

Federal Court



Cour fédérale

Date: 20190822

Docket: T-468-15

Citation: 2019 FC 1082

Ottawa, Ontario, August 22, 2019

PRESENT: The Honourable Madam Justice St-Louis

BETWEEN:

INDUSTRIA DE DISEÑO TEXTIL, S.A.

Applicant

and

ZARA NATURAL STONES INC.

Respondent

JUDGMENT AND REASONS

[1] Industria de Diseño Textil, S.A. (Industria) appeals the decision rendered by the Trade-marks Opposition Board (the Board), on behalf of the Registrar of Trade-marks, on January 19, 2015, rejecting its opposition against Zara Natural Stones Inc.'s (Natural Stones) trademark application.

[2] For the reasons exposed below, the appeal will be allowed and the matter remitted to the Board for a new determination.

I. BACKGROUND AND IMPUGNED DECISION

[1] On May 2, 2011, Natural Stones filed application No. 1,525,938 to register the trademark “ZARA NATURAL STONES & Design” (the Design Mark), based on proposed use in Canada in association with the following wares (the Wares):

Paving blocks, namely, calibrated paver paving blocks, circular paving block kits, cobble paving blocks, octagonal paving block kits, paving and garden slab blocks, paving blocks with brushed top, paving blocks with sandblasted top, random flagstone paving blocks or crazy paving blocks, square cut flagstone paving blocks, tumbled paving blocks.

Paving stones, namely, calibrated paver paving stones, circular paving stone kits, cobbled paving stones, octagonal paving stone kits, paving and garden slab stones, paving stones with brushed top, paving stones with sandblasted top, random flagstone paving stones or crazy paving stones, square cut flagstone paving stones, tumbled paving stones.

Paving tiles, namely, calibrated paver paving tiles, circular paving stone kits, cobbled paving tiles, octagonal paving stone kits, paving and garden slab tiles, paving tiles with brushed top, paving tiles with sandblasted top, random flagstone paving tiles or crazy paving tiles, square cut flagstone paving tiles, tumbled paving tiles.

Stones, namely, bull nosed coping stones, curb stones, edging stones, hand dressed coping stones, kerb stones, natural hand bull nosed pier cap stones, pedestrian zone, park and garden wall and masonry stones, pool coping stones, step pier cap stone with hand chiseling, step pier cap stone with molded edges, step smooth pier cap stones, stepping stones, smooth globe pier cap stones, stones for the construction of ledge rock, stones for the construction of steps, stones for the construction of wall stone, wall coping stones.

[2] The Design Mark is illustrated as



[3] At that time, Industria already held a number of registered trademarks that include the word “ZARA”. In addition, on September 17, 2003, it had filed application No. 1,191,134 for another trademark, ZARA HOME, which covers wares enumerated over ten pages, including “floor coverings, namely: floor planks, pavement, tiles”. The complete description of the wares included in that application is annexed to the present.

[4] On February 21, 2012, Industria filed, under section 38 of the *Trade-Marks Act*, RSC 1985, c T-13 [the Act], a statement of opposition which was subsequently amended twice. As described by the Board in its decision, the grounds of opposition pleaded by Industria can be grouped under three categories: (1) those pertaining to non-conformity issues under section 30 of the Act; (2) those pertaining to non-distinctiveness of the Mark under sections 2, 48, and 50 of the Act; and (3) those revolving around the likelihood of confusion between the Mark and Industria’s trademarks made up of the word ZARA as well as Industria’s tradename Zara. The parties do not contest this categorization.

[5] Before the Board, each party filed evidence and written arguments, although Industria limited its written argument to three paragraphs. On November 27, 2014, the Board held a hearing, which both parties attended.

[6] On January 19, 2015, the Board rejected Industria's opposition against the Design Mark.

[7] The Board first recognized Natural Stones' burden to show that its application does not contravene the provisions of the Act as alleged in the statement of opposition, and also recognized Industria's initial evidential burden to prove the facts inherent to its pleadings. Then, the Board summarily rejected a number of Industria's grounds of opposition, such that only the grounds based on likelihood of confusion were left: registrability under paragraph 12(1)(d) of the Act, entitlement under paragraphs 16(3)(a) and (b), and distinctiveness under paragraph 2(a).

[8] The Board then examined the likelihood of confusion of Natural Stones' Design Mark (1) with Industria's registered trademarks and (2) with Industria's yet-to-be-registered trademark ZARA HOME, associated with "floor coverings, namely: floor planks, pavement, tiles". Only its analysis with regards to the trademark ZARA HOME is relevant to this appeal.

[9] To determine likelihood of confusion, the Board stated the test set out in subsection 6(2) of the Act, referred to the Supreme Court of Canada decisions *Mattel, Inc v 3894207 Canada Inc*, 2006 SCC 22 [*Mattel*], *Veuve Clicquot Ponsardin v Boutiques Cliquot Ltée*, 2006 SCC 23 [*Veuve Clicquot*], and *Masterpiece Inc v Alavida Lifestyles Inc*, 2011 SCC 27 [*Masterpiece*], and analyzed the criteria listed in subsection 6(5).

[10] The Board made the following remarks in its analysis of subsection 6(5) factors:

(a) the “inherent distinctiveness of the trademarks and the extent to which they have become known” factor favours neither party: there is no evidence of the extent to which Industria’s trademark ZARA HOME has become known in Canada;

(b) the “length of time the trademarks have been in use” factor favours neither party: there is no evidence of use of the parties’ marks in Canada;

(c) the “nature of the goods” and “nature of the trade” factors favour Industria: there is clear overlap between “pavement tiles”—goods covered by Industria’s trademark ZARA HOME—and the Wares and the assertion that their channels of trade differ is pure speculation; and

(d) the “degree of resemblance” factor is important and favours Natural Stones: the “marks differ visually, orally, and in ideas suggested by them”; “the [Design] Mark has visual distinctive features” and it “is suggestive of the Wares while [Industria’s] trade-mark ZARA HOME is suggestive of the environment where [Industria’s] wares could be used” (Board’s decision at para 64).

[11] The Board thus found that the Design Mark would likely not cause confusion with Industria’s yet-to-be-registered trademark ZARA HOME, and rejected Industria’s opposition.

[12] On March 30, 2015, Industria filed an application at the Federal Court, pursuant to section 56 of the Act, to appeal the Board’s decision.

[13] In support of this appeal, the parties each filed additional evidence. Industria filed the affidavit of Mr. Alain Bédard, archivist employed by Industria’s counsel, sworn on August 14, 2015. Natural Stones filed the affidavits of Mr Hasnain Ali Khatau, President of Natural Stones, sworn on September 13, 2015, and of Me Brandon Chung, summer law student, sworn on August 13, 2015. Both were cross-examined by Industria.

II. PARALLEL MATTER

[14] At this point, it is useful to describe a parallel proceeding involving the same parties. On June 18, 2012, Natural Stones filed application No. 1,582,505 to register a trademark consisting of the word ZARA (the Word Mark), based on use in Canada and in association with the same Wares covered by its application for registration of the Design Mark. On February 21, 2013, Industria filed a statement of opposition against that application as well.

[15] In that parallel matter, the Board concluded, *inter alia*, that Natural Stones had not discharged its burden to prove at the relevant date, on a balance of probabilities, that the Word Mark is not likely to cause confusion with Industria's trademark ZARA HOME. The Board concluded that the marks resembled one another and that there was clearly overlap between Natural Stones' Wares and the goods covered by Industria's application.

[16] The Board thus made the same findings as those enumerated at paragraph 11 above , except with respect to the "degree of resemblance" factor, for which it stated:

[72] Finally I consider the marks in issue to resemble one another. The dominant portion of the trade-mark ZARA HOME is the first component ZARA. It has been said that the first component of a trade-mark is often the most important one [see *Conde Nast Publications Inc v Union des Editions Modernes* (1979), 46 CPR (2d) 183 (FCTD)]. [Natural Stones' Word Mark] is identical to the dominant and first portion of [Industria's] trade-mark ZARA HOME. This important factor favours [Industria].

[17] Consequently, the Board then concluded that Natural Stones' Word Mark resembled Industria's trademark ZARA HOME and would likely be confused with it.

III. PARTIES' SUBMISSIONS

A. *Industria's Position*

(1) Standard of Review

[18] Industria submits that the applicable standard of review on appeal of a decision by the Board is reasonableness or, if new evidence submitted on appeal would have materially affected the Board's decision, correctness (*Mattel* at para 40; *United Grain Growers Ltd v Lang Michener*, (2001) 12 CPR (4th) 89 (FCA) at para 8).

[19] Industria submits that the additional evidence filed by Natural Stones before the Court would not have materially affected the Board's findings. It explains that the additional evidence does not affect any of the circumstances listed in subsection 6(5) of the Act, and does not support the arguments that Natural Stones intends to make. In addition, Industria stresses that those arguments are irrelevant to the issue at stake, which is the Board's unreasonable assessment of the degree of resemblance between the marks in light of the assessment made in the parallel matter.

(2) Likelihood of Confusion

[20] Industria specifies that its appeal is limited to Board's assessment of the degree of resemblance between the trademarks, *i.e.* paragraph 6(5)(e) of the Act, and that it does not challenge the analysis of other factors under subsection 6(5) of the Act (Applicant's Memorandum at para 49).

[21] Industria submits that the impugned decision is neither correct nor reasonable, as the Board erred by not applying the same reasoning it applied to the parallel opposition matter in regard to the degree of resemblance. Industria takes issue with the fact that the dominant portion “ZARA” was an important factor in the parallel decision, but was completely disregarded in the decision at bar even though the dominant portion is exactly the same.

[22] Relying on *Masterpiece*, Industria submits that the Board should have found that the word “ZARA” is the most striking aspect of the Design Mark and, as it had found in the parallel decision, is identical to the first and dominant portion of ZARA HOME. Industria adds that the design features of the Design Mark give prominence to the first word “ZARA” and strengthen its position that the word “ZARA” is the most striking aspect of the Design Mark.

[23] Industria relies on paragraph 78 of the Federal Court decision *Restaurants la Pizzaiolle Inc v Pizzaiolo Restaurants Inc*, 2015 FC 240 [*Pizzaiolle FC*], which states :

In short, this differentiation in the treatment of the issue as to the likelihood of confusion, and in particular the concept of subsequent use, of the two marks that the respondent seeks to register, has, in my view, caused a breakdown in the rationality of the Registrar’s decision, thus placing it outside of the range of possible, acceptable outcomes which are defensible in respect of the facts and law.

[24] *Pizzaiolle FC* was confirmed by the Federal Court of Appeal in *Pizzaiolo Restaurants Inc v Les Restaurants La Pizzaiolle Inc*, 2016 FCA 265 [*Pizzaiolo FCA*]. Industria relies on paragraphs 28 to 32 and argues that the same reasoning should be applied in this case, *i.e.* when the two marks are considered in the same context, as is mandated by *Masterpiece* (with the same style of lettering, colour, and design), ZARA HOME and the Design Mark are no more different

than ZARA HOME and the Word Mark. Industria adds that the words “Natural Stones” are clearly descriptive, and hence add very little distinctive features to the Design Mark.

[25] Industria stresses that the Board applied the wrong test when it focused on the “visual distinctive features” of the Design Mark, and that it should have focused on its striking element instead, namely the word ZARA.

B. *Natural Stones’ Position*

(1) Standard of Review

[26] Natural Stones asserts that, in the case at bar, the additional evidence would not have materially affected the Board’s decision, but would have materially affected the factors of inherent distinctiveness, nature of the wares, and channels of trade, factors which were decided in favour of Industria (Respondent’s Memorandum at paras 32, 39-40). As such, the standard of correctness should be applied to these factors and the standard of reasonableness should be applied to the Board’s decision (Respondent’s Memorandum at paras 40, 66).

[27] Natural Stones does not make further submissions to support its position that the additional evidence would have materially affected the “inherent distinctiveness” factor. In fact, Natural Stones later states that this factor was found to not favour either party (Respondent’s Memorandum at para 118).

[28] With regards to its position that additional evidence would have materially affected the “nature of the wares” factor, Natural Stones points out that the Board did not have any evidence of use of the ZARA HOME trademark and was therefore unable to assess the probable type of business or trade intended by Industria for ZARA HOME. Natural Stones asserts that, with additional evidence of actual use of the ZARA HOME trademark, the Board would not have concluded that the parties’ goods overlap.

[29] With regards to its position that additional evidence would have materially affected the “channels of trade” factor, Natural Stones reiterates that the Board did not have any evidence of use of the ZARA HOME trademark and therefore assumed that the parties’ channels of trade overlapped. Natural Stones contends that it filed evidence of use of the ZARA HOME trademark to explain Industria’s business and Natural Stones’ channels of trade, and does not elaborate further.

(2) Likelihood of Confusion

[30] Natural Stones submits that the Board’s decision is both reasonable and correct. Although Industria limits its appeal to the Board’s assessment of the “degree of resemblance” factor, Natural Stones presents arguments on other criteria as well.

[31] Natural Stones states the test for confusion as “a matter of first impression in the mind of a casual consumer somewhat in a hurry, who does not pause to give the matter any detailed consideration or scrutiny” (*Veuve Clicquot* at para 20). It maintains that, considering the new

evidence, the factors of subsection 6(5) of the Act weigh towards a finding that there is no likelihood of confusion in Canada.

[32] In regard to the “nature of goods and business” factor, the Board concluded in favour of Industria. Natural Stones contends that, through the new evidence, this factor would favour Natural Stones: the new evidence shows Industria’s use in Spain and in Canada of the ZARA HOME trademark, which suggests that the trademark is used in association with home furnishings and décor. In addition, Natural Stones pleads that there is no overlap between the parties’ goods because Industria’s goods are floor coverings classified under the Nice Classification system as class 27, whereas Natural Stones’ goods are non-metallic building materials under class 19.

[33] In regard to the “channels of trade” factor, the Board concluded in favour of Industria. Natural Stones contends that, through the new evidence, this factor would favour Natural Stones: the new evidence shows actual use of the ZARA HOME trademark and shows that the parties sell their goods in different types of locations marketed at different types of customers. Natural Stones argues that evidence of actual channels of trade is preferable to speculation about possible new ventures, and that the nature of trade can be sufficiently different to discount any possibility of confusion (*Sum-Spec Canada v Imasco Retail Inc*, 30 CPR (3rd) 7 at 13).

[34] In regard to the “inherent distinctiveness and extent to which the trademarks have become known” and “length of time” factors, Natural Stone agrees with the Board’s finding that the factors favour neither party.

[35] In regard to the “degree of resemblance” factor, which is the one being challenged by Industria, Natural Stones maintains that it was reasonably assessed: the Board cited and applied the Supreme Court’s decision *Masterpiece* and determined that the Design Mark had visual distinctive features at paragraph 64 of the decision. Natural Stones submits that the Board did not have to consider all potential and unidentified uses of Industria’s ZARA HOME trademark (*Domaines Pinnacle Inc v Constellation Brands Inc*, 2016 FCA 302 at para 10 [*Domaines Pinnacle*]). In its Memorandum, Natural Stones does not respond to Industria’s argument that the Board should have applied the same reasoning it applied in the parallel decision.

[36] Natural Stones adds that Industria has not provided any evidence of actual confusion and that lack of actual confusion is a significant factor (*Dion Neckwear Ltd v Christian Dior, SA*, 2002 FCA 29).

IV. ANALYSIS

A. *Standard of Review*

[37] The parties agree that the Board’s evaluation of the degree of resemblance, which is the only element challenged by the Applicant Industria, should be reviewed under the reasonableness standard, Natural Stones recognising that the new evidence does not materially affect this criterion.

[38] The parties also agree that the Board’s final conclusion should be reviewed on the standard of reasonableness, as the additional evidence filed before this Court would not have

materially affected the Board's conclusion (Applicant's Memorandum at paras 37-38; Respondent's Memorandum at paras 34, 67, 126).

[39] Given that the Board concluded in favour of Natural Stones and the additional evidence only pertains to factors found in favour of Industria, the Court agrees with the parties that such additional evidence would not have materially affected the Board's conclusion of unlikelihood of confusion. As such, the standard of reasonableness applies to the Board's decision.

B. *Likelihood of Confusion*

[40] As stated earlier, Natural Stones applied for the registration of two trademarks: the word ZARA and the logo ZARA Natural Stones & Design. Industria opposed both applications because of, *inter alia*, likelihood of confusion with its own trademarks.

[41] In both proceedings, the Board analyzed likelihood of confusion of Natural Stones' trademarks with Industria's ZARA HOME trademark which had not yet been approved for registration at the time of the decisions.

[42] The Board's analysis of the likelihood of confusion between Natural Stones' trademarks and Industria's yet-to-be-registered ZARA HOME trademark is identical in both decisions, except for the degree of resemblance.

[43] In the decision presently under review, the Board concluded in favour of Natural Stones, whereby the Design Mark does not resemble ZARA HOME and is unlikely to cause confusion with ZARA HOME. In particular, it stated that:

[64] As discussed previously, the [Design] Mark has visual distinctive features. It is suggestive of the Wares while [Industria's] trade-mark ZARA HOME is suggestive of the environment where [Industria's] wares could be used. As a whole the parties' marks differ visually, orally and in the ideas suggested by them.

[44] On the other hand, in the parallel decision, the Board concluded in favour of Industria, whereby the Word Mark resembles ZARA HOME and is likely to cause confusion with ZARA HOME. In particular, it stated that:

[72] Finally, I consider the marks in issue to resemble one another. The dominant portion of the trade-mark ZARA HOME is the first component ZARA. It has been said that the first component of a trademark is often the most important one [see *Conde Nast Publications Inc v Union des Editions Modernes* (1979), 46 CPR (2d) 183 (FCTD);]. [Natural Stones' Word Mark] is identical to the dominant and first portion of [Industria's] trade-mark ZARA HOME. This important factor favours [Industria].

[45] In both situations, the Board was analysing the resemblance between marks whereby the first word or the only word is "ZARA". In one decision, the Board examined the first component and its impact, concluding that the word "ZARA" is the most important component of each party's trademark, while in the other decision it failed to make any mention of the importance of the word "ZARA". The Supreme Court of Canada held, at paragraph 63 of *Masterpiece*, that in the assessment of the resemblance of two marks, the first word is important. However, it is impossible to conclude, from the Board's reasons in these proceedings, that the Board considered this element in its analysis of the likelihood of confusion between the Design

Mark and ZARA HOME (*Newfoundland and Labrador Nurses' Union v Newfoundland and Labrador (Treasury Board)*, 2011 SCC 62).

[46] The Federal Court stated in *Pizzaiolle FC*, decision upheld by the Federal Court of Appeal, that “this differentiation in the treatment of the issue as to the likelihood of confusion, and in particular the concept of subsequent use, of the two marks that the respondent seeks to register, has, in my view, caused a breakdown in the rationality of the Registrar’s decision” (*Pizzaiolle* at para 78). Similarly, in the case at bar, the Board’s differentiation in the treatment of the importance of the first word “ZARA” in its two decisions caused a breakdown in the rationality of the impugned decision, thus placing it outside of the range of possible, acceptable outcomes which are defensible in respect of the facts and law (*Dunsmuir v New Brunswick*, 2008 SCC 9 at para 47).

[47] The unintelligibility of the Board’s decision is even more apparent as it did not limit its exam to the visual effect of the Design Mark. It concluded that “the parties’ marks differ visually, orally and in the ideas suggested by them”. Even if I were to assume that the Board considered the Design Mark’s graphic elements distinctive enough to constitute the dominant and most important portion of the Design Mark - and thus found that the parties’ marks differ enough visually - this reasoning does not support a conclusion that the marks also differ orally. It seems clear that, orally, the dominant element of both marks is the word “ZARA”, as was found in the Board’s parallel decision.

[48] Natural Stones also made a number of arguments with respect to the Board's analysis of other factors, but as the Applicant Industria did not raise those issues, I will not examine them.

JUDGMENT in T-468-15

THIS COURT'S JUDGMENT is that:

1. The appeal is allowed and the matter is returned to the Board for a new determination;
2. With costs in favor of the Applicant, Industria.

“Martine St-Louis”

Judge

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Office de la propriété
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Canadian Intellectual
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Canada

Office de la propriété intellectuelle du Canada

Base de données sur les marques de commerce canadiennes

INFORMATION RELATIVE AUX MARQUES DE COMMERCE CANADIENNE

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*** Note L'information sur les marques de commerce est affichée dans la langue officielle dans laquelle elle est soumise.

La dernière mise à jour de la base de données remonte au : 2013-05-07

NUMÉRO DE DEMANDE :

1191134

NUMÉRO D'ENREGISTREMENT :

non enregistrée

STATUT :

EN OPPOSITION

PRODUITE :

2003-09-17

FORMALITÉS ACCOMPLIES :

2003-10-06

PUBLIÉE :

2011-12-14

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MARQUE DE COMMERCE :

ZARA HOME

RUBRIQUES D'INDEX :

ZARA HOME

MARCHANDISES :

(1) Bleaching preparations and other substances for laundry use, namely: bleach, soap, softener, anti-static agents, starch, detergents; cleaning, polishing, scouring and abrasive preparations in powder, crystal, or liquid form for the cleaning of textile and cloth, denim and canvas-based fabric. Soaps, namely: toilet soaps, perfumed soaps and antibacterial soaps for personal use. Perfumery, namely: perfumes, concentrated perfumes, eau de Cologne, lavender water, perfume water, scented water, toilet water, extracts of flowers for perfumery, perfumed oils, bases for flower perfumes, salts, gels, creams, crystal and foam for the bath and shower; essential oils for personal use. Cosmetics, namely: adhesives for affixing false eyelashes and false hair; almond milk for skin care; creams, gels, sprays to protect from the sun; anti-wrinkle cream; beard dye; beauty skin masks; creams, lotions and gels to bleach the skin, hair, eyebrows and eye-lashes; brilliantine; bronzing lotions; cleansing skin creams, cleansing skin milks; cosmetic skin creams; cosmetic hair dye; cosmetic lotions, milks, gels, creams, oils, balms for skin care; creams, gels, oils, milks for slimming purposes; hydrating, energising, relaxing bath salts, crystals, foam and gels; cotton swabs

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for cosmetic purposes; day time skin creams; ephemeral decorative tattoos; depilatory creams, sheets, strips, wax; eyeliner, blush; lip, eye, eyebrow and eyelashes pencils; eye shadow; facial skin masks; firming eye cream; greases for skin and hair care; hand cream; hydrogen peroxide for hair care; lipsticks, lip gloss; liquid foundation; make-up powder; make-up removing milk, gels and lotions; mascara; moisturising skin cream; moustache wax; nail polish, enamels; oils for skin and hair care; paper guides for eye make-up; petroleum jelly for skin and hair care; protective creams for the lips; eyebrow, eyelashes and eye pencil sharpeners; shaving creams, foams, gels and balms; hair sprays; sun-tanning creams, gels, oils and lotions; tinted skin creams; tissues impregnated with cosmetic lotions for cleaning, peeling and hydrating the skin; nail-varnish remover; hair lotions; dentifrices, oils for toilet purposes, blueing for laundry, cotton(-tipped) sticks for cosmetic purposes, shoe cream, shoe polish, shoemaker's wax and pitch, hair shampoos, hair dyes; hair, eyebrow and eyelashes decolorants, deodorants for personal use (perfumery); extracts of flowers (perfumes); paper guides for painting eyes, incense, scented wood, hair spray and nail polish, pencils for cosmetic use and for eyelashes, lipsticks; after-shave lotions; lotions for cosmetic purposes; beauty masks; decorative transfers for cosmetic purposes; kits of cosmetics for hair and skin care, composed of shampoo, conditioner, skin cream, lotion and mask sold as a whole; kits of cosmetics for make-up composed of mascara, lip gloss, lipstick, blush-powder sold as a whole; false eyelashes, false fingernails, pumice stone, potpourris; fragrances; pomades for cosmetic use, cosmetic preparations for slimming purposes; cosmetic preparations for baths, cosmetic preparations for skin care, sun-tanning preparations [cosmetics]; hair waving preparations, namely: gels, balms, creams, shampoos, masks, foam, sprays and lotions; laundry preparations, namely: antibacterial soaps; depilatory preparations; sanitary preparations for toiletry, namely: mouthwash, dental floss, toothbrush, toothpaste; non-medical preparations for facial treatment, for hair treatment and hair care, namely: lotions, gels, masks, balms, shampoos, conditioners, creams for the beauty and the health of the skin and hair; make-up removing preparations, shaving preparations, fingernail care preparations. Preparations for perfuming linen, namely: sachets and scented water for linen, scented water for ironing; varnish removing preparations, colour brightening chemicals for household purposes (laundry); stain removers. Tissues impregnated with cosmetic skin lotions, namely: paper handkerchief and wipes. Glass cloth. Industrial oils and greases; lubricants, namely: automobile lubricants, industrial lubricants; dust absorbing lubricants; wetting and binding compositions; fuels and illuminants, namely: motor spirits, diesel, methanol and ethanol; candles and wicks for lighting; grease for boots; grease for leather. Pharmaceutical and veterinary preparations, namely: vaccines for both human and veterinary use, medicines under solid and liquid form for both human and veterinary use against fleas, ticks, acne, headache; dietetic substances adapted for medical use, namely: vitamins, minerals, lecithin; baby food; plasters; medical and surgical dressings; material for stopping teeth, dental wax; all purpose disinfectants; preparations for destroying vermin; fungicides, herbicides; bath salts for medical purposes; compresses; cotton for medical purposes; deodorants, other than for personal use, namely: deodorant sprays for the house, perfumed stones, scented woods, potpourris, perfumed candles; hygienic bandages; lotions for pharmaceutical purposes, namely: anti-acne lotions, insect repellent lotions; medicine portable filled cases; menstruation pads, menstruation tampons; mineral water for medical purposes; mouthwashes for medical purposes; napkins for incontinents; chemical preparations for the diagnosis of pregnancy; salts for mineral water baths; sanitary panties; sanitary pants; pharmaceutical preparations for skin care, namely: anti-inflammatory, anti-infective, decongestants, astringents, anti-allergy solutions; smelling salts; solutions for use with contact lenses; sunburn ointments; surgical cloth [tissues]; surgical tissues. Common metals and their alloys; metal building materials, namely: construction elements of metal used for the constructions of short-term buildings for expositions, conferences, shows, cultural, sport events, namely: aluminum profiles, girders; transportable buildings of metal; materials of metal for railway tracks, namely: rails; non-electric cables and wires of common metal; Ironmongery; small items of metal hardware, namely: clamps, screws, crampons, nails, pins, grates, hoods, grills, drainage grills, manholes and manholes covers; pipes and tubes of metal; safes; goods of common metal, namely: metal boxes, mugs, cutlery bowls, bolts and nuts, dishes, glasses, cutlery; bells; bins of metal; buckles of common metal; chests of metal; non-electric door bells; hooks [metal hardware]; ice moulds of metal; identity plates of metal; knobs of metal; money boxes of metal; padlocks; poles of metal; pot hooks of metal; preserve tins; preserving boxes of metal; rings of common metal for keys; signboards of metal; steps [ladders] of metal; tins; tool boxes of metal sold empty; burial vaults of metal; wire cloth; wire gauze; works of art of common metal, namely: statues, sculptures; ores of metal. Hand-

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operated hand tools and implements, namely hammers, drills, measuring tapes, saws; cutlery; side arms, namely: swords, bayonets; razors; non-electric can openers; hand implements for hair curling, namely: curling irons, curling pins; electric and non-electric depilation appliances, namely: shavers and razors, electrolysis depilatory kits and electric hair shavers; nutcrackers not of precious metals, electric and non-electric nail clippers, manicure sets; shaving cases, namely: boxes to range shaving products and razors; razor cases, razor blades; shoemaker's hand tools, namely: shoe lasts; fingernail files, electric and non-electric hair clippers, beard clippers, shaving sets, hair removing tweezers, fingernail nippers, rasps [hand tools], scissors. Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, namely: anti-glare glasses, pince-nez chains, contact lenses, pince-nez cords, eyeglass lenses, eyeglass cases for pince-nez and contact lenses; frames for eyeglasses and pince-nez; spectacles, sunglasses, pince-nez, supplementary lenses; lens hoods, magnetic encoded cards, electronic diaries, decimal weighbridges, sliding-weight weighbridges; directional compasses, electronic calculators, kaleidoscopes, measuring spoons, pedometers, optical mirrors, binoculars, computer printers, thermometers, barometers, automatic coin-operated amusement machines, electric and galvanic batteries, electric irons, electronic pocket translators, transistors, electronic amusement apparatus adapted for use with television receivers only. Apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely: electricity meters, voltmeters, electric batteries and accumulators, electric batteries chargers, electric transformers, voltage regulators, flashlights, battery powered wall lights and Christmas lights; apparatus for recording, transmission or reproduction of sound or images, namely: receivers, integrated amplifiers, tuners, control amplifiers, power amplifiers, compact disc players, headphones, televisions, video cassette recorders, video disc players, camera, video cameras, movie cameras, memory sticks; blank magnetic data carriers, namely: computer disks, memory sticks, audio cassettes, tapes and cards, magnetic identification card, magnetically encoded credit and debit cards; recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishers; accounting machines; electronic agendas; anti-glare glasses; protective suits of aviators; bar code readers; electric batteries, binoculars, bullet-proof vests; magnetic encoded cards; eyeglass cases; cassette players; chronographs; fire protective clothing, radiation protective clothing, motorcyclist protective clothing; recorded audio-video compact discs containing films, songs, news, documentaries, video games, music; read-only memory compact discs; directional compasses; recorded computer operating programs; recorded computer software, namely: computer game programs, computer operating programs, computer programs for use in data base management, accountancy, for use as a spread sheet, for word processing, for stock control; computer printers; contact lenses; container for contact lenses; mechanism for coin-operated dispensing machines; dictating machines; diving suits; patterns for dressmaking; electronic pocket translators; eyeglass chains; eyeglass cords; eyeglass frames; eyeglasses; instruments containing eyepieces, namely: telescopes, microscopes; electric flat irons; floats for bathing and swimming; galvanic batteries; apparatus for games adapted for use with television receivers only; garments for protection against fire; gloves for divers; gloves for protection against accidents; invoicing machines; magic lanterns; optical lanterns; optical lenses; life jackets; optic magnifying glasses; measuring spoons; mirrors (optics); computer mouse; pedometers; protective helmets; egg timers (sandglasses); shoes for protection against accidents, irradiation and fire; signal lanterns; spectacle cases; spectacle frames; spectacle glasses; spectacles (optics); sunglasses, swimming jackets; telephone apparatus, namely: telephone answering machines, intercoms, telephone automatic diallers, telephones cellular phone; temperature indicators; thermometers, not for medical purposes; electronic transistors; weighbridges; weights. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, namely: florescent lighting tubes, electric track lighting units; solar heating panels, electric heaters for baby bottles, hot water heater, portable electric heaters; steam generators; refrigerators, freezers, fans, water dispensers; bath tubs; bidets; electric blankets; burners; coffee machines, electric; electric and gas cookers; electric heating cushions [pads] not for medical purposes; drying apparatus, namely: electric hand dryers, dress dryers, garment dryers and hair dryers; tumble dryers; electric heaters for feeding bottles; flares; flashlights (torches); griddles; hair dryers; lamps; lamp globes; lamp shades; lanterns; electric laundry dryers; light bulbs; electric light bulbs; lighters; pocket searchlights; showers; sinks; taps [faucets]; toasters; toilet bowls; wash-hand basins. Apparatus for locomotion by land, air or water, namely:

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automobiles, off-road all terrain motor vehicles, trucks, motor vehicles for the transport of passengers and goods, motor lorries, vans, buses, motorboats, airplanes, helicopters, seaplanes, gliders, hang gliders; sun-blinds adapted for automobiles; bicycles; cleaning trolleys; golf carts; pushchairs, saddle covers for bicycles or motorcycles; safety belts for vehicle seats; safety seats for children for vehicles; seat covers for vehicles; shopping trolleys carts; sleighs [vehicles]; tricycles; shaped vehicle covers; baby carriages. Precious metals and their alloys and goods in precious metals or coated therewith, namely: rings, necklace, chains, earrings, bracelets, pins, hairpins; jewellery, precious stones; horological and chronometric instruments, namely: watches, chronometers, clocks; ashtrays, of precious metal for smokers; badges of precious metal; boxes of precious metal; coins; cuff links. Gold and silver ware, other than cutlery, forks and spoons, namely: vases, glasses plates, chains, key chains; hat ornaments of precious metal; key rings [trinkets or fobs]; medals; napkin rings of precious metal; needle cases of precious metal; ornamental pins; shoe ornament of precious metal; tie pins; works of art of precious metal, namely: statues, sculptures, bibelots; costume jewellery. Paper, cardboard and goods made from these materials, namely: fax paper, gift wrapping paper, wrapping paper, grocery paper, illustration paper, note paper, opaque paper, parchment paper, photosensitive paper, printing paper, recycled paper, reproduction paper, typewriter paper, writing paper; printed matter, namely: calendars, almanacs, posters, lithographs, greeting cards, note cards, blank cards; bookbinding material, namely: bookbinding adhesive, loose-leaf binders, cloth for bookbinding, cords for bookbinding; photographs; stationery, namely: wrapping paper for books, adhesive tape dispenser, envelopes, diaries, scrapbooks, address books; adhesives for stationery or household purposes; artists' materials, namely: oil paint, paint brushes, pigments, oil pastels, pastels, palettes for painters, canvas for painting; typewriters; office requisites (except furniture), namely: rulers, rubber-bands; instructional and teaching material (except apparatus), namely: printed forms and printed guides for conducting classes, seminars, workshops in the field of fashion, dressmaking, improving business habits and business skills, information material in the form of manuals, video tapes in the field of marketing, fashion, dressmaking, management and administration; plastic materials for packaging, namely: tubing, casings, bags, envelopes, pouches and sheets made of plastic for use as packaging material; printers' type; printing blocks; albums; almanacs; disposable babies' diapers of paper and cellulose; disposable babies' napkin-pants [diaper-pants] of paper and cellulose; bags [envelopes, pouches] of paper or plastics for packaging; loose-leaf binders; bookends; bookmarkers; books; boxes for pens; boxes of cardboard or paper; calendars; cheque book holders; chromolithographs [chromos]; decalcomanias; drawing sets; engravings; fabrics for bookbinding; face towels of paper; folders for papers; hand labelling appliances, namely: label printing machines; handkerchiefs of paper; hat boxes of cardboard; passport holders, hygienic paper; ink; inking sheets for document reproducing machines; inkwells; labels, not of textile; lithographs; mats for beer glasses; table napkins of paper; napkins of paper for removing make-up; packing paper; paperweights; patterns for dressmaking; patterns for making clothes; periodicals; posters; printed publications, namely: magazines, newspapers, books, catalogues; sealing wax; stencil cases; table linen of paper, namely: napkins, table-cloths, tray-cloths; tailors' chalk; towels of paper; tracing cloth. Writing cases [sets]; writing instruments, namely: ball-point pens, pencils for writing, pens, markers; writing materials, namely: blotting paper, blotting pads. Leather and imitations of leather, and goods made of these materials, namely: animal skins, hides, trunks and travelling bags, umbrellas, parasols, walking sticks, whips, harness and saddlery, bags for climbers and campers, handbag frames, umbrella frames, purses, handbags, linings of leather for boots and shoes, key cases, attaché-cases, school bags, garments bags for travel, hat boxes of leather, sling bags for carrying infants, wheeled shopping bags, boxes of leather or of leather board, wallets, briefcases, vanity cases (not fitted), collars for animals, leather lashes, leather laces, umbrella covers, covers for horse saddles, rucksacks, haversacks, music cases, bags (envelopes, pouches) of leather for packaging; backpacks; boxes of vulcanised fibre; cases of leather or of leatherboard; frames for parasols; garment bags for travel; handbags; key cases [leatherware]; pocket wallets; purses; purses, not of precious metal; school satchels; sling bags for carrying infants; suitcases; travelling sets [leatherware]; vanity cases [not fitted]. Furniture, namely: sofa, chairs, recliners, tables, desks, lamps, mirrors, buffets, pictures, bookshelves; picture frames; goods of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics, namely: decorative boxes and pills boxes, cutlery handles not made of metal, tops, lids and stoppers not made of metal, coasters made of plastics or cork, napkin rings not made of metal, jewellery and eyeglass frames; photo-frames; mirror frames;

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combs; comb handles; babies' pacifiers; fans, pillows, curtain rings, chests not of metal, cupboards, benches (furniture), table trays/tops), folding screens (furniture), frames, wooden or plastic boxes/cases, chests for toys, beds, head-rests (furniture), trolleys (furniture), bottle racks; brushes, namely: clothes brushes, nail brushes; baskets not of metal, cushions, mattresses, drawer chests, bamboo curtains, cradles, divans, shelves, mirrors, display racks, filing cabinets, garment covers [storage]; bed and furniture covers, hammocks, flower-stands [furniture], jewellery cases [caskets] not of precious metals, dressmaker's dummies, tables; works of art, of wood, wax plaster or plastic, namely: sculptures, statues, bibelots, paints, boxes, vases; umbrella stands, playpens for babies, dress and hat hangers, coat hangers, sleeping bags for camping, chairs (seats), sofas, footstools for children, embroidery frames, high chairs for babies/children, deck chairs. Household or kitchen utensils and containers (not of precious metal nor coated therewith); combs and sponges, namely: bath sponges, sponges for applying body powder, scouring sponges, combs and sponges for the toilet and grooming of pets and horses; brushes (except paint brushes), namely: toilet brushes, hair brushes, shaving brushes, brushes for pets, brushes for footwear, toothbrushes, powder brushes for makeup; brush-making materials, namely: brush shafts and bristle, natural wild oar hair, plastic fibre and filaments for use in tooth brushes; articles for cleaning purposes, namely: cleaning rags, packing-cloth, cleaning cotton, cleaning pads; steelwool; unworked or semi-worked glass (except glass used in building); beverage, crockery, china and decorative glassware, porcelain and earthenware; bottle openers, oil cruets, cocktail stirrers, candle extinguishers, non-electric make-up removing appliances, namely: wipes, napkins and cloths; cotton swabs; sugar bowls, trays, portable baby baths, cloth for washing floors and kitchen, glass bowls, tea balls, boxes for sweetmeats; bottles, namely: baby bottles, hot water bottles, ink bottles, oil bottles, perfume bottles, vacuum bottles, water bottles: shaving brushes, pottery, coffeepots; boxes, namely: metal boxes, music boxes, metal tool boxes, glass boxes, lunch boxes, metal cash boxes, mail boxes, pill boxes, decorative boxes, jewellery boxes; non-electric heaters for feeding bottles, shoe horns, candle sticks/candelabras, wine-tasters' pipettes, fly catchers, epergnes/table center pieces, brushes for footwear; baskets, namely: flower baskets, picnic baskets, sewing baskets, wastepaper basket; water and air strainers, trouser hangers (stretchers), ice buckets, tie presses, door handles of porcelain, comb cases, ironing board covers, gardening gloves, gloves for household purposes, polishing gloves, shoe trees (stretchers), piggy banks not of metal, soap boxes, decanters, bird cages, butter dishes; toilet kits, namely: sets containing toilet utensils and articles namely hair brushes, combs and sponges, soaps, Cologne water, mirror, nail-file, nail-scissors sold as a whole; works of art of porcelain, terracotta or glass, namely: vases, decorative plates, statues, sculptures, boxes, bibelots, decorative frames; toothpick holders, carpet beaters, bread bins, dusting cloths (rags), pepper pots, clothes-pegs and drying racks for washing, plates, dusters, powder boxes (compacts), shaving brush stands, sponge holders, toilet paper holders, trouser presses, perfume sprayers and vaporizers, graters, crumb trays, bottle coasters, plate coasters/trivets, boot jacks, salt cellars, clothes racks for drying, coffee and tea services, napkin rings, washing boards, ironing boards, bread boards, cutting boards for the kitchen, cups, shirt stretchers, shoe stretchers, teapots, flower pots; toilet utensils, namely: combs and sponges, nail-file, nail-scissors, pumice stones; tableware other than knives, forks and spoons, namely: plates, glasses, dishes, trays; drinking glasses, cruets (vinegar). Ropes, string, nets, tents, awnings, sails, sacks; bags, namely: bags for washing hosiery, laundry bags, multi-purpose bags, cloth bags, garbage bags, plastic food storage bags, vacuum cleaner bags; padding and stuffing materials (except of rubber or plastics), namely: feathers, polyester fibres; raw fibrous textile materials, namely: silk, wool, cotton and linen; bottle envelopes of straw; eiderdown; hammocks; tarpaulins. Textiles and textile goods, namely: table covers, pocket and handkerchiefs, kerchiefs, textile fabric and towels; bed and table linen; curtain holders of textile material, banners, flags (not of paper), table runners, bedspreads, textile or plastic curtains, eiderdown coverlets [down coverlets], cloth labels, textile linings, mattress covers, loose covers for furniture, covers for cushions, mitts [washing], oilcloth for use as tablecloths, bed blankets, travelling rugs [lap robes], table cloths not of paper, mosquito nets, handkerchiefs of textile, blinds of textile, bath linen (except clothing); household linen, namely: dish cloths, dusters; sheets [textile], sleeping bags [sheeting], coasters [table linen], paper and textile napkins, billiard cloth, wall hangings of textile, traced cloth for embroidery; cloth towels, glass cloth, polishing cloth, furniture cloths, towels of textile, face towels of textile, napkins for removing make-up (cloth), net curtains. Clothing for women, men and children, namely: athletic clothing, baby clothing, belts, bullet-proof clothing, business clothing, casual clothing, children's clothing, dress clothing, fire retardant clothing, infant clothing, jackets, outdoor winter clothing, sports clothing, sun

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protective clothing, underwear, lingerie; footwear (except orthopaedic), namely: athletic footwear, beach footwear, bridal footwear, casual footwear, children's footwear, evening footwear, exercise footwear, fire protective footwear, footwear cushioning, golf footwear, infant footwear, medical personnel footwear, outdoor winter footwear, rain footwear, ski footwear, sports footwear; headgear, namely: headbands, beret, bonnets, caps, bathing caps, hoods, hats, ear muffs, bandanas; bathrobes, bibs not made of paper, hair bands (clothing), boas (to be worn around the neck), scarves, socks, layettes [clothing], hoods (clothing), collar protectors, belts (clothing), wet suits for water-skiing; clothing kits, namely: lady's suit and top sold as a whole, suit and shirt sold as a whole; ties, corsets, short capes, stoles (clothing), shawl, bathing hats and bath sandals, hats, gloves (clothing); body linen lingerie, namely: bras, briefs, panties, suspender belts; singlets, mantillas, stockings, mittens, earmuffs (clothing); bowties; diapers; panty diapers, neckerchiefs, tie ups/pareos, furs (clothing); pyjamas, underclothing, soles for footwear, heels, suspenders, bathing suits, clothing for gymnastics and sports; veils (clothing), paper dresses; cyclist's and driver's clothing, namely: pants, shorts, tee-shirts, mittens, jackets and hats, driving gloves, clothing patches, driving suits, fire-resistant clothing for automotive racing purposes; protective helmets. Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers; ornamental novelty badges [buttons]; badges for wear, not of precious metal; barrettes [hair-slides]; belt clasps; bodkins; bows for the hair; braids; brassards; brooches [clothing accessories]; buckles [clothing accessories]; embroidery; eyelets for clothing; shoe fasteners; feathers [clothing accessories]; haberdashery, except thread, namely: buttons, zippers, lace and embroidery, ribbons and braid; hair bands, hair ornaments; hair pins; hat ornaments not of precious metal; hooks (embroidering crochet -); hooks [haberdashery]; lace trimming; letters for marking linen; needle cases, not of precious metal; numerals for marking linen, orsedew [trimmings for clothing]; passementerie; pin cushions; reins for guiding children; ribbons [haberdashery]; sewing boxes; sewing thimbles; shoe laces; shoe ornaments not of precious metal; shoulder pads for clothing; slide fasteners [zippers]; spangles for clothing; tea cosies; tinsels [trimmings for clothing]; top-knots [pompoms]; wreaths of artificial flowers. [Carpets, rugs, mats and matting, linoleum for covering existing floors; non-textile wall hangings; bath mats; carpet underlay; floor coverings, namely: floor planks, pavement, tiles] wallpaper. Games and playthings, namely: role playing games, pinball games, table tennis games, video games, paddle ball games, parlour games; gymnastic and sporting articles, namely: exercise mats, training stools, sports helmets, balls, free weights for weightlifting; decorations for Christmas trees; baseball gloves; bladders of balls for games; boxing gloves; Christmas trees of synthetic material; automatic and coin operated amusement machines; climbers' harness; cups for dice; dolls' clothes; dolls' houses; elbow guards [sports articles]; fencing gauntlets; fishing tackle; automatic games other than those adapted for use with television receivers only; gloves for games; golf gloves; kites; knee guards [sports articles]; toy masks; novelties for parties, namely: garlands, confetti, serpentines, flags, balloons, novelty hats; party favours; machines for physical exercises; puppets; tennis, ping-pong, squash, paddle and badminton rackets; rattles [playthings]; rods for fishing; tables for table tennis; theatrical masks

(2) Bleaching preparations and other substances for laundry use, namely: bleach, soap, softener, anti-static agents, starch, detergents; cleaning, polishing, scouring and abrasive preparations in powder, crystal, or liquid form for the cleaning of textile and cloth, denim and canvas-based fabric. Soaps, namely: toilet soaps, perfumed soaps and antibacterial soaps for personal use; perfumery, namely: perfumes, concentrated perfumes, eau de Cologne, lavender water, perfume water, scented water, toilet water, extracts of flowers for perfumery, perfumed oils, bases for flower perfumes, salts, gels, creams, crystal and foam for the bath and shower; essential oils for personal use; cosmetics, namely: adhesives for affixing false eyelashes and false hair; almond milk for skin care; creams, gels, sprays to protect from the sun; anti-wrinkle cream; beard dye; beauty skin masks; creams, lotions and gels to bleach the skin, hair, eyebrows and eye-lashes; brilliantine; bronzing lotions; cleansing skin creams, cleansing skin milks; cosmetic skin creams; cosmetic hair dye; cosmetic lotions, milks, gels, creams, oils, balms for skin care; creams, gels, oils, milks for slimming purposes; hydrating, energising, relaxing bath salts, crystals, foam and gels; cotton swabs for cosmetic purposes; day time skin creams; ephemeral decorative tattoos; depilatory creams, sheets, strips, wax; eyeliner, blush; lip, eye, eyebrow and eyelashes pencils; eye shadow; facial skin masks; firming eye cream; greases for skin and hair care; hand cream; hydrogen peroxide for hair care; lipsticks, lip gloss; liquid foundation; make-up powder; make-up removing milk, gels and lotions; mascara; moisturising skin cream; moustache wax; nail polish, enamels; oils for skin and

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hair care; paper guides for eye make-up; petroleum jelly for skin and hair care; protective creams for the lips; eyebrow, eyelashes and eye pencil sharpeners; shaving creams, foams, gels and balms; hair sprays; sun-tanning creams, gels, oils and lotions; tinted skin creams; tissues impregnated with cosmetic lotions for cleaning, peeling and hydrating the skin; nail-varnish remover; hair lotions; dentifrices, oils for toilet purposes, blueing for laundry, cotton(-tipped) sticks for cosmetic purposes, shoe cream, shoe polish, shoemaker's wax and pitch, hair shampoos, hair dyes; hair, eyebrow and eyelashes decolorants, deodorants for personal use (perfumery); extracts of flowers (perfumes); paper guides for painting eyes, incense, scented wood, hair spray and nail polish; pencils for cosmetic use and for eyelashes, lipsticks; after-shave lotions; lotions for cosmetic purposes; beauty masks; decorative transfers for cosmetic purposes; kits of cosmetics for hair and skin care, composed of shampoo, conditioner, skin cream, lotion and mask sold as a whole; kits of cosmetics for make-up composed of mascara, lip gloss, lipstick, blush-powder sold as a whole; false eyelashes, false fingernails, pumice stone, potpourris; fragrances; pomades for cosmetic use, cosmetic preparations for slimming purposes; cosmetic preparations for baths, cosmetic preparations for skin care, sun-tanning preparations [cosmetics]; hair waving preparations, namely: gels, balms, creams, shampoos, masks, foam, sprays and lotions; laundry preparations, namely: antibacterial soaps; depilatory preparations; sanitary preparations for toiletry; namely: mouthwash, dental floss, toothbrush, toothpaste; non-medical preparations for facial treatment, for hair treatment and hair care, namely: lotions, gels, masks, balms, shampoos, conditioners, creams for the beauty and the health of the skin and hair; make-up removing preparations, shaving preparations, fingernail care preparations. Preparations for perfuming linen, namely: satchels and scented water for linen, scented water for ironing; varnish removing preparations, colour brightening chemicals for household purposes (laundry); stain removers. Tissues impregnated with cosmetic skin lotions. namely: paper handkerchief and wipes. Glass cloth. Industrial oils and greases; lubricants, namely: automobile lubricants, industrial lubricants; dust absorbing lubricants; wetting and binding compositions; fuels and illuminants, namely: motor spirits, diesel, methanol and ethanol; candles and wicks for lighting; grease for boots; grease for leather; moistening oil for industrial purposes; briquettes. Pharmaceutical and veterinary preparations, namely: vaccines for both human and veterinary use, medicines under solid and liquid form for both human and veterinary use against flees, ticks, acne, headache; dietetic substances adapted for medical use, namely: vitamins, minerals, lecithin; baby food; plasters; medical and surgical dressings; material for stopping teeth, dental wax; all purpose disinfectants; preparations for destroying vermin; fungicides, herbicides; bath salts for medical purposes; compresses; cotton for medical purposes; deodorants, other than for personal use, namely: deodorant sprays for the house, perfumed stones, scented woods, potpourris, perfumed candles; hygienic bandages; lotions for pharmaceutical purposes, namely: anti-acne lotions, insect repellent lotions; portable filled medicine cases; menstruation pads, menstruation tampons; mineral water for medical purposes; mouthwashes for medical purposes; napkins for incontinents; chemical preparations for the diagnosis of pregnancy; salts for mineral water baths; sanitary panties; sanitary pants; pharmaceutical preparations for skin care, namely: anti-inflammatory, anti-infective, decongestants, astringents, anti-allergy solutions; smelling salts; solutions for use with contact lenses; sunburn ointments; surgical cloth [tissues]; surgical tissues; tissues impregnated with pharmaceutical lotions; Common metals and their alloys; metal building materials, namely: construction elements of metal used for the constructions of short-term buildings for expositions, conferences, shows, cultural, sport events, namely: aluminum profiles, girders; transportable buildings of metal; materials of metal for railway tracks, namely: rails; non-electric cables and wires of common metal; Ironmongery, small items of metal hardware, namely: clamps, screws, crampons, nails, pins, grates, hoods, grills, drainage grills, manholes and manholes covers; pipes and tubes of metal; safes; goods of common metal, namely: metal boxes, mugs, cutlery bowls, bolts and nuts, dishes, glasses, cutlery; bells; bins of metal; buckles of common metal; chests of metal; non-electric door bells; hooks [metal hardware]; ice moulds of metal; Identity plates of metal; knobs of metal; money boxes of metal; padlocks; poles of metal; pot hooks of metal; preserve tins; preserving boxes of metal; rings of common metal for keys; signboards of metal; steps [ladders] of metal; tins; tool boxes of metal sold empty; burial vaults of metal; wire cloth; wire gauze; works of art of common metal, namely: statues, sculptures; ores of metal. Hand-operated hand tools and implements, namely hammers, drills, measuring tapes, saws; cutlery; side arms, namely: swords, bayonets; razors; non-electric can openers; hand implements for hair curling, namely: curling irons, curling pins; electric and non-electric depilation appliances, namely: shavers and razors, electrolysis depilatory kits and electric hair shavers; nutcrackers not of precious

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metals, electric and non-electric nail clippers, cutlery (knives, forks and spoons), manicure sets; shaving cases, namely: boxes to range shaving products and razors; razor blade cases, razor blades; shoemaker's hand tools, namely: shoe lasts; fingernail files, electric and non-electric hair clippers, beard clippers, shaving sets, hair removing tweezers, fingernail nippers, rasps [hand tools], scissors. Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments, namely: anti-glare glasses, pince-nez chains, contact lenses, pince-nez cords, eyeglass lenses, eyeglass cases for pince-nez and contact lenses; frames for eyeglasses and pince-nez; spectacles, sunglasses, pince-nez, supplementary lenses; lens hoods, magnetic encoded cards, electronic diaries, decimal weighbridges, sliding-weight weighbridges; directional compasses, electronic calculators, kaleidoscopes, measuring spoons, pedometers, optical mirrors, binoculars, computer printers, thermometers, barometers, automatic coin-operated amusement machines, electric and galvanic batteries, electric irons, electronic pocket translators, transistors, electronic amusement apparatus adapted for use with television receivers only; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely: electricity meters, voltmeters, electric batteries and accumulators, electric batteries chargers, electric transformers, voltage regulators, flashlights, battery powered wall lights and Christmas lights; apparatus for recording, transmission or reproduction of sound or images, namely: receivers, integrated amplifiers, tuners, control amplifiers, power amplifiers, compact disc players, headphones, televisions, video cassette recorders, video disc players, camera, video cameras, movie cameras, memory sticks; blank magnetic data carriers, namely: computer disks, memory sticks, audio cassettes, tapes and cards, magnetic identification card, magnetically encoded credit and debit cards; recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishers; accounting machines; electronic agendas; anti-glare glasses protective suits for aviators; bar code readers; batteries, electric; binoculars; bullet-proof vests; encoded magnetic cards; eyeglass cases; cassette players; chronographs; fire protective clothing, radiation protective clothing, motorcyclist protective clothing; recorded audio-video compact discs containing films, songs, news, documentaries, video games, music; read-only memory compact discs; directional compasses; recorded computer operating programs; recorded computer software, namely: computer game programs, computer operating programs, computer programs for use in data base management, accountancy, for use as a spread sheet, for word processing, for stock control; computer printers; contact lenses; container for contact lenses; mechanism for coin-operated dispensing machines; dictating machines; diving suits; patterns for dressmaking; electronic pocket translators; eyeglass chains; eyeglass cords; eyeglass frames; eyeglasses; instruments containing eyepieces, namely: telescopes, microscopes; electric flat irons; floats for bathing and swimming; galvanic batteries; apparatus for games adapted for use with television receivers only; garments for protection against fire; gloves for divers; gloves for protection against accidents; invoicing machines; magic lanterns; optical lanterns; optical lenses; life jackets; magnifying glasses [optics]; measuring spoons; mirrors [optics]; computer mouse; pedometers; protective helmets; egg timers (sandglasses); shoes for protection against accidents, irradiation and fire; signal lanterns; spectacle cases; spectacle frames; spectacle glasses; spectacles [optics]; sunglasses, swimming jackets; telephone apparatus, namely: telephone answering machines, intercoms, telephone automatic diallers, telephones cellular phone; temperature indicators; thermometers, not for medical purposes; electronic transistors; weighbridges; weights. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes, namely: florescent lighting tubes, electric track lighting units; solar heating panels, electric heaters for baby bottles, hot water heater, portable electric heaters; steam generators; refrigerators, freezers, fans, water dispensers; bath tubs; bidets; electric blankets; burners; electric coffee machines; electric and gas cookers; electric heating cushions [pads] not for medical purposes; drying apparatus, namely: electric hand dryers, dress dryers, garment dryers and hair dryers; tumble dryers; electric heaters for feeding bottles; flares; flashlights (torches); griddles; hair dryers; lamps; lamp globes; lamp shades; lanterns; electric laundry dryers; light bulbs; electric light bulbs; lighters; pocket searchlights; showers; sinks; taps [faucets]; toasters; toilet bowls; wash-hand basins. Apparatus for locomotion by land, air or water, namely: automobiles, off-road all terrain motor vehicles, trucks, motor vehicles for the transport of passengers and goods, motor lorries, vans, buses, motorboats, airplanes, helicopters, seaplanes, gliders, hang gliders; sun-blinds adapted for automobiles; bicycles; cleaning trolleys; golf carts; pushchairs, saddle covers for bicycles or

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motorcycles; safety belts for vehicle seats; safety seats for children for vehicles; seat covers for vehicles; shopping trolleys carts; sleighs [vehicles]; tricycles; shaped vehicle covers; baby carriages. Precious metals and their alloys and goods in precious metals or coated therewith, namely: rings, necklace, chains, earrings, bracelets, pins, hairpins; jewellery, precious stones; horological and chronometric instruments, namely: watches, chronometers, clocks; ashtrays of precious metal for smokers; badges of precious metal; boxes of precious metal; coins; cuff links. Gold and silver ware, other than cutlery, forks and spoons, namely: vases, glasses plates, chains, key chains; hat ornaments of precious metal; key rings [trinkets or fobs]; medals; napkin rings of precious metal; needle cases of precious metal; ornamental pins; shoe ornament of precious metal; tie pins; works of art of precious metal, namely: statues, sculptures, bibelots; costume jewellery. Paper, cardboard and goods made from these materials, namely: fax paper, gift wrapping paper, wrapping paper, grocery paper, illustration paper, note paper, opaque paper, parchment paper, photosensitive paper, printing paper, recycled paper, reproduction paper, typewriter paper, writing paper; printed matter, namely: calendars, almanacs, posters, lithographs, greeting cards, note cards, blank cards; bookbinding material, namely: bookbinding adhesive, loose-leaf binders, cloth for bookbinding, cords for bookbinding; photographs; stationery, namely: wrapping paper for books, adhesive tape dispenser, envelopes, diaries, scrapbooks, address books; adhesives for stationery or household purposes; artists' materials, namely: oil paint, paint brushes, pigments, oil pastels, pastels, palettes for painters, canvas for painting; typewriters; office requisites (except furniture), namely: rulers, rubber-bands; instructional and teaching material (except apparatus), namely: printed forms and printed guides for conducting classes, seminars, workshops in the field of fashion, dressmaking, improving business habits and business skills, information material in the form of manuals, video tapes in the field of marketing, fashion, dressmaking, management and administration; plastic materials for packaging, namely: tubing, casings, bags, envelopes, pouches and sheets made of plastic for use as packaging material; Printers' type; printing blocks; albums; almanacs; disposable babies' diapers of paper and cellulose; disposable babies' napkin-pants [diaper-pants] of paper and cellulose; bags [envelopes, pouches] of paper or plastics, for packaging; loose-leaf binders; bookends; bookmarkers; books; boxes for pens; boxes of cardboard or paper; calendars; cheque book holders; chromolithographs [chromos]; decalcomanias; drawing sets; engravings; fabrics for bookbinding; face towels of paper; folders for papers; hand labelling appliances, namely: label printing machines; handkerchiefs of paper; hat boxes of cardboard; passport holders; hygienic paper; ink; inking sheets for document reproducing machines; inkwells; labels not of textile; lithographs; mats for beer glasses; table napkins of paper; napkins of paper for removing make-up; packing paper; paperweights; patterns for dressmaking; patterns for making clothes; periodicals; posters; printed publications, namely: magazines, newspapers, books, catalogues; sealing wax; stencil cases; table linen of paper, namely: napkins, table-cloths, tray-cloths; tailors' chalk; towels of paper; tracing cloth. Writing cases [sets]; writing instruments, namely: ball-point pens, pencils for writing, pens, markers; writing materials, namely: blotting paper, blotting pads. Leather and imitations of leather, and goods made of these materials, namely: animal skins, hides, trunks and travelling bags, umbrellas, parasols, walking sticks, whips, harness and saddlery, bags for climbers and campers, handbag frames, umbrella frames, purses, handbags, linings of leather for boots and shoes, key cases, attaché-cases, school bags, garments bags for travel, hat boxes of leather, sling bags for carrying infants, wheeled shopping bags, boxes of leather or of leather board, wallets, briefcases, vanity cases (not fitted), collars for animals, leather lashes, leather laces, umbrella covers, covers for horse saddles, rucksacks, haversacks, music cases, bags (envelopes, pouches) of leather for packaging; backpacks; boxes of vulcanised fibre; cases of leather or of leatherboard; frames for parasols; garment bags for travel; handbags; key cases [leatherware]; pocket wallets; purses; purses not of precious metal; school satchels; sling bags for carrying infants; suitcases; travelling sets [leatherware]; vanity cases [not fitted]. Furniture, namely: sofa, chairs, recliners, tables, desks, lamps, mirrors, buffets, pictures, bookshelves; picture frames; goods of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerscham and substitutes for all these materials, or of plastics, namely: decorative boxes and pills boxes, cutlery handles not made of metal, tops, lids and stoppers not made of metal, coasters made of plastics or cork, napkin rings not made of metal, jewellery and eyeglass frames; photo-frames; mirror frames; combs; comb handles; babies' pacifiers; fans, pillows, curtain rings, chests not of metal, cupboards, benches (furniture), table trays/tops, folding screens (furniture), frames, wooden or plastic boxes/cases, chests for toys, beds, head-rests (furniture), trolleys (furniture), bottle racks; brushes, namely clothes brushes, nail brushes; baskets

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not of metal, cushions, mattresses, drawer chests, bamboo curtains, cradles, divans, shelves, mirrors, display racks, filing cabinets, garment covers [storage]; bed and furniture covers, hammocks, flower-stands [furniture], jewellery cases [caskets] not of precious metals, dressmaker's dummies, tables; works of art, of wood, wax plaster or plastic, namely: sculptures, statues, bibelots, paints, boxes, vases; umbrella stands, playpens for babies, dress and hat hangers, coat hangers, sleeping bags for camping, chairs (seats), sofas, footstools for children, embroidery frames, high chairs for babies/children, deck chairs. Household or kitchen utensils and containers (not of precious metal nor coated therewith); combs and sponges, namely: bath sponges, sponges for applying body powder, scouring sponges, combs and sponges for the toilet and grooming of pets and horses; brushes (except paint brushes), namely: toilet brushes, hair brushes, shaving brushes, brushes for pets, brushes for footwear, toothbrushes, powder brushes for makeup; brush-making materials, namely: brush shafts and bristle, natural wild oar hair, plastic fibre and filaments for use in tooth brushes; articles for cleaning purposes, namely: cleaning rags, packing-cloth, cleaning cotton, cleaning pads; steelwool; unworked or semi-worked glass (except glass used in building); beverage, crockery, china and decorative glassware, porcelain and earthenware; bottle openers, oil cruets, cocktail stirrers, candle extinguishers, non-electric make-up removing appliances, namely: wipes, napkins and cloths; cotton swabs; sugar bowls, trays, baby baths (portable), cloth for washing floors and kitchen, glass bowls, tea balls, boxes for sweetmeats; bottles, namely: baby bottles, hot water bottles, ink bottles, oil bottles, perfume bottles, vacuum bottles, water bottles; shaving brushes, pottery, coffeepots; boxes, namely: metal boxes, music boxes, metal tool boxes, glass boxes, lunch boxes, metal cash boxes, mail boxes, pill boxes, decorative boxes, jewellery boxes; non-electric heaters for feeding bottles, shoe horns, candle sticks/candelabras, wine-tasters' pipettes, fly catchers, epergnes/table center pieces, brushes for footwear; baskets, namely: flower baskets, picnic baskets, sewing baskets, wastepaper basket; water and air strainers, trouser hangers (stretchers), ice buckets, tie presses, door handles of porcelain, comb cases, ironing board covers, gardening gloves, gloves for household purposes, polishing gloves, shoe trees (stretchers), piggy banks not of metal, soap boxes, decanters, bird cages, butter dishes; toilet kits, namely: sets containing toilet utensils and articles, namely: hair brushes, combs and sponges, soaps, Cologne water, mirror, nail-file, nail-scissors sold as a whole; works of art of porcelain, terracotta or glass, namely: vases, decorative plates, statues, sculptures, boxes, bibelots, decorative frames; toothpick holders, carpet beaters, bread bins, dusting cloths (rags), pepper pots, clothes-pegs and drying racks for washing, plates, dusters, powder boxes (compacts), shaving brush stands, sponge holders, toilet paper holders, trouser presses, perfume sprayers and vaporizers, graters, crumb trays, bottle coasters, plate coasters/trivets, boot jacks, salt cellars, clothes racks for drying, coffee and tea services, napkin rings, washing boards, ironing boards, bread boards, cutting boards for the kitchen, cups, shirt stretchers, shoe stretchers, teapots, flower pots; toilet utensils, namely: combs and sponges, nail-file, nail-scissors, pumice stones; tableware other than knives, forks and spoons, namely: plates, glasses, dishes, trays; drinking glasses, cruets (vinegar). Ropes, string, nets, tents, awnings, sails, sacks; bags, namely: bags for washing hosiery, laundry bags, multi-purpose bags, cloth bags, garbage bags, plastic good storage bags, vacuum cleaner bags; padding and stuffing materials (except of rubber or plastics), namely: feathers, polyester fibres; raw fibrous textile materials, namely: silk, wool, cotton and linen; bottle envelopes of straw; eiderdown; hammocks; tarpaulins. Textiles and textile goods, namely: table covers, pocket and handkerchiefs, kerchiefs, fabrics for textile use and towels; bed and table linen; curtain holders of textile material, banners, flags (not of paper), table runners, bedspreads, textile or plastic curtains, eiderdown coverlets [down coverlets], cloth labels, linings (textile), mattress covers, loose covers for furniture, covers for cushions, washing mitts, oilcloth for use as tablecloths, bed blankets, travelling rugs [lap robes], table cloths not of paper, mosquito nets, handkerchiefs of textile, blinds of textile, bath linen (except clothing); household linen, namely: dish cloths, dusters; textile sheets, sleeping bags [sheeting], coasters [table linen], textile napkins, billiard cloth, wall hangings of textile, traced cloth for embroidery, cloth towel, polishing cloth, glass cloth, furniture cloths, towels of textile, face towels of textile, napkin for removing make-up [cloth], net curtains. Clothing for women, men and children, namely: athletic clothing, baby clothing, belts, bullet-proof clothing, business clothing, casual clothing, children's clothing, dress clothing, fire retardant clothing, infant clothing, jackets, outdoor winter clothing, sports clothing, sun protective clothing, underwear, lingerie; footwear (except orthopaedic), namely: athletic footwear, beach footwear, bridal footwear, casual footwear, children's footwear, evening footwear, exercise footwear, fire protective footwear, footwear cushioning, golf footwear, infant footwear, medical personnel footwear, outdoor winter footwear, rain footwear, ski

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footwear, sports footwear; headgear, namely: headbands, beret, bonnets, caps, bathing caps, hoods, hats, ear muffs, bandanas; bathrobes, bibs not made of paper, hair bands (clothing), boas (to be worn around the neck), scarves, socks, layettes [clothing], hoods (clothing), collar protectors, belts (clothing), wet suits for water-skiing; clothing kits, namely: lady's suit and top sold as a whole, suit and shirt sold as a whole; ties, corsets, short capes, stoles (clothing), shawl, bathing hats and bath sandals, hats, gloves (clothing); body linen lingerie, namely: bras, briefs, panties, suspender belts; singlets, mantillas, stockings, mittens, earmuffs (clothing); bowties; diapers; panty diapers, neckerchiefs, tie ups/pareos, furs (clothing); pyjamas, underclothing, soles for footwear, heels, suspenders, bathing suits, clothing for gymnastics and sports; veils (clothing), paper dresses; cyclist's and driver's clothing, namely: pants, shorts, tee-shirts, mittens, jackets and hats, driving gloves, clothing patches, driving suits, fire-resistant clothing for automotive racing purposes; protective helmets. Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers; ornamental novelty badges [buttons]; badges for wear not of precious metal; barrettes [hair-ridles]; belt clasps; bodkins; bows for the hair; braids; brassards; brooches [clothing accessories]; buckles [clothing accessories]; embroidery; eyelets for clothing; shoe fasteners; feathers [clothing accessories]; haberdashery, except thread, namely: buttons, zippers, lace and embroidery, ribbons and braid; hair bands; hair ornaments; hair pins; hat ornaments not of precious metal; hooks (embroidering crochet -); hooks [haberdashery]; lace trimming; letters for marking linen; needle cases not of precious metal; numerals for marking linen, orsedew [trimmings for clothing]; passementerie; pin cushions; reins for guiding children; ribbons [haberdashery]; sewing boxes; sewing thimbles; shoe laces; shoe ornaments not of precious metal; shoulder pads for clothing; slide fasteners [zippers]; spangles for clothing; tea cosies; tinsels [trimmings for clothing]; top-knots [pompoms]; wreaths of artificial flowers. Carpets, rugs, mats and matting, linoleum for covering existing floors; non-textile wall hangings; bath mats; carpet underlay; floor coverings, namely: floor planks, pavement, tiles; wallpaper. Games and playthings, namely: role playing games, pinball games, table tennis games, video games, paddle ball games, parlour games; gymnastic and sporting articles, namely: exercise mats, training stools, sports helmets, balls, free weights for weightlifting; decorations for Christmas trees; baseball gloves; bladders of balls for games; boxing gloves; Christmas trees of synthetic material; automatic and coin operated amusement machines; climbers' harness; cups for dice; dolls' clothes; dolls' houses; elbow guards [sports articles]; fencing gauntlets; fishing tackle; automatic games other than those adapted for use with television receivers only; gloves for games; golf gloves; kites; Knee guards [sports articles]; masks (toy -); novelties for parties, namely: garlands, confetti, serpentine, flags, balloons, novelty hats; party favours; machines for physical exercises; puppets; tennis, ping-pong, squash, paddle and badminton rackets; rattles; [playthings]; rods for fishing; tables for table tennis; theatrical masks.

SERVICES :

(1) Advertising services namely: distribution of advertising and commercial brochures and leaflets, directly or by mail; database marketing services, in the form of compiling customer specific databases for marketing purposes and consulting, designing, printing, and collecting marketing information; promoting the sale of goods through the issuance, distribution and sale of gift cards and fidelity cards; advertising agency services; licensing of advertising slogans; distribution of samples; business management services; business administration services; office functions, namely: secretarial and clerical services, business planning, business relocation and preparation of business reports, provision of business information, computerised business information storage and retrieval, computerised data processing and data base management and organisation of art exhibitions, automobile trade show exhibitions, craft trade show exhibitions, fashion trade show exhibitions, clothing trade show exhibitions, and jewellery trade show exhibition for commercial and advertising purposes; shop-window dressing; demonstration of goods for others at trade shows, in-store demonstrations and exhibitions by showing and displaying the goods and their uses and benefits; publication of publicity texts, organization of trade fairs for commercial and advertising purposes, namely: automobile trade fairs, craft trade fairs, fashion trade fairs, clothing trade fairs, and jewellery trade fairs, for commercial and advertising purposes; sales promotions for others, namely: promoting goods and services by arranging for sponsors to affiliate goods and services with film premieres, charity shows, horse riding, sailing, golf, by organising charity shows, and organising learning programs to promote the quality of education of an university or a high school, by preparing and placing advertising in an electronic magazine accessed through a global computer

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network, and through the distribution of discount cards; franchising business management assistance; management assistance to a business handling orders through global communication networks, credit and shopping card business management assistance, modelling services for advertising or sale promotion purposes, promoting shopping centres for others through the distribution of printed material and promotional contests; retail sales in stores, by mail-order selling, and through the Web of clothing, clothing accessories, footwear, leather wares, underwear, home wear, perfumery, furniture, cds, dvds, stationery, household linen, carpets, home accessories, household utensils; public auctioneering ; retail store, computerized online retail, and catalogue services in the fields of house wares, furniture, home furnishings, glassware, tableware, gifts, household linens, dinnerware, cookware, clothing, clothing accessories, beauty and personal care products, leather goods, luggage and bags.

(2) Advertising services namely: distribution of advertising and commercial brochures and leaflets, directly or by mail; database marketing services, in the form of compiling customer specific databases for marketing purposes and consulting, designing, printing, and collecting marketing information; promoting the sale of goods through the issuance, distribution and sale of gift cards and fidelity cards; advertising agency services; licensing of advertising slogans; distribution of samples; business management services; business administration services; office functions, namely: secretarial and clerical services, business planning, business relocation and preparation of business reports, provision of business information, computerised business information storage and retrieval, computerised data processing and data base management and organisation of art exhibitions, automobile trade show exhibitions, craft trade show exhibitions, fashion trade show exhibitions, clothing trade show exhibitions, and jewellery trade show exhibition for commercial and advertising purposes; shop-window dressing; demonstration of goods for others at trade shows, in-store demonstrations and exhibitions by showing and displaying the goods and their uses and benefits; publication of publicity texts, organization of trade fairs for commercial and advertising purposes, namely: automobile trade fairs, craft trade fairs, fashion trade fairs, clothing trade fairs, and jewellery trade fairs; sales promotions for others, namely: promoting goods and services by arranging for sponsors to affiliate goods and services with film premieres, charity shows, horse riding, sailing, golf, by organising charity shows, and organising learning programs to promote the quality of education of an university or a high school, by preparing and placing advertising in an electronic magazine accessed through a global computer network, and through the distribution of discount cards; franchising business management assistance; management assistance to a business handling orders through global communication networks, credit and shopping card business management assistance, modelling services for advertising or sale promotion purposes, promoting shopping centres for others through the distribution of printed material and promotional contests; retail sales in stores, by mail-order selling, and through the Web of clothing, clothing accessories, footwear, leather wares, underwear, home wear, perfumery, furniture, cds, dvds, stationery, household linen, carpets, home accessories, household utensils; public auctioneering ; retail store, computerized online retail, and catalogue services in the fields of house wares, furniture, home furnishings, glassware, tableware, gifts, household linens, dinnerware, cookware, clothing, clothing accessories, beauty and personal care products, leather goods, luggage and bags.

REVENDEICATION :

Priority Filing Date: March 17, 2003, Country: SPAIN, Application No: 2531471 M8 in association with the same kind of wares (1) and in association with the same kind of services (1).
Used in SPAIN on wares (1) and on services (1).
Registered In or for SPAIN on September 03, 2003 under No. 2531471 on wares (1) and on services (1).
Proposed Use in CANADA on wares (2) and on services (2).

MARQUES LIÉES :

TMA513,706 TMA526,538 TMA526,805 TMA531,098 TMA534,585
TMA546,483 TMA557,205 TMA747,356 TMA839,945 1,020,931
1,028,780 1,215,860 1,478,638 1,493,680 1,522,904
1,522,906 1,522,907 1,544,442 1,544,447 1,544,448
1,544,449 1,544,450

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Information sur les actions

ACTION	DATE	BF	COMMENTAIRES
Produite	2003-09-17		
Créée	2003-10-02		
Formalisée	2003-10-06		
Recherche enregistrée	2004-04-06		
Premier rapport de l'examineur	2004-04-06	2004-08-06	
Prolongation de délai	2004-08-09	2005-02-06	Request Letter Date: 2004/08/02
Prolongation de délai	2005-02-08	2005-08-06	Request Letter Date: 2005/01/31
Prolongation de délai	2005-08-16	2006-02-06	Request Letter Date: 2005/08/05
Prolongation de délai	2006-02-09	2006-08-06	Request Letter Date: 2006/02/02
Prolongation de délai	2006-08-17	2007-02-06	Request Letter Date: 2006/07/28
Prolongation de délai	2007-02-09	2007-08-06	Request Letter Date: 2007/02/05
Prolongation de délai	2007-09-28	2008-02-06	Request Letter Date: 2007/08/06
Prolongation de délai	2008-02-14	2008-08-06	Request Letter Date: 2008/01/31
Prolongation de délai	2008-08-26	2009-02-06	Request Letter Date: 2008/07/31
Prolongation de délai	2009-02-09	2009-08-06	Request Letter Date: 2009/02/04
Prolongation de délai	2009-08-11	2010-02-06	Request Letter Date: 2009/07/31
Prolongation de délai	2010-02-17	2010-08-06	Request Letter Date: 2010/02/05
Correspondance créée	2010-09-16	2011-03-16	
Correspondance créée	2011-04-19	2011-10-19	
Avis d'approbation envoyé	2011-10-05	2011-11-02	
Note au dossier	2011-10-27		As per letter of 2011/10/25 correction made to services (1): added "for commercial and advertising purposes". APPROVED BY PROGRAM EX200M1 Vol.58 Issue 2981 2011/12/14
Approuvée	2011-11-24		
Extrait pour publication	2011-12-09		
Publiée	2011-12-14		Vol.58 Issue 2981
Opposition projetée	2012-01-27		Proposed Opposition Filed by receiving mail.
En opposition	2012-01-27		Opposition Created by filing a statement of Opposition.

ACTION D'OPPOSITION**CAS #1 : Zainab Ansell and Roger Ansell, a - Actif**

INFORMATION RELATIVE AUX MARQUES DE COMMERCE CANADIENNE :... Page 15 sur 16

ÉTAPES / ACTIONS	DATE	BF
DÉCLARATION D'OPPOSITION		
Déclaration d'opposition déposée	2012-01-23	
Droits relatifs à la déclaration d'opposition reçus	2012-01-23	
Déclaration d'opposition transmise à des fins d'examen	2012-01-27	
Déclaration d'opposition envoyée au requérant	2012-03-08	2012-05-08
CONTRE-DÉCLARATION		
Contre-déclaration déposée par le requérant	2012-03-27	
Contre-déclaration signifiée à l'opposant	2012-03-27	2012-07-27
Correspondance produite	2012-07-11	
MOTION INTERLOCUTOIRE		
Motion interlocutoire reçue	2012-03-27	
Correspondance produite	2012-04-18	2012-05-09
Correspondance produite	2012-08-28	
PREUVE - OPPOSANT		
Preuve déposée par l'opposant	2012-07-27	
Preuve signifiée au requérant	2012-07-27	2012-11-27
PREUVE - REQUÉRANT		
Déclaration signifiée - Aucune preuve par le requérant	2012-09-24	2012-10-11
Déclaration déposée - Aucune preuve par le requérant	2012-09-24	
PLAIDOYERS ÉCRITS		
Plaidoyers écrits demandés - Requérant	2012-12-07	2013-01-07
Plaidoyers écrits demandés - Opposant	2012-12-07	2013-01-07
Plaidoyers écrits déposés par le requérant	2012-12-14	
Plaidoyers écrits déposés par l'opposant	2013-01-07	
Correspondance produite	2013-02-26	
Plaidoyers écrits échangés	2013-02-26	2013-03-26
APPLICATION MODIFIÉE		
Modifications aux marchandises / Services reçues	2012-03-29	
Demande modifiée	2012-04-18	
Correspondance produite	2012-04-18	
AUDIENCE		
Demande d'audience par l'opposant	2013-03-14	
Demande d'audience par le requérant	2013-03-20	
Audience fixée	2013-03-28	

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INFORMATION RELATIVE AUX MARQUES DE COMMERCE CANADIENNE ... Page 16 sur 16

Requérant présent à l'audience 2013-04-16
Correspondance produite 2013-04-24

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CAS #2 : Watson Pharmaceuticals, Inc - Actif

ÉTAPES / ACTIONS	DATE	BF
DÉCLARATION D'OPPOSITION		
Prolongation de délai accordée à l'opposant	2012-02-14	
Déclaration d'opposition déposée	2012-05-22	
Droits relatifs à la déclaration d'opposition reçus	2012-05-22	
Correspondance produite	2012-05-29	2012-06-12
Déclaration d'opposition transmise à des fins d'examen	2012-06-13	
Correspondance produite	2012-08-27	2012-09-17
Correspondance produite	2012-10-11	
Correspondance produite	2013-02-20	
Déclaration d'opposition envoyée au requérant	2013-02-26	2013-04-26
CONTRE-DÉCLARATION		
Date limite pour déposer une contre-déclaration	2013-04-26	
APPLICATION MODIFIÉE		
Modifications aux marchandises / Services reçues	2012-03-29	
Demande modifiée	2012-04-18	
Correspondance produite	2012-04-18	

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Dernière mise-à-jour :
2012-03-26

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: T-468-15

STYLE OF CAUSE: INDUSTRIA DE DISENO TEXTIL, S.A. v ZARA
NATURAL STONES INC.

PLACE OF HEARING: OTTAWA, ONTARIO

DATE OF HEARING: MARCH 6, 2019

JUDGMENT AND REASONS: ST-LOUIS J.

DATED: AUGUST 23, 2019

APPEARANCES:

Catherine Bergeron

FOR THE APPLICANT

Adams Michael

FOR THE RESPONDENT

SOLICITORS OF RECORD:

Robic, S.E.N.C.R.L.
Barristers and Solicitors
Montreal, Ontario

FOR THE APPLICANT

Riches, McKenzie and Herbert LLP
Barristers and Solicitors
Toronto, Ontario

FOR THE RESPONDENT