

O-047-13

SUPPLEMENTARY DECISION

TRADE MARKS ACT 1994

**IN THE MATTER OF TRADE MARK APPLICATION 2547623
BY ROBERTA RENZONI IN RESPECT OF THE FOLLOWING MARK IN
CLASSES 9, 18 & 25:**

WOMANITY

AND

**OPPOSITION THERETO (NO 101029) BY CLARINS FRAGRANCE GROUP
S.A.S.**

Supplementary decision

1) On 9 October 2012 I issued a provisional decision in relation to these proceedings. It was not possible to issue a final decision because submissions from the parties were required in respect of revised specifications. Since then the parties have informed the tribunal that the matter is to be settled, the opposition is requested to be withdrawn and the parties say that they will bear their own costs.

2) Whilst it is only possible to set aside a decision in particular circumstances, the fact that my previous decision was only provisional and that no final decision has been issued means that there is, effectively, no substantive/final decision to set aside. In the circumstances, my provisional findings need not be acted upon and the parties request for withdrawal of the opposition may be actioned. As the parties have agreed to bear their own costs then no order is required.

3) The opposition case will be recorded as withdrawn and no further action before the tribunal is required in relation to this matter.

Dated this 30th day of January 2013

**Oliver Morris
For the Registrar,
The Comptroller-General**