

**IN THE HEARINGS AND MEDIATION DEPARTMENT OF THE
INTELLECTUAL PROPERTY OFFICE OF SINGAPORE**

[2022] SGIPOS 12

Trade Mark No. 40201904038W

IN THE MATTER OF A TRADE MARK APPLICATION BY

SOCIÉTÉ DES PRODUITS NESTLÉ S.A.

... Applicant

AND OPPOSITION THERETO BY

THE A2 MILK COMPANY LIMITED

... Opponent

GROUNDS OF DECISION

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The a2 Milk Company Limited
v
Société des Produits Nestlé S.A.

[2022] SGIPOS 12

Trade Mark No. 40201904038W
Principal Assistant Registrar Tan Mei Lin
19 April 2022

12 July 2022

Principal Assistant Registrar Tan Mei Lin:

Introduction

1 This is an opposition action against trade mark application number



40201904038W for the trade mark (“**Subject Mark**”) sought to be registered for the goods set out below:

Class	Goods
5	Food and food substances for babies; infant formula; lacteal flour for babies; powdered milk for babies.
29	Milk and milk products; powdered milk; preparations and beverages based on milk; milk substitutes; milk beverages, milk predominating.

(“**Subject Application**”).

2 The a2 Milk Company (“**Opponent**”) is incorporated in New Zealand

and is listed on the NZX (New Zealand’s stock market) and on the Australian Stock Exchange. The Opponent produces a range of milk and milk products made from the milk of cows which only produce A2 type proteins and no A1 type proteins. The Opponent claims to be a pioneer in the production of dairy products made from the milk of cows which only produce A2 type proteins and no A1 type proteins.

3 Société des Produits Nestlé S.A. (“**Applicant**”) together with its local affiliated company, Nestlé Singapore (Pte) Ltd, are part of the Nestlé Group of Companies (“**the Nestlé Group**”). The Nestlé Group has more than 2,000 brands present in 191 countries around the world.

Procedural history

4 The Applicant applied to register the Subject Application on 25 February 2019 (“**Relevant Date**”).

5 The application was accepted and published on 31 May 2019 for opposition. The Opponent filed its Notice of Opposition to oppose the registration of the Subject Application on 25 September 2019. The Applicant filed its Counter-Statement on 22 November 2019.

6 The Opponent filed its evidence in support of the opposition on 22 September 2020. The Applicant filed its evidence in support of the application on 10 February 2021. The Opponent filed its evidence in reply on 23 December 2021 and 5 January 2022. Following the close of evidence, a pre-hearing review was held on 26 January 2022. The opposition was heard on 19 April 2022.

Grounds of opposition

7 The Opponent relies on Sections 8(2)(b) and 8(7)(a) of the Trade Marks Act 1998 (“**Act**”) in this opposition.

Opponent’s evidence

8 The Opponent’s evidence comprises the following:

(a) a Statutory Declaration made by Susan Massasso, Chief Growth and Brand Officer of the Opponent, on 21 September 2020 (“**Opponent’s 1st SD**”);

(b) a Statutory Declaration made by Dr. Andrew John Clarke on 22 September 2020 (“**Opponent’s 2nd SD**”);

(c) a Statutory Declaration in reply made by Jaron James McVicar, Chief Legal and Sustainability Officer and Company Secretary of the Opponent, on 10 December 2021 (“**Opponent’s 1st SD-in-reply**”); and

(d) a Statutory Declaration in reply made by the same Dr. Andrew John Clarke on 15 December 2021 (“**Opponent’s 2nd SD-in-reply**”).

Applicant’s evidence

9 The Applicant’s evidence comprises a Statutory Declaration made by Isabelle De Blic-Hamon, Senior Legal Counsel IP of the Applicant, on 14 January 2021 (“**Applicant’s SD**”).

Applicable law and burden of proof

10 There is no overall onus on the Applicant before the Registrar during examination or in opposition proceedings. The undisputed burden of proof in the present case falls on the Opponent.

Background

The Opponent

11 The Opponent is the registered proprietor in Singapore of numerous trade marks for “A2” and containing “A2” and “a2”. While the Opponent relies on the trade mark registrations set out in Annex 1 (collectively referred to as the “**Opponent’s Trade Marks**”) as earlier trade marks in these proceedings, the primary mark which the Opponent focussed on is the following:

TM No.	Trade Mark	Goods	Application Date
T1320092Z		<p><u>Class 05</u> Dried milk preparations being food for babies; milk powder for foodstuffs for babies; milk powder for nutritional purposes for babies; powdered milk foods for infants.</p> <p><u>Class 29</u> Milk and milk products, cream (dairy products), milk powder, full cream milk powder, skim milk powder, whey and whey products, butter, cheese, milk beverages, other dairy products in this class.</p>	12/12/2013

(“**A2 Word Mark**”). I will do the same in this decision as I agree that the A2 Word Mark represents the Opponent’s best case in that if the Subject Mark is not similar to it, the rest of the Opponent’s Trade Marks would be even more dissimilar.

The Applicant

12 The Applicant, is the registered proprietor in Singapore of trade marks consisting of and containing “S-26” including amongst others, the following:

No.	TM No.	Trade Mark	Goods	Application Date
1	T0909451G	S-26	Class 5: Infant and nutritional formulas. Class 29: Milk and dairy products.	21/08/2009
2	T9902115H	S-26 MAMA	Class 5: Nutritional supplement for pregnant and lactating women; all included in Class 5.	04/03/1999
3	T1412359G	S-26 ULTIMA	Class5: Formulated milk; food for babies.	06/08/2014
4	T0104479J	S-26 GOLD	Class 5: Infants' and invalids' foods and feeding preparations and nutritional formulas for infants, older babies and toddlers in International Class 5.	28/03/2001

13 The Applicant contends that “S-26” is its house mark and that as of the

Relevant Date, its “S-26” marks are already well known in Singapore and have become exclusively synonymous with the Applicant’s business and goods.

Ground of opposition under Section 8(2)(b)

14 Section 8(2)(b) of the Act reads:

8.—(2) A trade mark shall not be registered if because —

...

(b) it is similar to an earlier trade mark and is to be registered for goods or services identical with or similar to those for which the earlier trade mark is protected,

there exists a likelihood of confusion on the part of the public.

15 To succeed in an opposition under this ground, the opponent must establish that:

(a) the competing marks are similar;

(b) the goods and services of the competing marks are identical or similar; and

(c) there exists a likelihood of confusion arising from the similarities in (a) and (b) above.

16 These conditions are assessed “step-by-step.” As stated by the Court of Appeal in the landmark decision of *Staywell Hospitality Group Pty Ltd v Starwood Hotels & Resorts Worldwide, Inc and another and another appeal* [2014] 1 SLR 911 (“*Staywell*”) at [15]:

... Under the step-by-step approach, the three requirements of similarity of marks, similarity of goods or services, and likelihood of confusion arising from the two similarities, are assessed systematically. The first two elements are assessed individually before the final element which is assessed in the round.

17 Each step, or element, in the sequence must be cleared before moving on to the next. If the marks are found to be dissimilar, the inquiry ends, and the opposition under Section 8(2)(b) of the Act will fail. The same applies for the second step: if the respective goods/services are found to be dissimilar, the opposition under this section will likewise fail. It is only if these first two steps are crossed that it falls to be considered, under the third step, whether there exists a likelihood of confusion on the part of the public.

Similarity of Marks

18 The key principles relating to the evaluation for marks-similarity have been set out in a number of decisions of the Court of Appeal, including *Staywell* and *Hai Tong Co (Pte) Ltd v Ventree Singapore Pte Ltd* [2013] 2 SLR 941 (“***Hai Tong***”). These can be summarised as follows:

(a) There are three aspects of this evaluation, namely, visual, aural and conceptual similarities. These aid the court’s evaluation by signposting its inquiry. There is no requirement that all three similarities (visual, aural, and conceptual) need to be made out before the marks or signs being compared may be found to be similar. The relative importance of each aspect of similarity will depend on the circumstances, including the nature of the goods and the types of marks involved and a trade-off can be made between the three aspects of similarity. (*Hai Tong* at [40].)

(b) When assessing two contesting marks or signs, the court does so with the “*imperfect recollection*” of the average consumer. The two marks or signs should not be compared side by side or examined in detail because “*the person who is confused often makes comparison from memory removed in time and space from the marks*”. (*Hai Tong* at [40].)

- (c) Further, the assessment of marks-similarity is “mark-for-mark without consideration of any external matter” (*Staywell* at [20].)

The distinctiveness of the A2 Word Mark

19 The parties do not dispute that a mark which has greater technical distinctiveness enjoys a high threshold before a competing sign will be considered dissimilar to it. (*Staywell* at [25]). The Opponent did not argue that the A2 Word Mark enjoys such a high threshold. However, the Applicant contends that “*the term “A2” is not capable of functioning as a trade mark or be regarded as an indicator of origin*”¹ and as such “*the amount of ... alteration that is required for a later mark to be considered to be dissimilar to it is not very high*”².

20 According to the Applicant, “A2” is a descriptive term that is often used by traders and the relevant public in Singapore to refer to milk with only A2 beta-casein protein type and this is supported by evidence such as:

- (a) Macquarie Dictionary, which defines the term “A2” as “milk which contains only A2 beta-casein proteins, thought to be less allergenic than milk which contains A1 proteins;
- (b) Articles from third-party websites and academic journals regarding milk that contain the A2 beta-casein protein type in the time period between 2005 to 2016;
- (c) Examples of milk and dairy products with the A2 beta-casein protein type that are produced by various traders and manufacturers.

¹ AWS at [51].

² AWS at [51].

21 The Opponent disputes the Applicant’s contentions. Further, the Opponent takes issue with the fact that the Applicant has produced no evidence to show that the average consumer in Singapore understands “A2” to be a descriptive term.

22 I agree that the Applicant’s evidence does not assist me much in gauging the extent of awareness among the Singaporean public of the term “A2” in relation to milk or milk products. In addition, I do not think it is open to the Applicant to argue that the A2 Word Mark is totally devoid of distinctiveness (or that it is purely descriptive). In opposition and invalidity proceedings based on relative grounds it is necessary to acknowledge a certain degree of distinctiveness of an earlier trade mark. I must therefore proceed on the basis that the A2 Word Mark is distinctive.

23 Nonetheless, trade marks possess varying degrees of inherent distinctive character, ranging from very low, because they are descriptive or allusive of a characteristic of the goods or services, to those with high inherent distinctive character, such as invented words with a high degree of originality and no descriptive or allusive qualities.

24 The A2 Word Mark is a simple trade mark consisting of a combination of a single letter and a single numeral in plain font. Such a trade mark is certainly not one that can be said to have greater technical distinctiveness—in fact, I would say its distinctiveness is low. This is so even without needing to consider whether the average consumer in Singapore would understand the term “A2” to be associated with milk in the descriptive sense. Consequently, the A2 Word Mark does not enjoy a high threshold before a competing sign will be considered dissimilar to it.

25 The Opponent did not argue that its mark has acquired enhanced distinctiveness as a result of the use made of it and whether this is a relevant factor when assessing mark similarity. I therefore do not consider this.

Visual similarity

26 The marks under comparison are reproduced below for ease of reference.

Subject Mark	A2 Word Mark
	

27 It is the Opponent’s case that the dominant component of the Subject Mark is the word “Pro-Atwo”. In its view, although the Subject Mark comprises the words “S-26 Pro-Atwo” encapsulated within an ellipse device, the ellipse device is non-descript and would not be viewed as distinctive and dominant. As for the words in the Subject Mark, the use of a fanciful “bubble” font for “Pro-Atwo” in contrast to a solid black, plain font for “S-26” causes “Pro-Atwo” to be more prominent and stand out more visually, compared to “S-26”. The Opponent further contends that the presence of “S-26” in the Subject Mark is insufficient to render it visually more dissimilar than similar to the A2 Word Mark. This is because “S-26”, being a combination of a letter and a number, does not possess a high distinctive character in the technical and non-technical sense.

28 I disagree. The Subject Mark is a composite mark containing three elements—the ellipse device, the letter and numeral combination, “S-26”, and

the word “Pro-Atwo”. Even if I accept the Opponent’s argument that the ellipse device is non-descript and would not feature in the average consumer’s imperfect recollection of the mark, the same certainly cannot be said of the element “S-26”. In my view, the “S-26” element stands out visually due to its size and the fact that it is in solid black font. On the other hand, the word “Pro-Atwo” is much smaller in size and appears only in outline. The word is thus harder to discern as it blends into the background. In the technical sense, “S-26”, is also distinctive as it has no meaning in relation to the goods concerned. I therefore see no reason why consumers would ignore the “S-26” element. Overall, I am of the view that both elements contribute to the consumer’s impression of the Subject Mark.

29 Bearing the above in mind, I am unable to see how the Subject Mark is visually similar to the A2 Word Mark. The A2 Word Mark is a single letter and single numeral mark. The Subject Mark, on the other hand, clearly is not. It has at least two components displayed over two lines and each of the two components is longer than the A2 Word Mark. In my view the marks are visually dissimilar.

30 The Opponent relies on *GCIH Trademarks Limited v Hardwood Private Limited* [2021] SGIPOS 6 (“**GCIH**”) and *Louis Vuitton Malletier v Human Horizons Holding (Shanghai) Co., Ltd.* [2021] SGIPOS 13 (“**Human Horizons**”) for the proposition that the presence of “S-26” is insufficient to render the Subject Mark more visually dissimilar than similar.

31 In *GCIH* the marks concerned were:

Opposed Mark	Earlier Trade Mark
OT Tango	TANGO

The learned Principal Assistant Registrar Gabriel Ong found that the addition of “OT” was insufficient to render the marks visually dissimilar, even though he found that “OT” was distinctive.

32 In *Human Horizons* the marks concerned were:

Opposed Mark	Earlier Trade Mark
HUMAN HORIZONS	HORIZON

The learned IP Adjudicator Adrian Tan noted that “*the word “human” appears first, and therefore has prominence*” and that he “[*did*] not think that either component dominates the other” (at [37]); nonetheless, he concluded that the marks were visually similar.

33 I do not find the cases helpful. The cases concern marks with a common element. In the present case, the marks do not have any common element. As submitted by the Opponent, “Atwo” in the Subject Mark is represented visually with the numeral “2” spelt out in word form, i.e. “two”. In my view this variation means that “Atwo” would not necessarily be perceived as “A2” or even “A Two”. It might just be perceived as a meaningless invented word. I therefore

find that the Subject Mark does not incorporate the “A2” element of the A2 Word Mark, at least visually.

Aural similarity

34 There are two possible approaches in the assessment of aural similarity. One approach is to consider the dominant and distinctive components of the mark (“**Dominant Component Approach**”) and the other is to undertake a quantitative assessment as to whether the competing marks have more syllables in common than not (“**Quantitative Approach**”) (*Staywell* at [31] and [32]).

35 In advancing its case on aural similarity, the Opponent focusses on the Dominant Component Approach. As with its case on visual similarity, the Opponent argues that the dominant component of the Subject Mark is “A2”. In its submission, the marks are similar in that they have this same dominant component.

36 Again, I am unable to agree with the Opponent. The Subject Mark clearly has another component “S-26” which to my mind is *at least* equally aurally significant. “S-26” does not describe any characteristic of the goods. When read, “S-26” would not be slurred and when heard, it would stand out to the ear as much as the other components of the Subject Mark, even if the last component is read as “A2”. This means that the Subject Mark does not have a dominant component, and as such, the Dominant Component Approach does not assist the Opponent. In my view, the marks are aurally more dissimilar than similar. Even if I find that there is aural commonality in the “Atwo/A2” element of the respective marks (which I do not), the “S-26” component and the prefix “Pro” in “Pro-Atwo” of the Subject Mark differentiates it from the A2 Word Mark.

37 The same result would be reached applying the Quantitative Approach. The Subject Mark has seven syllables whereas the A2 Word Mark has two. Consequently, the marks do not have more syllables in common than not.

38 The Opponent tried to persuade me that adopting the Quantitative Approach in the present case would result in what the learned IP Adjudicator David Llewelyn in *Guccio Gucci S.p.A. v Guccitech Industries (Private Ltd)* [2018] SGIPOS 1 (“*Guccitech*”) cautioned against at [27]:

I do not consider that it is appropriate or helpful when considering a composite mark comprised of different elements of widely varying degrees of distinctiveness (or, to put it in the converse, descriptiveness) to conduct a simple syllable count. To do so could have the consequence that a later mark could be differentiated sufficiently from a third party’s distinctive earlier mark incorporated in it merely by adding sufficient matter of a descriptive nature as to overwhelm in purely quantitative terms the distinctive element that comprises the opponent’s earlier mark: for example, a later mark comprising NIKE: MAKES YOU RUN BETTER would then be more dissimilar than similar to NIKE even though the only distinctive part of the later mark is the word NIKE.

39 I do not find *Guccitech* helpful for the present set of marks. In *Guccitech*, the comparison was between the two syllable GOO-CHEE and the three syllable GOO-CHEE-TEK. The learned IP Adjudicator found that the dominant and distinctive part of the contested mark remains GOO-CHEE notwithstanding the presence of the additional matter –TEK which was descriptive and thus concluded that there was aural similarity. In the present case, however, it is my finding that the additional matter (“S-26”) is not descriptive and the alleged “common element” is not the only distinctive element in the Subject Mark.

Conceptual similarity

40 The conceptual analysis “*seeks to uncover the ideas that lie behind and inform the understanding of the mark as a whole*”. (*Staywell* at [35].)

41 The Opponent submits two alternative arguments here. Its first submission is that the arrangement of “Atwo” as the last word of the Subject Mark could convey to the consumer that the “S-26 Pro-Atwo” is another type of “A2”, whatever “A2” means. The concept of “A2” thus runs through both the Subject Mark and the A2 Word Mark. Its second argument is that the marks are conceptually neutral since both are not ordinary English words.

42 I am inclined towards the view that the marks are conceptually neutral. Some consumers may know that “A2” could describe a beta-casein protein in milk and for these consumers, the A2 Word Mark would convey this meaning. However, for consumers who are not aware of this information, they would find the A2 Word Mark to be meaningless. As for the Subject Mark, which is a composite mark, I bear in mind that consumers do not dissect marks and conceptualise them based on their separate components. The Court of Appeal in *Staywell* at [35] cautioned that greater care is needed in considering what the conceptually dominant component of a composite mark is, because the idea connoted by each component might be very different from the sum of its parts. As a whole, in my view, the Subject Mark does not convey any particular idea.

Conclusion on marks-similarity assessment

43 I have found that the Subject Mark and A2 Word Mark are (a) visually dissimilar; (b) aurally more dissimilar than similar; and (c) conceptually neutral. Overall, I find that the marks are more dissimilar than similar.

44 My conclusion that the Subject Mark is overall more dissimilar than similar to the A2 Word Mark applies, with the appropriate modifications, to the rest of the Opponent’s Trade Marks as well, each of which is even more dissimilar to the Subject Mark.

Conclusion on opposition under Section 8(2)(b)

45 Since the similarity of competing marks is a threshold requirement that had to be satisfied before the confusion inquiry is undertaken (*Staywell* at [15]), my finding at [43] and [44] disposes of the opposition under Section 8(2)(b). This ground of opposition therefore fails.

Ground of Opposition under Section 8(7)(a)

46 Section 8(7)(a) of the Act reads:

(7) A trade mark shall not be registered if, or to the extent that, its use in Singapore is liable to be prevented —

(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...

47 To succeed on the ground of opposition under section 8(7)(a), an opponent must establish the classical trinity of goodwill, misrepresentation and damage (*Novelty Pte Ltd v Amanresorts Ltd and another* [2009] 3 SLR(R) 216 (“*Amanresorts*”) at [37] and affirmed in *Singsung Pte Ltd v LG 26 Electronics Pte Ltd (trading as L S Electrical Trading)* [2016] 4 SLR 86 (“*Singsung*”) at [28]).

48 I will start with the element of misrepresentation for reasons that will become clear. Under this element, the Opponent must show that the use of the Subject Mark, in a normal and fair manner in respect of the goods for which registration is sought, amounts to a misrepresentation. The misrepresentation

(whether intentional or not) must be such that it would lead or be likely to lead the public into believing that the goods (in respect of which registration is sought) are the goods of the Opponent or from a commercially related trade source.

49 The Court of Appeal in *The Singapore Professional Golfers' Association v Chen Eng Waye and others* [2013] SGCA 18 further elaborated at [20]:

... It will then be necessary to consider, amongst other factors, whether there is such a similarity between the corresponding element that is being used by the defendant on the one hand and by the claimant on the other such that in all the circumstances, it is sufficiently likely to result in the relevant segment of the public being deceived or confused into thinking that the defendant's goods or services are, or emanate from a source that is linked to, the claimant's...

50 Given my finding at [43] that the Subject Mark is more dissimilar than similar to the A2 Word Mark and at [44] that it is even more dissimilar to the rest of Opponent's Trade Marks, I do not consider there is any realistic possibility of deception being caused by any misrepresentation inherent in the use by the Applicant of the Subject Mark in relation to any goods falling with the Subject Mark's specification.

Conclusion on opposition under Section 8(7)(a)

51 The ground of opposition under Section 8(7)(a) therefore fails.

Overall Conclusion

52 Having considered all the pleadings and evidence filed and the submissions made in writing and orally, I find that the opposition fails on all grounds. The Applicant is entitled to its costs to be taxed, if not agreed.

The a2 Milk Company Limited v Société des Produits Nestlé S.A.

[2022] SGIPOS 12

Tan Mei Lin
Principal Assistant Registrar

Ms Gloria Goh (Allen & Gledhill LLP) for the Opponent;
Mr Stanley Lee and Ms Elica Wong (ZICO Insights Law LLC)
for the Applicant.

ANNEX 1

Opponent's Trade Marks

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
1		T1320092Z	<p><u>Class 05</u> Dried milk preparations being food for babies; milk powder for foodstuffs for babies; milk powder for nutritional purposes for babies; powdered milk foods for infants.</p> <p><u>Class 29</u> Milk and milk products, cream (dairy products), milk powder, full cream milk powder, skim milk powder, whey and whey products, butter, cheese, milk beverages, other dairy products in this class.</p>	12/12/2013
2	THE a2 MILK COMPANY	T1404738F	<p><u>Class 05</u> Infant foods; milk and milk powder for infants; dietetic foods and beverages.</p>	28/03/2014 (24/02/2014)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			<p><u>Class 29</u> Milk and milk products in this class; food made principally from milk; food preparations consisting wholly or substantially wholly of milk; foods made from milk products; products made wholly or principally of milk.</p>	
3	TRUE A2	T1413693A	<p><u>Class 29</u> Milk and milk products, cream (dairy products), milk powder, full cream milk powder, skim milk powder, whey and whey products, butter, cheese, milk beverages.</p>	26/08/2014
4		40201503914P	<p><u>Class 05</u> Infant foods; milk and milk powder for infants; dietetic foods and beverages.</p> <p><u>Class 29</u> Milk and milk products in this</p>	03/09/2014

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			class; other goods in this class which consists predominantly of milk or milk products as ingredients.	
5	a2 MILK	40201610396P	<p><u>Class 05</u> Food for infants; milk and milk powder for infants; dietetic foods and beverages.</p> <p><u>Class 29</u> Milk powder; Milk; Cream; Butter; Cheese; Yoghurt; Milk beverages, milk predominating.</p>	28/06/2016
6	a2tonishing	40201615752X	<p><u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods and beverages.</p> <p><u>Class 29</u> Milk powder; milk; butter; cheese; cream; yoghurt; milk beverages, milk predominating.</p>	15/07/2016 (12/04/2016)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
7		40201616122Y	<p><u>Class 05</u> Food for infants; milk and milk powder for infants; dietetic foods and beverages.</p> <p><u>Class 29</u> Milk powder; milk; cream; butter; cheese; yoghurt; milk beverages, milk predominating.</p>	30/09/2016
8		40201700208Q	<p><u>Class 05</u> Food for infants; powdered milk for babies; dietetic beverages adapted for medical use; animal semen; diagnostic preparations for veterinary purposes for detecting genetic predispositions; diagnostic test reagents for veterinary use.</p> <p><u>Class 29</u> Milk powder; milk; cream; butter; cheese; yoghurt; milk beverages, milk predominating</p>	06/07/2016 (16/06/2016)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			<p><u>Class 30</u> Ice cream, frozen yoghurt; ices; frozen desserts.</p> <p><u>Class 44</u> Veterinary services; animal breeding; providing information relating to animal breeding; genetic testing of animals for breeding purposes; breeding and stud services for animals.</p>	
9		40201704565Q	<p><u>Class 05</u> Food for infants; powdered milk for babies; dietetic beverages adapted for medical use; animal semen; diagnostic preparations for veterinary purposes for detecting genetic predispositions; diagnostic test reagents for veterinary use.</p> <p><u>Class 29</u> Milk powder; milk; butter; cheese;</p>	22/07/2016 (01/07/2016)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			<p>yoghurt; milk beverages, milk predominating.</p> <p><u>Class 30</u> Ice cream, frozen yoghurt; ices; frozen desserts.</p> <p><u>Class 44</u> Veterinary services; animal breeding; providing information relating to animal breeding; genetic testing of animals for breeding purposes; breeding and stud services for animals.</p>	
10		40201716521W	<p><u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods adapted for medical purposes; dietetic beverages adapted for medical purposes; nutritional supplements; protein dietary supplements.</p> <p><u>Class 29</u></p>	01/06/2017 (10/05/2017)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			<p>Milk powder; milk; butter; cheese; cream; yoghurt; milk beverages, milk predominating</p> <p><u>Class 30</u> Ice cream, frozen yoghurt; ices; frozen ice desserts</p>	
11		40201716587V	<p><u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods adapted for medical purposes; dietetic beverages adapted for medical purposes; nutritional supplements; protein dietary supplements</p> <p><u>Class 29</u> Milk powder; milk; butter; cheese; cream; yoghurt; milk beverages, milk predominating</p> <p><u>Class 30</u> Ice cream, frozen yoghurt; ices; frozen desserts.</p>	01/06/2017 (10/05/2017)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
12		40201716588T	<p><u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods adapted for medical purposes; dietetic beverages adapted for medical purposes; nutritional supplements; protein dietary supplements.</p> <p><u>Class 29</u> Milk powder; milk; butter; cheese; cream; yoghurt; milk beverages, milk predominating</p> <p><u>Class 30</u> Ice cream, frozen yoghurt; ices; frozen desserts.</p>	01/06/2017 (10/05/2017)
13		40201716589R	<p><u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods adapted for medical purposes; dietetic beverages adapted for medical purposes; nutritional</p>	01/06/2017 (10/05/2017)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			supplements; protein dietary supplements <u>Class 29</u> Milk powder; milk; butter; cheese; cream; yoghurt; milk beverages, milk predominating <u>Class 30</u> Ice cream, frozen yoghurt; ices; frozen desserts	
14	a2 Store	40201720873X	<u>Class 05</u> Food for infants; powdered milk for babies; dietetic foods adapted for medical purposes; dietetic beverages adapted for medical purposes; dietary and nutritional supplements; protein dietary supplements. <u>Class 09</u> Computer software; downloadable computer software applications; downloadable electronic publications	24/10/2017 (26/09/2017)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			<p><u>Class 29</u> Milk powder; milk; butter; cheese; cream; yoghurt; milk beverages, milk predominating</p> <p><u>Class 30</u> Ice cream; edible ices; frozen yoghurt; desserts, namely, bakery desserts, dessert puddings, and frozen ice desserts; pastries; confectionery</p> <p><u>Class 35</u> Retail services; online retail store services; wholesale services; advertising; promotional services; organisation and management of customer loyalty programs.</p>	
15	a2 PLATINUM	40201721812Y	<p><u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods adapted for medical purposes; dietetic</p>	03/11/2017 (24/10/2017)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			beverages adapted for medical purposes; nutritional supplements; protein dietary supplements; powdered nutritional supplement drink mixes; dietary supplemental drinks; protein powder. <u>Class 29</u> Milk powder; milk; cream; butter; cheese; yoghurt; milk beverages, milk predominating; whey; dry whey.	
16	a2 Only	40201722474T	<u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods adapted for medical purposes; dietetic beverages adapted for medical purposes; nutritional supplements; protein dietary supplements;	14/11/2017 (20/10/2017)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			<p>powdered nutritional supplement drink mixes; dietary supplemental drinks; protein powder; milk-based protein drinks.</p> <p><u>Class 29</u> Milk powder; milk; butter; cheese; cream; yoghurt; milk beverages, milk predominating; whey; dry whey; protein powder (meat substitute) for use as a food additive.</p> <p><u>Class 30</u> Ice cream; frozen yoghurt; edible ices; desserts, namely, bakery desserts, dessert puddings, and frozen ice desserts; pastries; confectionery.</p>	
17	a2 True	40201803409X	<p><u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods</p>	23/02/2018 (18/01/2018)

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			<p>adapted for medical purposes; dietetic beverages adapted for medical purposes; nutritional supplements; powdered nutritional supplement drink mixes; dietary supplemental drinks; protein dietary supplements; protein powder.</p> <p><u>Class 29</u> Milk powder; milk; butter; cheese; cream; yoghurt; milk beverages, milk predominating; milk-based protein drinks; whey; dry whey; protein powder for use as meat substitute.</p>	
18	True a2	40201805656V	<p><u>Class 05</u> Food for infants; milk and powdered milk for infants; dietetic foods adapted for medical purposes; dietetic beverages adapted</p>	26/03/2018

No.	Trade Mark	Trade Mark No.	Goods	Application Date (Priority Date)
			for medical purposes; nutritional supplements; powdered nutritional supplement drink mixes; dietary supplemental drinks; protein dietary supplements; protein powder (dietary supplements).	