

To  
Earthy Telecommunications Pvt. Ltd.  
Chembur-W  
Mumbai

12th August, 2020

Sir/Ma'am,

Subject: Opinion regarding filing of trademark 'Pluots'

This letter is in response to the opinion sought by you, regarding the filing of the word 'Pluots' as a trademark for mobiles that are going to be manufactured by your company. The advice required was to understand if 'Pluots' can be trademarked for the said product and its related accessories or not. At the outset, we thank you for reaching out to us to clear your queries about this issue and we hope that this discussion will help you take an informed and sound decision in relation to your future course of action.

As per the information given by your representatives, your company wishes to register 'Pluots' as the trademark for your upcoming line of mobile phones. We discern that, the particular word will act as the trademark for all related accessories of the product too, such as wires, cords, earphones, chargers, cover and related hardware as well as the inner parts of the mobile that are essential for its functioning, like operating system, mobile applications, softwares among others.

In this view, we have examined the following:

1. The word 'Pluots' will be registered under Class 9 of the Nice Classification, as stipulated by the trademark authorities in India. All related accessories will also be registered under Class 9 itself. We have conducted our search for similar trademarks keeping this information in mind, for similar spellings and sounds that may be challenged by other interested parties. We have attached the said search reports with this in the mail.
2. After conducting a preliminary search for similar marks with the same spelling, no results were found. This is an extremely positive sign that the word chosen is a strong trademark

as no trademark with the same spelling exists. However, some trademarks do exist with similar sets of alphabets that may be challenged by pre-existing registered trademark users. Trademarks like Pluto and Pluo are already filed, but this won't matter as the words are entirely different.

3. For a thorough search, we also looked for trademarks with the same sounds. As the proposed word is plural, we conducted 2 searches in this respect; one of the exact word and one of the singular version of the word to cover all possible sources of objections. Here, trademarks named Plutus, Plota, Pluto, Pilot Key, Pilliot, Plat 4 Card, Palito etc. were recognized as phonetically similar. Although there are quite a few of these phonetically similar trademarks, the proposed word is pronounced very differently from these words. Therefore, we opine that this might not pose as a hurdle too.

Thus, we conclude that the word 'Pluots' has proved to be a fairly unique contender for a potential trademark for mobile phones and its related accessories and it is recommended by us that your company can go ahead with the filing procedure. The next step would be e-filing of the required forms with the trademark registry. Our firm will be really happy to assist you with the process ahead too or any other service you require of us.

We would like to reiterate that the final decision regarding the filing is yours and this communication is only of advisory capacity. We would also like to point out that this search is not conclusive and as being merely suggestive, cannot be held binding.

Looking forward to hearing from you and assisting you in the future.

Yours faithfully,

M/s SR Associates