

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

Concept House

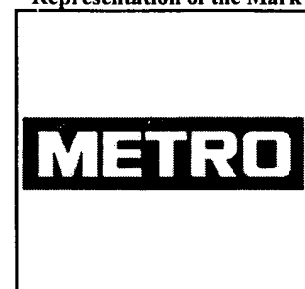
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O/Ref: M950870/TS/ECUMM
Y/Ref:
Date: 29 July 2010

Representation of the Mark



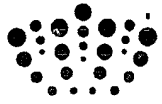
Please quote our reference when replying.

Dear Sir or Madam,

Intl. Reg. No: 950870 in Class 35
For the Mark: METRO (and Device)
Holder: MIP METRO Group Intellectual Property GmbH & Co. KG

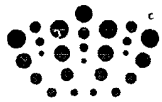
Following the Registrar's Decision dated 7 June 2010 for Opposition No 71820, the above registration has been partially refused. The goods/services which remain in Class 35 are:

Wholesale and retail trade services connected with the sale of sensitized, unexposed films, impregnating chemicals in particular for tents, clothing, footwear, chemicals used in industry and science, chemicals for treating water, swimming pools, baths and hot water tubs, adhesives for industrial use, chemicals used in agriculture, horticulture and forestry, namely natural and artificial fertilisers and chemical preparations for treating the soil and cultures, potting soil, fresheners for cut flowers (cut flower fresheners), peat (fertilizer), humus coverings, preparations of trace elements for plants, chemical thawing agents, antifreeze for radiators, antifreeze for windscreen wiper systems, salt, paints, varnishes, lacquers, preservatives against rust, wood preservatives and colorants, wood mordants, repair materials for background treatment in particular fillers (colouring), precoatrs, wood, iron and coating materials, wall and facade plasters (paints), cleaning, polishing, fat removing and abrasive preparations, soaps, cleaners for office equipment and office furniture, cleaners for automatic writing machines, wood, iron and preservatives, abrasives (underseal protection) for motor vehicles, furniture cleaners and preservatives, fuels (including motor fuels), methylated spirits, grill lighters, firelighters, charcoal, camping gas (combustion gas), technical oils and fats, lubricants, in particular for motor vehicle engines, Christmas tree candles, candles (for lighting purposes), perfumed candles, filled first-aid boxes, cushions with bandaging material, disinfectants, preparations for



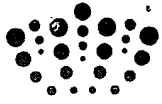
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destroying vermin, fungicides, herbicides, fumigating candles, cash boxes of metal, safes, aluminium ladders, metal ladders, metal folding steps, metal packing containers, metal blinds, metal mounting accessories for shutters, upper rails, lower rails, panels and side guide rails of aluminium and steel, metal clamps, fastening elements, springs, locks, chains all of metal and for blinds and curtains, aluminium roller tubes, metal cable tensioning sets, metal tent pegs, swimming pools (prefabricated constructions of metal), metal cables and wires (not for electrical purposes), transportable constructions of metal, transportable metal sheds for appliances, metal garden houses, tinsmith products, installation pipes of metal, sheet metal petrol canisters, plugs (connection plugs, pins) of metal, locks of metal (excluding electrical), petrol canisters of sheet metal, including with holder, dismountable garden pavilions of metal stays covered with fabric or plastic, toy, climbing and rocking horses of metal for external play areas, machines used in kitchens and catering, electric kitchen machines and appliances for preparing food, electric juicers, electric mixers, electric blenders, electric slicers, washing machines, dishwashers, sewing machines and parts for sewing machines, knitting machines and parts for knitting machines, vacuum cleaner accessories, namely vacuum cleaner bags, vacuum cleaner filters and vacuum cleaner tubes, electric household cleaners, vacuum cleaners and (electric) polishers, electric shoe polishers, electric machines for preserving furniture and floors, electric and battery-operated cleaning machines and apparatus and their parts, dynamos for bicycles, compression, mixing, pumping and electricity generating units, dynamos for generating electricity in motor vehicles, sparking plugs and coils for motor vehicles, air and oil filters for motor vehicles, electric and pneumatic tools for the construction industry, for the woodworking industry, for craft trades and DIY, in particular drills, hammer drills, screwdrivers, vacuum cleaners, grinders, saws, hot air blowers, planes, glue guns, millers, cutters, thread cutters, measuring tools, nail drivers, stirrers, tackers, solder guns, scrapers, spray guns, wallpaper removers, shredders, hedge cutters and high-pressure cleaners and accessory tools for these, namely drills, drill bits, chisels, adapters, abrasive paper, abrasive discs, abrasive belts, polishing sponges, abrasive plates, saw blades, plane knives, millers, drive belts, screwdriver blades, machines and apparatus for preparing beverages and/or meals, valves for water bottles, pumps, paper trimmers, agricultural machines, kitchen machines (electric), hand pumps, shavers (electric or non-electric) and accessories for shavers, depilation appliances (electric and non-electric), hair cutters (electric and non-electric), razor blades, cases for shavers, straight razors, toilet bags for shavers, nasal hair cutters, cutlery (forged knives, forks and spoons), including of noble metals or plated with them, namely knives, forks, spoons, serving utensils, namely soup and gravy spoons, sugar tongs, fondue forks, hand-operated tools for bicycles and other sporting articles, forged items for cutting including scissors, knives and special cutters, hand tools and hand-operated tools not electrically or pneumatically operated, in particular hammers, awls, files, planes, screwdrivers, saws, caulking tools, spanners, sandpaper grinders, drills, hand drills, surface millers, staplers, nail guns, pliers, spanners; drill bits, saw blades and frames for coping saws; screwdriver bits, inclined planes, clamps, vices, wire brushes and wheels, wedges, spatulas, choppers (axes), crimping tools, tweezers, carving tools, gouges, hexagonal key



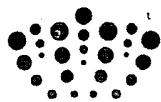
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sets, ratchet boxes, mitre joint boxes and mitre blocks, agricultural appliances (hand-operated) and soil working appliances (hand tools) and gardening appliances, hoes, spades, forks, rakes, shovels, scissors, knives, hand-operated lawnmowers and lawn edge trimmers, scientific, nautical, surveying, electrical intercommunications apparatus and instruments; audio, visual, television and digital entertainment equipment, cinematographic, optical, weighing, measuring, signaling, checking, life-saving and teaching apparatus and instruments, electric irons, batteries of all types and sizes, rechargeable batteries of all types and sizes, chargers for rechargeable batteries, electric foil welding machines, computer hardware, computers, notebooks, desk computers, electrical appliances and apparatus, namely thin clients, monitors, projectors, printers, scanners, digital audio appliances, digital video recorders, computer peripheral appliances, in particular printers, keyboards, mouse; portable computers, pocket PCs, personal digital assistants, telephones, mobile telephones, pagers, wireless e-mail appliances, computer products and software, accessories, computer software, namely operating system software, network software, network administration software, training software, CD-ROMs with user manuals, manuals, training material and product information, optical storage discs for recording, storing and reproducing audio, video and data, including compact disks (CD), magneto-optical discs (MD, MO) and digital versatile discs (DVD), magnetic discs and large capacity magnetic discs for recording, storing and reproducing data, portable digital memories, in particular USB sticks, digital cards, empty smart media cards, compact flash memory cards, written and writable storage media, namely floppy disks, CDs, DVDs, audio and video tapes, appliances and apparatus for displaying, encoding, decoding, transmitting, receiving, storing and processing audio and/or video signals and/or data, in particular digital and analogue compact satellite installations, DVBT receivers, DVBT antennas, sat receivers and sat dishes, amplifiers, receivers, audio/video receivers, audio/video processors, tuners, video players, DVD players, DAT players, CD players, mp3 players, remote control appliances, integrated audio systems, radios, televisions, monitors (LCD and TFT), video recorders, CD recorders, MP3 recorders, DVD recorders, DAT recorders, headphones, microphones, loudspeakers, in particular loudspeakers for motor vehicles, audio and video connection cables, remote controls, photographic and optical appliances and instruments, including digital cameras, films (exposed), mechanical weighing instruments, helmets, bicycle computers, warning triangles, locks (electric), navigation appliances, in particular for vehicles (on-board computers), slide rules and disks, measuring beakers, lamps for medical purposes, heating blankets and heating cushions (electric) for medical purposes, medical apparatus, namely foot baths, massage apparatus, pulse meters, lighting, heating, steam generating, cooking, refrigerating, drying, ventilating and water supplying appliances, light bulbs, microwave appliances, electrically operated cooker hoods, electric coffee machines, electrically operated domestic appliances also for use in catering, namely popcorn machines, lamps (electric), standard lamps, table lamps, ceiling lamps, tubular lamps, cylindrical lamps, oil lamps, halogen lamps and spotlights, lampshades, lampshade holders, sun lamps, UV lamps, not for medical purposes, linear lamps, fluorescent lamps, reflector lamps, candle lamps, heat radiators, flashlights, tea pot warmers, food warmers with candles, gas burners or



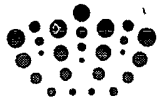
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electrically operated, pressure cookers (electric), pressure pans (electric), bicycle lamps, plumbing appliances, apparatus and sanitary installations, water tap appliances, appliances, apparatus and systems composed of these for water inlets and outlets, supplying, storing, distributing, removing water, heating, drinking and service water, fittings and valves for bathrooms and showers, fittings for showers, washbasin, sink, bidet and WC installations, washbasin and sink fittings, single-lever mixers, double-lever fittings (parts of sanitary installations), thermostat fittings, energy and water-saving fittings and valves for connection to water pipes and for sanitary installations, filters for retaining impurities in water, thermostatic and non-contact controlled mixers (parts of sanitary installations), control, mixing, shut-off and self-closing valves for water pipes and sanitary installations, shower heads (sanitary installations), shower fittings, spray nozzles, spray heads (parts of sanitary installations), showers, shower valls, shower seats, shower columns, shower tubes, washing fountains, complete shower and washing cabins, bathtub walls, washroom and bathroom accessories (included in class 11), bathtub handles, grips of metal or plastic for baths and showers, WC cisterns, WC seats of plastic, wood or metal, electric light chains, electric light tubes, bicycles and bicycle accessories (included in class 12), mountain bikes; frames for bicycles, cycles, bicycle saddles, luggage carriers for bicycles, cycles, bicycle stands, bicycle pumps, children's seats for bicycles, cycles, bicycle spacers, guards and protective covers for bicycle chains and derailleurs, bicycles with auxiliary motors, motor scooters, mopeds, covers for bicycle and motor cycle saddles, bicycle and wheel supports, bicycle and motorcycle brakes, bicycle rims, bicycle forks, bicycle chains, bicycle bells, bicycle baskets, handlebars for bicycles, cycles, bicycle motors, bicycle hubs, dress guards for bicycles, cycles, bicycle pedals, bicycle pumps, bicycle tyres, bicycle running wheels, bicycle spokes, bicycle saddles, bicycle bags, bicycle front parts, bicycle saddle rods, bicycle bottom bracket bearings, boats and their accessories and spare parts (included in class 12), paddles, motor vehicles, namely dog guards, vehicles, motor vehicle parts, namely covers, transport devices for transporting luggage on motor vehicles (included in class 12), namely luggage carriers, ski carriers, bicycle carriers, surfboard carriers, luggage covers, luggage spiders, luggage trailers (vehicles), tow bars, windscreen wipers, snow chains and spoilers, fireworks, clocks, chronometrical instruments, containers of precious metal for household or kitchen, tea services, centerpieces and tableware of precious metal, alarm clocks, musical instruments, paper, carton, paper and carton products, included in class 16, school exercise books, format paper, photocopier paper, proof paper, continuous paper, copying carbon paper, notepads, writing pads, envelopes, envelopes (packaging envelopes made of paper or plastic), sample bags (packaging envelopes made of paper or plastic), bubble bags (packaging envelopes made of paper or plastic), adding machine, cash register and text rolls made of paper, publications, newspapers and magazines, books, printed matter, namely forms and labels, adhesives for paper and stationery and for office and school requirements, office equipment (excluding furniture), namely non-electrical office appliances, writing utensils, in particular pencils, ball pens and felt-tipped and fibre pens, writing utensil accessories, namely ink writers, refills, ink (included in class 16), fountain pen cartridges, school pencil cases, erasers and eraser pens, pencil sharpeners, ink removers, text



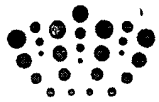
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markers, colored pens; artists' and drawing supplies, namely blackboard chalk, wax crayons, finger paint, colored pencils, water fiber painting pens, water paints, poster paints, oil paints, paint brushes, palettes, painting canvas and easels, painting and drawing blocks, colored paper, metal paper, scrap books, pastel chalk, watercolor paints, drawing pens and refills, drawing ink pens, China ink, drawing utensils, in particular writing and drawing stencils, tee-squares (stencils), drawing boards, straight edges, set squares, protractors, drawing paper, graph paper, tracing paper, stationery, writing paper, writing cases, desk pads, ring files and sets of loose leaves, notebook files, writing paper and envelopes, invoice and delivery note blocks, labeling material (office supplies), namely hand embossing and labeling appliances, embossing tapes made of paper, spare rolls for labeling appliances (of paper), labels (not made of textile material), letters and numerals, peg and magnetic display boards and letters and numerals for peg and magnetic display boards, transparent wrappers, file wrappers, brochure wrappers, document wrappers and loose-leaf folders made of plastic, letter files, binders, spine labels for binders, thumb index, indexing and archiving systems (office supplies), in particular suspension files, suspension pockets, hook-in flat files and eyelet flat files, index cards, card indexes, adhesive and stapling material used in offices, staplers used in offices, punches, office organisation material (office supplies), in particular desk files, desk appointment calendars and signature folders, bookbinding articles, namely bookbinding yarn and linen and other textile materials for bookbinding, binder spirals, spine glue, laminating foil, photograph albums, photographic pictures, photographic imprints, photograph corners, adhesives for photographs, electrically and mechanically operated folder shredders (office equipment), mechanical and electric typewriters, automatic writing machines and accessories, namely ribbons, cases, laminators, sealing, packing and insulating material, hoses (not of metal), rubber, mica and goods made of this, leather and imitations of leather and goods made of these materials, small leather goods, hides and fells, trunks and traveling bags, umbrellas, parasols and walking sticks, bags, in particular pocket wallets, bags for campers, sports bags, travel bags, sling bags for carrying infants, card cases (pocket wallets), hand bags, shopping bags, school satchels, haversacks, building materials (non-metallic), in particular wall and ceiling panels of wood, plastic and foam, flooring of wood or stone; tubes (not of metal) for building purposes, transportable buildings (not of metal), installation pipes of plastic for building purposes, toy, climbing and rocking horses not of metal for external play areas, mirrors, frames, bed linen, including mattresses, supporting mattresses, pillows, bed covers, slatted frames; ladders and folding steps (not of metal), ironing tables, blinds, window shades, lamella blinds, paneled window shades, folding blinds, accordion pleated blinds, window shades all not of metal or of textile material and for interiors, curtains of woven wood, wooden shutters, wooden curtains, gathered window shades (not textile), parts and components for blinds, top rails, bottom rails, holders, fastening elements, locks, chains, springs, clamps and holders for fastening blinds included in class 24, roller tubes (not of metal), operating devices not of metal for blinds (non-electric), small parts of plastic for blinds and curtains included in class 24, small parts of wood for blinds and curtains included in class 24, rollers for blinds of wood or plastic, curtain accessories, namely curtain rods,



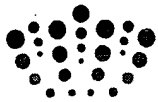
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swiveling rods, curtain rings, curtain rollers of plastic, curtain rails; door curtains of wood, rope tensioning sets not of metal and textile material, air mattresses and air cushions (not for medical purposes), sleeping bags for camping, mattresses, camping mats, garden furniture and their parts of wood, rattan, metal or plastic, plugs (connection plugs, pins), not of metal, locks (excluding electric), not of metal, petrol canisters of plastic, including with mounting, blinds, not of metal of textile material for internal use, sunblinds, not of metal of textile for internal use, ironing boards, ironing board covers, rotary airers, washing pegs, clothes airers and other devices for drying clothes (included in class 21), washing tubs, cleaning material, household sponges, steel wool, cleaning wool, cotton wool waste used for cleaning, leather used for cleaning, buff leather, mops, parquet polishing appliances (non-electric), cleaning cloths, polishing apparatus and machines (non-electric) for household use, cleaning appliances (hand-operated), window cleaning appliances (hand-operated), scrapers for cleaning containers, scrubbing brushes, dusters, feather dusters, furniture cloths, domestic appliances (not of metal), carpet sweepers (non-electric), brushes (excluding paint brushes), brooms, dusting brushes, dust shovels, dish drainers, products made of stoneware, glass and similar ceramic materials (included in class 21), items made of porcelain (included in class 21), namely porcelain tableware, in particular, dinner, coffee, tea, drinking chocolate, mocha and breakfast dishes and household and kitchen appliances made of porcelain, commodity and decorative articles made of ceramic materials, namely plates, bowls, dishes, cups, beakers, cans, jugs, pouring vessels, jars, vases, centerpieces, cutlery handles, honey dispensers, egg-cups, napkin rings, napkin holders, decorative figures made of porcelain, stoneware, glass and similar ceramic materials, glass and cut glass goods, namely drinking glasses, dishes, bowls, vases, jugs and napkin holders, household and kitchen appliances and containers (not of metal or plated), cooking utensils and appliances, pots, frying pans, thermos flasks, table ware, serving utensils (not made of or plated with noble metals), non-electric hand-operated domestic and kitchen appliances and machines, sieves, ladles, whisks, scrapers, corkscrews, pastry cutters, lids, knife blocks, egg slicers, microwave dishes, paper and plastic utensils, in particular beakers, cups, plates, glasses, cutlery, thermos flasks and cups, appliances for hygiene and beauty care, pie servers, serving trays (not of metal), tents, ropes, towropes, belts (included in class 22, tarpaulins (included in class 22), sails (included in class 22), woven windbreaks, woven privacy screens, cord and tapes for tying not made of metal and for packaging, gift and decorative tapes for tying made of textile, yarns and threads for textile use, window shades, folding window shades and canopies all of textile material, curtains of textile material and of plastic, all the above products for inside use, woven materials, bed covers and table cloths, bed and table linen, wovens and textile materials, quilts, curtains, curtaining, curtains, down beds, bed linen (included in class 24), blankets, sheets, bedspreads, feather beds, eiderdown loose covers, pillowcases, throws for furniture, curtaining, textile towels, bath towels, sauna towels, textile facecloths, serviettes, table cloths, table mats of material or plastic, dishcloths, tea towels, glass cloths, facecloths, cushion covers, textile serviettes, bathroom and toilet mats, textile WC seat covers, upholstery materials and covers, wall hangings and window shades of textile, wallpapers of textile material, clothing for women, men



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and children, stockings, leather belts, scarves, clothing accessories, namely headscarves, neck scarves, shawls, dress handkerchiefs, neckties, gloves, shoes for women, men and children, headgear, working clothing, aprons, lace and embroidery, ribbons and braid, buttons, hooks and eyes, needles, artificial flowers, plants and fruit, buttons, tinsels (trimming for clothing), fringes, artificial garlands, mica spangles, hair bands, hair grips (slides), hair pins, hair ornaments, barrettes (hair-slides), carpets, runners and mats used in vehicles as well, insulating mats, wallpapers made of paper and plastic, non-slip mats for showers and bathtubs, bathroom mats (included in class 27), insulating flooring, bathroom and toilet mats, games, toys, gymnastic and sports appliances, balls for sport, racquets and bats for ball games, in particular for tennis, squash, badminton, golf clubs, gymnastic and sports appliances (included in class 28) for tennis, squash, golf and badminton, exercise cycles, fitness appliances, steppers, skateboards, roller blades, roller skates, rollers for skateboards and roller skates, ice skates, scooters, special bags for sports equipment, bags for storing and carrying ice skates and roller skates, meat, fish, poultry and game, meat, fish, poultry and game products, sausage and sausage products, meat extracts, jellied meat, meat pies, mince and meat preparations, all the above products in tins or deep-frozen as well, ready-cooked and semi-cooked dishes and ready-to-eat salads, basically consisting of meat and/or fish and/or poultry and/or sausage and/or game, soups, soup preparations, clear soup, preserved, dried and cooked fruit and vegetables, pickles, finished and semi-finished goods and ready-to-eat salads, consisting basically of fruit and/or vegetables, preserved kitchen herbs, processed potato products, potato dumplings, potato fritters, mashed potato, croquettes, fries, roesti, jellies, preserves, compotes, fruit jellies, stewed fruit, eggs, milk and milk products, milk drinks mainly consisting of milk, butter, cream, yoghurt, fresh cream, sour cream, buttermilk, cheese, cheese products and processed cheese, cooking oils and fats, margarine, sandwich spread containing fat and sandwich spread on a vegetable basis, soy dishes as meat substitute, tofu, nibbles, included in class 29, extruded potato products used in nutrition, included in class 29, crisps, potato sticks, onion rings made of potatoes, dried fruit, raisins, processed nuts, hazel nuts, peanuts, macadamia, cashew nuts, pistachio nuts and almonds, dried, roasted, salted, baked and/or seasoned, dietary foodstuffs or food supplements for non medical purposes on the basis of proteins, fats, fatty acids, with the addition of vitamins, minerals, trace elements, either singly or in combination, included in class 29, coffee, coffee substitutes, coffee beverages, espresso, tea, beverages on the basis of tea, iced tea, vegetable aromas for beverages (excluding essential oils), essences for nutritional purposes (excluding essential essences and oils), cocoa, cocoa beverages, sugar, natural sweeteners, rice, ready-to-eat and semi-cooked dishes, consisting basically of rice, nasi goreng, sushi, tapioca, sago, flours and cereal preparations, baking powder, oat flakes, muesli, corn flakes, cereal snacks, bread, rolls, bread for toast, sandwich bread, croissants and baguettes, all with or without toppings and fillings, crisp bread, bread crumbs, pizza with and without toppings, hamburgers, veggie burgers, hot dogs, meat pies, fine baked goods and pastries, fancy cakes, cakes, pastries, biscuits, wafers, cake mixes (in powder form), cake dough, extruded wheat, rice and corn products for nutritional purposes, corn crisps, onion rings made of corn, puffed corn, salt sticks, savory

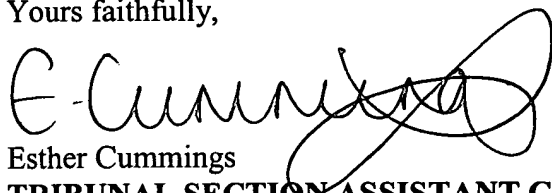


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biscuits, salted pretzels, confectionery and sweets, aerated confectionery, chocolate and chocolate products, chocolate marshmallows, wine and fruit gums, liquorice (confectionery), sweet spreads, included in class 30, sweet dishes and desserts, pudding and pudding powder, red fruit grits, rice pudding, farinaceous products, all types of noodles, gnocchi, ready-to-eat and semi-cooked dishes consisting basically of farinaceous products, tortellini, lasagne, spaghetti, ravioli, spaetzle, maultaschen, spring rolls, ice cream, honey, treacle, yeast, salt, mustard, vinegar, sauces (condiments), soy sauce, fruit sauces, salad dressings, prepared sauces, tomato sauce, ketchup, mayonnaise, remoulade, herbs and spices, mixed herbs and spices, nutmeg, cooling ice, dietary foodstuffs or food supplements for non-medical purposes on the basis of carbohydrates, roughage, with added vitamins, minerals, trace elements either singly or in combination, included in class 30, agricultural, horticultural and forestry products and grains included in class 31, grains and seeds, flower bulbs and tubers, mulch and peat litter, animal litter, cat litter, bird sand, live animals, fresh fruit and vegetables, nuts, living plants and natural flowers, foodstuffs, animal foods, malt, beer, mineral waters, aerated waters and other non-alcoholic beverages, beverages containing fruit, fruit nectars and fruit juices, isotonic beverages, lemonades, beverages containing vegetables, vegetable juices, syrups and other preparations for making beverages, preparations for liqueurs, powders for effervescing beverages, pastilles for effervescing beverages, essences for making beverages, products for making mineral waters and other aerated waters, alcoholic beverages (excluding beer), milk drinks containing alcohol with an overwhelming proportion of milk, alcoholic essences and extracts, aperitifs, cocktails, liqueurs, spirits, wines, beverages containing wine, sparkling wine, tobacco, tobacco products, tobacco goods, cigarettes, cigars, cigarillos, smokers' articles, cigarette paper, cigarette filters, cigarette holders, pocket appliances for rolling own cigarettes, cigar and cigarette cases (not of metal), ashtrays (not of metal), cigar cutters, pipes, pipe cleaners, flints, matches, lighters for smokers, gas cartridges for lighters.

Please note that the above International Registration will not be protected in the United Kingdom as there is another opposition against this registration.

Yours faithfully,



Esther Cummings

TRIBUNAL SECTION ASSISTANT CASEWORK EXAMINER