

***INTERNATIONAL CLASSIFICATION
OF GOODS AND SERVICES***

*FOR THE PURPOSES
OF THE REGISTRATION OF MARKS*

(NICE CLASSIFICATION)

SEVENTH EDITION

PART I

LIST OF GOODS AND SERVICES
IN ALPHABETICAL ORDER



WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

1996

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P R E F A C E

HISTORY AND PURPOSE OF THE NICE CLASSIFICATION

The *International (Nice) Classification of Goods and Services for the Purposes of the Registration of Marks* was established by an Agreement concluded at the Nice Diplomatic Conference, on June 15, 1957, and was revised at Stockholm, in 1967, and at Geneva, in 1977.

The countries party to the Nice Agreement constitute a Special Union within the framework of the *Paris Union for the Protection of Industrial Property*. They have adopted and apply the Nice Classification for the purposes of the registration of marks.

Each of the countries party to the Nice Agreement is obliged to apply the Nice Classification in connection with the registration of marks, either as the principal classification or as a subsidiary classification, and has to include in the official documents and publications relating to its registrations of marks the numbers of the classes of the Classification to which the goods or services for which the marks are registered belong.

Use of the Nice Classification is mandatory not only for the national registration of marks in countries party to the Nice Agreement, but also for the international registration of marks effected by the International Bureau of WIPO, under the *Madrid Agreement Concerning the International Registration of Marks* and under the *Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks*, and for the registration of marks by the African Intellectual Property Organization (OAPI) and by the Benelux Trademark Office.

The Nice Classification is also applied in a number of countries not party to the Nice Agreement (see list on page (viii)).

REVISIONS OF THE NICE CLASSIFICATION

The Nice Classification is based on the Classification prepared by the *United International Bureaux for the Protection of Intellectual Property* (BIRPI)—predecessor of WIPO—in 1935. It was that Classification, consisting of a list of 34 classes and an alphabetical list of goods, that was adopted under the Nice Agreement and later expanded to embrace also eight classes covering services and an alphabetical list of those services.

The Nice Agreement provides for the setting up of a Committee of Experts in which all countries party to the Agreement are represented. The Committee of Experts decides on all changes in the Classification, in particular the transfer of goods and services between various classes, the updating of the alphabetical list and the introduction of necessary explanatory notes.

The Committee of Experts has, since the entry into force of the Nice Agreement, on April 8, 1961, held 17 sessions and has, amongst its most noticeable achievements, undertaken a general review of the Alphabetical List of goods and services from the point of view of form (in the late 1970s), substantially modified the General Remarks, the Class headings and the Explanatory Notes (in 1982) and introduced a “basic number” for each single product or service in the Alphabetical List (in 1990), which number enables the user to find the equivalent product or service in the alphabetical lists of other language versions of the Classification; a task facilitated by consulting the *Reference List*.

At its seventeenth session, held in November 1995, the Committee of Experts adopted changes to the sixth edition of the Nice Classification. Announcements concerning these changes were published in the review *Industrial Property and Copyright*, pursuant to Article 4(2) of the Nice Agreement.

EDITIONS OF THE NICE CLASSIFICATION

The first edition of the Nice Classification was published in 1963, the second in 1971, the third in 1981, the fourth in 1983, the fifth in 1987 and the sixth in 1992. This edition (the seventh) was published in 1996, in the authentic languages English and French, and entered into force on January 1, 1997.

TRANSLATIONS OF THE NICE CLASSIFICATION

Translations of the seventh edition of the Nice Classification, some of them constituting official texts in conformity with Article 1(6) of the Nice Agreement, are being prepared in Chinese, Croatian, Czech, Danish, Dutch, German, Italian, Japanese, Lithuanian, Macedonian, Norwegian, Polish, Portuguese, Russian, Slovene, Spanish and Swedish.

* * *

The authentic versions of the Nice Classification (English and French) are published in two parts. Part I (this volume) lists, in alphabetical order, all the goods in one list and all the services in another list. Part II lists, in alphabetical order for each class, the goods or services belonging to that class. There is also a version with a bilingual (English/French) alphabetical list.

The seventh edition of the Nice Classification, both the authentic versions and most of the other language versions, may be ordered from the World Intellectual Property Organization (WIPO), 34, chemin des Colombettes, 1211 Geneva 20 (Switzerland).

Geneva, October 1996

COUNTRIES PARTY TO THE NICE AGREEMENT

(January 1997)

Algeria	Lithuania
Australia	Luxembourg
Austria	Malawi
Barbados	Monaco
Belgium	Morocco
Benin	Netherlands
Bosnia and Herzegovina	Norway
China	Poland
Croatia	Portugal
Cuba	Russian Federation
Czech Republic	Slovakia
Denmark	Slovenia
Estonia	Spain
Finland	Suriname
France	Sweden
Germany	Switzerland
Guinea	Tajikistan
Hungary	The former Yugoslav Republic of Macedonia
Iceland	Trinidad and Tobago
Ireland	Tunisia
Israel	Turkey
Italy	United Kingdom
Japan	United States of America
Latvia	Yugoslavia
Lebanon	
Liechtenstein	

(Total: 50 States)

OTHER COUNTRIES AND ORGANIZATIONS USING THE NICE CLASSIFICATION

(January 1997)

In addition to the 50 countries party to the Nice Agreement, listed above, the following 84 countries and three organizations also use the Nice Classification:¹

Albania	Jamaica	Seychelles
Angola	Jordan	Sierra Leone
Argentina	Kazakstan	Singapore
Bahrain	Kenya	Solomon Islands
Bangladesh	Kuwait	South Africa
Belarus	Kyrgyzstan	Sri Lanka
Bolivia	Lesotho	Sudan
Botswana	Libya	Swaziland
Brazil	Madagascar	Thailand
Bulgaria	Malaysia	Tonga
Burundi	Malta	Uganda
Chile	Mauritius	Ukraine
Colombia	Mexico	United Arab Emirates
Costa Rica	Mongolia	United Republic of Tanzania
Cyprus	Namibia	Uruguay
Democratic People's Republic of Korea	Netherlands Antilles	Venezuela
Djibouti	New Zealand	Viet Nam
Ecuador	Nicaragua	Yemen
Egypt	Nigeria	Zaire
El Salvador	Pakistan	Zambia
Ethiopia	Panama	Zimbabwe
Ghana	Paraguay	African Intellectual Property Organization (OAPI) ¹
Greece	Peru	Benelux Trademark Office (BBM)
Guatemala	Philippines	Office for Harmonization in the Internal Market (OHIM)
Guyana	Qatar	
Haiti	Republic of Korea	
Honduras	Romania	
India	Rwanda	
Indonesia	Saint Lucia	
Iran (Islamic Republic of)	Samoa	
Iraq	San Marino	
	Saudi Arabia	

¹ The following countries are members of the African Intellectual Property Organization (OAPI) (October 1996): Benin (also party to the Nice Agreement), Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Gabon, Guinea (also party to the Nice Agreement), Mali, Mauritania, Niger, Senegal, Togo (14).

N I C E A G R E E M E N T

***CONCERNING THE INTERNATIONAL CLASSIFICATION OF
GOODS AND SERVICES FOR THE PURPOSES OF THE
REGISTRATION OF MARKS***

*of June 15, 1957,
as revised at Stockholm on July 14, 1967, and at Geneva on May 13, 1977,
and as amended at Geneva on September 28, 1979*

Article 1

*Establishment of a Special Union; Adoption of an International Classification;
Definition and Languages of the Classification*

- (1) The countries to which this Agreement applies constitute a Special Union and adopt a common classification of goods and services for the purposes of the registration of marks (hereinafter designated as “the Classification”).
- (2) The Classification consists of:
 - (i) a list of classes, together with, as the case may be, explanatory notes;
 - (ii) an alphabetical list of goods and services (hereinafter designated as “the alphabetical list”) with an indication of the class into which each of the goods or services falls.
- (3) The Classification comprises:
 - (i) the classification published in 1971 by the International Bureau of Intellectual Property (hereinafter designated as “the International Bureau”) referred to in the Convention Establishing the World Intellectual Property Organization, it being understood, however, that the explanatory notes to the list of classes included in that publication shall be regarded as provisional and as recommendations until such time as explanatory notes to the list of classes are established by the Committee of Experts referred to in Article 3;
 - (ii) the amendments and additions which have entered into force, pursuant to Article 4(1) of the Nice Agreement of June 15, 1957, and of the Stockholm Act of July 14, 1967, of that Agreement, prior to the entry into force of the present Act;
 - (iii) any changes to be made in accordance with Article 3 of this Act and which enter into force pursuant to Article 4(1) of this Act.
- (4) The Classification shall be in the English and French languages, both texts being equally authentic.

(5)(a) The classification referred to in paragraph (3)(i), together with those amendments and additions referred to in paragraph (3)(ii) which have entered into force prior to the date this Act is opened for signature, is contained in one authentic copy, in the French language, deposited with the Director General of the World Intellectual Property Organization (hereinafter designated respectively “the Director General” and “the Organization”). Those amendments and additions referred to in paragraph (3)(ii) which enter into force after the date this Act is opened for signature shall also be deposited in one authentic copy, in the French language, with the Director General.

(b) The English version of the texts referred to in subparagraph (a) shall be established by the Committee of Experts referred to in Article 3 promptly after the entry into force of this Act. Its authentic copy shall be deposited with the Director General.

(c) The changes referred to in paragraph (3)(iii) shall be deposited in one authentic copy, in the English and French languages, with the Director General.

(6) Official texts of the Classification, in Arabic, German, Italian, Portuguese, Russian, Spanish and in such other languages as the Assembly referred to in Article 5 may designate, shall be established by the Director General, after consultation with the interested Governments and either on the basis of a translation submitted by those Governments or by any other means which do not entail financial implications for the budget of the Special Union or for the Organization.

(7) The alphabetical list shall mention, opposite each indication of goods or services, a serial number that is specific to the language in which the said list is established, together with:

- (i) in the case of the alphabetical list established in English, the serial number mentioned in respect of the same indication in the alphabetical list established in French, and vice versa;
- (ii) in the case of any alphabetical list established pursuant to paragraph (6), the serial number mentioned in respect of the same indication in the alphabetical list established in English or in the alphabetical list established in French.

Article 2

Legal Effect and Use of the Classification

(1) Subject to the requirements prescribed by this Agreement, the effect of the Classification shall be that attributed to it by each country of the Special Union. In particular, the Classification shall not bind the countries of the Special Union in respect of either the evaluation of the extent of the protection afforded to any given mark or the recognition of service marks.

(2) Each of the countries of the Special Union reserves the right to use the Classification either as a principal or as a subsidiary system.

(3) The competent Offices of the countries of the Special Union shall include in the official documents and publications relating to registrations of marks the numbers of the classes of the Classification to which the goods or services for which the mark is registered belong.

(4) The fact that a term is included in the alphabetical list in no way affects any rights which might subsist in such a term.

Article 3

Committee of Experts

(1) A Committee of Experts shall be set up in which each country of the Special Union shall be represented.

(2)(a) The Director General may, and, if requested by the Committee of Experts, shall, invite countries outside the Special Union which are members of the Organization or party to the Paris Convention for the Protection of Industrial Property to be represented by observers at meetings of the Committee of Experts.

(b) The Director General shall invite intergovernmental organizations specialized in the field of marks, of which at least one of the member countries is a country of the Special Union, to be represented by observers at meetings of the Committee of Experts.

(c) The Director General may, and, if requested by the Committee of Experts, shall, invite representatives of other intergovernmental organizations and international non-governmental organizations to participate in discussions of interest to them.

(3) The Committee of Experts shall:

- (i) decide on changes in the Classification;
- (ii) address recommendations to the countries of the Special Union for the purpose of facilitating the use of the Classification and promoting its uniform application;
- (iii) take all other measures which, without entailing financial implications for the budget of the Special Union or for the Organization, contribute towards facilitating the application of the Classification by developing countries;
- (iv) have the right to establish subcommittees and working groups.

(4) The Committee of Experts shall adopt its own rules of procedure. The latter shall provide for the possibility of participation in meetings of the subcommittees and working groups of the Committee of Experts by those intergovernmental organizations referred to in paragraph (2)(b) which can make a substantial contribution to the development of the Classification.

(5) Proposals for changes in the Classification may be made by the competent Office of any country of the Special Union, the International Bureau, any intergovernmental organization represented in the Committee of Experts pursuant to paragraph (2)(b) and any country or organization specially invited by the Committee of Experts to submit such proposals. The proposals shall be communicated to the International Bureau, which shall submit them to the members of the Committee of Experts and to the observers not later than two months before the session of the Committee of Experts at which the said proposals are to be considered.

(6) Each country of the Special Union shall have one vote.

(7)(a) Subject to subparagraph (b), the decisions of the Committee of Experts shall require a simple majority of the countries of the Special Union represented and voting.

(b) Decisions concerning the adoption of amendments to the Classification shall require a majority of four-fifths of the countries of the Special Union represented and voting. "Amendment" shall mean any transfer of goods or services from one class to another or the creation of any new class.

(c) The rules of procedure referred to in paragraph (4) shall provide that, except in special cases, amendments to the Classification shall be adopted at the end of specified periods; the length of each period shall be determined by the Committee of Experts.

(8) Abstentions shall not be considered as votes.

Article 4

Notification, Entry into Force and Publication of Changes

(1) Changes decided upon by the Committee of Experts and recommendations of the Committee of Experts shall be notified to the competent Offices of the countries of the Special Union by the International Bureau. Amendments shall enter into force six months after the date of dispatch of the notification. Any other change shall enter into force on a date to be specified by the Committee of Experts at the time the change is adopted.

(2) The International Bureau shall incorporate in the Classification the changes which have entered into force. Announcements of those changes shall be published in such periodicals as may be designated by the Assembly referred to in Article 5.

Article 5

Assembly of the Special Union

(1)(a) The Special Union shall have an Assembly consisting of those countries which have ratified or acceded to this Act.

(b) The Government of each country shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts.

(c) The expenses of each delegation shall be borne by the Government which has appointed it.

(2)(a) Subject to the provisions of Articles 3 and 4, the Assembly shall:

- (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement;
- (ii) give directions to the International Bureau concerning the preparation for conferences of revision, due account being taken of any comments made by those countries of the Special Union which have not ratified or acceded to this Act;
- (iii) review and approve the reports and activities of the Director General of the Organization (hereinafter designated as “the Director General”) concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union;
- (iv) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;
- (v) adopt the financial regulations of the Special Union;
- (vi) establish, in addition to the Committee of Experts referred to in Article 3, such other committees of experts and working groups as it may deem necessary to achieve the objectives of the Special Union;

- (vii) determine which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;
- (viii) adopt amendments to Articles 5 to 8;
- (ix) take any other appropriate action designed to further the objectives of the Special Union;
- (x) perform such other functions as are appropriate under this Agreement.

(b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.

(3)(a) Each country member of the Assembly shall have one vote.

(b) One-half of the countries members of the Assembly shall constitute a quorum.

(c) Notwithstanding the provisions of subparagraph (b), if, in any session, the number of countries represented is less than one-half but equal to or more than one-third of the countries members of the Assembly, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the conditions set forth hereinafter are fulfilled. The International Bureau shall communicate the said decisions to the countries members of the Assembly which were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of countries having thus expressed their vote or abstention attains the number of countries which was lacking for attaining the quorum in the session itself, such decisions shall take effect provided that at the same time the required majority still obtains.

(d) Subject to the provisions of Article 8(2), the decisions of the Assembly shall require two-thirds of the votes cast.

(e) Abstentions shall not be considered as votes.

(f) A delegate may represent, and vote in the name of, one country only.

(g) Countries of the Special Union not members of the Assembly shall be admitted to the meetings of the latter as observers.

(4)(a) The Assembly shall meet once in every second calendar year in ordinary session upon convocation by the Director General and, in the absence of exceptional circumstances, during the same period and at the same place as the General Assembly of the Organization.

(b) The Assembly shall meet in extraordinary session upon convocation by the Director General, at the request of one-fourth of the countries members of the Assembly.

(c) The agenda of each session shall be prepared by the Director General.

(5) The Assembly shall adopt its own rules of procedure.

Article 6

International Bureau

(1)(a) Administrative tasks concerning the Special Union shall be performed by the International Bureau.

(b) In particular, the International Bureau shall prepare the meetings and provide the secretariat of the Assembly, the Committee of Experts, and such other committees of experts and working groups as may have been established by the Assembly or the Committee of Experts.

(c) The Director General shall be the chief executive of the Special Union and shall represent the Special Union.

(2) The Director General and any staff member designated by him shall participate, without the right to vote, in all meetings of the Assembly, the Committee of Experts, and such other committees of experts or working groups as may have been established by the Assembly or the Committee of Experts. The Director General, or a staff member designated by him, shall be ex officio secretary of those bodies.

(3)(a) The International Bureau shall, in accordance with the directions of the Assembly, make the preparations for the conferences of revision of the provisions of the Agreement other than Articles 5 to 8.

(b) The International Bureau may consult with intergovernmental and international non-governmental organizations concerning preparations for conferences of revision.

(c) The Director General and persons designated by him shall take part, without the right to vote, in the discussions at those conferences.

(4) The International Bureau shall carry out any other tasks assigned to it.

Article 7

Finances

(1)(a) The Special Union shall have a budget.

(b) The budget of the Special Union shall include the income and expenses proper to the Special Union, its contribution to the budget of expenses common to the Unions, and, where applicable, the sum made available to the budget of the Conference of the Organization.

(c) Expenses not attributable exclusively to the Special Union but also to one or more other Unions administered by the Organization shall be considered as expenses common to the Unions. The share of the Special Union in such common expenses shall be in proportion to the interest the Special Union has in them.

(2) The budget of the Special Union shall be established with due regard to the requirements of coordination with the budgets of the other Unions administered by the Organization.

(3) The budget of the Special Union shall be financed from the following sources:

(i) contributions of the countries of the Special Union;

(ii) fees and charges due for services rendered by the International Bureau in relation to the Special Union;

- (iii) sale of, or royalties on, the publications of the International Bureau concerning the Special Union;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

(4)(a) For the purpose of establishing its contribution referred to in paragraph (3)(i), each country of the Special Union shall belong to the same class as it belongs to in the Paris Union for the Protection of Industrial Property, and shall pay its annual contributions on the basis of the same number of units as is fixed for that class in that Union.

(b) The annual contribution of each country of the Special Union shall be an amount in the same proportion to the total sum to be contributed to the budget of the Special Union by all countries as the number of its units is to the total of the units of all contributing countries.

(c) Contributions shall become due on the first of January of each year.

(d) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any organ of the Special Union if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. However, any organ of the Special Union may allow such a country to continue to exercise its right to vote in that organ if, and as long as, it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.

(e) If the budget is not adopted before the beginning of a new financial period, it shall be at the same level as the budget of the previous year, as provided in the financial regulations.

(5) The amount of the fees and charges due for services rendered by the International Bureau in relation to the Special Union shall be established, and shall be reported to the Assembly, by the Director General.

(6)(a) The Special Union shall have a working capital fund which shall be constituted by a single payment made by each country of the Special Union. If the fund becomes insufficient, the Assembly shall decide to increase it.

(b) The amount of the initial payment of each country to the said fund or of its participation in the increase thereof shall be a proportion of the contribution of that country for the year in which the fund is established or the decision to increase it is made.

(c) The proportion and the terms of payment shall be fixed by the Assembly on the proposal of the Director General and after it has heard the advice of the Coordination Committee of the Organization.

(7)(a) In the headquarters agreement concluded with the country on the territory of which the Organization has its headquarters, it shall be provided that, whenever the working capital fund is insufficient, such country shall grant advances. The amount of those advances and the conditions on which they are granted shall be the subject of separate agreements, in each case, between such country and the Organization.

(b) The country referred to in subparagraph (a) and the Organization shall each have the right to denounce the obligation to grant advances, by written notification. Denunciation shall take effect three years after the end of the year in which it has been notified.

(8) The auditing of the accounts shall be effected by one or more of the countries of the Special Union or by external auditors, as provided in the financial regulations. They shall be designated, with their agreement, by the Assembly.

Article 8

Amendment of Articles 5 to 8

(1) Proposals for the amendment of Articles 5, 6, 7, and the present Article, may be initiated by any country member of the Assembly, or by the Director General. Such proposals shall be communicated by the Director General to the member countries of the Assembly at least six months in advance of their consideration by the Assembly.

(2) Amendments to the Articles referred to in paragraph (1) shall be adopted by the Assembly. Adoption shall require three-fourths of the votes cast, provided that any amendment to Article 5, and to the present paragraph, shall require four-fifths of the votes cast.

(3) Any amendment to the Articles referred to in paragraph (1) shall enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General from three-fourths of the countries members of the Assembly at the time it adopted the amendment. Any amendment to the said Articles thus accepted shall bind all the countries which are members of the Assembly at the time the amendment enters into force, or which become members thereof at a subsequent date, provided that any amendment increasing the financial obligations of countries of the Special Union shall bind only those countries which have notified their acceptance of such amendment.

Article 9

Ratification and Accession; Entry into Force

(1) Any country of the Special Union which has signed this Act may ratify it, and, if it has not signed it, may accede to it.

(2) Any country outside the Special Union which is party to the Paris Convention for the Protection of Industrial Property may accede to this Act and thereby become a country of the Special Union.

(3) Instruments of ratification and accession shall be deposited with the Director General.

(4)(a) This Act shall enter into force three months after both of the following conditions are fulfilled:

- (i) six or more countries have deposited their instruments of ratification or accession;
- (ii) at least three of the said countries are countries which, on the date this Act is opened for signature, are countries of the Special Union.

(b) The entry into force referred to in subparagraph (a) shall apply to those countries which, at least three months before the said entry into force, have deposited instruments of ratification or accession.

(c) With respect to any country not covered by subparagraph (b), this Act shall enter into force three months after the date on which its ratification or accession was notified by the Director General, unless a subsequent date has been indicated in the instrument of ratification or accession. In the latter case, this Act shall enter into force with respect to that country on the date thus indicated.

(5) Ratification or accession shall automatically entail acceptance of all the clauses and admission to all the advantages of this Act.

(6) After the entry into force of this Act, no country may ratify or accede to an earlier Act of this Agreement.

Article 10

Duration

This Agreement shall have the same duration as the Paris Convention for the Protection of Industrial Property.

Article 11

Revision

- (1) This Agreement may be revised from time to time by a conference of the countries of the Special Union.
- (2) The convocation of any revision conference shall be decided upon by the Assembly.
- (3) Articles 5 to 8 may be amended either by a revision conference or according to Article 8.

Article 12

Denunciation

- (1) Any country may denounce this Act by notification addressed to the Director General. Such denunciation shall constitute also denunciation of the earlier Act or Acts of this Agreement which the country denouncing this Act may have ratified or acceded to, and shall affect only the country making it, the Agreement remaining in full force and effect as regards the other countries of the Special Union.
- (2) Denunciation shall take effect one year after the day on which the Director General has received the notification.
- (3) The right of denunciation provided by this Article shall not be exercised by any country before the expiration of five years from the date upon which it becomes a country of the Special Union.

Article 13

Reference to Article 24 of the Paris Convention

The provisions of Article 24 of the Stockholm Act of 1967 of the Paris Convention for the Protection of Industrial Property shall apply to this Agreement, provided that, if those provisions are amended in the future, the latest amendment shall apply to this Agreement with respect to those countries of the Special Union which are bound by such amendment.

Article 14

Signature; Languages; Depositary Functions; Notifications

(1)(a) This Act shall be signed in a single original in the English and French languages, both texts being equally authentic, and shall be deposited with the Director General.

(b) Official texts of this Act shall be established by the Director General, after consultation with the interested Governments and within two months from the date of signature of this Act, in the two other languages, Russian and Spanish, in which, together with the languages referred to in subparagraph (a), authentic texts of the Convention Establishing the World Intellectual Property Organization were signed.

(c) Official texts of this Act shall be established by the Director General, after consultation with the interested Governments, in the Arabic, German, Italian and Portuguese languages, and such other languages as the Assembly may designate.

(2) This Act shall remain open for signature until December 31, 1977.

(3)(a) The Director General shall transmit two copies, certified by him, of the signed text of this Act to the Governments of all countries of the Special Union and, on request, to the Government of any other country.

(b) The Director General shall transmit two copies, certified by him, of any amendment to this Act to the Governments of all countries of the Special Union and, on request, to the Government of any other country.

(4) The Director General shall register this Act with the Secretariat of the United Nations.

(5) The Director General shall notify the Governments of all countries party to the Paris Convention for the Protection of Industrial Property of:

- (i) signatures under paragraph (1);
- (ii) deposits of instruments of ratification or accession under Article 9(3);
- (iii) the date of entry into force of this Act under Article 9(4)(a);
- (iv) acceptances of amendments to this Act under Article 8(3);
- (v) the dates on which such amendments enter into force;
- (vi) denunciations received under Article 12.

* * *

M A D R I D A G R E E M E N T

**CONCERNING THE INTERNATIONAL REGISTRATION OF
MARKS²**

of April 14, 1891,

as revised at Stockholm on July 14, 1967, and as amended at Geneva on September 28, 1979

(extracts)

Article 3

[Contents of Application for International Registration]

(2) The applicant must indicate the goods or services in respect of which protection of the mark is claimed and also, if possible, the corresponding class or classes according to the classification established by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. If the applicant does not give such indication, the International Bureau shall classify the goods or services in the appropriate classes of the said classification. The indication of classes given by the applicant shall be subject to control by the International Bureau, which shall exercise the said control in association with the national Office. In the event of disagreement between the national Office and the International Bureau, the opinion of the latter shall prevail.

Article 4

[Effects of International Registration]

(1) From the date of the registration so effected at the International Bureau in accordance with the provisions of Articles 3 and 3ter, the protection of the mark in each of the contracting countries concerned shall be the same as if the mark had been filed therein direct. The indication of classes of goods or services provided for in Article 3 shall not bind the contracting countries with regard to the determination of the scope of the protection of the mark.

² On October 1, 1996, the following States were party to this Agreement: Albania, Algeria, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, China, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Egypt, France, Germany, Hungary, Italy, Kazakstan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Luxembourg, Monaco, Mongolia, Morocco, Netherlands, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sudan, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Ukraine, Uzbekistan, Viet Nam, Yugoslavia (46).

Article 5

[Refusal by National Offices]

(1) In countries where the legislation so authorizes, Offices notified by the International Bureau of the registration of a mark or of a request for extension of protection made in accordance with Article 3*ter* shall have the right to declare that protection cannot be granted to such mark in their territory. Any such refusal can be based only on the grounds which would apply, under the Paris Convention for the Protection of Industrial Property, in the case of a mark filed for national registration. However, protection may not be refused, even partially, by reason only that national legislation would not permit registration except in a limited number of classes or for a limited number of goods or services.

Article 7

[Renewal of International Registration]

(2) Renewal may not include any change in relation to the previous registration in its latest form.

(3) The first renewal effected under the provisions of the Nice Act of June 15, 1957, or of this Act, shall include an indication of the classes of the International Classification to which the registration relates.

Article 8

[National Fee. International Fee. Division of Excess Receipts, Supplementary Fees, and Complementary Fees]

(2) Registration of a mark at the International Bureau shall be subject to the advance payment of an international fee which shall include:

- (a) a basic fee;
- (b) a supplementary fee for each class of the International Classification, beyond three, into which the goods or services to which the mark is applied will fall;
- (c) a complementary fee for any request for extension of protection under Article 3*ter*.

(3) However, the supplementary fee specified in paragraph (2)(b) may, without prejudice to the date of registration, be paid within a period fixed by the Regulations if the number of classes of goods or services has been fixed or disputed by the International Bureau. If, upon expiration of the said period, the supplementary fee has not been paid or the list of goods or services has not been reduced to the required extent by the applicant, the application for international registration shall be deemed to have been abandoned.

Article 9

[Changes in National Registers also Affecting International Registration. Reduction of List of Goods and Services Mentioned in International Registration. Additions to that List. Substitutions in that List]

(1) The Office of the country of the person in whose name the international registration stands shall likewise notify the International Bureau of all annulments, cancellations, renunciations, transfers, and other changes made in the entry of the mark in the national register, if such changes also affect the international registration.

(2) The Bureau shall record those changes in the International Register, shall notify them in turn to the Offices of the contracting countries, and shall publish them in its journal.

(3) A similar procedure shall be followed when the person in whose name the international registration stands requests a reduction of the list of goods or services to which the registration applies.

(4) Such transactions may be subject to a fee, which shall be fixed by the Regulations.

(5) The subsequent addition of new goods or services to the said list can be obtained only by filing a new application as prescribed in Article 3.

(6) The substitution of one of the goods or services for another shall be treated as an addition.

Article 10

[Assembly of the Special Union]

(2)(a) The Assembly shall:

(iii) modify the Regulations, including the fixation of the amounts of the fees referred to in Article 8(2) and other fees relating to international registration.

* * *

P R O T O C O L

RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS³

adopted at Madrid on June 27, 1989

(extracts)

Article 3

International Application

(2) The applicant must indicate the goods and services in respect of which protection of the mark is claimed and also, if possible, the corresponding class or classes according to the classification established by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. If the applicant does not give such indication, the International Bureau shall classify the goods and services in the appropriate classes of the said classification. The indication of classes given by the applicant shall be subject to control by the International Bureau, which shall exercise the said control in association with the Office of origin. In the event of disagreement between the said Office and the International Bureau, the opinion of the latter shall prevail.

Article 4

Effects of International Registration

(1)(a) From the date of the registration or recordal effected in accordance with the provisions of Articles 3 and 3^{ter}, the protection of the mark in each of the Contracting Parties concerned shall be the same as if the mark had been deposited direct with the Office of that Contracting Party. If no refusal has been notified to the International Bureau in accordance with Article 5(1) and (2) or if a refusal notified in accordance with the said Article has been withdrawn subsequently, the protection of the mark in the Contracting Party concerned shall, as from the said date, be the same as if the mark had been registered by the Office of that Contracting Party.

(b) The indication of classes of goods and services provided for in Article 3 shall not bind the Contracting Parties with regard to the determination of the scope of the protection of the mark.

³ On October 1, 1996 the following States were party to this Protocol: China, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Finland, Germany, Monaco, Norway, Spain, Sweden, United Kingdom (12).

Article 5

Refusal and Invalidation of Effects of International Registration in Respect of Certain Contracting Parties

(1) Where the applicable legislation so authorizes, any Office of a Contracting Party which has been notified by the International Bureau of an extension to that Contracting Party, under Article 3*ter*(1) or (2), of the protection resulting from the international registration shall have the right to declare in a notification of refusal that protection cannot be granted in the said Contracting Party to the mark which is the subject of such extension. Any such refusal can be based only on the grounds which would apply, under the Paris Convention for the Protection of Industrial Property, in the case of a mark deposited direct with the Office which notifies the refusal. However, protection may not be refused, even partially, by reason only that the applicable legislation would permit registration only in a limited number of classes or for a limited number of goods or services.

Article 8

Fees for International Application and Registration

(2) Registration of a mark at the International Bureau shall be subject to the advance payment of an international fee which shall, subject to the provisions of paragraph (7)(a), include,

- (i) a basic fee;
- (ii) a supplementary fee for each class of the International Classification, beyond three, into which the goods or services to which the mark is applied will fall;
- (iii) a complementary fee for any request for extension of protection under Article 3*ter*.

(3) However, the supplementary fee specified in paragraph (2)(ii) may, without prejudice to the date of the international registration, be paid within the period fixed by the Regulations if the number of classes of goods or services has been fixed or disputed by the International Bureau. If, upon expiry of the said period, the supplementary fee has not been paid or the list of goods or services has not been reduced to the required extent by the applicant, the international application shall be deemed to have been abandoned.

Article 9

Recordal of Change in the Ownership of an International Registration

At the request of the person in whose name the international registration stands, or at the request of an interested Office made ex officio or at the request of an interested person, the International Bureau shall record in the International Register any change in the ownership of that registration, in respect of all or some of the Contracting Parties in whose territories the said registration has effect and in respect of all or some of the goods and services listed in the registration, provided that the new holder is a person who, under Article 2(1), is entitled to file international applications.

* * *

GUIDANCE FOR THE USER

1. The class headings indicate in a general manner the fields to which the goods and services in principle belong.

2. For ascertaining the correct classification of each individual product or service, the Alphabetical List of goods and services and the Explanatory Notes, relating to the various classes, should be consulted. If a product or service cannot be classified with the aid of the List of Classes, the Explanatory Notes and the Alphabetical List, the General Remarks (see page 3, below) set forth the criteria that should be applied.

3. The Alphabetical List is reproduced in two sets of five columns on each page, which for each product or service indicates:

the first column: the number of the class to which the product or service belongs;

the second column: the serial number⁴ of the indication of the product or service, in English;

the third column: the indication of the product or service, in English;

the fourth column: the serial number⁴ of the corresponding French indication of the product or service;

the fifth column: the basic number⁴ of the indication of the product or service.

4. It should be noted that a given product or service may appear in the Alphabetical List in more than one place, i.e., the product or service is described with different indications, so-called cross-references.

5. The fact that a general term is given in the Alphabetical List in relation to a particular class (covering certain goods or services) does not rule out the possibility of that term appearing also in connection with other classes (covering other goods or services), depending on the way in which the term is qualified. In such cases, the general term (e.g., Clothing, Paints) is marked with an asterisk in the Alphabetical List.

6. In the Alphabetical List, an expression between square brackets is in most cases intended to define more precisely the text preceding the brackets, since the said text is ambiguous or too vague for classification purposes. Sometimes, the square brackets embrace the corresponding American expression of the text preceding the brackets, in most cases of which the expression is followed by “(Am.)”.

⁴ While the serial number of a given product or service is specific to each language version of the Classification, its basic number is the same for every language version of the Classification that has been published by, or in collaboration with, WIPO. The basic number enables the user of the Classification to find the equivalent product or service in the alphabetical lists of other language versions of the Classification. This task is facilitated by consulting the *Reference List* (WIPO publication No. 500.4).

7. In the Alphabetical List, an expression between round brackets may constitute a different indication of the product or service in question, which in that case also is listed (a so-called cross-reference) in its appropriate place in the Alphabetical List. In other cases, an expression between round brackets may begin with a general term (e.g., apparatus, conducting, machines) under which the product or service cannot be listed in the Alphabetical List. The text preceding the round brackets is considered the most important part of the indication of the product or service in question, and is replaced within the brackets by “–”.

8. For the purposes of the registration of marks, it is highly recommended to use the indications appearing in the Alphabetical List when qualifying goods or services, avoiding using the vague expressions or the general terms, which are not sufficiently qualified.

9. The fact that a product or service indication figures in the Alphabetical List does not in any way prejudice the decisions of national industrial property offices as to the possibility of registering a mark for that product or service (see Article 2(1) of the Nice Agreement).

GENERAL REMARKS

The indications of goods or services appearing in the class headings are general indications relating to the fields to which, in principle, the goods or services belong. The Alphabetical List should therefore be consulted in order to ascertain the exact classification of each individual product or service.

GOODS

If a product cannot be classified with the aid of the List of Classes, the Explanatory Notes and the Alphabetical List, the following remarks set forth the criteria to be applied:

(a) A finished product is in principle classified according to its function or purpose. If the function or purpose of a finished product is not mentioned in any class heading, the finished product is classified by analogy with other comparable finished products, indicated in the Alphabetical List. If none is found, other subsidiary criteria, such as that of the material of which the product is made or its mode of operation, are applied. Benelux Trademark Office (BBM)

(b) A finished product which is a multipurpose composite object (e.g., clocks incorporating radios) may be classified in all classes that correspond to any of its functions or intended purposes. If those functions or purposes are not mentioned in any class heading, other criteria, indicated under (a), above, are to be applied.

(c) Raw materials, unworked or semi-worked, are in principle classified according to the material of which they consist.

(d) Goods intended to form part of another product are in principle classified in the same class as that product only in cases where the same type of goods cannot normally be used for another purpose. In all other cases, the criterion indicated under (a), above, applies.

(e) When a product, whether finished or not, is classified according to the material of which it is made, and it is made of different materials, the product is in principle classified according to the material which predominates.

(f) Cases adapted to the product they are intended to contain are in principle classified in the same class as the product.

SERVICES

If a service cannot be classified with the aid of the List of Classes, the Explanatory Notes and the Alphabetical List, the following remarks set forth the criteria to be applied:

(a) Services are in principle classified according to the branches of activities specified in the headings of the service classes and in their Explanatory Notes or, if not specified, by analogy with other comparable services indicated in the Alphabetical List.

(b) Rental services are in principle classified in the same classes as the services provided by means of the rented objects (e.g., Rental of telephones, covered by Class 38).

(c) Services that cannot be classified according to the criteria indicated under (a), above, are in principle classified in Class 42.

C L A S S H E A D I N G S

GOODS

- Class 1* Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry
- Class 2* Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists
- Class 3* Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices
- Class 4* Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks
- Class 5* Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides
- Class 6* Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores
- Class 7* Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs
- Class 8* Hand tools and implements (hand-operated); cutlery; side arms; razors
- Class 9* Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus
- Class 10* Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials
- Class 11* Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes
- Class 12* Vehicles; apparatus for locomotion by land, air or water
- Class 13* Firearms; ammunition and projectiles; explosives; fireworks

- Class 14* Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments
- Class 15* Musical instruments
- Class 16* Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks
- Class 17* Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal
- Class 18* Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery
- Class 19* Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal
- Class 20* Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics
- Class 21* Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes
- Class 22* Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials
- Class 23* Yarns and threads, for textile use
- Class 24* Textiles and textile goods, not included in other classes; bed and table covers
- Class 25* Clothing, footwear, headgear
- Class 26* Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers
- Class 27* Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile)
- Class 28* Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees

- Class 29* Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats
- Class 30* Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice
- Class 31* Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt
- Class 32* Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages
- Class 33* Alcoholic beverages (except beers)
- Class 34* Tobacco; smokers' articles; matches

SERVICES

- Class 35* Advertising; business management; business administration; office functions
- Class 36* Insurance; financial affairs; monetary affairs; real estate affairs
- Class 37* Building construction; repair; installation services
- Class 38* Telecommunications
- Class 39* Transport; packaging and storage of goods; travel arrangement
- Class 40* Treatment of materials
- Class 41* Education; providing of training; entertainment; sporting and cultural activities
- Class 42* Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; computer programming; services that cannot be classified in other classes

G O O D S

CLASS 1

Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry;
unprocessed artificial resins, unprocessed plastics;
manures;
fire extinguishing compositions;
tempering and soldering preparations;
chemical substances for preserving foodstuffs;
tanning substances;
adhesives used in industry.

Explanatory Note

Class 1 includes mainly chemical products used in industry, science and agriculture, including those which go to the making of products belonging to other classes.

This Class includes, in particular:

- compost;
- salt for preserving other than for foodstuffs.

This Class does not include, in particular:

- raw natural resins (Cl. 2);
- chemical products for use in medical science (Cl. 5);
- fungicides, herbicides and preparations for destroying vermin (Cl. 5);
- adhesives for stationery or household purposes (Cl. 16);
- salt for preserving foodstuffs (Cl. 30);
- straw mulch (Cl. 31).

CLASS 2

Paints, varnishes, lacquers;
preservatives against rust and against deterioration of wood;
colorants;
mordants;
raw natural resins;
metals in foil and powder form for painters, decorators, printers and artists.

Explanatory Note

Class 2 includes mainly paints, colorants and preparations used for the protection against corrosion.

This Class includes, in particular:

- paints, varnishes and lacquers for industry, handicrafts and arts;
- dyestuffs for clothing;
- colorants for foodstuffs and beverages.

This Class does not include, in particular:

- unprocessed artificial resins (Cl. 1);
- laundry blueing (Cl. 3);
- cosmetic dyes (Cl. 3);
- mordants for seed (Cl. 5);
- paint boxes (articles for use in school) (Cl. 16);
- insulating paints and varnishes (Cl. 17).

CLASS 3

Bleaching preparations and other substances for laundry use;
cleaning, polishing, scouring and abrasive preparations;
soaps;
perfumery, essential oils, cosmetics, hair lotions;
dentifrices.

Explanatory Note

Class 3 includes mainly cleaning preparations and toilet preparations.

This Class includes, in particular:

- deodorants for personal use;
- sanitary preparations being toiletries.

This Class does not include, in particular:

- chemical chimney cleaners (Cl. 1);
- degreasing preparations for use in manufacturing processes (Cl. 1);
- deodorants other than for personal use (Cl. 5);
- sharpening stones and grindstones (hand tools) (Cl. 8).

CLASS 4

Industrial oils and greases;
lubricants;
dust absorbing, wetting and binding compositions;
fuels (including motor spirit) and illuminants;
candles, wicks.

Explanatory Note

Class 4 includes mainly industrial oils and greases, fuels and illuminants.

This Class does not include, in particular:

- certain special industrial oils and greases (consult the Alphabetical List of Goods).

CLASS 5

Pharmaceutical, veterinary and sanitary preparations;
dietetic substances adapted for medical use, food for babies;
plasters, materials for dressings;
material for stopping teeth, dental wax;
disinfectants;
preparations for destroying vermin;
fungicides, herbicides.

Explanatory Note

Class 5 includes mainly pharmaceuticals and other preparations for medical purposes.

This Class includes, in particular:

- sanitary preparations for medical purposes and for personal hygiene;
- deodorants other than for personal use;
- cigarettes without tobacco, for medical purposes.

This Class does not include, in particular:

- sanitary preparations being toiletries (Cl. 3);
- deodorants for personal use (Cl. 3);
- supportive bandages (Cl. 10).

CLASS 6

Common metals and their alloys;
metal building materials;
transportable buildings of metal;
materials of metal for railway tracks;
non-electric cables and wires of common metal;
ironmongery, small items of metal hardware;
pipes and tubes of metal;
safes;
goods of common metal not included in other classes;
ores.

Explanatory Note

Class 6 includes mainly unwrought and partly wrought common metals as well as simple products made of them.

This Class does not include, in particular:

- bauxite (Cl. 1);
- mercury, antimony, alkaline and alkaline-earth metals (Cl. 1);
- metals in foil and powder form for painters, decorators, printers and artists (Cl. 2).

CLASS 7

Machines and machine tools;
motors and engines (except for land vehicles);
machine coupling and transmission components (except for land vehicles);
agricultural implements other than hand-operated;
incubators for eggs.

Explanatory Note

Class 7 includes mainly machines, machine tools, motors and engines.

This Class includes, in particular:

- parts of motors and engines (of all kinds);
- electric cleaning machines and apparatus.

This Class does not include, in particular:

- certain special machines and machine tools (consult the Alphabetical List of Goods);
- hand tools and implements, hand-operated (Cl. 8);
- motors and engines for land vehicles (Cl. 12).

CLASS 8

Hand tools and implements (hand-operated);

cutlery;

side arms;

razors.

Explanatory Note

Class 8 includes mainly hand-operated implements used as tools in the respective professions.

This Class includes, in particular:

- cutlery of precious metals;
- electric razors and clippers (hand instruments).

This Class does not include, in particular:

- certain special instruments (consult the Alphabetical List of Goods);
- machine tools and implements driven by a motor (Cl. 7);
- surgical cutlery (Cl. 10);
- paper knives (Cl. 16);
- fencing weapons (Cl. 28).

CLASS 9

Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments;

apparatus for recording, transmission or reproduction of sound or images;

magnetic data carriers, recording discs;

automatic vending machines and mechanisms for coin-operated apparatus;

cash registers, calculating machines, data processing equipment and computers;

fire-extinguishing apparatus.

Explanatory Note

This Class includes, in particular:

- apparatus and instruments for scientific research in laboratories;
- apparatus and instruments for controlling ships, such as apparatus and instruments, for measuring and for transmitting orders;
- the following electrical apparatus and instruments:
 - (a) certain electrothermic tools and apparatus, such as electric soldering irons, electric flat irons which, if they were not electric, would belong to Class 8;
 - (b) apparatus and devices which, if not electrical, would be listed in various classes, i.e., electrically heated clothing, cigar-lighters for automobiles;
- protractors;
- punched card office machines;
- amusement apparatus adapted for use with television receivers only.

This Class does not include, in particular:

- the following electrical apparatus and instruments:
 - (a) electromechanical apparatus for the kitchen (grinders and mixers for foodstuffs, fruit presses, electrical coffee mills, etc.), and certain other apparatus and instruments driven by an electrical motor, all coming under Class 7;
 - (b) electric razors and clippers (hand instruments) (Cl. 8);
 - (c) electric toothbrushes and combs (Cl. 21);
 - (d) electrical apparatus for space heating or for the heating of liquids, for cooking, ventilating, etc. (Cl. 11);
- clocks and watches and other chronometric instruments (Cl. 14);
- control clocks (Cl. 14).

CLASS 10

Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.

Explanatory Note

Class 10 includes mainly medical apparatus, instruments and articles.

This Class includes, in particular:

- special furniture for medical use;
- hygienic rubber articles (consult the Alphabetical List of Goods);
- supportive bandages.

CLASS 11

Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

Explanatory Note

This Class includes, in particular:

- air conditioning apparatus;
- bedwarmers, hot water bottles, warming pans, electric or non-electric;
- electrically heated cushions (pads) and blankets, not for medical purposes;
- electric kettles;
- electric cooking utensils.

This Class does not include, in particular:

- steam producing apparatus (parts of machines) (Cl. 7);
- electrically heated clothing (Cl. 9).

CLASS 12

Vehicles;

apparatus for locomotion by land, air or water.

Explanatory Note

This Class includes, in particular:

- motors and engines for land vehicles;
- couplings and transmission components for land vehicles;
- air cushion vehicles.

This Class does not include, in particular:

- certain parts of vehicles (consult the Alphabetical List of Goods);
- railway material of metal (Cl. 6);
- motors, engines, couplings and transmission components other than for land vehicles (Cl. 7);
- parts of motors and engines (of all kinds) (Cl. 7).

CLASS 13

Firearms;
ammunition and projectiles;
explosives;
fireworks.

Explanatory Note

Class 13 includes mainly firearms and pyrotechnical products.

This Class does not include, in particular:

- matches (Cl. 34).

CLASS 14

Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes;
jewellery, precious stones;
horological and chronometric instruments.

Explanatory Note

Class 14 includes mainly precious metals, goods in precious metals and, in general jewellery, clocks and watches.

This Class includes, in particular:

- jewellery (i.e., imitation jewellery and jewellery of precious metal and stones);
- cuff links, tie pins.

This Class does not include, in particular:

- certain goods in precious metals (classified according to their function or purpose), for example, metals in foil and powder form for painters, decorators, printers and artists (Cl. 2), amalgam of gold for dentists (Cl. 5), cutlery (Cl. 8), electric contacts (Cl. 9), pen nibs of gold (Cl. 16);
- objects of art not of precious metals (classified according to the material of which they consist).

CLASS 15

Musical instruments.

Explanatory Note

This Class includes, in particular:

- mechanical pianos and their accessories;
- musical boxes;
- electrical and electronic musical instruments.

This Class does not include, in particular:

- apparatus for the recording, transmission, amplification and reproduction of sound (Cl. 9).

CLASS 16

Paper, cardboard and goods made from these materials, not included in other classes;

printed matter;

bookbinding material;

photographs;

stationery;

adhesives for stationery or household purposes;

artists' materials;

paint brushes;

typewriters and office requisites (except furniture);

instructional and teaching material (except apparatus);

plastic materials for packaging (not included in other classes);

playing cards;

printers' type;

printing blocks.

Explanatory Note

Class 16 includes mainly paper, goods made from that material and office requisites.

This Class includes, in particular:

- paper knives;
- duplicators;
- plastic sheets, sacks and bags for wrapping and packaging.

This Class does not include, in particular:

- certain goods made of paper and cardboard (consult the Alphabetical List of Goods);
- colours (Cl. 2);
- hand tools for artists (for example, spatulas, sculptors' chisels) (Cl. 8).

CLASS 17

Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes;

plastics in extruded form for use in manufacture;

packing, stopping and insulating materials;

flexible pipes, not of metal.

Explanatory Note

Class 17 includes mainly electrical, thermal and acoustic insulating materials and plastics, being for use in manufacture in the form of sheets, blocks and rods.

This Class includes, in particular:

- rubber material for recapping tyres;
- padding and stuffing materials of rubber or plastics;
- floating anti-pollution barriers.

CLASS 18

Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides;

trunks and travelling bags;

umbrellas, parasols and walking sticks;

whips, harness and saddlery.

Explanatory Note

Class 18 includes mainly leather, leather imitations, travel goods not included in other classes and saddlery.

This Class does not include, in particular:

- clothing, footwear, headgear (consult the Alphabetical List of Goods).

CLASS 19

Building materials (non-metallic);
non-metallic rigid pipes for building;
asphalt, pitch and bitumen;
non-metallic transportable buildings;
monuments, not of metal.

Explanatory Note

Class 19 includes mainly non-metallic building materials.

This Class includes, in particular:

- semi-worked woods (for example: beams, planks, panels);
- veneers;
- building glass (for example, floor slabs, glass tiles);
- glass granules for marking out roads;
- letter boxes of masonry.

This Class does not include, in particular:

- cement preservatives and cement-waterproofing preparations (Cl. 1);
- fireproofing preparations (Cl. 1).

CLASS 20

Furniture, mirrors, picture frames;
goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

Explanatory Note

Class 20 includes mainly furniture and its parts and plastic goods, not included in other classes.

This Class includes, in particular:

- metal furniture and furniture for camping;
- bedding (for example: mattresses, spring mattresses, pillows);
- looking glasses and furnishing or toilet mirrors;
- registration number plates not of metal;
- letter boxes not of metal or masonry.

This Class does not include, in particular:

- certain special types of mirrors, classified according to their function or purpose (consult the Alphabetical List of Goods);
- special furniture for laboratories (Cl. 9);
- special furniture for medical use (Cl. 10);
- bedding linen (Cl. 24);
- eiderdowns (Cl. 24).

CLASS 21

Household or kitchen utensils and containers (not of precious metal or coated therewith);
combs and sponges;
brushes (except paint brushes);
brush-making materials;
articles for cleaning purposes;
steelwool;
unworked or semi-worked glass (except glass used in building);
glassware, porcelain and earthenware not included in other classes.

Explanatory Note

Class 21 includes mainly small, hand-operated utensils and apparatus for household and kitchen use as well as toilet utensils, glassware and articles in porcelain.

This Class includes, in particular:

- utensils and containers for household and kitchen use, for example, kitchen utensils, pails, pans of iron, of aluminium, of plastics or of other materials, small hand-operated apparatus for mincing, grinding, pressing, etc.;
- candle extinguishers, not of precious metal;
- electric combs;
- electric toothbrushes;
- dish stands and decanter stands.

This Class does not include, in particular:

- certain goods made of glass, porcelain and earthenware (consult the Alphabetical List of Goods);
- cleaning preparations, soaps, etc. (Cl. 3);
- small apparatus for mincing, grinding, pressing, etc., driven by electricity (Cl. 7);
- razors and shaving apparatus, clippers (hand instruments), metal implements and utensils for manicure and pedicure (Cl. 8);
- cooking utensils, electric (Cl. 11);
- toilet mirrors (Cl. 20).

CLASS 22

Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

Explanatory Note

Class 22 includes mainly rope and sail manufacture products, padding and stuffing materials and raw fibrous textile materials.

This Class includes, in particular:

- cords and twines in natural or artificial textile fibres, paper or plastics.

This Class does not include, in particular:

- certain nets, sacks and bags (consult the Alphabetical List of Goods);
- strings for musical instruments (Cl. 15).

CLASS 23

Yarns and threads, for textile use.

CLASS 24

Textiles and textile goods, not included in other classes; bed and table covers.

Explanatory Note

Class 24 includes mainly textiles (piece goods) and textile covers for household use.

This Class includes, in particular:

- bedding linen of paper.

This Class does not include, in particular:

- certain special textiles (consult the Alphabetical List of Goods);
- electrically heated blankets, for medical purposes (Cl. 10) and not for medical purposes (Cl. 11);
- table linen of paper (Cl. 16);
- horse blankets (Cl. 18).

CLASS 25

Clothing, footwear, headgear.

Explanatory Note

This Class does not include, in particular:

- certain clothing and footwear for special use (consult the Alphabetical List of Goods).

CLASS 26

Lace and embroidery, ribbons and braid;
buttons, hooks and eyes, pins and needles;
artificial flowers.

Explanatory Note

Class 26 includes mainly dressmakers' articles.

This Class includes, in particular:

- slide fasteners.

This Class does not include, in particular:

- certain special types of hooks (consult the Alphabetical List of Goods);
- certain special types of needles (consult the Alphabetical List of Goods);
- yarns and threads for textile use (Cl. 23).

CLASS 27

Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors;
wall hangings (non-textile).

Explanatory Note

Class 27 includes mainly products intended to be added as furnishings to previously constructed floors and walls.

CLASS 28

Games and playthings;
gymnastic and sporting articles not included in other classes;
decorations for Christmas trees.

Explanatory Note

This Class includes, in particular:

- fishing tackle;
- equipment for various sports and games.

This Class does not include, in particular:

- Christmas tree candles (Cl. 4);
- diving equipment (Cl. 9);
- amusement apparatus adapted for use with television receivers only (Cl. 9);
- electrical lamps (garlands) for Christmas trees (Cl. 11);
- playing cards (Cl. 16);
- fishing nets (Cl. 22);
- clothing for gymnastics and sports (Cl. 25);
- confectionery and chocolate decorations for Christmas trees (Cl. 30).

CLASS 29

Meat, fish, poultry and game;
meat extracts;
preserved, dried and cooked fruits and vegetables;
jellies, jams, fruit sauces;
eggs, milk and milk products;
edible oils and fats.

Explanatory Note

Class 29 includes mainly foodstuffs of animal origin as well as vegetables and other horticultural comestible products which are prepared for consumption or conservation.

This Class includes, in particular:

- milk beverages (milk predominating).

This Class does not include, in particular:

- certain foodstuffs of plant origin (consult the Alphabetical List of Goods);
- baby food (Cl. 5);
- dietetic substances adapted for medical use (Cl. 5);
- salad dressings (Cl. 30);
- fertilised eggs for hatching (Cl. 31);
- foodstuffs for animals (Cl. 31);
- live animals (Cl. 31).

CLASS 30

Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee;
flour and preparations made from cereals, bread, pastry and confectionery, ices;
honey, treacle;
yeast, baking-powder;
salt, mustard;
vinegar, sauces (condiments);
spices;
ice.

Explanatory Note

Class 30 includes mainly foodstuffs of plant origin prepared for consumption or conservation as well as auxiliaries intended for the improvement of the flavour of food.

This Class includes, in particular:

- beverages with coffee, cocoa or chocolate base;
- cereals prepared for human consumption (for example, oat flakes and those made of other cereals).

This Class does not include, in particular:

- certain foodstuffs of plant origin (consult the Alphabetical List of Goods);
- salt for preserving other than for foodstuffs (Cl. 1);
- medicinal teas and dietetic substances adapted for medical use (Cl. 5);
- baby food (Cl. 5);
- raw cereals (Cl. 31);
- foodstuffs for animals (Cl. 31).

CLASS 31

Agricultural, horticultural and forestry products and grains not included in other classes;
live animals;
fresh fruits and vegetables;
seeds, natural plants and flowers;
foodstuffs for animals;
malt.

Explanatory Note

Class 31 includes mainly land products not having been subjected to any form of preparation for consumption, live animals and plants as well as foodstuffs for animals.

This Class includes, in particular:

- raw woods;
- raw cereals;
- fertilised eggs for hatching;
- mollusca and crustacea (live).

This Class does not include, in particular:

- cultures of micro-organisms and leeches for medical purposes (Cl. 5);
- semi-worked woods (Cl. 19);
- artificial fishing bait (Cl. 28);
- rice (Cl. 30);
- tobacco (Cl. 34).

CLASS 32

Beers;
mineral and aerated waters and other non-alcoholic drinks;
fruit drinks and fruit juices;
syrops and other preparations for making beverages.

Explanatory Note

Class 32 includes mainly non-alcoholic beverages, as well as beer.

This Class includes, in particular:

- de-alcoholised drinks.

This Class does not include, in particular:

- beverages for medical purposes (Cl. 5);
- milk beverages (milk predominating) (Cl. 29);
- beverages with coffee, cocoa or chocolate base (Cl. 30).

CLASS 33

Alcoholic beverages (except beers).

Explanatory Note

This Class does not include, in particular:

- medicinal drinks (Cl. 5);
- de-alcoholised drinks (Cl. 32).

CLASS 34

Tobacco;
smokers' articles;
matches.

Explanatory Note

This Class includes, in particular:

- tobacco substitutes (not for medical purposes).

This Class does not include, in particular:

- cigarettes without tobacco, for medical purposes (Cl. 5);
- certain smokers' articles in precious metal (Cl. 14) (consult the Alphabetical List of Goods).

S E R V I C E S

CLASS 35

Advertising;
business management;
business administration;
office functions.

Explanatory Note

Class 35 includes mainly services rendered by persons or organizations principally with the object of:

- (1) help in the working or management of a commercial undertaking, or
- (2) help in the management of the business affairs or commercial functions of an industrial or commercial enterprise,

as well as services rendered by advertising establishments primarily undertaking communications to the public, declarations or announcements by all means of diffusion and concerning all kinds of goods or services.

This Class includes, in particular:

- the bringing together, for the benefit of others, of a variety of goods (excluding the transport thereof), enabling customers to conveniently view and purchase those goods;
- services consisting of the registration, transcription, composition, compilation or systematization of written communications and registrations, and also the exploitation or compilation of mathematical or statistical data;
- services of advertising agencies and services such as the distribution of prospectuses, directly or through the post, or the distribution of samples. This Class may refer to advertising in connection with other services, such as those concerning bank loans or advertising by radio.

This Class does not include, in particular:

- activity of an enterprise the primary function of which is the sale of goods, i.e., of a so-called commercial enterprise;
- services such as evaluations and reports of engineers which do not directly refer to the working or management of affairs in a commercial or industrial enterprise (consult the Alphabetical List of Services);
- professional consultations and the drawing up of plans not connected with the conduct of business (Cl. 42).

CLASS 36

Insurance;
financial affairs;
monetary affairs;
real estate affairs.

Explanatory Note

Class 36 includes mainly services rendered in financial and monetary affairs and services rendered in relation to insurance contracts of all kinds.

This Class includes, in particular:

- services relating to financial or monetary affairs comprise the following:
 - (a) services of all the banking establishments, or institutions connected with them such as exchange brokers or clearing services;
 - (b) services of credit institutions other than banks such as co-operative credit associations, individual financial companies, lenders, etc.;
 - (c) services of “investment trusts,” of holding companies;
 - (d) services of brokers dealing in shares and property;
 - (e) services connected with monetary affairs vouched for by trustees;
 - (f) services rendered in connection with the issue of travellers' cheques and letters of credit;
- services of realty administrators of buildings, i.e., services of letting or valuation, or financing;
- services dealing with insurance such as services rendered by agents or brokers engaged in insurance, services rendered to insured, and insurance underwriting services.

CLASS 37

Building construction;
repair;
installation services.

Explanatory Note

Class 37 includes mainly services rendered by contractors or subcontractors in the construction or making of permanent buildings, as well as services rendered by persons or organisations engaged in the restoration of objects to their original condition or in their preservation without altering their physical or chemical properties.

This Class includes, in particular:

- services relating to the construction of buildings, roads, bridges, dams or transmission lines and services of undertakings specialising in the field of construction such as those of painters, plumbers, heating installers or roofers;
- services auxiliary to construction services like inspections of construction plans;
- services of shipbuilding;
- services consisting of hiring of tools or building materials;
- repair services, i.e., services which undertake to put any object into good condition after wear, damage, deterioration or partial destruction (restoration of an existing building or another object that has become imperfect and is to be restored to its original condition);
- various repair services such as those in the fields of electricity, furniture, instruments, tools, etc.;
- services of maintenance for preserving an object in its original condition without changing any of its properties (for the difference between this Class and Class 40 see the Explanatory Note of Class 40);

This Class does not include, in particular:

- services consisting of storage of goods such as clothes or vehicles (Cl. 39);
- services connected with dyeing of cloth or clothes (Cl. 40).

CLASS 38

Telecommunications.

Explanatory Note

Class 38 includes mainly services allowing at least one person to communicate with another by a sensory means. Such services include those which:

- (1) allow one person to talk to another,
- (2) transmit messages from one person to another, and
- (3) place a person in oral or visual communication with another (radio and television).

This Class includes, in particular:

- services which consist essentially of the diffusion of radio or television programmes.

This Class does not include, in particular:

- radio advertising services (Cl. 35).

CLASS 39

Transport;
packaging and storage of goods;
travel arrangement.

Explanatory Note

Class 39 includes mainly services rendered in transporting people or goods from one place to another (by rail, road, water, air or pipeline) and services necessarily connected with such transport, as well as services relating to the storing of goods in a warehouse or other building for their preservation or guarding.

This Class includes, in particular:

- services rendered by companies exploiting stations, bridges, rail-road ferries, etc., used by the transporter;
- services connected with the hiring of transport vehicles;
- services connected with maritime tugs, unloading, the functioning of ports and docks and the salvaging of wrecked ships and their cargoes;
- services connected with the functioning of airports;
- services connected with the packaging and parcelling of goods before dispatch;
- services consisting of information about journeys or the transport of goods by brokers and tourist agencies, information relating to tariffs, timetables and methods of transport;
- services relating to the inspection of vehicles or goods before transport.

This Class does not include, in particular:

- services relating to advertising transport undertakings such as the distribution of prospectuses or advertising on the radio (Cl. 35);
- services relating to the issuing of travellers' cheques or letters of credit by brokers or travel agents (Cl. 36);
- services relating to insurances (commercial, fire or life) during the transport of persons or goods (Cl. 36);
- services rendered by the maintenance and repair of vehicles, nor the maintenance or repair of objects connected with the transport of persons or goods (Cl. 37);
- services relating to reservation of rooms in a hotel by travel agents or brokers (Cl. 42).

CLASS 40

Treatment of materials.

Explanatory Note

Class 40 includes mainly services not included in other classes, rendered by the mechanical or chemical processing or transformation of objects or inorganic or organic substances.

For the purposes of classification, the mark is considered a service mark only in cases where processing or transformation is effected for the account of another person. A mark is considered a trade mark in all cases where the substance or object is marketed by the person who processed or transformed it.

This Class includes, in particular:

- services relating to transformation of an object or substance and any process involving a change in its essential properties (for example, dyeing a garment); consequently, a maintenance service, although usually in Class 37, is included in Class 40 if it entails such a change (for example, the chroming of motor vehicle bumpers);
- services of material treatment which may be present during the production of any substance or object other than a building; for example, services which involve cutting, shaping, polishing by abrasion or metal coating.

This Class does not include, in particular:

- repair services (Cl. 37).

CLASS 41

Education;
providing of training;
entertainment;
sporting and cultural activities.

Explanatory Note

Class 41 covers mainly services rendered by persons or institutions in the development of the mental faculties of persons or animals, as well as services intended to entertain or to engage the attention.

This Class includes, in particular:

- services consisting of all forms of education of persons or training of animals;
- services having the basic aim of the entertainment, amusement or recreation of people.

CLASS 42

Providing of food and drink;
temporary accommodation;
medical, hygienic and beauty care;
veterinary and agricultural services;
legal services;
scientific and industrial research;
computer programming;
services that cannot be classified in other classes.

Explanatory Note

Class 42 covers all services which cannot be classified in other classes.

This Class includes, in particular:

- services rendered in procuring lodgings, rooms and meals, by hotels, boarding houses, tourist camps, tourist houses, dude ranches, sanatoria, rest homes and convalescence homes;
- services rendered by establishments essentially engaged in procuring food or drink prepared for consumption; such services can be rendered by restaurants, self service restaurants, canteens, etc.;
- personal services rendered by establishments to meet individual needs; such services may include social escorts, beauty salons, hairdressing salons, funeral establishments or crematoria;
- services rendered by persons, individually or collectively, as a member of an organisation, requiring a high degree of mental activity and relating to theoretical or practical aspects of complex branches of human effort; the services rendered by these persons demand of them a deep and extensive university education or equivalent experience; such services rendered by representatives of professions such as engineers, chemists, physicists, etc., are included in this class;
- services of travel agents or brokers ensuring hotel accommodation for travellers;
- services of engineers engaged in valuing, estimates, research and reports;
- services (not included in other classes) rendered by associations to their own members.

This Class does not include, in particular:

- professional services giving direct aid in the operations or functions of a commercial undertaking (Cl. 35);
- services for travellers rendered by travel agencies (Cl. 39);
- performances of singers or dancers in orchestras or operas (Cl. 41).

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