

BL O/517/18

**SUPPLEMENTARY DECISION**

TRADE MARKS ACT 1994

IN THE MATTER OF APPLICATION NO 3155613 BY  
MUHAMMAD AWAIS AND ISHTIAQ AHMAD

TO REGISTER THE TRADE MARK



IN CLASS 35  
AND  
THE OPPOSITION THERETO  
UNDER NO 406956  
BY  
WHOLE FOODS MARKET IP, L.P.

1. On 5 March 2018 a decision was issued in respect of these UK proceedings.

2. The applicant was successful and an award of costs was made, as follows:

“107. The applicants have been successful and are entitled to a contribution towards their costs. I have borne in mind the applicants’ late challenge to the status of the opponent’s company, which led to additional documentation being filed subsequent to the hearing. My assessment is as follows:

Considering the statement of case and preparing the counterstatement:	£400
Considering evidence and preparing submissions:	£400
Attending the hearing:	£500
Total:	£1300

108. I order Whole Foods Market IP LP to pay Muhammad Awais and Ishtiaq Ahmad the sum of £2100. This sum is to be paid within fourteen days of the expiry of the appeal period or within fourteen days of the final determination of this case if any appeal against this decision is unsuccessful.”

3. Paragraph 108 of that decision should have read:

“108. I order Whole Foods Market IP LP to pay Muhammad Awais and Ishtiaq Ahmad the sum of £1300. This sum is to be paid within fourteen days of the expiry of the appeal period or within fourteen days of the final determination of this case if any appeal against this decision is unsuccessful.”

4. The appeal period is not affected by this correction.

5. The sum of £1300 is to be paid by Whole Foods Market IP LP to Muhammad Awais and Ishtiaq Ahmad within fourteen days of this supplementary decision.

**Dated this 6th day of June 2018**

A handwritten signature in black ink, appearing to be 'AI Skilton', with a long horizontal flourish extending to the right.

**Ms AI Skilton**

**For the Registrar**