

**TRADE MARKS ACT 1994**  
**IN THE MATTER OF**  
**TRADE MARK REGISTRATION NO. 3500555**

**bee**bol**t**



**IN THE NAME OF REHAAN GROUP FZ INC.**

**AND**

**AN APPLICATION FOR INVALIDATION**

**UNDER NO. 503842**

**BY BOLT TECHNOLOGY OÜ**

## Background and pleadings

1. Rehaan Group FZ INC ("the proprietor") owns the trade mark registration shown on the cover page of this decision. The registration covers the following goods and services:

Class 9            Computer software; mobile phone application software; computer software for the purpose of providing transportation services; computer software for the purpose of obtaining transportation services; computer software to schedule appointments of transportation service dates and coordination; computer software for the purpose of sending motor vehicles to third parties; computer software for the purpose of providing assembly and delivery services; computer software for obtaining assembly and delivery services; computer software for scheduling and coordinating assembly and delivery services; computer software for the purpose of sending mail for assembly and delivery; computer hardware; mobile phones; parts and fittings for all the aforesaid goods.

Class 38            Telecommunication services; telecommunication services, specifically directing calls, SMS and notification services to motor vehicle drivers and delivery services.

Class 39            Transport and delivery services; providing information about transportation services and reservations for transportation services; providing information about delivery services; reservations for delivery services; transportation, packaging and storage of goods; organizing trips and travel; including (but not limited to) the aforesaid services being provided online via communications networks.

Class 42 Providing software as a services (Saas); providing temporary use of direct (online) software that is not downloadable; providing temporary use of direct (online) software that is not downloadable in order to provide transportation services and reservations for transportation services and sending motor vehicles to customers; providing temporary use of non-downloadable online software in order to provide assembly and delivery services and special reservations related to the assembly and delivery services and to send mail for assembly and delivery services; design and development of computer software.

2. The application to register the mark was filed on 15 June 2020, and it was entered in the register on 2 April 2021.
3. On 7 May 2021, Bolt Technology OÜ (“the applicant”) applied for a declaration of invalidity against all the goods and services in the registration by filing a form TM26(l) based on sections 5(2)(b), 5(3) and 5(4)(a) of the Trade Marks Act 1994 (“the Act”). The applicant relies upon all the goods and services covered by the following United Kingdom (“UK”) trade marks (a complete list of goods and services is provided in the Annex):

Mark: **Bolt**

Registration No. 3630121:

Filing date: 21 April 2021<sup>1</sup>

Registration date: 22 October 2021

Mark: BOLT

Registration No. 0911229424

Filing date: 01 October 2012

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<sup>1</sup> This trade mark was filed pursuant to Article 59 of the withdrawal agreement and retains the European Union (“EU”) filing date of 17 August 2018.

Registration date: 16 April 2013

Mark: Bolt Food

Registration No. 0918096682

Filing date: 17 July 2019

Registration date: 07 December 2019

Mark: BOLT

Registration No. 0918194954

Filing date: 13 October 2016

Registration date: 20 April 2017

4. Given their filing dates, the above marks are earlier trade marks in accordance with section 6 of the Act. The applicant's earlier mark BOLT, registration no. 0911229424 ("424 mark"), has completed its registration process more than 5 years before the application date of the proprietor's mark. Therefore, it is subject to proof of use provisions contained in section 6A of the Act.
5. The applicant claims that the competing goods and services are identical or highly similar and the marks are highly similar. As a consequence, the applicant claims that there is a likelihood of confusion including a likelihood of association under section 5(2)(b).
6. Under section 5(3), the claim is that the proprietor's mark is highly similar to the applicant's marks and, therefore, would take unfair advantage of the reputation of the earlier marks. The applicant further claims that the use of the proprietor's mark would be detrimental to its reputation if goods and services of lesser quality than those the customers of the applicant's marks are accustomed to were to be sold under the proprietor's mark. The applicant also claims that use of the proprietor's mark would be detrimental to the distinctive character of the applicant's marks because the applicant's marks' ability to designate the origin of their goods and services would be weakened.

7. Under section 5(4)(a), the applicant claims to have goodwill in the sign BOLT. The applicant further claims that it first used the sign as early as 2013 throughout the UK in relation to transportation and delivery services. Consequently, the applicant submits that it is entitled to prevent the use of the proprietor's mark under the law of passing off.
8. The proprietor filed a counterstatement denying the grounds of invalidity and put the applicant to proof of use of its 424 mark in relation to all the services covered by that earlier mark.
9. The applicant is represented by Appleyard Lees IP LLP and the proprietor is represented by Beck Greener LLP. Only the applicant filed evidence. A hearing was held on 16 May 2022. Mr Christopher Hoole, of Appleyard Lees IP LLP, appeared for the applicant and Mr Kashif Syed, of Beck Greener LLP, appeared for the proprietor.
10. Although the UK has left the EU, section 6(3)(a) of the European Union (Withdrawal) Act 2018 requires tribunals to apply EU-derived national law in accordance with EU law as it stood at the end of the transition period. The provisions of the Act relied on in these proceedings are derived from an EU Directive. This is why this decision continues to make reference to the trade mark case law of EU courts.

## **Evidence**

11. The applicant's evidence consists of the witness statement of Mr Ahto Kink dated 18 December 2021 with 9 exhibits. Mr Kink is a management board member of the applicant company. I will return to the evidence later in the decision.

## **My approach to proof of use and assessment under section 5(2)(b)**

12. The applicant relies on 4 earlier marks. The 424 mark which is subject to proof of use is a comparable mark and its corresponding EU trade mark is subject to

revocation proceedings at the EUIPO. The Withdrawal Agreement requires that where an EU trade mark is subject to ongoing cancellation proceedings at the end of the transition period, and is subsequently cancelled, the outcome shall be applied to the corresponding UK comparable right. Therefore, if I were to decide the invalidation action based on the 424 mark, I would be issuing a provisional decision pending the outcome of the EU revocation proceedings. I note that the 424 mark's services in Classes 35 and 39 overlap with the services in the same classes covered by the earlier mark **Bolt** which is not subject to proof of use. In those circumstances, Mr Hoole agreed at the hearing that placing reliance on 424 mark would not place the applicant in any better position than its other earlier marks. That makes an assessment of proof of use unnecessary in these proceedings.

13. For the purpose of assessment under section 5(2)(b), I will first consider the position in relation to the earlier mark **Bolt** as it covers the broadest specification among all the earlier marks and will return to the others only if necessary.

### **Section 5(2)(b)**

14. Section 5(2)(b) of the Act is as follows:

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

(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”.

### **Case law**

15. The following principles are gleaned from the judgments of the EU courts in *Sabel BV v Puma AG*, Case C-251/95, *Canon Kabushiki Kaisha v Metro-*

*Goldwyn-Mayer Inc, Case C-39/97, Lloyd Schuhfabrik Meyer & Co GmbH v Klijsen Handel B.V, Case C-342/97, Marca Mode CV v Adidas AG & Adidas Benelux BV, Case C-425/98, Matratzen Concord GmbH v OHIM, Case C3/03, Medion AG v Thomson Multimedia Sales Germany & Austria GmbH, Case C-120/04, Shaker di L.Laudato & C. Sas v OHIM, Case C-334/05P and Bimbo SA v OHIM, Case C-591/12P.*

The principles:

(a) The likelihood of confusion must be appreciated globally, taking account of all relevant factors;

(b) The matter must be judged through the eyes of the average consumer of the goods or services in question, 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, and whose attention varies according to the category of goods or services in question;

(c) The average consumer normally perceives the mark as a whole and does not proceed to analyse its various details;

(d) The visual, aural and conceptual similarities of the marks must normally be assessed by reference to the overall impressions created by the marks bearing in mind their distinctive and dominant components, but it is only when all other components of a complex mark are negligible that it is permissible to make the comparison solely on the basis of the dominant elements;

(e) Nevertheless, the overall impression conveyed to the public by a composite trade mark may be dominated by one or more of its components;

(f) however, it is also possible that in a particular case an element corresponding to an earlier trade mark may retain an independent distinctive

role in a composite mark, without necessarily constituting a dominant element of that mark;

(g) a lesser degree of similarity between the goods or services may be offset by a greater degree of similarity between the marks, and vice versa;

(h) there is a greater likelihood of confusion where the earlier mark has a highly distinctive character, either per se or because of the use that has been made of it;

(i) mere association, in the strict sense that the later mark brings to mind the earlier mark, is not sufficient;

(j) 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;

(k) if the association between the marks creates a risk that the public will wrongly believe that the respective goods or services come from the same or economically-linked undertakings, there is a likelihood of confusion.

### **Comparison of goods and services**

16. When making the comparison, all relevant factors relating to the goods and services in the specifications should be taken into account. In *Canon*, the Court of Justice of the European Union (“CJEU”) stated at paragraph 23 of its judgment:

“In assessing the similarity of the goods or services concerned, as the French and United Kingdom Governments and the Commission have pointed out, all the relevant factors relating to those goods or services themselves should be taken into account. Those factors include, inter alia, their nature, their intended purpose and their method of use and whether they are in competition with each other or are complementary”.



17. Guidance on this issue has also come from Jacob J. (as he then was) in *British Sugar Plc v James Robertson & Sons Ltd* (the Treat case), [1996] R.P.C. 281, where he identified the factors for assessing similarity as:

- (a) The respective uses of the respective goods or services;
- (b) The respective users of the respective goods or services;
- (c) The physical nature of the goods or acts of service;
- (d) The respective trade channels through which the goods or services reach the market;
- (e) In the case of self-serve consumer items, where in practice they are respectively found or likely to be found in supermarkets and in particular whether they are, or are likely to be, found on the same or different shelves;
- (f) The extent to which the respective goods or services are competitive. This inquiry may take into account how those in trade classify goods, for instance whether market research companies, who of course act for industry, put the goods or services in the same or different sectors.

18. In *YouView TV Ltd v Total Ltd*, [2012] EWHC 3158 (Ch), Floyd J. (as he then was) stated that:

“[...] Trade mark registrations should not be allowed such a liberal interpretation that their limits become fuzzy and imprecise: see the observations of the CJEU in Case C-307/10 *The Chartered Institute of Patent Attorneys (Trademarks) (IP TRANSLATOR)* [2012] ETMR 42 at [47]-[49]. Nevertheless the principle should not be taken too far. Treat was decided the way it was because the ordinary and natural, or core, meaning of 'dessert sauce' did not include jam, or because the ordinary and natural description of jam was not 'a dessert sauce'. Each involved

a straining of the relevant language, which is incorrect. Where words or phrases in their ordinary and natural meaning are apt to cover the category of goods in question, there is equally no justification for straining the language unnaturally so as to produce a narrow meaning which does not cover the goods in question”.

19. In *Kurt Hesse v OHIM*, Case C-50/15 P, the CJEU stated that complementarity is an autonomous criterion capable of being the sole basis for the existence of similarity between goods. In *Boston Scientific Ltd v Office for Harmonization in the Internal Market* (Trade Marks and Designs) (OHIM), Case T-325/06, the General Court (“GC”) stated that ‘complementary’ means:

“[...] there is a close connection between them, in the sense that one is indispensable or important for the use of the other in such a way that customers may think that the responsibility for those goods lies with the same undertaking”.

20. In *Gérard Meric v OHIM*, the GC held that goods can be considered as identical when the goods designated by the earlier mark are included in a more general category, designated by the trade mark application - and vice versa.<sup>2</sup>

21. At the hearing, Mr Sayed conceded that there is a certain degree of similarity between the proprietor’s goods and services in Classes 9, 39 and 42; however, he denied any similarity between the proprietor’s services in Class 38 and the applicant’s goods and services.

22. The proprietor’s goods and services to be compared with the applicant’s specification are given below:

Class 9

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<sup>2</sup> case T-133/05

Computer software; mobile phone application software; computer software for the purpose of providing transportation services; computer software for the purpose of obtaining transportation services; computer software to schedule appointments of transportation service dates and coordination; computer software for the purpose of sending motor vehicles to third parties; computer software for the purpose of providing assembly and delivery services; computer software for obtaining assembly and delivery services; computer software for scheduling and coordinating assembly and delivery services; computer software for the purpose of sending mail for assembly and delivery; computer hardware; mobile phones; parts and fittings for all the aforesaid goods.

23. The proprietor's following goods are identical to software covered by the earlier mark because they are either identically contained in both specifications or identical under the *Meric* principle:

*Computer software; mobile phone application software; computer software for the purpose of providing transportation services; computer software for the purpose of obtaining transportation services; computer software to schedule appointments of transportation service dates and coordination; computer software for the purpose of sending motor vehicles to third parties; computer software for the purpose of providing assembly and delivery services; computer software for obtaining assembly and delivery services; computer software for scheduling and coordinating assembly and delivery services; computer software for the purpose of sending mail for assembly and delivery.*

24. It is not clear to me what is meant by *parts and fittings for all of the aforesaid* when "the aforesaid" also contains various types of software. Software is an intangible good and so, logically, cannot have parts or fittings. I therefore consider that this is a term that cannot be interpreted and, following the guidance of Arnold LJ in *Skykick*, I shall disregard it.<sup>3</sup>

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<sup>3</sup> *Sky Plc & Ors v Skykick UK Ltd & Anor* [2020] EWHC 990 (Ch)

25. The proprietor's *computer hardware and parts and fittings for those goods* are highly similar to software covered by the earlier mark due to shared purpose, users, channels of trade and complementarity.
26. The proprietor's *mobile phones* share channels of trade and users with computer application software for mobile telephones covered by the earlier mark. As application software for mobile telephones runs on mobile phone, the proprietor's goods are important for the applicant's goods and the average consumer is likely to think that the goods originate from the same undertaking. The goods are, therefore, complementary in the sense described by the case law. Considering these factors, I find that the goods are similar to high degree.
27. *Parts and fittings for mobile phones* include goods such as chargers. These goods share channels of trade and users with computer application software for mobile telephones covered by the earlier mark. The goods do not share nature or purpose. They are not complementary in the sense described by the case law nor do they compete. Considering these factors, I find that parts and fittings for mobile phones are similar to a medium degree to computer application software for mobile telephones.

Class 38

*Telecommunication services; telecommunication services, specifically directing calls, SMS and notification services to motor vehicle drivers and delivery services.*

28. The proprietor argues that the above-mentioned services are dissimilar to the goods and services covered by the earlier mark. Telecommunication services cover those services that allow people to communicate, and it include mobile telecommunication services for directing calls and SMS to drivers. Computer application software for mobile telephones covered by the applicant's specification covers software applications that are used as communication platforms to contact drivers about rides or routes, for example. Therefore, the proprietor's services are indispensable or important to transmit data and allow

users to communicate with drivers through their mobile phone applications. The average consumer is also likely to think that the goods and services originate from the same undertakings. The channels of trade and users are also likely to coincide. Considering these factors, I find that the applicant's goods are similar to the proprietor's services to a medium degree. I also think that the applicant's software design and development services in Class 42 cover telecommunication software design and development services. Those services are similar to a medium degree to the proprietor's telecommunication services due to shared channels of trade and users. The services are also complementary as the proprietor's services concern transmission and communication, for which software design and development are important and the average likely to consider that the services originate from the same undertaking.

#### Class 39

*Transport and delivery services; providing information about transportation services and reservations for transportation services; providing information about delivery services; reservations for delivery services; transportation, packaging and storage of goods; organizing trips and travel; including (but not limited to) the aforesaid services being provided online via communications networks.*

29. *Providing information about transportation services* are identically contained in both specifications.
30. *Reservations for transportation services* in the proprietor's specification is identical to computerised reservation services relating to the carriage of passengers in the applicant's specification under the *Meric* principle.
31. The proprietor's *transportation, packaging and storage of goods* are identical to the applicant's *transport, package and storage of goods*. The other services, namely *transport and delivery services, providing information about delivery services; reservations for delivery services* are either identical to the applicant's

*transport services* - if the term transport includes the transport and delivery of goods - or are similar to a medium degree - if the term transport includes only the transport of goods but not the delivery. In the latter case, transport and delivery of goods (and also providing information and reservation services about delivery services) are complementary and consumers would expect the same provider to supply both services. Further the services target the same users, have a similar purpose, i.e. move goods from one place to another, and share channels of trade.

32. *Travel arrangement services* covered by the applicant's specification is a broad term and encompasses services such as preparing for journeys and making travel plans. These services are, therefore, identical to *organising trips and travel services* in the proprietor's specification under the *Meric* principle.
33. The only term now left to be compared is *including (but not limited to) the aforesaid services being provided online via communications networks*. As all of the applicant's services discussed in the preceding paragraphs can be delivered online via communication networks or otherwise, following my findings above, all of the proprietor's services in Class 39 are either identical or similar to the applicant's services in Class 39.

#### Class 42

*Providing software as a services (Saas); providing temporary use of direct (online) software that is not downloadable; providing temporary use of direct (online) software that is not downloadable in order to provide transportation services and reservations for transportation services and sending motor vehicles to customers; providing temporary use of non-downloadable online software in order to provide assembly and delivery services and special reservations related to the assembly and delivery services and to send mail for assembly and delivery services; design and development of computer software.*

34. *Providing software as a service (Saas), providing temporary use of direct (online) software that is not downloadable, and design and development of*

*computer software* in the proprietor's specifications are identically contained in the applicant's specification.

35. The proprietor's *providing temporary use of direct (online) software that is not downloadable in order to provide transportation services and reservations for transportation services and sending motor vehicles to customers; providing temporary use of non-downloadable online software in order to provide assembly and delivery services and special reservations related to the assembly and delivery services and to send mail for assembly and delivery services* are identical to the applicant's providing temporary use of on-line non-downloadable software under the *Meric* principle.

### **The average consumer and the nature of the purchasing act**

36. It is necessary for me to determine who the average consumer is for the respective parties' goods and services.

37. In *Hearst Holdings Inc, Fleischer Studios Inc v A.V.E.L.A. Inc, Poeticgem Limited, The Partnership (Trading) Limited, U Wear Limited, J Fox Limited*, [2014] EWHC 439 (Ch), Birss J. described the average consumer in these terms:

"60. The trade mark questions have to be approached from the point of view of the presumed expectations of the average consumer who is reasonably well informed and reasonably circumspect. The parties were agreed that the relevant person is a legal construct and that the test is to be applied objectively by the court from the point of view of that constructed person. The words "average" denotes that the person is typical. The term "average" does not denote some form of numerical mean, mode or median".

38. I consider that the average consumer of the goods and services in Classes 9 and 42 includes members of the general public and business users. The goods and services will be purchased or selected from websites, retail outlets,

catalogues or other printed matters. The consumer may also receive word-of-mouth recommendations or advice from intermediaries or sales assistants. While the visual impression of the mark is likely to be more significant, the aural aspects of the mark cannot be ignored. The price of the goods and services will vary, and the consumer will want to assess their suitability for the intended purpose and their technical requirements. A member of the general public is likely to pay a medium degree of attention to the purchase. A business user is likely to pay a high degree of attention, given the importance of software and related services for the success of the business operations.

39. The average consumer of Class 39 services will, again, be a member of the general public and a business user. The degree of attention paid by a member of the public varies depending on the type of goods transported. The consumer is likely to pay a medium degree of attention when choosing a service provider to send small value goods and a fairly high degree of attention for high-value goods. The professional user would pay a high degree of attention. When choosing a service provider, the average consumer in both categories is likely to consider the service provider's area of expertise, their experience and customer reviews. The services will be selected primarily by visual means, after research conducted on websites, brochures or through a procurement process possibly involving tender in the case of business users.

40. For the proprietor's services in Class 38, I consider that the average consumer consists of the general public who uses telecommunication services to transmit data between devices such as mobile phones or business users transmitting data for business needs. I consider that this is an area where the average consumer comprising of the general public is likely to pay a medium degree of attention while the business users would pay a high degree of attention. The selection process is more likely to be visual. However, I do not discount the possibility of aural considerations.

## **Comparison of marks**





41. It is clear from *Sabel BV v Puma AG* (particularly paragraph 23) that the average consumer normally perceives a trade mark as a whole and does not proceed to analyse its various details. The same case also explains that the visual, aural and conceptual similarities of the marks must be assessed by reference to the overall impressions created by the marks, bearing in mind their distinctive and dominant components. The CJEU stated at paragraph 34 of its judgment in Case C-591/12P, *Bimbo SA v OHIM*, that:

“.....it is necessary to ascertain, in each individual case, the overall impression made on the target public by the sign for which registration is sought, by means of, inter alia, an analysis of the components of a sign and of their relative weight in the perception of the target public, and then, in the light of that overall impression and all factors relevant to the circumstances of the case, to assess the likelihood of confusion.”

42. It would be wrong, therefore, artificially to dissect the trade marks, although it is necessary to take into account the distinctive and dominant components of the marks and to give due weight to any other features which are not negligible and therefore contribute to the overall impressions created by the marks.

43. The trade marks to be compared are as follows:

Proprietor's trade mark	Applicant's trade mark
	

44. The proprietor's mark consists of the words bee and bolt, presented as a single word in an unremarkable font. A device of a bee is presented above the letter 'e'. This device is preceded by three parallel lines shown horizontally, one above the other like steps. The proprietor argued that the dominant and distinctive element of the proprietor's mark is the word bee with an image of a bee above it. I disagree. Given the presentation of beebolt as a single word and bearing in mind that the average consumer pays greater attention to the verbal

element of a mark, I conclude that the overall impression of the proprietor's mark is dominated by the word beebolt.

45. The applicant's mark consists of the word Bolt presented in an unremarkable font in bold, and the letter 'o' slightly overlaps letters 'B' and 'l'. The overall impression and distinctiveness of the applicant's mark lies in the word Bolt.
46. Visually, both marks contain the word bolt. However, there are slight differences in the presentation of the letters 'b', 'o' and 't' in the respective marks. The other differences between the marks are that in the proprietor's mark, the word bolt is preceded by the word bee. The proprietor's mark also contains an image of a bee and three lines. Considering all these factors, I find that the marks are visually similar to a medium degree.
47. I now turn to aural comparison. The marks coincide in the pronunciation of the word bolt. The aural difference between the marks is introduced by the word bee. At the hearing, Mr Hoole also argued the possibility of consumers (perhaps in a word-of-mouth recommendation) referring to bee as "be", a verb. As the pronunciation of the words bee and be are the same, I do not think it would make any difference to how the mark would be pronounced. I am of the view that the marks are aurally similar to an above medium degree.
48. Regarding the conceptual similarity, the applicant submitted that the word bolt has numerous meanings, and none of the possible meanings has a direct meaning for transport related goods and services. The proprietor, however, referring to *Merriam-Webster* online dictionary submitted that the word bolt means to move suddenly or nervously or to move or proceed rapidly. I agree with the proprietor that one of the possible meanings of the word bolt is to move suddenly or rapidly. Mr Sayed also argued that the proprietor's mark as a whole has no meaning in relation to transportation and delivery services. I disagree. The consumers would identify the two words – bee and bolt - of which the proprietor's mark is constituted and ascribe a meaning to each word. Whatever the meaning ascribed to the word bolt, it would be the same in both marks. The proprietor's mark also invokes the concept of an insect, namely a bee. In

relation to the word bee, the applicant also submitted that a bee is a flying insect and as bees move fast or speedily, the word is likely to invoke the concept of speed. It appears to me that the flying movement of a bee is indicated in the proprietor's mark by the three lines drawn before the bee's image. Given that bolt also refers to movement, I think that the word bee and the image of a bee with three lines will be perceived as metaphorically indicating a quality of the movement, i.e., a speedy movement in the proprietor's mark. Weighing various factors discussed, I find that the marks are conceptually similar to a medium degree. Mr Hoole also advanced an argument in the context of aural similarity that the average consumer would conceptualise the word bee as the verb be and think that beebolt (be bolt) refers to a slogan of the applicant. As the purchase process of the proprietor's goods and services is more likely to be visual, I also do not think that a significant proportion of the consumers would think in a way argued by Mr Hoole.

### **Distinctiveness of the earlier mark**

49. The distinctive character of the earlier mark must be considered. The more distinctive it is, either inherently or through use, the greater the likelihood of confusion (*Sabel BV v Puma AG*). In *Lloyd Schuhfabrik Meyer & Co. GmbH v Klijsen Handel BV*, Case C-342/97 the CJEU stated that:


“22. In determining the distinctive character of a mark and, accordingly, in assessing whether it is highly distinctive, the national court must make an overall assessment of the greater or lesser capacity of the mark to identify the goods or services for which it has been registered as coming from a particular undertaking, and thus to distinguish those goods or services from those of other undertakings (see, to that effect, judgment of 4 May 1999 in Joined Cases C-108/97 and C-109/97 *Windsurfing Chiemsee v Huber and Attenberger* [1999] ECR I-0000, paragraph 49).

23. In making that assessment, account should be taken, in particular, of the inherent characteristics of the mark, including the fact that it does or does not contain an element descriptive of the goods or services for

which it has been registered; the market share held by the mark; how intensive, geographically widespread and long-standing use of the mark has been; the amount invested by the undertaking in promoting the mark; the proportion of the relevant section of the public which, because of the mark, identifies the goods or services as originating from a particular undertaking; and statements from chambers of commerce and industry or other trade and professional associations (see *Windsurfing Chiemsee*, paragraph 51).”

50. The applicant’s mark consists of the word bolt presented in an unremarkable font in bold. The word bolt is a dictionary word and one of the possible meanings of the word is to move swiftly. In relation to transport and related services, I think that the word is slightly allusive. Nonetheless, it does not seem to me that any allusive character goes far enough to lower the inherent distinctive character of the mark to a great extent; I consider that the mark is inherently distinctive to a medium degree, or at any rate, not much lower than that.

51. Enhanced distinctiveness requires recognition of the mark by the relevant public by the date of application of the proprietor’s mark i.e., 15 June 2020 (“relevant date”). The applicant has provided evidence of use which can be summarised as follows:

- The applicant company was first established in 2013 in Estonia and was formerly called Taxify.<sup>4</sup> The company launched its services in London 2017 but discontinued its services and then relaunched in June 2019.<sup>5</sup>
- The applicant is on social media. Pages from Facebook, Twitter and Instagram, for example, are in evidence.<sup>6</sup> The mark is presented as either  or Bolt.

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<sup>4</sup> Exhibit 1, page 9 and Exhibit 3, page 13.

<sup>5</sup> Exhibit 1, page 9.

<sup>6</sup> Exhibit 2.

- There is evidence of media coverage.<sup>7</sup> An article from the magazine Wired titled “From Bolt to Kapten, Uber’s London rivals are plotting its downfall” dated 2019 refers to Bolt as a “ride-hailing app”. An article from Metro magazine dated 2019 names Bolt as an alternative app to get around London after Uber loses its licence. There is also a report that Bolt has experienced a surge in downloads since Transport for London did not renew Uber’s licence in November 2019.<sup>8</sup> According to an article in The Telegraph dated 2019, Bolt is the second-largest ride-hailing service in the capital (London) after Uber, which has around 3.5 million app users in London.<sup>9</sup>
- Exhibit 4 consists of Trustpilot reviews, all dated after the relevant date.
- The applicant has partnered up with Google to integrate its Bolt app with Google Maps.<sup>10</sup>
- The applicant also claims to have partnered with London’s Air Ambulance charity.<sup>11</sup> An article from HeliHub.com reads: “As an adoptive Londoner, the afternoon of the 24<sup>th</sup> August will see Bolt launch the partnership by hosting dedicated London’s Air Ambulance ride-type on its app.” The article is dated 25 August 2021, i.e. after the relevant date.
- The applicant states that the mark Bolt has been widely marketed in the UK through social media platforms such as Facebook, YouTube and TikTok since June 2019.<sup>12</sup> The applicant has provided the screenshots of adverts taken from its internal files as they appeared on Facebook during August 2019 – September 2019, June 2020 – September 2020, July 2021 – September 2021. Examples from 2019 adverts include:

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<sup>7</sup> Exhibit 3.

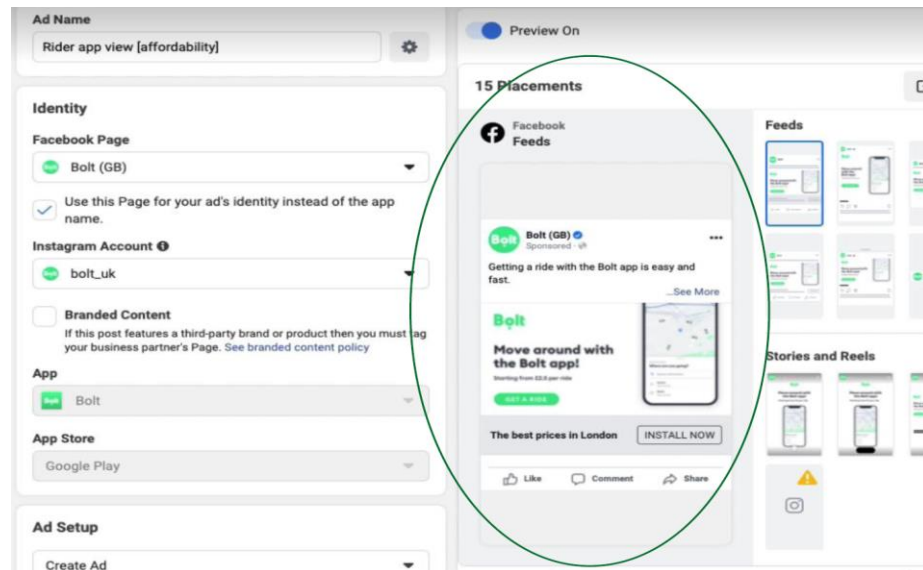
<sup>8</sup> *Ibid*, page 17.

<sup>9</sup> Page 19.

<sup>10</sup> Exhibit 5.

<sup>11</sup> Exhibit 6.

<sup>12</sup> *Ibid*



- Other evidence of marketing efforts includes advertisements on billboards, which Mr Kink states were used across the UK, including central London, during May and June 2021 to promote an offline lifestyle following the lockdown<sup>13</sup>. Mr Kink further states that although this campaign is dated after the relevant date, the evidence is helpful to show the continuous efforts of the applicant in promoting its brand since 2019.
- The applicant claims to have used the goods and services under the mark throughout the UK. In support of this claim, the applicant has provided a screenshot of its website which provides a list of 12 cities across the UK where it operates.<sup>14</sup> The other evidence consists of media reports of the applicant’s business in cities like Sheffield and Portsmouth.<sup>15</sup> All of this evidence is dated after the relevant date.
- Exhibit 8 consists of sample invoices from Google and Facebook dated between June 2019 – June 2020 issued in the name of either Bolt HQ or Taxify Estonia & HQ. Invoices from Google are for the number of impressions and clicks by riders and drivers, while the invoices from Facebook are mainly for app installs (Bolt) and driver conversions.

<sup>13</sup> Witness statement para 10.

<sup>14</sup> Exhibit 7.

<sup>15</sup> Ibid

- The applicant claims that Exhibit 9 consists of sample invoices issued to the applicant's UK drivers during 2019 – 2020. As the addresses, including the postcodes of the drivers have been redacted, it is impossible to ascertain whether the invoices were addressed to the applicant's drivers operating in the UK.

That concludes the summary of the evidence so far as I consider necessary.

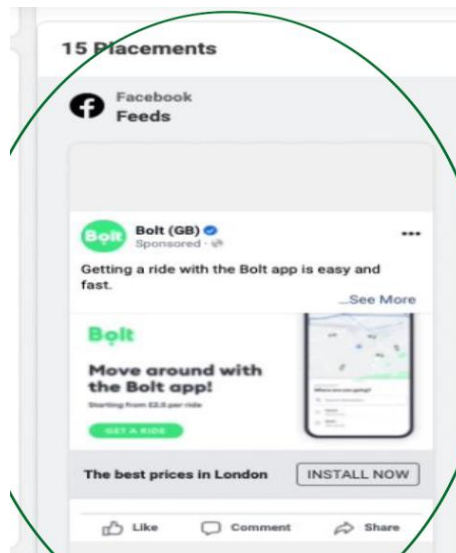
52. Throughout the evidence, the applicant has shown use of the sign **Bolt** and the word mark Bolt. The GC has confirmed that where variations of the mark are concerned, the requirements for establishing genuine use are analogous to those regarding the acquisition of distinctive character for registration.<sup>16</sup> I see no reason why the requirements for the acquisition of enhanced distinctive character after registration would be any different. Although there are slight presentational differences between the earlier mark **Bolt** and the word mark Bolt, I am of the view that these differences are insignificant and do not affect the distinctive character of the mark **Bolt**. Accordingly, in my view, the use of the word mark Bolt may be taken into account in the assessment of enhanced distinctiveness of the mark **Bolt**.

53. Since its re-launch in 2019, the applicant's mark has received extensive media coverage in newspapers and magazines such as The Guardian, Wired and The Telegraph. The applicant is referred to in the media reports as a "ride-hailing service provider" and a competitor of Uber.<sup>17</sup> The mark is also promoted in the UK through adverts on social media. According to the applicant's internal files dated August 2019 – September 2019, the following is an example of an advert that appeared to consumers on Facebook:

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<sup>16</sup> *adidas AG v EUIPO*, T-307/17, EU:T:2019:427 at [58].

<sup>17</sup> Page 19.



The adverts on Facebook and Instagram appear to have been specifically aimed at UK consumers; the Facebook page was identified as Bolt (GB) and the Instagram account as bolt\_uk. Mr Sayed, however, submitted that the edit dates on the applicant’s internal files were after the relevant date; therefore, it was his submission that those adverts were not presented to UK consumers until after the relevant date. It does not appear to me that that is the case. There is evidence that Facebook had issued invoices to the applicant in June, July and December 2019, and February and March 2020, i.e. before the relevant date, for its advertisement services on Facebook and Instagram. Invoices were also raised for services concerning “rider app installs”, which, to my understanding, are likely to be those advertisement services wherein a user is provided with an option to install the Bolt app as shown in the screenshot above.

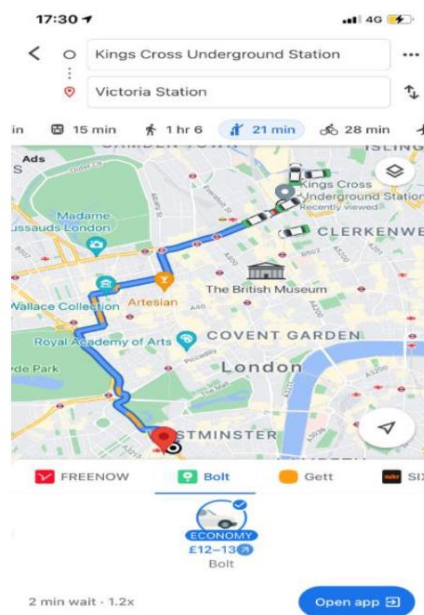
54. The mark also appears to have received a promotional leg-up further to the applicant’s partnership with Google. According to an article in [www.london-tv.co.uk](http://www.london-tv.co.uk), in February 2020, the applicant partnered up with Google to integrate its Bolt app with Google Maps.<sup>18</sup> The article further states that the users of Google journey planner functionality in Google Maps will be offered “Bolt rides” within the ride services tab when searching for directions around London.<sup>19</sup> Mr Sayed criticised this evidence and argued that the applicant did not provide any viewership details to show how many UK consumers have come across those

<sup>18</sup> Exhibit 5

<sup>19</sup> Witness statement, para 7.



articles. While I agree that viewership details would have assisted in assessing the extent of UK consumers awareness, absence of those details is not material to the case. As claimed by the applicant and supported by the evidence of media reports, an option to choose Bolt is a functionality available to the users of Google Map. The applicant has provided the following screenshot to show how this feature is available on Google Map:



Although the screenshot was taken in 2021, the details provided therein confirm the description provided in the media reports dated 2020 on the features available on Google Map. Therefore, it is reasonable to infer that a rider who searched routes on Google Map would have been presented with the mark Bolt, even if that rider had not read the news about the applicant's partnership with Google. There is some evidence of the geographical spread of the use of the mark, particularly in the invoices issued by Facebook; however, the goods and services under the mark appears to have been used predominantly in London. The applicant has also generated a substantial revenue of over £23,099,000 in the UK for the period June 2019 to June 2020. Taking the evidence in the round, I am prepared to accept that the earlier mark's inherent distinctiveness has been enhanced to a high degree through use. The evidence shows that the mark has been used in relation to software applications and travel services. I, therefore, find that the distinctiveness of the mark has been enhanced through

use in relation to mobile applications for booking taxis, taxi transport and travel reservation and information services related to carriage of passengers.

### **Likelihood of confusion**

55. In determining whether there is a likelihood of confusion, I need to bear in mind several factors. The first is the interdependency principle, i.e. a lesser degree of similarity between the respective marks may be offset by a greater degree of similarity between the goods and services and vice versa (*Canon* at [17]). It is also necessary for me to bear in mind the distinctive character of the opponent's trade mark, as the more distinctive the trade mark is, the greater the likelihood of confusion (*Sabel* at [24]). I must also keep in mind the average consumer for the goods, the nature of the purchasing process and the fact that the average consumer rarely has the opportunity to make direct comparisons between trade marks, relying instead upon the imperfect picture of them they have retained in mind (*Lloyd Schuhfabrik* at [26]).

56. Confusion can be direct (which occurs when the average consumer mistakes one mark for the other) or indirect (where the average consumer realises the marks are not the same but puts the similarity that exists between the marks/services down to the responsible undertaking being the same or related).

57. The difference between direct and indirect confusion was explained in *L.A. Sugar Limited v By Back Beat Inc*, Case BL O/375/10, by Iain Purvis Q.C., sitting as the Appointed Person, where he explained that:

“16. Although direct confusion and indirect confusion both involve mistakes on the part of the consumer, it is important to remember that these mistakes are very different in nature. Direct confusion involves no process of reasoning – it is a simple matter of mistaking one mark for another. Indirect confusion, on the other hand, only arises where the consumer has actually recognized that the later mark is different from the earlier mark. It therefore requires a mental process of some kind on the part of the consumer when he or she sees the later mark, which may

be conscious or subconscious but, analysed in formal terms, is something along the following lines: “The later mark is different from the earlier mark, but also has something in common with it. Taking account of the common element in the context of the later mark as a whole, I conclude that it is another brand of the owner of the earlier mark”.

58. In *Duebros Limited v Heirler Cenovis GmbH*, BL O/547/17, James Mellor Q.C., sitting as the Appointed Person, stressed that a finding of indirect confusion should not be made merely because the two marks share a common element. In this connection, he pointed out that it is not sufficient that a mark merely calls another mark to mind. This is mere association not indirect confusion.

59. Earlier in this decision, I concluded that the contested goods and services are either identical or similar to a medium degree. I also concluded that the goods and services will be selected primarily by visual means, with a medium to fairly high degree of attention paid by the general public and a high degree of attention by the professional user. I found that the marks are visually, aurally, and conceptually similar to a medium degree. I also found that the applicant’s mark is inherently distinctive to a medium degree and has built up on the inherent distinctiveness through use.

60. On the likelihood of confusion, Mr Hoole argued that it is not uncommon in the industry of delivery and taxi services for there to be numerous brand extensions. He cited the example of Uber - Uber X, Uber Eats and Uber Pool. He further argued that bees are known for moving rapidly and, therefore, a consumer could read BEEBOLT, combined with the bee image, as referencing to perhaps even a speedier form of taxi services or delivery services provided by the applicant.

61. In my view, visual and aural difference introduced by the word bee and the device element in the proprietor’s mark are prominent enough to dispel a likelihood of direct confusion.

62. Turning to the assessment of indirect confusion, I note that the degree of similarity arises from the presence of the word bolt. I agree with the proprietor

that the average consumer is likely to pay greater attention to the beginning of a mark. However, in the proprietor's mark, the words bee and bolt are presented as a single word but will be perceived separately. Given that the word bolt, which constitutes the entirety of the applicant's mark, possesses an enhanced distinctive character, it will have a significant impact on the average consumer. The point of difference between the marks is introduced by the word bee and the device element. However, I have already concluded that the word bee, together with the depiction of it as moving is likely to evoke a related concept of movement. Even if the consumer pays a high degree of attention, when encountered with identical or similar goods and services, the average consumer is likely to think that the proprietor's mark is a sub-brand of the applicant or that the undertakings are related. Considering these factors, I conclude there is a likelihood of indirect confusion in respect of all of the goods and services.

63. The applicant is in no better position in relation to the other 2 earlier marks, namely Bolt Food and Bolt. When compared with the earlier mark **Bolt**, the mark Bolt Food is further away from the proprietor's mark both in relation to the similarity between the marks and the identity/similarity between the goods and services. The third earlier mark Bolt only covers goods in Class 9, and those goods are further apart from the proprietor's services.

64. Since the applicant has succeeded in relation to the mark I have considered, the invalidation action succeeds under section 5(2)(b).

### **Section 5(3)**

65. Section 5(3) states:

“(3) A trade mark which-

(a) is identical with or similar to an earlier trade mark, shall not be registered if, or to the extent that, the earlier trade mark has a reputation in the United Kingdom (or, in the case of a European Union trade mark or international trade mark (EC), in the European Union) and the use of the later mark without due cause

would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark.

66. Section 5(3A) states:

“(3A) Subsection (3) applies irrespective of whether the goods and services for which the trade mark is to be registered are identical with, similar to or not similar to those for which the earlier trade mark is protected.”

67. The relevant case law can be found in the following judgments of the CJEU:

Case C-375/97, *General Motors*, Case 252/07, *Intel*, Case C-408/01, *Adidas Saloman*, Case C-487/07, *L’Oreal v Bellure*, Case C-323/09, *Marks and Spencer v Interflora* and Case C383/12P, *Environmental Manufacturing LLP v OHIM*. The law appears to be as follows:

- a. The reputation of a trade mark must be established in relation to the relevant section of the public as regards the goods or services for which the mark is registered; *General Motors*, paragraph 24.
- b. The trade mark for which protection is sought must be known by a significant part of that relevant public; *General Motors*, paragraph 26.
- c. It is necessary for the public when confronted with the later mark to make a link with the earlier reputed mark, which is the case where the public calls the earlier mark to mind; *Adidas Saloman*, paragraph 29 and *Intel*, paragraph 63.
- d. Whether such a link exists must be assessed globally taking account of all relevant factors, including the degree of similarity between the respective marks and between the goods/services, the extent of the overlap between the relevant consumers for those goods/services, and the strength of the earlier mark’s reputation and distinctiveness; *Intel*, paragraph 42.

- e. Where a link is established, the owner of the earlier mark must also establish the existence of one or more of the types of injury set out in the section, or there is a serious likelihood that such an injury will occur in the future; *Intel*, paragraph 68; whether this is the case must also be assessed globally, taking account of all relevant factors; *Intel*, paragraph 79.
- f. Detriment to the distinctive character of the earlier mark occurs when the mark's ability to identify the goods/services for which it is registered is weakened as a result of the use of the later mark, and requires evidence of a change in the economic behaviour of the average consumer of the goods/services for which the earlier mark is registered, or a serious risk that this will happen in future; *Intel*, paragraphs 76 and 77.
- g. The more unique the earlier mark appears, the greater the likelihood that the use of a later identical or similar mark will be detrimental to its distinctive character; *Intel*, paragraph 74.
- h. Detriment to the reputation of the earlier mark is caused when goods or services for which the later mark is used may be perceived by the public in such a way that the power of attraction of the earlier mark is reduced, and occurs particularly where the goods or services offered under the later mark have a characteristic or quality which is liable to have a negative impact of the earlier mark; *L'Oreal v Bellure NV*, paragraph 40.
- i. The advantage arising from the use by a third party of a sign similar to a mark with a reputation is an unfair advantage where it seeks to ride on the coat-tails of the senior mark in order to benefit from the power of attraction, the reputation and the prestige of that mark and to exploit, without paying any financial compensation, the marketing effort expended by the proprietor of the mark in order to create and

maintain the mark's image. This covers, in particular, cases where, by reason of a transfer of the image of the mark or of the characteristics which it projects to the goods identified by the identical or similar sign, there is clear exploitation on the coat-tails of the mark with a reputation (*Marks and Spencer v Interflora*, paragraph 74 and the court's answer to question 1 in *L'Oreal v Bellure*).

### Reputation

68. Following my conclusion that **Bolt** is an acceptable variant of the word mark Bolt and that it covers a broader specification, for the purpose of assessment under section 5(3), I will focus on the earlier mark **Bolt**. For the reasons given in paragraphs 52 - 54, I am prepared to accept that the applicant's mark had a qualifying reputation in the UK at the relevant date in relation to mobile applications for booking taxis, taxi transport and travel reservation and information services related carriage of passengers.

### Link

69. The next step is to assess whether the public will make a link between the competing marks. This is a multi-factorial assessment taking into account the strength of reputation of the earlier mark, the degree of distinctiveness of the earlier mark, the extent of the overlap between the relevant consumers for those goods and the degree of similarity between the respective marks and the goods.

70. The applicant's goods and services for which I have found reputation are either identical or similar to a medium degree to the goods and services covered by the proprietor's registration. I concluded that the respective marks are visually, aurally and conceptually similar to a medium degree. The degree of similarity arises from the common word bolt, which has a high degree of distinctive character.

71. Taking all of the above into account, I have no doubt that the link will be made.

## Unfair advantage

72. In *Jack Wills Limited v House of Fraser (Stores) Limited* [2014] EWHC 110 (Ch)

Arnold J. considered the earlier case law and concluded that:

“80. The arguments in the present case give rise to two questions with regard to taking unfair advantage. The first concerns the relevance of the defendant's intention. It is clear both from the wording of Article 5(2) of the Directive and Article 9(1)(c) of the Regulation and from the case law of the Court of Justice interpreting these provisions that this aspect of the legislation is directed at a particular form of unfair competition. It is also clear from the case law both of the Court of Justice and of the Court of Appeal that the defendant's conduct is most likely to be regarded as unfair where he intends to benefit from the reputation and goodwill of the trade mark. In my judgment, however, there is nothing in the case law to preclude the court from concluding in an appropriate case that the use of a sign the objective effect of which is to enable the defendant to benefit from the reputation and goodwill of the trade mark amounts to unfair advantage even if it is not proved that the defendant subjectively intended to exploit that reputation and goodwill”.

73. The applicant submits that the extent of similarity between the marks and the identity/similarity between the goods and services would enable the contested mark to benefit from the power of attraction of the applicant's mark and ride on its coat-tails. I agree. The reputation of the applicant's mark would enable the proprietor to attract those customers who would think that the proprietor's mark is a sub-brand of the applicant's mark or there is an economic connection between the undertakings. The proprietor would free ride on the reputation of the applicant's mark for transport-related goods and services and gain an advantage. The advantage is unfair because the proprietor who operates in the same or similar sector would be exploiting the time and money that the applicant has expended in creating its reputation. This head of damage is made out.



74. As damage is made out on the basis of unfair advantage, I do not consider it necessary to go on to consider the other heads of damage.

75. The invalidation based upon section 5(3) succeeds in its entirety.

### **Section 5(4)(a)**

76. As I have already found in favour of the applicant under sections 5(2)(b) and 5(3), I do not consider it necessary to go on to consider the applicant's section 5(4)(a) ground.

### **Conclusion**

77. The application for invalidation is successful. The proprietor's mark is hereby declared invalid in respect of all the goods and services for which it was registered. Under section 47(6) of the Act, the registration is deemed never to have been made.

### **Costs**

78. The applicant has been successful and is entitled to a contribution towards its costs. Awards of costs are governed by Tribunal Practice Notice ("TPN") 2/2016. I award costs to the applicant on the following basis:

Filing notice of invalidation and considering the counterstatement:	£200
Preparing and filing evidence:	£700
Preparing for and attending hearing:	£600
Total:	£1,500

79. I order Rehaan Group FZ INC to pay Bolt Technology OÜ the sum of £1,500.

This sum is to be paid within 21 days of the expiry of the appeal period or within 21 days of the final determination of this case if any appeal against this decision is unsuccessful.

**Dated this 28<sup>th</sup> June 2022**

*Karol Thomas*

**Karol Thomas**

**For the Registrar**

**The Comptroller-General**

## Annex

Mark: **Bolt** (Registration No. 3630121)

Class 9 Magnetic data carriers, recording discs; Laser discs; DVDs; Digital recording media; Cash registers; Calculators; Data processing equipment; Computers; Software; Computer operating programs, recorded; Computer programs [downloadable software]; Computer software downloaded from the internet; Computer software applications, downloadable; Interfaces for computers; Downloadable graphics for mobile phones; Computer application software for mobile telephones; Mobile applications for booking taxis; none of the afore-said provided in the field of staffing services, staffing platform services, recruitment services, employment outsourcing services, personnel management and HR services, employee-assignment matching services, employer-employee matching services, headhunting services, job board services; none of the afore-said in relation to providing mobile plan extra allowances.

Class 35 Advertising; Business management; Clerical services; Business intermediary and advisory services in the field of selling products and rendering services; Price comparison services; Tariff information and advisory services; Procurement of contracts [for others]; Administrative processing of purchase orders; Telephone order-taking services for others; Ordering services for third parties; Data processing; Compilation of computer databases; Systemization of information into computer databases; Updating and maintenance of data in computer databases; Data search in computer files for others; Providing business information, also via internet, the cable network or other forms of data transfer; Business analysis; Preparing business reports; Economic information services for business purposes; Provision of sales analyses; Business statistical information services; Market studies; Market reporting

services; Arranging of commercial and business contacts; Loyalty, incentive and bonus program services; Provision of advertising space, time and media; none of the afore-said in relation to providing mobile plan extra allowances.

Class 39 Transport; Packaging and storage of goods; Travel arrangement; Taxi transport; Arrangement of taxi transport; Transportation information; Computerised reservation services relating to the carriage of passengers; Transport brokerage; Computerised transport information services; Computerised information services relating to the carriage of passengers; Computerised information services relating to travel reservations; Provision of information relating to travel routes; Vehicle rental.

Class 42 Science and technology services; Research services; Design services; Industrial analysis and research services; Design and development of computer hardware; Software design and development; Software as a service [SaaS]; Rental of computer software and programs; Rental and maintenance of computer software; Providing temporary use of on-line non-downloadable software; Data warehousing; Rental services relating to data processing equipment and computers; Providing information, advice and consultancy services in the field of computer software; Advisory services relating to man-machine interfaces for computer software; Advisory services relating to the rental of computers or computer software; none of the afore-said provided in the field of staffing services, staffing platform services, recruitment services, employment outsourcing services, personnel management and HR services, employee-assignment matching services, employer-employee matching services, headhunting services, job board services; none of the afore-said in relation to providing mobile plan extra allowances.

Class 35 Advertising; Business management assistance; Business management, business administration; Office functions; Business and sales support services; Import and export agencies; Professional business consultancy, procurement for other businesses; Business management of transport and logistics companies; Commercial information; Business information; Advertising consultancy, modelling for advertising or sales promotion; Public relation services; Marketing, marketing consultancy; Demonstration of goods; Sales campaigns, advertising; Rental of advertising space; Billboard advertising; Accounting; Invoicing; Administrative processing of purchase orders; Consultancy, advisory and information relating to the aforesaid services.

Class 36 Insurance; Financial affairs, monetary affairs and real estate affairs; Customs brokerage, customs declaration and brokerage services; Insurance consultancy; Consultancy relating to customs; Consultancy, advice and information relating to all the aforesaid services.

Class 39 Transport; Packaging and storage of goods; Travel arrangement; Transport; Transport agencies; Transport brokerage; Transport information; Transport brokerage; Transport reservation; Unloading cargo; Storage; Storage of goods, freight forwarding; Rental of warehouses; Storage information; Bonded storage services; Consultancy, advice and information relating to all the aforesaid services.

Mark: Bolt Food (Registration No. 0918096682)

Class 9 Software for food delivery services; Computer software for transport services; Mobile apps for transport; Mobile apps for delivery of goods; Software for delivery of goods; Mobile apps for food delivery services.

Class 35 Ordering of food and beverages for others; Retail services via global computer networks related to foodstuffs; Arranging the purchase of food; Commercial intermediary and advisory services in the sector of sale of food and beverages and catering services.

Class 39 Transport; Delivery services; Food delivery services; Delivery of food by restaurants; Delivery of food and drink prepared for consumption; Delivery of groceries; Courier services [messages or merchandise]; Packaging and storage of goods; Temporary storage of deliveries; Packaging of food and beverages; Parcel delivery.

Class 43 Provision of information relating to restaurants; Making reservations and bookings for restaurants and meals; Contract food services; Take-away food and drink services; Reservation services for booking meals; Mobile catering services; Consultancy services in the field of food and drink catering; Services for providing food and drink.

Mark: BOLT (Registration No. 0918194954)

Class 9 Downloadable computer software, software applications and databases in the field of transportation, transport network, vehicles (including sale, rental, servicing, parking and recharging of vehicles), mobility, delivery, and financial and insurance services; downloadable computer software, software applications and databases in the field of rental services related to transportation, storage, accommodation and real estate.