

O-062-08

TRADE MARKS ACT 1994

**SUPPLEMENTARY DECISION
IN THE MATTER OF REGISTRATION
NOS 1442619, 1442620, 1442621, 1442622 AND 1442623
IN THE NAME OF SHL GROUP LIMITED
OF THE TRADE MARK:**

SAVILLE & HOLDSWORTH

IN CLASSES 9, 16, 35, 41 AND 42

**AND THE CONSOLIDATED APPLICATIONS FOR REVOCATION
THERE TO UNDER NOS 82595, 82596, 82597, 82598 AND 82600
BY SAVILLE CONSULTING GROUP LTD**

Trade Marks Act 1994

**Supplementary decision
in the matter of registration
nos 1442619, 1442620, 1442621, 1442622 and 1442623
in the name of SHL Group Limited
of the trade mark:
SAVILLE & HOLDSWORTH
in classes 9, 16, 35, 41 and 42
and the consolidated applications for revocation
thereto under nos 82595, 82596, 82597, 82598 and 82600
by Saville Consulting Group Ltd**

Introduction

1) On 22 February 2008 I issued a decision in relation to the above applications for revocation. In the decision I did not make an award of costs, as at the hearing I allowed Saville Consulting Group Ltd time to give details of the costs incurred in relation to dealing with additional evidence filed by SHL Group Limited.

2) On 26 February 2008 a letter was received from the representatives of Saville Consulting Group Ltd in relation to the costs that were incurred as a result of the filing of the additional evidence. (Submissions were included in the letter re the costs issue in general. Counsel for the parties gave submissions on costs at the hearing, I will not take into account the unsolicited submissions included in the letter) The representatives of Saville Consulting Group Ltd estimate that costs incurred in relation to the additional evidence were approximately £510.

3) As I indicated in my decision, the additional evidence was filed at a very late stage and the reasons for filing additional evidence at such a late stage were feeble. The evidence that was filed could have been filed in the normal evidence rounds. In my view, it is reasonable to compensate Saville Consulting Group Ltd substantially for the costs relating to the filing of the additional evidence.

4) Saville Consulting Group Ltd having been successful is entitled to a contribution towards its costs. At an early stage the proceedings were consolidated and prior to consolidation the evidence and counterstatements of SHL Group Limited were, to all intents and purposes, identical. Consequently, I consider that the costs will treat the five applications as one case, with the exception of the statutory fees.

Application fees:	£1,000
Applications and accompanying statements:	£300
Considering counterstatements:	£200
Considering evidence of registered proprietor:	£1,000
Preparing and filing of evidence:	£1,500
Costs relating to additional evidence:	£500
Preparation and attendance at hearing:	£1,500
 Total:	 £6,000

5) I order SHL Group Limited to pay Saville Consulting Group Ltd the sum of £6,000. 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.

6) As stated in my earlier decision, the appeal period for that earlier decision will run from the date of the issue of this decision; so the appeal periods in relation to both the substantive issues and the costs are the same.

Dated this 29th day of February 2008

**David Landau
For the Registrar
the Comptroller-General**