O-130-16

Companies Act 2006
In the matter of application No 586 by The Dental Law Partnership Solicitors Ltd for a change to the company name of Dental Law Partnership Limited, registered under No. 08401794.

Background and pleadings

1. Dental Law Partnership Limited (hereafter "the respondent") was incorporated on 13 February 2013.

2. On 20 June 2013, The Dental Law Partnership Solicitors Ltd ("the applicant") applied for an Order under section 69 of the Companies Act 2006 ("the Act") for the company name of Dental Law Partnership Limited to be changed.

3. Section 69 of the Act states:

> "(1) A person ("the applicant") may object to a company's registered name on the ground—
>
> > (a) that it is the same as a name associated with the applicant in which he has goodwill, or
> >
> > (b) that it is sufficiently similar to such a name that its use in the United Kingdom would be likely to mislead by suggesting a connection between the company and the applicant.
>
> (2) The objection must be made by application to a company names adjudicator (see section 70).
>
> (3) The company concerned shall be the primary respondent to the application.
>
> Any of its members or directors may be joined as respondents.
>
> (4) If the ground specified in subsection (1)(a) or (b) is established, it is for the respondents to show—
>
> > (a) that the name was registered before the commencement of the activities on which the applicant relies to show goodwill; or
> >
> > (b) that the company—
> >
> > > (i) is operating under the name, or
> > >
> > > (ii) is proposing to do so and has incurred substantial start-up costs in preparation, or
> > >
> > > (iii) was formerly operating under the name and is now dormant; or

(c) that the name was registered in the ordinary course of a company formation business and the company is available for sale to the applicant on the standard terms of that business; or

(d) that the name was adopted in good faith; or

(e) that the interests of the applicant are not adversely affected to any significant extent.

If none of these is shown, the objection shall be upheld.

(5) If the facts mentioned in subsection 4(a), (b) or (c) are established, the objection shall nevertheless be upheld if the applicant shows that the main purpose of the respondents (or any of them) in registering the name was to obtain money (or other consideration) from the applicant or prevent him from registering the name.

(6) If the objection is not upheld under subsection (4) or (5), it shall be dismissed.

(7) In this section "goodwill" includes reputation of any description."

4. The application form was filled in by Mr Gregory Waldron, a director of the applicant. It is claimed that the names associated with it are:

"The Dental Law Partnership Solicitors Limited"

and

"The Dental Law Partnership"

5. The applicant claims that it has significant goodwill in these names in the field of dental negligence litigation. The business was initially a partnership consisting of two partners, Mr Waldron and a Mr David Corless-Smith. In 2008 the applicant was incorporated which then purchased the legal practice of the partnership. The applicant claims that the name of the respondent may confuse the public and that the respondent will benefit from the applicant's goodwill. The applicant comments on the potential defences on which the respondent may try to avail itself. It is stated, for example, that the sole director of the respondent has been a repeat opponent in litigation instigated by the applicant's dental negligence business, which, it argues, may go some way to explaining the respondent's motives. The applicant is concerned that "a main purpose [of the registration of the respondent's name] was to obtain some form of consideration from the applicant".

6. The respondent filed a defence and counterstatement, which was written by Mr Kamran Qureshi. Later correspondence from the respondent was filed by Mr Ibrahim Hussain. The filing of the defence created some procedural difficulties. In summary, although the counterstatement was filed within the time period prescribed by the adjudicator, the fee sheet requesting payment to be taken was filed late. There were also issues surrounding the fee sheet that was filed to make payment, which led to

problems for the tribunal in locating the payment. I will not detail these problems further here. This is because a case-management conference ("CMC") was appointed to deal with these issues, the eventual outcome of which was communicated to the parties on 8 September 2014 in a very comprehensive manner by Mr CJ Bowen, Company Names Adjudicator. Mr Bowen extended the time period for the fee to be paid, so resolving the issue. It should also be noted that Mr Waldron indicated that should this be the outcome, he would abide by that decision. As Mr Bowen indicated, this was a helpful concession.

7. In terms of the counterstatement that was accepted into the proceedings, a number of points are made by the respondent:

- That "Greg Waldon's previous work is understood to be one of the founders of the dental law and ethics forum".

- The applicant does not have a registered trade mark.

- "The dental law partnership solicitors provides clarity on the services they offer".

- The applicant's "website was once owned or controlled by the dental law company ltd. So the argument over goodwill can be negated via the fact that the goodwill does not lie with one organisation".

- "Whilst their current website indicates the owners of the dental law partnership website to be the dental law partnership solicitors ltd, it is apparent that the dental law company ltd is or has traded under that name, as can be seen by and entry into a register located at…" [web address provided, but not any extract from it].

- Reference is made to the definition of goodwill set out in the case of *Inland Revenue Commissioners v Muller & Co's Margarine Ltd* [1901] AC 217 (HOL).

- There is nothing to suggest that the main purpose of the respondent was to obtain money (or other consideration), there has been no financial loss or impact on the applicant, and no loss of business and, therefore, the interests of the applicant are not adversely affected to any significant extent.

8. We note that the counterstatement form (CNA 2) includes a section which specifically asks a respondent to set out any defences upon which it wishes to rely. This was left blank. Nevertheless, the last bullet point noted above does refer to the interests of the applicant not being adversely affected to any significant extent. This relates to a potential defence under section 69(4)(e) of the Act.

9. The reference in the last bullet point to there being nothing to suggest that the main purpose of the respondent was to obtain money or other consideration is not, in and of itself, a defence on which a respondent can rely. The relevant part of the Act (section 69(5)) is, in fact, a provision on which an applicant can rely, if, despite the existence of certain defences, it can be shown that the main purpose was nevertheless to obtain money or some other form of consideration. It could be said

that the reference which has been made is an oblique reference to the respondent acting in good faith, which is a defence under section 69(4)(d). However, if the respondent wished to run the good faith defence then it should have been clear about this. In any event, the good faith defence is bound to have failed because, as we will come on to say, the respondent filed no evidence. The onus is on the respondent to show good faith, it is not something that can simply be claimed (or, in this case, obliquely claimed). We will comment more generally later in this decision in relation to the defences.

10. It should also be noted that we have not found the respondent's statements summarised at paragraph 7 to be particularly clear. However, what is clear is that the respondent does not accept (at least not directly) that the applicant has goodwill associated with the names on which it relies, although, this is partly based on the goodwill not lying with one organisation. Further, at various points in the proceedings, and in a written submission received in lieu of attending the hearing, the respondent has stated that the words used in the applicant's name are descriptive.

11. Neither party is professionally represented. We note that Mr Waldron is a solicitor, albeit one who works in the field of dental negligence. Mr Waldron confirmed at the hearing that he has no experience in the field of intellectual property or company registration and that he should be regarded as a layman in the matters before the tribunal. The hearing was requested by the applicant. This took place before us on 24 February 2016, at which Mr Waldron represented the applicant. The respondent did not attend. Two documents were filed by the respondent shortly before the hearing which we will touch on later.

12. Only the applicant filed evidence. Whilst the respondent has filed various pieces of correspondence during the proceedings, none has been filed as evidence. The requirements for filing evidence are set out in rule 9 of the Company Names Adjudicator Rules 2008 as follows:

> "(1) Subject to rule 6(3), evidence filed under these Rules may be given—
>
> (a) by witness statement, affidavit or statutory declaration; or
>
> (b) in any other form which would be admissible as evidence in proceedings before the court,
>
> and a witness statement may only be given in evidence if it includes a statement of truth.
>
> (2) For the purposes of these Rules, a statement of truth—
>
> (a) means a statement that the person making the statement believes that the facts stated in a particular document are true; and
>
> (b) shall be dated and signed by the maker of the statement.

(3) In these Rules, a witness statement is a written statement signed by a person that contains the evidence which that person would be allowed to give orally."

13. The purpose of filing evidence is to establish fact, unless, of course, the fact is so well known that it can be taken into account on the basis of what is known as judicial notice. None of what the respondent has filed in the proceedings has been filed as evidence. Consequently, it has failed to establish any facts. This is not, though, the end of the matter because the applicant must still establish its case and we can still take any argument (but not fact) into account as has been stated in the respondent's correspondence.

Other procedural issues

14. For context, we set out below some further procedural issues that have arisen during the course of the proceedings:

- At the CMC relating to the counterstatement/fee, the respondent failed to follow the clear directions of the adjudicator to file a witness statement in relation to what had gone on.

- The respondent made a number of errors in the completion of its counterstatement, even after the CMC, such as failing to sign and date the official forms. Deadlines were also missed in relation to this, for which another CMC before Mr Bowen was needed in order to resolve the matter.

- The respondent indicated in the CMC that he did not really wish to retain the company name, although in subsequent correspondence it was indicated that this was to save money, not an admission of any wrong doing. The respondent has also offered that mediation take place.

- The respondent failed to copy some of its correspondence to the applicant. But, the applicant also failed to copy an email to the respondent later in the proceedings. At the hearing, Mr Waldron also advised that the respondent had failed to copy its final documentation (referred to above at paragraph 11) to the applicant.

- There was a request from the applicant that the respondent provide security for costs (amounting to £4000). However, after receiving written submissions from the parties, this request was refused as nothing was put forward to show that the respondent would be unable to meet an adverse costs award.

- Evidence filed by the applicant was initially rejected as it was not in evidential form.

- The respondent claimed that the applicant had not sent its bundle of evidence to it (only its covering letter). The applicant strongly denied this, claiming that it was sent. The matter was resolved by the tribunal providing the respondent with a copy of the evidence.

- The respondent changed its registered office address, but did not inform the tribunal. This led to a letter and the evidence referred to above having to be resent, causing further delay.

15. The procedural issues we have described above have led to undue delay in these proceedings being resolved. We will return to this when we deal with the issue of costs.

Evidence

16. The applicant's evidence is given by Mr Waldron, in a witness statement dated 13 April 2015. Attached to his witness statement are two exhibits. The first (Exhibit A) contains the applicant's statement of case. This has the effect of enabling the facts set out in the statement of case to be accepted as evidence in the proceedings. The second exhibit (Exhibit B) contains a large number of media articles, pages from a Dental Law and Ethics textbook and, finally, a page from the website of the International Dental and Ethics Law Society.

17. In terms of Exhibit A, we focus initially on the stated facts concerning the applicant's business. We note the following:

- The Dental Law Partnership was formed in August 2000 by Mr Waldron and Mr Corless-Smith.

- The partners were registered dentists and also practising solicitors.

- It is stated that when the partnership began, it was the UK's only specialist dental negligence law firm.

- The business grew rapidly and now has 45 employees, including solicitors and dentists, based in two offices at Nantwich and Elstree.

- The Dental Law Partnership Solicitors Ltd was incorporated in March 2008. It purchased the legal practice of the partnership.

- The partnership name continued to be used as the trading name of the company. This is said to be exemplified by its letter headed paper. No letter headed paper is provided in the evidence. The reference may be to a covering letter attached to the statement of case. This clearly indicates that the name of the business is "the dental law partnership". At the bottom of the page the corporate name is given, together with an indication that the company's trading name is "The Dental Law Partnership".

- The applicant is a medium sized law firm with over 1000 clients and, over the last 13 years, it has settled over 3000 negligence claims.

- It is stated that the applicant handles more than 50% of all dental negligence claims in England and Wales.

- The partnership itself is still in existence, but functions as a property holding partnership. The partnership owns two properties which it rents to the applicant company. The 3 directors of the applicant are the 3 partners in the partnership. Later evidence shows that a Mr Christopher Dean is the third director/partner.

- It is stated that the applicant receives regular referrals from dentists and solicitors due to its reputation.

- The applicant's business is in the field of dental negligence litigation on behalf of dental patients. It has also carried out expert reporting for insurers and other law firms and may well, in the future, expand this activity. It has also lectured to both dentists and solicitors on the educational side of dentistry practice, something which may also be developed.

18. The contents of Exhibit B include a good number of press articles which feature, in some way, references to the applicant. The following is intended to give a feel for the nature of the articles:

- BBC News Nottingham web print dated 12 February 2015. This is an article about a compensation case, where Mr Corless-Smith of "the Dental Law Partnership" has been approached for comment. Similar articles are provided from "Dispatch" and the Gainsborough Standard. A similar article also appeared on the Daily Mail website on 12 November 2014 and on the website of the Mirror on 28 November 2014.

- An article from the Crewe Chronicle from 11 February 2015. It is headed "Dental Negligence legal firm makes key promotions". The article begins: "SPECIALIST dental negligence law firm Dental Law Partnership..".

- An article from The Dentist dated 1 January 2015 entitled "Am I my associates' keeper?" The article is written by Christopher Dean "Managing Director of The Dental Law Partnership".

- An article from The Telegraph website dated 20 January 2015 entitled "Could your dentist be destroying your teeth?" Towards the end of a fairly lengthy article reference is made to "..the Dental Law Partnership has seen a 90% increase in new claims".

- An article from The People dated 16 November 2014 about rogue dentists in which some quotes appear from "Chris Dean of the Dental Law Partnership". The same article appeared on the website of the Mirror on 15 November 2014.

- An article from the Daily Mail (and its website) dated 29 November 2014 entitled "Patients to sue HIV-risk dentist" with, again, comment from "Chris Dean of the Dental Law Partnership".

- An article form the website of the Northwich Guardian dated 18 November 2014. It is about a woman who sued her dentist due to the scars she received during treatment. Part of the article states “Specialist lawyers at the Dental Law Partnership took up her case”.

- An article of a similar nature (but a different case) is referred to in the Islington Gazette dated 7 November 2014, again, with “the Dental Law Partnership (DLP) took on a case”.

- An article from the Evening Standard dated 28 October 2014 which refers to a client’s solicitor as “Heather Owen, from Dental Law Partnership”.

19. There are many more articles, all of which mention The Dental Law Partnership or Dental Law Partnership. There are a mixture of local and national sources, although, the local sources dominate. There are over 100 in total. In terms of articles that appeared before the respondent was incorporated, there are (excluding what appear to be duplicate articles) over 50. The earliest articles are from the end of 2011.

20. Exhibit B also contains the following:

- An extract from the book “Dental law and ethics” in which certain contributors are acknowledged including the three directors of the applicant. One, though, was clearly not a director at the time the book was published in 2001 or reprinted in 2005 because he (Mr Dean) is identified as a managing director of Dental Law Company. However, Mr Corless-Smith and Mr Waldron are identified as being of “the Dental Law Partnership”.

- A web print from a society called the International Dental Ethics and Law Society. Mr Waldron is listed as being on the founding board (as treasurer) although neither the partnership name nor the applicant is mentioned.

Decision

21. If the respondent defends the application, as here, the applicant must establish that it has goodwill or reputation in relation to a name that is the same, or sufficiently similar, to that of the respondent’s company name suggesting a connection between the company and the applicant. Only if this burden is fulfilled is it then necessary to consider if the respondent can rely upon defences under section 69(4) of the Act. The relevant date is the date of application which, in this case, is 20 June 2013. The applicant must show that it had a goodwill or reputation at this date.

Goodwill

22. Section 69(7) of the Act defines goodwill as a “reputation of any description”. Consequently, in the terms of the Act, it is not limited to Lord Macnaghten’s classic definition of goodwill in *IRC v Muller & Co’s Margerine Ltd* [1901] AC 217:

> “What is goodwill? It is a thing very easy to describe, very difficult to define. It is the benefit and advantage of the good name, reputation, and connection of

> a business. It is the attractive force which brings in custom. It is the one thing which distinguishes an old-established business from a new business at its first start."

23. In view of the above, even if goodwill, in the traditional sense, is not established, an applicant can still succeed if it can demonstrate the requisite reputation.

24. The applicant claims that its goodwill or reputation is associated with the following names: i) "The Dental Law Partnership Solicitors Limited" and/or "The Dental Law Partnership". However, Mr Waldron accepted at the hearing that the public facing name is the latter not the former. We will, therefore, focus on that name.

25. Whilst Mr Waldron's statement as to the history of the business is not significant in length, it nevertheless contains some key facts including the length of trade, number of clients, market share etc. Of course, some of this data (market share for example) is not broken down by year and appears contemporaneous with the filing of the witness statement. It is also explained by Mr Waldron that the legal practice was initially operated by the partnership, but that it was purchased by the applicant company when it was incorporated, albeit the applicant company used the partnership name as its trading name. The various press materials also strongly support the existence of an ongoing business. The applicant has established, in our view, that it has a clear and recognisable goodwill in the field of dental negligence litigation.

26. In terms of the name associated with the applicant's goodwill, we note that during correspondence (and in a final written submission) the respondent mentions that the words which make up the names relied upon by the applicant are descriptive. Whilst the words clearly suggest that the business is a partnership working in the field of dental law, this, in itself, does not prevent the name from being distinctive of the applicant. It is a question of fact. Based on the factual evidence provided, the goodwill is clearly associated with the name The Dental Law Partnership. That designation will be seen as the name of the business. The name is distinctive of the applicant. We should add for sake of completeness that we do not consider it fatal that the definite article is missing from some of the press articles provided.

27. We have considered the respondent's points in its counterstatement (and submissions) in so far as they could potentially relate to the question of goodwill. As we have already observed, some of the points made are difficult to follow. One clear point is that the applicant does not own a registered trade mark. Whilst this may be so, it must be observed that owning a registered trade mark is not a requirement in these proceedings. Reference is made to the website of the applicant (or the previous partnership) once being owned/controlled by the Dental Law Company Limited and, thus, the goodwill may not be owned by one organisation. We are not altogether clear what was meant by this (there is no evidence from the respondent to consider), but it is clear from the applicant's evidence that it is the applicant company that operates the business. Even if any goodwill was attributed to another organisation in the past, this does not prevent the applicant from owning goodwill now. Furthermore, even if the goodwill does not lie solely with the applicant

(although our finding on the evidence is that it does) this would not matter because exclusive distinctiveness is not a prerequisite[1].

28. In summary, we find that the applicant has established that it has a goodwill or reputation associated with the name The Dental Law Partnership.

Does the respondent's company name suggest a connection between it and the applicant?

29. The respondent's name is **Dental Law Partnership Limited.** The name associated with the applicant is **The Dental Law Partnership.** Consequently, the only differences between the names are i) the addition/absence of the definite article and ii) the absence/presence of the word Limited.

30. In terms of the absence/presence of the word Limited, this can hardly be considered significant as it simply indicates the corporate status of the company. Indeed, if this had been the only difference between the names then they would have been regarded as the same (see, for example, *MB Inspection Ltd v Hi-Rope Ltd* at paragraph 48).

31. In terms of the absence/presence of the definite article, whilst this is something which the respondent has pointed to in its correspondence (and final written submission), we agree with the submission made by Mr Waldron at the hearing that this is of such little significance and consequence that the difference would go unnoticed. The respondent's reference to descriptiveness may have been meant as a submission that small differences may be tolerated when the respective names make use of descriptive wording. Whilst this is noted, the names are simply too close, the small differences being insufficient to avoid a connection being made.

32. In summary, we find that the respondent's name is sufficiently similar to the name associated with the applicant such that its use in the United Kingdom would be likely to mislead by suggesting a connection between the company and the applicant.

Defences

33. As stated earlier, the only defence that is mentioned clearly in the counterstatement is that under 64(4)(e). Such a defence is applicable if it is established that:

> "the interests of the applicant are not adversely affected to any significant extent."

34. To adversely affect the interests of the applicant to any significant extent the company name must do more than just sit on the register at Companies House. In this case, the adverse effect must relate to the potential use of the company name in business.

[1] See, by analogy, *Associated Newspapers Ltd v Express Newspapers* [2003] FSR 51 (HC)

35. The respondent states that there will be no adverse effect on the applicant. It is not altogether clear why this is claimed, but it appears to be based on the respondent wishing to operate in a different field. The different filed is, from the submissions received, a legal support service to dentists in the LGBT (lesbian, gay, bisexual and transgender) community. There are a whole host of problems with the respondent's defence, as set out below.

36. First, there is no evidence from the respondent to show what it has been doing, or plans to do. If the "no adverse effect" defence is based on a claim that the respondent is to operate in a different field, there is an onus upon the respondent to provide evidence to establish what it has done or has plans to do. In the absence of such evidence, the defence is bound to fail.

37. Second, a company is not limited to any particular field of activity. Therefore, even if it were accepted that the respondent was to offer the services it has indicated, this does not prevent subsequent trade in exactly the same field as the applicant, the impact of which would be both real and significant. The potential use by the respondent in the same field would, for example, divert potential customers from the applicant to the respondent, or if the services provided by the respondent were inferior to those provided by the applicant then this will also have a negative impact upon the goodwill and/or reputation of the applicant.

38. Third, even if we were to limit the assessment of potential adverse effect to the use of the respondent's name to the field of support to LGBT dentists, this could still have an adverse effect. Such services could be legal based (providing legal advice in relation to discrimination etc.) and if the names were connected (as we have found) the respondent could be seen as a branch of the applicant. If the services of the respondent were inferior then this would have a significant impact on the applicant's business.

39. Mr Waldron submitted at the hearing that, whilst in this day and age, most people would not care whether a business is associated with the LGBT community, a significant minority may consider such an association to be negative due to religious or moral beliefs which, in turn, could also have a negative impact on the applicant with whom the respondent will be perceived to be connected. We do not agree. If that were the only possible adverse effect, it is not clear to us that the numbers of such people that would take such a view would result in a significant adverse effect. Nevertheless, for all of the other reasons indicated above, the "no adverse effect" defence is rejected.

40. In relation to the other possible defences, none are relevant. As we have already stated, none of the other defences under section 69(4) have been pleaded. Further, even if they had been pleaded, the failure of the respondent to file evidence would mean that the claims would have been rejected. To illustrate the point, and looking, for example, at the "good faith" and "operating under the name" defences, evidence is required to establish them. If a claim is made that a company name was registered in good faith, this would require evidence showing, for example, how the name was coined, what the respondent knew at the relevant time, its business plans etc. In relation to the "operating under the name" defence, clear evidence that the respondent has been operating under the name would have been required. Having

said that, even if some of the materials filed by the respondent had been filed as evidence, the claim would have still been rejected. For example, the document provided at the same time as the respondent's final written submission consisted of a letter (to the adjudicators) from a person who identifies himself/herself as "DC". The letter writer (an apparent member of the LGBT community) explains that he/she has received support from the organisation and that it is an important one in the Dental LGBT Community. However, this letter would be treated as hearsay from an unidentifiable source about an organisation that is not even named.

41. The result of all this is that the respondent is unable to avail itself of a defence which, in turn, means that the application for a change of name succeeds.

42. At the hearing Mr Waldron indicated that the respondent may have been acting in an opportunistic manner when the name was registered. Reference was made to a letter sent to Mr Waldron by My Hussain in May 2013 in which Mr Waldron was invited to Dubai to attend a meeting with a view to becoming involved in the respondent's organisation. We also note the reference in the statement of case that the sole director of the respondent had been involved in 10 litigation cases with the applicant. Whilst all this is noted, the failure of the respondent to establish a defence means that we do not need to make a finding on this matter.

Outcome

43. The application is successful. In accordance with section 73(1) of the Act, the following order is made:

> (a) Dental Law Partnership Limited shall change its name within one month of the date of this order to one that is not an offending name;
>
> (b) Dental Law Partnership Limited shall:
>
> > (i) take such steps as are within its power to make, or facilitate the making, of that change;
> >
> > (ii) not cause or permit any steps to be taken calculated to result in another company being registered with a name that is an offending name.

44. If no such change is made within one month of the date of this order, a new company name will be determined as per section 73(4) of the Act and notice will be given of that change under section 73(5) of the Act.

Costs

45. The applicant has been successful and is entitled to a contribution towards its costs on the basis of the scale of costs[2] which applied at the date these proceedings were commenced. At the hearing Mr Waldron asked that the applicant be awarded

[2] Published in the Practice Direction.

costs off the scale due to the conduct of the respondent. Whilst we agree that the respondent has not been the most helpful at times, which, in turn, has led to delay, it is not clear to us that this has led to a significant amount of additional cost (beyond what would have expended in any event), so we decline this request. We also note that the costs to be awarded to the applicant should be offset by the applicant's failed request for security of costs. Finally, we also observe that in his submissions on costs, Mr Waldron indicated that much of what he described as costs was in fact loss of income due to him having to spend time on this matter as opposed to other fee paying work. Whilst this is noted, the position of Mr Waldron should be treated no differently than any other businessman who has represented himself, with such a person not having to pay additional legal fees on top of his/her own time. The practice direction indicates that costs (save in relation to official fees) should be reduced by 50% in such a scenario, this is reflected in what we award below:

Fee for filing application: £400
Fee for filing evidence: £150
Fee for requesting a hearing: £100
No fee is awarded for the CN6 (Request for Security for costs) because the request failed
Preparing a statement and considering the counterstatement: £250
Preparing evidence: £500
Dealing with the issues surrounding the respondent's counterstatement, including attending two CMCs: £600
Attending the hearing: £300

Sub-total: £2300

Offset by the respondent dealing with the request for security: -£50

Total: £2250

46. Dental Law Partnership Limited is ordered to pay The Dental Law Partnership Solicitors Ltd the sum of £2250 within fourteen days of the expiry of the appeal period, or within fourteen days of the final determination of this case if any appeal against this decision is unsuccessful. Under section 74(1) of the Act, an appeal can only be made in relation to the decision to uphold the application; there is no right of appeal in relation to costs.

47. Any notice of appeal must be given within one month of the date of this decision. Appeal is to the High Court in England Wales and Northern Ireland and to the Court of Session in Scotland. The Tribunal must be advised if an appeal is lodged.

Dated this 9th day of March 2016

Oliver Morris	Mark King	Mark Bryant
Company Names	Company Names	Company Names
Adjudicator	Adjudicator	Adjudicator