

O/743/21

SUPPLEMENTARY DECISION

TRADE MARKS ACT 1994

**IN THE MATTER OF
TRADE MARK APPLICATION NO. 3489704
BY MARIA KASANDRINO
TO REGISTER AS A TRADE MARK:**



IN CLASS 25

AND

**IN THE MATTER OF OPPOSITION THERETO
UNDER NO. 421465
BY DOONEY & BOURKE, INC.**

BACKGROUND

1. On 6 September 2021, I issued a decision on behalf of the Registrar in the above identified proceedings.¹

2. Following the withdrawal of the opposition, I ordered Dooney & Bourke, Inc. (“the opponent”) to pay Maria Kasandrinou (“the applicant”) a contribution towards the costs of defending the proceedings. In my decision, I stated:

“CONCLUSION

24. In conclusion, I award costs to the applicant as follows:

Considering the notice of opposition and preparing a counterstatement	£250
Preparing evidence and considering the opponent’s evidence	£600
Preparing for and attending CMC	£100
Preparing for main hearing	£750
Total	£1,700

25. I therefore order Dooney & Bourke, Inc. to pay Maria Kasandrinou the sum of £1,600. This sum should be paid within twenty-one days of the expiry of the appeal period or, if there is an appeal, within twenty-one days of the conclusion of the appeal proceedings (subject to any order made by the appellate tribunal).”

¹ BL O/648/21

3. By email on 7 September 2021, Franks & Co (South) Limited wrote to the Tribunal on behalf of the applicant to highlight that there was an inconsistency within the costs award. It stated:

“[...] My client is not objecting to the level of costs awarded in her favour. However, I should be grateful for clarification on the content of the Decision.

In paragraph 24 of the Decision, the various contributions to the costs set out earlier in the Decision are added up to give a total of £1700.

In paragraph 25, however, the costs award ordered is only £1600.

I presume that this is a typo. However, if the total has actually been reduced for any reason, I should be grateful if you would let me know [...]”

4. Having reviewed my decision, I confirm that the difference was not intended to reflect any form of reduction but was, rather, an administrative error. This supplementary decision is to correct that error.

SUPPLEMENTARY DECISION

5. Paragraphs 24 and 25, as expressed in my decision of 6 September 2021, are to be replaced as follows:

“CONCLUSION

24. In conclusion, I award costs to the applicant as follows:

Considering the notice of opposition and preparing a counterstatement	£250
Preparing evidence and considering the opponent’s evidence	£600

Preparing for and attending CMC	£100
Preparing for main hearing	£750
Total	£1,700

25. I therefore order Dooney & Bourke, Inc. to pay Maria Kasandrinou the sum of £1,700. This sum should be paid within twenty-one days of the expiry of the appeal period or, if there is an appeal, within twenty-one days of the conclusion of the appeal proceedings (subject to any order made by the appellate tribunal).”

Dated this 7th day of October 2021

James Hopkins
For the Registrar,
The Comptroller General