

TRADE MARKS ACT 1994
IN THE MATTER OF APPLICATION No 2520407
BY HAJI BABA
TO REGISTER A TRADE MARK IN CLASS 29
AND IN THE MATTER OF OPPOSITION THERETO
UNDER NUMBER 99930
BY MOHAMMED DIN AND MAQBOOL AHMED

SUPPLEMENTARY DECISION

1) My written decision in these proceedings dated 4 May 2012 contained a clerical error. It has been brought to my attention that in paragraph 31 the applicant's revised specification was incorrectly stated to be:

“Pre-packed frozen halal meat, halal poultry and fish; prepacked cooked and uncooked halal meat, halal poultry and fish.”

2) In fact it should have read:

“Pre-packed frozen halal meat, halal poultry and fish; prepacked fresh and/or chilled halal meat, halal poultry and fish; prepacked cooked and uncooked halal meat, halal poultry and fish.”

3) The necessary power to correct this is provided by Part 40.12 of the Civil Procedure Rules which states:

“40.12 - (1) The court may at any time correct an accidental slip or omission in a judgement or order.”

4) I therefore correct paragraph 31 of my written decision in these proceedings to read as follows:

Applicant's revised Specification	Opponent's specification
In Class 29: Pre-packed frozen halal meat, halal poultry and fish; prepacked fresh and/or chilled halal meat, halal poultry and fish; prepacked cooked and uncooked halal meat, halal poultry and fish	In Class 29: Yoghurt; cheese; eggs; lentils.
	In Class 30: Spices

5) This amendment does not affect the comparison test carried out in paragraph 33 or its conclusion. It does however, affect the overall conclusion at paragraph 42 which should read:

42) The applicant's specification to be amended to: "Pre-packed frozen halal meat, halal poultry and fish; prepacked fresh and/or chilled halal meat, halal poultry and fish; prepacked cooked and uncooked halal meat, halal poultry and fish."

Dated this 16th Day of May 2012

George W Salthouse
For the Registrar,
the Comptroller-General