



HX/ XH

Categories : [Similarity between the goods and services](#)

Date : jeudi 13 février 2003

On January 9, 2006, the OHIM Opposition Division ruled the above similarity considering that the said accessories are intended to replace broken or worn-out parts of vehicles and that they will not only be produced by companies involved in spare parts but also by vehicle manufacturers.

This common sense decision seems to go against the HX vs./ XH Decision of July 4, 2001, which held that "vehicles; apparatus for locomotion by land, air or water" were dissimilar with "tyres and tubes for vehicle wheels, and "tyre casing and inner tubes". The compared goods are neither in direct competition with each other nor do they have the same origin.

Nevertheless, the identity between the trademarks in the January decision certainly had an influence although trademarks HX vs./ XH are not strictly identical.