

# Case Details Report

Date and Time: 21 Apr 2020 03:05:02 p.m.



[www.iponz.govt.nz](http://www.iponz.govt.nz)

INTERNATIONAL: +64 3 962 2607

NATIONAL: 0508 4 IPONZ

{0508 447 669}

## Search Criteria:

**IP Number:** 843096

**Client Reference:** T34381 BS.VP

**Status:** Registered

**Mark Nature:** Trade Mark

**Mark Type:** Word

**Series:** No

**Mark Name:** ICLOUD

**Conditions, Explanations, Memoranda, Transliteration, English Translation:**

- Convention priority claimed: 7 December 2010, 57024, JM, for class 9, 28, 35,38,41,42 and 45. Convention priority claimed: 9 May 2011, 58091, JM, for class 39.

**Intended use:** The mark is being used or proposed to be used, by the applicant or with his/her consent, in relation to the goods/services

**Nice Classification Schedule:** 9

**Pre-approved goods/services:** No

**Classes and Specifications:**

Class	Goods and Services Descriptions
9	Computers, computer peripheral devices, computer terminals; computer hardware; computer gaming machines, microprocessors, memory boards, monitors, displays, keyboards, cables, modems, printers, disk drives, adapters, adapter cards, connectors and drivers; blank computer storage media; magnetic data carriers; computer software; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; computer hardware and software for providing integrated telephone communication with computerized global information networks; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet email, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; downloadable electronic publications in the nature of books, plays, pamphlets, brochures, newsletters, journals, magazines, and periodicals on a wide range of topics of general interest; handheld digital electronic devices and software related thereto; MP3 and other digital format audio players; hand held computers, tablet computers, personal digital assistants, electronic organizers, electronic notepads; mobile digital electronic devices, global positioning system (GPS) devices, telephones; handheld and mobile digital electronic devices for

Class	Goods and Services Descriptions
	<p>the sending and receiving of telephone calls, faxes, electronic mail, and other digital data; cordless telephones; mobile telephones; parts and accessories for mobile telephones; facsimile machines, answering machines, cameras, videophones, telephone-based information retrieval software and hardware; electronic handheld units for the wireless receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of recorded data; chips, discs and tapes bearing or for recording computer programs and software; random access memory, read only memory; solid state memory apparatus; computer and electronic games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; mouse pads; batteries; rechargeable batteries; chargers; chargers for electric batteries; headphones; stereo headphones; in-ear headphones; stereo speakers; audio speakers; audio speakers for home; monitor speakers; speakers for computers; personal stereo speaker apparatus; radio receivers, amplifiers, sound recording and reproducing apparatus, electric phonographs, record players, high fidelity stereo apparatus, tape recorders and reproducing apparatus, loudspeakers, multiple speaker units, microphones; digital audio and video devices; audio cassette recorders and players, video cassette recorders and players, compact disc players, digital versatile disc recorders and players, digital audio tape recorders and players; digital music and/or video players; radios; video cameras; audio, video, and digital mixers; radio transmitters; car audio apparatus; computer equipment for use with all of the aforesaid goods; electronic apparatus with multimedia functions for use with all of the aforesaid goods; electronic apparatus with interactive functions for use with all of the aforesaid goods; accessories, parts, fittings, and testing apparatus for all of the aforesaid goods; parts and fittings for all the aforesaid goods; covers, bags and cases adapted or shaped to contain all of the aforesaid goods, made of leather, imitations of leather, cloth, or textile materials.</p>
28	<p>Toys; games and playthings; playing cards; electronic hand-held game units; musical toys, games and playthings; toy audio apparatus; toy musical boxes; toy musical instruments; toy record players for playing tunes and cassettes; musical games; battery operated toys; electronic toys; electric computer games, other than those adapted for use with television receivers; electrical and electronic amusement apparatus (automatic, coin/counter fed); electronic games being automatic, coin-fed or counter-fed (other than those adapted for use with television receivers); hand-held electronic games and apparatus (other than those adapted for use with television receiver only); video games other than those adapted for use with television receivers only; automatic and coin-operated amusement machines; computer game apparatus other than coin operated or those adapted for use with television receivers; video output toys and games; electronically operated toys; interactive computer toys and games; musical toys and games; stand alone video game machines incorporating a means of display; toy handheld electronic devices; toy computers (not working); toy mobile telephones (not working); parts and fittings for all the aforesaid goods.</p>
35	<p>Business management; business administration; business consulting services; providing office functions; advertising agency services; advertising, marketing, and promotion services; advertising and marketing consultation; sales promotion services; promoting the goods and services of others; conducting market research; analysis of advertising response and market research; creation, preparation, production, and dissemination of advertisements and advertising material for others; media planning services; administration of consumer loyalty programs; arranging and conducting incentive rewards programs to promote the sale of goods and services; computerized database and file management; data processing services; computerized data storage and retrieval services; computerized data storage and retrieval services for text, data, image, audio, video, and multimedia content; creating indexes of information, sites and other resources available on global computer networks and other electronic and communications networks for others; organizing content of information provided over a global computer network and other electronic and communications networks according to user preferences; providing business and commercial information over computer networks and global communication networks; business services, namely, providing computer databases regarding the purchase and</p>

Class	Goods and Services Descriptions
	<p>sale of a wide variety of products and services of others; business services, namely, dissemination of advertising for others via computer networks and global communication networks; compilations of directories for publishing on the Internet and other electronic, computer and communications networks; retail store and online retail store services; retail store services provided via the Internet and other computer, electronic and communications networks; retail store services in the field of books, magazines, periodicals, newsletters, journals and other publications on a wide range of topics of general interest, provided via the Internet and other computer, electronic and communications networks; retail store services in the field of entertainment featuring movies, television programs, sporting events, musical works, and audio and audiovisual works, via the Internet and other computer, electronic and communications networks; retail store services featuring computer, electronic and entertainment products, telecommunications apparatus, mobile phones, handheld mobile digital electronic devices, and other consumer electronics, computer software, and accessories, peripherals, and carrying cases for such products, via the Internet and other computer, electronic and communications networks; product demonstrations provided in-store and via global communications networks and other electronic and communications networks; subscription services, namely, providing subscriptions to text, data, image, audio, video, and multimedia content, provided via the Internet and other electronic and communications networks; downloadable pre-recorded text, data, image, audio, video, and multimedia content for a fee or pre-paid subscription, provided via the Internet and other electronic and communications networks; information, advisory and consultancy services relating to all the aforesaid.</p>
38	<p>Telecommunications; communication and telecommunication services; telecommunication access services; communications by computer; communication between computers; electronic sending of data and documentation via the Internet or other databases; supply of data and news by electronic transmission; providing telecommunication access to websites and electronic news services online allowing the download of information and data; providing telecommunication access to web sites on the Internet; delivery of digital music by telecommunications; providing wireless telecommunications via electronic communications networks; wireless digital messaging, paging services, and electronic mail services, including services that enable a user to send and/or receive messages through a wireless data network; one-way and two-way paging services; communication by computer, computer intercommunication; telex, telegram and telephone services; broadcasting or transmission of radio and television programs; time sharing services for communication apparatus; provision of telecommunications access and links to computer databases and the Internet; electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; webcasting services (transmission); delivery of messages by electronic transmission; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video or multimedia content; provision of telecommunications connections to electronic communication networks, for transmission or reception of audio, video or multimedia content; providing telecommunication access to digital music web sites on the Internet; providing telecommunication access to MP3 web sites on the Internet; delivery of digital music by telecommunications; provision of telecommunications connections to the Internet or computer databases; electronic mail services; telecommunication of information (including web pages); video broadcasting, broadcasting pre-recorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs of all kinds, via a global computer network; streaming of video content via a global computer network; subscription audio broadcasting via a global computer network; audio broadcasting; audio broadcasting of spoken word, music, concerts, and radio programs, broadcasting pre-recorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs of all kinds, via computer and other communications networks; streaming of audio content via a global computer network; electronic transmission of audio and video files via communications networks; communication services, namely, matching users for the transfer of music, video and audio recordings via communication networks; providing online bulletin boards for the transmission of messages among computer users concerning entertainment,</p>

Class	Goods and Services Descriptions
	music, concerts, videos, radio, television, film, news, sports, games and cultural events; rental and hire of communication apparatus and electronic mail-boxes; electronic news services; electronic communications consultancy; facsimile, message collection and transmission services; transmission of data and of information by electronic means, computer, cable, radio, teleprinter, teletype, electronic mail, telecopier, television, microwave, laser beam, communications satellite or electronic communication means; transmission of data by audio-visual apparatus controlled by data processing apparatus or computers; information, advisory and consultancy services relating to all the aforesaid; provision of telecommunication access time to web-sites featuring multimedia materials; providing telecommunication access to databases and directories via communications networks for obtaining data in the fields of music, video, film, books, television, games and sports; providing users with telecommunication access time to electronic communications networks with means of identifying, locating, grouping, distributing, and managing data and links to third party computer servers, computer processors and computer users.
39	Electronic storage of data, text, images, audio, and video; storage services for archiving electronic data; information and consultation in connection therewith.
41	Educational and entertainment services; sporting and cultural activities; computer-based and computer-assisted educational, teaching, and training services; digital imaging services; entertainment and educational services, namely, providing text, video, audio, and multimedia materials; entertainment services, namely, providing computer games; entertainment and educational services, namely, providing electronic books, magazines, newspapers, journals, periodicals, and other publications; entertainment and educational services, namely, providing information, databases, directories, and podcasts in the fields of entertainment, advertising, news, current events, history, sports, games, the media, cultural events and activities, hobbies, publications, technology, and other topics; entertainment and educational services, namely, live performances, sporting events, cultural events, and lectures; entertainment and education services, namely, organizing and conducting exhibitions, displays, exhibits, workshops, seminars, training, and conferences; arranging and conducting of commercial, trade and business conferences, shows, and exhibitions; information, advisory and consultancy services relating to all the aforesaid.
42	Providing computer programs and web pages for others via a global computer network.
45	Online social networking services; providing a social networking website.

**Priority :**

Country	Priority Date	Priority Number	Class	Claims
Jamaica	07 Dec 2010	57024		
Jamaica	09 May 2011	58091		

**Agent :**

HENRY HUGHES IP LIMITED	Physical : 158 Victoria Street, Te Aro, Wellington 6011, NZ Postal : PO Box 356, Wellington 6140, NZ Email Address: hh@henryhughes.co.nz
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**Applicant(s) :**

Apple Inc.	Physical : One Apple Park Way, Cupertino, California 95014, US Postal : One Apple Park Way, Cupertino, California 95014, US
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**Contact Details :** HENRY HUGHES IP LIMITED, PO Box 356, Wellington 6140, NZ

**Linked Cases:**

Case Number	Case Type	Case Title	Submission Date	Case Status	Under Proceeding	Linked Label
8215	GR - Information / Direction Request	Request on Trade Mark 843096	31 Aug 2012	Completed	N/A	Case Maintenance
19554	GR - IP Extension of Time	Request on Trade Mark 843096	24 May 2013	Validated	N/A	Extension of Time Request
26433	GR - TM Change Classes	Request on Trade Mark 843096	08 Oct 2013	Validated	N/A	Case Maintenance
13511	GR - IP Extension of Time	Request on Trade Mark 843096	24 Jan 2013	Validated	N/A	Extension of Time Request
55416	GR - TM Alteration	Request on Trade Mark 843096	29 May 2015	Validated	N/A	Case Maintenance
11244	GR - IP Extension of Time	Request on Trade Mark 843096	22 Nov 2012	Validated	N/A	Extension of Time Request
16643	GR - IP Extension of Time	Request on Trade Mark 843096	22 Mar 2013	Validated	N/A	Extension of Time Request

#### History:

Type	Description	Journal	Creation Date
TM Renewed	Trade Mark Renewed for 10 years until 07 Dec 2030 by HENRY HUGHES IP LIMITED	1688	17 Feb 2020
IP user in charge transferred	Case assigned from Steffen Gazley to Annie McGuinness		06 Dec 2018
TM Strike Out of Goods	TM Strike Out of Goods	1632	16 Jun 2015
TM Registered	Trade Mark Registered	1622	01 Aug 2014
TM Accepted	Trade Mark Accepted	1618	17 Apr 2014
IP user in charge transferred	Case assigned from Tonja Flath to Steffen Gazley		17 Apr 2014
TM Corrections of internal errors	Trade Mark Corrections of internal errors		14 Apr 2014
TM Classes Changed	Trade Mark Classes Changed		14 Apr 2014
Task transferred to new user	Task Re-Examine TM Application (Compliance Report) has been routed from Jeanette Palliser to Steffen Gazley		08 Apr 2014
Task transferred to new user	Task Re-Examine TM Application (Compliance Report) has been routed from Tonja Flath to Jeanette Palliser		29 Nov 2013
Task transferred to new user	Task Re-Examine TM Application (Compliance Report) has been routed from Jeanette Palliser to Tonja Flath		29 Nov 2013
IP user in charge transferred	Case assigned from Eleanor Harkness to Tonja Flath		29 Nov 2013
Task transferred to new user	Task Re-Examine TM Application (Compliance Report) has been routed from Rebecca Avery to Jeanette Palliser		29 Oct 2013

Type	Description	Journal	Creation Date
Task transferred to new user	Task Re-Examine TM Application (Compliance Report) has been routed from Eleanor Harkness to Rebecca Avery		29 Oct 2013
Task routed to new user	Task Re-Examine TM Application (Compliance Report) has been routed to Eleanor Harkness		08 Oct 2013
Response to TM CR sent to IPONZ	Response to Trade Mark Compliance Report sent to IPONZ.		08 Oct 2013
Task routed to new user	Task Respond to TM Compliance Report has been routed to HENRY HUGHES		11 Jul 2013
Examination completed with objections CR issued	Examination Complete, Objections raised during examination. Compliance report issued.		11 Jul 2013
Task routed to new user	Task Re-Examine TM Application (Compliance Report) has been routed to Eleanor Harkness		14 Jun 2013
Response to TM CR sent to IPONZ	Response to Trade Mark Compliance Report sent to IPONZ.		14 Jun 2013
Extension of time request granted	Extension of time request granted		31 May 2013
Extension of time request granted	Extension of time request granted		05 Apr 2013
Extension of time request granted	Extension of time request granted		01 Feb 2013
Task routed to new user	Task Respond to TM Compliance Report has been routed to HENRY HUGHES		27 Aug 2012
QC approved TM Exam CR issued	QC approved Trade Mark Examination. Compliance report issued		27 Aug 2012
Task transferred to new user	Task Control TM Examination Quality has been routed from Eleanor Harkness to Frances Yamada		24 Aug 2012
Examination Completed with objections	Examination Complete, Objections raised during examination.		24 Aug 2012
Task transferred to new user	Task Re-Examine TM Application (QC) has been routed from Frances Yamada to Eleanor Harkness		23 Aug 2012
Task transferred to new user	Task Control TM Examination Quality has been routed from Eleanor Harkness to Frances Yamada		27 Jul 2012
Examination Completed with objections	Examination Complete, Objections raised during examination.		27 Jul 2012
TM Corrections of internal errors	Trade Mark Corrections of internal errors		27 Jul 2012
TM Corrections of internal errors	Trade Mark Corrections of internal errors		27 Jul 2012
TM Corrections of internal errors	Trade Mark Corrections of internal errors		27 Jul 2012
TM Corrections of internal errors	Trade Mark Corrections of internal errors		27 Jul 2012
Task routed to new user	Task Re-Examine TM Application (Compliance Report) has been routed to Eleanor Harkness		30 May 2012

Type	Description	Journal	Creation Date
Response to TM CR sent to IPONZ	Response to Trade Mark Compliance Report sent to IPONZ.		30 May 2012
IP Corrected	Change IP Document		24 Nov 2011
Response to TM CR sent to IPONZ	Response to Examination Report		29 Jun 2011
Response to TM CR sent to IPONZ	Response to Examination Report		15 Jun 2011
IP Corrected	Change IP Document		02 Jun 2011
IP Corrected	Change IP Document		02 Jun 2011
IP Corrected	Change IP Document		02 Jun 2011
Edit case details	Change IP Date		02 Jun 2011
IP Corrected	Change IP Document		02 Jun 2011
IP App validated	Collation Completed		02 Jun 2011
IP Corrected	Change IP Document		02 Jun 2011
IP Corrected	Change IP Document		02 Jun 2011
IP Corrected	Change IP Product		02 Jun 2011
TM App submitted	Filed		01 Jun 2011

**IP Number:** 971301  
**Client Reference:** T35187 BS.SC  
**Status:** Registered  
**Mark Nature:** Trade Mark  
**Mark Type:** Word  
**Series:** Yes  
**Mark Name:** ICLOUD; iCloud

**Submission Date:** 08 Jan 2013  
**Filing Date:** 08 Jan 2013  
**Registration Date:** 29 Sep 2015  
**Renewal Due Date:** 08 Jan 2023  
**Under Proceeding:** No

**Conditions, Explanations, Memoranda, Transliteration, English Translation:**

- Section 18(2) of the Trade Marks Act 2002 applies.

**Intended use:** Use Claimed

**Nice Classification Schedule:** 10

**Pre-approved goods/services:** No

**Classes and Specifications:**

Class	Goods and Services Descriptions
9	Computers, computer peripheral devices, computer terminals; computer hardware; microprocessors, memory boards, monitors included in class 9, displays included in class 9, keyboards, cables, modems, printers, disk drives, adapters included in class 9, adapter cards included in class 9, connectors and drivers; blank computer storage media; magnetic data carriers; computer software; computer software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; computer software and firmware, namely, operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; computer hardware and software for providing integrated telephone communication with computerized global information networks; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for the redirection of messages, Internet email, and/or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; computer software for the synchronization of data between a remote station or device and a fixed or remote station or device; downloadable electronic publications in the nature of books, plays, pamphlets, brochures, newsletters, journals, magazines, and periodicals on a wide range of topics of general interest; handheld digital electronic devices and software related thereto; MP3 and other digital format audio players; hand held computers, tablet computers, personal digital assistants, electronic organizers, electronic notepads; mobile digital electronic devices, global positioning system (GPS) devices, telephones; handheld and mobile digital electronic devices for the sending and receiving of telephone calls, faxes, electronic mail, and other digital data; cordless telephones; mobile telephones; parts and accessories for mobile telephones; facsimile machines, answering machines, cameras, videophones, telephone-based information retrieval software and hardware; electronic handheld units for the wireless receipt, storage and/or transmission of data and messages, and electronic devices that enable the user to keep track of or manage personal information; electronic communication equipment and instruments; telecommunications apparatus and instruments; fonts, typefaces, type designs and symbols in the form of recorded data; chips, discs and tapes bearing or for recording computer programs and software; random access memory, read only memory; solid state memory apparatus; computer and electronic games; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; apparatus for data storage; hard drives; miniature hard disk drive storage units; audio video discs, CD-ROMs, and digital versatile discs; mouse pads; batteries; rechargeable batteries; chargers; chargers for electric batteries; headphones; stereo headphones; in-ear headphones; stereo speakers; audio speakers; audio speakers for home; monitor speakers; speakers for computers; personal stereo speaker apparatus; radio receivers, amplifiers, sound recording and reproducing apparatus, electric phonographs, record players, high fidelity



Class	Goods and Services Descriptions
	stereo apparatus, tape recorders and reproducing apparatus, loudspeakers, multiple speaker units, microphones; digital audio and video devices; audio cassette recorders and players, video cassette recorders and players, compact disc players, digital versatile disc recorders and players, digital audio tape recorders and players; digital music and/or video players; radios; video cameras; audio, video, and digital mixers; radio transmitters; car audio apparatus; computer equipment for use with all of the aforesaid goods; electronic apparatus with multimedia functions for use with all of the aforesaid goods; electronic apparatus with interactive functions for use with all of the aforesaid goods; accessories, parts, fittings, and testing apparatus for all of the aforesaid goods; parts and fittings for all the aforesaid goods; covers, bags and cases adapted or shaped to contain all of the aforesaid goods, made of leather, imitations of leather, cloth, or textile materials; downloadable pre-recorded text, data, image, audio, video, and multimedia content for a fee or pre-paid subscription, provided via the Internet and other electronic and communications networks
28	Toys; games and playthings; playing cards; electronic hand-held game units; musical toys, games and playthings; toy audio apparatus; toy musical boxes; toy musical instruments; toy record players for playing tunes and cassettes; musical games; battery operated toys; electronic toys; electric computer games, other than those adapted for use with television receivers; electrical and electronic amusement apparatus (automatic, coin/counter fed); electronic games being automatic, coin-fed or counter-fed (other than those adapted for use with television receivers); hand-held electronic games and apparatus (other than those adapted for use with television receivers only); video games other than those adapted for use with television receivers only; automatic and coin-operated amusement machines; computer game apparatus other than coin operated or those adapted for use with television receivers; video output toys and games; electronically operated toys; interactive computer toys and games; musical toys and games; stand alone video game machines incorporating a means of display; toy handheld electronic devices; toy computers (not working); toy mobile telephones (not working); computer gaming machines; parts and fittings for all the aforesaid goods
35	Business management; business administration; business consulting services; providing office functions; advertising agency services; advertising, marketing, and promotion services; advertising and marketing consultation; sales promotion services; promoting the goods and services of others; conducting market research; analysis of advertising response and market research; preparation and production of advertising materials, creation, preparation, production, and dissemination of advertisements and advertising material for others; media planning services; administration of consumer loyalty programs; arranging and conducting incentive rewards programs to promote the sale of goods and services; computerized database and file management; data processing services; computerized data storage and retrieval services; computerized data storage and retrieval services for text, data, image, audio, video, and multimedia content; creating indexes of information, sites and other resources available on global computer networks and other electronic and communications networks for others; organizing content of information provided over a global computer network and other electronic and communications networks according to user preferences; providing business and commercial information over computer networks and global communication networks; business services, namely, providing computer databases regarding the purchase and sale of a wide variety of products and services of others; business services, namely, dissemination of advertising for others via computer networks and global communication networks; compilations of directories for publishing on the Internet and other electronic, computer and communications networks; retail store and online retail store services; retail store services provided via the Internet and other computer, electronic and communications networks; retail store services in the field of books, magazines, periodicals, newsletters, journals and other publications on a wide range of topics of general interest, provided via the Internet and other computer, electronic and communications networks; retail store services in the field of entertainment featuring movies, television programs, sporting events, musical works, and audio and audiovisual works, via the Internet and other computer, electronic and communications networks; retail store services featuring computer, electronic and entertainment products, telecommunications apparatus, mobile phones, handheld mobile digital electronic devices, and other consumer electronics, computer software, and accessories, peripherals, and carrying cases for such products, via the Internet and other

Class	Goods and Services Descriptions
	computer, electronic and communications networks; product demonstrations provided in-store and via global communications networks and other electronic and communications networks; subscription services, namely, providing subscriptions to text, data, image, audio, video, and multimedia content, provided via the Internet and other electronic and communications networks; arranging and conducting of commercial, trade and business conferences, shows, and exhibitions; information, advisory and consultancy services relating to all the aforesaid
38	Telecommunications; communication and telecommunication services; telecommunication access services; communications by computer; communication between computers; electronic sending of data and documentation via the Internet or other databases; supply of data and news by electronic transmission; providing telecommunication access to websites and electronic news services online allowing the download of information and data; providing telecommunication access to web sites on the Internet; delivery of digital music by telecommunications; providing wireless telecommunications via electronic communications networks; wireless digital messaging, paging services, and electronic mail services, including services that enable a user to send and/or receive messages through a wireless data network; one-way and two-way paging services; communication by computer, computer intercommunication; telex, telegram and telephone services; broadcasting or transmission of radio and television programs; time sharing of communication apparatus, being rental services; provision of telecommunications access and links to computer databases and the Internet; electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; webcasting services (transmission); delivery of messages by electronic transmission; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video or multimedia content; provision of telecommunications connections to electronic communication networks, for transmission or reception of audio, video or multimedia content; providing telecommunication access to digital music web sites on the Internet; providing telecommunication access to MP3 web sites on the Internet; delivery of digital music by telecommunications; provision of telecommunications connections to the Internet or computer databases; electronic mail services; telecommunication of information (including web pages); video broadcasting, broadcasting pre-recorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs of all kinds, via a global computer network; streaming of video content via a global computer network; subscription audio broadcasting via a global computer network; audio broadcasting; audio broadcasting of spoken word, music, concerts, and radio programs, broadcasting pre-recorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs of all kinds, via computer and other communications networks; streaming of audio content via a global computer network; electronic transmission of audio and video files via communications networks; communication services, namely, matching users for the transfer of music, video and audio recordings via communication networks; providing online bulletin boards for the transmission of messages among computer users concerning entertainment, music, concerts, videos, radio, television, film, news, sports, games and cultural events; rental and hire of communication apparatus and electronic mail-boxes; electronic news services; electronic communications consultancy; facsimile, message collection and transmission services; transmission of data and of information by electronic means, computer, cable, radio, teleprinter, teletetter, electronic mail, telecopier, television, microwave, laser beam, communications satellite or electronic communication means; transmission of data by audio-visual apparatus controlled by data processing apparatus or computers; information, advisory and consultancy services relating to all the aforesaid; provision of telecommunication access time to web-sites featuring multimedia materials; providing telecommunication access to databases and directories via communications networks for obtaining data in the fields of music, video, film, books, television, games and sports; providing users with telecommunication access time to electronic communications networks with means of identifying, locating, grouping, distributing, and managing data and links to third party computer servers, computer processors and computer users

Class	Goods and Services Descriptions
39	Electronic storage of data, text, images, audio, and video; storage services for archiving electronic data; information and consultation in connection therewith
41	Educational and entertainment services; sporting and cultural activities; computer-based and computer-assisted educational, teaching, and training services; digital imaging services; entertainment and educational services, namely, providing text, video, audio, and multimedia materials; entertainment services, namely, providing computer games; entertainment and educational services, namely, providing electronic books, magazines, newspapers, journals, periodicals, and other publications; entertainment and educational services, namely, providing information, databases, directories, and podcasts in the fields of entertainment, advertising, news, current events, history, sports, games, the media, cultural events and activities, hobbies, publications, technology, and other topics; entertainment and educational services, namely, live performances, sporting events, cultural events, and lectures; entertainment and education services, namely, organizing and conducting exhibitions, displays, exhibits, workshops, seminars, training, and conferences; information, advisory and consultancy services relating to all the aforesaid
42	Application service provider (ASP) services featuring computer software; application service provider (ASP) services featuring software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, and electronic publications; scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; computer hardware and software consulting services; rental of computer hardware and software apparatus and equipment; multimedia and audio-visual software consulting services; computer programming; support and consultation services for developing computer systems, databases and applications; graphic design for the compilation of web pages on the Internet; information relating to computer hardware or software provided on-line from a global computer network or the Internet; creating and maintaining web-sites; hosting the web-sites of others; providing search engines for obtaining data via communications networks; application service provider (ASP) services featuring software for use in connection with online music subscription service, software that enables users to play and program music and entertainment-related audio, video, text and multimedia content, and software featuring musical sound recordings, entertainment-related audio, video, text and multimedia content; providing temporary internet access to use on-line non-downloadable software to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs; providing search engines for obtaining data on a global computer network; information, advisory and consultancy services relating to all the aforesaid; operating search engines; computer consulting and support services for scanning information into computer discs; creating indexes of online information, sites and other resources available on global computer networks for others; providing user access to the Internet (service providers); design of advertisements and advertising material for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks and other electronic and communications networks for others; providing an online searchable database of text, data, image, audio, video and multimedia content
45	Online social networking services; providing a social networking website

**Priority :** None

**Agent :**

HENRY HUGHES IP LIMITED	Physical : 158 Victoria Street, Te Aro, Wellington 6011, NZ Postal : PO Box 356, Wellington 6140, NZ Email Address: hh@henryhughes.co.nz
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**Applicant(s) :**

Apple Inc.	Physical : One Apple Park Way, Cupertino, California 95014, US
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**Contact Details :** HENRY HUGHES IP LIMITED, PO Box 356, Wellington 6140, NZ**Linked Cases:**

Case Number	Case Type	Case Title	Submission Date	Case Status	Under Proceeding	Linked Label
35975	GR - IP Extension of Time	Request on Trade Mark 971301	02 May 2014	Validated	N/A	Extension of Time Request
55399	GR - TM Change Classes	Request on Trade Mark 971301	29 May 2015	Validated	N/A	Case Maintenance
30416	GR - IP Extension of Time	Request on Trade Mark 971301	07 Jan 2014	Validated	N/A	Extension of Time Request
39033	GR - IP Extension of Time	Request on Trade Mark 971301	27 Jun 2014	Validated	N/A	Extension of Time Request

**History:**

Type	Description	Journal	Creation Date
TM Registered	Trade Mark Registered	1636	29 Sep 2015
TM Accepted	Trade Mark Accepted	1632	17 Jun 2015
TM Corrections of internal errors	Trade Mark Corrections of internal errors		17 Jun 2015
TM Classes Changed	Trade Mark Classes Changed		17 Jun 2015
Task routed to new user	Task Re-Examine TM Application (Compliance Report) has been routed to David Da Vanzo		29 May 2015
Response to TM CR sent to IPONZ	Response to Trade Mark Compliance Report sent to IPONZ.		29 May 2015
Task routed to new user	Task Respond to TM Compliance Report has been routed to HENRY HUGHES		26 May 2015
Examination completed with objections CR issued	Examination Complete, Objections raised during examination. Compliance report issued.		26 May 2015
Task routed to new user	Task Re-Examine TM Application (Compliance Report) has been routed to David Da Vanzo		20 Nov 2014
Response to TM CR sent to IPONZ	Response to Trade Mark Compliance Report sent to IPONZ.		20 Nov 2014
Task routed to new user	Task Respond to TM Compliance Report has been routed to HENRY HUGHES		20 Aug 2014
Examination completed with objections CR issued	Examination Complete, Objections raised during examination. Compliance report issued.		20 Aug 2014
Extension of time request granted	Extension of time request granted		11 Jul 2014
Task routed to new user	Task Re-Examine TM Application (Compliance Report) has been routed to David Da Vanzo		27 Jun 2014
Response to TM CR sent to IPONZ	Response to Trade Mark Compliance Report sent to IPONZ.		27 Jun 2014

Type	Description	Journal	Creation Date
Extension of time request granted	Extension of time request granted		22 May 2014
Extension of time request granted	Extension of time request granted		28 Jan 2014
IP user in charge transferred	Case assigned from Tanya Carter to David Da Vanzo		22 Aug 2013
Task routed to new user	Task Respond to TM Compliance Report has been routed to HENRY HUGHES		29 Jan 2013
Examination completed with objections CR issued	Examination Complete, Objections raised during examination. Compliance report issued.		29 Jan 2013
Task transferred to new user	Task Examine TM Application has been routed from William Rodrigues to Tanya Carter		24 Jan 2013
IP user in charge transferred	Case assigned from William Rodrigues to Tanya Carter		24 Jan 2013
Task routed to new user	Task Examine TM Application has been routed to William Rodrigues		09 Jan 2013
Primary examiner modified	Case assigned to William Rodrigues		09 Jan 2013
TM App submitted	IP Application submitted		08 Jan 2013

**IP Number:** 1039214  
**Client Reference:** T36249 BMS  
**Status:** Registered  
**Mark Nature:** Trade Mark  
**Mark Type:** Word  
**Series:** No  
**Mark Name:** ICLOUD

**Submission Date:** 14 Mar 2016  
**Filing Date:** 14 Mar 2016  
**Registration Date:** 15 Sep 2016  
**Renewal Due Date:** 25 Sep 2025  
**Under Proceeding:** No

**Intended use:** The mark is being used or proposed to be used, by the applicant or with his/her consent, in relation to the goods/services

**Nice Classification Schedule:** 10

**Pre-approved goods/services:** No

**Classes and Specifications:**

Class	Goods and Services Descriptions
18	Leather and imitations of leather; goods made of leather and imitations of leather namely trunks and travelling bags, umbrellas and parasols, walking sticks, ships, harness, saddlery, bags, beach bags, school bags, shoe bags, waist bags, backpacks, waist packs, wallets, purses, cases, attaché cases, business card cases, business cases, calling card cases, catalog cases, credit card cases, document cases, key cases, train cases, overnight cases, cases namely vanity, toiletry, cosmetic and lipstick cases sold empty, book bags, carry-on bags cosmetic bags sold empty, duffel bags, garment bags for travel, shopping bags, overnight bags, all-purpose sports and athletic bags, school book bags, shoulder bags, souvenir bags, suit bags, tote bags, credit card holders; animal skins, hides; trunks and travelling bags; umbrellas and parasols; walking sticks; whips, harness and saddlery; bags; beach bags; leather bags; school bags; shoe bags; waist bags; backpacks; waist packs; wallets; purses; cases; attache cases; business card cases; business cases; calling card cases; catalog cases; credit card cases; document cases; key cases; train cases; overnight cases; cases, namely, vanity, toiletry, cosmetic and lipstick cases sold empty; book bags; carry-on bags; cosmetic bags sold empty; duffel bags; garment bags for travel; leather and mesh shopping bags; overnight bags; all-purpose sports and athletic bags; school book bags; shoulder bags; souvenir bags; suit bags; tote bags; credit card holders; parts and accessories for all the aforesaid goods.
34	Tobacco; smokers' articles; matches; ashtrays; lighters for smokers; electronic cigarettes.

**Priority :**

Country	Priority Date	Priority Number	Class	Claims
European Union Intellectual Property Office (EUIPO)	25 Sep 2015	014597736	18, 34	

**Agent :**

HENRY HUGHES IP LIMITED	Physical : 158 Victoria Street, Te Aro, Wellington 6011, NZ Postal : PO Box 356, Wellington 6140, NZ Email Address: hh@henryhughes.co.nz
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**Applicant(s) :**

Apple Inc.	Physical : One Apple Park Way, Cupertino, California 95014, US Postal : One Apple Park Way, Cupertino, California 95014, US
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**Contact Details :** HENRY HUGHES IP LIMITED, PO Box 356, Wellington 6140, NZ

**Linked Cases:** None

**History:**

Type	Description	Journal	Creation Date
TM Registered	Trade Mark Registered	1647	15 Sep 2016
TM Accepted	Trade Mark Accepted	1642	05 Apr 2016
Task routed to new user	Task Examine TM has been routed to Amelia Knight		16 Mar 2016
Primary examiner modified	Case assigned to Amelia Knight		16 Mar 2016
TM App submitted	IP Application submitted		14 Mar 2016

**IP Number:** 1070050  
**Client Reference:** T36235 BMS  
**Status:** Registered  
**Mark Nature:** Trade Mark  
**Mark Type:** Word  
**Series:** No  
**Mark Name:** ICLOUD

**Submission Date:** 22 Feb 2016  
**Filing Date:** 22 Feb 2016  
**Registration Date:** 03 Oct 2017  
**Renewal Due Date:** 01 Sep 2025  
**Under Proceeding:** No

**Intended use:** The mark is being used or proposed to be used, by the applicant or with his/her consent, in relation to the goods/services

**Nice Classification Schedule:** 10

**Pre-approved goods/services:** No

**Classes and Specifications:**

Class	Goods and Services Descriptions
10	Health, fitness, exercise, and wellness sensors, monitors and displays; medical apparatus and devices
36	Financial services; financial transaction services; bill payment services; providing secure commercial transactions; credit and debit card services; payment authorization, verification, and transaction processing services; electronic payment and funds transfer services

**Priority :**

Country	Priority Date	Priority Number	Class	Claims
Jamaica	01 Sep 2015	68020	36	
Jamaica	01 Sep 2015	68018	10	

**Agent :**

HENRY HUGHES IP LIMITED	Physical : 158 Victoria Street, Te Aro, Wellington 6011, NZ Postal : PO Box 356, Wellington 6140, NZ Email Address: hh@henryhughes.co.nz
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**Applicant(s) :**

Apple Inc.	Physical : One Apple Park Way, Cupertino, California 95014, US Postal : One Apple Park Way, Cupertino, California 95014, US
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**Contact Details :** HENRY HUGHES IP LIMITED, PO Box 356, Wellington 6140, NZ

**Linked Cases:**

Case Number	Case Type	Case Title	Submission Date	Case Status	Under Proceeding	Linked Label
1037761	Trade Mark	ICLOUD	22 Feb 2016	Under Examination	No	Parent

**History:**

Type	Description	Journal	Creation Date
IP user in charge transferred	Case assigned from Rebecca James to Beth Masterton		15 Oct 2018
TM Registered	Trade Mark Registered	1660	03 Oct 2017
TM Accepted QC	Trade Mark Accepted	1656	28 Jun 2017



Type	Description	Journal	Creation Date
IP user in charge transferred	Case assigned from Rebecca James to Chris Salter		28 Jun 2017
Task transferred to new user	Task QC TM has been routed from Chris Salter to Tonja Flath		28 Jun 2017
Examination Completed without objections	Examination Complete, No Objections raised.		28 Jun 2017
Task routed to new user	Task Examine TM has been routed to Chris Salter		28 Jun 2017
TM Corrections of internal errors	Trade Mark Corrections of internal errors		28 Jun 2017
Created from Division of TM	Created from Division of Trade Mark 1037761		28 Jun 2017

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# Case Details Report

Date and Time: 21 Apr 2020 03:05:02 p.m.



[www.iponz.govt.nz](http://www.iponz.govt.nz)

INTERNATIONAL: +64 3 962 2607

NATIONAL: 0508 4 IPONZ

{0508 447 669}

## Search Criteria:

**IP Number:** 994620

**Client Reference:**

**Status:** Protected

**Mark Nature:** Trade Mark

**Mark Type:** Word

**International number:** 1196067

**Mark Name:** ICLOUD KEYCHAIN

**Intended use:** The mark is being used or proposed to be used, by the applicant or with his/her consent, in relation to the goods/services

**Standard Characters:** Yes

**Consists of Colour:** No

**Colour Claimed As A Distinctive Feature:** No

**Submission Date:** 20 Mar 2014

**Filing Date:** 09 Dec 2013

**Registration Date:** 06 Jan 2015

**Under Proceeding:** No

## Basic Mark:

## Designated countries:

**Nice Classification Schedule:** 10

## Classes and Specifications:

Class	Goods and Services Descriptions	Countries
39	Physical storage services for archiving electronically-stored data.	
42	Electronic storage of data and text.	

## Priority :

Country	Priority Date	Priority Number	Class	Claims
Jamaica	10 Jun 2013	062862		

**Seniority :** None

## Agent :

HENRY HUGHES IP LIMITED	Physical : 158 Victoria Street, Te Aro, Wellington 6011, NZ Postal : PO Box 356, Wellington 6140, NZ Email Address: hh@henryhughes.co.nz
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## Applicant(s) :

Number: 994620

Apple Inc.	Physical : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US
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**Contact Details :** HENRY HUGHES IP LIMITED, PO Box 356, Wellington 6140, NZ

**Linked Cases:**

Case Number	Case Type	Case Title	Submission Date	Case Status	Under Proceeding	Linked Label
38180	GR - IP Add / Change Agent	Request on Trade Mark 994620	13 Jun 2014	Validated	N/A	Case Maintenance
38183	GR - Information / Direction Request	Request on Trade Mark 994620	13 Jun 2014	Completed	N/A	Case Maintenance

**History:**

Type	Description	Journal	Creation Date
Change WIPO Holder / Proprietor name / address in IR	Change of name/address of Holder recorded in the International Register on 1/05/2018		12 Jul 2018
NZD Protected	International Registration Designating NZ protected.	1627	06 Jan 2015
NZD accepted	International Registration Designating NZ accepted.	1623	25 Sep 2014
TM Corrections of internal errors	Trade Mark Corrections of internal errors		25 Sep 2014
TM Corrections of internal errors	Trade Mark Corrections of internal errors		24 Sep 2014
Task routed to new user	Task Re-Examine NZD Application (Provisional Refusal) has been routed to Amelia Knight		05 Sep 2014
Response to Provisional Refusal Report sent to IPONZ	Response to International Registration Provisional Refusal Report sent to IPONZ.		05 Sep 2014
Task transferred to new user	Task Respond to Provisional Refusal IR (NZD) Report has been routed from IPONZ Manual User to HENRY HUGHES		13 Jun 2014
Agent changed	Agent changed from [nothing] to HENRY HUGHES		13 Jun 2014
Task routed to new user	Task Respond to Provisional Refusal IR (NZD) Report has been routed to IPONZ Manual User		31 Mar 2014
Objections raised with no routing to QC	Provisional refusal sent to International Bureau.		31 Mar 2014
Task routed to new user	Task Examine NZD Application (First Examination) has been routed to Amelia Knight		21 Mar 2014
Primary examiner modified	Case assigned to Amelia Knight		21 Mar 2014
International Registration initialised, BIRTH-ENN transaction	Notification of Designation received from WIPO on 20/03/2014. Notification recorded in the International Register on 7/03/2014, effective in the International Register on 9/12/2013, and officially received from WIPO on 20/03/2014.		21 Mar 2014

**IP Number:** 996333  
**Client Reference:**  
**Status:** Protected  
**Mark Nature:** Trade Mark  
**Mark Type:** Word  
**International number:** 1198689  
**Mark Name:** ICLOUD KEYCHAIN

**Submission Date:** 17 Apr 2014  
**Filing Date:** 09 Dec 2013  
**Registration Date:** 01 May 2015

**Under Proceeding:** No

**Intended use:** The mark is being used or proposed to be used, by the applicant or with his/her consent, in relation to the goods/services

**Standard Characters:** Yes

**Consists of Colour:** No

**Colour Claimed As A Distinctive Feature:** No

**Basic Mark:**

**Designated countries:**

**Nice Classification Schedule:** 10

**Classes and Specifications:**

Class	Goods and Services Descriptions	Countries
42	Electronic data storage services; cloud computing featuring software to enable uploading, posting, showing, displaying, sharing or otherwise providing electronic media or information over the internet or other communications networks and database management; computer services, namely, providing access to non-downloadable computer software for creating, storing, and encrypting data and text; computer services, namely, providing access to non-downloadable computer software for storing and transmitting data and text.	

**Priority :**

Country	Priority Date	Priority Number	Class	Claims
Jamaica	10 Jun 2013	062862	42	Convention priority claimed for class 42, in respect of: Scientific and technological services and research and design relating thereto; industrial analysis and research services; computer programming; design and development of computer hardware and software; design, development and maintenance of proprietary computer software in the field of natural language, speech, speaker, language, voice recognition, and voice-print recognition; rental of computer hardware and software apparatus and equipment; computer hardware and software consulting services; support and consultation services

Country	Priority Date	Priority Number	Class	Claims
				for developing computer systems, databases and applications; providing computer hardware or software information online; website creation, design and maintenance services; website hosting services; application service provider (ASP) services featuring hosting computer software applications of others; application service provider (ASP) services featuring software for creating, authoring, distributing, downloading, transmitting, receiving, playing, editing, extracting, encoding, decoding, displaying, storing and organizing text, graphics, images, audio, video, and multimedia content, and electronic publications; application service provider (ASP) services featuring software for use in connection with voice recognition software and voice-enabled software applications; providing online non-downloadable software; providing search engines for obtaining data via the internet and other electronic communications networks; creating indexes of online information, sites and other resources available on global computer networks for others; electronic data storage services; online social networking services; providing a social networking website; cartography and mapping services; cloud computing services; information, advisory and consultancy services relating to all the aforesaid.

**Seniority :** None

**Agent :**

HENRY HUGHES IP LIMITED	Physical : 158 Victoria Street, Te Aro, Wellington 6011, NZ Postal : PO Box 356, Wellington 6140, NZ Email Address: hh@henryhughes.co.nz
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**Applicant(s) :**

Apple Inc.	Physical : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US
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**Contact Details :** HENRY HUGHES IP LIMITED, PO Box 356, Wellington 6140, NZ

**Linked Cases:**

Case Number	Case Type	Case Title	Submission Date	Case Status	Under Proceeding	Linked Label
38184	GR - Information / Direction Request	Request on Trade Mark 996333	13 Jun 2014	Completed	N/A	Case Maintenance
38176	GR - IP Add / Change Agent	Request on Trade Mark 996333	13 Jun 2014	Validated	N/A	Case Maintenance

#### History:

Type	Description	Journal	Creation Date
IP user in charge transferred	Case assigned from Chris Salter to Thomas Abernethy		28 Jan 2020
IP user in charge transferred	Case assigned from Tonja Flath to Chris Salter		19 Nov 2018
Change WIPO Holder / Proprietor name / address in IR	Change of name/address of Holder recorded in the International Register on 1/05/2018		12 Jul 2018
IP user in charge transferred	Case assigned from Andrew Dames to Tonja Flath		18 May 2016
Partial Cancellations of Goods/Services after partial cancellation	Partial Cancellations of Goods and Services of International Trade Mark further to Partial Cancellation in Basic Registration	1632	29 May 2015
TM Corrections of internal errors	Trade Mark Corrections of internal errors		29 May 2015
TM Correction of Error	Trade Mark correction of error	1632	29 May 2015
Task routed to new user	Task Examine WIPO Transaction (IR change request) has been routed to Andrew Dames		29 May 2015
NZD Protected	International Registration Designating NZ protected.	1631	01 May 2015
NZD accepted	International Registration Designating NZ accepted.	1627	28 Jan 2015
Task routed to new user	Task Re-Examine NZD Application (Provisional Refusal) has been routed to Andrew Dames		14 Jan 2015
Response to Provisional Refusal Report sent to IPONZ	Response to International Registration Provisional Refusal Report sent to IPONZ.		14 Jan 2015
Task transferred to new user	Task Respond to Provisional Refusal IR (NZD) Report has been routed from IPONZ Manual User to HENRY HUGHES		13 Jun 2014
Agent changed	Agent changed from [nothing] to HENRY HUGHES		13 Jun 2014
Task routed to new user	Task Respond to Provisional Refusal IR (NZD) Report has been routed to IPONZ Manual User		09 May 2014
Objections raised with no routing to QC	Provisional refusal sent to International Bureau.		09 May 2014
Task routed to new user	Task Examine NZD Application (First Examination) has been routed to Andrew Dames		22 Apr 2014
Primary examiner modified	Case assigned to Andrew Dames		22 Apr 2014
International Registration initialised, BIRTH-ENN transaction	Notification of Designation received from WIPO on 17/04/2014. Notification recorded in the International Register on 31/03/2014, effective		18 Apr 2014

Type	Description	Journal	Creation Date
	in the International Register on 9/12/2013, and officially received from WIPO on 17/04/2014.		

**IP Number:** 1005853

**Client Reference:**

**Status:** Protected

**Mark Nature:** Trade Mark

**Mark Type:** Combined

**International number:** 1216753

**Mark Name:** iCloud

**Description, Limitations, Additional Application Details:**

- The mark consists of a stylized depiction of a cloud above the term "iCloud".

**Intended use:** The mark is being used or proposed to be used, by the applicant or with his/her consent, in relation to the goods/services

**Standard Characters:** No

**Consists of Colour:** No

**Colour Claimed As A Distinctive Feature:** No

**Image:**



**Vienna Codes:** 1.15.11

**Basic Mark:**

**Designated countries:**

**Nice Classification Schedule:** 10

**Classes and Specifications:**

Class	Goods and Services Descriptions	Countries
9	Computer software for use in uploading, downloading, storing, backing up, transmitting, receiving, accessing, retrieving, managing, organizing, and synchronizing data, email, documents, images, audio, video, multimedia content, electronic publications, computer files and other computer software; computer software for tracking the location of mobile digital electronic devices; computer software for use in accessing the Internet or other computer or communications networks; computer programs for personal information management electronic mail and messaging software; database synchronization software; database management software.	
39	Storage services for archiving electronic data; information and consultation therewith.	



Class	Goods and Services Descriptions	Countries
41	Entertainment services, namely, providing a database featuring non-downloadable music, non-downloadable videos featuring music concerts, games, animation, and cultural events, non-downloadable television programs and motion pictures on the subjects of nature, science, history, comedy, unscripted performances, animation, mystery, science fiction, non-fiction, documentary, action and adventure, current event and entertainment news, sports information, games, cultural events information, and non-downloadable entertainment-related multimedia programs on the subjects of nature, science, history, comedy, unscripted performances, animation, mystery, science fiction, non-fiction, documentary, action and adventure.	
42	Computer hardware and software consulting services; information relating to computer software provided on-line from a global computer network or the Internet; maintaining websites featuring technology that enables users to access stored data, images, audio, video and documents; creating indexes of computer network-based information, sites, and other resources available on global computer networks for others; application service provider (ASP) services featuring computer software to enable uploading, posting, showing, displaying, sharing or otherwise providing electronic media or information over the Internet or other communications network; application service provider (ASP) services featuring software for authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, displaying, reviewing, storing and organizing text, graphics, images, audio files, video files, and electronic publications; application service provider (ASP) services featuring software for use in connection with online music subscription service; information, advisory, and consultancy services relating to all the aforesaid; electronic storage of data, text, images, audio and video.	

**Priority :**

Country	Priority Date	Priority Number	Class	Claims
Jamaica	08 Jan 2013	61806		

**Seniority :** None

**Applicant(s) :**

Apple Inc.	Physical : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US
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**Contact Details :** Kimberly Eckhart, Apple Inc.,, 1 Infinite Loop,, MS 163-3IPL Cupertino CA 95014, US

**Linked Cases:** None

**History:**

Type	Description	Journal	Creation Date
IP user in charge transferred	Case assigned from Nicola Wild to Gina Choi		27 Jun 2019
IP user in charge transferred	Case assigned from Jeanette Palliser to Nicola Wild		19 Nov 2018
Free History	Partial Cancellation of the Basic Registration		23 Aug 2018
TM Correction of Error	Trade Mark correction of error	1670	23 Aug 2018
Task routed to new user	Task Change Request (WIPO) has been routed to Jeanette Palliser		23 Aug 2018
Change WIPO Holder / Proprietor name / address in IR	Change of name/address of Holder recorded in the International Register on 1/05/2018		12 Jul 2018
TM Corrections of internal errors	Trade Mark Corrections of internal errors		26 May 2015
TM Correction of Error	Trade Mark correction of error	1631	26 May 2015
NZD Protected	International Registration Designating NZ protected.	1628	03 Feb 2015
A mark might be opposed even if accepted, after 18 months	Possible Opposition after 18 month limit notified to WIPO.		09 Dec 2014
NZD accepted	International Registration Designating NZ accepted.	1624	30 Sep 2014
Task routed to new user	Task Examine NZD Application (First Examination) has been routed to Jeanette Palliser		29 Sep 2014
Primary examiner modified	Case assigned to Jeanette Palliser		29 Sep 2014
International Registration initialised, BIRTH-ENN transaction	Notification of Designation received from WIPO on 25/09/2014. Notification recorded in the International Register on 9/09/2014, effective in the International Register on 8/07/2013, and officially received from WIPO on 25/09/2014.		26 Sep 2014

**IP Number:** 1010226  
**Client Reference:**  
**Status:** Protected  
**Mark Nature:** Trade Mark  
**Mark Type:** Combined  
**International number:** 1225236  
**Mark Name:** iCloud

**Submission Date:** 04 Dec 2014  
**Filing Date:** 21 Jul 2014  
**Registration Date:** 25 Mar 2015

**Under Proceeding:** No

**Description, Limitations, Additional Application Details:**

- The mark consists of a stylized depiction of a cloud above the term "iCloud".

**Intended use:** The mark is being used or proposed to be used, by the applicant or with his/her consent, in relation to the goods/services

**Standard Characters:** No

**Consists of Colour:** No

**Colour Claimed As A Distinctive Feature:** No

**Image:**



**Vienna Codes:** 1.15.11

**Basic Mark:**

**Designated countries:**

**Nice Classification Schedule:** 10

**Classes and Specifications:**

Class	Goods and Services Descriptions	Countries
9	Computer software for use in uploading, downloading, storing, backing up, transmitting, receiving, accessing, retrieving, managing, organizing, and synchronizing data, email, documents, images, audio, video, multimedia content, electronic publications, computer files and other computer software; computer software for tracking the location of mobile digital electronic devices; computer software for use in accessing the Internet or other computer or communications networks; computer programs for personal information management; electronic mail and messaging software; database synchronization software; database management software.	

**Priority :** None

**Seniority :** None

**Applicant(s) :**

Apple Inc.	Physical : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US
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**Contact Details :** Kimberly Eckhart Apple Inc., 1 Infinite Loop,, MS 169-3IPL, Cupertino CA 95014, US

**Linked Cases:** None

**History:**

Type	Description	Journal	Creation Date
IP user in charge transferred	Case assigned from Linda Overall to Sarah-Jane Connell		14 Oct 2019
IP user in charge transferred	Case assigned from Nicola Wild to Linda Overall		27 Jun 2019
IP user in charge transferred	Case assigned from Jeanette Palliser to Nicola Wild		19 Nov 2018
Change WIPO Holder / Proprietor name / address in IR	Change of name/address of Holder recorded in the International Register on 1/05/2018		12 Jul 2018
Free History	Partial Cancellation of the Basic Registration		23 Aug 2017
TM Corrections of internal errors	Trade Mark Corrections of internal errors		23 Aug 2017
TM Correction of Error	Trade Mark correction of error	1658	23 Aug 2017
Task transferred to new user	Task Change Request (WIPO) has been routed from Jeanette Palliser to Jo Roberts		23 Aug 2017
Task routed to new user	Task Change Request (WIPO) has been routed to Jeanette Palliser		17 Aug 2017
NZD Protected	International Registration Designating NZ protected.	1629	25 Mar 2015
NZD accepted	International Registration Designating NZ accepted.	1626	23 Dec 2014
Task routed to new user	Task Examine NZD Application (First Examination) has been routed to Jeanette Palliser		05 Dec 2014
Primary examiner modified	Case assigned to Jeanette Palliser		05 Dec 2014
International Registration initialised, BIRTH-ENN transaction	Notification of Designation received from WIPO on 4/12/2014. Notification recorded in the International Register on 17/11/2014, effective in the International Register on 21/07/2014, and officially received from WIPO on 4/12/2014.		05 Dec 2014

**IP Number:** 1019067

**Client Reference:**

**Status:** Protected

**Mark Nature:** Trade Mark

**Mark Type:** Word

**International number:** 1245693

**Mark Name:** ICLOUD DRIVE

**Intended use:** The mark is being used or proposed to be used, by the applicant or with his/her consent, in relation to the goods/services

**Standard Characters:** Yes

**Consists of Colour:** No

**Colour Claimed As A Distinctive Feature:** No

**Submission Date:** 07 May 2015

**Filing Date:** 02 Dec 2014

**Registration Date:** 03 Nov 2015

**Under Proceeding:** No

**Basic Mark:**

**Designated countries:**

**Nice Classification Schedule:** 10

**Classes and Specifications:**

Class	Goods and Services Descriptions	Countries
42	Electronic storage of data; electronic storage of data, text, images, audio, and video; storage services for archiving of electronic data; providing temporary use of non-downloadable software used to provide sharing and the synchronization of data.	

**Priority :**

Country	Priority Date	Priority Number	Class	Claims
Jamaica	02 Jun 2014	64862	42	

**Seniority :** None

**Agent :**

HENRY HUGHES IP LIMITED	Physical : 158 Victoria Street, Te Aro, Wellington 6011, NZ Postal : PO Box 356, Wellington 6140, NZ Email Address: hh@henryhughes.co.nz
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**Applicant(s) :**

Apple Inc.	Physical : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US Postal : One Apple Park Way, Cupertino CA 95014, US
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**Contact Details :** HENRY HUGHES IP LIMITED, PO Box 356, Wellington 6140, NZ

**Linked Cases:**

Case Number	Case Type	Case Title	Submission Date	Case Status	Under Proceeding	Linked Label
55898	GR - IP Add / Change Agent	Request on International Registration on 1019067	09 Jun 2015	Validated	N/A	Case Maintenance

#### History:

Type	Description	Journal	Creation Date
IP user in charge transferred	Case assigned from Philip Chung to Destiny Fruean		19 Feb 2020
IP user in charge transferred	Case assigned from Eleanor Harkness to Philip Chung		14 Oct 2019
IP user in charge transferred	Case assigned from Tonja Flath to Eleanor Harkness		19 Nov 2018
Change WIPO Holder / Proprietor name / address in IR	Change of name/address of Holder recorded in the International Register on 1/05/2018		12 Jul 2018
Free History	Partial Cancellation of the Basic Registration		22 May 2017
TM Corrections of internal errors	Trade Mark Corrections of internal errors		22 May 2017
TM Correction of Error	Trade Mark correction of error	1655	22 May 2017
Task routed to new user	Task Change Request (WIPO) has been routed to Tonja Flath		18 May 2017
IP user in charge transferred	Case assigned from Rosa Reynolds to Tonja Flath		04 Feb 2016
NZD Protected	International Registration Designating NZ protected.	1637	03 Nov 2015
NZD accepted	International Registration Designating NZ accepted.	1633	30 Jun 2015
Task routed to new user	Task Re-Examine NZD Application (Provisional Refusal) has been routed to Rosa Reynolds		11 Jun 2015
Response to Provisional Refusal Report sent to IPONZ	Response to International Registration Provisional Refusal Report sent to IPONZ.		11 Jun 2015
Task transferred to new user	Task Respond to Provisional Refusal IR (NZD) Report has been routed from IPONZ Manual User to HENRY HUGHES		09 Jun 2015
Agent changed	Agent changed from [nothing] to HENRY HUGHES IP LIMITED		09 Jun 2015
Task routed to new user	Task Respond to Provisional Refusal IR (NZD) Report has been routed to IPONZ Manual User		26 May 2015
Objections raised with no routing to QC	Provisional refusal sent to International Bureau.		26 May 2015
Task routed to new user	Task Examine NZD Application (First Examination) has been routed to Rosa Reynolds		08 May 2015
Primary examiner modified	Case assigned to Rosa Reynolds		08 May 2015
International Registration initialised, BIRTH-ENN transaction	Notification of Designation received from WIPO on 7/05/2015. Notification recorded in the International Register on 23/04/2015, effective in the International Register on 2/12/2014, and officially received from WIPO on 7/05/2015.		08 May 2015

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**NOTIFICATION OF PROVISIONAL REFUSAL OF AN INTERNATIONAL REGISTRATION DESIGNATING  
NEW ZEALAND  
Rule 17(1)**

1.	<b>Office making the notification:</b> Intellectual Property Office of New Zealand
2.	<b>Date of the notification of provisional refusal:</b> 21 April 2020
3.	<b>Number of the international registration:</b> 1433787
4.	<b>Our reference:</b> 1107289-5371
5.	<p align="center"><b>Representation of the mark:</b></p> <p align="center"><b>Mi Cloud</b></p>
6.	<b>Name of the holder:</b> Xiaomi Inc.
7.	<b>Basis for refusal:</b> Provisional refusal based on an opposition
8.	<p><b>Name and address of the opponent:</b></p> <p>Apple Inc. One Apple Park Way Cupertino California 95014 United States of America</p>
9.	<b>Scope of this refusal:</b> Provisional refusal for all the goods and/or services.
10.	<p><b>Grounds for refusal:</b></p> <p>See <b>attached</b> Notice of Opposition.</p>
11.	<p><b>Information relating to an earlier mark:</b></p> <p>See <b>attached</b> print-out from the New Zealand trade marks register.</p>
12.	<p><b>Information relating to subsequent procedure:</b></p> <p><u><b>Responding to this refusal</b></u></p> <p>The Holder may respond in writing to this refusal by filing a counterstatement. To respond the</p>



Holder will need to provide an address for service in New Zealand or Australia and the response must be filed using the Commissioner's website at [www.iponz.govt.nz](http://www.iponz.govt.nz).

**Timeframe for responding**

If the Holder does not respond by filing a counterstatement by **21 June 2020\***, this refusal becomes final for the specified goods and/or services.

*\*Due to possible notification issues this date may change. Please see IPONZ case number 5371 for further information.*

**13. Signature by the Office:**

Intellectual Property Office of New Zealand

Samantha Carr

+64 4 897 5169

For the Commissioner of Trade Marks

**14. Corresponding provisions of relevant law:**

**Trade Marks Act 2002:**

**17 Absolute grounds for not registering trade mark: general**

- (1) The Commissioner must not register as a trade mark or part of a trade mark any matter—
- (a) the use of which would be likely to deceive or cause confusion; or
  - (b) the use of which is contrary to New Zealand law or would otherwise be disentitled to protection in any court; or
  - (c) the use or registration of which would, in the opinion of the Commissioner, be likely to offend a significant section of the community, including Māori.
- (2) The Commissioner must not register a trade mark if the application is made in bad faith.
- (3) Despite subsection (1)(b), the Commissioner may register a trade mark even if use of the trade mark is restricted or prohibited under the Smoke-free Environments Act 1990

**25 Registrability of identical or similar trade mark**

- (1) The Commissioner must not register a trade mark (trade mark A) in respect of any goods or services if—
- (a) it is identical to a trade mark (trade mark B) belonging to a different owner and that is registered, or has priority under section 34 or section 36,—
    - (i) in respect of the same goods or services; or
    - (ii) in respect of goods or services that are similar to those goods and services, and its use is likely to deceive or confuse; or
  - (b) it is similar to a trade mark (trade mark C) that belongs to a different owner and that is registered, or has priority under section 34 or section 36, in respect of the same goods or services or goods or services that are similar to those goods or services, and its use is likely to deceive or confuse; or
  - (c) it is, or an essential element of it is, identical or similar to, or a translation of, a trade mark that is well known in New Zealand (trade mark D), whether through advertising or

otherwise, in respect of those goods or services or similar goods or services or any other goods or services if the use of trade mark A would be taken as indicating a connection in the course of trade between those other goods or services and the owner of trade mark D, and would be likely to prejudice the interests of the owner.



(2) Section 26 overrides subsection (1).

## **26 Exceptions**

The Commissioner must register trade mark A if—

- (a) the owner of trade mark B, trade mark C, or trade mark D (as the case may require) consents to the registration of trade mark A; or
- (b) the Commissioner or the court, as the case may be, considers that a case of honest concurrent use exists, or other special circumstances exist, that, in the opinion of the court or the Commissioner, makes it proper for the trade mark to be registered subject to any conditions that the court or the Commissioner may impose

# SCHEDULE

Number	Mark	Case Status	Class(es)	Filing/designation date
994620	ICLOUD KEYCHAIN	Protected	39, 42	09 Dec 2013
996333	ICLOUD KEYCHAIN	Protected	42	09 Dec 2013
1005853		Protected	9, 39, 41, 42	08 Jul 2013
1010226		Protected	9	21 Jul 2014
1019067	ICLOUD DRIVE	Protected	42	02 Dec 2014
843096	ICLOUD	Registered	9, 28, 35, 38, 39, 41, 42, 45	01 Jun 2011
971301	ICLOUD; iCloud	Registered	9, 28, 35, 38, 39, 41, 42, 45	08 Jan 2013
1039214	ICLOUD	Registered	18, 34	14 Mar 2016
1070050	ICLOUD	Registered	10, 36	22 Feb 2016

## NOTICE OF OPPOSITION

### Details of the trade mark to be opposed

1. Trade mark number	1107289
2. Trade mark	<b>Mi Cloud</b>

### Opponent details

3. Name of the opponent	Apple Inc.
4. Address for service of the opponent	PO Box 356 Wellington NEW ZEALAND
5. Name of the opponent's authorised agent	Henry Hughes IP

### Details of the opposition

6. State the grounds of opposition.	<p>1. <u>Section 17(1)(a)</u>:</p> <p>The use of the trade mark for which registration is sought under Application No. 1107289 ("the applicant's trade mark") would be likely to deceive or cause confusion. (Continued on separate sheet.)</p> <p>2. <u>Section 25(1)(b)</u>:</p> <p>The applicant's trade mark is similar to a trade mark or trade marks that belongs/belong to a different owner (the opponent) and that is/are registered in respect of the same or similar goods or services as the applicant's services, and its use is likely to deceive or confuse. (Continued on separate sheet.)</p> <p>4. <u>Section 25(1)(c)</u>:</p> <p>The applicant's trade mark, or an essential element of it, is identical or similar to a trade mark that is well-known in New Zealand, whether through advertising or otherwise, in respect of goods and services that are the same as or similar to the applicant's services, or to any other goods or services, and the use of the applicant's trade mark would be taken as indicating a connection in the course</p>
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	of trade between the applicant's services and the opponent, and would be likely to prejudice the interests of the opponent. (Continued on separate sheet.)
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7. List the class(es) and services to which this opposition relates.

CLASS	SERVICES
35	Advertising; accounting; sponsorship search; provision of space on websites for advertising goods and services; providing business information via a web site; provision of an on-line marketplace for buyers and sellers of goods and services; sales promotion for others; personnel management consultancy; relocation services for businesses; updating and maintenance of data in computer databases.
38	Message sending; communications by computer terminals; computer aided transmission of messages and images; providing user access to global computer networks; providing access to databases; providing Internet chatrooms; providing online forums; video-on-demand transmission; paid television program broadcasting; television broadcasting.

8. Relief Sought.	(a) refusal of Application No.1107289; (b) such further and other relief as the Commissioner may think just; and (c) the opponent's costs in this matter.
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Date: 17 April 2020

<b>To:</b> <b>The Commissioner of Trade Marks</b> Intellectual Property Office New Zealand PO Box 9241 Marion Square WELLINGTON 6141	<b>Contact Telephone No:</b> 04 381 6050 <b>Contact Email Address:</b> m.eftimov@henryhughes.co.nz
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Section 17(1)(a)

1. Use of the applicant's trade mark would be likely to deceive or cause confusion.
2. The opponent, Apple Inc. ("Apple"), is a famous multinational computer and electronics company. Apple designs, manufactures and markets mobile communication and media devices, personal computers, portable digital music players, software, services, accessories, networking solutions, and applications ("Apple goods and services").
3. Apple was incorporated in the State of California, United States of America on 3 January 1977 and has been in operation for over 40 years. Apple's tremendously successful products and services include iPhone, Mac, iMac, iPad, iPod, Apple TV and Apple Watch branded devices, a portfolio of consumer and professional software applications, the iOS and MacOS, tvOS and watchOS operating systems, the iCloud platform, and a variety of accessory, service and support offerings. Apple also provides a huge catalogue of digital content and applications through the iTunes Store, App Store, TV App Store, Mac App Store, Apple Music, and Apple Books.
4. Apple has a family of trade marks which commence with the letter "i", including iPhone, iPod, iPad, iCloud, iTunes, iBookstore and iMac.
5. Apple's goods and services have been promoted, offered for sale and sold in New Zealand and throughout the world under its famous iPhone, iPod, iPad, iCloud, iTunes, iBookstore and iMac marks. Apple sells its products worldwide through its retail stores, online stores, and direct sales force, as well as through third-party cellular network carriers, wholesalers, retailers, and resellers. In addition, Apple sells a variety of third-party Apple-compatible products, including application software and various accessories, through its online and brick-and-mortar retail stores. Apple sells to consumers, small and mid-sized businesses, and education, enterprise, and government customers.
6. Apple's famous iCloud trade mark has been in use for over 8 years. It is used in relation to a cloud storage and cloud computing service with over 850 million users worldwide. The iCloud platform was made available for use on iPhone on 12 October 2011, with the launch of iOS 5. After this release, owners of iPhone 3GS and later iPhone devices could update their operating system for free. iOS 5 came instead already preinstalled on the new iPhone 4S, which went on sale in the EU starting from 14 October 2011 with the iCloud mark displayed on its packaging.
7. The applicant's trade mark incorporates Apple's iCloud trade mark. The applicant's services are the same as or similar to Apple's goods and services.
8. By reason of the above-mentioned facts, use of the applicant's trade mark would be likely to deceive or cause confusion, as members of the public would be led to believe that or to wonder whether the applicant's services are those of Apple, and/or that the applicant and/or the applicant's services are in some way associated with Apple, or are sponsored, endorsed or approved by Apple.

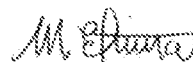
Section 25(1)(b)

9. The applicant's trade mark is similar to a trade mark that belongs to a different owner (Apple) and that is registered in respect of the same or similar goods and services as the applicant's services, and its use is likely to deceive or confuse.
10. The applicant's trade mark is similar to Apple's iCloud trade mark, particulars of registrations for some of which are set out in the attached Schedule. The applicant's services are the same as or similar to Apple's goods and services or to any one or more of them. Use of the applicant's trade mark is likely to deceive or confuse.

Section 25(1)(c)

11. Apple's iCloud trade mark and family of i-prefix trade marks are well-known in New Zealand in relation to Apple's goods and services.
12. The applicant's trade mark is similar to Apple's iCloud trade mark. The applicant's services are the same as or similar to the Apple's goods and services, or to any one or more of them. Use of the applicant's trade mark in relation to the applicant's services would be likely to prejudice the interests of the Apple.
13. Prejudice to Apple would include:
  - i) damage to the distinctiveness of Apple's trade marks, in particular to the iCloud trade mark and Apple's i-prefix family of trade marks; and
  - ii) the tarnishment of the goodwill and reputation that attaches to Apple's name and trade marks; and
  - iii) deception and confusion of the public leading to loss of sales.

Henry Hughes IP  
On behalf of the Opponent:



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Apple Inc.