

O/0112/25

REGISTERED DESIGNS ACT 1949

IN THE MATTER OF:

REGISTERED DESIGN NO 6261865

IN THE NAME OF LIWEI ZHANG IN RESPECT OF THE FOLLOWING DESIGN



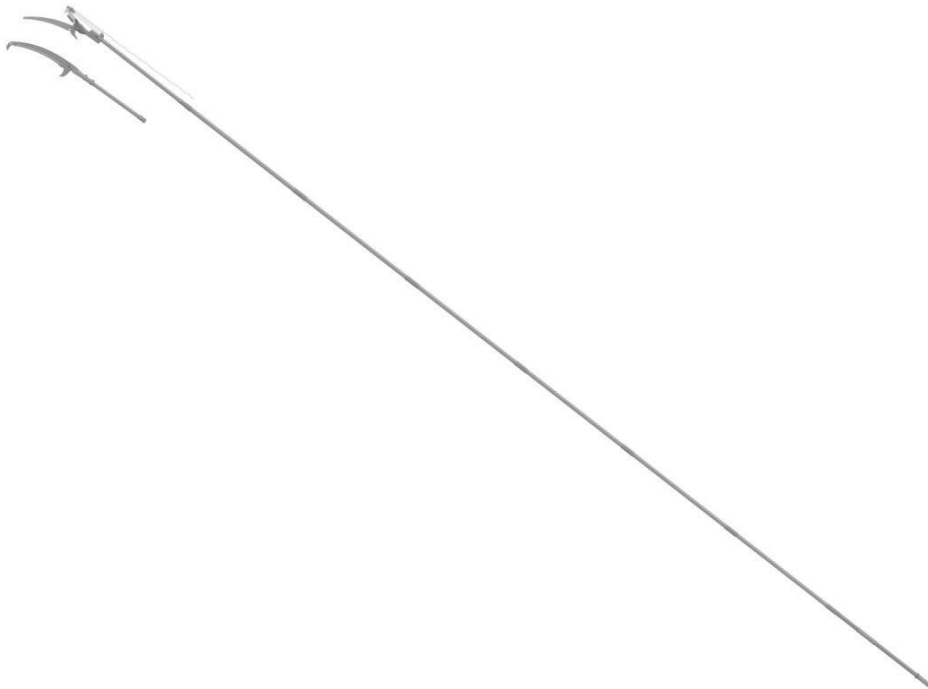
AND AN APPLICATION FOR INVALIDATION THEREOF UNDER NO 0071/24

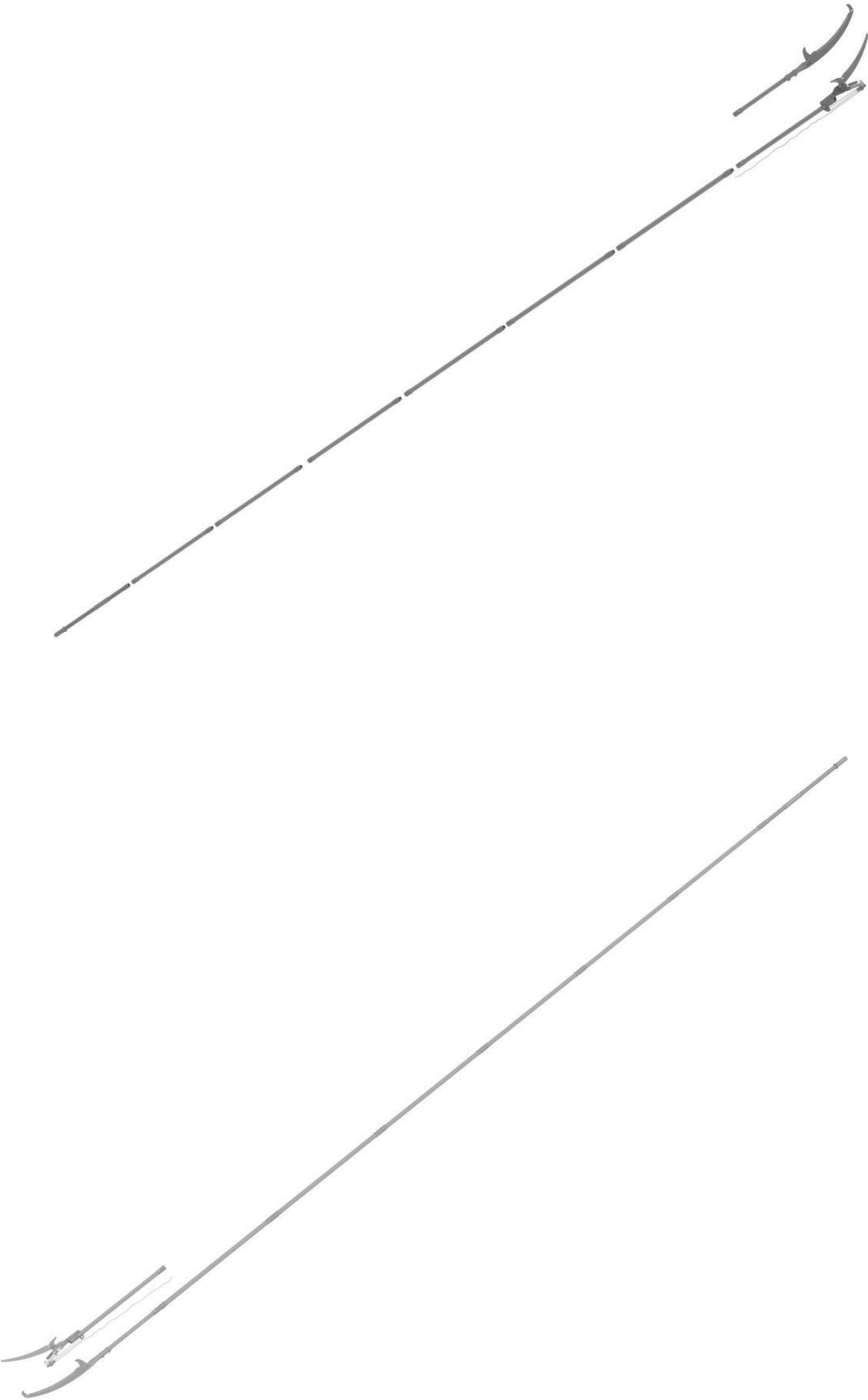
BY LUJUN YING

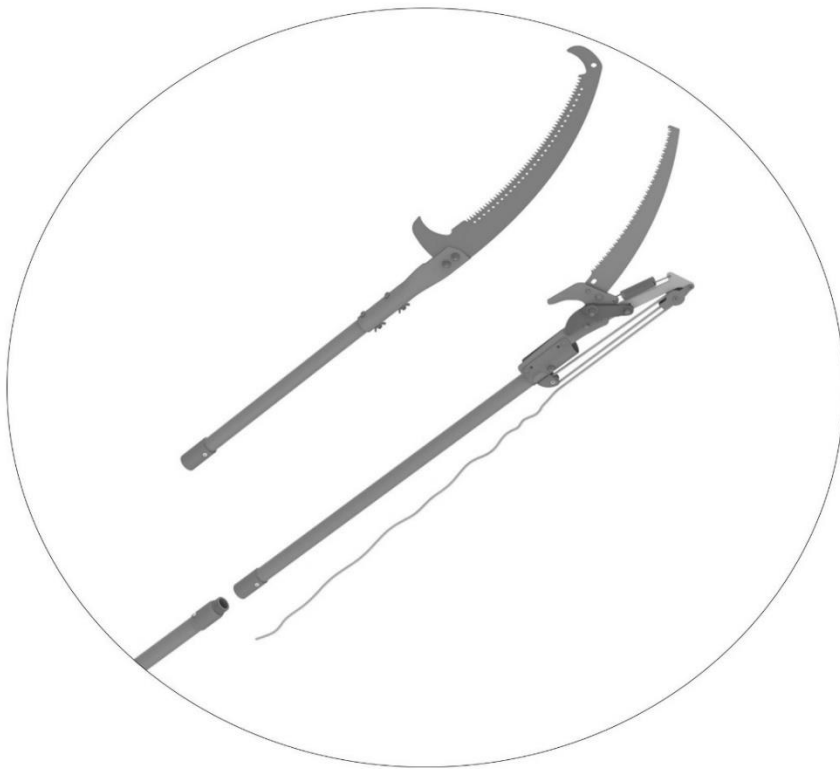
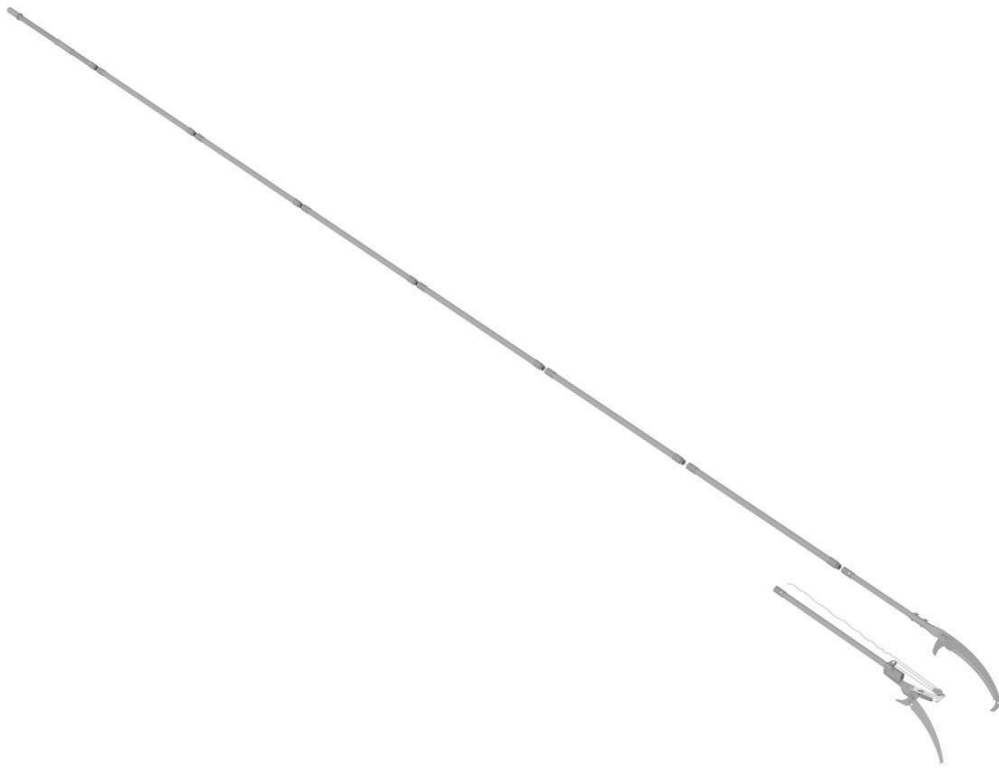
Background

1. UK Registered design no. 6261865 stands in the name of Liwei Zhang (“the registered proprietor”). It has an application date of 13 February 2023 (“the relevant date”), was granted on 22 February 2023, and was published on 23 February 2023.
2. The design is registered as applying to tools and hardware, and cutting tools and implements. The design is depicted in the following representations:









3. No claim is made to the colour shown in the illustrations of the design above.
4. On 29 March 2024, Lujun Ying (“the applicant”) applied to invalidate the registered design under section 11ZA(1)(b) of the Registered Designs Act 1949 (“the Act”). The applicant argues that the design fails to fulfil the requirements set forth in section 1B of the Act, as it is not novel and does not hold individual character compared to designs that had been made available to the public prior to the relevant date, 8 examples of which have been provided. The applicant claims the contested design is virtually identical to these earlier designs (or “prior art”). The prior art relied upon is set out later in this decision.
5. The registered proprietor filed a counterstatement dated 22 May 2024. This claims that the designs contained in the prior art provided are “very different” to the registered design, and as such the application for invalidation should be rejected in its entirety.
6. The applicant filed evidence which will be discussed in more detail later in this decision, as well as final written submissions. The registered proprietor did not file any evidence or submissions in these proceedings. Neither side requested a hearing. I have taken this decision after a careful consideration of the papers before me.
7. The applicant is represented in these proceedings by Paweł Wowra. The registered proprietor is represented by Akos Suele.

RELEVANCE OF EU LAW

8. The provisions of the Act relied upon in these proceedings are assimilated law, as they are derived from EU law. Although the UK has left the EU, section 6(3)(a) of the European Union (Withdrawal) Act 2018 (as amended by Schedule 2 of the Retained EU Law (Revocation and Reform) Act 2023) requires tribunals applying assimilated law to follow assimilated EU case law. That is why this decision refers to decisions of the EU courts which predate the UK’s withdrawal from the EU.

DECISION

9. Section 11ZA(1)(b) of the Act states that:

“The registration of a design may be declared invalid–

(1) [...]

(b) On the ground that it does not fulfil the requirements of sections 1B to 1D of this Act”.

10. Section 1B of the Act is as follows:

“(1) A design shall be protected by a right in a registered design to the extent that the design is new and has individual character.

(2) For the purposes of subsection (1) above, a design is new if no identical design or no design whose features differ only in immaterial details has been made available to the public before the relevant date.

(3) For the purposes of subsection (1) above, a design has individual character if the overall impression it produces on the informed user differs from the overall impression produced on such a user by any design which has been made available to the public before the relevant date.

(4) In determining the extent to which a design has individual character, the degree of freedom of the author in creating the design shall be taken into account.

(5) For the purposes of this section, a design has been made available to the public before the relevant date if–

- (a) it has been published (whether following registration or otherwise), exhibited, used in trade or otherwise disclosed before that date; and
- (b) the disclosure does not fall within subsection (6) below.

(6) A disclosure falls within this subsection if–

- (a) it could not reasonably have become known before the relevant date in the normal course of business to persons carrying on business in the geographical area comprising the United Kingdom and the European Economic Area and specialising in the sector concerned;
- (b) it was made to a person other than the designer, or any successor in title of his, under conditions of confidentiality (whether express or implied);
- (c) it was made by the designer, or any successor in title of his, during the period of 12 months immediately preceding the relevant date;
- (d) it was made by a person other than the designer, or any successor in title of his, during the period of 12 months immediately preceding the relevant date in consequence of information provided or other action taken by the designer or any successor in title of his; or
- (e) it was made during the period of 12 months immediately preceding the relevant date as a consequence of an abuse in relation to the designer or any successor in title of his.

(7) In subsections (2), (3), (5) and (6) above ‘the relevant date’ means the date on which the application for the registration of the design was made or is treated by virtue of section 3B(2), (3) or (5) or 14(2) of this Act as having been made. ...”

Prior Art (as pleaded)

11. The applicant has, within its pleadings, set out the following examples of prior art:

DESIGN 1 – made available on September 15, 2021 by the means of publication on Amazon.uk website as an auction, under ASIN: B09G9TTH57



DESIGN 2 – made available on April 25, 2019 by the means of publication on Amazon.uk website as an auction, under ASIN: B07T9YD2BN

2 WAYS TO TRIM
It can be used for sawing/cutting

340MM/13.4INCH

Can quickly saw off thick branches

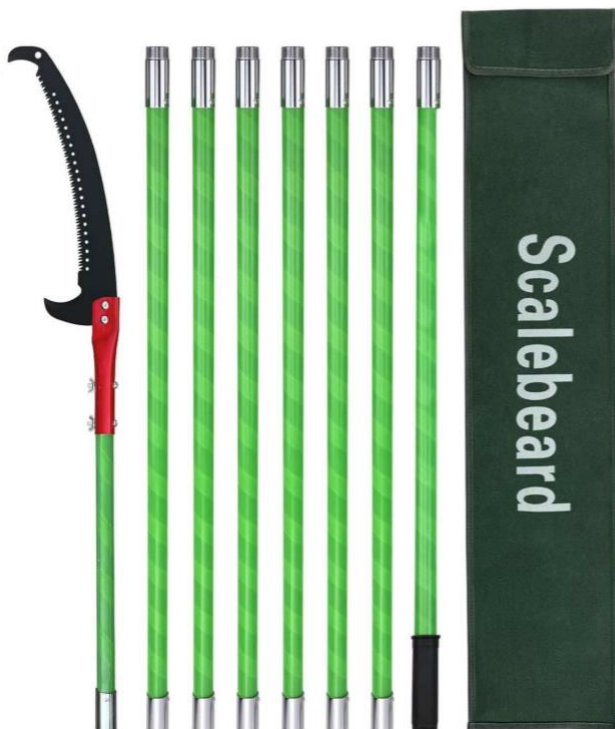
Can cut branches with a diameter of less than 20mm/0.8inch

The image shows a red-handled saw with a green shaft and a silver blade. The blade is labeled "340MM/13.4INCH". Two circular insets show the tool being used to cut a thick branch and a thin branch. The text "2 WAYS TO TRIM" is written in green, with "It can be used for sawing/cutting" below it. The two insets are labeled "Can quickly saw off thick branches" and "Can cut branches with a diameter of less than 20mm/0.8inch".

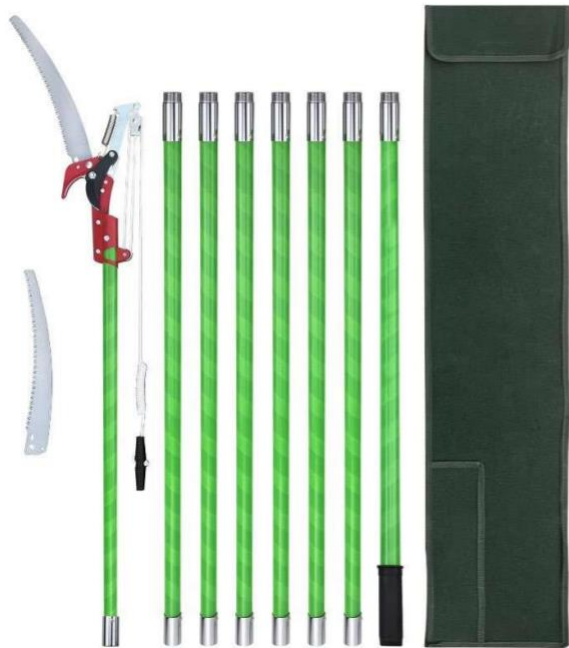
DESIGN 3 – made available on January 17, 2022 by the means of publication on Amazon.uk website as an auction, under ASIN: B09QKWQXNR



DESIGN 4 – made available on December 10, 2020 by the means of publication on Amazon.uk website as an auction, under ASIN: B08Q7C3RS2



DESIGN 5 – made available on April 25, 2019 by the means of publication on Amazon.uk website as an auction, under ASIN: B07T9YD2BN



DESIGN 6 – made available on July 29, 2021 by the means of publication on Amazon.de website as an auction, under ASIN: B08RDL81YP



DESIGN 7 – made available on July 20, 2013 by the means of publication on Amazon.es website as an auction, under ASIN: B007W3W6KA



DESIGN 8 – made available on February 18, 2017 by the means of publication in UK IPO bulletin and DesignView database under UK design number 6007479

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DESIGNview

Design number [6007479](#)

		Lopper
Locarno class		08.03
Domestic classification		
Design number		6007479
Application number		6007479
Application language code		EN
Registration office code		GB
Application date		18/02/2017
Registration date		18/02/2017
Publication date		17/03/2017
Verbal element		-
Design description		Lopper
Expiry date		18/02/2022
Effective date		-
Design current status code		Design lapsed
Designated countries		-
Design current status date		-

United Kingdom data last updated on: 05/03/2024

Owner

Applicant identifier	Tb8cAJxb
Name	Helen Davey
Applicant nationality code	GB
Applicant legal entity	Physical person
Entitlement establishment	-

Evidence

12. The applicant filed its evidence in the form of a witness statement in the name of the applicant, Mr Lujun Ying, dated 10 July 2024. The witness statement introduces 7 exhibits, namely Exhibit LY1 to Exhibit LY7. Exhibit LY1 provides a printout from the UK designs register of “Design 8” mentioned and shown in the statement of grounds. Exhibits LY2-LY7 provide pages showing designs 1, 2, 4, 5, 6 and 7 as referenced in the original statement of grounds and as shown above. These all appear to be extracts from Amazon.co.uk, Amazon.es and

Amazon.de. "First available" dates for each of the designs are shown on the respective pages, and these all match with the corresponding dates given in the statement of grounds.

13. I note here that whilst all of the products appear to match those shown in the images provided with the statement of grounds, not all of the images of the products provided in the evidence pages match exactly to those images provided on the statement of grounds as set out above. In addition, I note that not all of the designs set out in the pleadings have been included within the evidence. However, I note that the applicant's DF19A appears to have been filed in the name of an individual, a Paweł Wowra. As it includes a statement of truth, it is my view that the examples set out within the statement of grounds may be considered as evidence. However, if I am wrong in this respect, I note in any case that the registered proprietor has not denied or contested the existence of the pleaded prior art, and it appears to me that the existence of such is therefore not in issue between the parties in this instance.

Disclosure

14. As mentioned above, I note the registered proprietor does not deny that the designs provided in the statement of grounds or evidence were disclosed to the relevant public prior to the relevant date. I therefore do not intend to go into detail regarding the disclosure of the designs relied upon by the applicant, other than to say I accept that disclosure of a design via Amazon.co.uk, Amazon.es and Amazon.de, as well as the publication of a design on the UK designs register prior to the relevant date, will all constitute disclosure in accordance with the Act.



Novelty

15. I therefore go on to consider the novelty of the registered design. Section 1B(2) of the Act states that a design has novelty if no identical design or no design differing only in immaterial details has been made available to the public before

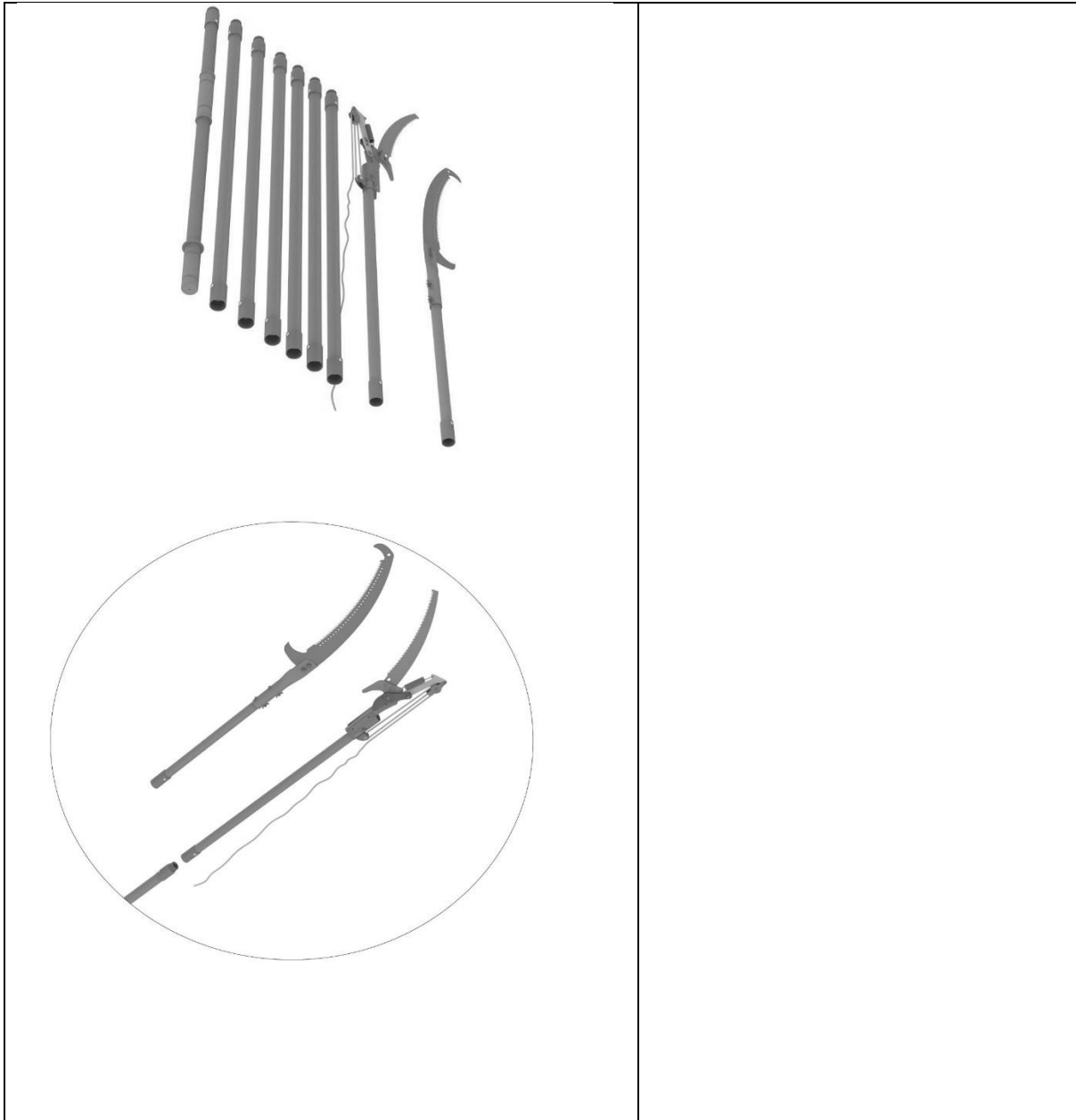
the relevant date. In *Shnuggle Limited v Munchkin, Inc & Anor* [2019] EWHC 3149 (IPEC), HHJ Melissa Clarke, sitting as a Judge of the High Court, said:

“‘Immaterial details’ means ‘only minor and trivial in nature, not affecting overall appearance’. This is an objective test. The design must be considered as a whole. It will be new if some part of it differs from any earlier design in some material respect, even if some or all of the design features, if considered individually, would not be.”¹

16. I will begin by comparing the registered design with “Design 1” (at Annex 1 to the statement of grounds and Exhibit LY2 in evidence) identified as prior art by the applicant. In my view, this appears to be most similar overall to the Registered Design:

The registered design	The prior art
	

¹ See paragraph 26



17. I have not included all of the images of the registered design above, however, these have all been considered.

18. The registered proprietor submits in its counterstatement:

“Annex 1: This design is very different from our registered design, the shapes, the additional elements, the colours, the colour pattern on the green bars, are all different. Please also note the connection method between saw blade and handle; the connection method between handle

and connecting rod; the pruning saw's upper part; the shape of the pruning saw.”

19. Responding to this in its final submissions, the applicant has stated:

“The Applicant notes that the contested design is particularly similar to the prior designs identified in Annexes 1, 3, and 4. When the designs are compared side by side, it becomes clear that the shape of the blade, which is central to the design of a pruning saw, is strikingly similar and produces the same overall impression. The top of the head is in the shape of a bird’s head, with a horned beak, and there are small holes going through the blade from top to bottom. [...] The Applicant notes that even the additional curvature at the bottom part of the blade is identical to some of the prior designs. It is surprising to read about the claimed difference in the shape of the blade when the blades are simply identical. This identity is particularly apparent in the design identified in Annex 1 of the Applicant’s earlier submissions. It is therefore argued that the designs, when viewed side by side, produce a similar overall impression and, as such, the contested design should be declared invalid.”

20. I note firstly that the prior art includes what appears to be a case for holding the product. I do not consider this forms part of the product itself for the purposes of assessing novelty. As such, I will not include this within my comparison. I also note the addition of a third image of a saw shown in the prior art. It is not entirely clear whether this is simply showing the detachable nature of the wider saw, or whether it is a third saw provided with the product. However, in any case, I do not consider that the omission of a third, apparently identical detachable saw element present in the prior art would prevent the other corresponding elements of the registered design from lacking novelty, if I find the additional corresponding elements differ to the same elements within the prior art only by way of immaterial details. As such, I will not address this possible third saw further.

21. The registered design and the prior art share the following design features:

- a) They both include seven individual poles, one further shorter pole featuring a curved, slim saw, and one further shorter pole featuring a curved wider saw;
- b) The seven individual poles all have one end which features a cap that appears to be wrapped around the poles. This is slightly wider than the poles and narrows at the end and features screw like ridges. This 'cap' is visibly connected to the pole itself using what appear to be screws or nuts. The other end of six of the poles in each design all feature a 'cap' that wraps around the pole which is again slightly wider than the pole but is the same thickness all the way down. The proportions of the 'capped' ends appear to be roughly the same in each design;
- c) One end of the seventh individual pole in each design features a longer 'capped' end, which appears to be a handle. This is slightly wider than the rest of the pole and features a wider ridge where this element meets the pole. The proportions of this element to the pole appears to be similar in each design. In addition, this pole in both designs is, slightly over halfway up, encircled by another element, which follows the shape of the pole and features a wider ridge at either end where it meets the pole. This appears to be intended as a place to grasp the pole with a second hand in each design;
- d) The further pole featuring a slimmer saw in each design is (excluding the saw itself) shorter than the other poles. They are both 'capped' with a flat end in the same way as the other poles;
- e) In both designs, at the end of the shorter pole but before the slimmer saw begins, there is a rectangular element that appears to be bent around the pole featuring three screws, connected to an elongated semi-circle, within which a further screw sits. This appears to be a bracket, and string or cable appears to loop around this element and connects vertically to a further bracket element which sits at roughly half the height of the saw itself. Both

brackets are connected by a piece of metal and a spring to a short, sloping element that curves down towards the pole ending in point, and a bracket sitting at roughly 130 degrees. The excess string or cable freely trails back down the back of this pole;

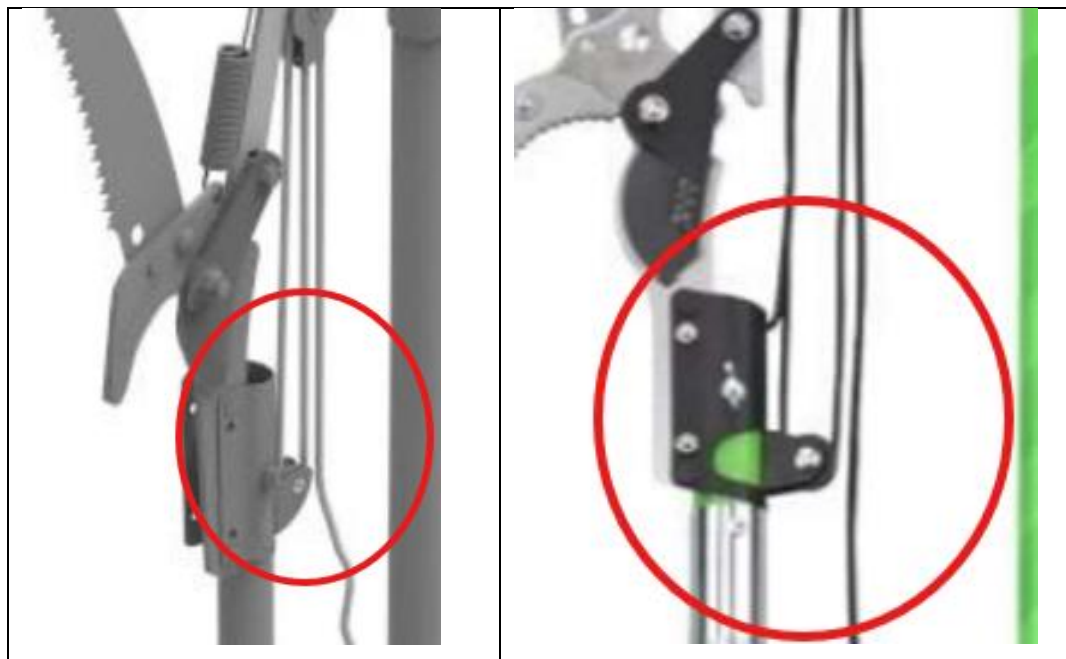
- f) The slim saw appears to be a similar length and to have a similar curvature in both designs. It features small teeth which start at the same point on the saw and finish with a seemingly equal length larger tooth at the end in both. The slimmer saws both appear to be similarly proportioned in the designs when compared to the first seven poles and the brackets they are sat on;

- g) There is a second wider saw element that appears to be interchangeable with the slimmer saw in both designs. This features a beak shaped element at the top in each design, with a small hole featured in the same place in each. These saws are a similar thickness and have a similar curvature, and both appear slightly thicker at the bottom than the top, in a similar way, in both designs. Both feature small teeth all the way down one side positioned next to small holes running nearly the length of the teeth. Both feature a small rectangular element below the teeth, and finish with a further element the shape of an upturned beak at the bottom. They are both connected to a pole with a bracket that cuts into the corner of saw at the same point, and the poles themselves both features a thicker element at the top nearest to the saw, with a thinner pole underneath.

22. The differences between the designs that can be determined from the images provided include:

- a) The prior art uses two shades of green in a low contrast stripe formation on the poles themselves, in addition to use of contrasting silver, red and black elements. The capped ends appear shiny. Whilst the colour of the registered design is disclaimed, the colour is a fairly uniform and there is little contrast or shine in the design;

- b) The pole connected to the slimmer saw has a capped end before the oblong bracket element in the prior art;
- c) The pole connected to the slimmer saw is (proportionally) slightly shorter in the prior art;
- d) The pole connected to the wider saw is a fair amount shorter (proportionately) in the prior art;
- e) There is an element that appears to be for gripping on the pole connected to the wider saw which includes finger ridges and protrudes at either end in the prior art. This is substituted by a smoother capped element in the registered design featuring two screws or bolts attaching it to the pole;
- f) The string or cable appears to possibly have an additional connection to the pole in the prior art, as shown below;



- g) The thicker saw appears to be connected to the pole with three screws in the prior art as opposed to only two screws in the registered design;

- h) The curved element at the bottom of the slimmer saw appears to be slightly more angular in registered design whereas it is a true curve in the prior art;
- i) The brackets used to suspend the string or cable sit at different angles in the designs, as do the metal connections to lower part of saw, although it is possible these are adjustable or move when in use.

23. I note firstly that there are a considerable number of similarities between the designs themselves. However, I consider that a design may be similar to the prior art, but still have features that render it new or novel. I consider that the most obvious difference between the designs on first glance is the use of the colours green, red and black in the prior art. However, as the registered design is filed in grey and therefore makes no claim to any particular colour, this is not relevant, although I do note the registered design appears to show the poles in a block colour rather than with any sort of pattern or embellishment such as the low contrast stripe used by the prior art. The next most significant difference between them is the use of the significantly shorter pole featuring a handle which stems from the wider saw in the prior art, which isn't present in the registered design. It is my view that whilst many of the small differences, such as the slight variation in shape of certain brackets or the use of an additional screw are immaterial, the differences in the pole stemming from the wider saw, including the omission of the handle, are not. It is my view that this difference between the designs is capable of distinguishing the registered design as new. More arguably perhaps, I consider this also applies to the use of block colour on the poles as opposed to the contrast stripes in the prior art. As I have found the registered design has features which render it 'novel', I will now go on to consider if the registered design holds individual character.

Individual character

24. The approach to carrying out an assessment of individual character was helpfully summarised by HHJ Hacon, sitting as a Judge of the High Court, in *Safestand Ltd v Weston Homes PLC & Ors* [2023] EWHC 3250 (Pat) at [237]:

“(1) Decide the sector to which the products in which the designs are intended to be incorporated or to which they are intended to be applied belong;

(2) Identify the informed user and having done so decide

(a) the degree of the informed user’s awareness of the prior art and

(b) the level of attention paid by the informed user in the comparison, direct if possible, of the designs;

(3) Decide the designer’s degree of freedom in developing his design;

(4) Assess the outcome of the comparison between the RCD and the contested design, taking into account

(a) the sector in question,

(b) the designer’s degree of freedom,

(c) the overall impressions produced by the designs on the informed user, who will have in mind any earlier design which has been made available to the public,

(d) that features of the design which are solely dictated by technical function are to be ignored in the comparison, and

(e) that the informed user may in some cases discriminate between elements of the respective designs, attaching different degrees of importance to similarities or differences; this can depend on the practical significance of the relevant part of the product, the extent to which it would be seen in use, or on other matters.”

25. I also bear in mind the comments of HHJ Birss (as he then was), sitting as a Deputy Judge of the Patents Court, in *Samsung Electronics (UK) Ltd v Apple Inc* [2012] EWHC 1882 (Pat):

“58. How similar does the alleged infringement have to be to infringe? Community design rights are not simply concerned with anti-

counterfeiting. One could imagine a design registration system which was intended only to allow for protection against counterfeits. In that system only identical or nearly identical products would infringe. The test of 'different overall impression' is clearly wider than that. The scope of protection of a Community registered design clearly can include products which can be distinguished to some degree from the registration. On the other hand the fact that the informed user is particularly observant and the fact that designs will often be considered side by side are both clearly intended to narrow the scope of design protection. Although no doubt minute scrutiny by the informed user is not the right approach, attention to detail matters.

The sector in question

26. The sector in question is that of branch cutters and pruners.

The informed user

27. In *Samsung Electronics*, the judge gave the following description of the informed user:

“33. ... The identity and attributes of the informed user have been discussed by the Court of Justice of the European Union in *PepsiCo v Grupo Promer* (C-281/10 P) [2012] FSR 5 at paragraphs 53 to 59 and also in *Grupo Promer v OHIM* [2010] EDCR 7, (in the General Court from which *PepsiCo* was an appeal) and in *Shenzhen Taiden v OHIM*, case T-153/08, 22 June 2010.

34. Samsung submitted that the following summary characterises the informed user. I accept it and have added cross-references to the cases mentioned:

i) he (or she) is a user of the product in which the design is intended to be incorporated, not a designer, technical expert, manufacturer or seller

(PepsiCo paragraph 54 referring to Grupo Promer paragraph 62, Shenzhen paragraph 46);

ii) however, unlike the average consumer of trade mark law, he is particularly observant (PepsiCo paragraph 53);

iii) he has knowledge of the design corpus and of the design features normally included in the designs existing in the sector concerned (PepsiCo paragraph 59 and also paragraph 54 referring to Grupo Promer paragraph 62);

iv) he is interested in the products concerned and shows a relatively high degree of attention when he uses them (PepsiCo paragraph 59);

v) he conducts a direct comparison of the designs in issue unless there are specific circumstances or the devices have certain characteristics which make it impractical or uncommon to do so (PepsiCo paragraph 55).

35. I would add that the informed user neither (a) merely perceives the designs as a whole and does not analyse details, nor (b) observes in detail minimal differences which may exist (PepsiCo paragraph 59)."

28. I consider the informed user in this case will either be a professional such as a grounds keeper, gardener or tree surgeon, or a member of the general public responsible for the upkeep of trees or large shrubs or bushes within their own garden. I note they will have a relatively good awareness of the prior art, and will pay a relatively high level of attention. Both groups will likely have safety and practicality concerns at the forefront of their minds when choosing these items and I will bear this in mind when it comes to assessing the overall impression on the informed user.

Design Freedom

29. In *Dyson Ltd v Vax Ltd*, [2010] FSR 39, Arnold J (as he was then) stated that:

“34. ... design freedom may be constrained by (i) the technical function of the product or an element thereof; (ii) the need to incorporate features common to such products; and/or (iii) economic considerations (e.g. the need for the item to be inexpensive).”

30. Within its final submissions, the applicant submits that in the present case, a branch cutter or “pruning saw” must have a handle and a cutting implement. It argues that beyond these requirements the designer has freedom regarding the size and shape of the blade as well as the size and shape of the handle. I agree that a branch cutter or pruner will require a handle as well as a cutting device. The cutting device will need to be made from something relatively strong in order to be capable of cutting through wood. In addition, considering it will need to reach in between other branches, it will also need to be relatively slim. I consider it may be used in combination with a ladder, and as such there is no absolute requirement for it to be any great length, however, it appears from the prior art provided that a pole of some description may be common to such products. There must also be some sort of mechanism for controlling the cutting function at a distance. Other than these features, I consider that the designer has a fair amount of design freedom relating to the length, proportions, number of connectable parts, and shape of product, including the shape of the saws.

31. Considering the features of the prior art provided, I note this includes saws which are much plainer than that featured in the registered design, although they all appear to have a slight curve. It is my view the informed user will be aware of the variety of saw shapes as featured in the prior art.

Overall impression

32. As I have set out earlier in this decision, the registered proprietor has submitted that the designs are very different. In particular, the registered proprietor submits there are differences in relation to the additional elements, the colours, the colour pattern, the connection method between the handle and the

connecting rod, the upper part of the pruning saw and the shape of the pruning saw.

33. I have already dismissed the differences between the designs based on the use of colour, considering the registered design has been filed in grey and appears to make no claim to colour. Further, I do not consider the additional elements in the prior art, such as the case and the possible addition of a further, what appears to be identical replacement saw (if this is indeed an additional item) will be of relevance when considering whether the overall impression of the registered design differs from that of the corresponding elements shown in the prior art.

34. Whilst I note the registered proprietor's comments regarding the upper part of the pruning saw and the shape of the pruning saw, to my eye these elements look near enough identical. As for the differences highlighted by the registered proprietor such as the connection method between the saw and the connecting rod and the handle and the connecting rod, I remind myself that it is the appearance of the product, or parts of the product, that are the subject of design protection. Further, where elements relating to the "connection method" form part of the appearance, such as where additional screws are used, it is my view, as I have expressed previously, these are largely immaterial. However, I keep these in mind, and I note again the differences between the designs, including the low contrast stripe design featured on the poles and the addition/omission of the handle positioned underneath the wider saw.

35. In his *Safestand* summary of the approach to assessing the overall impression, HHJ Hacon said that the informed user may attach greater importance to some parts of the design. In this case, it is my view that the informed user would pay particular attention to the features which would enable them to undertake the job in hand both safely and easily, in addition to factors such as how easy the goods will be to store (i.e. how many parts they will break down into), and as such may place greater importance on these elements. I therefore consider that less importance will likely be placed on the precise shape of each of the brackets and elements connecting the saw to the poles for example, and very

little placed on the low contrast stripe pattern, and more importance will be placed on the size and shape of the saws themselves, the length of the pole when attached, and the number of parts themselves. Whilst I note the case law sets out that the informed user does not merely perceive the designs as a whole, not analysing the details, I also note that they do not observe in detail minimal differences. With this in mind, and noting the consumer will be paying a fairly high degree of attention, it is my view that they will no doubt notice the overall shape and appearance of the combination of the bracketed elements, which appear to be very similar overall, but they are unlikely to analyse and notice the slight differences in shape of each of the brackets themselves.

36. It is my view that considering all of the elements and the significant number of visual similarities present between the designs in this instance, particularly in relation to the overall shape of the goods, and the shape of the saw itself, the number of parts and the large number of other similarities present, the differences between the prior art and the registered design are in this case, not sufficient to produce an overall different impression on the informed user. The design does not, therefore, have individual character when compared to Design 1 as provided both in the statement of grounds and in the supporting evidence.

Final remarks

37. As I have found the design did not have individual character at the relevant date when in light of Design 1, it will not be necessary to compare it against the other prior art provided by the applicant.

Outcome

38. The application to invalidate registered design no. 6261865 is successful.

Costs

39. The applicant has been successful and is entitled to an award of costs in accordance with Tribunal Practice Notice 1/2023. I therefore award the

applicant the sum of £998 as a contribution towards the costs in the proceedings. This sum is calculated as follows:

Official fee:	£48
Preparing the statement of grounds and considering the counterstatement:	£350
Preparing and filing the evidence:	£600
Total:	£998

40. I therefore order Liwei Zhang to pay Lujun Ying the sum of £998. This sum is to be paid within 21 days of the expiry of the appeal period or, if there is an appeal, within 21 days of the conclusion of the appeal proceedings if the appeal is unsuccessful.

Dated this 11th day of February 2025

R. Le Breton
For the Registrar