal luggage tags; Metal parts of umbrellas; Minaudieres; Moleskin [imitation leather]; Moleskin [imitation of leather]; Motorized suitcases; Mountaineering sticks; Multi-purpose purses; Music bags; Music cases; Muzzles; Net bags for shopping; Nightwear cases [overnight cases]; Non-metal horseshoes; Nose bags; Nose bags [feed bags]; Nose bands; Notecases; Numnahs; Outdoor umbrellas; Overnight bags; Overnight cases; Overnight suitcases; Pads for horse saddles; Parasols; Parasols [sun umbrellas]; Parts of rubber for stirrups; Patio umbrellas; Peltry; Pelts; Pet clothing; Pet hair bows; Pet leads; Pets (Clothing for -); Plastic luggage tags; Pochettes; Pocket wallets; Pocketbooks; Pocketbooks [handbags]; Polyurethane leather; Portfolio cases [briefcases]; Portmanteaus; Portmanteaux; Pouches; Pouches for holding make-up, keys and other personal items; Pouches of leather; Pouches, of leather, for packaging; Pouchettes; Poultry blinders to prevent fighting; Protective suit carriers; Purse frames; Purse frames [handbags]; Purses; Purses [leatherware]; Purses made of precious metal; Purses, not made of precious metal; Purses not made of precious metal; Purses, not made of precious metal [handbags]; Purses [not of precious metal]; Purses, not of precious metal; Purses, not of precious metal [handbags]; Purses of precious metal; Rainproof parasols; Randsels; Randsels [Japanese school satchels]; Rattan canes; Raw skins; Rawhide chews for dogs; Rawhides; Reins; Reins [harness]; Reusable shopping bags; Ribs (Umbrella or parasol -); Riding crops; Riding saddles; Riding whips; Roll bags; Roller bags; Roller suitcases; Rubber luggage tags; Rubber parts for stirrups; Ruck sacks; Rucksacks; Rucksacks for mountaineers; Rucksacks on castors; Saddle belts; Saddle blankets; Saddle cloths; Saddle cloths for horses; Saddle covers; Saddle pads; Saddle trees; Saddlebags; Saddlecloths for horses; Saddlery; Saddlery of leather; Saddlery, whips and apparel for animals; Saddles (Pads for horse -); Saddletrees; Satchels; Satchels (School -); School backpacks; School bags; School book bags; School knapsacks; School satchels; Schoolbags; Schoolchildren's backpacks;



Semi-worked fur; Shaving bags sold empty; Sheets of imitation leather for use in manufacture; Sheets of leather for use in manufacture; Shoe bags; Shoe bags for travel; Shooting sticks; Shopping bags; Shopping bags made of skin; Shopping bags with wheels attached; Shoulder belts; Shoulder belts [straps] of leather; Shoulder straps; Skates (Straps for -); Skin (Goldbeaters' -); Skins and hides; Skins (Animal -); Skins (Cattle -); Skins of chamois, other than for cleaning purposes; Small backpacks; Small clutch purses; Small purses; Small rucksacks; Small suitcases; Soldiers' equipment (Straps for -); Souvenir bags; Spats and knee bandages for horses; Specialty holsters adapted for carrying folding walking sticks; Sport bags; Sports bags; Sports [Bags for -]; Sports packs; Springs (Casings, of leather, for plate -); Spur straps; Sticks incorporating seats; Sticks (Mountaineering -); Stirrup leathers; Stirrup straps; Stirrups; Stirrups of metal; Stirrups (Parts of rubber for -); Straps for coin purses; Straps for handbags; Straps for luggage; Straps for skates; Straps for soldiers' equipment; Straps for suitcases; Straps (Harness -); Straps (Leather -); Straps (Leather shoulder -); Straps made of imitation leather; Straps of leather [saddlery]; String bags for shopping; Stud hole plugs for horseshoes; Studs of leather; Suit bags; Suit carriers; Suitcase handles; Suitcases; Suitcases, motorized, rideable; Suitcases with wheels; Sun umbrellas; Sun umbrellas [hand-held]; Sunshade parasols; Synthetic leather; Tags for luggage; Tanned leather; Tefillin [phylacteries]; Telescopic umbrellas; Textile shopping bags; Thread (Leather -); Tie cases; Tie cases for travel; Toilet bags; Toiletry bags; Toiletry bags sold empty; Toiletry cases sold empty; Tool bags, empty; Tool bags [empty] for motor cycles; Tool bags of leather, empty; Tool bags sold empty; Tool pouches, sold empty; Tool pouches sold empty; Towelling bags; Traces [harness]; Training leads for horses; Travel baggage; Travel bags; Travel bags made of plastic materials; Travel cases; Travel garment covers; Travel luggage; Traveling bags; Traveling sets; Traveling sets [leatherware]; Traveling trunks; Travelling bags; Travelling bags [leatherware]; Travelling bags made of imitation leather; Travelling bags made of leather; Travelling cases; Travelling cases of leather; Travelling sets; Travelling sets [leatherware]; Travelling

trunks; Trekking sticks; Trimmings of leather for furniture; Trolley duffels; Trunks and suitcases; Trunks and traveling bags; Trunks and travelling bags; Trunks [luggage]; Two-wheeled shopping bags; Umbrella bags; Umbrella covers; Umbrella frames; Umbrella handles; Umbrella or parasol ribs; Umbrella rings; Umbrella sticks; Umbrellas; Umbrellas and parasols; Umbrellas for children; Unfitted vanity cases; Unworked leather; Valises; Valves of leather; Vanity cases, not fitted; Vanity cases sold empty; Wading staffs; Waist bags; Waist packs; Waist pouches; Walking cane handles; Walking staffs; Walking stick handles; Walking stick seats; Walking sticks; Wallets; Wallets for attachment to belts; Wallets including card holders; Wallets incorporating card holders; Wallets, not of precious metal; Wallets [not of precious metal]; Wallets of precious metal; Wallets (Pocket -); Wallets with card compartments; Wash bags for carrying toiletries; Wash bags (not fitted); Waterproof bags; Weekend bags; Wheeled bags; Wheeled luggage; Wheeled shopping bags; Wheeled suitcases; Whips; Work bags; Worked or semi-worked hides and other leather; Wrist mounted carryall bags; Wrist mounted purses; Wrist-mounted wallets.

Class 25 Boot cuffs; Boot uppers; Bra straps; Bra straps [parts of clothing]; Cap peaks; Cap visors; Cleats for attachment to sports shoes; Collar guards for protecting clothing collars; Collar liners for protecting clothing collars; Collar protectors; Embossed heels of rubber or of plastic materials; Embossed soles of rubber or of plastic materials; Fittings of metal for boots and shoes; Fittings of metal for footwear; Football boots (Studs for -); Footwear (Fittings of metal for -); Footwear (Non-slipping devices for -); Footwear soles; Footwear (Tips for -); Footwear uppers; Footwear (Welts for -); Frames (Hat -) [skeletons]; Gaiter straps; Gussets for bathing suits [parts of clothing]; Gussets for footlets [parts of clothing]; Gussets for leotards [parts of clothing]; Gussets for stockings [parts of clothing]; Gussets for tights [parts of clothing]; Gussets for underwear [parts of clothing]; Gussets [parts of clothing]; Heel inserts; Heel pieces for shoes; Heel pieces for stockings; Heelpieces for footwear; Heelpieces for stockings; Heels; Hoods; Hoods [clothing]; Inner soles;

Insoles; Insoles for footwear; Insoles for shoes and boots; Insoles [for shoes and boots]; Intermediate soles; Jacket liners; Linings (Ready-made -) [parts of clothing]; Metal fittings for Japanese style wooden clogs; Non-slipping devices for footwear; Peaks (Cap -); Protective metal members for shoes and boots; Pullstraps for shoes and boots; Ready-made linings [parts of clothing]; Rubbers [footwear]; Shoe covers, other than for medical purposes; Shoe inserts for non-orthopedic purposes; Shoe soles; Shoe soles for repair; Shoe straps; Shoe uppers; Shoes soles for repair; Ski and snowboard shoes and parts thereof; Slipper soles; Soles for footwear; Soles for Japanese style sandals; Soles [Inner]; Spats; Stockings (Heel pieces for -); Straps (Gaiter -); String fasteners for haori (haori-himo); Studs for football boots; Tips for footwear; Toe boxes; Toe straps for Japanese style sandals [zori]; Toe straps for Japanese style wooden clogs; Toe straps for zori [Japanese style sandals]; Tongues for shoes and boots; Traction attachments for footwear; Trouser straps; Underarm gussets [parts of clothing]; Uppers (Footwear -); Uppers for Japanese style sandals; Uppers of woven rattan for Japanese style sandals; Visors [hatmaking]; Welts for footwear; Wooden bodies for Japanese style clogs; Wooden main bodies of Japanese style wooden clogs; Wooden supports of Japanese style wooden clogs; Yokes (Shirt -);

## **COSTS**

106. As the parties have both been partially successful, I do not consider that it would be appropriate to make an award of costs in either of their favour.

**Dated 25 July 2019**

**S WILSON**

**For the Registrar**

## ANNEX

The applicant seeks registration for the following goods:

### Class 3

Make up foundations; Make up removing preparations; Makeup; Make-up; Make-up bases in the form of pastes; Make-up for compacts; Make-up for the face; Make-up for the face and body; Make-up foundation; Make-up foundations; Make-up kits; Make-up pads of cotton wool; Make-up pencils; Make-up powder; Make-up preparations; Make-up preparations for the face and body; Make-up primer; Make-up primers; Make-up remover; Make-up removers; Make-up removing creams; Make-up removing gels; Make-up removing lotions; Make-up removing milk; Make-up removing milks; Make-up removing preparations; Makeup setting sprays; Mascara; Mascaras; Mask pack for cosmetic purposes; Masks (Beauty -); Massage candles for cosmetic purposes; Massage creams, not medicated; Massage gels other than for medical purposes; Massage gels, other than for medical purposes; Massage oil; Massage oils; Massage oils and lotions; Massage oils, not medicated; Massage waxes; Microdermabrasion polish; Milk for cosmetic purposes; Milks [cosmetics]; Milky lotions for skin care; Mineral oils [cosmetic]; Mineral water sprays for cosmetic purposes; Mint essence [essential oil]; Mint for perfumery; Moist paper hand towels impregnated with a cosmetic lotion; Moisture body lotion; Moisturiser; Moisturisers; Moisturisers [cosmetics]; Moisturising body lotion [cosmetic]; Moisturising concentrates [cosmetic]; Moisturising creams, lotions and gels; Moisturising gels [cosmetic]; Moisturising preparations; Moisturising skin creams [cosmetic]; Moisturising skin lotions [cosmetic]; Moisturizers; Moisturizing body lotions; Moisturizing milk; Moisturizing preparations for the skin; Mould removing preparations; Mousses being hair styling aids; Mousses [cosmetics]; Mousses [toiletries] for use in styling the hair; Multifunctional cosmetics; Multifunctional makeup; Musk [natural]; Musk [perfumery]; Pencils (Cosmetic -); Pencils (Eyebrow -); Pencils for cosmetic purposes; Peppermint oil [perfumery]; Perfume; Perfume oils; Perfume oils for the manufacture of cosmetic preparations; Perfume water; Perfumed body lotions [toilet preparations]; Perfumed creams; Perfumed lotions [toilet preparations]; Perfumed oils for skin care; Perfumed potpourris; Perfumed powder; Perfumed powder [for cosmetic use]; Perfumed powders [for cosmetic use]; Perfumed soap; Perfumed soaps; Perfumed tissues;

Perfumeries; Perfumery; Perfumery and fragrances; Perfumery, essential oils; Perfumery products; Perfumes; Personal deodorants; Pomanders [aromatic substances]; Pot pourri; Potpourri; Potpourris [fragrances]; Powder compact refills [cosmetics]; Powder compacts [cosmetics]; Powder (Make-up -); After shave lotions; After sun creams; After sun moisturisers; Aftershave; After-shave; Aftershave balm; Aftershave balms; After-shave balms; Aftershave creams; After-shave creams; Aftershave emulsions; After-shave emulsions; After-shave gel; Aftershave gels; Aftershave lotions; After-shave lotions; Aftershave milk; Aftershave moisturising cream; Aftershave preparations; After-shave preparations; Aftershaves; After-sun creams; After-sun lotions; After-sun lotions [for cosmetic use]; After-sun milk; After-sun milk [cosmetics]; After-sun milk for cosmetic use; After-sun milks; After-sun milks [cosmetics]; After-sun oils [cosmetics]; After-sun preparations for cosmetic use; Age retardant gel; Age retardant lotion; Anti-ageing creams; Anti-ageing creams [for cosmetic use]; Anti-ageing moisturiser; Anti-ageing serum; Anti-aging cream; Anti-aging creams; Anti-aging creams [for cosmetic use]; Anti-aging moisturizers; Anti-aging moisturizers used as cosmetics; Anti-aging skincare preparations; Scented body creams; Scented body lotions; Scented body lotions and creams; Scented body spray; Scented ceramic stones; Scented linen sprays; Scented linen water; Scented oils; Scented soaps; Scented water; Scented wood; Scents; Soap; Eaux de toilette; Perfumes.

### Class 18

Airline travel bags; All purpose sport bags; All-purpose athletic bags; All-purpose carrying bags; All-purpose leather straps; All-purpose sports bags; Alpenstocks; Animal apparel; Animal carriers [bags]; Animal covers; Animal harnesses; Animal hides; Animal leashes; Animal skins; Animal skins and hides; Animal skins, hides; Ankle-mounted wallets; Art portfolios [cases]; Articles of clothing for horses; Articles of luggage; Artificial fur bags; Athletic bags; Athletics bags; Attaché bags; Attache cases; Attaché cases; Attache cases made of imitation leather; Attache cases made of leather; Baby backpacks; Baby carriers [slings or harnesses]; Baby carriers worn on the body; Baby carrying bags; Back frames for carrying children; Back packs; Backpacks; Backpacks for carrying babies; Backpacks [rucksacks]; Baggage; Bags; Bags [envelopes, pouches] for packaging of leather; Bags [envelopes, pouches] of leather for packaging; Bags [envelopes, pouches] of leather, for packaging; Bags for

campers; Bags for carrying animals; Bags for climbers; Bags for clothes; Bags for school; Bags for sports; Bags for sports clothing; Bags for travel; Bags for umbrellas; Bags (Game -) [hunting accessories]; Bags (Garment -) for travel; Bags made of imitation leather; Bags made of leather; Bags (Net -) for shopping; Bags (Nose -) [feed bags]; Bandoliers; Bands of leather; Banknote holders; Barrel bags; Beach bags; Beach umbrellas; Beach umbrellas [beach parasols]; Beachbags; Beauty cases; Beauty cases [not fitted]; Belt bags; Belt bags and hip bags; Belt pouches; Belts (Leather shoulder -); Billfolds; Bits for animals; Bits for animals [harness]; Bits [harness]; Blankets for animals; Blankets for horses; Blinders for horses; Blinders [harness]; Blinkers for horses [blinders for horses]; Blinkers [harness]; Book bags; Boot bags; Boston bags; Boxes made of leather; Boxes of leather; Boxes of leather (Hat -); Boxes of leather or leather board; Boxes of leather or leatherboard; Boxes of vulcanised fibre; Boxes of vulcanized fiber; Boxes of vulcanized fibre; Bridles [harness]; Bridles [harnessing]; Bridoons; Brief cases; Briefbags; Briefcases; Briefcases and attache cases; Briefcases for documents; Briefcases [leather goods]; Briefcases [leatherware]; Briefcases made of leather; Briefcase-type portfolios; Bucket bags; Bum bags; Bumbags; Business card cases; Business cases; Butts [parts of hides]; Cabin bags; Calling card cases; Camping bags; Cane handles; Canes; Canvas bags; Canvas shopping bags; Card cases [notecases]; Card holders made of imitation leather; Card holders made of leather; Card wallets; Card wallets [leatherware]; Carriers for suits, for shirts and for dresses; Carriers for suits, shirts and dresses; Carry-all bags; Carryalls; Carrying cases; Carrying cases for documents; Carry-on bags; Cases for business cards; Cases for holding keys; Cases for keys; Cases of imitation leather; Cases of leather or leatherboard; Cases, of leather or leatherboard; Casings, of leather, for plate springs; Casings, of leather, for springs; Casual bags; Cat o' nine tails; Cattle skins; Chain mesh purses; Chamois leather, other than for cleaning purposes; Change purses; Change purses of precious metal; Changing bags; Charm bags (omamori-ire); Charm bags [omamori-ire]; Children's shoulder bags; Chin straps, of leather; Cloth bags; Clothes for animals; Clothing for animals; Clothing for dogs; Clothing for domestic pets; Clothing for pets; Cloths for saddles; Clutch bags; Clutch handbags; Clutch purses; Clutch purses [handbags]; Clutches [purses]; Coats for cats; Coats for dogs; Coin holders; Coin purse frames; Coin purses; Coin purses not made of precious metal; Coin purses, not of precious metal; Coin purses, not of precious metals; Collars for animals; Collars for cats; Collars for pets; Collars for pets

bearing medical information; Collars of animals; Combination walking sticks and umbrellas; Commutation-ticket holders; Compression cubes adapted for luggage; Conference folders; Conference portfolios; Cosmetic bags; Cosmetic bags sold empty; Cosmetic cases sold empty; Cosmetic purses; Costumes for animals; Courier bags; Coverings (Furniture -) of leather; Covers and wraps for animals; Covers for animals; Covers for horse saddles; Covers for horse-saddles; Covers for parasols; Covers for umbrellas; Covers (Umbrella -); Credit card cases; Credit card cases [wallets]; Credit card holders; Credit card holders made of imitation leather; Credit card holders made of leather; Credit-card holders; Cribbing straps for horses; Crossbody bags; Cross-body bags; Curried skins; Daypacks; Diaper bags; Diplomatic bags; Document cases; Document cases of leather; Document holders [carrying cases]; Dog apparel; Dog bellybands; Dog clothing; Dog coats; Dog collars; Dog leads; Dog leashes; Dog parkas; Dog shoes; Draw reins; Drawstring bags; Drawstring pouches; Driving licence cases; Duffel bags; Duffel bags for travel; Duffle bags; Electronic pet collars; Empty instrument cases for use by doctors; Envelopes, of leather, for packaging; Equine boots; Equine leg wraps; Evening bags; Evening handbags; Evening purses; Face masks for equines; Fanny packs; Fashion handbags; Fastenings for saddles; Faux fur; Feed bags; Feed bags for animals; Fitted belts for luggage; Fitted protective covers for luggage; Fittings (Harness -); Flexible bags for garments; Flight bags; Fly masks for animals; Fly masks for horses; Foal slips; Folding briefcases; Folding walking sticks; Folio cases; Frames for umbrellas; Frames for umbrellas or parasols; Frames (Handbag -); Fur; Fur pelts; Furniture coverings of leather; Furniture (Leather trimmings for -); Furs sold in bulk; Fur-skins; Game bags; Game bags [hunting accessories]; Garden umbrellas; Garment bags; Garment bags for travel; Garment bags for travel made of leather; Garment carriers; Garments for pets; General purpose sport trolley bags; Gentlemen's handbags; Gent's handbags; Girths of leather; Gladstone bags; Gold beaters' skin; Goldbeaters' skin; Golf bag tags of leather; Golf umbrellas; Grips [bags]; Grips for holding shopping bags; Grocery tote bags; Gym bags; Halters; Hand bags; Handbag frames; Handbag straps; Handbags; Handbags for ladies; Handbags for men; Handbags made of imitations leather; Handbags made of leather; Handbags, not made of precious metal; Handbags, not of precious metal; Handbags, purses and wallets; Handles for canes; Handles for walking-sticks; Handles (Suitcase -); Handles (Walking stick -); Harness; Harness fittings; Harness fittings of iron; Harness for animals; Harness for horses; Harness

made from leather; Harness straps; Harness traces; Harnesses; Harnesses for animals; Hat boxes for travel; Hat boxes of leather; Haversacks; Headbands for horses; Head-stalls; Hides; Hiking bags; Hiking poles; Hiking rucksacks; Hiking sticks; Hip bags; Hipsacks; Holdalls; Hold-alls; Holdalls for sports clothing; Holders in the nature of cases for keys; Holders in the nature of wallets for keys; Hoof guards; Horse bits; Horse blankets; Horse bridles; Horse cloths; Horse collars; Horse covers; Horse fly sheets; Horse halters; Horse leg wraps; Horse quarter sheets; Horse sheets; Horse tail wraps; Horseshoes; Horseshoes made of plastic; Hunters' game bags; Hunting bags; Hunting crops; Imitation hide; Imitation hides; Imitation leather; Imitation leather bags; Imitation leather hat boxes; Imitation leather sold in bulk; Imitations of leather; Industrial packaging containers of leather; Infant carriers worn on the body; Inserts for luggage in the form of compression cubes; Japanese oiled-paper umbrellas (janome-gasa); Japanese paper umbrellas (karakasa); Japanese paper umbrellas [karakasa]; Japanese utility pouches (shingen-bukuro); Jockey sticks; Key bags; Key cases; Key cases [leather goods]; Key cases made of leather; Key cases of imitation leather; Key cases of leather; Key holders; Key pouches; Key wallets; Keycases; Key-cases; Key-cases of leather and skins; Keyholders; Kid; Kit bags; Knap sacks; Knapsacks; Kneepads for horses; Knitted bags; Knitted bags, not of precious metals; Knitting bags; Kori wicker trunks; Labels for luggage; Labels of leather; Laces (Leather -); Ladies handbags; Ladies' handbags; Lashes [whips]; Lead reins; Leads for animals; Leads (Leather -); Leashes for animals; Leashes (Leather -); Leather; Leather and imitation leather; Leather and imitations of leather; Leather bags; Leather bags and wallets; Leather boxes; Leather briefcases; Leather cases; Leather cases for keys; Leather cloth; Leather coin purses; Leather cords; Leather credit card cases; Leather credit card holder; Leather credit card wallets; Leather for furniture; Leather for harnesses; Leather for shoes; Leather handbags; Leather (Imitation -); Leather key cases; Leather laces; Leather leads; Leather leashes; Leather luggage straps; Leather or leatherboard boxes; Leather pouches; Leather purses; Leather shopping bags; Leather shoulder belts; Leather shoulder straps; Leather sold in bulk; Leather straps; Leather suitcases; Leather thongs; Leather thread; Leather trimmings for furniture; Leather twist; Leather, unworked or semi-worked; Leather [unworked or semi-worked]; Leather, unwrought or semi-wrought; Leather wallets; Leatherboard; Leathers (Stirrup -); Leggings for animals; Lockable luggage straps; Luggage; Luggage bags; Luggage, bags, wallets and other carriers; Luggage covers; Luggage label holders; Luggage



labels; Luggage straps; Luggage tags; Luggage tags [leatherware]; Luggage trunks; Lunge reins; Makeup bags; Make-up bags; Make-up bags sold empty; Make-up boxes; Make-up cases; Martingales; Mesh shopping bags; Messenger bags; Metal horseshoes; Metal luggage tags; Metal parts of umbrellas; Minaudieres; Moleskin [imitation leather]; Moleskin [imitation of leather]; Motorized suitcases; Mountaineering sticks; Multi-purpose purses; Music bags; Music cases; Muzzles; Nappy bags; Nappy wallets; Net bags for shopping; Nightwear cases [overnight cases]; Non-metal horseshoes; Nose bags; Nose bags [feed bags]; Nose bands; Notecases; Numnahs; Outdoor umbrellas; Overnight bags; Overnight cases; Overnight suitcases; Pads for horse saddles; Parasols; Parasols [sun umbrellas]; Parts of rubber for stirrups; Patio umbrellas; Peltry; Pelts; Pet clothing; Pet hair bows; Pet leads; Pets (Clothing for -); Plastic luggage tags; Pochettes; Pocket wallets; Pocketbooks; Pocketbooks [handbags]; Polyurethane leather; Portfolio cases [briefcases]; Portmanteaus; Portmanteaux; Pouch baby carriers; Pouches; Pouches for holding make-up, keys and other personal items; Pouches of leather; Pouches, of leather, for packaging; Pouchettes; Poultry blinders to prevent fighting; Protective suit carriers; Purse frames; Purse frames [handbags]; Purses; Purses [leatherware]; Purses made of precious metal; Purses, not made of precious metal; Purses not made of precious metal; Purses, not made of precious metal [handbags]; Purses [not of precious metal]; Purses, not of precious metal; Purses, not of precious metal [handbags]; Purses of precious metal; Rainproof parasols; Randsels; Randsels [Japanese school satchels]; Rattan canes; Raw skins; Rawhide chews for dogs; Rawhides; Reins; Reins for guiding children; Reins [harness]; Reticules; Reusable shopping bags; Ribs (Umbrella or parasol -); Riding crops; Riding saddles; Riding whips; Roll bags; Roller bags; Roller suitcases; Rubber luggage tags; Rubber parts for stirrups; Ruck sacks; Rucksacks; Rucksacks for mountaineers; Rucksacks on castors; Saddle belts; Saddle blankets; Saddle cloths; Saddle cloths for horses; Saddle covers; Saddle pads; Saddle trees; Saddlebags; Saddlecloths for horses; Saddlery; Saddlery of leather; Saddlery, whips and apparel for animals; Saddles (Pads for horse -); Saddletrees; Satchels; Satchels (School -); School backpacks; School bags; School book bags; School knapsacks; School satchels; Schoolbags; Schoolchildren's backpacks; Semi-worked fur; Shaving bags sold empty; Sheets of imitation leather for use in manufacture; Sheets of leather for use in manufacture; Shoe bags; Shoe bags for travel; Shooting sticks; Shopping bags; Shopping bags made of skin; Shopping bags with wheels attached; Shoulder

bags; Shoulder belts; Shoulder belts [straps] of leather; Shoulder straps; Skates (Straps for -); Skin (Goldbeaters' -); Skins and hides; Skins (Animal -); Skins (Cattle -); Skins of chamois, other than for cleaning purposes; Sling bags; Sling bags for carrying babies; Sling bags for carrying infants; Slings for babies; Slings for carrying babies; Slings for carrying infants; Slouch handbags; Small backpacks; Small bags for men; Small clutch purses; Small purses; Small rucksacks; Small suitcases; Soldiers' equipment (Straps for -); Souvenir bags; Spats and knee bandages for horses; Specialty holsters adapted for carrying folding walking sticks; Sporrans; Sport bags; Sports bags; Sports [Bags for -]; Sports packs; Springs (Casings, of leather, for plate -); Spur straps; Sticks incorporating seats; Sticks (Mountaineering -); Stirrup leathers; Stirrup straps; Stirrups; Stirrups of metal; Stirrups (Parts of rubber for -); Straps for coin purses; Straps for handbags; Straps for luggage; Straps for skates; Straps for soldiers' equipment; Straps for suitcases; Straps (Harness -); Straps (Leather -); Straps (Leather shoulder -); Straps made of imitation leather; Straps of leather [saddlery]; String bags for shopping; Stud hole plugs for horseshoes; Studs of leather; Suit bags; Suit carriers; Suitcase handles; Suitcases; Suitcases, motorized, rideable; Suitcases with wheels; Sun umbrellas; Sun umbrellas [hand-held]; Sunshade parasols; Synthetic leather; Tags for luggage; Tanned leather; Tefillin [phylacteries]; Telescopic umbrellas; Textile shopping bags; Thread (Leather -); Tie cases; Tie cases for travel; Toilet bags; Toiletry bags; Toiletry bags sold empty; Toiletry cases sold empty; Tool bags, empty; Tool bags [empty] for motor cycles; Tool bags of leather, empty; Tool bags sold empty; Tool pouches, sold empty; Tool pouches sold empty; Tote bags; Towelling bags; Traces [harness]; Training leads for horses; Travel baggage; Travel bags; Travel bags made of plastic materials; Travel cases; Travel garment covers; Travel luggage; Traveling bags; Traveling sets; Traveling sets [leatherware]; Traveling trunks; Travelling bags; Travelling bags [leatherware]; Travelling bags made of imitation leather; Travelling bags made of leather; Travelling cases; Travelling cases of leather; Travelling handbags; Travelling sets; Travelling sets [leatherware]; Travelling trunks; Trekking sticks; Trimmings of leather for furniture; Trolley duffels; Trunks and suitcases; Trunks and traveling bags; Trunks and travelling bags; Trunks [luggage]; Two-wheeled shopping bags; Umbrella bags; Umbrella covers; Umbrella frames; Umbrella handles; Umbrella or parasol ribs; Umbrella rings; Umbrella sticks; Umbrellas; Umbrellas and parasols; Umbrellas for children; Unfitted vanity cases; Unworked leather; Valises; Valves of leather; Vanity cases, not fitted;

Vanity cases sold empty; Wading staffs; Waist bags; Waist packs; Waist pouches; Walking cane handles; Walking staffs; Walking stick handles; Walking stick seats; Walking sticks; Wallets; Wallets for attachment to belts; Wallets including card holders; Wallets incorporating card holders; Wallets, not of precious metal; Wallets [not of precious metal]; Wallets of precious metal; Wallets (Pocket -); Wallets with card compartments; Wash bags for carrying toiletries; Wash bags (not fitted); Waterproof bags; Weekend bags; Wheeled bags; Wheeled luggage; Wheeled shopping bags; Wheeled suitcases; Whips; Work bags; Worked or semi-worked hides and other leather; Wrist mounted carryall bags; Wrist mounted purses; Wrist-mounted wallets.

### Class 25

Adhesive bras; After ski boots; Aikido suits; Aikido uniforms; Albs; Aloha shirts; American football bibs; American football pants; American football shirts; American football shorts; American football socks; Anglers' shoes; Ankle boots; Ankle socks; Anklets [socks]; Anoraks; Anoraks [parkas]; Anti-perspirant socks; Anti-sweat underclothing; Anti-sweat underwear; Après-ski boots; Apres-ski shoes; Aprons; Aprons [clothing]; Aqua shoes; Arm warmers [clothing]; Army boots; Articles of clothing; Articles of clothing for theatrical use; Articles of clothing made of hides; Articles of clothing made of leather; Articles of outer clothing; Articles of sports clothing; Articles of underclothing; Ascots; Ascots (ties); Athletic clothing; Athletic footwear; Athletic shoes; Athletic tights; Athletic uniforms; Athletics footwear; Athletics hose; Athletics shoes; Athletics vests; Babies' clothing; Babies' outerclothing; Babies' pants [clothing]; Babies' pants [underwear]; Babies' undergarments; Babushkas; Baby bibs [not of paper]; Baby bodysuits; Baby boots; Baby bottoms; Baby clothes; Baby doll pyjamas; Baby layettes for clothing; Baby pants; Baby sandals; Baby tops; Balaclavas; Ball gowns; Ballet shoes; Ballet slippers; Ballet suits; Ballroom dancing shoes; Bandanas; Bandanas [neckerchiefs]; Bandannas; Bandeaux [clothing]; Barber smocks; Baseball caps; Baseball caps and hats; Baseball hats; Baseball shoes; Baseball uniforms; Baselayer bottoms; Baselayer tops; Basic upper garment of Korean traditional clothes [Jeogori]; Basketball shoes; Basketball sneakers; Bath robes; Bath sandals; Bath shoes; Bath slippers; Bathing caps; Bathing costumes; Bathing costumes for women; Bathing drawers; Bathing suit cover-ups; Bathing suits; Bathing suits for men; Bathing trunks; Bathrobes; Bathwraps; Beach clothes; Beach clothing; Beach cover-ups; Beach footwear; Beach hats; Beach robes; Beach shoes;

Beach wraps; Beachwear; Beanie hats; Beanies; Bed jackets; Bed socks; Belts [clothing]; Belts for clothing; Belts made from imitation leather; Belts made of leather; Belts made out of cloth; Belts (Money -) [clothing]; Belts of textile; Berets; Bermuda shorts; Bib overalls for hunting; Bib shorts; Bib tights; Bibs, not of paper; Bibs, sleeved, not of paper; Bikinis; Blazers; Bloomers; Blouses; Blouson jackets; Blousons; Blue jeans; Board shorts; Boardshorts; Boas; Boas [clothing]; Boas [necklets]; Boaters; Bobble hats; Bodices; Bodices [lingerie]; Bodies [clothing]; Bodies [underclothing]; Body linen [garments]; Body stockings; Body suits; Body warmers; Bodysuits; Boiler suits; Boleros; Bolo ties; Bolo ties with precious metal tips; Bomber jackets; Bonnets; Bonnets [headwear]; Boot cuffs; Boot uppers; Bootees (woollen baby shoes); Booties; Boots; Boots for motorcycling; Boots for sport; Boots for sports; Boots (Ski -); Bottoms [clothing]; Bow ties; Bowling shoes; Bowties; Boxer briefs; Boxer shorts; Boxing shoes; Boxing shorts; Boy shorts [underwear]; Boys' clothing; Bra straps; Bra straps [parts of clothing]; Braces as suspenders; Braces for clothing; Braces for clothing [suspenders]; Braces [suspenders]; Bralettes; Bras; Brassieres; Breeches; Breeches for wear; Bridal garters; Bridal gowns; Bridesmaid dresses; Bridesmaids wear; Briefs; Briefs [underwear]; Bucket caps; Burnouses; Bushjackets; Bustiers; Bustle holder bands for obi (obiage); Bustles for obi-knots (obiage-shin); Button down shirts; Button-front aloha shirts; Caftans; Cagoules; Camiknickers; Camisoles; Camouflage gloves; Camouflage jackets; Camouflage pants; Camouflage shirts; Camouflage vests; Canvas shoes; Cap peaks; Cap visors; Capelets; Capes; Capes (clothing); Caps; Caps being headwear; Caps [headwear]; Caps (Shower -); Caps with visors; Car coats; Cardigans; Cargo pants; Cashmere clothing; Cashmere scarves; Casual clothing; Casual footwear; Casual jackets; Casual shirts; Casual trousers; Casual wear; Casualwear; Chaps; Chaps (clothing); Chasubles; Chefs' hats; Chefs' whites; Chemise tops; Chemises; Chemisettes; Cheongsams (Chinese gowns); Children's clothing; Childrens' clothing; Children's footwear; Children's headwear; Children's outerclothing; Children's wear; Chino pants; Choir robes; Christening gowns; Christening robes; Cleats for attachment to sports shoes; Climbing boots; Climbing boots [mountaineering boots]; Climbing footwear; Cloaks; Clogs; Cloth bibs; Cloth bibs for adult diners; Clothes; Clothes for sport; Clothes for sports; Clothing; Clothing for babies; Clothing for children; Clothing for cycling; Clothing for cyclists; Clothing for fishermen; Clothing for gymnastics; Clothing for horse-riding [other than riding hats]; Clothing for infants; Clothing for leisure wear; Clothing for martial arts; Clothing for

men, women and children; Clothing for skiing; Clothing for sports; Clothing for wear in judo practices; Clothing for wear in wrestling games; Clothing layettes; Clothing made of fur; Clothing made of imitation leather; Clothing made of leather; Clothing of imitations of leather; Clothing of leather; Coats; Coats for men; Coats for women; Coats made of cotton; Coats of denim; Coats (Top -); Cocktail dresses; Collar guards for protecting clothing collars; Collar liners for protecting clothing collars; Collar protectors; Collared shirts; Collars; Collars [clothing]; Collars for dresses; Combative sports uniforms; Combinations [clothing]; Corduroy pants; Corduroy shirts; Corduroy trousers; Corselets; Corsets; Corsets [clothing, foundation garments]; Corsets [foundation clothing]; Corsets [underclothing]; Costumes; Costumes for use in children's dress up play; Costumes for use in role-playing games; Costumes (Masquerade -); Cotton coats; Coveralls; Coverups; Cover-ups; Cowls [clothing]; Cravates; Cravats; Crew neck sweaters; Crinolines; Crop tops; Cuffs; Culotte skirts; Culottes; Cummerbunds; Cycling caps; Cycling Gloves; Cycling pants; Cycling shoes; Cycling shorts; Cycling tops; Cyclists' clothing; Dance clothing; Dance costumes; Dance shoes; Dance slippers; Deck shoes; Deck-shoes; Denim coats; Denim jackets; Denim jeans; Denim pants; Denims [clothing]; Desert boots; Detachable collars; Detachable neckpieces for kimonos (haneri); Dinner jackets; Dinner suits; Disposable slippers; Disposable underwear; Donkey jackets; Down jackets; Down vests; Drawers as clothing; Drawers [clothing]; Dress pants; Dress shields; Dress shirts; Dress shoes; Dress suits; Dresses; Dresses for evening wear; Dresses for infants and toddlers; Dresses made from skins; Dressing gowns; Driving gloves; Driving shoes; Dry suits; Duffel coats; Duffle coats; Dungarees; Dust coats; Ear muffs; Ear muffs [clothing]; Ear warmers; Earbands; Earmuffs; Embossed heels of rubber or of plastic materials; Embossed soles of rubber or of plastic materials; Espadrilles; Esparto shoes or sandals; Esparto shoes or sandals; Evening coats; Evening dresses; Evening gowns; Evening suits; Evening wear; Exercise wear; Eye masks; Fabric belts; Fabric belts [clothing]; Fake fur hats; Fancy dress costumes; Fascinator hats; Fashion hats; Fedoras; Fezzes; Figure skating clothing; Fingerless gloves; Fingerless gloves as clothing; Fishermen's jackets; Fishing boots; Fishing clothing; Fishing footwear; Fishing headwear; Fishing jackets; Fishing shirts; Fishing smocks; Fishing vests; Fishing waders; Fitted swimming costumes with bra cups; Fittings of metal for boots and shoes; Fittings of metal for footwear; Flat caps; Flat shoes; Fleece pullovers; Fleece shorts; Fleece tops; Fleece vests; Fleeces; Flip-flops; Flip-flops for use as

footwear; Flying suits; Foam pedicure slippers; Folk costumes; Foot volleyball shoes; Football boots; Football boots (Studs for -); Football jerseys; Football shirts; Football shoes; Footless socks; Footless tights; Footmuffs, not electrically heated; Footwear; Footwear [excluding orthopedic footwear]; Footwear (Fittings of metal for -); Footwear for men; Footwear for men and women; Footwear for snowboarding; Footwear for sport; Footwear for sports; Footwear for track and field athletics; Footwear for use in sport; Footwear for women; Footwear made of vinyl; Footwear made of wood; Footwear (Non-slipping devices for -); Footwear not for sports; Footwear soles; Footwear (Tips for -); Footwear uppers; Footwear (Welts for -); Formal evening wear; Formal wear; Formalwear; Foulards [clothing articles]; Foundation garments; Frames (Hat -) [skeletons]; Frock coats; Full-length kimonos (nagagi); Functional underwear; Fur cloaks; Fur coats; Fur coats and jackets; Fur hats; Fur jackets; Fur muffs; Fur stoles; Furs [clothing]; Gabardines; Gabardines [clothing]; Gaiter straps; Gaiters; Galoshes; Garments for protecting clothing; Garrison caps; Garter belts; Garters; Gauchos; Gilets; Girdles; Girdles [corsets]; Girls' clothing; Gloves; Gloves as clothing; Gloves [clothing]; Gloves for apparel; Gloves for cyclists; Gloves including those made of skin, hide or fur; Gloves with conductive fingertips that may be worn while using handheld electronic touch screen devices; Golf caps; Golf clothing, other than gloves; Golf footwear; Golf pants, shirts and skirts; Golf shirts; Golf shoes; Golf shorts; Golf skirts; Golf trousers; Goloshes; Gowns; Gowns for doctors; Greatcoats; G-strings; Guernseys; Gussets for bathing suits [parts of clothing]; Gussets for footlets [parts of clothing]; Gussets for leotards [parts of clothing]; Gussets for stockings [parts of clothing]; Gussets for tights [parts of clothing]; Gussets for underwear [parts of clothing]; Gussets [parts of clothing]; Gym boots; Gym shorts; Gym suits; Gymnastic shoes; Gymshoes; Gymwear; Hairdressing capes; Half-boots; Halloween costumes; Halter tops; Handball shoes; Handwarmers [clothing]; Haneri [detachable neckpieces for kimonos]; Hat frames [skeletons]; Hats; Hats (Paper -) [clothing]; Head bands; Head scarves; Head sweatbands; Head wear; Headbands; Headbands against sweating; Headbands [clothing]; Headbands for clothing; Headdresses [veils]; Headgear; Headgear for wear; Headscarfs; Headscarves; Headshawls; Headsquares; Headwear; Heavy coats; Heavy jackets; Heel inserts; Heel pieces for shoes; Heel pieces for stockings; Heelpieces for footwear; Heelpieces for stockings; Heels; High rain clogs (ashida); High-heeled shoes; Hiking boots; Hiking shoes; Hockey shoes; Hooded pullovers; Hooded sweat shirts; Hooded sweatshirts; Hooded tops; Hoodies;

Hoods; Hoods [clothing]; Horse-riding boots; Horse-riding pants; Hosiery; House coats; Housecoats; Hunting boot bags; Hunting boots; Hunting jackets; Hunting pants; Hunting shirts; Hunting vests; Imitation leather dresses; Infant clothing; Infant wear; Infants' boots; Infants' clothing; Infants' footwear; Infants' shoes; Infants' trousers; Infantwear; Inner socks for footwear; Inner soles; Innersocks; Insoles; Insoles for footwear; Insoles for shoes and boots; Insoles [for shoes and boots]; Intermediate soles; Jacket liners; Jackets; Jackets being sports clothing; Jackets [clothing]; Jackets (Stuff -) [clothing]; Japanese footwear of rice straw (waraji); Japanese kimonos; Japanese sleeping robes (nemaki); Japanese sleeping robes [nemaki]; Japanese split-toed work footwear (jikatabi); Japanese style clogs and sandals; Japanese style sandals of felt; Japanese style sandals of leather; Japanese style sandals (zori); Japanese style socks (tabi); Japanese style socks (tabi covers); Japanese style wooden clogs (geta); Japanese toe-strap sandals (asaura-zori); Japanese traditional clothing; Jeans; Jerkins; Jerseys; Jerseys [clothing]; Jockstraps [underwear]; Jodhpurs; Jogging bottoms; Jogging bottoms [clothing]; Jogging outfits; Jogging pants; Jogging sets [clothing]; Jogging shoes; Jogging suits; Jogging tops; Judo suits; Judo uniforms; Jump Suits; Jumper dresses; Jumper suits; Jumpers; Jumpers [pullovers]; Jumpers [sweaters]; Jumpsuits; Kaftans; Karate suits; Karate uniforms; Kendo outfits; Kerchiefs; Kerchiefs [clothing]; Khakis; Kilts; Kimonos; Knee warmers [clothing]; Knee-high stockings; Knickerbockers; Knickers; Knit jackets; Knit shirts; Knit tops; Knitted baby shoes; Knitted caps; Knitted clothing; Knitted gloves; Knitted tops; Knitted underwear; Knitwear; Knitwear [clothing]; Knot caps; Korean outer jackets worn over basic garment [Magoja]; Korean topcoats [Durumagi]; Korean traditional women's waistcoats [Baeja]; Laboratory coats; Lace boots; Ladies' boots; Ladies' clothing; Ladies' dresses; Ladies' footwear; Ladies' outerclothing; Ladies' sandals; Ladies' suits; Ladies' underwear; Ladies wear; Layettes; Layettes [clothing]; Leather belts [clothing]; Leather clothing; Leather (Clothing of -); Leather (Clothing of imitations of -); Leather coats; Leather dresses; Leather garments; Leather headwear; Leather jackets; Leather pants; Leather shoes; Leather slippers; Leather suits; Leather waistcoats; Leg warmers; Leggings [leg warmers]; Leggings [trousers]; Legwarmers; Leg-warmers; Leisure clothing; Leisure footwear; Leisure shoes; Leisure suits; Leisure wear; Leisurewear; Leotards; Light-reflecting coats; Light-reflecting jackets; Linen (Body -) [garments]; Linen clothing; Lingerie; Linings (Ready-made -) [parts of clothing]; Liveries; Long jackets; Long johns; Long sleeve pullovers; Long sleeved

vests; Long-sleeved shirts; Lounge pants; Loungewear; Lounging robes; Low wooden clogs (hiyori-geta); Low wooden clogs (koma-geta); Low wooden clogs [koma-geta]; Lumberjackets; Mackintoshes; Maillots; Maillots [hosiery]; Maniples; Mankinis; Mantillas; Mantles; Martial arts uniforms; Masks (Sleep -); Masquerade costumes; Maternity bands; Maternity clothing; Maternity dresses; Maternity leggings; Maternity lingerie; Maternity pants; Maternity shirts; Maternity shorts; Maternity sleepwear; Maternity smocks; Maternity tops; Maternity underwear; Maternity wear; Men's and women's jackets, coats, trousers, vests; Men's clothing; Men's dress socks; Men's sandals; Men's socks; Men's suits; Men's underwear; Menswear; Metal fittings for Japanese style wooden clogs; Millinery; Miniskirts; Miters [hats]; Mitres [hats]; Mittens; Mitts [clothing]; Moccasins; Mock turtleneck shirts; Mock turtleneck sweaters; Mock turtlenecks; Moisture-wicking sports bras; Moisture-wicking sports pants; Moisture-wicking sports shirts; Money belts [clothing]; Monokinis; Morning coats; Motorcycle gloves; Motorcycle jackets; Motorcycle rain suits; Motorcycle riding suits; Motorcyclist boots; Motorcyclists' clothing; Motorcyclists' clothing of leather; Motorists' clothing; Mountaineering boots; Mountaineering shoes; Mufflers; Mufflers as neck scarves; Mufflers [clothing]; Mufflers [neck scarves]; Muffs; Muffs [clothing]; Mules; Muumuus; Nappy pants [clothing]; Neck scarfs [mufflers]; Neck scarves; Neck scarves [mufflers]; Neck tubes; Neckbands; Neckerchiefs; Neckerchieves; Neckties; Neckwear; Negligees; Night gowns; Night shirts; Nightcaps; Nightdresses; Nightgowns; Nighties; Nightshirts; Nightwear; Non-slip socks; Non-slipping devices for footwear; Nurse dresses; Nurse overalls; Nurse pants; Nurses' uniforms; Oilskins [clothing]; One-piece clothing for infants and toddlers; One-piece playsuits; One-piece suits; Open-necked shirts; Outer clothing; Outer soles; Outerclathing; Outerclathing for boys; Outerclathing for girls; Outerclathing for men; Outerwear; Overalls; Overalls for infants and toddlers; Overcoats; Overshirts; Overshoes; Overtrousers; Over-trousers; Padded pants for athletic use; Padded shirts for athletic use; Padded shorts for athletic use; Pajama bottoms; Pajamas; Pajamas (Am.); Pantaloons; Pantie-girdles; Panties; Pants; Pants (Am.); Pantsuits; Pantyhose; Pantyhose; Paper aprons; Paper clothing; Paper hats [clothing]; Paper hats for use as clothing items; Paper hats for wear by chefs; Paper hats for wear by nurses; Pareos; Pareus; Parkas; Party hats [clothing]; Pea coats; Peaked caps; Peaked headwear; Peaks (Cap -); Pedal pushers; Pedicure sandals; Pedicure slippers; Peignoirs; Pelerines; Pelisses; Petticoats; Petti-pants; Pinafore dresses; Pinafores; Pique shirts; Pirate pants; Plastic aprons; Plastic baby bibs; Plastic



slippers; Platform shoes; Play suits; Playsuits [clothing]; Pleated skirts for formal kimonos (hakama); Plimsolls; Plus fours; Plush clothing; Pocket kerchiefs; Pocket squares; Pocket squares [clothing]; Pockets for clothing; Polar fleece jackets; Polo boots; Polo knit tops; Polo neck jumpers; Polo shirts; Polo sweaters; Ponchos; Pop socks; Pram suits; Printed t-shirts; Protective metal members for shoes and boots; Pullovers; Pullstraps for shoes and boots; Pumps [footwear]; Puttees; Puttees and gaiters; Pyjamas; Pyjamas [from tricot only]; Quilted jackets [clothing]; Quilted vests; Rain boots; Rain coats; Rain hats; Rain jackets; Rain ponchos; Rain shoes; Rain slickers; Rain suits; Rain trousers; Rain wear; Raincoats; Rainproof clothing; Rainproof jackets; Rainshoes; Rainwear; Ramie shirts; Rash guards; Ready-made clothing; Ready-made linings [parts of clothing]; Ready-to-wear clothing; Referees uniforms; Removable collars; Replica football kits; Reversible jackets; Riding boots; Riding gloves; Riding Gloves; Riding jackets; Riding shoes; Riding trousers; Robes; Robes (Bath -); Roll necks [clothing]; Roller shoes; Romper suits; Rompers; Ruanas; Rubber fishing boots; Rubber shoes; Rubber soles for jikatabi; Rubbers [footwear]; Rugby boots; Rugby jerseys; Rugby shirts; Rugby shoes; Rugby shorts; Rugby tops; Running shoes; Running Suits; Running vests; Russian felted boots (Valenki); Sabots; Safari jackets; Sailing wet weather clothing; Sailor suits; Salopettes; Sandal-clogs; Sandals; Sandals and beach shoes; Sarees; Saris; Sarongs; Sash bands for kimono (obi); Sashes for wear; Scarfs; Scarves; School uniforms; Scrimmage vests; Sedge hats (suge-gasa); Serapes; Shampoo capes; Shawls; Shawls and headscarves; Shawls and stoles; Shawls [from tricot only]; Sheepskin coats; Sheepskin jackets; Shell jackets; Shell suits; Shields (Dress -); Shift dresses; Shirt fronts; Shirt yokes; Shirt-jacs; Shirts; Shirts and slips; Shirts for suits; Shoe covers, other than for medical purposes; Shoe inserts for non-orthopedic purposes; Shoe soles; Shoe soles for repair; Shoe straps; Shoe uppers; Shoes; Shoes for casual wear; Shoes for foot volleyball; Shoes for infants; Shoes for leisurewear; Shoes soles for repair; Shoes with hook and pile fastening tapes; Short overcoat for kimono (haori); Short petticoats; Short sets [clothing]; Short trousers; Shortalls; Shorts; Shorts [clothing]; Short-sleeve shirts; Short-sleeved shirts; Short-sleeved T-shirts; Shoulder scarves; Shoulder straps for clothing; Shoulder wraps; Shoulder wraps [clothing]; Shoulder wraps for clothing; Shower caps; Shrugs; Silk clothing; Silk scarves; Silk ties; Singlets; Skating outfits; Ski and snowboard shoes and parts thereof; Ski balaclavas; Ski boot bags; Ski boots; Ski gloves; Ski hats; Ski jackets; Ski

pants; Ski suits; Ski suits for competition; Ski trousers; Ski wear; Skiing shoes; Skirt suits; Skirts; Skorts; Skull caps; Slacks; Sleep masks; Sleep pants; Sleep shirts; Sleeping garments; Sleepsuits; Sleepwear; Sleeved jackets; Sleeveless jackets; Sleeveless jerseys; Sleeveless pullovers; Sliding shorts; Slip-on shoes; Slipovers; Slipovers [clothing]; Slipper socks; Slipper soles; Slippers; Slippers made of leather; Slips; Slips [clothing]; Slips [underclothing]; Slips [undergarments]; Small hats; Smocks; Smoking jackets; Snap crotch shirts for infants and toddlers; Sneakers; Sneakers [footwear]; Snoods [scarves]; Snow boarding suits; Snow boots; Snow pants; Snow suits; Snowboard boots; Snowboard gloves; Snowboard jackets; Snowboard mittens; Snowboard shoes; Snowboard trousers; Snowsuits; Soccer bibs; Soccer boots; Soccer shirts; Soccer shoes; Sock suspenders; Socks; Socks and stockings; Socks for infants and toddlers; Socks for men; Soles for footwear; Soles for japanese style sandals; Soles [Inner]; Spats; Spiked running shoes; Sport coats; Sport shirts; Sport shoes; Sport stockings; Sports [Boots for -]; Sports bras; Sports caps; Sports caps and hats; Sports clothing; Sports clothing [other than golf gloves]; Sports footwear; Sports headgear [other than helmets]; Sports jackets; Sports jerseys; Sports jerseys and breeches for sports; Sports over uniforms; Sports overuniforms; Sports pants; Sports shirts; Sports shirts with short sleeves; Sports shoes; Sports singlets; Sports socks; Sports vests; Sports wear; Sportswear; Stiffeners for boots; Stiffeners for shoes; Stocking suspenders; Stockings; Stockings (Heel pieces for -); Stockings [sweat-absorbent]; Stockings (Sweat-absorbent -); Stoles; Stoles (Fur -); Strapless bras; Strapless brassieres; Straps (Gaiter -); Stretch pants; String fasteners for haori (haori-himo); Studs for football boots; Stuff jackets; Stuff jackets [clothing]; Suede jackets; Suit coats; Suits; Suits (Bathing -); Suits made of leather; Suits of leather; Sun hats; Sun visors; Sun visors [headwear]; Sundresses; Sunsuits; Surf wear; Surfwear; Suspender belts; Suspender belts for men; Suspender belts for women; Suspenders; Suspenders [braces]; Swaddling clothes; Sweat bands; Sweat bands for the head; Sweat bands for the wrist; Sweat bottoms; Sweat jackets; Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; Sweat-absorbent socks; Sweat-absorbent stockings; Sweat-absorbent underclothing; Sweat-absorbent underclothing [underwear]; Sweat-absorbent underwear; Sweatbands; Sweaters; Sweatjackets; Sweatpants; Sweatshirts; Sweatshorts; Sweatsuits; Swim briefs; Swim caps; Swim shorts; Swim suits; Swim trunks; Swim wear for children; Swim wear for gentlemen and ladies; Swimming caps; Swimming caps [bathing caps]; Swimming costumes; Swimming

suits; Swimming trunks; Swimsuits; Swimwear; Synthetic fur stoles; Tabards; Taekwondo suits; Taekwondo uniforms; Tail coats; Tam o'shanter; Tams; Tank tops; Tankinis; Tank-tops; Tap pants; Tap shoes; Tartan kilts; Teddies; Teddies [underclothing]; Teddies [undergarments]; Tee-shirts; Tennis dresses; Tennis pullovers; Tennis shirts; Tennis shoes; Tennis shorts; Tennis skirts; Tennis socks; Tennis sweatbands; Tennis wear; Theatrical costumes; Thermal clothing; Thermal headgear; Thermal socks; Thermal underwear; Thermally insulated clothing; Thobes; Thong sandals; Thongs; Three piece suits [clothing]; Ties; Ties [clothing]; Tightening-up strings for kimonos (datejime); Tights; Tips for footwear; Toe boxes; Toe straps for Japanese style sandals [zori]; Toe straps for Japanese style wooden clogs; Toe straps for zori [Japanese style sandals]; Togas; Tongues for shoes and boots; Top coats; Top hats; Topcoats; Tops; Tops [clothing]; Toques [hats]; Track and field shoes; Track jackets; Track pants; Track suits; Tracksuit bottoms; Tracksuit tops; Tracksuits; Traction attachments for footwear; Trainers; Trainers [footwear]; Training shoes; Training suits; Trekking boots; Trench coats; Trenchcoats; Trews; Triathlon clothing; Trouser socks; Trouser straps; Trousers; Trousers for children; Trousers for sweating; Trousers of leather; Trousers shorts; Trunks; Trunks (Bathing -); Trunks [underwear]; T-shirts; Tube tops; Tunics; Turbans; Turtleneck pullovers; Turtleneck shirts; Turtleneck sweaters; Turtleneck tops; Turtlenecks; Tutus; Tuxedo belts; Tuxedos; Twin sets; Umpires uniforms; Under garments; Under shirts; Underarm gussets [parts of clothing]; Underclothes; Underclothing; Underclothing (Anti-sweat -); Underclothing for women; Undergarments; Underpants; Underpants for babies; Undershirts; Undershirts for kimonos (juban); Undershirts for kimonos (koshimaki); Undershirts for kimonos [koshimaki]; Underskirts; Underwear; Underwear (Anti-sweat -); Underwear for women; Uniforms; Uniforms for commercial use; Uniforms for nurses; Union suits; Unitards; Uppers (Footwear -); Uppers for Japanese style sandals; Uppers of woven rattan for Japanese style sandals; Ushankas [fur hats]; Valenki [felted boots]; Veils; Veils [clothing]; Vest tops; Vests; Vests (Fishing -); Vests for use in barber shops and salons; Visors; Visors [clothing]; Visors [hatmaking]; Visors [headwear]; V-neck sweaters; Volleyball jerseys; Volleyball shoes; Waders; Waist belts; Waist cinchers; Waist strings for kimonos (koshihimo); Waistbands; Waistcoats; Waistcoats [vests]; Walking boots; Walking breeches; Walking shoes; Walking shorts; Warm up suits; Warm-up jackets; Warm-up pants; Warm-up suits; Warm-up tops; Water socks; Waterpolo caps; Waterproof boots; Waterproof boots for fishing; Waterproof capes;

Waterproof clothing; Waterproof jackets; Waterproof outerclothing; Waterproof pants; Waterproof shoes; Waterproof suits for motorcyclists; Waterproof trousers; Water-resistant clothing; Waterskiing suits; Weather resistant outer clothing; Weatherproof clothing; Weatherproof jackets; Weatherproof pants; Wedding dresses; Wedding gowns; Wellington boots; Wellingtons; Welts for footwear; Wet suits; Wet suits for surfing; Wet suits for water-skiing; Wet suits for water-skiing and sub-aqua; Wet suits for windsurfing; Wetsuit gloves; Wetsuits; Wetsuits for surface watersports; Wetsuits for surfing; Wetsuits for water-skiing; White coats for hospital use; Wimples; Wind coats; Wind jackets; Wind pants; Wind resistant jackets; Wind suits; Wind vests; Windcheaters; Wind-jackets; Windproof clothing; Windproof jackets; Wind-resistant jackets; Wind-resistant vests; Windshirts; Winter boots; Winter coats; Winter gloves; Women's ceremonial dresses; Women's clothing; Women's foldable slippers; Womens' outerclothing; Women's shoes; Women's suits; Womens' underclothing; Womens' undergarments; Women's underwear; Wooden bodies for Japanese style clogs; Wooden main bodies of Japanese style wooden clogs; Wooden shoes; Wooden shoes [footwear]; Wooden supports of Japanese style wooden clogs; Woolen clothing; Woollen socks; Woollen tights; Woolly hats; Work boots; Work clothes; Work overalls; Work shoes; Working overalls; Woven clothing; Woven shirts; Wrap belts for kimonos (datemaki); Wraps [clothing]; Wrist bands; Wrist warmers; Wristbands; Wristbands [clothing]; Yashmaghs; Yashmaks; Yoga bottoms; Yoga pants; Yoga shirts; Yoga shoes; Yokes (Shirt -); Zoot suits; Zori.