



**BRITISH AMERICAN  
TOBACCO**

Globe House  
4 Temple Place  
London WC2R 2PG  
United Kingdom

Tel: +44 (0)20 7845 1000  
Fax: +44 (0)20 7845 2149  
www.bat.com



London, 18<sup>th</sup> August 2015

The Registrar  
Canadian Intellectual Property Office  
Trade-marks Office  
**EXAMINATION SECTION**  
Place du Portage I, Room C-114  
50 Victoria Street  
Gatineau, Quebec  
K1A 0C9

Trade-mark : **ON!**  
Application : 1672960  
Applicant : WM17 HOLDING AG  
O/Ref. : 000158-0194 BHS/GUB

---

Dear Sir,

British American Tobacco (Brands) Limited of Globe House, 4 Temple Place, London, WC2R 2PG, United Kingdom is part of the British American Tobacco p.l.c. group of companies (the "BAT Group"). The BAT Group is the world's most international tobacco group and the second largest independent cigarette manufacturer with more than 200 brands sold in over 200 markets including Canada. It may be easily said that the BAT Group is an expert in the tobacco market, the branding of these goods as well as the perception of the public of these goods.

British American Tobacco (Brands) Limited has filed in Canada an application to register the trade-mark **ON (Stylised)** under serial No. 1,632,531 in connection with the goods "Cigarettes, tobacco, tobacco products, lighters, matches, smokers' articles".

British American Tobacco (Brands) Limited is aware of WM17 HOLDING AG's trade-mark application **ON!** (No. 1,672,960) for "medical nicotine chewing gum for use as an aid to stop smoking, medical transdermal plasters for use as an aid to stop smoking; smokeless tobacco products, namely snuff and snus; pouches containing smokeless tobacco for oral use".

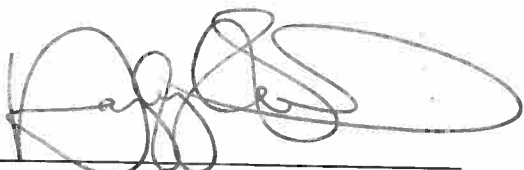
British American Tobacco (Brands) Limited, in view of its expertise in the tobacco field, as well as its knowledge of the Canadian market, is of the view that there is no likelihood of confusion between its trade-mark and the one of WM17 HOLDING AG.

The overall commercial impressions of the marks, when applied to the goods of each party, are so different that no likelihood of confusion could arise from the concomitant use in the same area of the trade-mark **ON (Stylised)** for the goods covered in the application No. 1,632,531 and those covered by the trade-mark **ON!** in the application No. 1,672,960.

For all these reasons, we consent to the registration and use in Canada of the above-captioned trade-mark of WM17 HOLDING AG.

Yours truly,

**British American Tobacco (Brands) Limited**

A handwritten signature in black ink, appearing to read 'Hayley Stevens', written over a horizontal line.

Name: Hayley Stevens  
Title: Authorised Attorney