



Canadian Intellectual Property Office

THE REGISTRAR OF TRADEMARKS

Citation: 2023 TMOB 124

Date of Decision: 2023-07-21

IN THE MATTER OF AN OPPOSITION

Opponent: Oasis Fashions Online Limited

Applicant: RH US, LLC

Application: 1,898,363 for RH OASIS

INTRODUCTION

[1] RH US, LLC (the Applicant) has filed application No. 1,898,363 (the Application) to register the trademark RH OASIS (the Mark) in association with the following services (the Services), set out together with the associated Nice classes (CI):

CI 35 (1) Retail store services, online retail store services and mail order catalog services featuring a wide variety of consumer goods in the field of home furnishings, namely, outdoor furniture, lighting, lanterns, fire tables, umbrellas, pillows, outdoor fabrics, gardening tools, planters for flowers and plants, clothing and apparel, outdoor storage, outdoor heating, outdoor decorations and ornaments

CI 43 (2) Café services; restaurant services; bar services

[2] Oasis Fashions Online Limited (the Opponent) opposes registration of the Mark. The opposition is primarily based on an allegation that the Mark is confusing with the trademark OASIS, which is registered for use in association with services including retail services, namely the sale of women's clothing; mail order and online retail services in connection with the sale of women's clothing; and retail department store services, namely the sale of women's clothing.

[3] For the reasons that follow, the Application is refused with respect to the services in strikethrough below, and the opposition is rejected with respect to the remaining services:

(1) Retail store services, online retail store services and mail order catalog services featuring a wide variety of consumer goods in the field of home furnishings, namely, outdoor furniture, lighting, lanterns, fire tables, umbrellas, pillows, outdoor fabrics, gardening tools, planters for flowers and plants, ~~clothing and apparel~~, outdoor storage, outdoor heating, outdoor decorations and ornaments

(2) Café services; restaurant services; bar services

THE RECORD

[4] The Application was filed on May 9, 2018, claiming a priority date of April 10, 2018, and was advertised for opposition purposes in the *Trademarks Journal* of August 28, 2019. The Opponent filed a statement of opposition under section 38 of the *Trademarks Act*, RSC 1985, c T-13 (the Act) on November 30, 2020.

[5] The Act was amended on June 17, 2019. As the Application was advertised after June 17, 2019, the Act as amended applies (see section 69.1 of the Act).

[6] The Opponent raises grounds of opposition based on registrability under section 12(1)(d), entitlement under section 16(1)(b), distinctiveness under section 2, and non-compliance with sections 38(2)(a.1), 38(2)(e) and 38(2)(f) of the Act.

[7] The Applicant filed a counter statement denying the grounds of opposition.

[8] The Opponent elected not to file any evidence in support of its opposition. In support of the Application, the Applicant filed the affidavit of Aleksandar Vukovic, a

trademark searcher employed by the agent for the Applicant. Both parties filed written representations and no hearing was held.

LEGAL ONUS AND EVIDENTIAL BURDEN

[9] The Applicant bears the legal onus of establishing, on a balance of probabilities, that the Application complies with the requirements of the Act. This means that if a determinate conclusion cannot be reached in favour of the Applicant after a consideration of all of the evidence, then the issue must be decided against the Applicant. However, there is an initial evidential burden on the Opponent to adduce sufficient admissible evidence from which it could reasonably be concluded that the facts alleged to support each ground of opposition exist [*John Labatt Limited v The Molson Companies Limited* (1990), 30 CPR (3d) 293 (FCTD) at 298].

ANALYSIS OF THE GROUNDS OF OPPOSITION

Section 12(1)(d) ground of opposition

[10] The Opponent has pleaded that the Mark is not registrable because, contrary to section 12(1)(d) of the Act, the Mark is confusing with the Opponent's registration No. 1,017,714 for the trademark OASIS. A list of the goods and services associated with this registration is set out in Schedule A to this decision.

[11] The material date for this ground of opposition is the date of my decision [*Park Avenue Furniture Corporation v Wickes/Simmons Bedding Ltd* (1991), 37 CPR (3d) 413 (FCA)].

[12] An opponent meets its initial burden with respect to a section 12(1)(d) ground of opposition if the registration relied upon is in good standing. In this regard, the Registrar has discretion to check the register in order to confirm the existence of the registration relied upon by an opponent [*Quaker Oats of Canada Ltd/La Compagnie Quaker Oats du Canada Ltée v Menu foods Ltd* (1986), 11 CPR (3d) 410 (TMOB)]. I have exercised my discretion to check the register and confirm this registration is in good standing. My review of the register also shows that this registration does not stand in the name of the Opponent but rather the entity "Oasis Fashions Limited" (OFL), which is not a party to

this proceeding. In the covering letter enclosing its statement of opposition, the Opponent indicated that a formal title change would be filed to show that the trademark was assigned by OFL to an entity which subsequently changed its name to Oasis Fashions Online Limited. However, as of the date of this decision, no assignments and/or change of name have been filed. The Opponent's written representations are also silent on this point and refer to the Opponent as the owner of the registration. Nevertheless, an opponent may rely on third party registrations for the purposes of a section 12(1)(d) ground of opposition [*USV Pharmaceuticals of Canada Ltd v Sherman and Ulster Ltd* (1974), 15 CPR (2d) 79 (TMOB)]. The Opponent has therefore met its initial evidential burden with respect to this ground of opposition. As a result, the Applicant bears the legal burden of demonstrating on a balance of probabilities that there is no likelihood of confusion between the Mark and the registered trademark OASIS.

Test for confusion

[13] In determining whether two trademarks are confusing, all the surrounding circumstances should be considered, including those listed in section 6(5) of the Act: the inherent distinctiveness of the trademarks and the extent to which they have become known; the length of time the trademarks have been in use; the nature of the goods and services or business; the nature of the trade; and the degree of resemblance between the trademarks, including in appearance or sound or in the ideas suggested by them. These criteria are not exhaustive and different weight will be given to each one in a context specific assessment [*Mattel, Inc v 3894207 Canada Inc*, 2006 SCC 22, [2006] 1 SCR 772 (SCC) at para 54; *Veuve Clicquot Ponsardin v Boutiques Cliquot Ltée*, 2006 SCC 23, 49 CPR (4th) 401]. I also refer to *Masterpiece Inc v Alavida Lifestyles Inc*, 2011 SCC 27, 92 CPR (4th) 361 at para 49, where the Supreme Court of Canada states that section 6(5)(e), the resemblance between the marks, will often have the greatest effect on the confusion analysis.

[14] The test for confusion is assessed as a matter of first impression in the mind of a casual consumer somewhat in a hurry who sees the applicant's mark, at a time when they have no more than an imperfect recollection of the opponent's trademark, and

does not pause to give the matter any detailed consideration or scrutiny, nor to examine closely the similarities and differences between the marks [*Veuve Clicquot, supra*, at para 20]. Also, where it is likely the public will assume an applicant's goods or services are approved, licensed, or sponsored by the opponent so that a state of doubt and uncertainty exists in the minds of the purchasing public, it follows that the trademarks are confusing [see *Glen-Warren Productions Ltd v Gertex Hosiery Ltd* (1990), 29 CPR (3d) 7 (FCTD) at para 21].

Inherent distinctiveness of the trademarks

[15] Neither party submitted evidence of the meanings of the word elements of the trademarks in issue. However, the Registrar may take judicial notice of dictionary definitions [see *Tradall SA v Devil's Martini Inc*, 2011 TMOB 65 (TMOB) at para 29], which I have done in this case by having reference to the *Canadian Oxford Dictionary* (2nd ed) and the *dictionary.com* online dictionary.

[16] I consider the OASIS trademark relied upon by the Opponent to be slightly suggestive of its listed retail services and retail department store services (services (1) and (2)) insofar as it could be seen as suggesting a pleasant shopping destination that is a change or improvement from what is usual (*i.e.*, a retail oasis). I do not consider OFL's trademark to hold a suggestive connotation in respect of the registered goods, which generally include women's clothing, footwear, headgear, handbags and accessories.

[17] I consider the Applicant's Mark RH OASIS to possess a comparable degree of inherent distinctiveness given the similarly suggestive nature of the word OASIS in association with the Applicant's retail store services. The word OASIS is also slightly suggestive of the Applicant's café services, restaurant services, and bar services insofar as it could be seen as suggesting the provision of these services in a place offering a pleasant change from the usual environment. I do not consider the prefix RH to significantly impact the inherent distinctiveness of the Mark since simple combinations of letters or initials are generally considered to be weak marks (or elements of marks) with a low degree of inherent distinctiveness [*GSW Ltd v Great West Steel Industries*

Ltd (1975), 22 CPR (2d) 154 (FCTD) at 163-164; *Alfred Grass Gesellschaft mbH Metallwarenfabrik v Grant Industries Inc.* (1991), 47 FTR 231 (FCTD)].

Extent known and length of time the trademarks have been in use

[18] There is no evidence showing that OFL (the owner of the registration for OASIS) or the Applicant have used or promoted their respective trademarks.

[19] In its written representations, the Opponent cites the declaration of use filed for the OASIS application (now registration) in support of its submission that the “OASIS mark has acquired distinctiveness considering that it has been used in Canada in association with clothing goods and the retail sale of clothing services since at least February 28, 2019.” However, the Federal Court has cautioned against giving even *de minimis* weight to the dates of use claimed in a registration certificate (a certified copy of the registration was not filed in this case) [see *Tokai of Canada v Kingsford Products Company, LLC*, 2018 FC 951]. In any event, such claims are not evidence that the trademark has been used continuously since the claimed date [see *Entre Computer Centers Inc v Global Upholstery Co* (1991), 40 CPR (3d) 427 (TMOB)].

[20] Accordingly, these factors do not favour either party.

Nature of the goods, services or business; and nature of the trade

[21] It is the Applicant’s statement of services as defined in the Application versus the registered goods and services in OFL’s registration and relied on by the Opponent that govern my determination of this factor [*Esprit International v Alcohol Countermeasure Systems Corp* (1997), 84 CPR (3d) 89 (TMOB)].

[22] The Applicant’s listed services include “retail store services, online retail store services and mail order catalog services featuring a wide variety of consumer goods in the field of home furnishings, namely,...clothing and apparel...”. I find that these services overlap with OFL’s retail services, mail order and online retail services and retail department store services all of which are in connection with the sale of women’s clothing, footwear, headgear and accessories. With respect to the channels of trade, in

the absence of evidence to the contrary, I find that the parties' channels of trade in respect of these services could overlap.

[23] I do not consider there to be overlap between OFL's registered goods and services and the remaining services in the Application (including the retail sale of umbrellas, since when considered in the context of the statement of Services in its entirety, I understand this item would align with outdoor home furnishings rather than clothing accessories), nor do I consider there to be overlap in the corresponding channels of trade.

Degree of resemblance

[24] It is preferable to start the analysis by determining whether there is an aspect of each trademark that is particularly striking or unique [*Masterpiece, supra* at paragraph 64].

[25] The striking element of OFL's registered trademark, indeed its only element, is the word OASIS. I also consider the word OASIS to be a striking element of the Applicant's Mark given the more limited distinctiveness of the letters RH. Accordingly, notwithstanding that OASIS is not the first element of the applied for Mark, I find there to be a considerable degree of resemblance between the marks in appearance and sound. As for the ideas conveyed by the parties' marks, there is no indication in the evidence of any ready meaning attributable to the term RH. Accordingly, I find there is also a significant degree of resemblance in the ideas suggested by the marks.

[26] In its written representations, the Applicant submits that while the Mark incorporates the OASIS trademark in its entirety, the term "RH" in the Mark creates a distinguishable impression from OFL's trademark such that confusion is unlikely. In support, the Applicant cites two decisions, namely *Cable News Network Inc v Jensen* (2009 CanLII 90404) where the Opposition Board found the trademarks ICNN and CNN in association with overlapping services not to be confusing, and *Michel Germain Parfums Ltd v Diesel SPA* (2016 TMOB 185), where the Board found the trademarks DIESEL ONLY THE BRAVE TATTOO & Design and the word mark TATTOO, in association with identical goods, not to be confusing. Since each case must be decided

on its own facts and merit, I do not consider the findings in these cases to constitute a factor assisting the Applicant. In any event, there are a number of facts distinguishing these cases from the present case. For example, in *Michel Germain* there were significant design elements including differing layout, font and sizing of words that helped to identify the dominant element of the senior mark. In *Cable News*, it was highlighted in the confusion analysis that the trademarks at issue were both comprised of simple combinations of letters.

Surrounding circumstance – state of the register



[27] The affidavit of Aleksandar Vukovic (sworn November 30, 2021) includes printouts of the particulars of sixteen Canadian applications and registrations that incorporate the term OASIS (para 3, Vukovic affidavit, Exhibit A).

[28] State of the register evidence favours an applicant when it can be shown that the presence of a common element in marks would cause consumers to pay more attention to the other features of the marks, and to distinguish between them by those other features [*McDowell v Laverana GmbH & Co KG*, 2017 FC 327 at para 42]. Inferences regarding the state of the marketplace may be drawn from such evidence in two situations: where a large number of relevant registrations are located; and/or where there is evidence of common use in the marketplace of relevant third party marks [*Kellogg Salada Canada Inc v Maximum Nutrition Ltd* (1992), 43 CPR (3d) 349 (FCA); *McDowell v Laverana GmbH & Co KG*, 2017 FC 327 at paras 41-46]. Relevant trademarks include those that (i) are registered or are allowed and based on use; (ii) are for similar goods and services as the marks at issue; and (iii) are those that include the component at issue in a material way [*Sobeys West Inc v Schwan's IP, LLC*, 2015 TMOB 197].

[29] In *Hawke & Company Outfitters LLC v Retail Royalty Company*, 2012 FC 1539, the Court noted that the exact number of similar marks needed to establish that an element of a mark was commonly adopted as a component of trademarks used in association with the relevant goods or services at the material date likely depends on the facts of a given case. The Court also noted that "...a search of the Trade-marks

Office Register is not the best way to establish the state of the marketplace or the actual use of a mark. The fact that a mark appears on the register does not show that it is currently in use, was in use as of the relevant material dates, is used in relation to wares or services similar to those of the parties, or the extent of any such use...” [para 40]. In *Canada Bread Company, Limited v Dr Smood ApS*, 2019 FC 306, the Court affirmed these comments, noting that “it remains very much unclear what inference may legitimately be drawn without evidence of the use made by third parties in the marketplace of a common element.” [para 61].

[30] With this in mind, I will now turn to the Vukovic affidavit. In its written representations, the Applicant submits that the Vukovic affidavit shows that there are at least six marks on the register standing in the name of four different entities (other than OFL or the Applicant), which prominently feature the word OASIS and are registered or applied-for in association with consumer goods (such as furniture and clothing) and related services, namely:

Trademark	Owner	Goods/services
OASIS AQUALOUNGE TMA1,084,239 (registered)	Oasis Aqualounge Ltd.	Goods include: clothing Services include: (1) Operation of website for retail and online sales of merchandise clothing and accessories; administration of a membership program for enabling participants to obtain access of goods and services through use of a membership card.
 TMA988,820 (registered)	Macaw Ltd.	Garden furniture, sun umbrellas, gazebos, wooden benches, solar garden lights, solar garden ornaments, tables, garden tools, namely spades, shovels, forks, hoes, rakes, trowels, brushes, secateurs, and loppers; and garden accessories...
GARDEN OASIS TMA751,207 (registered)	Transform SR Brands LLC	(1) Patio furniture namely, chairs, sofas, gliders, ottomans, rocking chairs, tables, seat and back cushions for patio furniture, candle holders, candles, planters, shelves. (2) Garden lanterns, garden sculptures, planters, garden spikes for holding planters, lanterns and/or bird feeders, patio umbrellas, decorator stepping stones for the garden, patio furniture covers, gazebos, bar stools, gazebo netting.
GARDEN OASIS & Design  TMA781,059 (registered)		

		(1) Sale of patio furniture, garden decorations, planters and shelves through the medium of catalogues (2) Retail sale of general consumer merchandise via the internet namely, patio furniture, garden decorations, planters and shelves.
OASIS DE DÉTENTE & Design TMA665,465	KIK Holdco Company	Goods include "Pool and spa chemicals...outdoor and lawn furniture"
Oasis Orb (App. No.) 1,956,262	Alternative Designs Inc.	Garden furniture; patio furniture

[31] I do not consider this evidence to assist the Applicant to any meaningful extent. First, the number of trademarks highlighted by the Applicant (6 marks) is small. It is made smaller considering that the application for Oasis Orb (1,956,262) has not been allowed or registered, and the registrations for GARDEN OASIS (TMA751,207 and TMA781,059) may be seen as interchangeable. Second, many of the goods and services listed do not have the same degree and/or type of overlap as between the Application and OFL's registration. In particular, and as discussed above, I only consider there to be overlap in the parties' retail services related to clothing. Most of the above registrations do not feature these particular retail services.

[32] Taking this into account, and considering that the Applicant has not filed any evidence of actual use of any of these third-party trademarks, I do not consider this state of the register evidence to be sufficient to infer that the term OASIS is so commonly used in the Canadian marketplace in association with the relevant goods/services (which I primarily consider to be retail services related to clothing as that is the sole area of overlap between the trademarks at issue) that consumers would readily be able to distinguish between the parties' trademarks in this case.

Conclusion on the section 12(1)(d) ground

[33] Having considered all the surrounding circumstances, in particular the degree of resemblance between the marks and the overlap in the nature of the parties' services and channels of trade, I find that at best for the Applicant the probability of confusion

between the Mark and OFL's trademark is evenly balanced between a finding of confusion and no confusion with respect to the services in strikethrough below:

(1) Retail store services, online retail store services and mail order catalog services featuring a wide variety of consumer goods in the field of home furnishings, namely, outdoor furniture, lighting, lanterns, fire tables, umbrellas, pillows, outdoor fabrics, gardening tools, planters for flowers and plants, ~~clothing and apparel~~, outdoor storage, outdoor heating, outdoor decorations and ornaments

(2) Café services; restaurant services; bar services

[34] As the onus is on the Applicant to demonstrate on a balance of probabilities that there is no reasonable likelihood of confusion between the marks, I must therefore find against the Applicant. Accordingly, the 12(1)(d) ground of opposition is successful in respect of the above services shown in strikethrough.

[35] However, I find that the difference in the nature of the remaining services in the Application and OFL's goods and services is sufficiently different to shift the balance of probabilities in the Applicant's favour for those services. Accordingly, the 12(1)(d) ground of opposition is rejected for the remaining services.

REMAINING GROUNDS OF OPPOSITION – SUMMARILY REJECTED

[36] The remaining grounds of opposition are summarily rejected, and are briefly addressed below.

16(1)(b) ground of opposition

[37] The Opponent has pleaded that the Applicant is not the person entitled to registration in that, as of the filing date of the Application, the Mark was "confusing with the trademark OASIS, for which an application had been previously filed by the Opponent's predecessor-in-title, Oasis Fashions Limited, and for which registration had been achieved by the date on which the Applicant's Mark was advertised."

[38] However, section 16(2) of the Act states that the right of an applicant to secure registration is not affected by the previous filing of an application for registration of a confusing trademark by another person unless the application for registration of the

confusing trademark was pending on the day on which the application was advertised. In this case, the Application was advertised on August 28, 2019 and OFL's application for OASIS was not pending on this date as it previously issued to registration on March 20, 2019. Accordingly, the Opponent has not met its evidential burden and this ground of opposition is rejected.

[39] As an aside, I note that the Opponent, in its written representations, does not refer to a ground of opposition under section 16(1)(b) but rather to a ground of opposition based on the Opponent and/or its predecessor-in-title's prior use of the OASIS trademark in Canada under section 16(1)(a) of the Act. However, and as noted by the Applicant its representations, a ground of opposition under section 16(1)(a) of the Act was not raised as a ground in the statement of opposition. In any event, the Opponent has filed no evidence to support a section 16(1)(a) ground of opposition and so would not meet its initial burden under this ground either.

Section 2 ground of opposition

[40] The Opponent has pleaded that the Mark is not distinctive of the Applicant's Services in that the Mark does not distinguish, nor was it adapted to distinguish, the Applicant's Services from the goods or services of others, including the goods and services associated with the Opponent's trademark OASIS.

[41] The material date to assess this ground of opposition is the filing date of the statement of opposition [*Metro-Goldwyn-Mayer Inc v Stargate Connections Inc*, 2004 FC 1185, 34 CPR (4th) 317].

[42] There is an initial burden on the Opponent to establish that as of the filing of the opposition, the Opponent's trademark (or the trademark relied on by the Opponent) was known to a sufficient extent that could negate the distinctiveness of the applied-for Mark [*Bojangles' International LLC v Bojangles Café Ltd*, 2006 FC 657, 48 CPR (4th) 427]. To do so, the Opponent must establish that the relied-upon trademark is either known to some extent in Canada or is well known in a specific area of Canada [*Bojangles, supra* at paras 33-34]. In this case, the Opponent has filed no evidence demonstrating the extent to which the OASIS trademark has become known in Canada.

Accordingly, the Opponent has not met its evidentiary burden and this ground of opposition is rejected.

Section 38(2)(a.1) ground of opposition

[43] The Opponent has pleaded that the Application was filed in bad faith because the Applicant could not have been satisfied that it was entitled to use the Mark at the time the Application was filed. To the extent that this ground of opposition is based on an allegation that there was bad faith in that the Applicant, at the time of filing the Application, knew or ought to have known of the allegedly confusing OASIS trademark, I do not consider this to be sufficient to support an allegation of bad faith. In making this finding, I have taken guidance from jurisprudence relating to section 30(i) of the Act as it read prior to June 17, 2019, which predates the coming into force of this ‘bad faith’ ground of opposition [in particular, see *Woot Inc. v WootRestaurants Inc/Les Restaurants Woot Inc*, 2012 TMOB 197 and *Navsun Holding Ltd v Sadhu Singh Hamdard Trust*, 2015 TMOB 214. See also *Blossman Gas Inc v Alliance Autopropane Inc*, 2022 FC 1794 at para 119, which confirms that jurisprudence predating the coming into force of section 38(2)(a.1) may be relevant to an assessment of bad faith].

[44] As the Opponent has filed no evidence of bad faith on the part of the Applicant, it has failed to meet its evidentiary burden and this ground of opposition is rejected.

Section 38(2)(e) ground of opposition

[45] The Opponent has pleaded that contrary to section 38(2)(e) of the Act, the Applicant was not using and did not propose to use the Mark in Canada in association with all of the Services specified in the Application. The Opponent has filed no evidence to support this ground, nor does the Applicant’s evidence support this ground. Accordingly, for at least the reason that the Opponent has not met its evidential burden, this ground of opposition is rejected.

Section 38(2)(f) ground of opposition

[46] The Opponent has pleaded that contrary to section 38(2)(f) of the Act, the Applicant was not entitled to use the Mark in Canada in association with the Services as

of the filing date. However, the Opponent does not set out why or how the Applicant is not entitled to use the Mark, nor has the Opponent filed any evidence.

[47] From my review of the Opponent's representations (in particular paragraphs 5 and 63), I understand that it considers the basis underlying this ground of opposition to be an allegation of confusion with the OASIS trademark. However, section 38(2)(f) does not address an applicant's entitlement to register the mark relative to another person's trademark, pursuant to section 16 of the Act. Instead, this section addresses an applicant's lawful entitlement to use the trademark, for example, in compliance with relevant federal legislation and other legal obligations prohibiting "use" of the trademark within the meaning of section 4 of the Act [see *Methanex Corporation v Suez International, société par actions simplifiée*, 2022 TMOB 155]. Accordingly, this ground of opposition is rejected.

DISPOSITION

[48] In view of all the foregoing, pursuant to the authority delegated to me under section 63(3) of the Act, I refuse the Application with respect to the services in ~~strike through~~ below, and reject the opposition with the remaining services, all pursuant to section 38(12) of the Act.

(1) Retail store services, online retail store services and mail order catalog services featuring a wide variety of consumer goods in the field of home furnishings, namely, outdoor furniture, lighting, lanterns, fire tables, umbrellas, pillows, outdoor fabrics, gardening tools, planters for flowers and plants, ~~clothing and apparel~~, outdoor storage, outdoor heating, outdoor decorations and ornaments

(2) Café services; restaurant services; bar services

Jennifer Galeano
Member
Trademarks Opposition Board
Canadian Intellectual Property Office

Appearances and Agents of Record

HEARING DATE: No hearing held

AGENTS OF RECORD

For the Opponent: Ridout & Maybee LLP

For the Applicant: Smart & Biggar LP

SCHEDULE A

Trademark	Reg No.	Reg. Date	Goods/Services
OASIS	TMA1017714	March 20, 2019	<p>Goods:</p> <p>(1) Handbags, fashion bags; women's clothing, footwear and headgear, namely, suits, jackets, coats, sweaters, blouses, ties, scarves, jeans, t-shirts, slacks, trousers, gloves, pants, jumpers, socks, underwear, night dresses, pyjamas, hats, caps, head scarves, boots, shoes, slippers.</p> <p>(2) Women's clothing, namely, lingerie, socks, underwear, night dresses, bras, pyjamas.</p> <p>(3) Handbags, fashion bags, purses, wallets, umbrellas.</p> <p>Services:</p> <p>(1) Retail services, namely, the sale of handbags, fashion bags, women's clothing, footwear and headgear, namely, suits, jackets, coats, sweaters, blouses, ties, scarves, jeans, t-shirts, slacks, trousers, gloves, pants, jumpers, socks, underwear, night dresses, and pyjamas, hats, caps, head scarves, boots, shoes, slippers; mail order and on-line retail services in connection with the sale of handbags, fashion bags, women's clothing, footwear and headgear, namely, suits, jackets, coats, sweaters, blouses, ties, scarves, jeans, t-shirts, slacks, trousers, gloves, pants, jumpers, socks, underwear, night dresses, and pyjamas, hats, caps, head scarves, boots, shoes, slippers.</p> <p>(2) Retail department store services, namely, the sale of handbags, fashion bags, purses, wallets, umbrellas, women's clothing, footwear and headgear, namely, suits, jackets, coats, sweaters, blouses, ties, scarves, jeans, t-shirts, slacks, trousers, gloves, pants, jumpers, lingerie, socks, underwear, belts (for clothing), night dresses, bras and pyjamas, hats, caps, head scarves, boots, shoes, slippers; mail order and on-line retail services in connection with the sale of handbags, fashion bags, purses, wallets,</p>

			umbrellas, women's clothing, footwear and headgear, namely, suits, jackets, coats, sweaters, blouses, ties, scarves, jeans, t-shirts, slacks, trousers, gloves, pants, jumpers, lingerie, socks, underwear, belts (for clothing), night dresses, bras and pyjamas, hats, caps, head scarves, boots, shoes, slippers.
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