



Canadian Intellectual Property Office

THE REGISTRAR OF TRADEMARKS

Citation: 2025 TMOB 107

Date of Decision: 2025-05-12

IN THE MATTER OF AN OPPOSITION

Opponent: eBay Inc.

Applicant: Edaymall E-commerce Inc.

Application: 2,143,876 for Edaywow

INTRODUCTION

[1] Edaymall E-commerce Inc. (the Applicant) has applied to register the trademark Edaywow (the Mark).

[2] The Mark is applied for in association with a variety of services in Nice classes 35 and 42, set out in Schedule A to this decision (the Applicant's Goods and Services).

[3] eBay Inc. (the Opponent) opposes registration of the Mark. The opposition is based primarily on allegations that the Mark is confusing with eleven EBAY word and design marks (collectively, the Opponent's Marks) registered by the Opponent in association with a range of goods and services (the Opponent's Goods and Services)

including e-commerce and software-related goods and services, set out in Schedule B to this decision.

[4] For the reasons that follow, the application is refused.

THE RECORD

[5] The application was filed on October 28, 2021. The application was advertised for opposition purposes in the *Trademarks Journal* on July 12, 2023. On September 11, 2023, the Opponent opposed the application by filing a statement of opposition under section 38 of the *Trademarks Act*, RSC 1985, c T-13 (the Act).

[6] The grounds of opposition are summarized below:

- Contrary to sections 38(2)(b) and 12(1)(d) of the Act, the Mark is not registrable because it was, at all material times, confusing with the Opponent's Marks.
- Contrary to sections 38(2)(c) and 16(1)(a) of the Act, the Applicant is not the person entitled to registration of the Mark because, at the filing date of the application, the Mark was confusing with the Opponent's Marks which were previously used in Canada by the Opponent in association with a wide range of goods and services identical to or of a similar nature to those listed in the application for the Mark.
- Contrary to sections 38(2)(c) and 16(1)(c) of the Act, the Applicant is not the person entitled to registration of the Mark because, at the filing date of the application, the Mark was confusing with the eBay trade name and corporate name, which was previously used in Canada by the Opponent in association with a wide range of goods and services identical to or of a similar nature to those listed in the application for the Mark.
- Contrary to sections 38(2)(d) and 2 of the Act, the Mark is not distinctive of the Applicant because it does not, was not adapted to, and cannot function to distinguish the services listed in the application for the Mark from the goods and services of others, including those of the Opponent.

- Contrary to sections 38(2)(e) and 30(1) of the Act, the application did not comply with section 30 of the Act as at all material dates, including the filing date, the Applicant did not have a bona fide intention to use the Mark in association with all listed services, as the range of services listed in the application is unusually and unreasonably broad. The Applicant could not have had, did not have, and does not currently have a *bona fide*, actual, or proposed intention to offer each of the Applicant's services and did not propose to offer each of the Applicant's Services, but instead filed the application in bad faith in association with services that directly overlap those of the Opponent, in full knowledge that the Mark would be offensive to the rights in, and goodwill of, the Opponent's Marks.
- Contrary to section 38(2)(f) of the Act, and in view of sections 7(b), 19, 20, and 22 of the Act, and the common law tort of passing off, the Applicant was not entitled to use the Mark in Canada in association with the Applicant's Services since such use would direct public attention to the Applicant's services or business in such a way as to cause, or be likely to cause, confusion between the Applicant's Services and/or business and the goods, services, and/or business of the Opponent.

[7] On October 23, 2023, the Applicant served and filed a counter statement. Only the Opponent filed evidence. I note that on June 20 and 21, 2024, the Applicant filed a number of copies of renewals and registration pages for various trademark registrations relating to the Hudson's Bay Company; however, as these documents were not submitted in the form of an affidavit, statutory declaration, or certified copy of a document in the official custody of the Registrar, these documents were not made of record. Only the Applicant filed written representations; both parties were represented at an oral hearing. I note that the Applicant's written representations include references to facts not in evidence; again, as these facts were not submitted pursuant to the requirements of the Act, they cannot be considered.

EVIDENCE

Opponent's Evidence

[8] As its evidence in this proceeding, the Opponent filed the affidavit of Amber B. Leavitt, Senior Director and Associate General Counsel and head of IP for the Opponent, sworn February 22, 2024, and the affidavit of Isabella Vigliotti, a paralegal at the Opponent's agent of record, sworn February 23, 2024.

[9] The Leavitt affidavit contains the following:

- Information about the Opponent, which offers an online marketplace and e-commerce platform. Ms. Leavitt provides annual figures for the years 2018 through 2022 for revenues (in excess of \$8 billion USD annually); sales, marketing, and advertising (in excess of \$1 billion USD annually); gross merchandise volume sales in Canada (in excess of \$600 million USD annually); home page visits to the eBay Canada website at www.ebay.ca (approximately 200 million annually); and approximate number of transactions emanating from Canada (in excess of 12 million annually).
- Information about services offered on the eBay online marketplace, which include advertising the goods and services of others, online sales of goods and services, and hosting online stores for others. As Exhibit 2, she attaches a printout of the Opponent's database of shops and brands offering online retail stores on the eBay online marketplace. As Exhibit 3, she attaches representative screenshots showing use of the Opponent's Marks over the years. As Exhibit 7, she attaches homepages for the Opponent's social media accounts, each with follower counts in the hundreds of thousands or millions.
- Information about the Opponent's business networking services, including the eBay partner network, the Opponent's affiliate marketing program where the Opponent's partners send their users to shop the Opponent's marketplace. Printouts of the eBay partner network homepage are attached as Exhibit 8.

[10] The Vigliotti affidavit includes search results from the Clarivate Analytics CompuMark Serion trademark and trade name search software, as well as from the Google search engine, for the terms EBAY WOW in association with “online shopping; clothes; housewares; online store; marketplace; beauty; retail store; jewelry; fashion; home décor”; as well as EBAY WOW CANADA; “EBAY WOW” CANADA; and EBAY.

ANALYSIS

Ground of Opposition: Section 12(1)(d)

[11] The Opponent alleges that contrary to section 12(1)(d) of the Act, the Mark is not registrable due to the Opponent’s registrations for the Opponent’s Marks. I have exercised my discretion to check the register and confirm that these registrations remain extant [per *Quaker Oats Co of Canada v Menu Foods Ltd* (1986), 11 CPR (3d) 410 (TMOB)]. The Opponent has therefore met its initial evidential burden for the section 12(1)(d) ground of opposition.

[12] Since the Opponent has discharged its evidentiary burden regarding this ground of opposition, I must assess whether the Applicant has discharged its legal onus to prove, on balance of probabilities, that there is no reasonable likelihood of confusion between the Applicant’s Mark and the aforementioned registrations of the Opponent. The material date with respect to confusion with a registered trademark is the date of this decision [*Simmons Ltd v A to Z Comfort Beddings Ltd* (1991), 37 CPR (3d) 413 (FCA)].

[13] In applying the test for confusion, the Registrar must have regard to all the surrounding circumstances, including those specifically enumerated in section 6(5) of the Act, namely: (a) the inherent distinctiveness of the trademarks and the extent to which they have become known; (b) the length of time each has been in use; (c) the nature of the goods, services or business; (d) the nature of the trade; and (e) the degree of resemblance between the trademarks in appearance or sound or in the ideas suggested by them. These enumerated factors need not be attributed equal weight [see, in general, *Mattel USA Inc v 3894207 Canada Inc*, 2006 SCC 22 (*Mattel*), and *Masterpiece Inc v Alavida Lifestyles Inc*, 2011 SCC 27 (*Masterpiece*)]. Moreover, in

Masterpiece, the Supreme Court stated that the degree of resemblance between the trademarks is often likely to have the greatest effect on the confusion analysis.

[14] Finally, section 6(2) of the Act does not concern confusion between the trademarks themselves, but confusion regarding goods or services from one source as being from another source. In this case, the question posed by section 6(2) is whether there would be confusion regarding the goods and services sold under the Mark such that they would be thought to have emanated from the Opponent.

[15] In conducting the confusion analysis under section 12(1)(d), I will focus on the Opponent's EBAY Design (colour) mark, registration No. TMA887,820 (the 820 Mark), as it represents the Opponent's best case with respect to the issue of confusion in view of the breadth of its list of registered services.

Inherent and acquired distinctiveness

[16] The Opponent submits that its trademark is a unique coined word, and that the search results attached to the Vigliotti affidavit show that few companies other than the Applicant make use of trademarks or trade names similar to "eBay". As for the Mark, the Opponent submits that it is only the "EDAY" portion that is distinctive, and that the "WOW" element is commonly used in trade names and trademarks as shown in the search results attached as Exhibit B to the Vigliotti affidavit. The Applicant submits that the Mark is a unique coined word combination that is not a dictionary word.

[17] As both trademarks are coined words with no readily apparent meaning, I find that they have approximately the same degree of inherent distinctiveness. I do not find that the stylized format of the 820 Mark adds significantly to its inherent distinctiveness.

[18] As for acquired distinctiveness, the Opponent's evidence shows that EBAY is one of the most recognized trademarks in the world and that the company hosts millions of transactions in Canada annually on its website, which has displayed the 820 Mark since at least 2014 [Leavitt affidavit, Exhibit 3]. By contrast, there is no evidence of use of the Mark by the Applicant.

[19] Accordingly, I find that this factor favours the Opponent to a significant degree.

Length of time in use

[20] Ms. Leavitt states in her affidavit that the Opponent has been providing its goods and services in association with its trademarks since September 1997, and that Canada was one of the first markets into which it expanded [Leavitt affidavit, paras 12, 20]. The 820 Mark has a claimed date of first use in Canada of October 10, 2012, and the Opponent has provided evidence of use of that trademark on its website since 2014, as noted above. By contrast, there is no evidence that the Mark has ever been used in Canada.

[21] Accordingly, this factor favours the Opponent.

Nature of the goods, services or business and nature of the trade

[22] When considering sections 6(5)(c) and (d) of the Act, it is the statement of goods and services as defined in the registration relied upon by the Opponent and the current statement of goods and services in the application for the Mark that governs the assessment of the likelihood of confusion under section 12(1)(d) of the Act [*Henkel Kommanditgesellschaft auf Aktien v Super Dragon Import Export Inc* (1986), 12 CPR (3d) 110 (FCA); *Mr Submarine Ltd v Amandista Investments Ltd* (1987), 19 CPR (3d) 3 (FCA)]. However, as each statement must be read with a view to determining the probable type of business intended, evidence of the parties' actual trades is useful [see *McDonald's Corp v Coffee Hut Stores Ltd*, 1996 CanLII 3963 (FCA); *McDonald's Corp v Silcorp Ltd* (1989), 55 CPR (2d) 207 (FCTD), aff'd (1992), 41 CPR (3d) 67 (FCA)].

[23] The Opponent submits that while its business is articulated in the Leavitt affidavit, its business goes beyond that of an online marketplace, and includes software offerings for businesses, advertising services, supply chain management, authentication services, and more. Further, the Opponent submits that because virtually every type of product is offered through the Opponent's online marketplace, use of a confusing brand in virtually any area of the marketplace is likely to cause confusion, such that it is

impossible to tease out any of the Applicant's services that would not overlap with the Opponent's offerings.

[24] The Applicant submits that certain of the Applicant's Services clearly do not overlap with those of the Opponent; as examples, the Applicant refers to the services of "clothing design", "clothing design services", "jewellery design", "industrial and graphic art design", "packaging design", "logo design services", "product design consulting services", "product packaging design services", "providing information about fashion design services", and "shop interior design". With respect to channels of trade, the Applicant submits that the Opponent is primarily an online sales platform, and that while there is no evidence with respect to the Applicant's business, certain of the Applicant's services can only be performed by a brick-and-mortar business, unlike that of the Opponent. In this respect, the Applicant provides the example of "window shop display arrangement services".

[25] Under section 12(1)(d) of the Act, assessment of confusion with a registered trademark is governed by the statement of goods and services in the registration. In the case of the 820 Mark, the list of registered services fall into the categories of online trading, auction, and retail services, online services for buyers and sellers including purchase protection, authentication, networking, and advertising services, business support services including support in the area of intellectual property, and the like. The Leavitt affidavit provides context as to the nature of the services offered by the Opponent.

[26] By contrast, the Applicant's Services consist of a very lengthy list of entries from the online Goods and Services Manual, with no evidence as to the nature of any of these services or how they are delivered. I note that the Applicant's Services fall under Nice class 35, "advertising, marketing, promotional and business", and "computer and scientific". Although overlapping Nice classification is not determinative in determining the likelihood of confusion [*per* section 6(2) of the Act], there is at least a general similarity in nature between the Applicant's applied-for software-related services and the Opponent's e-commerce software services. Indeed, it is clear that certain of the

Applicant's Services, such as "auctioneering provided on the internet" and its various "online retail" and "online sale" services, directly overlap with the core business of the Opponent. Similarly, in view of the Opponent's registered advertising and business services and Ms. Leavitt's evidence regarding the advertising, marketing, and software services provided by the Opponent to partner businesses, it is clear that any of the Applicant's Services related to advertising, marketing, and business support services would overlap with those provided by the Opponent.

[27] Conversely, certain of the Applicant's Services appear to be further removed from those listed in any of the Opponent's registrations. Examples include those listed above by the Applicant, as well as such services as "weather reporting", "theatre set design", "administration of prepaid health care plans", and the like. However, in the absence of any contextual information whatsoever regarding these services, it is difficult to draw any determinative conclusions regarding the nature of these services and how they could compare to those of the Opponent.

[28] As a result, I find that at best for the Applicant, this factor favours neither party with respect to its services which on their face appear to be the most dissimilar from those of the Opponent. With respect to the online auction, software, advertising, retail, and business services listed within the Applicant's Services, this factor favours the Opponent.

[29] With respect to the nature of the trade, in the absence of evidence from the Applicant, it is unclear how it, or any potential licensees, could deliver such a lengthy list of services. I do not accept the Applicant's contention that certain of its services can be distinguished from those of the Opponent as they can only be delivered by a brick-and-mortar institution, especially given the Opponent's evidence that certain of its services, such as its product authentication services, are also delivered in person rather than online [Leavitt affidavit, Exhibit 7, Tab F]. Given that the majority of the Opponent's and Applicant's Services encompass software and technology, online retail and auction services, advertising and various forms of support for businesses, and in the absence of

any evidence regarding the nature of the Applicant's trade, I find that there could be overlap between the parties' respective trades.

[30] This factor therefore favours the Opponent.

Degree of resemblance

[31] When considering the degree of resemblance, the law is clear that the trademarks must be considered in their totality; it is not correct to lay them side by side and compare and observe similarities or differences among the elements or components of the trademarks. The Supreme Court of Canada in *Masterpiece* has advised that the preferable approach when comparing trademarks is to begin by determining whether there is an aspect of the trademark that is particularly striking or unique.

[32] The Opponent submits that the most striking element of the Mark is "EDAY", since "WOW" is a commonly used element of trademarks and tradenames, as demonstrated by the list of "WOW"-derived trade names attached as Exhibit B to the Vigliotti affidavit. The Applicant submits that its trademark is a unique word combination that is not a dictionary word. The Applicant further submits that the "BAY" component of the Opponent's Marks and the "DAY" component of the Mark are different words, despite the single letter difference, which convey distinct ideas and are unlikely to be confused by a Canadian consumer of ordinary intelligence.

[33] With respect to the 820 Mark, I find that the word "EBAY" is the most striking and unique element. As for the Mark, I concur with the Opponent that the "EDAY" element is the most striking and unique aspect, as the "WOW" element is a common dictionary word indicating surprise, approval, or disapproval. I find that when considered in their totality, the trademarks have some degree of visual and aural resemblance, and that neither suggests any idea in particular.

[34] Accordingly, I find that this factor favours the Opponent to some extent.

Additional surrounding circumstances: examination history

[35] The Applicant submits that if confusion was likely between the Mark and the Opponent's trademarks, the application should have been refused at the examination stage instead of being approved. However, there can be evidence before the Registrar that was not part of the record at the examination stage, and the onus is quite different at the examination stage than at the opposition stage [*Musalem v Espiritu de Chile Ltd*, 2011 TMOB 137 at para 23; *Simmons IP Inc v Park Avenue Furniture Corp* (1994), 56 CPR (3d) 284 (TMOB) at 288; *Proctor & Gamble Inc v Morlee Corp* (1993), 48 CPR (3d) 377 (TMOB) at 386; *Thomas J Lipton Inc v Boyd Coffee Co* (1991), 40 CPR (3d) 272 (TMOB) at 277]. Further, examination section decisions are not binding and hold no precedential value with respect to opposition proceedings [*PepsiCo, Inc v Coca-Cola Inc/Coca-Cola Ltée*, 2016 TMOB 12 at para 123; *Thinklab Consulting Inc v Combustion Creativity Inc*, 2018 TMOB 14 at para 85; *Worldwide Diamond Trademarks Limited v De Trung Vo*, 2016 TMOB 20 at para 32].

[36] Accordingly, the fact that an approval notice was issued with respect to the Mark is not a relevant surrounding circumstance in this case.

Additional surrounding circumstances: family of trademarks

[37] The Opponent refers to its family of EBAY-formative trademarks. Where there is a family of trademarks, there may be a greater likelihood that the public would consider a trademark that is similar to be another trademark in the family and consequently, assume that the product or service that is associated with that trademark is manufactured or performed by the same person [*Everex Systems Inc v Everdata Computer Inc*, (1992), 44 CPR (3d) 175 at 183 (FCTD)]. There is, however, no presumption of the existence of a family of marks opposition proceedings. A party seeking to establish a family of marks must establish that it is using more than one or two trademarks within the alleged family [*Techniquip Ltd v Canadian Olympic Assn* (1998), 1998 CanLII 7573 (FC), 145 FTR 59 (FCTD), *aff'd* 250 NR 302 (FCA); *Now Communications Inc v CHUM Ltd* (2003), 32 CPR (4th) 168 (TMOB)]. In addition, a relevant consideration when a family of marks is pleaded is whether the feature

common to the Opponent's marks is found in trademarks owned by others [*Techniquip, supra*].

[38] In this case, the Opponent has submitted evidence of eleven related trademarks. In Exhibits 3, 5, and 7 to Ms. Leavitt's affidavit, the Opponent's various EBAY design marks (which would also amount to display of the EBAY word marks) appear on screenshots of the Opponent's online marketplace webpage as it appeared between the years 2008 and 2024. Given the Opponent's evidence of the high number of Canadians availing themselves of the Opponent's services, I am satisfied that such display would amount to use of those trademarks in Canada. Therefore, the Opponent has established the existence of a family of EBAY-formative trademarks.

[39] This additional surrounding circumstance therefore favours the Opponent.

Conclusion

[40] In applying the test for confusion, I have considered it as a matter of first impression and imperfect recollection and have considered all of the surrounding circumstances. In most instances, it is the degree of resemblance between the trademarks that is the most crucial factor in determining the issue of confusion [*Masterpiece; Beverley Bedding & Upholstery Co v Regal Bedding & Upholstery Ltd* (1980), 47 CPR (2d) 145 (FCTD) at 149, aff'd 60 CPR (2d) 70 (FCA)]. Furthermore, section 6(2) of the Act is not concerned with confusion between the trademarks themselves, but rather confusion as to the source of the goods or services.

[41] In this case, although the degree of resemblance factor favours the Opponent only to some extent, other factors in its favour include the length of time in use, the nature of the trade, the existence of a family of trademarks, and the acquired distinctiveness of the 820 Mark. Accordingly, I find that even with respect to those of the Applicant's Services that are least likely to overlap with those of the Opponent, the Applicant has not discharged its burden on a balance of probabilities to show that there is not a reasonable likelihood of confusion between the Mark and the Opponent's 820 Mark.

[42] As such, this ground of opposition succeeds.

Ground of Opposition: Section 16(1)(a)

[43] Pursuant to sections 38(2)(c) and 16(1)(a) of the Act, the Opponent pleads that the Applicant is not the person entitled to registration of the Mark because, at the filing date of the application, the Mark was confusing with the Opponent's Marks which were previously used in Canada by the Opponent in association with a wide range of goods and services identical to or of a similar nature to those listed in the application for the Mark.

[44] As the Applicant has not filed any evidence of use of the Mark prior to the application filing date, in order to meet its initial burden under this ground, the Opponent must show that at least one of its trademarks was used prior to this date (October 28, 2021) and was not abandoned at the date of the advertisement of the application (July 12, 2023). The Opponent's evidence set out in the Leavitt affidavit, and summarized above, is sufficient to meet its evidential burden with respect to the 820 Mark.

[45] I reach the same conclusions in the confusion analysis as those set out in the section 12(1)(d) ground, as the difference in material dates makes little difference in the confusion analysis. Indeed, as the Opponent has shown use of its trademarks in association with a range of goods and services beyond those contained in its registration, the Opponent's position is stronger under this ground of opposition.

[46] Accordingly, this ground of opposition succeeds.

Remaining grounds of opposition

[47] As the Opponent has already succeeded under two grounds of opposition, it is not necessary to address the remaining grounds of opposition.

DISPOSITION

[48] In view of the above, pursuant to the authority delegated to me under section 63(3) of the Act, I refuse the application pursuant to section 38(12) of the Act

G.M. Melchin
Member
Trademarks Opposition Board
Canadian Intellectual Property Office

Appearances and Agents of Record

HEARING DATE: 2025-04-24

APPEARANCES

For the Opponent: Heidi Jensen

For the Applicant: Yunwei (Edmund) Xie

AGENTS OF RECORD

For the Opponent: Heidi Jensen (Jensen IP)

For the Applicant: Yunwei (Edmund) Xie

SCHEDULE A

Edaywow, Application number 2143876

Services (Nice class & Statement)

35(1) Administration of a discount program for enabling participants to obtain discounts on goods and services through use of a discount membership card; administration of consumer loyalty programs; administration of customer loyalty programs; administration of frequent flyer programs; administration of frequent flyer programs that allow members to redeem miles for points or awards offered by other loyalty programs; administration of incentive award programmes to promote the sale of the goods and services of others; administration of loyalty rewards programmes featuring trading stamps; administration of pre-paid health care plans; administration of prepaid health care plans; advertising agencies; advertising agency services; advertising and business management consultancy; advertising by mail order for others; advertising by transmission of on-line publicity for third parties through electronic communications networks; advertising copywriting; advertising flyer distribution; advertising flyer distribution for others; advertising of commercial real estate for others; advertising of goods and services of others via local and global computer networks; advertising of residential real estate for others; advertising of vacant commercial property for sale and rental for others; advertising of vacant residential property for sale and rental for others; advertising on the Internet for others; advertising relating to pharmaceutical products and in-vivo imaging products of others; advertising services for promoting a series of films for others; advertising services for promoting public awareness of environmental issues and initiatives; advertising services for promoting public awareness of the benefits of physical activity; advertising services for promoting public awareness of the need for organ and tissue donation; advertising services for promoting the brokerage of stocks and other securities for others; advertising services of a radio and television advertising agency; advertising services provided via the internet, namely, promoting the goods of others by providing information regarding discounts and special offers for the goods of others; advertising text publication services for others; advertising the goods and services of others; advertising the goods and services of others in periodicals, brochures and newspapers; advertising the goods and services of others in the popular and professional press; advertising the goods and services of others through all public communication means; advertising the goods and services of others via electronic media and specifically the internet; advice and information about customer services and product management and prices on Internet sites in connection with purchases made over the Internet; advice and information concerning commercial business management; advice in the field of business management and marketing; advice in the running of establishments as franchises; advice relating to the organisation and management of business; advisory and consultancy services in the field of export, export services, export promotion information and services; advisory services for business management; advisory services relating to business management; advisory services relating to business management and business operations; alcoholic beverage procurement services for others; analysis of market research data and statistics; appointment reminder services; appointment scheduling services; arranging and conducting advertising campaigns for the products and services of others; arranging and conducting

automobile trade show exhibitions; arranging and conducting book trade fairs; arranging and conducting craft trade show exhibitions; arranging and conducting fitness equipment trade show exhibitions; arranging and conducting toy trade show exhibitions; arranging newspaper subscriptions for others; arranging of subscriptions for the publications of others; arranging subscriptions of the online publications of others; arranging subscriptions to newspapers for others; arranging subscriptions to online publications for others; arranging, organizing and conducting exhibitions for charitable fund raising and charitable activities; arranging, organizing and conducting exhibitions for promoting public awareness of environmental issues and initiatives; arranging, organizing and conducting exhibitions for promoting public awareness of humanitarian issues and initiatives; arranging, organizing and conducting exhibitions for promoting public awareness of social community issues and initiatives; Assistance, advisory services and consultancy with regard to business organization; attorney referrals; auction services; auctioneering; auctioneering provided on the internet; auctioning of vehicles; auctioning via telecommunication networks; automobile dealerships; billing services; business administration in the field of transport and delivery; business administration services for the processing of sales made on the internet; business assistance services namely, compilation of customer mailing lists; business consulting in the field of business networking; business efficiency expert services; business efficiency services; business feasibility studies; business information services in the field of incorporation and trademarks; business intelligence reporting; business invoicing services; business management; business management advice; business management advisory services relating to franchising; business management analysis; business management and advice; business management and enterprise organization consultancy; business management and organization consultancy; business management assistance; business management assistance and particularly carrying out tasks necessary for the smooth conduct of sales by auction; business management assistance for industrial and commercial companies; business management assistance for industrial or commercial companies; business management consultancy; business management consultancy and advisory services; business management consultancy as well as development of processes for the analysis and the implementation of strategy plans and management projects; business management consultancy in the field of transport and delivery; business management consultancy services; business management consultancy via the Internet; business management consultation; business management consultation in the field of executive and leadership development; business management consulting; business management consulting with relation to strategy, marketing, production, personnel and retail sale matters; business management for a trade company and for a service company; business management for freelance service providers; business management for shops; business management in the field of transport and delivery; business management of hotels; business management of hotels for others; business management of performing artists; business management of retail and online retail stores; business management of sports people; business management planning; business management services; business management services in the field of electronic commerce; business management services relating to information and data compiling and analyzing; business management supervision; business marketing consulting services; business merchandising display services; business networking services; business organisation and management consulting services; business organisation consulting; business organization advice for others; business organization and

management consultancy including personnel management; business organization and management consulting; business organization and operation consultancy; business organization consultancy services; business planning; business process re-engineering; business process reengineering services; business research investigations; business risk assessment services; business risk management services; business services, namely developing fundraising campaigns for others; business strategic planning; business strategic planning services; business strategy development services; business succession planning; carrying out auction sales; catalogue shopping services in the field of automobile parts; catalogue shopping services in the field of clothing; catalogue shopping services in the field of cosmetics; catalogue shopping services in the field of home entertainment electronics; catalogue shopping services in the field of photographic equipment; catalogue shopping services in the field of sporting goods; clearinghouse services for radio and television; clerical services; clothing concession stands; collection of market research information; commercial administration of the licensing of the goods and services of others; commercial assistance in business management; commercial business management; commercial business management services; commercial lobbying services; compilation of advertisements for use as web pages on the internet; compilation of business directories; compilation, production and dissemination of advertising matter for others; computer database management services; computer file management; computerised database management; computerised file management; computerised market research services; computerized accounting services; computerized business file management; computerized central file management; computerized database management; computerized file management; computerized market research services; computerized on-line gift ordering service which matches the gift giver's requirements with the gift recipient's wants and needs; computerized on-line ordering services in the field of cosmetics; computerized online ordering featuring clothing; computerized online ordering featuring clothing accessories; computerized online ordering featuring clothing accessories being belts, sashes, scarves, ties, and wraps; computerized online ordering featuring leather goods being jackets, pants, shoes and purses; computerized online ordering featuring luggage; computerized online ordering featuring sunglasses; computerized online ordering of footwear and bags; computerized word processing; conducting an on-line tradeshow exhibition in the field of jewellery; conducting business and market research surveys for others; conducting market surveys for others; conducting marketing studies; conducting of auction sales; conducting of business feasibility studies; consignment sale of art; consignment sale of clothing; consignment sale of jewellery; consignment sale of sporting goods; consultancy and advisory services in the field of business management; consultancy and advisory services in the field of business marketing; consultancy and advisory services in the field of business operations; consultancy and advisory services in the field of business strategy; consultancy and advisory services in the field of business structure; consultancy of personnel recruitment; consultancy regarding advertising communication strategies; consultancy relating to personnel management; consulting in the field of agile time management framework implementation to be applied to multiple business teams throughout an organization to support business performance practices; consulting in the fields of business organization and management; consulting services in business organization and management; consumer profiling for commercial or marketing purposes; consumer research; consumer research services; corporate identity services; corporate image development consultation; cost analyses; cost analysis; cost assessment services;

cost management in the field of health care; cost price analysis; cost-price analysis; cost/price analysis; coupon procurement services for others; creating and updating advertising material for others; creation of trademarks for others; customer service in the field of airline reservations; customer service in the field of automobile repair; customer service in the field of computer servicing; database management; database marketing services in the form of compiling customer specific databases; design of marketing surveys; design of public opinion surveys; developing brand concepts for the goods and services of others; developing brand strategies for others; developing marketing strategies and marketing concepts for others; developing promotional campaigns for business for others; developing promotional campaigns for others; development of marketing strategies and concepts for others; direct mail advertising of the goods and services of others; direct marketing of the goods and services of others; discount clothing stores; discount cosmetics stores; discount photographic equipment stores; discount sporting goods stores; dissemination of advertising for others via an on-line communications network on the internet; dissemination of advertising for others via the Internet; dissemination of advertising matter for others; distribution of advertisements and commercial announcements for others; distribution of advertising mail and of advertising supplements attached to regular editions for others; distribution of advertising materials for others; distributorships in the field of automotive parts; distributorships in the field of clothing; distributorships in the field of cosmetics; electronic billboard advertising of the goods and services of others; fashion model recruitment agencies services; fashion show exhibitions for commercial purposes; interim business management; inventory control; inventory control services; issuing and updating of advertising texts for others; jewellery concession stands; layout services for advertising purposes; leasing of advertising space on the Internet for employment advertising; magazine mail order services; mail order book clubs; mail order services featuring pet products; mail order services in the field of books; mail order services in the field of clothing; mail order services in the field of cosmetics; mail order services in the field of furniture; mail order services in the field of jewellery; mail order services in the field of shoes; mail order services in the field of toys; mail sorting, handling and receiving; mailing list preparation; management and compilation of computerised databases; management and compilation of computerized databases; management and operation assistance to commercial businesses; management of computerized databases; market analysis; market analysis and research; market analysis and research services; market analysis and studies; market assessment services; market opinion polling studies; market reports and studies; market research by means of a computer database; market research services; market research studies; market segmentation consultation; market studies; market study and analysis of market studies; marketing analysis services; marketing research; marketing research in the fields of cosmetics, perfumery and beauty products; marketing services in the field of arranging for the distribution of the products of others; marketing services in the field of evaluating markets for existing goods and services of others; media relations services; mediation of advertising for others; mediation of contracts for purchase and sale of products; mediation of trade business for third parties; modeling agencies; modeling services for advertising or sales promotion; modelling agency services; modelling for advertising or sales promotion; newspaper advertising for others; on-line advertising for others on computer networks; on-line advertising the goods and services of others on computer communications networks; on-line auction bidding for others; on-line auctioneering; on-line ordering services in the field of restaurant take-out and

delivery; on-line retail and wholesale sales of power transmission belts for machines, motors and engines used in industrial applications; on-line trading services in which seller posts products to be auctioned and bidding is done via the Internet; on-line wholesale store services featuring agricultural equipment; on-line wholesale store services featuring animal grooming preparations; on-line wholesale store services featuring audiovisual equipment; on-line wholesale store services featuring stationery supplies; on-line wholesale store services featuring vehicles; online advertising for others via a computer communications network; online auction services; online department store services; online retail department store services; online retail sale of beauty salon equipment; online retail sale of bedding; online retail sale of hair care preparations; online retail sale of makeup; online retail sale of nail care preparations; online retail sale of skincare preparations; online retail services featuring bags; online retail services featuring clothing accessories being belts, sashes, scarves, ties, and wraps; online retail services featuring leather goods being jackets, pants, shoes and purses; online retail services featuring luggage; online retail services featuring sunglasses; online retail services for downloadable and pre-recorded music and movies; online retail services for downloadable digital music; online retail services for downloadable ring tones; online retail store services featuring pet food and prepared meals for pets; online retail store services featuring bags; online retail store services featuring dog food and prepared meals for dogs; online retail store services featuring subscription boxes containing pet products; online retail store services in the field of beauty supplies and beauty equipment for use in beauty salons; online sale of beauty salon equipment; online sale of hair care preparations; online sale of makeup; online sale of nail care preparations; online sale of purses and bags; online sale of skincare preparations; online sales of arts and crafts; online sales of automobile parts; online sales of body care products; online sales of car audio electronics; online sales of clothing; online sales of cosmetics; online sales of downloadable pre-recorded music; online sales of downloadable ring tones; online sales of food items; online sales of footwear; online sales of headwear; online sales of home entertainment electronics; online sales of housewares; online sales of lingerie; online sales of photographic equipment; online sales of sporting goods; online sales of toys; online wholesale store services featuring baked goods; online wholesale store services featuring beer; online wholesale store services featuring cocoa; operating marketplaces; operation of a clothing store; operation of a department store; operation of a furniture store; organisation of fashion shows for commercial purposes; organisation of Internet auctions; organization of exhibitions of flowers and plants for commercial or advertising purposes; organization of fashion shows for promotional purposes; organizing and conducting job fairs; outsourcing of web development services; pay per click advertising for others; placing advertisements for others; preparation of custom advertisements for others; preparing advertisements for others; preparing and placing advertisements for others; preparing and placing of advertisements for others; preparing and placing outdoor advertisements for others; press advertising consultancy; price comparison rating of accommodations; price comparison services; procurement of contracts for the purchase and sale of goods; procurement of contracts for the purchase and sale of goods and services; procurement services in the form of purchasing computer hardware; procurement services in the form of purchasing heavy equipment; procurement services in the form of purchasing vehicles; procuring of contracts for the purchase and sale of goods of others; producing promotional videotapes, video discs, and audio visual recordings for others; product demonstration services in shop windows by live models; product

demonstrations of kitchen appliances; production of advertising films for others; production of advertising materials for others; production of advertising matter and commercials for others; production of infomercials; production of television commercials; profit survey and analysis services; program for the giving of cash bonuses to retail customers through the issuance and redemption of cash bonus coupons; promoting and sponsoring cultural events and activities for others in the field of exhibition of art festival; promoting and sponsoring cultural events and activities for others in the field of food festival; promoting and sponsoring cultural events and activities for others in the field of musical festival; promoting and sponsoring cultural events and activities for others in the field of visiting historic site; promoting goods and services through the distribution of discount cards; promoting the artwork of others by means of providing online portfolios via a website; promoting the goods and services of others by arranging for sponsors to affiliate their goods and services with live concert events; promoting the goods and services of others by arranging for sponsors to affiliate their goods and services with live military displays; promoting the goods and services of others by arranging for sponsors to affiliate their goods and services with music festivals; promoting the goods and services of others by arranging for sponsors to affiliate their goods and services with soccer competitions; promoting the goods and services of others by preparing and placing advertisements in electronic magazines; promoting the goods and services of others through advertisements on Internet websites; promoting the goods and services of others through infomercials; promoting the goods and services of others through the administration of sales and promotional incentive schemes involving trading stamps; promoting the goods and services of others through the distribution of discount cards; promoting the music of others by means of providing online portfolios via a website; promoting the sale of coffee and tea related goods and services through the administration of a consumer loyalty program; promoting the sale of credit card accounts through the administration of incentive award programs; promoting the sale of goods and services by awarding purchase points for credit card use; promoting the sale of goods and services of others by awarding purchase points for credit card use; promoting the sale of goods and services of others through promotional contests provided over the internet; promoting the sale of goods and services through a consumer loyalty program; promoting the sale of goods and services through promotional contests and the distribution of related printed material; promotion of goods and services of others through sponsorship of sports events; promotional management for sports personalities; providing a directory of third party web sites for the purchase of consumer goods and services; providing a searchable online advertising guide featuring the goods and services of other on-line vendors on the internet; providing advertising space in a periodical; providing advertising space in periodicals, newspapers and magazines; providing advice and information relating to commercial business management; providing advice in the field of business efficiency; providing advice in the field of business management and marketing; providing advice relating to the analysis of consumer buying habits; providing an on-line commercial information directory on the internet; providing an online commercial information directory on the Internet; providing and rental of advertising space on the internet; providing and rental of exhibition stands and booths; providing assistance in the field of business management within the framework of a franchise contract; providing business information in the field of social media; providing business management start-up support for other businesses; providing business marketing information for others; providing classified advertising space via the global computer

network; providing consumer product information in the field of office computer equipment via a website; providing electronic verification of online orders of digital content; providing endorsement services to promote the sale of the goods and services of others; providing home shopping services of car audio electronics via the Internet; providing home shopping services of cosmetics by means of television; providing home shopping services of fitness equipment via the Internet; providing home shopping services of home entertainment electronics by means of television; providing home shopping services of sporting goods via the Internet; providing hotel rate comparison information; providing market intelligence services; providing marketing consultancy in the field of social media; providing marketing consulting in the field of social media; providing marketing strategies for others; providing on-line auction services; providing online advertising space for the products and services of others; providing online auction services; providing online commercial directory information services; providing operational business assistance to enterprises; providing print and online advertising space for the products and services of others; providing promotional coupon and voucher programs pertaining to goods and services of others; providing promotional coupon programs pertaining to a line of food products; providing quality management systems auditing; providing tax information via an interactive website; provision of an on-line marketplace for buyers and sellers of goods and services; provision of an online marketplace for buyers and sellers of goods and services; provision of business statistical information, namely, marketing survey services for others; provision of commercial and business contact information; provision of information relating to market studies; provision of market research information; provision of marketing reports; provision of space on websites for advertising goods and services; publication of publicity texts; purchasing agents; radio advertising for others; rating of accommodations services; real estate advertising services for others; real estate auctions; real estate marketing analysis services; real estate sales management services; rental of advertising billboards; rental of advertising space; rental of advertising space on web sites; rental of office equipment in co-working facilities; rental of office machinery and equipment; rental of photocopiers; rental of photocopying machines; rental of sales stands; rental of typewriters and copying machines; rental of vending machines; renting of advertising spaces; retail book store services; retail clothing store services; retail computer equipment store services; retail convenience store services; retail department store services; retail furniture store services; retail grocery store services; retail sale of audio equipment; retail sale of automobile parts; retail sale of automotive glass; retail sale of beauty salon equipment; retail sale of bedding; retail sale of clothing; retail sale of computer software; retail sale of cosmetics; retail sale of food; retail sale of footwear; retail sale of hair care preparations; retail sale of household cleaning preparations; retail sale of jewellery; retail sale of lingerie; retail sale of makeup; retail sale of nail care preparations; retail sale of photographic equipment; retail sale of purses and bags; retail sale of skincare preparations; retail sale of sporting goods; retail sale of toiletries; retail sale of toys; retail sale of wood veneer; retail services featuring clothing accessories being belts, sashes, scarves, ties, and wraps; retail services featuring leather goods being jackets, pants, shoes and purses; retail services featuring luggage; retail services featuring sunglasses; retail services for alcoholic beverages; retail services for apparel, boots, shoes, and bags; retail services for chemicals for use in agriculture; retail services for clothing, footwear, and bags; retail services for computer hardware; retail services for computer software; retail services for jewellery; retail services for make-up, cosmetics, skin care preparations, fragrances, cosmetic brushes, bath and shower

preparations; retail services for navigation devices; retail services for pharmaceutical, veterinary and sanitary preparations and medical supplies; retail services for shoes, boots, handbags; retail services for works of art provided by art galleries; retail services in relation to litter for animals; retail services in relation to non-alcoholic drinks; retail services in relation to works of art; retail services provided by bakery shops; retail services provided by butcher shops; retail services provided by candy stores; retail services provided by clothing boutiques; retail services provided by consignment stores; retail services provided by convenience stores; retail services provided by hypermarkets; retail services provided by lawn, garden and nursery stores; retail services provided by music and record stores; retail services provided by music stores; retail services provided by record stores; retail services provided by television stores; retail services provided by tobacco shops; retail services relating to automobile parts; retail services relating to candy; retail services relating to delicatessen products; retail services relating to fake furs; retail services relating to ice cream; retail shop window display arrangement services; retail store services featuring clothing; retail store services featuring confectionery; retail store services featuring cosmetics; retail store services featuring non-alcoholic beverages; retail store services featuring pet products; retail store services featuring stationery supplies; retail store services featuring tableware; retail store services in the field of beauty supplies and beauty equipment for use in beauty salons; résumé preparation services; sales and promotional incentive schemes and promotional services, namely provision of bonus incentive rewards to customers; sales demonstration for others; sales demonstrations of computer hardware; sales demonstrations of kitchen appliances; sales promotion for others by means of privileged user cards; sales promotion for others provided through the distribution and the administration of privileged user cards; sales promotion for others through trading stamp schemes; sales volume tracking for others; sales volume tracking services; scrap dealerships; scriptwriting for advertising purposes; search engine optimisation; search engine optimisation for sales promotion; search engine optimization; search engine optimization for sales promotion; secretarial and clerical services; secretarial services; services for provision of foreign trade information; services to determine the audience affected by advertisements; shop window display arrangement services; shop window dressing; shopping centre administration services; social media strategy consulting; sponsorship search; sponsorship search, namely assisting charitable organizations in searching for sponsorships; statistical analysis and reporting services for business purposes; statistical evaluation of data from market studies; statistical evaluation of market research data; statistical evaluations of marketing data; strategic business analysis; strategic business planning; supermarket retailing services; supermarkets; supply chain management services; systemization of data into computer databases; systemization of information into computer databases; talent agencies; talent agency services; talent agency services in the nature of business management of performing artists; telephone and television auctions; telephone order-taking services for others; television advertising for others; updating and maintenance of data in computer databases; web indexing for commercial or advertising purposes; web site optimization services; web site traffic optimisation; web site traffic optimization; website traffic optimisation; website traffic optimization; wholesale distributorship of food products; wholesale sales of auto parts; wholesale sales of clothing; wholesale sales of cosmetics; wholesale sales of home entertainment electronics; wholesale sales of sporting goods; wholesale sales of wood veneer; wholesale services for pharmaceutical, veterinary and sanitary preparations and

medical supplies; wholesale store services featuring audiovisual equipment; wholesale store services featuring bags; wholesale store services featuring baked goods; wholesale store services featuring beer; wholesale store services featuring chocolate; wholesale store services featuring clothing; wholesale store services featuring clothing accessories being belts, sashes, scarves, ties, and wraps; wholesale store services featuring cookware; wholesale store services featuring cutlery; wholesale store services featuring desserts; wholesale store services featuring diving equipment; wholesale store services featuring ice cream; wholesale store services featuring leather goods being jackets, pants, shoes and purses; wholesale store services featuring luggage; wholesale store services featuring saddlery; wholesale store services featuring smartphones; wholesale store services featuring smartwatches; wholesale store services featuring sorbets; wholesale store services featuring sunglasses; wholesale store services featuring teas; wholesale store services featuring toys; wholesale store services featuring valves and valve parts; window display arrangement services; window display services; window dressing services for advertising purposes;

- 42(2) Advice on designing, selecting, and using computer hardware and systems; advisory services in the field of product development and quality improvement of software; animation design for others; application service provider featuring application programming interface (api) software for analyzing market data; application service provider featuring application programming interface (api) software for gathering market data; building and maintaining websites; business card design; clothing design; clothing design services; cloud computing enabling file storage of payroll data; cloud computing photo sharing services; cloud computing provider services for general storage of data; cloud computing providing software for database management; cloud computing video hosting web sites; cloud computing web hosting services; cloud hosting provider services; commercial art design; computer aided graphic design; computer aided imaging; computer animation production services; computer anti-virus protection services; computer consultation in the field of computer security; computer design services; computer diagnostic services; computer disaster recovery planning; computer graphic design for video projection mapping; computer graphics design services; computer graphics digitization; computer graphics imaging; computer hardware and software design; computer hardware design; computer hardware development; computer hardware engineering; computer help desk services; computer integrated manufacturing (CIM) engineering; computer leasing; computer network configuration services; computer network design for others; computer network security services; computer programming; computer programming and maintenance of computer programs; computer programming and software design; computer programming consultancy; computer programming for others; computer programming in the medical field; computer programming of computer games; computer programming of video games; computer programming services; computer programming services for commercial analysis and reporting; computer programming services for others in the field of software configuration management; computer programming, coding and decoding; computer rental; computer security consultancy; computer security threat analysis for protecting data; computer services for creating an online community for registered users to participate in discussions on the topics of jobs, careers, and career placement for the purpose of connecting employers with agile professionals; computer services in the form of filtering unwanted e-mails; computer services,

namely, creating an online community for registered users to participate in discussions, share recommendations, get feedback from their peers, from virtual communities and engage in social networking; computer site design services; computer software consultancy; computer software consulting; computer software design; computer software design and development; computer software design and updating; computer software design for others; computer software development; computer software development in the field of mobile applications; computer software engineering; computer software installation and maintenance; computer software programming services; computer software project management services; computer software system design; computer software technical support services; computer system analysis services; computer system design; computer systems design; computer systems design services for others; computer systems integration services; computer systems monitoring services; computer technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems; computer technology consulting for the development of computer disaster mitigation strategies in the event of a natural disaster; computer time sharing; computer virus protection services; computer website design; configuration of computer networks; consultancy in the design and development of computer hardware; consultancy in the field of software design; consultancy in the field of webpage design; consultation services relating to computer software; consulting in the field of cloud computing networks and applications; consulting in the field of home automation; consulting services in the field of software as a service (saas); consumer product safety testing services; conversion of data or documents from physical to electronic media; copying of computer software; cosmetic research; cosmetic research services; creating and designing web pages for others; creating and designing website-based indexes of information for others [information technology services]; creating and maintaining blogs for others; creating and maintaining web sites for others; creating and maintaining weblogs for others; creating and maintaining websites; creating home pages for others; creating of computer programs for others; creating of home pages for computer networks for others; creating web pages for others; creation and maintenance of web sites for others; creation and provision of web pages to and for third parties; creation of control programs for electric operation control and drive modules; creation of internet web sites for others; creation, design, development and maintenance of web sites for third parties; data decryption services; data encryption and decoding services; data encryption services; data migration services; data mining services; data security consultancy; database design and development; database development services; debugging computer software for others; design and creating web sites for others; design and development of computer game software; design and development of computer game software and virtual reality software; design and development of computer hardware; design and development of computer hardware and software; design and development of computer hardware for the manufacturing industries; design and development of computer software; design and development of computer software for supply chain logistics; design and development of computers; design and development of computers and programs for computers; design and development of electronic data security systems; design and development of virtual reality software; design and development of webpages; design and development of wireless computer networks; design and maintenance of computer sites for third parties; design and maintenance of web sites for others; design and testing of new products for others; design and writing of computer software; design of clothing; design of computer database; design of computer

databases; design of computer hardware; design of computer programs and software for aircraft dashboards; design of computer sites; design of computer-simulated models; design of computers; design of computers for others; design of costumes; design of digital cameras; design of home pages; design of homepages and websites; design of integrated circuits; design of interior decor; design of show scenery; design sketching of dinnerware; design sketching of packaging containers; design sketching of table utensils; design, creation, hosting and maintenance of internet sites for third parties; design, creation, hosting, maintenance of websites for others; design, development and implementation of software; design, development, installation and maintenance of computer software; design, installation, updating and maintenance of computer software; design, maintenance, development and updating of computer software; design, updating and rental of computer software; design, upgrading and rental of computer software; designing and creating web sites for others; designing and developing webpages on the internet for others; designing computer software for controlling self-service terminals; designing of computer hardware; designing of packaging and wrapping materials; designing websites for the advertising purposes of others; developing and updating computer software; developing computer programs for electronic cash register systems; developing computer software; development and creation of computer programmes for data processing; development of computer games; development of computer hardware for computer games; development of data processing programs by order of third parties; development of software for secure network operations; development of video and computer games; development, design and updating of home pages; digital compression of computer data; digitization of documents; digitizing of photographs; document data transfer and conversion from one media to another; document data transfer from one computer format to another; dress design services; dress designing; duplication of computer programs; elaboration and maintenance of web sites for third parties; electronic digitizing of photographs into a computer readable media; encoding of magnetic cards; fashion design consulting services; footwear design services; graphic art design; graphic arts design; graphic arts designing; graphic design; graphic design of promotional materials; graphic illustration services for others; homepage and webpage design; hosting computer websites; hosting internet sites for others; hosting of web sites; hosting on-line web facilities for others; hosting webpages for others; hosting websites on the internet; image processing software design; industrial and graphic art design; infrastructure-as-a-service (iaas) services featuring computer software platforms for syncing, storing, archiving, and backing-up data to cloud servers; installation and maintenance of computer software; installation of computer software; installation, maintenance and repair of computer software; installation, maintenance and repair of Internet access software; installation, maintenance and repair of software for computer systems; installation, repair and maintenance of computer software; installation, updating and maintenance of computer software; installing computer programs; integration of computer systems and networks; internet security consultancy; jewelry design; leasing of computer programs; leasing of computer servers; leasing of computers; leasing of data center modules; logo design services; maintenance and updating of computer software; maintenance and upgrading of computer software; maintenance of computer software; maintenance of computer software relating to computer security and prevention of computer risks; maintenance of computer software used for operating filling apparatus and machines; maintenance of software for Internet access; maintenance of websites for others; managing web sites for others; mapping services; meteorological

information; monitoring of computer systems for detecting unauthorized access or data breach; monitoring of computer systems to detect breakdowns; multimedia and audio-visual software consulting services; packaging design; photogrammetry services; platform as a service (PAAS) featuring computer software platforms for use in the field of financial services for trading derivatives; platform as a service (PaaS) provider featuring computer software platforms for use by employers in employee candidate résumé evaluation and ranking; platform as a service (PaaS) provider featuring computer software platforms for use by employers in job analysis of vacant position requirements; platform as a service (PaaS) provider featuring computer software platforms for use by employers to automatically mask potential bias indicators in an application for employment; platform as a service (PaaS) provider for the searching and identifying consumer behaviour patterns using a computer searching algorithm to locate data stored in multi-structured formats based on key indexes over the Internet; platform as a service for the operation of library management systems; preparation, update, installation and maintenance of computer software; product design consulting services; product development services; product packaging design services; providing cloud storage facilities for use as a data center for others; providing information about fashion design services; providing information in the field of aerospace electronics via an interactive website; providing information in the field of astronomy via an interactive website; providing information in the fields of technology and software development via a global computer network; providing information on computer technology and programming via a web site; providing internet search engines; providing meteorological information; providing online geographic maps, not downloadable; providing online non-downloadable enterprise resource planning (ERP) software in the field of customer relationship management; providing online non-downloadable enterprise resource planning (ERP) software in the field of database management; providing online non-downloadable enterprise resource planning (ERP) software in the field of inventory management; providing online non-downloadable enterprise resource planning (ERP) software in the field of supply chain management; providing search engines for the internet; providing software as a service, namely providing others with computer software and mobile device software applications for implementing and recording financial transactions in data networks; providing temporary use of non-downloadable computer software for connecting doctors with medical patients and providing medical information to doctors; providing temporary use of on-line non-downloadable software for processing electronic payments; providing temporary use of online non-downloadable personal finance software; providing temporary use of online non-downloadable software for controlling access to financial information via electronic permission settings; providing temporary use of online non-downloadable software for credit card invoicing; providing temporary use of online non-downloadable software for credit card payment processing; providing temporary use of online non-downloadable software for inventory management; providing temporary use of online non-downloadable software for online backup of electronic files; providing temporary use of online non-downloadable software for use in data collections and account receivables data; providing temporary use of online non-downloadable software for use in the field of project costing management; providing temporary use of online non-downloadable software for use in the field of tax management; providing temporary use of online non-downloadable software to calculate and charge sales tax and to create reports to pay sales tax to appropriate tax agencies; providing user authentication services in e-commerce transactions; providing virtual computer systems and virtual computer environments through cloud

computing; providing weather information; provision of scientific information, advice and consultancy in relation to carbon offsetting; recovery of computer data; rental and updating of software for data processing; rental of a database server to third parties; rental of computer hardware and computer peripherals; rental of computer software; rental of computer software for developing video games; rental of computer systems; rental of computers; rental of software for data processing; rental of space in a computer co-location data centre infrastructure facility for others; rental of web servers; rental of web servers and co-location servers for containerized data centres for others; repair of damaged computer programs; research and design in the field of computer hardware; research and design in the field of computer datacenter architecture; research and design in the field of computer networking; scanning of documents; shop interior design; software as a service (SAAS) provider featuring online non-downloadable software for developing, generating and uploading courses of instruction and coaching material in the field of business leadership development; software as a service (SAAS) provider featuring online non-downloadable software for developing, generating and uploading courses of instruction and coaching material in the field of business management; software as a service (SAAS) provider featuring online non-downloadable software for developing, generating and uploading courses of instruction and coaching material in the field of business risk management; software as a service (SAAS) provider featuring online non-downloadable software for developing, generating and uploading courses of instruction and coaching material in the field of computer software development; software as a service (SAAS) provider featuring online non-downloadable software for developing, generating and uploading courses of instruction and coaching material in the field of project management for businesses; software as a service (SAAS) provider featuring online non-downloadable software for developing, generating and uploading courses of instruction and coaching material in the field of time management; software as a service (SAAS) provider featuring online non-downloadable software for developing, generating and uploading courses of instruction and coaching material to encourage employee creative development to increase productivity; software as a service (SaaS) provider for the searching and identifying consumer behaviour patterns using a computer searching algorithm to locate data stored in multi-structured formats based on key indexes over the Internet; software as a service (SaaS) provider in the field of customer relationship management; software as a service (SaaS) provider in the field of human resources management; software as a service (SaaS) provider in the field of inventory management; software as a service (SaaS) provider in the field of providing customer relations management; software as a service (SaaS) provider in the field of revenue management; software as a service (SAAS) provider in the field of software for small business accounting; software as a service (SaaS) provider in the field of supply chain management; software as a service (saas) services featuring online non-downloadable software for use in management of servers; software as a service (SaaS), namely providing temporary use of on-line non-downloadable software to allow users to track and analyze consumer consumption of cannabis for medical purposes; software creation; software design and development; software design engineering; software development in the framework of software publishing; software systems integration engineering; software testing engineering; technical support in the form of monitoring global computer network systems; technical support in the nature of troubleshooting to diagnose computer hardware and software problems; technical support in the nature of troubleshooting to diagnose computer software problems; technical surveying; technical writing;

television systems engineering; testing of computer hardware; testing of computer hardware and software; testing of computer software; testing of computers; theatre set design; theatrical set design; toy design; troubleshooting of computers, servers and computer software problems; updating and rental of software for data processing; updating of computer programs for third parties; updating of computer software; updating of computer software for others; updating of computer software relating to computer security and prevention of computer risks; updating of software for data processing; updating websites for others; upgrading of computer software; user authentication services using blockchain technology; user authentication services using single sign-on of online software applications; user authentication services using single sign-on technology for online software applications; user authentication services using technology for e-commerce transactions; video game development services; weather forecasting; weather information services; weather map interpreting; weather reporting; web hosting; web site design consultancy; website design; website design consultancy; website development for others; writing and updating computer software; writing of computer code

SCHEDULE B

EBAY CONNECTED COMMERCE, Application number 1653278, Reg. No. TMA1040840

Goods (Nice class & Statement)

(1) Computer e-commerce software to allow users to conduct electronic business transactions in online marketplaces via a global computer network; computer database software featuring information in the field of hobbies, collectibles and general consumer and industrial goods and services; computer software and software development tools for use in developing further software and software applications in the field of e-commerce

Services (Nice class & Statement)

(1) Online trading services, namely, operating online marketplaces for sellers and buyers of goods and services; online trading services in which sellers post products or services to be offered for sale, and purchasing or bidding is done via the Internet in order to facilitate the sale of goods and services by others via a computer network; providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods and services, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith; providing a searchable online advertising guide featuring the goods and services of online vendors; providing a searchable online evaluation database for buyers and sellers; advertising and advertisement services; business services in the nature of intellectual property claims management, namely, processing and administration of claims of intellectual property owners against third party sellers; identification verification services, namely, confirming authenticity of environmentally friendly products, producers and sellers for the purposes of helping consumers make informed purchasing decisions; real estate listing services; classified real estate listings of apartment rentals, housing rentals and vacation rentals; providing purchase protection services in the field of online trading of goods and services by others via a global computer network; charitable fundraising services; Design and development of computer software, software applications, and application programming interfaces; providing temporary use of on-line, non-downloadable computer software and software development tools for use in developing further software and software applications in the field of e-commerce; providing temporary use of online, non-downloadable e-commerce software to allow users to conduct electronic business transactions in online marketplaces via a global computer network; maintenance and updating of computer software for others; providing a website that gives users the ability to create customized web pages featuring user-defined information in the field of intellectual property rights and intellectual property enforcement policies, in order to assist program participants with inquiries and requests regarding use of intellectual property by others in an online marketplace



Services

(1) Online trading services, namely, operating online marketplaces for sellers and buyers of goods and services; online trading services in which sellers post products or services to be offered for sale, and purchasing or bidding is done via the Internet in order to facilitate the sale of goods and services by others via a computer network; providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods and services, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith; providing a searchable online advertising guide featuring the goods and services of online vendors; providing a searchable online evaluation database for buyers and sellers; advertising the wares and services of others in an online marketplace; placing advertisements of others in an online marketplace; business services, namely, providing a website that gives users the ability to create customized web pages featuring user-defined information in the field of intellectual property rights and intellectual property enforcement policies, in order to assist program participants with inquiries and requests regarding use of intellectual property by others in an online marketplace; Real estate listing services; classified real estate listings of apartment rentals, housing rentals and vacation rentals; providing purchase protection services in the field of online trading of goods and services by others via a global computer network; charitable fundraising services; Telecommunications services, namely, electronic transmission of data and information over a global computer network for facilitating online trading between buyers and sellers over a global computer network; electronic messaging; providing an online, interactive bulletin board for the transmission of messages among computer users concerning hobbies, collectibles, trading, and the sale of goods and services via a global computer network.

(2) Online social networking services; processing and administration of intellectual property legal claims; providing information regarding intellectual property owners and their enforcement policies, all in order to assist program participants with inquiries and requests regarding use of intellectual property by others in an online marketplace; identification verification services, namely, confirming authenticity of environmentally friendly products, producers and sellers.



Goods

(1) Computer e-commerce software to allow users to conduct electronic business transactions in online marketplaces via a global computer network; software, namely a database featuring information in the field of hobbies, collectibles and a wide variety of products for sale; computer software for developing software applications in the field of e-commerce; software development tools used to develop, test, debug and maintain computer software in the field of e-commerce; publications, namely, a series of nonfiction books concerning hobbies, collectibles, auctions, online marketplaces, and a wide variety of products relating to antiques, art, literature, culture, technology, travel, sports, entertainment, home furnishings, garden items, musical instruments, motor vehicles, toys and games, fashion, jewelry, electronics, photography, holiday related items, film and video.

Services

(1) Design and development of computer software, software applications, and application programming interfaces; providing temporary use of online, non-downloadable computer software for developing software applications in the field of e-commerce; providing temporary use of online, non-downloadable software development tools used to develop, test, debug and maintain computer software in the field of e-commerce; providing temporary use of online, non-downloadable e-commerce software to allow users to conduct electronic business transactions in online marketplaces via a global computer network; maintenance and updating of computer software for others.

EBAY design (colour), Application number 1377152, Reg. No. TMA787452



Services

(1) Providing online marketplaces for sellers and buyers of goods and services; providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods, buyers' and sellers' performance, delivery, and overall experience in connection therewith; providing a searchable online advertising guide featuring the goods and services of online vendors; providing a searchable online evaluation database for buyers and sellers; advertising the wares and services of others; placing advertisements of others; promoting the sale of goods and services through a customer loyalty program; promoting the goods and services of others by providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith; promoting the goods and services of others by providing an online interactive bulletin board for the posting, promotion, sale and resale of items via a global computer network; telecommunications

services, namely, providing access to a database listing information regarding goods via a global information network, and electronic transmission of data and information over a global computer network for facilitating online trading between buyers and sellers over a global computer network; paging services; providing an online, interactive bulletin board for the transmission of messages among computer users concerning hobbies, collectibles, trading, and the sale of goods and services via a global communications network; providing customized online web pages featuring user-defined information, which includes search engines and online web links to other web sites; designing online web pages for others for advertising purposes; online social networking services.

EBAY, Application number 1116877, Reg. No. TMA684590

Goods (Nice class & Statement)

- 18 (1) Duffel bags, tote bags, backpacks and briefcases.
- 21 (2) Mugs, tumblers.
- 21 (3) Water bottles sold empty; containers for food or beverages, namely, lunch containers made of vinyl or nylon.

EBAY, Application number 1096013, Reg. No. TMA574224

Services

(1) On-line trading services in which seller posts items to be auctioned and bidding is done electronically, and providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods, buyers' and sellers' performance, delivery, and overall trading experience in connection therewith; providing an online, interactive bulletin board for the posting, promotion, sale and resale of items via a global computer network; and for the collection and dissemination of statistical, quantitative and qualitative information regarding the sale and resale of items via a global computer network; providing analyses and online distribution of statistical, quantitative and qualitative information regarding the sale and resale of items via a global computer network.

EBAY CANADA, Application number 1049585, Reg. No. TMA585493

Services

(1) On-line trading services in which seller posts items to be sold at a set price, or alternatively to be offered in an auction-style format where bidding is done electronically, and providing evaluative feedback and ratings of sellers' goods and services, the value and prices of sellers' goods, buyers' and sellers' performance, delivery and overall trading experience in connection therewith.

EBAY, Application number 1046902, Reg. No. TMA645254

Services

(1) Telecommunications services, namely, electronic transmission of data and information over a global computer network for facilitating online trading between buyers and sellers over a global computer network; paging services; provision of access to computer databases; provision of access to global information networks and other network systems.

EBAY, Application number 1023310, Reg. No. TMA635282

Goods

(1) Pre-recorded audio tapes, CD-ROM, discs and video tapes featuring information in the fields of hobbies, collecting and auctions; computer software for use in the search and retrieval of computerized information on hobbies, collectibles, auctions and a wide variety of products accessed from global information networks and other network systems.

EBAY DESIGN, Application number 1000927, Reg. No. TMA739158



Goods

(1) Clocks, watches and jewelry; publications, namely books and magazines concerning hobbies, collectibles, auctions, and a wide variety of products; paper and stationery items, namely memo pads, address books, personal diaries, pens, pencils, posters; clothing, namely t-shirts, sweatshirts, jackets, caps.

EBAY, Application number 1000928, Reg. No. TMA739157

Goods (Nice class & Statement)

- 16 (1) Publications, namely books and magazines concerning hobbies, collectibles, auctions, and a wide variety of products; paper and stationery items, namely memo pads, personal diaries, pens, pencils.
- 25 (2) Clothing, namely t-shirts, sweatshirts, jackets, caps.