

**IN THE HEARINGS AND MEDIATION GROUP OF
THE INTELLECTUAL PROPERTY OFFICE OF SINGAPORE
REPUBLIC OF SINGAPORE**

Trade Mark Application Nos. T1101446J, T1101447I, T1101448G
Hearing Date: 26 June 2013

**APPLICATION FOR
RESTORATION OF TRADE MARK APPLICATIONS
AND REQUEST FOR EXTENSION OF TIME
TO FILE EVIDENCE
IN A TRADE MARK OPPOSITION
BY TILAKNAGAR INDUSTRIES LTD.**

AND


**OBJECTION THERETO
BY DISTILEERDERIJ EN LIKBURSTOKERIJ
HERMAN JANSEN B.V.**

Assistant Registrar Diyanah Binte Baharudin
Decision date: 30 July 2013

Interlocutory hearing – application for restoration of trade mark applications and for extension of time to file evidence – objection by Respondents – Applicants requested for extension of time after Registrar notified Applicants of deemed withdrawal of trade mark applications – whether restoration of trade mark applications and late application for request for extension of time allowed

Facts

- i) The present Applicants, Tilaknagar Industries Ltd. (the "**Applicants**"), applied for the following trade marks in Class 33 of the International Classification of Goods and Services in Singapore:

Trade Mark No.	Trade Mark	Specifications
T1101446J (filed on 8 February 2011)		Alcoholic beverages (except beers).

T1101447I (filed on 8 February 2011)		Alcoholic beverages (except beers).
T1101448G (filed on 8 February 2011)		Alcoholic beverages (except beers).

(collectively the "**Application Marks**")

- ii) The Application Marks were accepted for registration and published in the Trade Marks Journal on 11 March 2011. Under the Trade Mark Rules, third parties who wished to oppose the registration of the Application Marks could therefore file a notice of opposition by 11 May 2011, extendable to 11 July 2011.
- iii) On 7 July 2011 the Respondents, Distilleerderij En Likburstokerij Herman Jansen B.V. (the "**Respondents**"), filed a trade mark application, T1116162E for the word mark "SAVOY CLUB" for the same specification of goods (the "**Intervening Application**"):

Trade Mark No.	Trade Mark	Specifications
T1116162E	SAVOY CLUB	Alcoholic beverages (except beer).

- iv) The Respondents filed their Notice of Opposition on 11 July 2011 to oppose the registration of the Application Marks. This marked the start of the opposition proceedings at IPOS.
- v) The present application is essentially an application for the restoration of the Application Marks and a request for an extension of time for the Applicants to file their evidence in the opposition proceedings.
- vi) By way of background, evidence in opposition proceedings at IPOS is filed by way of statutory declaration (see generally, Rules 32, 33 and 34 of the Trade Marks Rules (Cap. 332, Rule 1, Rev. Ed. 2008) (hereinafter, "**Trade Marks Rules**")). The Applicants' failure to file a statutory declaration or request for an extension of time to file such statutory declaration within the statutory deadline results in the trade mark applications being treated as withdrawn (see Rule 33(3) of the Trade Mark Rules).

- vii) In practice, to facilitate the just, expeditious and economical disposal of cases, the parties to an opposition matter are called to attend a case management conference ("CMC") before the Registrar (see Rule 81A of the Trade Marks Rules). At the CMC, the Registrar essentially discusses the case with the parties to determine what orders to make or to give directions as appropriate, depending on the particular facts and circumstances in each case. If parties are exploring the possibility of a settlement through negotiations or mediation, the Registrar would issue relatively long timelines for the filing of evidence, between 9 to 14 months. However, these timelines do not substitute the statutory deadlines stipulated by the Trade Marks Rules. This position is explained in HMD Circular 4/2010 (dated 20 August 2010) ("**HMD Circular 4/2010**"):

Parties should note that statutory deadlines and CMC timelines run concurrently. CMC timelines and any further extensions of time beyond CMC timelines granted *do not negate the need for parties to apply for extensions of time in accordance with the Trade Marks Rules*, including, where applicable, filing Form TM 50 and fee.

(emphasis added)

- viii) On 2 April 2012, a CMC was held before the Registrar, with both parties' agents in attendance. The Registrar directed that maximum CMC timelines (as opposed to statutory deadlines) for filing the Respondents' evidence or to request for an extension of time to file such evidence would be by 2 October 2012, whilst the Applicants' evidence should be filed up to a maximum of six (6) months thereafter, the latest date therefore estimated to be on 2 April 2013.
- ix) The Respondents filed their evidence on 1 October 2012 and the Applicants' statutory deadline to file their evidence or request for an extension of time to file such evidence thus fell on 3 December 2012 (see discussion on this point at paragraph 5 below). The Applicants did not take any action by this deadline.
- x) On 28 January 2013, the Registrar notified the parties that the Application Marks were deemed withdrawn under Rule 33(3) of the Trade Marks Rules.
- xi) On 8 February 2013, 11 days after the Registrar's notification and 67 days after the statutory deadline (see discussion on this point at paragraph 5 below), the Applicants wrote to the Registrar requesting for an extension of time to file their evidence and explaining the reasons for the delay. Consent was also sought from the Respondents on the same day.
- xii) On 19 February 2013, the Respondents stated that they would not grant their consent to the request for an extension of time. On 21 February 2013, the Applicants made an offer to contribute a settlement fee to the Respondents for the inconvenience caused. On 1 April 2013, the Respondents stated that they did not wish to grant consent to the extension of time and to the reinstatement of the Application Marks. Eventually, parties requested for a hearing before the Registrar for this matter and an interlocutory hearing was fixed for 26 June 2013.

Applicants' submissions

- xiii) Counsel for the Applicants submitted that the Registrar has the power to grant a request for an extension of time made beyond the deadline stipulated in Rule 33(4) of the Trade Mark Rules as well as to restore the Application Marks pursuant to Rule 83 of the Trade Marks Rules, citing the IPOS decisions of *Martin Joseph Peter Myers v GSM (Operations)* (Decision date: 26 June 2009) ("*GSM*") and *KPR Singapore v PSE Asia-Pacific Pte Ltd* (Decision date: 24 Nov 2010) ("*KPR*").
- xiv) The Applicants explained in their statutory declaration dated 8 February 2013 (the "**Applicants' EOT SD**") that the solicitor in charge of the matter had, upon reviewing the firm's calendar on 1 October 2012, obtained the mistaken impression that the timeline issued by the Registrar during the CMC on 2 April 2012 was the "fixed and final deadline" for the Applicants to file their evidence. In oral submissions, counsel for the Applicants submitted that this was an "oversight due to the wrong recordal of date" and that whilst the delay was "by no means short", the court should consider the overall justice of the case, citing the cases of *Hau Khee Wee and another v. Chua Kian Tong and another* [1986] SLR 484 ("*Hau Khee Wee*") and *Lee Hsien Loong v Singapore Democratic Party and others and another suit* [2008] 1 SLR(R) 757 ("*Lee Hsien Loong*") for this proposition. In particular, counsel submitted that where the delay was due to a mistake on part of a solicitor, the courts have still allowed extensions of time, relying on the cases of *Hau Khee Wee*, *The Tokai Maru* [1998] 2 SLR(R) 646 ("*Tokai Maru*"), *Perdigao Agroindustrial SA v Barilla GER Fratelli-Societa Per Azioni* [2009] SGHC 210 ("*Perdigao*"), *Management Corporation Strata Title Plan No. 2911 v. Tham Keng Mun and others* [2011] 1 SLR 263 ("*Tham Keng Mun*") and *AD v AE* [2004] 2 SLR(R) 505 ("*AD v AE*"). She submitted that in these cases, the delay was long and unjustified, yet an extension of time was still granted. The present case should be distinguished from *Sao Paulo Alpargatas S.A. v But Fashion Solutions Comercio E Industria De Artigos Em Pele, LDA* [2011] SGIPOS 16 ("*Sao Paulo*") because the opponents in *Sao Paulo* had not filed any intervening application and therefore no injustice would be done to the applicants if the application was refused. In the present case, the Applicants submitted that they would be prejudiced in that the burden of proof would fall on them in having to contest the Intervening Application, which would lead to a premature determination of the parties' rights, following the decision in *SOS International A/S v AEA International Holdings Pte Ltd & Anor* [2011] SGIPOS 10 ("*SOS*"). Counsel tendered the Provisional Refusal of Protection dated 13 December 2011 showing that the Singapore Trade Marks Registry had rejected the Intervening Application based on Section 8 of the Trade Marks Act because of the pending Application Marks. She submitted that the Respondents would not suffer any prejudice if the extension of time was granted because they had already known of the existence of the Application Marks since 13 December 2011.

Respondents' Submissions

- xv) The Respondents' preliminary objection was that the Registrar does not have any power under Rule 33(5) of the Trade Marks Rules to grant an extension of time to file the applicant's statutory declaration beyond the statutory maximum of six (6) months from the date of receipt of the Respondents' statutory declaration ("**Respondents' SD**"). Counsel submitted that since the Respondents' SD was filed on 1 October 2012, the Applicants should have either filed their statutory declaration pre-emptively or alternatively, requested for an extension of time by filing Form TM 50 (in accordance with Rule 33(6)), by 1 April 2013 at the very latest. However, the Applicants had not

filed their statutory declaration or Form TM 50 to date. Counsel distinguished *SOS* on the basis that the applicants for extension of time there had filed their request within the six (6) month period prescribed by legislation, whilst in this case, the Applicants had failed to do so.

- xvi) In the alternative, counsel submitted that the length of delay of 70 days was too long and insufficient reasons were given for the delay. In *Denko-HLB Sdn Bhd v Fagerdala Singapore Pte Ltd [2002] 3 SLR 357 ("Denko")*, a delay of 14 days for an extension of time for late filing of further arguments was considered to be too long since the period allowed to do so was 7 days. By extension, counsel argued that if a one (1) month delay in filing for an extension of time for evidence in *Sao Paulo* was considered too long, a 70-day (or more than 2 months') delay, which was twice as long, should also be considered too long. Furthermore, it is not disputed in this case that delay arose from the Applicants' solicitors' conduct. In *Perdigao*, the court held that solicitors' oversight was a "poor reason" and there were other factors that influenced the court's discretion to grant the extension of time in that case.
- xvii) On the issue of prejudice, counsel submitted that the court should only consider prejudice to the Respondents and not prejudice to the Applicants, citing *Wee Soon Kim Anthony v UBS AG and others [2005] SGCA 3 ("Anthony Wee")*. In this regard, counsel submitted that the Registrar in *SOS* was wrong to take into consideration the prejudice that would be caused to the applicants for extension of time in making her decision. Counsel submitted that they would suffer grave prejudice if the present application is granted because they would lose their priority for the Intervening Application, and the loss of this priority is not something which can be compensated by costs.

Held, refusing the application to restore Trade Mark Application Nos. T1101446J, T1101447I, T1101448G and the request for an extension of time for the Applicants to file evidence

1. As a preliminary matter, the Application Marks were deemed withdrawn pursuant to Rule 33(3) of the Trade Mark Rules. This was notified to the parties on 28 January 2013.
2. I am unable to accept the Respondents' argument (at paragraph (xv) above) that the Applicants should have either filed their statutory declaration pre-emptively or alternatively, requested for an extension of time by filing Form TM 50, by 1 April 2013. The applicable rule in this case is Rule 33(4) and not Rule 33(5) or Rule 33(6) of the Trade Marks Rules. Rule 33(5), which deals with the length of the extension of time that the Registrar would be able to grant for the filing of a statutory declaration, is predicated upon a request having been made in accordance with Rule 33(4). Rule 33(6) applies only to the *second* request for an extension of time. In this case, it is the Applicants' *first* request which was *not* made in accordance with Rule 33(4), being outside of the stipulated statutory deadline. Therefore, I must consider whether to allow the late request for extension of time under Rule 33(4) of the Trade Marks Rules.
3. There is no stipulated time frame that the Registrar is bound by under Rule 33(4) of the Trade Marks Rules. In any event, the Registrar has broad discretion under Rule 83 of the Trade Marks Rules to correct "any irregularity in procedure, which in the opinion of the Registrar, is not detrimental to the interests of any person or party." Accordingly, the

Registrar has the power to hear the present application for an extension of time to file evidence under Rule 83 of the Trade Marks Rules, notwithstanding that the Applicants' request is made outside of the 2-month period prescribed in Rule 33(4) of the Trade Marks Rules, and notwithstanding that it is now no longer possible for the Applicants to file their statutory declaration within the deadline set out in Rule 33(5) of the Trade Mark Rules. IPOS precedents have consistently confirmed the Registrar's discretion in relation to granting extensions of time despite a seemingly mandatory provision in the Trade Marks Rules. In *Asian Aisle Pte Ltd v Ricegrowers Co-operative Limited* [2002] SGIPOS 7 it was held that the Registrar had the power to hear an application to extend time despite the wording in Rule 31(4) that "a request for an extension of time to file the counter-statement *shall be* made by the applicant to the Registrar in writing within 2 months...". Similarly in *Sao Paulo*, it was held that the Registrar had the power to restore an application that was earlier deemed withdrawn despite the wording in Rule 33(3) that "if the applicant fails to comply with paragraph (1) or (2) [of Rule 33], he *shall be* treated as having withdrawn his application." In *Sao Paulo*, it was held that the words "*any irregularity in procedure*" in Rule 83 refer to failures to comply with the procedural requirements of the Trade Marks Act and the Trade Marks Rules, which includes matters in respect of time. The failure to file a request of time to file evidence within the stipulated deadline in Rules 33(4) is therefore an irregularity in procedure which falls within the scope of Rule 83. The Registrar's power under Rule 83 to allow corrections of procedural defaults in genuinely deserving cases should not be unduly restricted. This is also consistent with the Registrar's broad discretion at a CMC to "make such order or give such direction as he thinks fit to facilitate the just, expeditious and economical disposal" of cases under Rule 81A of the Trade Marks Rules. It should be noted that this broad discretion is conferred on the Registrar "notwithstanding anything in [the Trade Marks Rules]."

4. In any event, the Registrar is bound by the decision of the High Court in OS 601099 of 2001 (Trade Mark Application No. 10300/98) ("the OS"). The substantive hearing of the OS was unreported (and no written grounds of decision were provided). The OS concerned an application for judicial review of IPOS' decision that the Registrar had the discretion to correct irregularities under Rule 83 of the Trade Marks Rules with respect to the late filing of a notice of opposition, beyond the stipulated 2-month deadline in Rule 29 of the Trade Marks Rules (Rev. Ed. 2000). In the substantive hearing of the matter, the High Court dismissed the plaintiff's application for judicial review and affirmed IPOS' decision.
5. I note that the Respondents have submitted that the length of delay is 70 days (ie. from 1 December 2012 to 8 February 2013). However, although the Applicants' deadline was 1 December 2012, the last day for the Applicants to file their extension of time request fell on 3 December 2012 (since 1 December 2012 (a Saturday) and 2 December 2012 (a Sunday) were excluded days: see Rule 79(2) read with Rule 79(7) of the Trade Marks Rules). The length of delay is therefore calculated from 3 December 2012 to 8 February 2013, ie. 67 days.
6. For cases at IPOS, a balance must be struck between ensuring that parties have the benefit of certainty and finality that the Trade Marks Rules provide, and that cases are dealt with on the basis of their merits in the interest of justice between parties: see IPOS decision of *Neutrogena Corporation v Neutrogen Pte Ltd* (14 March 2005) at [2] and *GSM* at [2].

7. A solicitor's *bona fide* mistake is but one factor in the Registrar's overall consideration in deciding whether to exercise discretion to allow an extension of time. Such a mistake *per se* may not be sufficient to enable the Registrar to exercise discretion in favour of an extension: *Nomura Regionalisation Venture Fund Ltd v Ethical Investments Ltd* [2000] 2 SLR(R) 926 ("*Nomura*") at [28]; affirmed in *Denko* at [13]. A mere assertion that there has been an oversight is obviously insufficient and indeed, could lead to an abuse of process: *Lee Hsien Loong* at [22]. Some extenuating circumstances must be offered in explanation for the oversight of the solicitor or some explanation which could mitigate or excuse the oversight: *Denko* at [18]. The following passage in *Denko* (at [18]), cited by two subsequent Court of Appeal authorities (namely, *AD v AE* at [11] and *Lee Hsien Loong* at [22]), is instructive:

If, in every case, "oversight" is *per se* a satisfactory ground, we run the risk of turning the rules prescribing time into dead letters. It would be observed in breach. It would be all too simple for a party to run to a judge to ask for indulgence because of oversight. The need for finality must be borne in mind.

8. The Applicants have failed to persuade me that there are any such "extenuating circumstances" or any "explanation" that mitigates the solicitor's failure to monitor the statutory deadline. The relevant portions of the Applicants' EOT SD reads as follows:

...the Firm's trade mark department maintains a calendar system for monitoring of all timelines set by the Trade Marks Registry. However, for some reason, only the 2 April 2013 deadline for the Applicants to file their Statutory Declaration was recorded in the calendar. When the Respondents' Statutory Declaration was filed on 1 October 2012, upon reviewing the calendar, I noted only one deadline, ie. the 2 April 2013 deadline. Due to this, and in view of the earlier directions given by the Learned Assistant Registrar at the CMC, I had the mistaken impression that the 6-month deadline issued by the Registrar during the CMC on 2 April 2012 was the fixed and final deadline for the Applicants to file their Statutory Declaration.

...

I wish to state that this is a one-off incident contributed to by the several factors mentioned above, and that I have not overlooked such deadlines before...

9. Evidently, the solicitor in charge had mistaken the CMC timelines (issued at the CMC by the Registrar) for the statutory deadlines that apply regardless of these timelines issued at the CMC. The difference between CMC timelines issued at the CMC and statutory deadlines in the Trade Marks Rules have been explained in HMD Circular 4/2010. Even if the statutory deadline was *not* recorded on the firm's calendar, a solicitor would be aware of the plain application of the Trade Marks Rules and HMD Circular 4/2010. It appears that the solicitor is well aware of the same since she classified this incident as a "one-off" and that such deadlines had not been overlooked before. Whilst this appears to be a *bona fide* mistake, a mere assertion that there has been an oversight is obviously insufficient, unless there are other factors that merit an extension of time.
10. Taking guidance from the cases of *Tokai Maru, S3 Building Services Pte Ltd v Sky Technology* [2001] SGHC 87 ("*Sky Tech HC*") and *Sky Technology v S3 Building Services Pte Ltd* [2001] 3 SLR(R) 213 ("*Sky Tech CA*"), which concern extensions of

time for matters other than the delay in filing a notice of appeal, a key factor that the Registrar will consider is whether the grant of an extension of time would cause prejudice to the innocent party. However, I disagree with the Opponent's argument that the Registrar can only consider prejudice done to the innocent party. The case of *Anthony Wee* stands for the proposition that an applicant for extension of time cannot rely on the consequences of his default as a type of "prejudice" done to him (see [54]-[55]), but this does not mean that the Registrar *cannot* consider other types of prejudice to an applicant when deciding whether to exercise his discretion. The Registrar will have to consider the question of prejudice with a view to balancing both parties' competing interests and decide based on the justice of the case – see the Court of Appeal's dicta in *Sun Jin Engineering Pte Ltd v Hwang Jae Woo* [2011] 2 SLR 196 ("*Sun Jin*") at [30]:

In balancing the parties' competing interests, the court inevitably needs to consider the question of prejudice. Copious citation of case law will not be necessary (and will also not be helpful) as previous decisions will be no more than guides. In determining how the balance of interests should be struck...*it is the overall picture that emerges to the court as to where the justice of the case lies which will ultimately be decisive.* (emphasis added)

11. Prejudice has been described as some form of irreversible or permanent change of position (*AD v AE* and *Perdigao*) or something that cannot be compensated by an appropriate order as to costs: *Sky Tech HC* (no comment on appeal in *Sky Tech CA*); cited with approval in *Lee Hsien Loong*). The authorities cited by the Applicants show that extensions of time are only allowed for long and unjustified delays if no prejudice is done to the innocent party and/or if there are other considerations of justice based on the particular facts of the case. In *Hau Khee Wee*, a case involving an extension of time to file a notice of appeal, the court was alive to the fact that the appellant (an infant) had intended to appeal on the basis of some photographs that had not been admitted into evidence at trial, which "might have cast a very different complexion on the finding of the magistrate" (at [8]). In *Perdigao*, a case involving an appeal from the decision of the Registrar of Trade Marks that was filed out of time, the court noted that "the defendant itself conceded that the appeal was not hopeless and that no prejudice was suffered by it" (at [44]). In *Tham Keng Mun*, the court was of the view that the appellant's appeal was not hopeless and that the respondent was unable to substantiate its bare assertion that it would be prejudiced by the appellants' delay (at [30]-[33]). In *Tokai Maru*, the court held that the appellants had a reasonable defence on the face of the pleadings before the court (at [45]) and no prejudice had been caused to the respondents (at [39]).
12. In the present case, the Applicants have not explained how the filing of their client's statutory declaration would be vital to their case, neither have they presented any draft statutory declaration or explained the intended contents of their client's statutory declaration as at the date of the hearing, or to date. It is therefore difficult to see how the Applicants would be prejudiced other than having their Application Marks deemed withdrawn, which is a direct factual consequence of their default. It is not an automatic conclusion that the *effect* of this consequence is that the Applicants' case fails to be determined on its merits. It could very well be that the Applicants' case was unmeritorious to begin with. The onus is on the Applicants to convince the Registrar that they have a reasonable defence to the Respondents' allegations in their grounds of opposition. The manner in which such reasonableness may be demonstrated will vary depending on the particular facts and circumstances of each case.

13. The Applicants have briefly submitted that due to existing pending litigation in India, it was unlikely that the Respondents would believe that the Applicants would give up on the present opposition proceedings. However, an equally plausible explanation could simply be that the Applicants had decided to abandon the fight in Singapore and focus on the Indian market. The Applicants have not provided the Registrar with any evidence as to the Indian proceedings or the impact of such proceedings on the present opposition application.
14. The fact that the Application Marks are deemed withdrawn and that they cannot be cited against the Intervening Application is, again, a direct factual consequence of the Applicants' default. The fact that the Respondents were aware that the Application Marks had been cited against their Intervening Application *as of 13 December 2011* is irrelevant to the question of whether the Respondents had due notice of the Applicants' intention to continue with the opposition proceedings *after 28 January 2013* (the date of the Registrar's notification).
15. An intervening application by the innocent party for a similar mark for the same or similar services as the Applicants is but one of the factors that the Registrar will have regard to when deciding whether to exercise discretion to grant an application for extension of time. In *SOS*, the overall justice of the case was with the applicants, who had filed the request for extension of time just 13 days after the deadline and *before* the Registrar had issued the notification that the application trade mark was deemed withdrawn. The Registrar was also persuaded that both parties were well aware of the ongoing dispute between them, based on the particular facts of the case. It was in these circumstances that the Registrar felt the intervening application may have the effect of causing a premature determination of the rights of the parties.
16. On the facts of the present case, the Respondents had received the Registrar's notification dated 28 January 2013 informing them that the Application Marks had been deemed withdrawn *before* the Applicants had written in requesting for an extension of time on 8 February 2013. Even after receipt of the Registrar's notification, the Applicants waited a further 11 days before writing to the Registrar to request for an extension of time to file their evidence. Similarly, in *Sao Paulo*, the applicants made their application only after they were alerted by the Registrar's notice. In both these cases, a legitimate expectation that the opposition be dealt with in accordance with the rules of procedure had arisen, unless good and sufficient reasons displace this expectation: see *Sao Paulo* at [8]. The Registrar's notification on the deemed withdrawal of the applications and the failure to make a valid request for an extension of time would have led the Respondents to believe that the application was indeed withdrawn. Unfortunately, no good and sufficient reasons were given by the Applicants to displace this expectation.
17. Taking into consideration the particular facts and circumstances of this case, the public interest in the adherence to the rules of procedure and the sanctity of the Registrar's notification outweighs the Applicants' interest in defending the opposition proceedings. Furthermore, the long delay and the lack of good and sufficient reasons to justify such delay weighed heavily against the Applicants in this case.
18. By reason of the foregoing, the Applicants' application to restore Trade Mark Applications T1101446J, T1101447I, T1101448G and request for an extension of time to file their

statutory declaration are refused. The Respondents are awarded costs of S\$550, S\$450 being costs of preparation and S\$100 being costs for attendance. Such costs are to be paid by the Applicants to the Respondents within 1 month from the date of this letter.

Legislation discussed:

Trade Marks Rules (Cap 332, Rev. Ed. 2008), Rule 33, Rule 79, Rule 83

Cases referred to:

Martin Joseph Peter Myers v GSM (Operations) (Decision date: 26 June 2009)

KPR Singapore v PSE Asia-Pacific Pte Ltd (Decision date: 24 Nov 2010)

Hau Khee Wee and another v. Chua Kian Tong and another [1986] SLR 484

Lee Hsien Loong v Singapore Democratic Party and others and another suit [2008] 1 SLR(R) 757

The Tokai Maru [1998] 2 SLR(R) 646

Perdigao Agroindustrial SA v Barilla GER Fratelli-Societa Per Azioni [2009] SGHC 210

Management Corporation Strata Title Plan No. 2911 v. Tham Keng Mun and others [2011] 1 SLR 263

AD v AE [2004] 2 SLR(R) 505

Sao Paulo Alpargatas S.A. v But Fashion Solutions Comercio E Industria De Artigos Em Pele, LDA [2011] SGIPOS 16

SOS International A/S v AEA International Holdings Pte Ltd & Anor [2011] SGIPOS 10

Denko-HLB Sdn Bhd v Fagerdala Singapore Pte Ltd [2002] 3 SLR 357

Wee Soon Kim Anthony v UBS AG and others [2005] SGCA 3

Asian Aisle Pte Ltd v Ricegrowers Co-operative Limited [2002] SGIPOS 7

Neutrogena Corporation v Neutrogen Pte Ltd (Decision date: 14 March 2005)

Nomura Regionalisation Venture Fund Ltd v Ethical Investments Ltd [2000] 2 SLR(R) 926

S3 Building Services Pte Ltd v Sky Technology [2001] SGHC 87

Sky Technology v S3 Building Services Pte Ltd [2001] 3 SLR(R) 213

Sun Jin Engineering Pte Ltd v Hwang Jae Woo [2011] 2 SLR 196

Representation:

Ms May Tan (Yusarn Audrey) for the Applicants

Mr Prithipal Singh (Patrick Mirandah Co) for the Respondents (Trade Mark Opponents)