

TRADE MARKS ACT 1994

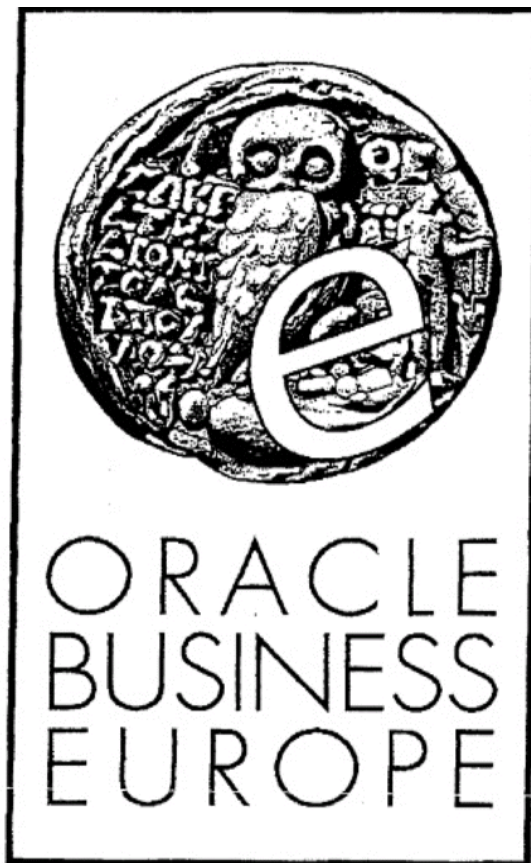
**IN THE MATTER OF APPLICATION No 12541
BY ORACLE CORPORATION FOR A DECLARATION OF INVALIDITY
IN RESPECT OF TRADE MARK No 2249175
IN THE NAME OF ORACLE BUSINESS INFORMATION LIMITED**

TRADE MARKS ACT 1994

**IN THE MATTER OF Application No 12541
by Oracle Corporation for a Declaration of Invalidity
in respect of Trade Mark No 2249175
in the name of Oracle Business Information Limited**

BACKGROUND

1. Trade mark number 2249175 is for the following trade mark -



and is registered for the following specification of services in Class 35 - "Organising of conferences and of exhibitions, all relating to commercial, trade or business matters." The mark stands registered from the filing date of 17 October 2000.

2. On 31 May 2001 Oracle Corporation (the applicant) applied for the invalidation of the trade mark registration. In summary, the grounds of invalidation were as follows:-

(i) The registration is invalid under Section 47(2)(a) of the Act because of the following earlier UK trade mark registrations owned by the applicant:-

TRADE MARK	REGISTRATION NO.	REGISTRATION DATE	GOODS AND SERVICES
ORACLE	1564104	2 MARCH 1994	Class 35: Data processing services; technical assistance to business in the field of computers, computer software, database development and design, information processing and management, communications and business operations; management consulting and business management assistance services relating to computers, computer software and computer systems; arranging and conducting trade shows; all included in Class 35.
ORACLE	1564107	2 MARCH 1994	<p>Class 16: Books, manuals, user guides, magazines, newsletters, technical publications and printed matter, all relating to computers, computer software and their use and applications; all included in Class 16.</p> <p>Class 35: Data processing services; technical assistance to businesses in the field of computers, computer software, database development and design, information processing and management, communications and business operations; management consulting and business management assistance services relating to computers, computer software and computer systems; arranging and conducting trade shows; all included in Class 35.</p> <p>Class 36: Financing, insurance and brokerage services with respect to computers, computer software, computer systems and computer peripheral devices; all included in Class 36.</p> <p>Class 41: Education, instructional and training services; planning of and participation in conferences and seminars; all relating to computers, computer software and databases; all included in Class 41.</p>


In light of the above registrations the applicant contends that the conditions of Section 5(2)(b) of the Act Apply.

(ii) The registration is invalid under Section 47(2)(a) of the Act because of the following earlier trade marks registrations owned by the applicant - Numbers 1313522, 1369833, 1561374, 2057267, 2101538, 2152161, 1561795, 1564103, 1564107 (all goods and services except those in Class 35), 1564105, 2115435 and 1282825. Details of these registrations are at Annex One to this decision. In light of these aforementioned registrations the applicant contends that the conditions of Section 5(3) of the Act apply.

(iii) The registration is invalid under Section 47(2)(b) of the Act in that the applicant possesses an earlier right to which the condition set out in 5(4) of the Act is satisfied, in particular that its use would be prevented by the law of passing off under Section 5(4)(a).

(iv) The registration is invalid under Section 47(1) of the Act because the registered mark applied for in bad faith as the respondent was aware of the substantial reputation of the applicant in relation to the applicant's mark.

3. The registered proprietor filed a counterstatement denying the grounds of invalidity and drew attention to the following UK trade mark registration owned by the proprietor and predating the opponent's registrations:-

MARK	REGISTRATION NUMBER	REGISTRATION REFERENCE	SPECIFICATION OF SERVICES
 <p data-bbox="60 1003 335 1030">SERIES OF TWO MARKS</p>	B1298242	20 JANUARY 1987	Organising of business conferences, included in Class 35.

The proprietors state that this earlier mark has been used continuously since registration in January 1987 and that the registration in suit is merely an updating of this earlier registration incorporating all the same distinctive elements and covering the same services. They add that the applicant is aware of the registered proprietors earlier registered right following correspondence in July 2000 and thereafter initiated by the proprietors.

4. Both sides have asked for an award of costs and the applicant for revocation has filed evidence. The matter came to be heard on 10 January 2002 when the applicant was represented by Mr Jones of Baker McKenzie and the registered proprietor was represented by Ms Whelbourn of JE Evans Jackson.

Applicant's Evidence

5. This comprises two witness statements, one by Michael J Poplack and the other by Ross Mac Murchy, dated 10 August 2001 and 13 August 2001 respectively.

6. Mr Poplack is the Vice President and Associate General Counsel of Oracle Corporation (Oracle). He asserts that Oracle is the world's second largest software company and that Oracle and its subsidiaries, including Oracle Corporation (UK) Limited (Oracle UK) and affiliates, design and develop, market and support computer software products with a wide

variety of uses, including database management and network products, applications, development productivity tools, end user applications and end to end e-business solutions. He adds that Oracle offers consulting, education, support and systems integration services to back up its customer's use of ORACLE software products throughout the UK and elsewhere throughout the world.

7. Mr Poplack states that Oracle has operated its business throughout the world since at least 1979 and that Oracle's annual world-wide gross revenue now exceeds 10 billion US dollars, with expenditure on world-wide sales and marketing amounting to US \$ 2,616,749,000 in 2000. He explains that the considerable sums spent by Oracle on sales and marketing activities include the production of catalogues and sales materials, corporate and product specific advertising, product training and education, seminar presentations, industry and consumer shows, publication of the "Oracle Magazine" and annual local marketing meetings with sales representatives and customers. He adds that the "Oracle Magazine" has been published in the UK since at least 1992 and at Exhibit MJPS to Mr Poplack's declaration is a copy of the November/December 1999 edition.

8. Next, Mr Poplack turns to Oracle's specific involvement in the UK which, he states, commenced in 1984 when Oracle UK was incorporated. He adds that details of the use and reputation of oracle and its trade marks in the UK are set out in the witness statement of Ross Mac Murchy.

9. Mr Poplack goes on to state that Oracle has had customers in the UK since at least 1986 and that the trade marks ORACLE and ORACLE E-BUSINESS SUITE (launched 20 March 2000) have been extensively used in the organisation of conferences and exhibitions on the subject of e-business and computer software in the UK. He adds that Oracle advertises extensively throughout the UK, using its well known slogan - "ORACLE - the e-business engine". At Exhibit MJP15 to Mr Poplack's statement are examples of advertisements showing Oracle's use of this slogan which appeared in Fortune Magazine on 24 May 1999. In addition at Exhibit MJP16, Mr Poplack attaches copies of Internet press releases to demonstrate that Oracle has organised and promoted e-business conferences and exhibitions within the UK. Mr Poplack also states that Oracle uses its mark in respect of what it markets as "ORACLE Technology network" which has been active since 1999 and consists of a service provided by Oracle to allow online discussions, provision and exchange of information on ORACLE e-business and other products. Exhibit MJP17 contains copies of press releases in relation to this service.

10. Mr Mac Murchy is the Company Secretary of Oracle Corporation (UK) Limited (Oracle UK). He states that in the UK, some of the major clients supported by Oracle's software are Unilever, GlaxoSmithKline, Rover Group, BT Conferencing, Royal Air Force, British Airways, Barclays, Lloyds, Marconi, Royal Dutch Shell Group and Shell Oil Company. Mr Mac Murchy draws attention to Exhibit RM2 to his statement comprising copies of advertisements stating how Oracle customers have implemented and benefited from its e-business products. These include, The Labour Party, Virgin Direct, The Halifax and Barclays.

11. Next Mr Mac Murchy goes on to list the annual turnover of Oracle UK in the UK as follows:-

Fiscal Year	UK annual revenue (£)
1995	208,236,000
1996	243,020,000
1997	334,641,000
1998	297,915,000
1999	357,348,000
2000	316,719,000

12. Turning to marketing and advertising, Mr Mac Murchy states that Oracle UK spends considerable sums on sales and marketing activities, including the production of catalogues and sales materials, corporate and product-specific advertising, product training and education, technical writing, publication of *"The Oracle"* magazine, seminar presentations; trade specific, industry and consumer shows: annual local marketing meetings with its sales representatives and customers, and activities within the community. He adds that Oracle UK advertises extensively throughout the United Kingdom in a variety of publications including national and international newspapers, industry and trade periodicals and e-business periodicals. Example of publications, include the Financial Times The Economist, The Times, The Daily Telegraph, The Independent, The Wall Street Journal Europe, Director Magazine (IOD Publication) Business Voice (CBI Publication), Time Magazine and News Week. Examples of TV advertising include, BBC World, CNN, and sponsored TV shows. Other forms of advertising include at Airports, Taxi sponsorship, Railway Stations and National poster campaigns. Attached and marked "**Exhibit RM3**" to Mr Mac Murchy's statement are examples of advertisements showing use by Oracle and Oracle UK of their well known slogan "*ORACLE - software powers the Internet*". The advertisements appeared in *Computer World* on 19 July 1999, in *Automotive News* on 24 July 2000. Attached and marked "**Exhibit RM4**" are a number of advertisements including those from the 'Just the facts' campaign which have appeared in various publications throughout the UK.

13. Mr Mac Murchy goes on to state that Oracle UK also perceives extensive press coverage by means of articles, which appear in leading newspapers and computer trade journals and that Oracle has been the subject of hundreds of feature/cover articles and editorials in national and international publications, which had worldwide circulation. Attached and marked "**Exhibit RM5**" to Mr Mac Murchy's statement is a bundle of articles and press releases from April and May 2000. There are also a large number of articles/press releases available from the Oracle and Oracle UK web-site, which relate to the Oracle and Oracle UK e-business products and services. Attached and marked "**Exhibit RM6**" is a detailed list of numerous press releases/articles from November 1999 - October 2000.

14. Mr Mac Murchy states that the approximate total amount spent annually on advertising and publication expenses for promotion of the goods sold under the mark ORACLE since 1998 is £50 million.

15. Mr Mac Murchy says that Oracle UK organises and participates actively in numerous trade shows, seminars, exhibitions and conferences in the United Kingdom, all of which result in considerable exposure of customers and potential customers to the ORACLE marks and the mark ORACLE E BUSINESS SUITE. Attached and marked "**Exhibit RM9**" to his statement are copies of press releases dated 21 April 1999 and 4 May 2000, which relate to iDevelop2000 conferences held in the UK in 1999 and 2000. iDevelop2000 is a series of conferences organised and held throughout the world. The conference is Oracle's premier event for the Internet developer's community where there are specific sessions held on Oracle's and Oracle UK end-to-end e-business applications. Mr Mac Murchy adds that Oracle's most significant conference is *OpenWorld*, which has been held in the United Kingdom and Europe. Attached and marked "**Exhibit RM10**" to his statement is a copy of 1997 Oracle OpenWorld programme. This programme shows that *Oracle ExpoI*, a smaller conference along the same lines as Oracle's *OpenWorld* conference, was held in 1998 in the UK. The *Oracle Expo* conference is organised and held by Oracle UK.

Attached at "**Exhibit RM11**" are examples of Oracle and Oracle UK ORACLE E-BUSINESS SUITE presentations. The presentations have been held at a variety of conferences organised by Oracle and Oracle UK. Furthermore attached at "**Exhibit RM12**" are details of recent Oracle and Oracle UK seminars and events held in the UK. Events of this kind have been running annually for a number of years by all industry sectors.

16. This completes my summary of the evidence filed in this case. I now turn to the decision.

DECISION

17. At the hearing Mr Jones withdrew the ground of invalidation based upon Section 3(6) of the Act.

18. I turn first to the ground of opposition under Section 5(2)(b) which reads as follows:-

"5.-(2) A trade mark shall not be registered if because -

- (a) it is identical with an earlier trade mark and is to be registered for goods or services similar to those for which the earlier trade mark is protected, or
- (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, which includes the likelihood of association with the earlier trade mark".

19. An earlier right is defined in Section 6, the relevant parts of which state:

6.-(1)

- (a) a registered trade mark, international trade mark (UK) or Community trade mark which has a date of application for registration earlier than that of the trade mark in question, taking account (where appropriate) of the priorities claimed in respect of the trade marks.”

20. I take into account the guidance provided by the European Court of Justice (ECJ) in *Sabel BV v. Puma AG* [1998] E.T.M.R. 1, *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc* [1999] E.T.M.R. 1, *Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel B.V.* [2000] F.S.R. 77 and *Marca Mode CV v. Adidas AG* [2000] E.T.M.R. 723.

It is clear from these cases that:-

- (a) the likelihood of confusion must be appreciated globally, taking account of all relevant factors; *Sabel BV v. Puma AG*, paragraph 22;
- (b) the matter must be judged through the eyes of the average consumer of the goods/services in question; *Sabel BV v. Puma AG*, paragraph 23, who is deemed to be reasonably well informed and reasonably circumspect and observant - but who rarely has the chance to make direct comparisons between marks and must instead rely upon the imperfect picture of them he has kept in his mind; *Lloyd Schuhfabrik Meyer & Co. GmbH v. Klijsen Handel B.V.* paragraph 27;
- (c) the average consumer normally perceives a mark as a whole and does not proceed to analyse its various details; *Sabel BV v. Puma AG*, paragraph 23;
- (d) the visual, aural and conceptual similarities of the marks must therefore be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components; *Sabel BV v. Puma AG*, paragraph 23;
- (e) a lesser degree of similarity between the marks may be offset by a greater degree of similarity between the goods, and vice versa; *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc*, paragraph 17;
- (f) there is a greater likelihood of confusion where the earlier trade mark has a highly distinctive character, either per se or because of the use that has been made of it; *Sabel BV v. Puma AG*, paragraph 24;
- (g) mere association, in the sense that the later mark brings the earlier mark to mind, is not sufficient for the purposes of Section 5(2); *Sabel BV v. Puma AG*, paragraph 26;

- (h) further, the reputation of a mark does not give grounds for presuming a likelihood of confusion simply because of a likelihood of association in the strict sense; *Marca Mode CV v. Adidas AG*, paragraph 41;
- (i) but if the association between the marks causes the public to wrongly believe that the respective goods come from the same or economically linked undertakings, there is a likelihood of confusion within the meaning of the section; *Canon Kabushiki Kaisha v. Metro-Goldwyn-Mayer Inc*, paragraph 29.

21. In relation to the Section 5(2) ground the applicant relies upon two registrations, No's 1564104 and 1564107, both registered on 2 March 1994. Details of these registrations can be found earlier in this decision at paragraph 2(i). The registered proprietors of the mark in suit contend that as they are also the registered proprietors of an earlier trade mark, No 1289242 registered on 20 January 1997 for the same services, and that as this mark is essentially similar in material particulars (including the word ORACLE and the owl device) to the registration in suit, the applicant for invalidation is debarred from raising registration No's 1564104 and 1564107 in the opposition.

22. In the light of this argument by the registered proprietor I must consider the effect of registration No 1289242 on the current invalidation and in particular whether it creates a bar to the proceedings. I take the view that the existence of the registered proprietor's earlier registration (No 1289242) does not debar the application. The issue for consideration under Section 5(2) of the Act, taking into account the definition of an "earlier trade mark" in Section 6(1) of the Act, is whether registration of the mark in suit should be invalidated because of a likelihood of confusion with the applicant's earlier trade marks. I see nothing in the wording of the section that says I should have regard to another registration that stands in the name of the registered proprietor and I have not been pointed to any authority in support of such a proposition. Section 72 of the Act requires me to assume that the applicant's earlier trade marks are validly registered. The registered proprietor could have put the validity of those registrations in issue by making its own application for them to be declared invalid on the basis of earlier registration 1289242. It has not done this. In the absence of any such application, the existence of another registration is in effect no more than a piece of state of the register evidence. In *British Sugar Plc v James Robertson & Sons Ltd* [1996] RPC 281 Mr Justice Jacob commented:

"Both sides invited me to have regard to the state of the register. Some traders have registered marks consisting of or incorporating the word "Treat". I do not think this assists the factual inquiry one way or the other, save perhaps to confirm that this is the sort of word in which traders would like a monopoly. In particular the state of the register does not tell you what is actually happening out in the market and in any event one has no idea what the circumstances were which led the Registrar to put the marks concerned on the register. It has long been held under the old Act that comparison with other marks on the register is in principle irrelevant when considering a particular mark tendered for registration, see eg *MADAM Trade Mark* and the same must be true under the 1994 Act. I disregard the state of the register evidence."

In principle I fail to see why the position should be any different where the registered

proprietor owns another mark on the register than if it was a third party mark. Section 5 is concerned with likelihood of confusion on the basis of a mark for mark comparison. What may be of assistance to the tribunal is evidence demonstrating that the relevant marks have been in use in that the effect on concurrent use could inform the tribunal's view on the issue of likelihood of confusion. Such use may shed light on how events in the market place have educated the relevant public to distinguish between the relevant services and/or goods of rival traders and thus mitigated against the likelihood of confusion arising. However, in the present case no evidence of use, beyond a mere assertion that registration No 1298242 has been in use since 1987, has been filed by the registered proprietor and I am unable to make any inference in relation to confusion on the basis of any concurrent use. To sum up, I do not accept that the existence of the registered proprietor's registration No 1298242 can determine this application.

23. The reputation of a mark is an element to which importance may be attached in Section 5(2) considerations. At the hearing it was common ground that the applicant possesses a significant reputation under the mark ORACLE for computer software, in particular database business and applications business. It is a major player, both internationally and in the UK, in the field of E-Commerce or E-Business. However, Ms Whelbourn pointed out that the services covered by the registration in suit are in Class 35 for the "Organising of conferences and exhibitions, all relating to commercial trade or business matters". She contended that, while the applicant for invalidity had some use of the mark ORACLE in relation to the holding of trade shows or conferences, such use only related to the applicant's own business products and were merely part of their marketing activities. Mr Jones disputed this contention and submitted that the applicant's software business was on a massive scale and that the applicant offered a total package of supporting services which included training and education, often delivered through presentations or shows. He went on to say that the evidence showed use in relation to conferences and shows and that the applicant's reputation was such that the public would perceive use of the word ORACLE, or a trade mark containing the word ORACLE in relation to the holding of business or trade shows as use by the applicant.

24. While the applicant for invalidation has a considerable reputation in the field of computer software and in E-Commerce and has used the ORACLE mark at conferences and shows, I feel unable, on balance, to infer that the applicant has a reputation in arranging and conducting trade shows. Evidence of use is not in itself sufficient to demonstrate reputation and the evidence submitted by the applicant contains no details of the reputation of the mark with the public in relation to such services, no independent trade support or analysis and no particulars of attendance levels at the applicant's shows.

25. The marks relied upon by the applicant for invalidation in relation to Section 5(2) are both registered in Class 35 for services which include "arranging and conducting trade shows". In my view these services are identical to the services covered by the registration in suit ie "Organising of conferences and exhibitions, all relating to commercial, trade or business matters". However, if I am wrong on this I believe the respective services to be as closely similar as is possible without being identical.

26. Earlier in this decision I found that the applicant did not possess a reputation in “arranging and conducting trade shows”. Accordingly, in relation to these services I must compare the registration in suit and the applicant’s marks on the basis of notional and fair use.

27. In essence the test under Section 5(2)(b) is whether there are similarities in marks and services which would combine to create a likelihood of confusion. In my consideration of whether there are similarities sufficient to show a likelihood of confusion, I am guided by the recent judgements of the European Court of Justice mentioned earlier in this decision. The likelihood of confusion must be appreciated globally and I need to address the degree of visual, aural or conceptual similarity between the marks, evaluating the importance to be attached to those different elements, taking into account the category of services in question and how they are marketed.

28. While I have no evidence before me on the point, it seems to me that the customer for the services at issue is likely to be relatively sophisticated and discerning and that they are likely to be selected after a goods degree of consideration.

29. The registration in suit is a composite mark which consists of the dictionary word ORACLE, which in my view has no direct reference to the services, and the obvious dictionary words BUSINESS and EUROPE which either separately or in their totality ie BUSINESS EUROPE, are directly descriptive. A device appears above the words which, according to Ms Whelbourn, comprises an ancient Greek coin. A representation of an owl appears within the device and the letter is also contained within its circumference. The applicant for invalidation’s registrations both comprise the dictionary word ORACLE which has no direct reference to the services, is inherently distinctive in relation to the services and is deserving of a good penumbra of protection. It is of course possible to over analyse marks and in doing so shift away from the real test which is how marks would be perceived by customers in the normal course and circumstances of trade and I must bear this in mind when making the comparisons.

30. How then should I approach the comparison of the marks? Mr Jones argued that I should pay particular attention to the dominant and distinctive component in the registered proprietor’s mark which in his view is the word ORACLE and that the additional material, particularly the word BUSINESS EUROPE and the letter E should be discounted. It is right in my view to give additional weight to arbitrary and distinctive features in assessing the impact a mark is likely to have in the mind of an average customer and I am fortified in this by the guidance of the European Court of Justice in *Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel BV*, paragraphs 24 and 26. However, even elements which are totally descriptive cannot be entirely discounted as respective marks must be considered in their totality.

31. Turning to a visual and aural comparison of the marks, it seems to me that the word comprising the applicant’s mark (ORACLE), is a dominant and distinctive component of the registered proprietor’s mark and is an element which is likely to be quickly recognised and retained by customers. The remaining elements of the registered proprietor’s mark, especially the descriptive words BUSINESS EUROPE, are less striking and the device element, while a relatively prominent part of the mark, is not readily describable. In aural use this device

element is unlikely to be a factor in descriptions of the mark as “words speak louder than devices”. Although the additional elements within the registered proprietor’s mark assist in distinguishing the respective marks on a side-by-side comparison, the prominence and impact of the word ORACLE is such that when the marks are compared in their totality, there is a likelihood of confusion resulting from both visual and aural use of the marks, particularly when imperfect recollection is taken into account. Many persons may consider the common element in the marks ie ORACLE to be an indication that the services come from the same undertaking or economically linked undertakings.

32. On a conceptual comparison of the marks it, once again, seems to me that the distinctive word ORACLE will be remembered and retained by customers and notwithstanding the additional elements in the registered proprietor’s mark, it is likely that customers, particularly when imperfect recollection is taken into account, would not distinguish the origin of the respective services through the respective marks.

33. In reaching a decision in relation to the likelihood of confusion I have particularly borne in mind the following comments of the European Court of Justice in Cannon:-

“Accordingly the risk that the public might believe that the goods or services in question come from the same undertaking or, as the case may be, from economically linked undertakings, constitutes a likelihood of confusion within the meaning of Article 4(1)(b) of the Directive (see SABEL paragraphs 16 to 18).”

34. On a global appreciation, taking into account all the relevant factors, I come to the following conclusion on the Section 5(2) ground:-

- (i) the respective marks are visually, aurally and conceptually similar, particularly when imperfect recollection is taken into account;
- (ii) the respective specification of services cover the same and/or very closely similar services.
- (iii) while the customer for the services is likely to be relatively sophisticated and discerning, there remains a likelihood of confusion given the similarity of the marks and the identical or very closely similar services covered by the specification. It is likely, especially when imperfect recollection is taken into account, that the customer would regard the service(s) being provided under the marks as coming from the same undertaking or economically linked undertakings and they would not distinguish the origin of the services through the respective marks.

35. The invalidation action is successful under Section 5(2)(b) of the Act and the registration is invalid under Section 47(2)(a).

36. As I have found for the applicants under Section 5(2), I have no need to consider the other grounds raised.

37. As the applicants for invalidity have been successful they are entitled to a contribution towards their costs. At the hearing, Ms Whelbourn argued that if they were successful, any costs awarded to the applicants should be reduced as they made no attempts to settle the dispute through negotiation. In response, Mr Jones stated that the registered proprietor had not at any time put forward any proposals with a settlement in mind. In any event, an applicant for invalidation is under no obligation to attempt to reach a settlement with a registered proprietor and I have no hesitation in rejecting Ms Whelbourn's submissions on this point. I intend to order costs according to the normal scale. I order the registered proprietor to pay the applicants the sum of **£1,500**. This sum is to be paid within seven days of the expiry of the appeal period or within seven days of the final determination of this case if any appeal against this decision is unsuccessful.

Dated this 07 day of February 2002

JOHN MacGILLIVRAY
For the Registrar
the Comptroller-General

ANNEX ONE

MARK	REGISTRATION NUMBER	REGISTRATION EFFECTIVE	SPECIFICATION OF GOODS/SERVICES
ORACLE	1313522	18 June 1987	Class 9: Computer programmes; tapes, discs and wires, all being magnetic and cassettes for use therewith, all for computers; parts and fittings for all the aforesaid goods; all included in Class 9; but not including any such goods relating to prophecies.
ORACLE SWL*PLUS	1369833	12 January 1989	Class 9: Computer programs included in Class 9.
ORACLE MEDIA SERVER	1561374	4 February 1994	Class 9: Computer programs for business, scientific, technical, commercial, educational, and personal computing uses; all included in Class 9.
ORACLE NETWORK COMPUTER	2057267	17 February 1996	Class 9: Computers, computer peripheral devices and communication devices for business, scientific, technical, commercial, educational and personal computing uses, computer programs therefor.
ORACLE NC	2101538	1 June 1996	Class 9: Computers, computer peripherals and communication devices for business, scientific, technical, commercial, educational and personal computing uses, computer programs therefor.
	2152161	4 June 1997	Class 9: Computer programs for business, scientific, technical, commercial, educational and personal computing uses, in the fields of database management, local and global computer networks, and text, videos and graphics on demand.
ORACLE MEDIA SERVER	1561795	9 February 1994	Class 16: Books, manuals, user guides, magazines, newsletters, technical publications and printed matter, all relating to computers, computer software and their use and applications; all included in Class 16.
ORACLE	1564103	2 March 1994	Class 16: Books, manuals, user guides, magazines, newsletters, technical publications and printed matter, all relating to computers, computer software and their use and applications; all included in Class 16.

ORACLE	1564107	2 March 1994	<p>Class 16: Books, manuals, user guides, magazines, newsletters, technical publications and printed matter, all relating to computers, computer software and their use and applications; all included in Class 16.</p> <p>Class 35: Data processing services; technical assistance to businesses in the field of computers, computer software, database development and design, information processing and management, communications and business operations; management consulting and business management assistance services relating to computers, computer software and computer systems; arranging and conducting trade shows; all included in Class 35.</p> <p>Class 36: Financing, insurance and brokerage services with respect to computers, computer software, computer systems and computer peripheral devices; all included in Class 36.</p> <p>Class 41: Education, instructional and training services; planning of and participation in conferences and seminars; all relating to computers, computer software and databases; all included in Class 41.</p>
ORACLE	1564105	2 March 1994	<p>Class 36: Financing, insurance and brokerage services with respect to computers, computer software, computer systems and computer peripheral devices; all included in Class 36.</p>
ORACLE	2115435	12 November 1996	<p>Class 38: Telecommunications, communications, telephone, facsimile, telex, message collection and transmission, radio-paging and electronic mail services; transmission and reception of data and of information; on-line information services; data interchange services; transfer of data by telecommunications; telecommunications of information (including web pages); provision of telecommunication access and links to computer databases and to the Internet; satellite communication services; leasing or rental of apparatus, instruments, installations or components for use in the provision of all the aforementioned services; advisory, information and consultancy services relating to all the aforementioned services.</p>
ORACLE	1282825	1 October 1986	<p>Class 42: Computer design services; feasibility study services relating to computers and to computer software; computer software consultancy services; information services relating to computers; all included in Class 42.</p>