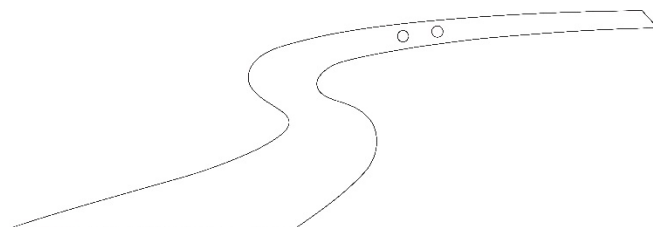


O/415/19

TRADE MARKS ACT 1994

**IN THE MATTER OF TRADE MARK APPLICATION NO. 3310389 BY
LAGONIASSA LTD
TO REGISTER:**



AND



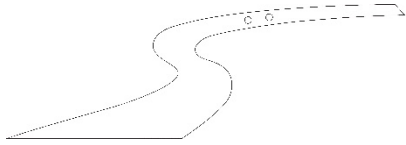
AS A SERIES OF TWO TRADE MARKS IN CLASS 25

AND

**IN THE MATTER OF THE OPPOSITION THERETO
UNDER NO. 413583 BY
PUMA SE**

Background and pleadings

1. Lagoniassa LTD (“the applicant”) applied to register the following trade marks as a series of two marks in the United Kingdom on 12 May 2018:



They were accepted and published in the Trade Marks Journal on 8 June 2018 in respect of the goods in Class 25. The full specification can be found in Annex A. Nothing turns on the differences between the marks so I shall refer to them in the singular.

2. The application was opposed by Puma SE (“the opponent”). The opposition is based upon sections 5(2)(b), 5(3) and 5(4)(a) of the Trade Marks Act 1994 (“the Act”). The opposition concerns all the applied for goods.
3. With regards to its claim based upon Sections 5(2)(b) and 5(3) of the Act, the opponent is relying upon EU (formerly Community) Trade Mark No. 12697066:



The mark was applied for on 12 March 2014 and registered on 7 October 2014 in respect of the following goods, all of which the opponent states it is relying on under section 5(2)(b) of the Act:

Class 18

Leather and imitations of leather, and goods made from these materials, namely briefcases, bags, bags for clothes, carry-all bags, weekend bags,

multipurpose bags, multipurpose athletic bags, multipurpose sports bags, work bags, attaché cases, shopping bags, two-wheeled shopping bags, souvenir bags, bags (envelopes, pouches) for packaging, tote bags, handbags, small clutch purses, sling bags, Gladstone bags, women's handbags, men's handbags, men's bags, bum bags, evening bags, evening bags, beach bags, bags for sports, courier bags, changing bags, tool bags, hiking bags, belt bags and hip packs, pouches, gym bags, shoe bags, book bags, school book bags, school bags, school satchels, school backpacks, shoulder straps, shoulder bags, haversacks, camping bags, Boston bags, casual bags, pouch baby carriers, baby carriers, slings for carrying infants, diplomatic bags, attaché cases, briefcases, boxes, luggage, luggage containers for travel, trunks for travel purposes, baggage, flight bags, trunks and travelling bags, travel bags, flight bags, wheeled bags, travelling handbags, vanity cases, not fitted, garment carriers, suit carriers, garment bags, duffle bags, kit bags, rucksacks, bags for climbers, bags for campers, nappy bags; Bags and pouches, included in class 18, and small goods of leather, namely luggage tags, Luggage label holders, Bags for men, Baggage, Coin purses, Coin purses, Baggage, Wallets, Coin purses, Card holders, Card holders, Briefcases, Credit-card holders, Credit-card holders, Credit-card holders, Business card cases, Driving licence cases, Key bags, Key bags, Fanny packs, Clutch bags, Small pouches, Toiletry bags, Cosmetic purses, Cosmetic purses, Make-up bags, Cosmetic purses, Cosmetic purses, Make-up bags, tie cases, Laces; Wallets, pocket wallets, key cases, handbags, briefcases, shopping bags, satchels, carrier bags, travelling bags, sports bags, included in class 18, duffel bags, rucksacks, school bags, belt bags, toiletry bags, trunks and travelling bags; Umbrellas, big umbrellas and walking sticks.¹

Class 25

Apparel, footwear, headgear.

¹ The specification includes several repeated terms.

Class 28

Games and playthings, gymnastic and sporting equipment, gymnastic and sporting articles (included in class 28); Skiing and tennis equipment; Skis, ski bindings, ski poles, edges for skis, climbing skins for skis; Balls, including balls for sports and balls for games, golf balls, tennis balls; Dumb-bells, shot puts, Discus, javelins, clubs for gymnastics, Sport hoops; Shinguards, Knee, elbow and ankle guards for sports purposes; Sports gloves, included in class 28; Tennis rackets, cricket bats, golf clubs, hockey sticks, table tennis rackets, badminton rackets and squash rackets and parts therefor, in particular grips, strings, grip and lead tape; Bags for sports equipment, specially designed for the objects to be carried therein; Specially adapted bags and sleeves for tennis rackets, table tennis rackets, badminton rackets, squash rackets, cricket bats, golf clubs and hockey sticks; Roller skates and ice skates, inline skates, table tennis tables and nets; Nets for sports, goal and ball nets; Start and finish banners, tapes and awnings for sports events, sight screens for tennis courts, umpires' stools for tennis events.

4. The opponent claims that the marks are similar and that the goods covered by the applicant's specification are the same as, or similar to, goods covered by the earlier mark, leading to a likelihood of confusion on the part of the public. Therefore, registration of the contested mark should be refused under section 5(2)(b) of the Act.

5. Additionally, or alternatively, the opponent claims that use of the applicant's mark is contrary to section 5(3) of the Act in that it is similar to the opponent's earlier trade mark and that use of the contested mark without due cause would take unfair advantage of the reputation the opponent has established and would be detrimental to both the distinctive character and the reputation of the earlier trade mark. In particular, the opponent submits that the enhanced reputation of its brand will be irreparably damage by the use of the contested mark, owing to the association which would be created with the opponent's business and the dilution of the rights which it has established through reputation and use.

6. Under section 5(4)(a) of the Act, the opponent claims that use of the applicant's mark for all the applied for goods is liable to be prevented under the law of passing off, owing to its goodwill attached to the following sign:



It claims to have used this sign throughout the UK since 1958, in respect of the following goods, which are also covered by the earlier mark:

Apparel, footwear, headgear.

The opponent submits that use of the contested mark is likely to cause misrepresentation in the minds of consumers who would be led to believe that the products of the applicant originated from or were approved by or authorised by the opponent. It is further submitted that as a result of the use of the contested mark the opponent would suffer damage in terms of a loss of sales, as well as possible reputational damage and a dilution of its established rights.

7. The applicant filed a defence and counterstatement, denying all the grounds.
8. Both the opponent and the applicant filed evidence in these proceedings. This will be summarised to the extent that is considered necessary. Neither party filed written submissions.
9. A hearing took place before me on 12 June 2019, with the opponent represented by Mr Alan Fiddes for Urquhart-Dykes & Lord LLP. The applicant represented itself.

Preliminary Issue

10. In preparation for the hearing, I noticed that the opponent's evidence was missing an Exhibit, the first of two marked as "Exhibit 1". The Registry informed the opponent and invited them to submit the exhibit for my consideration. At the beginning of the hearing, I admitted the exhibit, as its omission was clearly an oversight, it was short and did nothing more than corroborate details in the witness statement. I gave the applicant seven days in which to submit any comments. None were received.

Evidence

The opponent's evidence

11. The opponent's evidence comes from Mr Alan Fiddes, a partner of Urquhart-Dykes & Lord LLP, the representative of the opponent. It is dated 18 January 2019.

12. The opponent is a German company, originally established in 1948. Mr Fiddes states that it is the third largest sportswear brand in the world, although the only confirmation of this statement appears to be a decision from the Romanian Patent and Trade Mark Office in 2008.² In 2017, global turnover was over €4.1 billion.³

13. Mr Fiddes describes the opponent's mark as "the formstrip" and says that it was first used in 1958 as part of a logo and has been in use in the UK ever since. UK sales of products bearing the formstrip were as follows:

Year	No of units sold	Net sales (£)
2012	1,934,948	33,573,000
2013	2,540,911	46,354,000
2014	2,699,110	45,988,000
2015	3,182,097	50,878,000

² See Exhibit 6, page 173.

³ Witness statement of Mr Fiddes, paragraph 2; first Exhibit 1.

Year	No of units sold	Net sales (£)
2016	2,366,809	41,391,000
2017	3,531,252	69,222,000

14. The witness statement continues by giving information about the opponent's promotional activities:

- In 2015, a UK brand awareness campaign featuring the formstrip cost €783,852.07. A further campaign targeting the market for running shoes featured athlete Usain Bolt, and singer Rihanna was the face of the advertising campaign for fitness products.
- In 2016, a UK brand awareness campaign featuring the formstrip cost €178,731. Specific campaigns involving Rihanna and media personality Kylie Jenner had UK costs of €54,538 and €55,181 respectively. Worldwide costs of a campaign targeting the market for running shoes and featuring runners Usain Bolt and Jenna Prandini were €2,297,261.
- In 2017, campaigns were run to promote the products to which the formstrip is applied. The UK costs of these were €227,517 (PUMA ONE) and €92,376 (Velvet Rope). Global marketing costs for products featuring the formstrip were €3,350,464.

15. In addition, the opponent uses well-known sportspeople as brand ambassadors. These are listed in Exhibit 4, while Exhibit 5 contains a list of sports teams receiving sponsorship from the opponent. Exhibit 6 is made up of a selection of previous decisions from European tribunals.

The applicant's evidence

16. The applicant's evidence comes from Mr Oluwatosin Saheed Tijani, Director of Lagoniassa LTD. His evidence is dated 8 January 2019.

17. Mr Tijani states that the mark is intended to be used on footwear, but no goods have yet been marketed, pending the resolution of these proceedings. The mark has however appeared on the applicant's social media accounts. Included in the evidence are images of the mark in use. These have been provided in response to images included in the opponent's statement of grounds. I shall return to these later in my decision.

Decision

Section 5(2)(b) ground

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

“A trade mark shall not be registered if because –

...

(b) it is similar to an earlier trade mark and is to be registered for goods or services identical with or similar to those for which the earlier trade mark is protected,

there exists a likelihood of confusion on the part of the public, which includes the likelihood of association with the earlier trade mark.”

19. An “earlier trade mark” is defined in section 6(1) of the Act:

“In this Act an ‘earlier trade mark’ means –

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

20. The registration upon which the opponent relies qualifies as an earlier trade mark under the above provision. In this opposition, the opponent is relying upon all the goods for which this earlier mark is registered. As the mark was registered within the five years before the date on which the applicant's mark was published, it is not subject to proof of use and the opponent is therefore entitled to rely on all the goods for which the mark stands registered.
21. In considering the opposition under this section, I am guided by the following principles, gleaned from the decisions of the courts of the European Union in *SABEL BV v Puma AG* (Case C-251/95), *Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc* (Case C-39/97), *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel BV* (Case C-342/97), *Marca Mode CV v Adidas AG & Adidas Benelux BV* (Case C-425/98), *Matratzen Concord GmbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs)* (Case C-3/03), *Medion AG v Thomson Multimedia Sales Germany & Austria GmbH* (Case C-120/04), *Shaker di L. Laudato & C. Sas v OHIM* (Case C-334/05 P) and *Bimbo SA v OHIM* (Case C-519/12 P):
- (a) the likelihood of confusion must be appreciated globally, taking account of all relevant factors;
 - (b) the matter must be judged through the eyes of the average consumer of the goods or services in question. The average consumer is deemed to be reasonably well informed and reasonably circumspect and observant, but someone who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them he has kept in his mind, and whose attention varies according to the category of goods or services in question;
 - (c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details;
 - (d) the visual, aural and conceptual similarities of the marks must normally be assessed by reference to the overall impressions created by the marks bearing

in mind their distinctive and dominant components, but it is only when all other components of a complex mark are negligible that it is permissible to make the comparison solely on the basis of the dominant elements;

- (e) nevertheless, the overall impression conveyed to the public by a composite trade mark may be dominated by one or more of its components;
- (f) however, it is also possible that in a particular case an element corresponding to an earlier trade mark may retain an independent distinctive role in a composite mark, without necessarily constituting a dominant element of that mark;
- (g) a lesser degree of similarity between the goods or services may be offset by a greater degree of similarity between the marks and vice versa;
- (h) there is a greater likelihood of confusion where the earlier mark has a highly distinctive character, either per se or because of the use that has been made of it;
- (i) mere association, in the strict sense that the later mark brings the earlier mark to mind, is not sufficient;
- (j) the reputation of a mark does not give grounds for presuming a likelihood of confusion simply because of a likelihood of association in the strict sense;
- (k) if the association between the marks creates a risk that the public will wrongly believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

Comparison of goods

22. The list of goods in the contested application is a long one and can be found in Annex A. The goods relied upon by the opponent are listed in paragraph 3. In my view, many of the applicant's goods would be included in the opponent's *apparel*,

footwear or headgear. In *Gérard Meric v OHIM*, Case T-133/05, the General Court stated that:

“In addition, the goods can be considered as identical when the goods designated by the earlier mark are included in a more general category, designated by trade mark application (Case T-388/00 *Institut für Lernsysteme v OHIM – Educational Services (ELS)* [2002] ECR II-4301, paragraph 53) or where the goods designated by the trade mark application are included in a more general category designated by the earlier mark.”⁴

The goods that, according to this principle, I consider to be identical to *apparel, footwear or headgear* are listed in Annex B. The remaining goods are all parts and fittings to be used with *apparel, footwear or headgear* or bags used for storing hunting or ski boots. To my mind, these all have a degree of similarity with the opponent’s goods, but I shall consider the identical goods first and return to the remainder if required.

Average consumer and the purchasing act

23. The average consumer is deemed to be reasonably well informed and reasonably observant and circumspect. For the purpose of assessing the likelihood of confusion, I must bear in mind that the average consumer’s level of attention is likely to vary according to the category of goods or services in question: see *Lloyd Schuhfabrik Meyer*.

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

“The trade mark questions have to be approached from the point of view of the presumed expectations of the average consumer who is reasonably well

⁴ Paragraph 29.

informed and reasonably circumspect. The parties were agreed that the relevant person is a legal construct and that the test is to be applied objectively by the court from the point of view of that constructed person. The word ‘average’ denotes that the person is typical. The term ‘average’ does not denote some form of numerical mean, mode or median.”⁵

25. The average consumer of the goods at issue is a member of the general public. They will choose the items themselves within a shop or from catalogues or websites, although in some retail environments they may seek the advice of a sales assistant. For these reasons, the visual perception of the marks will be most significant: see *New Look Limited v OHIM*, Joined cases T-117/03 to T-119/03 and T-171/03, paragraph 50. The goods also vary significantly in price, from cheap “fast fashion” to *haute couture*, and – except perhaps at the very high end of the market – are regular purchases. Consequently, I find that the average consumer will pay an average level of attention when selecting the goods.

Comparison of marks

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

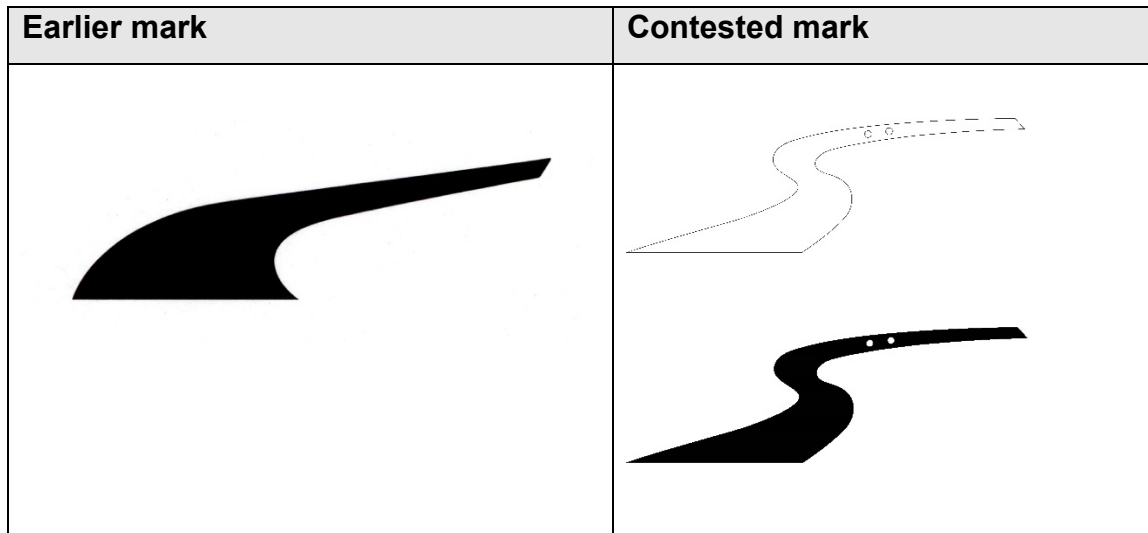
“... it is necessary to ascertain in each individual case, the overall impression made on the target public by the sign for which the registration is sought, by means of, inter alia, an analysis of the components of a sign and of their relative weight in the perception of the target public, and then, in the light of that overall impression and all factors relevant to the circumstances of the case, to assess the likelihood of confusion.”⁶

⁵ Paragraph 60.

⁶ Paragraph 34.

27. It would be wrong, therefore, artificially to dissect the marks, although it is necessary to take into account their distinctive and dominant components and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions created by the marks.

28. The respective marks are shown below:



29. The overall impression of the opponent's mark is of a band of a single colour, wider at the bottom and curving upwards to the right as it narrows.

30. The contested mark is also a band of a single colour, wider at the bottom. This time it curves upwards in an S-shaped bend. In addition, there are two small circles on the upper part of the mark. In the second mark of the series, these are presented in a contrasting colour. These circles make a contribution to the overall impression of the mark, but the greater weight lies with the S-shape.

31. The visual similarities between the marks lie in the single coloured-band that is wider at the bottom than the top, and that curves upwards to the right. Beyond this, though, the shapes are different and the applicant's mark contains the additional element of the circles. In my view, these marks are visually similar to a low degree.

32. As there are no word elements in either mark, I need not make an aural comparison, as the General Court stated in *Dosenbach-Ochsner AG Schuhe und Sport v OHIM*, Case T-424/10, paragraph 46.
33. I turn now to the conceptual comparison. The applicant states that the inspiration for its mark is the shape of the River Thames in London. However, I remind myself that it is from the perspective of the average consumer that I must make my comparison, and I consider it unlikely that the average consumer will necessarily make this connection. The applicant's mark could be seen as a stylised letter S. In my view, however, the average consumer is likely to see both the opponent's and the applicant's marks as abstract shapes with no conceptual content. Based on this finding, there is no conceptual comparison to be made. If the average consumer sees the applied for mark as an S, the marks are conceptually different.

Distinctiveness of the earlier mark

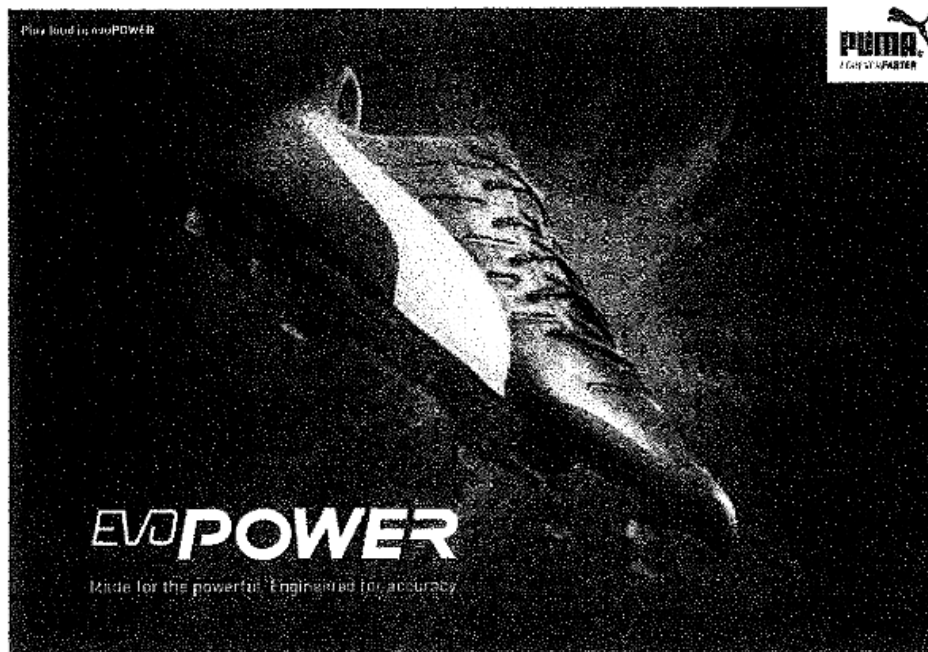
34. There is, as has already been noted, a greater likelihood of confusion if the earlier mark is highly distinctive. The CJEU provided guidance on assessing a mark's distinctive character in *Lloyd Schuhfabrik Meyer*:

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

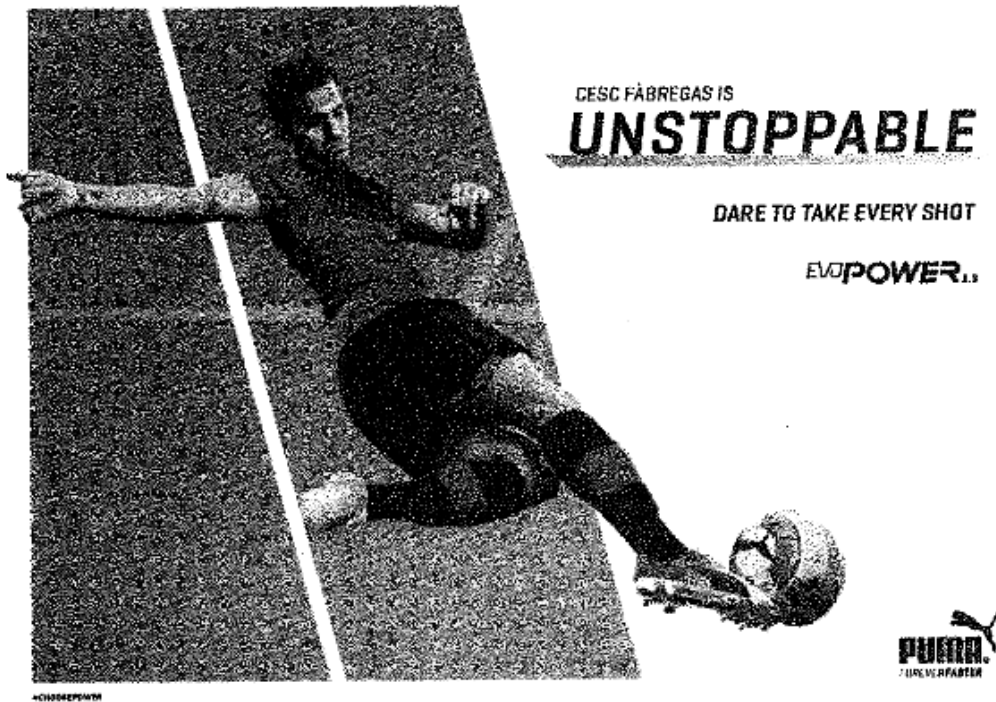
23. In making that assessment, account should be taken, in particular, of the inherent characteristics of the mark, including the fact that it does or does not contain an element descriptive of the goods or services for which it has been registered; the market share held by the mark; how intensive, geographically widespread and long-standing use of the mark

has been; the amount invested by the undertaking in promoting the mark; the proportion of the relevant section of the public which, because of the mark, identifies the goods or services as originating from a particular undertaking; and statements from chambers of commerce and industry or other trade and professional associations (see *Windsurfing Chiemsee*, paragraph 51).”

35. When examined, the opponent’s trade mark was considered to be inherently non-distinctive, but evidence was submitted to show that, by the date of application, the mark had acquired a distinctive character as a result of the use made of it. The opponent states that the mark has been used since 1958 within the UK and has been heavily promoted worldwide, as I noted in paragraph 14 of this decision. Advertising images show the mark in use on shoes worn by famous sportspeople.⁷ Examples of adverts are shown below:



⁷ Exhibits 1-3.



36. The mark is not shown on any other type of apparel, footwear or headgear. Taking account of all this, I find that the earlier mark has a high level of acquired distinctive character for sports footwear.

Conclusions on likelihood of confusion

37. In assessing the likelihood of confusion, I must adopt the global approach set out in the case law to which I have already referred in paragraph 21. I must also have regard to the interdependency principle, that a lesser degree of similarity between the goods may be offset by a greater degree of similarity between the marks, and vice versa.⁸ The distinctiveness of the earlier mark must also be taken into account.

38. Such a global assessment does not imply an arithmetical exercise, where the factors are given a score and the result of a calculation reveals whether or not there is a likelihood of confusion. I must keep in mind the average consumer of the goods and the nature of the purchasing process. I note that it is generally

⁸ *Canon Kabushiki Kaisa*, paragraph 17.

accepted that marks are rarely recalled perfectly, the consumer relying instead on the imperfect picture he has kept in his mind.⁹



39. There are two types of confusion: direct and indirect. These were explained by Mr Iain Purvis QC, sitting as the Appointed Person, in *L.A. Sugar Limited v By Back Beat Inc*, BL O/375/10:



“Although direct confusion and indirect confusion both involve mistakes on the part of the consumer, it is important to remember that these mistakes are very different in nature. Direct confusion involves no process of reasoning – it is a simple matter of mistaking one mark for another. Indirect confusion, on the other hand, only arises where the consumer has actually recognised that the later mark is different from the earlier mark. It therefore requires a mental process of some kind on the part of the consumer when he or she sees the later mark, which may be conscious or subconscious but, analysed in formal terms, is something along the following lines: ‘The later mark is different from the earlier mark, but also has something in common with it. Taking account of the common element in the context of the later mark as a whole, I conclude that it is another brand of the owner of the earlier mark.’¹⁰

40. At the hearing, the opponent submitted that the fundamental question centred on how the marks would be seen when in use, and that the marks were sufficiently similar in use for there to be a likelihood of direct confusion. In support of this submission, it adduces the following images, which come from its Statement of Grounds:

⁹ *Lloyd Schuhfabrik Meyer*, paragraph 27.

¹⁰ Paragraph 16.

Opponent's Trade Mark	Applicant's Trade Mark
	

Opponent's Trade Mark in Use	Applicant's Trade Mark in use
	

41. The applicant denies that this is how the marks would appear in use and submits its own images:



Images of shoes bearing the opponent's and the applicant's marks respectively:



42. The parties disagree on how the mark will be viewed. I note that, in its promotional material, the opponent's mark is shown fully, with no part obscured by clothing. In a store, the consumer would also be able to see the whole mark, whether it is applied to the goods themselves, labels or packaging. Online retailers frequently

offer several views of a product as they highlight particular features and details: if the mark is applied directly to the goods, it is likely that the whole will be visible. The mark may also appear on the website. In my view, the consumer is likely to be able to see the whole mark when they make their selection.

43. I found that the marks had only a low degree of visual similarity. The average consumer will, of course, not be making the kind of side-by-side comparison I carried out earlier in this decision. They will have an image of the earlier mark in their mind, but this may well be inaccurate. That said, I consider that the contested mark is insufficiently similar for there to be a likelihood of direct confusion, despite my findings that the goods are identical, the mark has a high level of distinctive character for sports footwear, and the average consumer will be paying an average amount of attention. Even with imperfect recollection, the average consumer is likely to remember the earlier mark as a band of colour moving in one direction, while the band of the applicant's mark changes direction in the same way as an S-bend.

44. I shall briefly consider whether there is a likelihood of indirect confusion. This requires the consumer to make the assumption that the marks belong to the same or connected undertakings. In my view, this is unlikely. I have already found that the average consumer is likely to perceive both marks as abstract shapes. Beyond the band, there is no shared element that might lead a consumer to assume a connection. The image reproduced at paragraph 41 shows that the application of shapes to sports footwear is not unique to the opponent.

45. As I have found there to be no likelihood of confusion where the goods are identical, it follows that there is no likelihood of confusion for the remaining goods, which I considered to be all similar to the opponent's goods to varying degrees.

Outcome of Section 5(2)(b) ground

46. The section 5(2)(b) ground fails.

Section 5(3) ground

47. Section 5(3) of the Act states that a trade mark which is identical with or similar to an earlier trade mark

“shall not be registered if, or to the extent that, the earlier trade mark has a reputation in the United Kingdom (or, in the case of a Community/European Union trade mark or international trade mark (EC), in the European Union) and the use of the later mark without due cause would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark”.

48. The relevant case law can be found in the following judgments of the CJEU: *General Motors Corp v Yplon SA* (Case C-375/97), *Intel Corporation Inc v CPM United Kingdom Ltd* (Case C-252/07), *Adidas Salomon AG v Fitnessworld Trading Ltd* (Case C-487/07), *L'Oréal SA and others v Bellure NV and others* (Case C-487/07) and *Marks and Spencer v Interflora* (Case C-323/09). The law appears to be as follows:

- a) The reputation of a trade mark must be established in relation to the relevant section of the public as regards the goods or services for which the mark is registered: *General Motors*, paragraph 24.
- b) The trade mark for which protection is sought must be known by a significant part of that relevant public: *General Motors*, paragraph 26.
- c) It is necessary for the public when confronted with the later mark to make a link with the earlier reputed mark, which is the case where the public calls the earlier mark to mind: *Adidas Salomon*, paragraph 29, and *Intel*, paragraph 63.
- d) Whether such a link exists must be assessed globally taking account of all relevant factors, including the degree of similarity between the respective marks and between the goods or services, the extent of the overlap between

the relevant consumers for those goods or services, and the strength of the earlier mark's reputation and distinctiveness: *Intel*, paragraph 42.

- e) Where a link is established, the owner of the earlier mark must also establish the existence of one or more of the types of injury set out in the section, or that there is a serious likelihood that such an injury will occur in the future: *Intel*, paragraph 68. Whether this is the case must also be assessed globally, taking account of all relevant factors: *Intel*, paragraph 79.
- f) Detriment to the distinctive character of the earlier mark occurs when the mark's ability to identify the goods or services for which it is registered is weakened as a result of the use of the later mark, and requires evidence of a change in the economic behaviour of the average consumer of the goods or services for which the earlier mark is registered, or a serious risk that this will happen in the future: *Intel*, paragraphs 76 and 77.
- g) The more unique the earlier mark appears, the greater the likelihood that the use of a later identical or similar mark will be detrimental to its distinctive character: *Intel*, paragraph 74.
- h) Detriment to the reputation of the earlier mark is caused when goods or services for which the later mark is used may be perceived by the public in such a way that the power of attraction of the earlier mark is reduced, and occurs particularly where the goods or services offered under the later mark have a characteristic or quality which is liable to have a negative impact on the earlier mark: *L'Oréal*, paragraph 40.
- i) The advantage arising from the use by a third party of a sign similar to a mark with a reputation is an unfair advantage where it seeks to ride on the coat-tails of the senior mark in order to benefit from the power of attraction, the reputation and the prestige of that mark and to exploit, without paying any financial compensation, the marketing effort expended by the proprietor of the mark in order to create and maintain the mark's image. This covers, in particular, cases where, by reason of a transfer of the image of the mark or of the characteristics

which it projects to the goods identified by the identical or similar sign, there is clear exploitation on the coat-tails of the mark with a reputation: *Marks and Spencer*, paragraph 74, and the court's answer to question 1 in *L'Oréal*.

Reputation

49. In *General Motors*, the CJEU stated that:

“24. The public amongst which the earlier trade mark must have acquired a reputation is that concerned by that trade mark, that is to say, depending on the product or service marketed, either the public at large or a more specialised public, for example traders in a specific sector.

25. It cannot be inferred from either the letter or the spirit of Article 5(2) of the Directive that the trade mark must be known by a given percentage of the public so defined.

26. The degree of knowledge required must be considered to be reached when the earlier mark is known by a significant part of the public concerned by the products or services covered by that trade mark.

27. In examining whether this condition is fulfilled, the national court must take into consideration all the relevant facts of the case, in particular the market share held by the trade mark, the intensity, geographical extent and duration of its use, and the size of the investment made by the undertaking in promoting it.”

50. As the earlier mark is an EUTM, the mark must have a reputation in a substantial part of the EU. In *Whirlpool Corporation and others v Kenwood Limited* [2009] ETMR 5 (HC), Mr Geoffrey Hobbs QC, sitting as a Deputy Judge of the High Court, said that the UK could be regarded as “a substantial part of the Community”.¹¹ The evidence adduced by the opponent shows high sales and significant sums of

¹¹ Paragraph 76.

money spent on promoting the mark in the UK. As the UK can be regarded as a substantial part of the EU, I consider that the opponent has demonstrated that the earlier mark has a strong reputation in the EU for sports footwear. The applicant also accepts that the opponent is one of the leading companies in the field.

Link

51. In *Intel*, the CJEU identified the factors of relevance when assessing whether the public would make the required mental link between the marks.¹² I shall not repeat the analysis I made when considering the claim under section 5(2)(b) of the Act.

The degree of similarity between the conflicting marks

I found there to be a low degree of similarity between the marks. However, the level of similarity required for the public to make a link between the marks may be less than the level of similarity required to create a likelihood of confusion, as the CJEU stated in *Intra-Press SAS v OHIM*, Joined cases C-581/13 P and C-582/13 P, paragraph 72.

The nature of the goods or services for which the conflicting marks are registered, or proposed to be registered, including the degree of closeness or dissimilarity between those goods or services, and the relevant section of the public.

The following goods are self-evidently identical to the goods for which I found the opponent to have a reputation: *footwear for sport, footwear for sports, footwear for use in sport, sports footwear*. All the other applied for goods are items of clothing, footwear or headgear, parts or fittings used with such goods, or bags. I shall first consider whether the average consumer is likely to make a link between the marks when used on identical goods, and return to the remaining goods if necessary.

¹² Paragraph 42.

The strength of the earlier mark's reputation

I found the earlier mark to have a strong reputation in a substantial part of the EU for sports footwear.

The degree of the earlier mark's distinctive character, whether inherent or acquired through use.

I found the earlier mark to have acquired through use a high degree of distinctive character in the context of sports footwear.

The existence of the likelihood of confusion on the part of the public.

I found no likelihood of confusion, but note that this is not required for a claim under section 5(3) to be successful.

52. The opponent's claim is largely based on an allegation of confusion. At the hearing, Mr Fiddes said:

"The question under 5(3) is whether Mr Tijani and his company is taking ... use of the mark would take unfair advantage of our client's reputation. Now our argument quite clearly is that it is, because there is a likelihood of confusion because the marks are similar. Taking into account our reputation and the clear recognition by people who will be familiar with our client's mark seeing the mark which is the subject of the application in use would be likely to perceive it as a product coming from Puma. The fundamental question for you to determine is whether there is a likelihood of confusion."

53. I have already set out why I consider that there is no likelihood of confusion. The opponent has made no further claims as to why the consumer might make a link between the marks. As the average consumer will not make a link where the goods are identical, it seems to me that they will not make a link where the goods are only similar. Without a link, the section 5(3) ground fails.

Section 5(4)(a) ground

54. Section 5(4)(a) of the Act states that:

“A trade mark shall not be registered if, or to the extent that, its use in the United Kingdom is liable to be prevented –

(a) by virtue of any rule or law (in particular, the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade, or

(b) [...]

A person thus entitled to prevent the use of a trade mark is referred to in this Act as the proprietor of ‘an earlier right in relation to the trade mark’.

55. The applicant has stated that it has not used the contested mark before the date of application (12 May 2018), so this is the relevant date for the purposes of section 5(4)(a).

56. It is settled law that for a successful finding of passing off, three factors must be present: goodwill, misrepresentation and damage. Her Honour Judge Melissa Clarke, sitting as deputy Judge of the High Court, conveniently summarised the essential requirements of the law in *Jadebay Limited, Noa and Nani Limited Trading as the Discount Outlet v Clarke-Coles Limited Trading as Feel Good UK* [2017] EWHC 1400 IPEC:

“55. The elements necessary to reach a finding of passing off are the ‘classical trinity’ of that tort as described by Lord Oliver in the Jif Lemon case (*Reckitt & Colman Product v Borden* [1990] 1 WLR 491 HL, [1990] RPC 341, HL) namely goodwill or reputation; misrepresentation leading to deception or a likelihood of deception; and damage resulting from the misrepresentation. The burden is on the Claimants to satisfy me of all these limbs.

56. In relation to deception, the court must assess whether ‘a *substantial number*’ of the Claimants’ customers or potential customers are deceived, but it is not necessary to show that all or even most of them are deceived (per *Interflora Inc v Marks and Spencer Plc* [2012] EWCA Civ 1501, [2013] FSR 21).”

57. *Halsbury’s Laws of England* Vol. 97A (2012 reissue) provides further guidance with regard to establishing the likelihood of deception. In paragraph 309, it is noted (with footnotes omitted) that:

“To establish a likelihood of deception or confusion in an action for passing off where there has been no direct misrepresentation generally requires the presence of two factual elements:

- (1) that a name, mark or other distinctive feature used by the plaintiff has acquired a reputation among a relevant class of persons; and
- (2) that members of that class will mistakenly infer from the defendant’s use of a name, mark or other feature which is the same or sufficiently similar that the defendant’s goods or business are from the same source or are connected.

While it is helpful to think of these two factual elements as successive hurdles which the plaintiff must surmount, consideration of these two aspects cannot be completely separated from each other, as whether deception or confusion is likely is ultimately a single question of fact.

In arriving at the conclusion of fact as to whether deception or confusion is likely, the court will have regard to:

- (a) the nature and extent of the reputation relied upon;
- (b) the closeness or otherwise of the respective fields of activity in which the plaintiff and the defendant carry on business;

- (c) the similarity of the mark, name etc. used by the defendant to that of the plaintiff;
- (d) the manner in which the defendant makes use of the name, mark etc. complained of and collateral factors; and
- (e) the manner in which the particular trade is carried on, the class of persons who it is alleged is likely to be deceived and all other surrounding circumstances.

In assessing whether confusion or deception is likely, the court attaches importance to the question whether the defendant can be shown to have acted with a fraudulent intent, although a fraudulent intent is not a necessary part of the cause of action.”

58. The concept of goodwill was considered by the House of Lords in *Inland Revenue Commissioners v Muller & Co's Margarine Ltd* [1901] AC 217:

“What is goodwill? It is a thing very easy to describe, very difficult to define. It is the benefit and advantages of the good name, reputation and connection of a business. It is the attractive force which brings in custom. It is the one thing which distinguishes an old-established business from a new business at its first start. The goodwill of a business must emanate from a particular centre or source. However widely extended or diffused its influence may be, goodwill is worth nothing unless it has the power of attraction sufficient to bring customers home to the source from which it emanates.”

59. The opponent claims that it has goodwill associated with the sign, based on its use in relation to apparel, footwear and headgear. The level of UK sales and the sums spent on promoting the sign lead me to find that the opponent has goodwill associated with this sign in connection with sports footwear, which are, as I have already noted, the only items shown in the evidence to be sold under the earlier sign.

60. I will now consider whether there is misrepresentation. The relevant test was set out by Morritt LJ in *Neutrogena Corporation and another v Golden Limited and another* [1996] RPC 473:

“There is no dispute as to what the correct legal principle is. As stated by Lord Oliver of Aylmerton in *Reckitt & Colman Products Ltd v Borden Inc* [1990] RPC 341 at page 407 the question on the issue of deception or confusion is:

‘is it, on a balance of probabilities, likely that, if the appellants are not restrained as they have been, a substantial number of members of the public will be misled into purchasing the defendants’ [product] in the belief that it is the respondents’ [product].

The same proposition is stated in Halsbury’s Laws of England 4th Edition Vol. 48 para. 148. The necessity for a substantial number is brought out also in *Saville Perfumery Ltd v June Perfect Ltd* (1941) 58 RPC 147 at page 175; and *Re Smith Hayden’s Application* (1945) 63 RPC 97 at page 101.”

61. Even in the case of identical goods, it is my view that the similarity between the opponent’s sign and the applicant’s mark is not high enough for there to be misrepresentation. It is difficult to see how the customer will be misled into purchasing the applicant’s goods in the belief that they are the opponent’s goods. I find there is no likelihood of misrepresentation under section 5(4)(a) of the Act.

62. The section 5(4)(a) ground fails.

Conclusion

63. The opposition has failed. The application by Lagoniassa LTD may proceed to registration in respect of all the applied-for goods in Class 25.

Costs

64. The applicant has been successful. As the applicant is representing itself, the Tribunal invited it to complete and return a proforma indicating the time spent on various activities associated with the proceedings. The applicant did not return the form and at the hearing confirmed to me that it was not seeking any costs. I therefore make no award.

Dated this 18th day of July 2019

**Clare Boucher
For the Registrar,
Comptroller-General**

Annex A: Specification of Goods: Applicant's Mark

Adhesive bras; After ski boots; Aikido suits; Aikido uniforms; Albs; Aloha shirts; American football bibs; American football pants; American football shirts; American football shorts; American football socks; Anglers' shoes; Ankle boots; Ankle socks; Anklets [socks]; Anoraks; Anoraks [parkas]; Anti-perspirant socks; Anti-sweat underclothing; Anti-sweat underwear; Après-ski boots; Apres-ski shoes; Aprons; Aprons [clothing]; Aqua shoes; Arm warmers [clothing]; Army boots; Articles of clothing; Articles of clothing for theatrical use; Articles of clothing made of hides; Articles of clothing made of leather; Articles of outer clothing; Articles of sports clothing; Articles of underclothing; Ascots; Ascots (ties); Athletic clothing; Athletic footwear; Athletic shoes; Athletic tights; Athletic uniforms; Athletics footwear; Athletics hose; Athletics shoes; Athletics vests; Babies' clothing; Babies' outerclothing; Babies' pants [clothing]; Babies' pants [underwear]; Babies' undergarments; Babushkas; Baby bibs [not of paper]; Baby bodysuits; Baby boots; Baby bottoms; Baby clothes; Baby doll pyjamas; Baby layettes for clothing; Baby pants; Baby sandals; Baby tops; Balaclavas; Ball gowns; Ballet shoes; Ballet slippers; Ballet suits; Ballroom dancing shoes; Bandanas; Bandanas [neckerchiefs]; Bandannas; Bandeaux [clothing]; Barber smocks; Baseball caps; Baseball caps and hats; Baseball hats; Baseball shoes; Baseball uniforms; Baselayer bottoms; Baselayer tops; Basic upper garment of Korean traditional clothes [Jeogori]; Basketball shoes; Basketball sneakers; Bath robes; Bath sandals; Bath shoes; Bath slippers; Bathing caps; Bathing costumes; Bathing costumes for women; Bathing drawers; Bathing suit cover-ups; Bathing suits; Bathing suits for men; Bathing trunks; Bathrobes; Bathwraps; Beach clothes; Beach clothing; Beach cover-ups; Beach footwear; Beach hats; Beach robes; Beach shoes; Beach wraps; Beachwear; Beanie hats; Beanies; Bed jackets; Bed socks; Belts [clothing]; Belts for clothing; Belts made from imitation leather; Belts made of leather; Belts made out of cloth; Belts (Money -) [clothing]; Belts of textile; Berets; Bermuda shorts; Bib overalls for hunting; Bib shorts; Bib tights; Bibs, not of paper; Bibs, sleeved, not of paper; Bikinis; Blazers; Bloomers; Blouses; Blouson jackets; Blousons; Blue jeans; Board shorts; Boardshorts; Boas; Boas [clothing]; Boas [necklets]; Boaters; Bobble hats; Bodices; Bodices [lingerie]; Bodies [clothing]; Bodies [underclothing]; Body linen [garments]; Body stockings; Body suits; Body warmers; Bodysuits; Boiler suits; Boleros; Bolo ties; Bolo ties with precious metal tips; Bomber jackets; Bonnets; Bonnets [headwear]; Boot cuffs; Boot uppers; Bootees (woollen baby shoes); Booties; Boots; Boots for motorcycling; Boots for sport; Boots for sports; Boots (Ski -); Bottoms [clothing]; Bow ties; Bowling shoes; Bowties; Boxer briefs; Boxer shorts; Boxing shoes; Boxing shorts; Boy shorts [underwear]; Boys' clothing; Bra straps; Bra straps [parts of clothing]; Braces as suspenders; Braces for clothing; Braces for clothing [suspenders]; Braces [suspenders]; Bralettes; Bras; Brassieres; Breeches; Breeches for wear; Bridal garters; Bridal gowns; Bridesmaid dresses; Bridesmaids wear; Briefs; Briefs [underwear]; Bucket caps; Bucket hats; Burnouses; Bushjackets; Bustiers; Bustle holder bands for obi (obiage); Bustles for obi-knots (obiage-shin); Button down shirts; Button-front aloha shirts; Caftans; Cagoules; Camiknickers; Camisoles; Camouflage gloves; Camouflage jackets; Camouflage pants; Camouflage shirts; Camouflage vests; Canvas shoes; Cap peaks; Cap visors; Capelets; Capes; Capes (clothing); Caps; Caps being headwear; Caps [headwear]; Caps (Shower -); Caps with visors; Car coats; Cardigans; Cargo pants; Cashmere clothing; Cashmere

scarves; Cassocks; Casual clothing; Casual footwear; Casual jackets; Casual shirts; Casual trousers; Casual wear; Casualwear; Chaps; Chaps (clothing); Chasubles; Chefs' hats; Chefs' whites; Chemise tops; Chemises; Chemisettes; Cheongsams (Chinese gowns); Children's clothing; Childrens' clothing; Children's footwear; Children's headwear ;Children's outerclothing; Children's wear; Chino pants; Choir robes; Christening gowns; Christening robes; Cleats for attachment to sports shoes; Climbing boots; Climbing boots [mountaineering boots]; Climbing footwear; Cloaks; Clogs; Cloth bibs; Cloth bibs for adult diners; Clothes; Clothes for sport; Clothes for sports; Clothing; Clothing for babies; Clothing for children; Clothing for cycling; Clothing for cyclists; Clothing for fishermen; Clothing for gymnastics; Clothing for horse-riding [other than riding hats]; Clothing for infants; Clothing for leisure wear; Clothing for martial arts; Clothing for men, women and children; Clothing for skiing; Clothing for sports; Clothing for wear in judo practices; Clothing for wear in wrestling games; Clothing layettes; Clothing made of fur; Clothing made of imitation leather; Clothing made of leather; Clothing of imitations of leather; Clothing of leather; Coats; Coats for men; Coats for women; Coats made of cotton; Coats of denim; Coats (Top -); Cocktail dresses; Collar guards for protecting clothing collars; Collar liners for protecting clothing collars; Collar protectors; Collared shirts; Collars; Collars [clothing]; Collars for dresses; Combative sports uniforms; Combinations [clothing]; Corduroy pants; Corduroy shirts; Corduroy trousers; Corselets; Corsets; Corsets [clothing, foundation garments]; Corsets [foundation clothing]; Corsets [underclothing]; Costumes; Costumes for use in children's dress up play; Costumes for use in role-playing games; Costumes (Masquerade -); Cotton coats; Coveralls; Coverups; Cover-ups; Cows [clothing]; Cravates; Cravats; Crew neck sweaters; Crinolines; Crop tops; Cuffs; Culotte skirts; Culottes; Cumberbunds; Cycling caps; Cycling Gloves; Cycling pants; Cycling shoes; Cycling shorts; Cycling tops; Cyclists' clothing; Dance clothing; Dance costumes; Dance shoes; Dance slippers; Deck shoes; Deck-shoes; Denim coats; Denim jackets; Denim jeans; Denim pants; Denims [clothing]; Desert boots; Detachable collars; Detachable neckpieces for kimonos (haneri); Dinner jackets; Dinner suits; Disposable slippers; Disposable underwear; Donkey jackets; Down jackets; Down vests; Drawers as clothing; Drawers [clothing]; Dress pants; Dress shields; Dress shirts; Dress shoes; Dress suits; Dresses; Dresses for evening wear; Dresses for infants and toddlers; Dresses made from skins; Dressing gowns; Driving gloves; Driving shoes; Dry suits; Duffel coats; Duffle coats; Dungarees; Dust coats; Ear muffs; Ear muffs [clothing]; Ear warmers; Earbands; Earmuffs; Embossed heels of rubber or of plastic materials; Embossed soles of rubber or of plastic materials; Espadrilles; Esparto shoes or sandals; Esparto shoes or sandals; Evening coats; Evening dresses; Evening gowns; Evening suits; Evening wear; Exercise wear; Eye masks; Fabric belts; Fabric belts [clothing]; Fake fur hats; Fancy dress costumes; Fascinator hats; Fashion hats; Fedoras; Fezzes; Figure skating clothing; Fingerless gloves; Fingerless gloves as clothing; Fishermen's jackets; Fishing boots; Fishing clothing; Fishing footwear; Fishing headwear; Fishing jackets; Fishing shirts; Fishing smocks; Fishing vests; Fishing waders; Fitted swimming costumes with bra cups; Fittings of metal for boots and shoes; Fittings of metal for footwear; Flat caps; Flat shoes; Fleece jackets; Fleece pullovers; Fleece shorts; Fleece tops; Fleece vests; Fleecees; Flip-flops; Flip-flops for use as footwear; Flying suits; Foam pedicure slippers; Folk costumes; Foot volleyball shoes; Football boots; Football boots (Studs for -); Football jerseys; Football shirts; Football shoes; Footless socks; Footless tights; Footmuffs, not electrically heated; Footwear;

Footwear [excluding orthopedic footwear]; Footwear (Fittings of metal for -); Footwear for men; Footwear for men and women; Footwear for snowboarding; Footwear for sport; Footwear for sports; Footwear for track and field athletics; Footwear for use in sport; Footwear for women; Footwear made of vinyl; Footwear made of wood; Footwear (Non-slipping devices for -);Footwear not for sports; Footwear soles; Footwear (Tips for -); Footwear uppers; Footwear (Welts for -); Formal evening wear; Formal wear; Formalwear; Foulards [clothing articles]; Foundation garments; Frames (Hat -) [skeletons]; Frock coats; Full-length kimonos (nagagi); Functional underwear; Fur cloaks; Fur coats; Fur coats and jackets; Fur hats; Fur jackets; Fur muffs; Fur stoles; Furs [clothing]; Gabardines; Gabardines [clothing]; Gaiter straps; Gaiters; Galoshes; Garments for protecting clothing; Garrison caps; Garter belts; Garters; Gauchos; Gilets; Girdles; Girdles [corsets]; Girls' clothing; Gloves; Gloves as clothing; Gloves [clothing]; Gloves for apparel; Gloves for cyclists; Gloves including those made of skin, hide or fur; Gloves with conductive fingertips that may be worn while using handheld electronic touch screen devices; Golf caps; Golf clothing, other than gloves; Golf footwear; Golf pants, shirts and skirts; Golf shirts; Golf shoes; Golf shorts; Golf skirts; Golf trousers; Goloshes; Gowns; Gowns for doctors; Greatcoats; G-strings; Guernseys; Gussets for bathing suits [parts of clothing]; Gussets for footlets [parts of clothing]; Gussets for leotards [parts of clothing]; Gussets for stockings [parts of clothing]; Gussets for tights [parts of clothing]; Gussets for underwear [parts of clothing]; Gussets [parts of clothing]; Gym boots; Gym shorts; Gym suits; Gymnastic shoes; Gymshoes; Gymwear; Hairdressing capes; Half-boots; Halloween costumes; Halter tops; Handball shoes; Handwarmers [clothing]; Haneri [detachable neckpieces for kimonos]; Hat frames [skeletons]; Hats; Hats (Paper -) [clothing]; Head bands; Head scarves; Head sweatbands; Head wear; Headbands; Headbands against sweating; Headbands [clothing]; Headbands for clothing; Headdresses [veils]; Headgear; Headgear for wear; Headscarfs; Headscarves; Headshawls; Headsquares; Headwear; Heavy coats; Heavy jackets; Heel inserts; Heel pieces for shoes; Heel pieces for stockings; Heelpieces for footwear; Heelpieces for stockings; Heels; High rain clogs (ashida); High-heeled shoes; Hiking boots; Hiking shoes; Hockey shoes; Hooded pullovers; Hooded sweat shirts; Hooded sweatshirts; Hooded tops; Hoodies; Hoods; Hoods [clothing]; Horse-riding boots; Horse-riding pants; Hosiery; House coats; Housecoats; Hunting boot bags; Hunting boots; Hunting jackets; Hunting pants; Hunting shirts; Hunting vests; Imitation leather dresses; Infant clothing; Infant wear; Infants' boots; Infants' clothing; Infants' footwear; Infants' shoes; Infants' trousers; Infantwear; Inner socks for footwear; Inner soles; Innersocks; Insoles; Insoles for footwear; Insoles for shoes and boots; Insoles [for shoes and boots]; Intermediate soles; Jacket liners; Jackets; Jackets being sports clothing; Jackets [clothing]; Jackets (Stuff -) [clothing]; Japanese footwear of rice straw (waraji); Japanese kimonos; Japanese sleeping robes (nemaki); Japanese sleeping robes [nemaki]; Japanese split-toed work footwear (jikatabi); Japanese style clogs and sandals; Japanese style sandals of felt; Japanese style sandals of leather; Japanese style sandals (zori); Japanese style socks (tabi); Japanese style socks (tabi covers); Japanese style wooden clogs (geta); Japanese toe-strap sandals (asaura-zori); Japanese traditional clothing; Jeans; Jerkins; Jerseys; Jerseys [clothing]; Jockstraps [underwear]; Jodhpurs; Jogging bottoms; Jogging bottoms [clothing]; Jogging outfits; Jogging pants; Jogging sets [clothing]; Jogging shoes; Jogging suits; Jogging tops; Judo suits; Judo uniforms; Jump Suits; Jumper dresses; Jumper suits; Jumpers; Jumpers

[pullovers]; Jumpers [sweaters]; Jumpsuits; Kaftans; Karate suits; Karate uniforms; Kendo outfits; Kerchiefs; Kerchiefs [clothing]; Khakis; Kilts; Kimonos; Knee warmers [clothing]; Knee-high stockings; Knickerbockers; Knickers; Knit jackets; Knit shirts; Knit tops; Knitted baby shoes; Knitted caps; Knitted clothing; Knitted gloves; Knitted tops; Knitted underwear; Knitwear; Knitwear [clothing]; Knot caps; Korean outer jackets worn over basic garment [Magoja]; Korean topcoats [Durumagi]; Korean traditional women's waistcoats [Baeja]; Laboratory coats; Lace boots; Ladies' boots; Ladies' clothing; Ladies' dresses; Ladies' footwear; Ladies' outerclothing; Ladies' sandals; Ladies' suits; Ladies' underwear; Ladies wear; Layette; Layette [clothing]; Leather belts [clothing]; Leather clothing; Leather (Clothing of -); Leather (Clothing of imitations of -); Leather coats; Leather dresses; Leather garments; Leather headwear; Leather jackets; Leather pants; Leather shoes; Leather slippers; Leather suits; Leather waistcoats; Leg warmers; Leggings [leg warmers]; Leggings [trousers]; Legwarmers; Leg-warmers; Leisure clothing; Leisure footwear; Leisure shoes; Leisure suits; Leisure wear; Leisurewear; Leotards; Light-reflecting coats; Light-reflecting jackets; Linen (Body -) [garments]; Linen clothing; Lingerie; Linings (Ready-made -) [parts of clothing]; Liveries; Long jackets; Long johns; Long sleeve pullovers; Long sleeved vests; Long-sleeved shirts; Lounge pants; Loungewear; Lounging robes; Low wooden clogs (hiyori-geta); Low wooden clogs (koma-geta); Low wooden clogs [koma-geta]; Lumberjackets; Mackintoshes; Maillots; Maillots [hosiery]; Maniples; Mankinis; Mantillas; Mantles; Martial arts uniforms; Masks (Sleep -); Masquerade costumes; Maternity bands; Maternity clothing; Maternity dresses; Maternity leggings; Maternity lingerie; Maternity pants; Maternity shirts; Maternity shorts; Maternity sleepwear; Maternity smocks; Maternity tops; Maternity underwear; Maternity wear; Men's and women's jackets, coats, trousers, vests; Men's clothing; Men's dress socks; Men's sandals; Men's socks; Men's suits; Men's underwear; Menswear; Metal fittings for Japanese style wooden clogs; Military boots; Millinery; Miniskirts; Mitters [hats]; Mitres [hats]; Mittens; Mitts [clothing]; Moccasins; Mock turtleneck shirts; Mock turtleneck sweaters; Mock turtlenecks; Moisture-wicking sports bras; Moisture-wicking sports pants; Moisture-wicking sports shirts; Money belts [clothing]; Monokinis; Morning coats; Motorcycle gloves; Motorcycle jackets; Motorcycle rain suits; Motorcycle riding suits; Motorcyclist boots; Motorcyclists' clothing; Motorcyclists' clothing of leather; Motorists' clothing; Mountaineering boots; Mountaineering shoes; Mufflers; Mufflers as neck scarves; Mufflers [clothing]; Mufflers [neck scarves]; Muffs; Muffs [clothing]; Mules; Muumuus; Nappy pants [clothing]; Neck scarfs [mufflers]; Neck scarves; Neck scarves [mufflers]; Neck tubes; Neckbands; Neckerchiefs; Neckerchieves; Neckties; Neckwear; Negligees; Night gowns; Night shirts; Nightcaps; Nightdresses; Nightgowns; Nighties; Nightshirts; Nightwear; Non-slip socks; Non-slipping devices for footwear; Nurse dresses; Nurse overalls; Nurse pants; Nurses' uniforms; Oilskins [clothing]; One-piece clothing for infants and toddlers; One-piece playsuits; One-piece suits; Open-necked shirts; Outer clothing; Outer soles; Outerclothing; Outerclothing for boys; Outerclothing for girls; Outerclothing for men; Outerwear; Overalls; Overalls for infants and toddlers; Overcoats; Overshirts; Overshoes; Overtrousers; Over-trousers; Padded jackets; Padded pants for athletic use; Padded shirts for athletic use; Padded shorts for athletic use; Pajama bottoms; Pajamas; Pajamas (Am.); Pantaloons; Pantie-girdles; Panties; Pants; Pants (Am.); Pantsuits; Panty hose; Pantyhose; Paper aprons; Paper clothing; Paper hats [clothing]; Paper hats for use as clothing items; Paper hats for wear by chefs; Paper hats for wear by nurses; Pareos; Pareus; Parkas;

Party hats [clothing]; Pea coats; Peaked caps; Peaked headwear; Peaks (Cap -); Pedal pushers; Pedicure sandals; Pedicure slippers; Peignoirs; Pelerines; Pelisses; Petticoats; Petti-pants; Pinafore dresses; Pinafores; Pique shirts; Pirate pants; Plastic aprons; Plastic baby bibs; Plastic slippers; Platform shoes; Play suits; Playsuits [clothing]; Pleated skirts for formal kimonos (hakama); Plimsolls; Plus fours; Plush clothing; Pocket kerchiefs; Pocket squares; Pocket squares [clothing]; Pockets for clothing; Polar fleece jackets; Polo boots; Polo knit tops; Polo neck jumpers; Polo shirts; Polo sweaters; Ponchos; Pop socks; Pram suits; Printed t-shirts; Protective metal members for shoes and boots; Pullovers; Pullstraps for shoes and boots; Pumps [footwear]; Puttees; Puttees and gaiters; Pyjamas; Pyjamas [from tricot only]; Quilted jackets [clothing]; Quilted vests; Rain boots; Rain coats; Rain hats; Rain jackets; Rain ponchos; Rain shoes; Rain slickers; Rain suits; Rain trousers; Rain wear; Raincoats; Rainproof clothing; Rainproof jackets; Rainshoes; Rainwear; Ramie shirts; Rash guards; Ready-made clothing; Ready-made linings [parts of clothing]; Ready-to-wear clothing; Referees uniforms; Removable collars; Replica football kits; Reversible jackets; Riding boots; Riding gloves; Riding Gloves; Riding jackets; Riding shoes; Riding trousers; Robes; Robes (Bath -); Roll necks [clothing]; Roller shoes; Romper suits; Rompers; Ruanas; Rubber fishing boots; Rubber shoes; Rubber soles for jikatabi; Rubbers [footwear]; Rugby boots; Rugby jerseys; Rugby shirts; Rugby shoes; Rugby shorts; Rugby tops; Running shoes; Running Suits; Running vests; Russian felted boots (Valenki); Sabots; Safari jackets; Sailing wet weather clothing; Sailor suits; Salopettes; Sandal-clogs; Sandals; Sandals and beach shoes; Sarees; Saris; Sarongs; Sash bands for kimono (obi); Sashes for wear; Scarfs; Scarves; School uniforms; Scrimmage vests; Sedge hats (suge-gasa); Serapes; Shampoo capes; Shawls; Shawls and headscarves; Shawls and stoles; Shawls [from tricot only]; Sheepskin coats; Sheepskin jackets; Shell jackets; Shell suits; Shields (Dress -); Shift dresses; Shirt fronts; Shirt yokes; Shirt-jacs; Shirts; Shirts and slips; Shirts for suits; Shoe covers, other than for medical purposes; Shoe inserts for non-orthopedic purposes; Shoe soles; Shoe soles for repair; Shoe straps; Shoe uppers; Shoes; Shoes for casual wear; Shoes for foot volleyball; Shoes for infants; Shoes for leisurewear; Shoes soles for repair; Shoes with hook and pile fastening tapes; Short overcoat for kimono (haori); Short petticoats; Short sets [clothing]; Short trousers; Shortalls; Shorts; Shorts [clothing]; Short-sleeve shirts; Short-sleeved shirts; Short-sleeved T-shirts; Shoulder scarves; Shoulder straps for clothing; Shoulder wraps; Shoulder wraps [clothing]; Shoulder wraps for clothing; Shower caps; Shrugs; Silk clothing; Silk scarves; Silk ties; Singlets; Skating outfits; Ski and snowboard shoes and parts thereof; Ski balaclavas; Ski boot bags; Ski boots; Ski gloves; Ski hats; Ski jackets; Ski pants; Ski suits; Ski suits for competition; Ski trousers; Ski wear; Skiing shoes; Skirt suits; Skirts; Skorts; Skull caps; Slacks; Sleep masks; Sleep pants; Sleep shirts; Sleeping garments; Sleepsuits; Sleepwear; Sleeved jackets; Sleeveless jackets; Sleeveless jerseys; Sleeveless pullovers; Sliding shorts; Slip-on shoes; Slipovers; Slipovers [clothing]; Slipper socks; Slipper soles; Slippers; Slippers made of leather; Slips; Slips [clothing]; Slips [underclothing]; Slips [undergarments]; Small hats; Smocks; Smoking jackets; Snap crotch shirts for infants and toddlers; Sneakers; Sneakers [footwear]; Snoods [scarves]; Snow boarding suits; Snow boots; Snow pants; Snow suits; Snowboard boots; Snowboard gloves; Snowboard jackets; Snowboard mittens; Snowboard shoes; Snowboard trousers; Snowsuits; Soccer bibs; Soccer boots; Soccer shirts; Soccer shoes; Sock suspenders; Socks; Socks and stockings; Socks for infants and toddlers; Socks

for men; Soles for footwear; Soles for japanese style sandals; Soles [Inner]; Spats; Spiked running shoes; Sport coats; Sport shirts; Sport shoes; Sport stockings; Sports bibs; Sports [Boots for -]; Sports bras; Sports caps; Sports caps and hats; Sports clothing; Sports clothing [other than golf gloves]; Sports footwear; Sports garments; Sports headgear [other than helmets]; Sports jackets; Sports jerseys; Sports jerseys and breeches for sports; Sports over uniforms; Sports overuniforms; Sports pants; Sports shirts; Sports shirts with short sleeves; Sports shoes; Sports singlets; Sports socks; Sports vests; Sports wear; Sportswear; Stiffeners for boots; Stiffeners for shoes; Stocking suspenders; Stockings; Stockings (Heel pieces for -); Stockings [sweat-absorbent]; Stockings (Sweat-absorbent -); Stoles; Stoles (Fur -); Strapless bras; Strapless brassieres; Straps (Gaiter -); Stretch pants; String fasteners for haori (haorihimo); Studs for football boots; Stuff jackets; Stuff jackets [clothing]; Suede jackets; Suit coats; Suits; Suits (Bathing -); Suits made of leather; Suits of leather; Sun hats; Sun visors; Sun visors [headwear]; Sundresses; Sunsuits; Surf wear; Surfwear; Suspender belts; Suspender belts for men; Suspender belts for women; Suspenders; Suspenders [braces]; Swaddling clothes; Sweat bands; Sweat bands for the head; Sweat bands for the wrist; Sweat bottoms; Sweat jackets; Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; Sweat-absorbent socks; Sweat-absorbent stockings; Sweat-absorbent underclothing; Sweat-absorbent underclothing [underwear]; Sweat-absorbent underwear; Sweatbands; Sweaters; Sweatjackets; Sweatpants; Sweatshirts; Sweatshorts; Sweatsuits; Swim briefs; Swim caps; Swim shorts; Swim suits; Swim trunks; Swim wear for children; Swim wear for gentlemen and ladies; Swimming caps; Swimming caps [bathing caps]; Swimming costumes; Swimming suits; Swimming trunks; Swimsuits; Swimwear; Synthetic fur stoles; Tabards; Taekwondo suits; Taekwondo uniforms; Tail coats; Tam o'shanters; Tams; Tank tops; Tankinis; Tank-tops; Tap pants; Tap shoes; Tartan kilts; Teddies; Teddies [underclothing]; Teddies [undergarments]; Tee-shirts; Tennis dresses; Tennis pullovers; Tennis shirts; Tennis shoes; Tennis shorts; Tennis skirts; Tennis socks; Tennis sweatbands; Tennis wear; Theatrical costumes; Thermal clothing; Thermal headgear; Thermal socks; Thermal underwear; Thermally insulated clothing; Thobes; Thong sandals; Thongs; Three piece suits [clothing]; Ties; Ties [clothing]; Tightening-up strings for kimonos (datejime); Tights; Tips for footwear; Toe boxes; Toe straps for Japanese style sandals [zori]; Toe straps for Japanese style wooden clogs; Toe straps for zori [Japanese style sandals]; Togas; Tongues for shoes and boots; Top coats; Top hats; Topcoats; Tops; Tops [clothing]; Toques [hats]; Track and field shoes; Track jackets; Track pants; Track suits; Tracksuit bottoms; Tracksuit tops; Tracksuits; Traction attachments for footwear; Trainers; Trainers [footwear]; Training shoes; Training suits; Trekking boots; Trench coats; Trenchcoats; Trews; Triathlon clothing; Trouser socks; Trouser straps; Trousers; Trousers for children; Trousers for sweating; Trousers of leather; Trousers shorts; Trunks; Trunks (Bathing -); Trunks [underwear]; T-shirts; Tube tops; Tunics; Turbans; Turtleneck pullovers; Turtleneck shirts; Turtleneck sweaters; Turtleneck tops; Turtlenecks; Tutus; Tuxedo belts; Tuxedos; Twin sets; Umpires uniforms; Under garments; Under shirts; Underarm gussets [parts of clothing]; Underclothes; Underclothing; Underclothing (Anti-sweat -); Underclothing for women; Undergarments; Underpants; Underpants for babies; Undershirts; Undershirts for kimonos (juban); Undershirts for kimonos (koshimaki); Undershirts for kimonos [koshimaki]; Underskirts; Underwear; Underwear (Anti-sweat -); Underwear for women; Uniforms; Uniforms for commercial use; Uniforms for nurses; Union suits; Unitards; Uppers (Footwear -); Uppers

for Japanese style sandals; Uppers of woven rattan for Japanese style sandals; Ushankas [fur hats]; Valenki [felted boots]; Veils; Veils [clothing]; Vest tops; Vests; Vests (Fishing -); Vests for use in barber shops and salons; Visors; Visors [clothing]; Visors [hatmaking]; Visors [headwear]; V-neck sweaters; Volleyball jerseys; Volleyball shoes; Waders; Waist belts; Waist cinchers; Waist strings for kimonos (koshihimo); Waistbands; Waistcoats; Waistcoats [vests]; Walking boots; Walking breeches; Walking shoes; Walking shorts; Warm up suits; Warm-up jackets; Warm-up pants; Warm-up suits; Warm-up tops; Water socks; Water polo caps; Waterproof boots; Waterproof boots for fishing; Waterproof capes; Waterproof clothing; Waterproof jackets; Waterproof outerclothing; Waterproof pants; Waterproof shoes; Waterproof suits for motorcyclists; Waterproof trousers; Water-resistant clothing; Waterskiing suits; Weather resistant outer clothing; Weatherproof clothing; Weatherproof jackets; Weatherproof pants; Wedding dresses; Wedding gowns; Wellington boots; Wellingtons; Welts for footwear; Wet suits; Wet suits for surfing; Wet suits for water-skiing; Wet suits for water-skiing and sub-aqua; Wet suits for windsurfing; Wetsuit gloves; Wetsuits; Wetsuits for surface watersports; Wetsuits for surfing; Wetsuits for water-skiing; White coats for hospital use; Wimples; Wind coats; Wind jackets; Wind pants; Wind resistant jackets; Wind suits; Wind vests; Windcheaters; Wind-jackets; Windproof clothing; Windproof jackets; Wind-resistant jackets; Wind-resistant vests; Windshirts; Winter boots; Winter coats; Winter gloves; Women's ceremonial dresses; Women's clothing; Women's foldable slippers; Womens' outerclothing; Women's shoes; Women's suits; Womens' underclothing; Womens' undergarments; Women's underwear; Wooden bodies for Japanese style clogs; Wooden main bodies of Japanese style wooden clogs; Wooden shoes; Wooden shoes [footwear]; Wooden supports of Japanese style wooden clogs; Woolen clothing; Woollen socks; Woollen tights; Woolly hats; Work boots; Work clothes; Work overalls; Work shoes; Working overalls; Woven clothing; Woven shirts; Wrap belts for kimonos (datemaki); Wraps [clothing]; Wrist bands; Wrist warmers; Wristbands; Wristbands [clothing]; Yashmaghs; Yashmaks; Yoga bottoms; Yoga pants; Yoga shirts; Yoga shoes; Yokes (Shirt -); Zoot suits; Zori.

Annex B: Applicant's Goods Categorised by Group

Apparel

Adhesive bras; Aikido suits; Aikido uniforms; Albs; Aloha shirts; American football bibs; American football pants; American football shirts; American football shorts; American football socks; Ankle socks; Anklets [socks]; Anoraks; Anoraks [parkas]; Anti-perspirant socks; Anti-sweat underclothing; Anti-sweat underwear; Aprons; Aprons [clothing]; Arm warmers [clothing]; Articles of clothing; Articles of clothing for theatrical use; Articles of clothing made of hides; Articles of clothing made of leather; Articles of outer clothing; Articles of sports clothing; Articles of underclothing; Ascots; Ascots (ties); Athletic clothing; Athletic tights; Athletic uniforms; Athletics hose; Athletics vests; Babies' clothing; Babies' outerclothing; Babies' pants [clothing]; Babies' pants [underwear]; Babies' undergarments; Baby bibs [not of paper]; Baby bodysuits; Baby bottoms; Baby clothes; Baby doll pyjamas; Baby layettes for clothing; Baby pants; Baby tops; Ball gowns; Ballet suits; Bandanas; Bandanas [neckerchiefs]; Bandannas; Bandeaux [clothing]; Barber smocks; Baseball uniforms; Baselayer bottoms; Baselayer tops; Basic upper garment of Korean traditional clothes [Jeogori]; Bath robes; Bathing costumes; Bathing costumes for women; Bathing drawers; Bathing suit cover-ups; Bathing suits; Bathing suits for men; Bathing trunks; Bathrobes; Bathwraps; Beach clothes; Beach clothing; Beach cover-ups; Beach robes; Beach wraps; Beachwear; Bed jackets; Bed socks; Belts [clothing]; Belts for clothing; Belts made from imitation leather; Belts made of leather; Belts made out of cloth; Belts (Money -) [clothing]; Belts of textile; Bermuda shorts; Bib overalls for hunting; Bib shorts; Bib tights; Bibs, not of paper; Bibs, sleeved, not of paper; Bikinis; Blazers; Bloomers; Blouses; Blouson jackets; Blousons; Blue jeans; Board shorts; Boardshorts; Boas; Boas [clothing]; Boas [necklets]; Bodices; Bodices [lingerie]; Bodies [clothing]; Bodies [underclothing]; Body linen [garments]; Body stockings; Body suits; Body warmers; Bodysuits; Boiler suits; Boleros; Bolo ties; Bolo ties with precious metal tips; Bomber jackets; Bottoms [clothing]; Bow ties; Bowties; Boxer briefs; Boxer shorts; Boxing shorts; Boy shorts [underwear]; Boys' clothing; Braces as suspenders; Braces for clothing; Braces for clothing [suspenders]; Braces [suspenders]; Bralettes; Bras; Brassieres; Breeches; Breeches for wear; Bridal garters; Bridal gowns; Bridesmaid dresses; Bridesmaids wear; Briefs; Briefs [underwear]; Burnouses; Bushjackets; Bustiers; Button down shirts; Button-front aloha shirts; Caftans; Cagoules; Camiknickers; Camisoles; Camouflage gloves; Camouflage jackets; Camouflage pants; Camouflage shirts; Camouflage vests; Capelets; Capes; Capes (clothing); Car coats; Cardigans; Cargo pants; Cashmere clothing; Cashmere scarves; Cassocks; Casual clothing; Casual footwear; Casual jackets; Casual shirts; Casual trousers; Casual wear; Casualwear; Chaps; Chaps (clothing); Chasubles; Chefs' whites; Chemise tops; Chemises; Chemisettes; Cheongsams (Chinese gowns); Children's clothing; Childrens' clothing; Children's outerclothing; Children's wear; Chino pants; Choir robes; Christening gowns; Christening robes; Cloaks; Cloth bibs; Cloth bibs for adult diners; Clothes; Clothes for sport; Clothes for sports; Clothing; Clothing for babies; Clothing for children; Clothing for cycling; Clothing for cyclists; Clothing for fishermen; Clothing for gymnastics; Clothing for horse-riding [other than riding hats]; Clothing for infants; Clothing for leisure wear; Clothing for martial arts; Clothing for men, women and children; Clothing for skiing; Clothing for sports; Clothing for wear in judo practices; Clothing for wear in wrestling

games; Clothing layettes; Clothing made of fur; Clothing made of imitation leather; Clothing made of leather; Clothing of imitations of leather; Clothing of leather; Coats; Coats for men; Coats for women; Coats made of cotton; Coats of denim; Coats (Top -); Cocktail dresses; Collared shirts; Collars [clothing]; Combative sports uniforms; Combinations [clothing]; Corduroy pants; Corduroy shirts; Corduroy trousers; Corselets; Corsets; Corsets [clothing, foundation garments]; Corsets [foundation clothing]; Corsets [underclothing]; Costumes; Costumes for use in children's dress up play; Costumes for use in role-playing games; Costumes (Masquerade -); Cotton coats; Coveralls; Coverups; Cover-ups; Cowls [clothing]; Cravates; Cravats; Crew neck sweaters; Crinolines; Crop tops; Culotte skirts; Culottes; Cumberbunds; Cycling Gloves; Cycling pants; Cycling shorts; Cycling tops; Cyclists' clothing; Dance clothing; Dance costumes; Denim coats; Denim jackets; Denim jeans; Denim pants; Denims [clothing]; Detachable collars; Detachable neckpieces for kimonos (haneri); Dinner jackets; Dinner suits; Disposable underwear; Donkey jackets; Down jackets; Down vests; Drawers as clothing; Drawers [clothing]; Dress pants; Dress shirts; Dress shoes; Dress suits; Dresses; Dresses for evening wear; Dresses for infants and toddlers; Dresses made from skins; Dressing gowns; Driving gloves; Dry suits; Duffel coats; Duffle coats; Dungarees; Dust coats; Ear muffs; Ear muffs [clothing]; Ear warmers; Earbands; Earmuffs; Evening coats; Evening dresses; Evening gowns; Evening suits; Evening wear; Exercise wear; Eye masks; Fabric belts; Fabric belts [clothing]; Fancy dress costumes; Figure skating clothing; Fingerless gloves; Fingerless gloves as clothing; Fishermen's jackets; Fishing clothing; Fishing jackets; Fishing shirts; Fishing smocks; Fishing vests; Fishing waders; Fitted swimming costumes with bra cups; Fleece jackets; Fleece pullovers; Fleece shorts; Fleece tops; Fleece vests; Fleeces; Flying suits; Folk costumes; Football jerseys; Football shirts; Footless socks; Footless tights; Footmuffs, not electrically heated; Formal evening wear; Formal wear; Formalwear; Foulards [clothing articles]; Foundation garments; Frock coats; Full-length kimonos (nagagi); Functional underwear; Fur cloaks; Fur coats; Fur coats and jackets; Fur jackets; Fur muffs; Fur stoles; Furs [clothing]; Gabardines; Gabardines [clothing]; Gaiter straps; Gaiters; Garments for protecting clothing; Garter belts; Garters; Gauchos; Gilets; Girdles; Girdles [corsets]; Girls' clothing; Gloves; Gloves as clothing; Gloves [clothing]; Gloves for apparel; Gloves for cyclists; Gloves including those made of skin, hide or fur; Gloves with conductive fingertips that may be worn while using handheld electronic touch screen devices; Golf clothing, other than gloves; Golf pants, shirts and skirts; Golf shirts;; Golf shorts; Golf skirts; Golf trousers; Gowns; Gowns for doctors; Greatcoats; G-strings; Guernseys; Gym shorts; Gym suits; Gymwear; Hairdressing capes; Halloween costumes; Halter tops; Handwarmers [clothing]; Haneri [detachable neckpieces for kimonos]; Heavy coats; Heavy jackets; Hooded pullovers; Hooded sweat shirts; Hooded sweatshirts; Hooded tops; Hoodies; Hoods; Hoods [clothing]; Horse-riding pants; Hosiery; House coats; Housecoats; Hunting jackets; Hunting pants; Hunting shirts; Hunting vests; Imitation leather dresses; Infant clothing; Infant wear; Infants' clothing; Infants' trousers; Infantwear; Inner socks for footwear; Inner soles; Innersocks; Jacket liners; Jackets; Jackets being sports clothing; Jackets [clothing]; Jackets (Stuff -) [clothing]; Japanese kimonos; Japanese sleeping robes (nemaki); Japanese sleeping robes [nemaki]; Japanese style socks (tabi); Japanese style socks (tabi covers); Japanese traditional clothing; Jeans; Jerkins; Jerseys; Jerseys [clothing]; Jockstraps [underwear]; Jodhpurs; Jogging bottoms; Jogging bottoms [clothing]; Jogging outfits; Jogging pants; Jogging sets [clothing]; Jogging suits;

Jogging tops; Judo suits; Judo uniforms; Jump Suits; Jumper dresses; Jumper suits; Jumpers; Jumpers [pullovers]; Jumpers [sweaters]; Jumpsuits; Kaftans; Karate suits; Karate uniforms; Kendo outfits; Kerchiefs; Kerchiefs [clothing]; Khakis; Kilts; Kimonos; Knee warmers [clothing]; Knee-high stockings; Knickerbockers; Knickers; Knit jackets; Knit shirts; Knit tops; Knitted clothing; Knitted gloves; Knitted tops; Knitted underwear; Knitwear; Knitwear [clothing]; Korean outer jackets worn over basic garment [Magoja]; Korean topcoats [Durumagi]; Korean traditional women's waistcoats [Baeja]; Laboratory coats; Ladies' clothing; Ladies' dresses; Ladies' outerclothing; Ladies' sandals; Ladies' suits; Ladies' underwear; Ladies wear; Layettes; Layettes [clothing]; Leather belts [clothing]; Leather clothing; Leather (Clothing of -); Leather (Clothing of imitations of -); Leather coats; Leather dresses; Leather garments; Leather jackets; Leather pants; Leather suits; Leather waistcoats; Leg warmers; Leggings [leg warmers]; Leggings [trousers]; Legwarmers; Leg-warmers; Leisure clothing; Leisure suits; Leisure wear; Leisurewear; Leotards; Light-reflecting coats; Light-reflecting jackets; Linen (Body -) [garments]; Linen clothing; Lingerie; Liveries; Long jackets; Long Johns; Long sleeve pullovers; Long sleeved vests; Long-sleeved shirts; Lounge pants; Loungewear; Lounging robes; Lumberjackets; Mackintoshes; Maillots; Maillots [hosiery]; Maniples; Mankinis; Mantles; Martial arts uniforms; Masks (Sleep -); Masquerade costumes; Maternity bands; Maternity clothing; Maternity dresses; Maternity leggings; Maternity lingerie; Maternity pants; Maternity shirts; Maternity shorts; Maternity sleepwear; Maternity smocks; Maternity tops; Maternity underwear; Maternity wear; Men's and women's jackets, coats, trousers, vests; Men's clothing; Men's dress socks; Men's socks; Men's suits; Men's underwear; Menswear; Miniskirts; Mittens; Mitts [clothing]; Mock turtleneck shirts; Mock turtleneck sweaters; Mock turtlenecks; Moisture-wicking sports bras; Moisture-wicking sports pants; Moisture-wicking sports shirts; Money belts [clothing]; Monokinis; Morning coats; Motorcycle gloves; Motorcycle jackets; Motorcycle rain suits; Motorcycle riding suits; Motorcyclists' clothing; Motorcyclists' clothing of leather; Motorists' clothing; Mufflers; Mufflers as neck scarves; Mufflers [clothing]; Mufflers [neck scarves]; Muffs; Muffs [clothing]; Mules; Muumuus; Nappy pants [clothing]; Neck scarfs [mufflers]; Neck scarves; Neck scarves [mufflers]; Neck tubes; Neckbands; Neckerchiefs; Neckerchieves; Neckties; Neckwear; Negligees; Night gowns; Night shirts; Nightdresses; Nightgowns; Nighties; Nightshirts; Nightwear; Non-slip socks; Nurse dresses; Nurse overalls; Nurse pants; Nurses' uniforms; Oilskins [clothing]; One-piece clothing for infants and toddlers; One-piece playsuits; One-piece suits; Open-necked shirts; Outer clothing; Outer soles; Outerclothing; Outerclothing for boys; Outerclothing for girls; Outerclothing for men; Outerwear; Overalls; Overalls for infants and toddlers; Overcoats; Overshirts; Overshoes; Overtrousers; Over-trousers; Padded jackets; Padded pants for athletic use; Padded shirts for athletic use; Padded shorts for athletic use; Pajama bottoms; Pajamas; Pajamas (Am.); Pantaloons; Pantie-girdles; Panties; Pants; Pants (Am.); Pantsuits; Pantyhose; Paper aprons; Paper clothing; Pareos; Pareus; Parkas; Pea coats; Pedal pushers; Pedicure sandals; Peignoirs; Pelerines; Pelisses; Petticoats; Pettipants; Pinafore dresses; Pinafores; Pique shirts; Pirate pants; Plastic aprons; Plastic baby bibs; Play suits; Playsuits [clothing]; Pleated skirts for formal kimonos (hakama); Plus fours; Plush clothing; Pocket kerchiefs; Pocket squares; Pocket squares [clothing]; Polar fleece jackets; Polo knit tops; Polo neck jumpers; Polo shirts; Polo sweaters; Ponchos; Pop socks; Pram suits; Printed t-shirts; Pullovers; Puttees; Puttees and gaiters; Pyjamas; Pyjamas [from tricot only]; Quilted jackets [clothing]; Quilted

vests; Rain coats; Rain jackets; Rain ponchos; Rain slickers; Rain suits; Rain trousers; Rain wear; Raincoats; Rainproof clothing; Rainproof jackets; Rainwear; Ramie shirts; Rash guards; Ready-made clothing; Ready-to-wear clothing; Referees uniforms; Removable collars; Replica football kits; Reversible jackets; Riding gloves; Riding Gloves; Riding jackets; Riding trousers; Robes; Robes (Bath -); Roll necks [clothing]; Romper suits; Rompers; Ruanas; Rugby jerseys; Rugby shirts; Rugby shorts; Rugby tops; Running Suits; Running vests; Safari jackets; Sailing wet weather clothing; Sailor suits; Salopettes; Sarees; Saris; Sarongs; Sashes for wear; Scarfs; Scarves; School uniforms; Scrimmage vests; Serapes; Shampoo capes; Shawls; Shawls and stoles; Shawls [from tricot only]; Sheepskin coats; Sheepskin jackets; Shell jackets; Shell suits; Shields (Dress -); Shift dresses; Shirt fronts; Shirt-jacs; Shirts; Shirts and slips; Shirts for suits; Short overcoat for kimono (haori); Short petticoats; Short sets [clothing]; Short trousers; Shortalls; Shorts; Shorts [clothing]; Short-sleeve shirts; Short-sleeved shirts; Short-sleeved T-shirts; Shoulder scarves; Shoulder wraps; Shoulder wraps [clothing]; Shoulder wraps for clothing; Shrugs; Silk clothing; Silk scarves; Silk ties; Singlets; Skating outfits; Ski gloves; Ski jackets; Ski pants; Ski suits; Ski suits for competition; Ski trousers; Ski wear; Skirt suits; Skirts; Skorts; Slacks; Sleep masks; Sleep pants; Sleep shirts; Sleeping garments; Sleepsuits; Sleepwear; Sleeved jackets; Sleeveless jackets; Sleeveless jerseys; Sleeveless pullovers; Sliding shorts; Slipovers; Slipovers [clothing]; Slipper socks; Slips; Slips [clothing]; Slips [underclothing]; Slips [undergarments]; Smocks; Smoking jackets; Snap crotch shirts for infants and toddlers; Snoods [scarves]; Snow boarding suits; now pants; Snow suits; Snowboard gloves; Snowboard jackets; Snowboard mittens; Snowboard trousers; Snowsuits; Soccer bibs; Soccer shirts; Sock suspenders; Socks; Socks and stockings; Socks for infants and toddlers; Socks for men; Spats; Sport coats; Sport shirts; Sport stockings; Sports bibs; Sports bras; Sports clothing; Sports clothing [other than golf gloves]; Sports garments; Sports jackets; Sports jerseys; Sports jerseys and breeches for sports; Sports over uniforms; Sports overuniforms; Sports pants; Sports shirts; Sports shirts with short sleeves; Sports singlets; Sports socks; Sports vests; Sports wear; Sportswear; Stocking suspenders; Stockings; Stockings [sweat-absorbent]; Stockings (Sweat-absorbent -); Stoles; Stoles (Fur -); Strapless bras; Strapless brassieres; Stretch pants; Stuff jackets; Stuff jackets [clothing]; Suede jackets; Suit coats; Suits; Suits (Bathing -); Suits made of leather; Suits of leather; Sundresses; Sunsuits; Surf wear; Surfwear; Suspender belts; Suspender belts for men; Suspender belts for women; Suspenders; Suspenders [braces]; Swaddling clothes; Sweat bands; Sweat bands for the wrist; Sweat bottoms; Sweat jackets; Sweat pants; Sweat shirts; Sweat shorts; Sweat suits; Sweat-absorbent socks; Sweat-absorbent stockings; Sweat-absorbent underclothing; Sweat-absorbent underclothing [underwear]; Sweat-absorbent underwear; Sweatbands; Sweaters; Sweatjackets; Sweatpants; Sweatshirts; Sweatshorts; Sweatsuits; Swim briefs; Swim shorts; Swim suits; Swim trunks; Swim wear for children; Swim wear for gentlemen and ladies; Swimming costumes; Swimming suits; Swimming trunks; Swimsuits; Swimwear; Synthetic fur stoles; Tabards; Taekwondo suits; Taekwondo uniforms; Tail coats; Tank tops; Tankinis; Tank-tops; Tap pants; Tartan kilts; Teddies; Teddies [underclothing]; Teddies [undergarments]; Tee-shirts; Tennis dresses; Tennis pullovers; Tennis shirts; Tennis shorts; Tennis skirts; Tennis socks; Tennis sweatbands; Tennis wear; Theatrical costumes; Thermal clothing; Thermal socks; Thermal underwear; Thermally insulated clothing; Thobes; Thongs; Three piece suits [clothing]; Ties; Ties [clothing]; Tights; Togas; Top coats; Topcoats; Tops;

Tops [clothing]; Track jackets; Track pants; Track suits; Tracksuit bottoms; Tracksuit tops; Tracksuits; Training suits; Trench coats; Trenchcoats; Trews; Triathlon clothing; Trouser socks; Trouser straps; Trousers; Trousers for children; Trousers for sweating; Trousers of leather; Trousers shorts; Trunks; Trunks (Bathing -); Trunks [underwear]; T-shirts; Tube tops; Tunics; Turtleneck pullovers; Turtleneck shirts; Turtleneck sweaters; Turtleneck tops; Turtlenecks; Tutus; Tuxedo belts; Tuxedos; Twin sets; Umpires uniforms; Under garments; Under shirts; Underclothes; Underclothing; Underclothing (Anti-sweat -); Underclothing for women; Undergarments; Underpants; Underpants for babies; Undershirts; Undershirts for kimonos (juban); Undershirts for kimonos (koshimaki); Undershirts for kimonos [koshimaki]; Underskirts; Underwear; Underwear (Anti-sweat -); Underwear for women; Uniforms; Uniforms for commercial use; Uniforms for nurses; Union suits; Unitards; Vest tops; Vests; Vests (Fishing -); Vests for use in barber shops and salons; V-neck sweaters; Volleyball jerseys; Waders; Waist belts; Waist cinchers; Waistbands; Waistcoats; Waistcoats [vests]; Walking breeches; Walking shorts; Warm up suits; Warm-up jackets; Warm-up pants; Warm-up suits; Warm-up tops; Water socks; Waterproof capes; Waterproof clothing; Waterproof jackets; Waterproof outerclothing; Waterproof pants; Waterproof suits for motorcyclists; Waterproof trousers; Water-resistant clothing; Waterskiing suits; Weather resistant outer clothing; Weatherproof clothing; Weatherproof jackets; Weatherproof pants; Wedding dresses; Wedding gowns; Wet suits; Wet suits for surfing; Wet suits for water-skiing; Wet suits for water-skiing and sub-aqua; Wet suits for windsurfing; Wetsuit gloves; Wetsuits; Wetsuits for surface watersports; Wetsuits for surfing; Wetsuits for water-skiing; White coats for hospital use; Wind coats; Wind jackets; Wind pants; Wind resistant jackets; Wind suits; Wind vests; Windcheaters; Wind-jackets; Windproof clothing; Windproof jackets; Wind-resistant jackets; Wind-resistant vests; Windshirts; Winter coats; Winter gloves; Women's ceremonial dresses; Women's clothing; Womens' outerclothing; Women's suits; Womens' underclothing; Womens' undergarments; Women's underwear; Woolen clothing; Woollen socks; Woollen tights; Work clothes; Work overalls; Working overalls; Woven clothing; Woven shirts; Wraps [clothing]; Wrist bands; Wrist warmers; Wristbands; Wristbands [clothing]; Yoga bottoms; Yoga pants; Yoga shirts; Yokes (Shirt -); Zoot suits.

Footwear

After ski boots; Anglers' shoes; Ankle boots; Après-ski boots; Apres-ski shoes; Army boots; Athletic footwear; Athletic shoes; Athletics footwear; Athletics hose; Athletics shoes; Baby boots; Baby sandals; Ballet shoes; Ballet slippers; Ballroom dancing shoes; Baseball shoes; Basketball shoes; Basketball sneakers; Bath sandals; Bath shoes; Bath slippers; Beach footwear; Beach shoes; Bootees (woollen baby shoes); Booties; Boots; Boots for motorcycling; Boots for sport; Boots for sports; Boots (Ski -); Bowling shoes; Boxing shoes; Canvas shoes; Casual footwear; Children's footwear; Climbing boots; Climbing boots [mountaineering boots]; Climbing footwear; Clogs; Cycling shoes; Dance shoes; Dance slippers; Deck shoes; Deck-shoes; Desert boots; Disposable slippers; Driving shoes; Espadrilles; Esparto shoes or sandals; Esparto shoes or sandles; Fishing boots; Fishing footwear; Flat shoes; Flip-flops; Flip-flops for use as footwear; Foam pedicure slippers; Foot volleyball shoes; Football boots; Football shoes; Footwear; Footwear [excluding orthopedic footwear]; Footwear for men; Footwear for

men and women; Footwear for snowboarding; Footwear for sport; Footwear for sports; Footwear for track and field athletics; Footwear for use in sport; Footwear for women; Footwear made of vinyl; Footwear made of wood; Footwear not for sports; Galoshes; Golf footwear; Golf shoes; Goloshes; Gym boots; Gymnastic shoes; Gymshoes; Half-boots; Handball shoes; High rain clogs (ashida); High-heeled shoes; Hiking boots; Hiking shoes; Hockey shoes; Horse-riding boots; Hunting boots; Infants' boots; Infants' footwear; Infants' shoes; Japanese footwear of rice straw (waraji); Japanese split-toed work footwear (jikatobi); Japanese style clogs and sandals; Japanese style sandals of felt; Japanese style sandals of leather; Japanese style sandals (zori); Japanese style wooden clogs (geta); Japanese toe-strap sandals (asaura-zori); Knitted baby shoes; Lace boots; Ladies' boots; Ladies' footwear; Ladies' sandals; Leather shoes; Leather slippers; Leisure footwear; Leisure shoes; Low wooden clogs (hiyori-geta); Low wooden clogs (koma-geta); Low wooden clogs [koma-geta]; Men's sandals; Military boots; Moccasins; Motorcyclist boots; Mountaineering boots; Mountaineering shoes; Mules; Overshoes; Pedicure sandals; Pedicure slippers; Plastic slippers; Platform shoes; Plimsolls; Polo boots; Pumps [footwear]; Rain boots; Rain shoes; Rainshoes; Riding boots; Riding shoes; Roller shoes; Rubber fishing boots; Rubber shoes; Rubbers [footwear]; Rugby boots; Rugby shoes; Running shoes; Russian felted boots (Valenki); Sabots; Sandal-clogs; Sandals; Sandals and beach shoes; Shoes; Shoes for casual wear; Shoes for foot volleyball; Shoes for infants; Shoes for leisurewear; Shoes with hook and pile fastening tapes; Ski and snowboard shoes; Ski boots; Slip-on shoes; Slippers; Slippers made of leather; Sneakers; Sneakers [footwear]; Snow boots; Snowboard boots; Snowboard shoes; Soccer boots; Soccer shoes; Spiked running shoes; Sport shoes; Sports [Boots for -]; Sports footwear; Sports shoes; Tap shoes; Tennis shoes; Thong sandals; Thongs; Track and field shoes; Trainers; Trainers [footwear]; Training shoes; Trekking boots; Valenki [felted boots]; Volleyball shoes; Walking boots; Walking shoes; Walking shorts; Waterproof boots; Waterproof boots for fishing; Waterproof shoes; Wellington boots; Wellingtons; Winter boots; Women's foldable slippers; Women's shoes; Wooden shoes; Wooden shoes [footwear]; Work boots; Work shoes; Yoga shoes; Zori.

Headgear

Babushkas; Balaclavas; Baseball caps; Baseball caps and hats; Baseball hats; Bathing caps; Beach hats; Beanie hats; Beanies; Berets; Boaters; Bobble hats; Bonnets; Bonnets [headwear]; Bucket caps; Bucket hats; Caps; Caps being headwear; Caps [headwear]; Caps (Shower -); Caps with visors; Chefs' hats; Children's headwear; Cycling caps; Ear muffs; Ear muffs [clothing]; Ear warmers; Earbands; Earmuffs; Eye masks; Fake fur hats; Fascinator hats; Fashion hats; Fedoras; Fezzes; Fishing headwear; Flat caps; Fur hats; Garrison caps; Hats; Hats (Paper -) [clothing]; Head bands; Head scarves; Head sweatbands; Head wear; Headbands; Headbands against sweating; Headbands [clothing]; Headbands for clothing; Headdresses [veils]; Headgear; Headgear for wear; Headscarfs; Headscarves; Headshawls; Headsquares; Headwear; Knitted caps; Knot caps; Leather headwear; Mantillas; Millinery; Miters [hats]; Mitres [hats]; Nightcaps; Paper hats [clothing]; Paper hats for use as clothing items; Paper hats for wear by chefs; Paper hats for wear by nurses; Party hats [clothing]; Peaked caps; Peaked headwear; Rain hats; Sedge hats (suge-gasa); Headscarves; Shower caps; Ski

balACLavas; Ski hats; Skull caps; Sleep masks; Small hats; Sports caps; Sports caps and hats; Sports headgear [other than helmets]; Sun hats; Sun visors; Sun visors [headwear]; Sweat bands for the head; Swim caps; Swimming caps; Swimming caps [bathing caps]; Tam o'shanterS; Tams; Thermal headgear; Top hats; Toques [hats]; Turbans; Ushankas [fur hats]; Veils; Veils [clothing]; Visors; Visors [clothing]; Visors [hatmaking]; Visors [headwear]; Waterpolo caps; Wimples; Woolly hats; Yashmaghs; Yashmaks.