



World Intellectual Property  
Organisation (WIPO)  
International Bureau  
34, Chemin des Colombettes  
1211 Geneva 20  
Switzerland

**Your Reference:**  
**International Registration No:**  
WO0000001491293  
**Examiner:** Hayley Moseley  
**Direct Telephone:** +44(0)1633814506  
**Date:** 23 March 2021

Please reply by **23 May 2021** quoting the International Registration number

Dear Sir/Madam,

**Intl Reg No:** WO0000001491293  
**Mark:** Angel Cakes (Figurative)  
**Holder:** Individual entrepreneur  
Tiutkova Alina Andreevna  
**Classes:** 30, 43

**Notification of a Provisional Partial Refusal of Protection (not based on an opposition) by the Intellectual Property Office**

I have examined your designation under the Trade Marks Act 1994 and carried out a search of the relevant trade mark registers. Your designation does not appear to meet the requirements for Protection for the following reason.

**Absolute grounds for refusal**

**Section 3(1)(b) and (c)**

The designation is not partially acceptable in Classes 30 and 43. There is an objection under Section 3(1)(b) and (c) of the Act. This is because the mark "Angel Cakes" consists exclusively of a sign which may serve in trade to designate the kind of goods and a characteristic and kind of the services e.g. Cakes in the form and shape of an angel, food sculpting namely the sculpting of cakes into the form of an angel; angel cakes being a light sponge cake in layers of pale yellow and pink with buttercream filling and iced top.

Angel Cake has the following Oxford English Dictionary definition:

A light pale sponge cake made without egg yolks;

The mark is not acceptable for the following list of goods and services.

Class 30  
cakes;  
petits fours [cakes];

Class 43  
Food sculpting

As a result, the mark would not be seen as a distinctive trademark which is capable of fulfilling the essential function of a trademark. This is to designate one single trade source from those of others.

In order to support the Section 3(1)(b) and (c) objection, an Internet search using the search engine Google was undertaken on 23/03/2021, for the term 'Angel Cakes'. Please see the internet references at **Annex A.**"

**Next step**

If you disagree with my assessment of your designation, you can write or telephone me. My contact details are shown at the top of this letter.

If following this discussion, you still disagree with my findings you have the right to request a hearing with a senior officer to discuss the matter further.

If your address is outside of the European Community, the Isle of Man or the European Economic Area you must provide us with a contact address in one of the above areas. This can be done by filling in and returning a form TM33 "Appointment of change of Representative (for trade mark owners or holders)". This form is available at:

[ipo.gov.uk/tmforms](http://ipo.gov.uk/tmforms)

If you do not reply by the date shown above, I will publish it in our online Trade Marks Journal, but only for:

Classes 30 and 43 for a specification of

Class 30

Baozi [stuffed buns]; bread rolls; pastries; macaroons [pastry]; gingerbread; tarts; tortillas.

Class 43

Accommodation bureau services [hotels, boarding houses]; rental of temporary accommodation; rental of meeting rooms; tourist home services; hotel reservations; temporary accommodation reservations; hotel services; snack-bar services; café services; cafeteria services; motel services; rental of cooking apparatus; rental of chairs, tables, table linen, glassware; rental of drinking water dispensers; restaurant services; self-service restaurant services; reception services for temporary accommodation [management of arrivals and departures]; canteen services; holiday camp services [lodging]; bar services; providing campground facilities; food and drink catering; washoku restaurant services; udon and soba restaurant services.

**The provisional refusal of all other goods/services will then become final.**

Yours faithfully

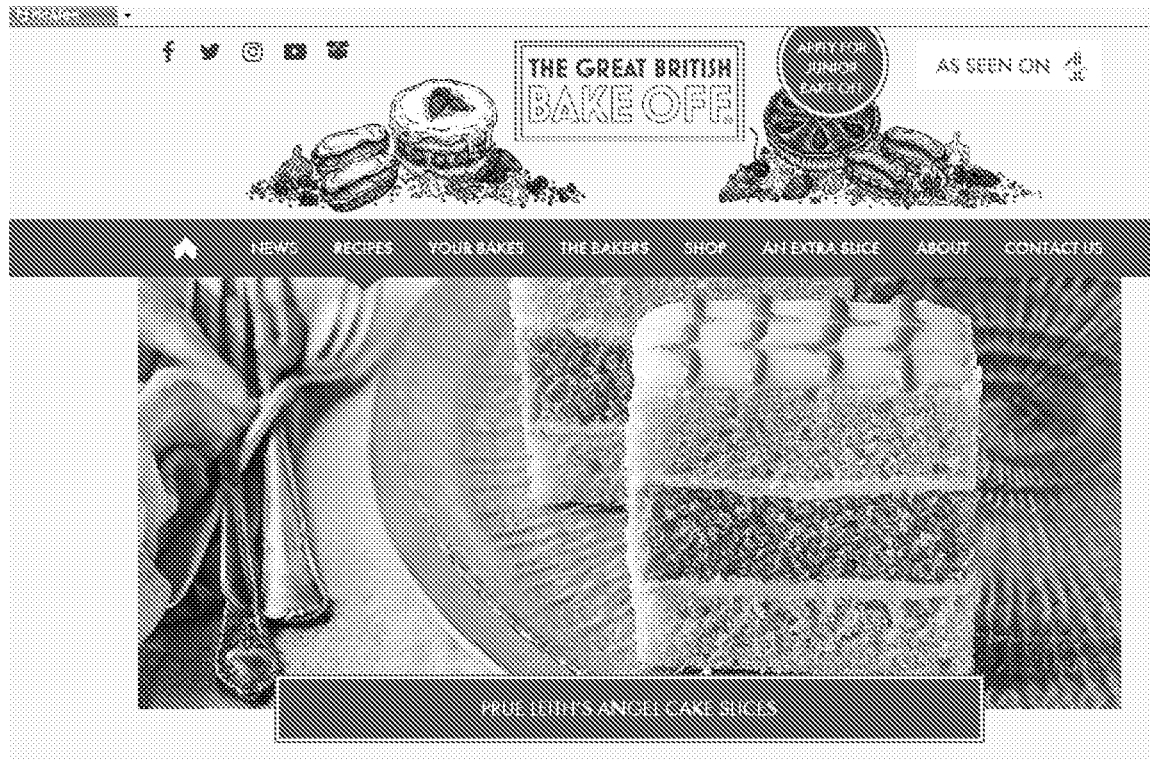
*Hayley Moseley*

**Trade Marks Registry**

## Annex A

1.

<https://thegreatbritishbakeoff.co.uk/recipes/all/prue-leith-angel-cake-slices/>



2.

[230 Angel Cakes ideas | angel cake, cake, cupcake cakes \(pinterest.co.uk\)](https://pinterest.co.uk/230-Angel-Cakes-ideas/)



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# Angel Cakes



Beautiful Birthday Cakes

Gorgeous Cakes

Sweet Angel



3.



Gorgeous Cakes

Pretty Cakes

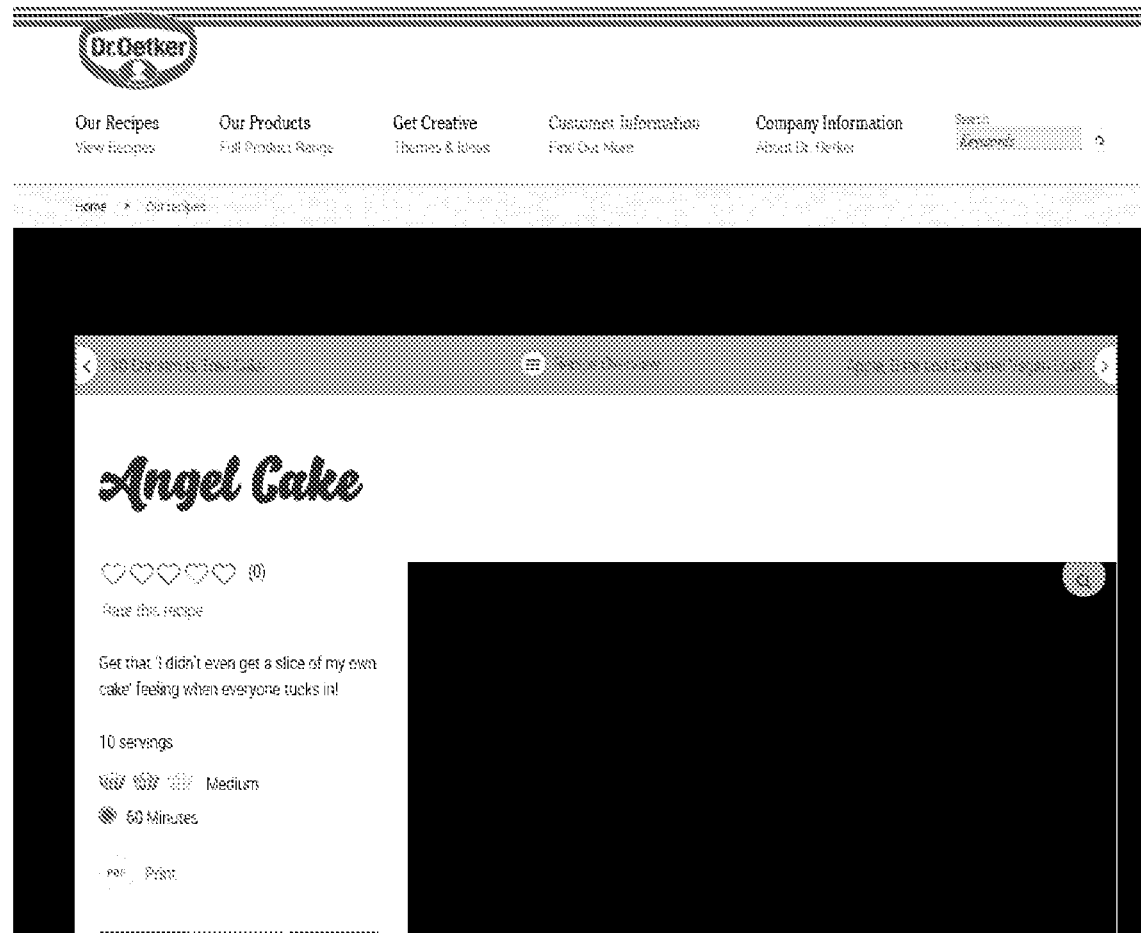
Cute

**Angel in the Dark Cake**

Angel in the Dark Cake—hand painted

4.

[https://www.oetker.co.uk/uk-en/recipe/r/angel-cake?qclid=EAlalQobChMI5KWZ1sLG7wIVAp7tCh2XUqthEAMYASAAEgKBHfD\\_BwE&qclsrc=aw.ds](https://www.oetker.co.uk/uk-en/recipe/r/angel-cake?qclid=EAlalQobChMI5KWZ1sLG7wIVAp7tCh2XUqthEAMYASAAEgKBHfD_BwE&qclsrc=aw.ds)



5.

<https://bakingwithgranny.co.uk/recipe/angel-cake/>



## ANGEL CAKE

SEPTEMBER 18, 2017

BY

AMY

15 COMMENTS

