

Trade Marks Registry

Cardiff Road Newnort South Wates NP10 RQQ

To:90041227401429

Switchbunrd: 01633 814000 Direct Line: 01633 814386 Fax: 01633 811175 Minicom: 0645 222250 Website: www ipn gov uk

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

Our Ref:

OPP 71818/TS/DSH

Your Ref:

TM "METRO"

Date:

3 December 2008

Please quote our complete reference on all correspondence

Dear Sirs

NOTIFICATION OF A TOTAL REFUSAL OF PROTECTION BASED ON AN OPPOSITION BY THE UNITED KINGDOM INTELLECTUAL PROPERTY OFFICE IN ACCORDANCE WITH ARTICLE 5 OF THE MADRID PROTOCOL

RE: International Registration number : 950870

For the mark

: METRO

Holder of the International Registration : MIP METRO Group Intellectual

Property GmbH & Co KG

Opposition number

: 71818

I must advise you that following receipt of an opposition to the above Trade Mark, it is necessary to issue this formal provisional refusal letter. This provisional refusal covers all of the goods and services of the International Registration.

Please find attached a copy of the Form TM7 (Notice of Opposition) that was received by the United Kingdom Trade Mark Registry.

We also attach:

Copies of the marks referred to in the statement of case. Form TM8, for any reply to this opposition to be filed.

If the holder of the International Registration wishes to file a counterstatement, they must complete the attached Form TM8 and return it to this office together with the counterstatement within two months of the date of this letter. This period cannot be extended, except in the circumstances described below. The holder should note that failure to file a Form TM8 and counterstatement will result in the provisional refusal being upheld.



If both parties to this dispute wish to negotiate and want to enter a 'cooling off period' then the time for filing the Form TM8 can be extended for a further seven months by the filing of a Form TM9c.

The Form TM8 and counterstatement should be received on or before 3 February 2009 unless a cooling off period is entered into by the parties.

Yours faithfully

Debbie Horton

BSKAA

TRIBUNAL SECTION ASSISTANT CASEWORK EXAMINER

1 & OCT ZOUB Form TM Official fee 2200 RECEIVED BY FAX

300T08 200.00 ACCOUNT M950870

Tribunal Section

Trade Marks Registry008 Concept House Cardiff Road, Newport

and statement of grounds

Notice of opposition

For Oranitally and importation

Please read the notes below before completing this form SOOP THE SHEET SOO 1. Trade mark number, M950870 2. Full name of the applicant, international MIP Matro Group Intellectual Property SmbH & Co. registration holder, or registered proprietor. 3. Full name and address (including postoods) of Associated Newspapers Limited the opponent. Northaliffe House, 2 Derry Street, Kensington, London W& STT 4. Name and address (including postcode) of the Haseitine Lake opponent's representative (if any). Redcliff Quav 120 Redollf Street Bristol B&1 6HU 6. Are there any related proceedings currently YES: Opposition nos, 97672, 99468, 97079 and with the Registry or the courts? If so, give 97831 application, registration or opposition number. 6. State the date that you notified the applicant. N/A international registration holder, or registered proprietor that you intend to oppose the trade mark application, international designation or amendment. (Please see note below) 5/4/6 5. 5/2/6 7. Declaration. I believe that the facts stated in this notice and in the inflicted statement of grounds are true. Your signature. Your name in BLOCK CAPITALS. HASELFINE LAKE Date. 13 October 2008 8. Name and daytime phone number of the Chris Morris 0117 9103200 person we should contact in case of query. 9. Your reference. A106332GBIP/CDM/MA8 10. Number of sheats attached to this form. This is sheet 1 of 200 300

Number every extra sheet and say in question 10 above how many you have used. Notes

An opposition launched without giving the applicant, international registration holder or the registered proprietor a reasonable opportunity to withdraw the application, international designation or amendment, may result in the opponent being ineligible for an award of costs,

Before completing this form you should read the explanatory notes available.

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Form TM7

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Use this sheet if you are basing your opposition on sections 6(1) or 5(2) of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on those grounds can only be made by the proprietor

of an e	ariler m	ark.
You mi	ist use nood,	a separate sheet for each earlier mark, so copy this sheet as many times
	5(1)	It is identical with an earlier mark and for identical goods or services as the earlier mark.
	5(2)(0)	It is identical with an earlier mark and for similar goods or services as the earlier mark.
X	5(2)(b)	it is similar to an earlier mark and for identical or similar goods or services as the earlier mark.
Detaile :	of the ea	iller trade mark
Number:	219246	5
s it a UK	Commu	inity or International mark? UK
Represe	ntetion o	f the mark:
METRO:		N Company of the Comp
1,		pods or sorvices covered by the earlier trade mark are relied upon for the grounds above?
		All
		Some (please apacify)
	Classes	9, 16 and 35.

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	Statement of use provision—Was the registration or protection process for the sarilar tra- mark completed 5 years or more before the publication date of the opposed application?									
		Yes	Ø	No						
3(a),	lf yes use c	, and the	mark h	as been used, for which of the goods and services listed at question						
		All								
		Some	(ploaso	Spacify)						
	Ör,									
3 (b).	if yes e	n d the n	tark haş	not been used, picase state any proper regions for non use.						
	if yes e									
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UK Intellectual Property Office to an operating name of the Paterti Office

Page

Form TM7



Case details for Trade Mark 2192465

Explanation of terms used on this page

Case history including, where available, licenses details

Mark

03-DEC-2008 14:08 From: THE IPO

Mark text:

METRO LONDON

Status

Status:

Opposition outstanding

Classos:

09, 16, 35, 36, 41, 42

Relevant dates

Filing date:

22 March 1999 /

Publication in Trade Marks Journal

First advort:

Journal:

6733

Publication date:

02 May 2008

List of goods or services

Class 09:

Software; electronic publications; CD-Roms; computer software and hardware to enable searching of data and connection to databases and the Internet; pre-recorded video tapes and cassettes; digital music [downloadable] provided from the Internet; digital music [downloadable] provided from MP3 Internet web sites; video tapes, games and cassettes; computer accessories, screen savors; mouse pads; keyboards.

Class 16:

Paper, cardboard and goods made from those materials; printed matter; printed publications; newspapers; magazines; supplements; posters; periodicals; books; brochures; leaflets; user guides and training manuals; maps; holiday and traval guides; calendars; diaries and stationery; bank cards and debit cards.

Class 35:

Advertising, promotion and business services; advertising and business services provided on-line from a computer database or from the Internet; compilation of advertisements for use as web pages on the Internet; information services relating to all the aforesaid services; compilation and provision of husiness information, advice and statistics; business research; provision of commercial information; business information services; public relations services; classified advertising services; organisation of exhibitions and

http://www.ipo.gov.uk/t-find-number?detailsrequested=C&trademark=2192465

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Page 2 of 3

Trade marks - find by number

trade fairs for commercial and advertising purposes; recruitment, employment and personnel management services; information relating to all the aforesaid services; advice and assistance relating to the establishment of on-line retail stores; on-line ordering services; retail services connected with the sale of beauty products, toiletries, domestic cleaning products, machines for household use, hand tools, garden tools, trees, plants, shrubs, flowers, bulbs and seeds, compost and soil improvers, posticides and herbicides, ironmongery, floor and wall coverings, household glues, fillers and adhesives, optical goods, cameras, domestic electrical and electronic equipment, including white goods, videos, CD's, DVD's, jewellery, clocks, watches, stationery, publications, leather goods, luggage, furniture, household containers and utensils, furnishings, textiles, clothing, footwear, headgear, haberdashery, toys and games, sports equipment, foodstuffs and drinks, digital music and video files; all the aforesaid services also provided on-line from a computer database or from the Internet.

Class 36:

Insurance and financial services; analysis, evaluation and advice relating thereto; financial management services; financial advisory services; financial services relating to credit card services, investment schemes and accounts; bank card and debit card services; cheque verification and cheque cashing, issuing and redemption of travellers cheques and travel veuchers and advisory services relating thereto; on-line financial, banking, savings, payment and credit facilities; home banking and Internet banking; information services relating to all the aforesaid services; all the aforesaid services also provided on-line from a computer database or from the Internet.

Class 41:

Education and entertainment services; publishing services; publication of printed matter and printed publications; education, entertainment, publishing and publication services; electronic publishing services; providing on-line electronic publications [not downloadable]; publication of electronic books and journals on-line; organisation of exhibitions and shows; provision of information relating to education, sporting, political, current events, cultural activities and entertainment; sports information services; organisation of competitions, quizzes, games and recreational and cultural facilities; nows programme services for radio or television; all the aforesaid services also provided online from a computer database or from the Internet; information services relating to all the aforesaid services; electronic game services provided by means of the Internet; production of shows and radio and television programmes; cable television, television and radio entertainment services; providing digital music [not downloadable] from the Internet; providing digital music [not downloadable] from the Internet; providing digital music [not downloadable] from the Internet; providing digital music [not downloadable] from MP3 Internet web sites.

Class 42:

Search engine services; information services; provision of a database; downloading of information from a database; computer services, namely providing an on-line directory and search engine service; search and retrieval of information; providing an on-line portal network site; technical consultancy and advising in the establishment of on-line retail stores; computer bulletin and message boards; providing on-line facilities for real time interaction with other computer users concerning topics of general interest and playing games; creating and maintaining web sites; hosting the web sites of others; lessing access time to a computer database; information and advice relating to the weather; information and advice relating to healthcare and beauty care; cookery information and advice; career information and advice; fashion information and advice; gardening information and advice; information relating to hotels; medical information and advice; news services; healthcare, beauty care, cookery, careers, fashion, gardening, hotels, medical matters and nows services, also provided on-line from a computer database or from the Internet; nows reporters and printing services; news clipping services; commissioned writing services, syndicated writing services concerning the Internet and on-line computer services, all these services also provided on-line from a computer database and/or the Internet; providing access to and leasing time to computer databases; design, drawing and

http://www.ipo.gov.uk/t-find-number?detailsrequested=C&trademark=2192465

P.9/38

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₩ 007/033 Page 3 of 3

i rade marks - and by number

commissioned writing, all for the compilation of web pages on the Internet; information relating to all the aforesaid services, also provided on-line from a computer database or

Names and addresses

Proprietor:

Associated Newspapers Limited

Northeliffe House, 2 Derry Street, Kensington, London, W8 STT

Incorporated country:

Great Britain

Residence country:

Great Britain

Customer's ref:

T40369GB00/MHK

ADP number:

0052816001

Other cases owned by this proprietor

Agent:

Haseltine Lake

Redcliff Quay, 120 Redcliff Street, Bristol, BS1 6HU

ADP number:

0000034002

Scrvice:

Hasoltine Lake

Redcliff Quay, 120 Redcliff Street, Bristol, BS1 5HU

ADP number:

0000034002

Earlier rights notification

Opted in for notifications

Notifications sent on 30 April 2008 to:

2189906

2189892

Explanation of terms used on this page

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Ø 008/033

Use this sheet if you are basing your opposition on sections 6(1) or 6(2) of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

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You m	ust use I need.	a asparate sheet for each earlier mark, so copy this sheet as many times
	5 (1)	It is identical with an earlier mark and for identical goods or services as the earlier mark.
	5(2)(e)	it is identical with an earlier mark and for similar goods or services as the earlier mark.
X	6(2)(b)	It is similar to an seriler mark and for identical or similar goods or services as the earlier mark.
Datalla	of the ex	ilertrade mark
Number	: 223 268:	3
is it e Ui	<, Commi	inity or International mark? UK
Represe	ntation of	the mark;
METRO	MOMENT	-
1.	What go stated al	ods or services covered by the earlier trede mark are relied upon for the grounds bove?
		AU
	× 8	Boma (plasse specify)
	All goods	classes and class 35.

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₹008/033

2,	Statement of use provision—Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication date of the opposed application?								
		Yes	K	No					
3(a).	lf ye:	e, and the	mark ha	is been used, for which of the goods and services listed at question 1 is	B				
		All							
		Some	(plesse e	spacify)					
	Or,								
	Oi,								
3 (b).	If yes	and the n	nark has r	not been used, plasse state any proper reasons for non use.					
<u>Detalis</u>	of the n	nark vou	Ere oppo	esina					
4.	COVER	goods or ed by the not apply)	earlier mi	s in the application do you claim are identical or similar to those lark and listed at question 3 (or at question 1 if the statement of use					
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		Same (pisaso ep	podity)					
	IIKOIING	is apace : and of cor imilar?	n a evig oi j.e nolsun	ny further information to explain why you consider that there is a g., why you consider the respective marks or goods and/or services					
	The m	arka are	eimilar a	s both contain the dominant and distinutive element METRO.					
	The ac of other and purely website	rvices of ers, of a v irehane/o e" in our	aimed in rariety of order thou	class 35 are identical to "the bringing together, for the benefit if goods and services, enabling oustomers to conveniently view se goods and services from a general merchandles internst application. To the extent that the services are not considered					
		• •		e similar to the goods covered by our client's application.					

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Page

Form TM7

Page 1 of 4



Trade marks - find by number

Case details for Trade Mark 2232683

Explanation of terms used on this page

Case history including, where available, licensee details

Mark

Mark text:

METRO MOMENT

Status

Status:

Opposition outstanding

Classos

03, 05, 06, 08, 09, 14, 16, 18, 20, 21, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 39, 42

Relevant dates

Filing date:

17 May 2000 /

Publication in Trade Marks Journal

First advort:

Journal:

6387

Page:

11926

Publication date:

11 July 2001

List of goods or services

Class 03:

Soaps: perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Class 05

Pharmacoutical and sanitary preparations, dictotic substances adapted for medical use, food for babies; plasters, materials for dressings; disinfectants.

Class 06:

Common metals and their alloys, ironmongery, small items of metal hardware; goods of common metal not included in other classes.

Class 08:

Hand tools and implements; cutlery; pen knives; razors.

Class 09:

Software; electronic publications; CD-Roms; computer software and hardware to enable searching of data and connection to databases and the Internet; pre-recorded video tapes and cassettes; digital music [downloadable] provided from the Internet; digital music [downloadable] provided from MP3 Internet web sites; video tapes, games and cassettes; computer accessories, screen savers; mouse pads; keyboards; bank cards and debit cards

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(encoded or magnetic).

1 1204 marks - Inc by number

Class 14:

Goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

Class 16:

Paper, cardboard and goods made from cardboard; printed matter, printed publications; newspapers; magazines; supplements; posters; periodicals; books; brochures; leaflets; user guides and training manuals; maps; holiday and travel guides; calendars, diaries and stationery; bank cards and debit cards (other than encoded or magnetic).

Class 18:

Leather and imitations of leather, and goods made of these materials, and not included in other classes; trunks and travelling bags; umbrellas, parasols and walking sticks.

Class 20:

Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, shell, amber, mother of pearl, meerschaum and substitutes for these materials, or of plastics.

Class 21:

Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush making materials; articles for cleaning purposes; steel wool; unworked or semi-worked glass (except glass used in buildings); glassware, porcelain and earthenware, not included in other classes.

Class 24:

Textile and textile goods, not included in other classes; bed and table covers.

Class 25:

Clothing, footwear, headgoar,

Class 26:

Embroidery, ribbons and braid, buttons.

Class 28:

Games and playthings; gymnastics and sporting articles not included in other classes.

Class 29:

Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jollies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats. Class 30:

Coffee, tea, cooos, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionary; ices; honey, treadle; yeast, baking powder, salt, mustard; vinegar, sauces (condiments); spices; ice.

Class 31:

Agricultural, horticultural and forestry products and grains not included in other classes; fresh fruits and vegetables; seeds, natural plants and flowers; food stuffs for animals.

Class 32:

Mineral and accated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

Class 33;

Alcoholic beverages, (except beers).

Class 34:

Tobacco; amokers articles; matches.

Class 35:

COMPANY OF A STREET AND A CONTRACT OF A SECURIOR OF THE CONTRACT OF THE CONTRA

The bringing together, for the benefit of others, of a variety of goods and services, through a television shopping channel, enabling customers to conveniently view and purchase/order those goods and services by means of telecommunications; the bringing together, for the benefit of others, of a variety of goods and services, enabling customers to conveniently view and purchase/order those goods and services from a general merchandise Internet web site; on-line ordering services; providing an on-line directory; advice and assistance relating to the establishment of online retail stores; search and

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Trade marks - find by mumber

retrieval of information; advertising, promotion and business services; advertising and business services provided on-line from a computer database or from the internet; compilation of advertisements for use as web pages on the internet; information services relating to all the aforesaid services; compilation and provision of business information, advice and statistics; business research; provision of commercial information; business information services; public relations services; classified advertising services; organisation of exhibitions and trade fairs for commercial and advertising purposes; recruitment, employment and personnel management services; information relating to all the aforesaid services; career information and advice; all the aforesaid services also provided on line from a computer database or from the Internet.

Class 36:

03-DEC-2008 14:11 From:THE IPO

Analysis, evaluation, information and advice relating to insurance and financial services; financial management services; financial advisory services; financial services relating to credit card services; investment schemes and accounts; bank card and debit card services; cheque verification and cheque cashing, issuing and redemption of travellar's cheques and travel vouchers and advisory services relating thereto; on-line financial, banking, savings, payment and credit facilities; home banking and Internet banking; information services relating to all the aforesaid services; all the aforesaid services also provided on-line from a computer database or from the Internet.

Class 39:

Travel agency service; tourism and tour operation services; travel information services; arranging of holidays, cruises, journeys, visits, tours and trips; travel and transport reservation services; passenger transport services; escorting of travellers; booking of seats for travel; information services relating to all the aforesaid services; provision of information relating to journeys, tariffs, timetables and methods of transport; all the aforesaid services also provided on-line from a computer database or from the Internet.

Class 42:

Design of computer databases; downloading of information from a database; computer and Internet services; providing an on-line portal network site; technical consultancy and advising in the establishment of on-line retail stores; creating and maintaining web sites; hosting the web sites of others; lessing access time to a computer database; information and advice relating to the weather; information and advice relating to healthcare and beauty care; cookery information and advice; fashion information and advice; gardening information and advice; information relating to hotels; medical information and advice; news acryices: information and advice relating to the weather, healthcare, beauty care, cookery, carears, fashion, gardening, hotels, medical matters and news survices, also provided on-line from a computer database or from the Internet; news reporter services and printing services; news clipping services; commissioned writing services, syndicated writing services concerning the Internet and on-line computer services, all these services also provided on line from a computer database and/or the Internet; providing access to and lessing time to computer databases; design, drawing and commissioned writing, all for the compilation of web pages on the Internet; reservation of accommodation; restaurant, canteen, snack bar, café, caféteria, wine bar, nightclub, public house and catering services; catering services for the provision of food and drink; information relating to all the aforesaid services, also provided on-line from a computer database or from the Internet.

Names and addresses

Proprietor:

Associated Newspapers Limited
Northeliffs House, 2 Derry Street, Kensington, London, W8 5TT
Incorporated country:
Great Britain

http://www.ipo.gov.uk/t-find-number?datnilsrequested=C&trademark=2232683

13/10/200B

03-	DEC-2008 14:11 From:THE IPO	01633811175	To: 90041227401429	P. 15/38 เกษายา/บรร
γ	13/10 2008 17:23 FAX Trade marks - find by number		→ N- VALTE	Page 4 of 4
!	,			
	Residence country: Great Britain			
1	Customer's ref: T40369GB00/MHK			
	ADP number: 0052816001			
1	Other cases owned by this pro-	prietor		
	Agent: Hasoltino Lako			
	Redcliff Quay, 120 Redcl	iff Street, Bristol, BS1 6H	U	
	ADP number: 0000094002			
	Sarvice:			
	Heseltine Lake Redeliff Open, 120 Redeli	iff Street, Bristol, BS1 6H	U	

Earlier rights notification

Opted in for notifications

0000034002

ADP number:

Explanation of terms used on this page

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To: 90041227401429

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Use this sheet if you are beaing your opposition on sentions $\delta(1)$ or $\delta(2)$ of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

You mu	ist uss need.	a separate sheet for each earlier mark, so copy this sheet as many times
	5 (1)	It is identical with an sarilar mark and for identical goods or services as the earlier mark,
	5(2)(a)	It is identical with an earlier mark and for similar goods or services as the earlier mark.
E	5(2)(b)	It is similar to an earlier mark and for identical or similar goods or services as the earlier mark.
Details o	f the oa	rfler trade mark
Number:	229337	8
is it a UK,	Commi	unity or International mark? UK
Raprasen	itation of	f the mark:
metra.co.	uk	
metro.con	n	
	What go stated a	cods or services covered by the earlier trede mark are relied upon for the grounds above?
		All
		Some (please specify)
1	Classes	9, 16 and 35,

2.	Statement of use provision—Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication date of the opposed application?								
	0	Yes	2	No					
3(n).	lf yes	i, and the claimed?	murk he	bean used, for which of the gos	ode and services listed at quastion 1 is				
		Ail							
		Some	(plaase	pacify)					
	Or,								
3(b).	if yes	and the I	nark haa	not been used, please state any	proper reasons for non use.				
<u>Patalla</u>	of the m	<u>nark you</u>	ara con	elng					
4.	004076	goods or id by the rot apply	esiloi m	in the application do you claim a irk and listed at question 3 (or al	ire identical or similar to those question 1 if the statement of use				
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		Same (plesse s	ecify)					
	IIKOIINO	ils spece and of ear	to give a niusion e	y fu rther information to explain v J., why you consider th e res pect	vhy you consider that there is a ive marks or goods and/or services				
	The m	arka ete	elmiler s	both contain the dominant a	nd distinctive element METRO,				
	The as applica similar	etion, To	leimed i	olans 35 are identical to "retaint that the services are not or	li services" in our client's risidered identical, they are				
	The se	rvioes o	almed a	a elmiliar to the goods covered	by our client's application.				

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UK intellectual Property Office is an operating name of the Fatant Office

Page

Form TM7



Case details for Trade Mark 2233378

Explanation of terms used on this page

Case history including, where available, licenses details

Mark

Mark text:

metro.co.uk

Series of:

2

Status

Status:

Opposition outstanding

Classes:

09, 16, 35, 36, 38, 39, 41, 42

Relevant dates

Filing date:

22 May 2000 /

Publication in Trade Marks Journal

First advert:

Journal:

6722

Publication date:

08 February 2008

List of goods or services

Class 09:

Software, electronic publications, CD-Roms, computer software and hardware to enable scarching of data and connection to databases and the internet; pre-recorded video tapes and eassettes; digital music (downloadable) provided from the internet; digital music (downloadable) provided from MP3 internet web sites; video tapes, games and cassettes; computer accessories, screen savers, mouse pads, keyboards, bank cards and debit cards (encoded or magnetic).

Class 16:

Paper, cardboard and goods made from cardboard; printed matter; printed publications; newspapers, magazines, supplements, posters, periodicals, books, brochures, leaflets, user guides and training manuals, maps, holiday and travel guides, calendars, diaries and stationery, bank cards and debit cards (other than encoded or magnetic).

Class 35:

Retail services provided through a television shopping channel, general merchandisc internet website, mail order catalogue and a newspaper publication, in connection with

http://www.ipo.gov.uk/t-find-number?detailsrequested=C&trademark=2233378

Trade marks - find by number

the sale of beauty products, tolletries, domestic cleaning products, machines for household use, hand tools, DIY products, gardening products, optical goods, cameras, domestic electrical and electronic equipment, including white goods, videos, CDs, DVDs, jewellery, clocks, watches, stationery, publications, leather goods, luggage, furniture, household containers and utensils, furnishings, textiles, clothing, footwar, headgear, haberdashery, toys and games, sports equipment, fireworks, oils and fuels, foodstuffs and drinks; on-line ordering services; providing an on-line directory; advice and assistance relating to the establishment of on-line retail stores; search and retrieval of information; advertising, promotion and business services; advertising and business services provided on-line from a computer database or from the internet; compilation of advertisements for use as web pages on the internet; information services relating to all the aforesald services; provision of a database; compilation and provision of business information, advice and statistics; business research; provision of commercial information; business information services; public relations services; classified advertising services; organisation of exhibitions and trade fairs for commercial and advertising purposes; recruitment, employment and personnel management services; information relating to all the aforesaid services; career information and advice; all the aforesaid services also provided on-line from a computer database or the internet.

Class 36:

Analysis, evaluation, information and advice relating to insurance and financial services; financial management services, financial advisory services; financial services relating to credit card services, investment schemes and accounts; bank oard and debit card services; chaque verification and chaque cashing, issuing and redemption of travellers chaques and travel vouchers and advisory services relating thereto; on-line financial banking, savings, payments and credit facilities; home banking and internet banking; information services relating to all the aforesaid services; all the aforesaid services also provided on-line from a computer database or from the internet.

Class 38:

Communication services and information services relating thereto; telecommunication of information including web pages, computer programs and any other data; communication services, all provided on-line from a computer database or from the internet; search engine services; electronic mail services; providing an on-line portal network site; provision of telecommunications access and links to computer databases and the internet; providing user access to the internet; provision of web pages; computer bulletin and message boards; telecommunications services provided in relation to the internet; providing access to MP3 web sites on the internet; delivery of digital music by telecommunications; broadcasting services; television, cable television and radio broadcasting services; news agency services; telephone rental services; provision and rental of telephone chat lines; providing an on-line directory; information services relating to all the aforesaid services; all the aforesaid services also provided on-line from a computer database or from the internet.

Class 39;

Travel agency services; tourism and tour operation services; travel information services; arranging of holidays, cruises, journeys, visits, tours and trips; travel and transport reservation services; passenger transport services; escerting of travellers; booking of seats for travel; information services relating to all the aforesaid services; provision of information relating to journeys, tariffs, timetables and methods of transport; all the aforesaid services also provided on-line from a computer database or from the internet.

Class 41:

Education and entertainment services; publishing services; publication of printed matter and printed publications; publishing and publication services; electronic publishing services; providing on-line electronic publications (not downloadable); publication of electronic books and journals on-line; organisation of exhibitions and shows; provision of information relating to education, sporting events, national and local politics, current

http://www.ipo.gov.uk/t-find-number?detailsrequested=C&trademark=2233378

P.20/38

+ THEAMETLE

Ø 018/033 Page 3 of 4

1 tage marks - mio by number

affairs, cultural activities and entertainment; sports information services; organisation of competitions, quizzes, games and recreational and recreational and cultural facilities; news programme services for radio or television; all the aforesaid services also provided on-line from a computer database or from the internet; information services relating to all the aforesaid services; electronic game services provided by means of the internet; production of shows and radio and television programmes; cable television, television and internet; providing digital music (not downloadable) from the Class 42:

Provision of a database; design of computer databases; providing search engines for the internet; providing an on-line portal network site; technical consultancy and advising in the establishment of an on-line retail store; providing on-line computer facilities for real time interaction with other computer users concerning topics of general interest and playing games; creating and maintaining web sites; hosting the websites of others; leasing access time to a computer detabase; information and advice relating to the weather; information and advice relating to healthcare and beauty care; cookery information and advice; fashion information and advice; gardening information and advice; information relating to hotels; medical information and advice; news services; healthcare, beauty care, cookery, careers, fushion, gardening, hotels, medical matters and news services, also provided on-line from a computer database or from the internet; news reporter services and printing services; news clipping services; commissioned writing services; syndicated writing services concerning the internet and on-line computer services, all these services also provided on-line from a computer database and/or the internet; providing access to and leasing access time to computer databases; design, drawing and commissioned writing, all for the compilation of web pages on the internet; reservation of accommodation; restaurant, canteen, snack bar, cafe, cafeterie, wine bar, nightolub, public house and catering services; catering services for the provision of food and drink; information relating to all the aforesaid services, also provided on-line from a computer

Numes and addresses

Proprietor:

Associated Newspapers Limited
Northeliffe House, 2 Derry Street, Kensington, London, WS 5TT
Incorporated country:

Great Britain

Residence country:

Great Britain

Customer's ref:

T40369GB00/MHK

ADP number:

0052816001

Other cases owned by this proprietor

Agent:

Haseltino Lako Redeliff Quay, 120 Redeliff Street, Bristol, BS1 6HU ADP number: 0000034002

http://www.ipo.gov.uk/t-find-number?detailsroquested=C&trademark=2233378

137	Trade marks - find by number	▼ IMPNAPILE	म्या ७ । घ७ ७ छ ३ Page 4 of 4
	Service: Haseltine Lake Redeliff Quay, 120 Redeliff Street, Bristol, BS1 6HU ADP number: 0000034002		
	Earlier rights notification		
	Opted in for notifications	-	
	Notifications sent on 06 February 2008 to: 2219178		
	Explanation of terms used on this page		
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Ø 020/033

Use this sheet if you are basing your opposition on sections $\delta(1)$ or $\delta(2)$ of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

ot an	earlier r	nark.
You n	nust upe u need,	a separate sheet for each sarilor mark, so copy this sheet as many times
	5(1)	it is identical with an earlier mark and for identical goods or services as the earlier mark.
Ü	5(2)(=)	It is identical with an earlier mark and for similar goods or services as the earlier mark.
×	5(2) (b)	It is similar to an earlier mark and for identical or similar goods or services as the earlier mark.
Datalla	of the se	riler trade merk
Number	: 238162	1
s ķa Ul	C, Commi	unity or International mark? UK
		the mark:
AETRO _i		
	What go	ods or services covered by the earlier trado mark are relied upon for the grounds
	Stated al	bove?
		Ail
		Some (please apecify)
	Cineres (9, 16 and 35.

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Pege

Form TM?

: 2 .	Bta ma	Statement of use provision— Was the registration or protection process for the earlier trade mark completed 5 years or more before the publication date of the opposed application?							
		Yes	Ø	No					
3(4).	if ye	9, and the	mark ha	e been used, fo	or which of the g	oode and eerv	loss listed at qu	iostion 1 la	
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			(plesso i						
	Or,			,					
3(b).	·	and the m	erk has i	not been used,	please state an	y proper roeso	ns for non use,		
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	The sor	vices cisi	med are	almilar to the	goods govered	d by our clien	t's application.	•	



Case details for Trade Mark 2381621

Explanation of tarms used on this page

Case history including, where available, licensee details

Mark

Mark text:

METROPLUS METROPIUS METRO PLUS

Series of:

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Status

Status:

Opposition outstanding

Classes;

09, 16, 35, 41

Relevant dates

Filing date:

07 January 2005 🥣

Publication in Trade Marks Journal

Pirst advorts

Journal:

6742

Publication date:

04 July 2008

List of goods or services

Class 09:

Software, electronic publications, CD-Roms, computer software and hardware to enable searching of data and connection to databases and the Internet; pre-recorded video tapes and cassettes; digital music (downloadable) provided from the Internet; digital music (downloadable) provided from MP3 Internet was sites; video tapes, games and cassettes; computer accessories, screen savers, mouse pads, keyboards, bank cards and debit cards (encoded or magnetic).

Class 16:

Paper, cardboard and goods made from cardboard; printed matter; printed publications; newspapers, magazines, supplements, posters, periodicals, books, brochures, leaflets, user guides and training manuals, maps, holiday and travel guides, calendars, diaries and stationery, bank cards and debit cards (other than encoded or magnetic).

Class 35:

Retail services, including electronic shopping and mail order shopping retail services, in

http://www.ipo.gov.uk/t-find-number?dotailsrequested=C&trademark=2981621

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@ 023/033

Page 2 of 3

Trade marks - find by number

connection with the sale of beauty products, toiletries, domestic cleaning products, machines for household use, hand tools, DIY products, gardening products, optical goods, camoras, domestic electrical and electronic equipment, including white goods, videos, CDs, DVDs, jewellery, clocks, watches, stationery, publications, leather goods, luggage, furniture, household containers and utansils, furnishings, textiles, clothing, footwear, headgear, haberdashery, toys and games, sports equipment, fireworks, oils and fliels, foodsmiffs and drinks; on-line ordering services; providing an on-line directory; advice and assistance relating to the establishment of on-line rotal stores; search and retrieval of information; advertising, promotion and business services; advertising and business services provided on-line from a computer database or from the Internet; compilation of advertisements for use as web pages on the Internet; information services relating to all the aforesaid services; provision of a database; compilation and provision of business information, advice and statistics; business research; provision of commercial information; business information services; public relations services; classified advertising services; organisation of exhibitions and trade fairs for commercial and advertising purposes; recruitment, employment and personnel management services; information relating to all the aforesaid services, career information and advice; all the aforesaid services also provided on-line from a computer database or the Internet.

Class 41:

Education and entertainment services; publishing services; publication of printed matter and printed publications; publishing and publication services; electronic publishing services; providing on-line electronic publications (not downloadable); publication of electronic books and journals on-line; organisation of exhibitions and shows; provision of information relating to education, sporting events, national and local politics, current affairs, cultural activities and entertainment; sports information services; organisation of competitions, quizzes, games and recreational and recreational and cultural facilities; news programme services for radio or television; all the aforesaid services also provided on-line from a computer database or from the Internet; information services relating to all the aforesaid services; electronic game services provided by means of the Internet; production of shows and radio and television programmes; cable television, television and radio entertainment services; providing digital music (not downloadable) from the Internet; providing digital music (not downloadable) from MP3 Internet web sites.

Names and addresses

Proprietor:

Associated Newspapers Limited Northeliffe House, 2 Derry Street, Kensington, London, W8 5TT

Incorporated country:

Great Britain

Residence country:

Great Britain

Customer's ref:

T40369GB00/MHK

ADP number:

0052816001

Other cases owned by this proprietor

Agent:

Hasoltine Lake Redoliff Quay, 120 Redoliff Street, Bristol, BS1 6HU ADP number:

http://www.ipo.gov.uk/t-find-number?detailsrequested=C&trademark=2381621

· IBI OAIALE

Trade marks - find by number

Page 3 of 3

0000034002

Service:

Haseltine Lake Redeliff Quay, 120 Redeliff Street, Bristol, BS1 6HU ADP number: 0000034002

Earlier rights notification

Opted in for notifications

Notifications sent on 02 July 2008 to:

2356356

2263152

2219178

2189906

1543011

1336423

Explanation of terms used on this page

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Use this sheet if you are basing your opposition on sections $\delta(1)$ or $\delta(2)$ of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

of an e	ariler m	ark.
You m	uet use need.	a soparate sheet for each earlier mark, so copy this sheet as many times
	5(1)	It is identical with an seriler mark and for identical goods or services as the earlier mark.
	5(2)(a)	it is identical with an earlier mark and for similar goods or services as the carlier mark.
	5(2)(b)	It is similar to an earlier mark and for identical or similar goods or services as the earlier mark.
Detaile s	f the on	dier trade mark
Number;	108426	7
la it a UK	, Commi	unity or International mark? UK
Represer	ntetion of	the mark:
METRO		
1.	What go stated at	ods or services covered by the earlier trade mark are relied upon for the grounds bove?
		All
l	□ 8	Some (please specify)

2.				vision—Was the registration or protection process for the earlier trade are or more before the publication date of the opposed application?	
	Ø	Yes		No	
3(a).		, and the	merk he	as been used, for which of the goods and services listed at question 1 is	
	×	Ali			
		·	(cianaa	specify)	
	_				
	Qr,				
	lf yea	and the n	nerk hee	not been used, plagse state any proper reasons for non use.	
3(b).					
	of the m	iark you	ere opp	gaing.	
	Which	goods or	earlier m	osing. In the application do you claim are identical or similar to those nark and listed at question 3 (or at question 1 if the statement of use	
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<u>Petalia :</u>	Which covers does	a goods or ad by the not apply)	earlier m	s in the application do you claim are identical or similar to those nark and listed at question 3 (or at question 1 if the statement of use	
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Rev MAYOS

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To:90041227401429



Case details for Trade Mark 1084267

Explanation of terms used on this page

Case history including, where available, licensee details

Mark

03-DEC-2008 14:15 From:THE IPO

Mark text:

METRO

Status

Status:

Registered

Class:

16

Relevant dates

Filing date:

27 September 1977

Next renewal date:

27 September 2018

Publication in Trade Marks Journal

First advert;

Journal;

5379

Page:

2216

Publication date:

14 October 1981

Renewal:

Journal:

6731

Publication date:

18 April 2008

Assignment:

Journal:

5315

Publication date:

16 February 2000

List of goods or services

Closs 16:

Magazines (publications), but not including magazines relating to city life or travel.

Names and addresses

http://www.ipo.gov.uk/tm/t-find/t-find-number?detailsrequested=C&trademark=1084... 13/10/2008

To: 90041227401429

P.30/38 @ 02B/033

+ THEAMFILE Trade marks - find by number Page 2 of 2

Proprietor:

Associated Newspapers Limited

Northeliffe House, 2 Derry Street, Kensington, London, W8 5TT

Incorporated country:

Great Britain

Residence country:

Great Britain

Customer's ref.

T40369GB00/MHK

Effective assignment date:

02 December 1999

ADP number:

0052816001

Other cases owned by this proprietor

Agent:

Haseltine Lake

Redeliff Quay, 120 Redeliff Street, Bristol, BS1 6HU

ADP number:

0000034002

Service:

Hasoltine Lake

Redoliff Quay, 120 Redoliff Street, Bristol, BS1 6HU

ADP number:

0000034002

Other particulars

Consent:

By Consent of No. 1058888(5382,1243).

Earlier rights notification

Opted in for notifications

Explanation of terms used on this page

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http://www.ipo.gov.uk/tm/t-find/t-find-number?detailsrequested=C&trademark=1084... 13/10/2008

Use this cheet if you are basing your opposition on sections $\delta(1)$ or $\delta(2)$ of the Trade Mark Act on the basis of an earlier registered or pending mark.

Please note that opposition based on these grounds can only be made by the proprietor of an earlier mark.

of an	esrijer m	nark.
You m	uet use I need.	a separate sheet for each earlier mark, so copy this sheet as many time
	6(1)	it is identical with an earlier mark and for identical goods or services as the earlier mark.
	5(2)(8)	it is identical with an earlier mark and for similar goods or services as the earlier mark.
X	5(2)(b)	It is similar to an earlier mark and for identical or similar goods or services as the earlier mark.
Details	of the e	ariler trade mark
Number	: 158640	9
is it a Ur	Commi	래ity or International mark? 민K
		the mark:
METRO		
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1.	What go stated at	ods or services covered by the carlier trade mark are relied upon for the grounds bove?
	X	All
		Some (pisase specify)

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		×	Yes		No					
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		Or,								
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Form TM7

Page 2



Case details for Trade Mark 1586405

Explanation of terms used on this page

Case history including, where available, licensee details

Mark

Mark text:

METRO

Status

Status:

Registered

Class:

16

Relevant dates

Filing date:

28 September 1994 /

Next renewal date:

28 September 2011

Registration date:

24 January 1997

Publication in Trade Marks Journal

First advert:

Journal:

6134

Paga:

8908

Publication date:

17 July 1996

Registration:

Journal:

6167

Publication date:

19 March 1997

Renowal:

Journal:

6391

Publication date:

08 August 2001

Assignment:

Journal:

6314

Publication date:

09 February 2000

http://www.ipo.gov.uk/tm/t-find/t-find-number?detailsrequested=C&trademark=1586... 13/10/2008

P.34/38

+ TMFAMFILE

@ 032/033 Page 2 of 2

ITEGO merics - find by number

List of goods or services

Class 16:

Books, magazines, printed publications and diaries; all included in Class 16; but not including timetables and not including any such goods relating to railway systems; or printed publications for use in operating, servicing, and/or repairing motor vehicles, vehicle handbooks, and vehicle parts catalogues.

Names and addresses

Proprietor:

Associated Newspapers Limited

Northoliffe House, 2 Derry Street, Kensington, London, W8 5TT

Incorporated country:

Great Britain

Residence country:

Great Britain

Customer's ref.

T40369GB00/MHK

Effective assignment date:

02 December 1999

ADP number:

0052816001

Other cases owned by this proprietor

Agent:

Hasaltino Lako

Redcliff Quay, 120 Redcliff Street, Bristol, BS1 6HU

ADP number:

0000034002

Service:

Haseltine Lake

Redeliff Quay, 120 Redeliff Street, Bristol, BS1 6HU

ADP number.

0000034002

Earlier rights notification

Opted in for notifications

Explanation of terms used on this page

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Use this sheet if you are basing your opposition on section 5(4)(a) of the Trade Marke

Please note that opposition based on these grounds can only be made by the proprietor of an earlier right.

You must use a separate sheet for each earlier mark, so copy this sheet as many times as you need.

5(4)(a) by virtue of any rule of law (in particular, the law of passing off) protecting an unregistered trade mark or other sign used in the course of trade.

Representation or details of the earlier mark, sign or right.

METRO

if the opposition is under Section 5(4)(a), please enswer the following questions.

1. When and where was the earlier right first used in the UK?

The METRO trade mark was first used in the UK in March 1999.

2. State in relation to which goods and services the earlier right has been used.

The mark has been used as the title of a printed and electronic publication and a wabsite, as well as in relation to the related services of advertising, publishing, provision of news and information and a range of other goods and services details of which will be provided in the opponent's evidence.

S. State which goods or services of the application you oppose under Section $\delta(4)(e)$.

All

Some (please specify)

4. Now state why you consider use of the applicant's mark would be contrary to law, particularly the law of passing off,

Use of the mark METRO by the applicant in relation to the services claimed is likely to misrepresent to consumers that the services provided under the opposed mark amanate from the opposent or are in some other way connected with the opposent.

Rev MAY08

The American Section 2 of the following

UK Intellectual Property Office is an operating name of the Patent Office

Page

Form TM7



Form TM8

Nil Fee

For Greativity and innovation

Notice of defence and counterstatement

Please read the guidance notes on the next page before filling. 1. Trade mark number.	Trade Marks Registry Concept House Cardiff Road, Newport South Wales NP10 8QQ
	(Lowest) Class
Full name of the applicant or registered proprietor.	
Opposition, invalidation, revocation, or rectification number.	
Name and address (including postcode) of the agent (if any).	
Do you want the opponent to provide proof of use? (see note)	
If you answered 'Yes' to question five, please state for which goods and services you require proof.	
Counterstatement	

Counterstatement (continued from previous sheet)

8.	Declaration	I believe that the facts stated in this notice of defence and counterstatement are true.
	Your signature,	
	Your name in BLOCK CAPITALS.	
	Date.	
9.	Name and daytime phone number of the person we should contact in case of query.	
	Your reference,	
·	Number of sheets attached to this form.	This is sheet 1 of
the	parties to this dispute have not considered m	

s to this dispute have not considered mediation, would you like to receive information on the subject?

__, Y@s

Notes If you need more space for your counterstatement you may attach separate sheets. Number each one and say in question 9 how many sheets you have used.

Boxes 2 and 4: At least one of these should be located in the UK.

Box 5: Only applies in opposition, or similarly in the case of invalidation proceedings, where the person opposing or invalidating your mark may have provided a statement of use and only applies to grounds of opposition or invalidation raised under sections 5(1) and 5(2) and 5(3) of the Trade Marks Act.

Costs proceedings before the Comptroller

Preparing a statement and considering the other side's statement
From £200 to £600 depending on the nature of the statements, for example their complexity
and relevance.

Preparing evidence and considering and commenting on the other side's evidence From £500 if the evidence is light of £2000 if the evidence is substantial. The award could go above this range in exceptionally large cases but will be cut down if the successful party had filed a significant amount of unnecessary evidence.

Preparing for and attending a hearing

Up to £1500 per day of hearing, capped at £3000 for the full hearing unless one side has behaved unreasonably. From £300 to £500 for preparation of submissions, depending on their substance, if there is no oral hearing.

Expenses

- (a) Official fees arising form the action and paid by successful party (other than fees for extensions of times)
- (b) The reasonable travel and accommodation expenses for any witnesses of the successful party required to attend a hearing for cross examination.