



# **EXAMINATION GUIDELINES CONCERNING THE CLASSIFICATION OF GOODS AND SERVICES IN INTERNATIONAL APPLICATIONS UNDER THE MADRID SYSTEM**

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## Introduction

This document contains guidelines for the examination undertaken by the International Bureau of the World Intellectual Property Organization (WIPO) of the indications of goods and services listed in applications for the international registration of marks (international applications) filed under the [Madrid System](#). It is the fifth edition of the guidelines, following their initial release in June 2016.

As part of the revision process, the International Bureau invited input from Member Offices of the Madrid System and recognized users' organizations. Their contributions were instrumental in identifying and clarifying key classification issues, thereby enhancing the relevance, clarity, and practical utility of the updated guidelines.

The Madrid System enables trademark owners to seek protection for their marks in multiple jurisdictions through a single international registration. It operates under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (the [Protocol](#)).

To obtain an international registration, trademark owners must file an international application through the national or regional Trademark Office (Office of origin) of the Contracting Party with which they have an existing application or registration (basic mark). Trademark owners must also have a legal connection with that Contracting Party, either through nationality, domicile, or a real and effective industrial or commercial establishment (entitlement).

The Office of origin is responsible for certifying the date of receipt of the international application and that the information it contains, including the list of goods and services, matches that of the basic mark. The Office then transmits the application to the International Bureau.

In accordance with [Article 3\(2\)](#) of the Protocol, applicants must specify the goods and services for which trademark protection is sought and should, to the extent possible, indicate the appropriate class(es) according to the [Nice Classification](#). The International Bureau reviews the classification in consultation with the Office of origin. In the event of a disagreement between the Office of origin and the International Bureau, the decision of the International Bureau shall prevail.

The Examination Guidelines are designed to inform Member Offices and users of the Madrid System about the classification policy and practices of the International Bureau, assist users in accurately identifying and building lists of goods and services, enhance the predictability of the International Bureau's examination outcomes, foster greater consistency in classification practices among Member Offices, and improve the overall efficiency of processing international applications.

It should be noted that these Guidelines reflect only the principles applied by the International Bureau and are intended to provide general guidance. They do not override the provisions of the Nice Classification, which shall prevail in the event of any inconsistency.

The document is structured into eight distinct sections:

1. The International Classification of Goods and Services (the Nice Classification)
2. Online Support Tools and Services for Classification
3. Examination of the List of Goods and Services in International Applications
4. Classification Policy on the Acceptability of Goods and Services
5. Format and Syntax of the List of Goods and Services
6. *Ex Officio* Amendments by the International Bureau
7. Classification of Specific Goods and Services
8. Annex

## 1. The International Classification of Goods and Services

The Nice Agreement, concluded in 1957 and administered by the World Intellectual Property Organization, is a multilateral treaty that establishes a classification of goods and services for the purposes of registering trademarks and service marks (the Nice Classification).

Under the Agreement, countries that are party to the Nice Union are required to apply the Nice Classification when registering trademarks and service marks, either as their primary or subsidiary classification system.

The Nice Classification is used by the Trademark Offices of about 150 countries and four regional intergovernmental organizations, including all members of the Madrid System. Its use is mandatory for the international registration of marks effected by the International Bureau under the Madrid System.

The Nice Classification organizes goods and services into 45 classes – 34 for goods and 11 for services. More specifically, the Nice Classification consists of the following key components:

1. **Class Headings** are general indications relating to the field to which, in principle, the goods or services belong.
2. **Explanatory Notes** explain which goods or services are meant or not meant to fall under each particular class number.
3. **The Alphabetical List** is a list of goods and services, in alphabetical order, with an indication of the class number under which they should be grouped.
4. **General Remarks** explain what criteria should be applied if a term is not found in the alphabetical list and cannot be classified in accordance with the Class Headings and the Explanatory Notes.

The Alphabetical List of the Nice Classification is not exhaustive, as it covers approximately 11,000 indications under the 2026 version of its 13<sup>th</sup> edition. The value of the Nice Classification lies in its classification criteria, Explanatory Notes and General Remarks, which assist in classifying a specific product or service not explicitly listed in the Alphabetical List.

The Nice Classification is regularly updated by the [Committee of Experts](#) of the Nice Union. This Committee, composed of representatives from the member States of the Nice Agreement, is responsible for reviewing and approving changes and amendments to the Nice Classification, including the addition of new goods and services, the deletion or rewording of existing entries, and the transfer of goods and services from one class to another. Through its work, the Committee of Experts ensures that the Nice Classification remains relevant and responsive to evolving market dynamics and emerging technologies.

## 2. Online Support Tools and Services for Classification

To support accurate and consistent classification of goods and services under the Madrid System, the use of WIPO's online support tools and services is strongly recommended. These resources are especially valuable for users when compiling their lists of goods and services, as well as for both users and Member Offices seeking guidance on complex classification issues or inquiries related to innovative goods and services. In this context, two key resources are particularly recommended, (1) the Madrid Goods and Services Manager and (2) the Madrid Classification Helpdesk. These resources contribute significantly to enhancing the quality and efficiency of the classification process, thereby facilitating a smoother international trademark registration procedure.

### 2.1. Madrid Goods and Services Manager

[The Madrid Goods and Services](#) (MGS) Manager is an online tool developed by the International Bureau to assist trademark applicants in compiling accurate and compliant lists of goods and services when filing international applications under the Madrid System. The database provides access to thousands of pre-approved terms that are classified in accordance with the latest edition of the Nice Classification and aligned with the Classification Examination Guidelines. By using these terms, applicants can ensure their lists comply with Madrid System procedures and avoid irregularity notices under Rule 12 or Rule 13 of the Regulations.

The MGS database brings together terms originating from the Nice Classification and the databases of participating Offices, including the TM5 harmonized ID-list, the European Union Intellectual Property Office (EUIPO) Harmonized Database, the United States Patent and Trademark Office (USPTO), IP Australia, the Canadian Intellectual Property Office (CIPO), and the Japan Patent Office (JPO). It also includes operationally acceptable terms that have been validated by the International Bureau.

To further support users and reduce the risk of irregularities or provisional refusals, the MGS offers special features that allow users to check whether a term will be accepted by the International Bureau ("*Check acceptance by WIPO*"), and by a designated Contracting Party ("*Check acceptance by dCP*"). These features enable users to identify terms that may be rejected by a Contracting Party, potentially resulting in a provisional refusal. In such cases, MGS also provides a "*Search related terms*" feature, which helps users search for alternative or analogous terms that may be more suitable.

## 2.2. Madrid Classification Helpdesk

With the rapid pace of technological innovation and evolving business practices, new and emerging goods and services are continuously being introduced into the market. However, there is often a time lag between their emergence and their formal recognition within classification policies and databases by Member Offices.

To address this challenge, early identification, prompt analysis, and timely clarification of the classification of such goods and services are essential. These efforts contribute to greater transparency and predictability for both Member Offices and users of the Madrid System.

In support of this objective, the International Bureau has established the Madrid Classification Helpdesk (MCH) – a dedicated support service designed to assist Member Offices and users of the Madrid System with classification-related inquiries. The MCH provides expert guidance on the appropriate classification of new and emerging goods and services claimed or likely to be claimed in international applications, and that are not yet reflected in the Alphabetical List of the Nice Classification, the [Madrid Monitor](#), or the MGS.

All classification inquiries submitted to the MCH are reviewed, assessed, and addressed by the MCH in accordance with the Examination Guidelines. The MCH has a practical and operational function, and its decisions must remain consistent with the Nice Classification.

Should any inconsistency or contradiction arise between an MCH decision and the Nice Classification, the provisions of the Nice Classification shall prevail.

The MCH is accessible via an online request form available under the [Contact Us](#) section of the Madrid System webpage.

## 3. Examination of the List of Goods and Services in International Applications

### 3.1. Legal Basis

The legal basis for the classification of goods and services under the Madrid System is established through specific provisions set forth in the Regulations, namely Rules 12 and 13. These rules outline the procedures and responsibilities of both the International Bureau and the Office of origin in ensuring accurate classification of goods and services listed in international applications.

#### Rule 12

[Rule 12](#) sets out the procedure by which the International Bureau, in association with the Office of origin, determines the appropriate classification of indications of goods and services listed in the international application when the International Bureau does not agree with the classification



indicated by the applicant. In such cases, the International Bureau shall notify the Office of origin of its proposed classification, including any applicable fees resulting from the proposal.

### Rule 13

[Rule 13](#) outlines the procedure for clarifying terms or expressions listed in the international application that the International Bureau considers to be (i) too vague for the purposes of classification; (ii) incomprehensible; or (iii) linguistically incorrect. In such cases, the International Bureau shall notify the Office of origin and may suggest alternative wording.

A detailed explanation of the examination procedures under Rules 12 and 13, including the identification and handling of irregularities, is provided in Section 3.4 of this document.

## 3.2. General Principles for the Classification of Goods and Services

Under the Madrid System, the International Bureau ensures that the indications of goods and services listed in an international application are classified in accordance with the edition and version of the Nice Classification in force on the date the application is received by the Office of origin (as certified), or by the International Bureau, if received after the two-month time limit referred to in [Article 3\(4\) of the Protocol](#).

In order to ascertain the exact classification of each individual product or service, the Alphabetical List should always be consulted. If a product or service is not in the Alphabetical List and cannot be classified with the aid of the List of Classes and the Explanatory Notes, the following General Remarks, established by the Committee of Experts of the Nice Union, set forth the criteria to be applied:

### Classification of Goods

- 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.”

For example, “leather jackets” are classified in Class 25 (clothing) because their function or purpose is as an article of clothing. The fact that they are made of leather does not mean they can also be classified in Class 18 (leather goods).

Moreover, “clothing of leather”, which would encompass leather jackets, is classified in the Alphabetical List of the Nice Classification in Class 25 (Basic No. 250151).

In principle, the material of which goods are made is a subsidiary criterion that should be applied only if the goods cannot be classified by their function or purpose.

A “figurine” is an example of a good in finished form that cannot be classified according to its function or purpose. A figurine may be used, for instance, for artistic, ornamental or religious purposes. As a result, figurines are classified according to the material of which they are made.

- 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. However, if a good has a primary purpose, it should be classified in this class. 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.” Raw materials, whether unprocessed or semi-processed, do not have, per se, a function or a purpose. Accordingly, raw materials are classified according to the type of material of which they consist.

Certain finished products can be confused with raw materials. For instance, “cooking salt” (Basic No. 300049), which is grouped in Class 30 because it is intended to be used for seasoning food, shall not be confused with “salt, raw” (NCL 010476), which is grouped in Class 1.

- 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.”

For example, “brushes for vacuum cleaners” (Basic No. 070559) are classified in Class 7 together with the vacuum cleaners rather than in Class 21, with the majority of “brushes”.

- 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.”

For example, “milk beverages, milk predominating” (Basic No. 290072) are classified in Class 29, as milk is the main ingredient; in contrast, “chocolate beverages with milk” (Basic No. 300085) fall under Class 30, because milk is only added but not predominant.

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

For example, “cases for smartphones” and “cases fitted for medical instruments” are classified in Class 9 (Basic No. 090741) and Class 10 (Basic No. 100116), because “smartphones” (Basic No. 090719) and “medical apparatus and instruments” (Basic No.

100114) are classified in these classes and the cases have been specially designed to hold and protect these products.

Similarly, “bags especially designed for skis” are classified in Class 28 (Basic No. 280166), while “bags for sports” fall under Class 18 (Basic No. 180118) since such bags are intended for general use and are not adapted to any particular type of sports equipment.

### **Classification of Services**

- 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.”

For example, banking and financial management are classified in Class 36 because they are services related to finance.

- 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 Cl. 38). Leasing services are analogous to rental services and therefore should be classified in the same way. However, hire- or lease-purchase financing is classified in Class 36 as a financial service.”
- c) “Services that provide advice, information or consultancy are in principle classified in the same classes as the services that correspond to the subject matter of the advice, information or consultancy, e.g., transportation consultancy (Cl. 39), business management consultancy (Cl. 35), financial consultancy (Cl. 36), beauty consultancy (Cl. 44). The rendering of the advice, information or consultancy by electronic means (e.g., telephone, computer) does not affect the classification of these services.”
- d) “The means by which a service is rendered in principle does not have any impact on the classification of the services. For example, financial consultancy is classified in Cl. 36 whether the services are rendered in person, by telephone, online, or in a virtual environment. However, this remark does not apply if the purpose or result of a service changes due to its means or place of delivery. This is the case, for example, when certain services are rendered in a virtual environment. For instance, “transport services” belonging to Cl. 39 involve the moving of goods or people from one physical place to another. However, in a virtual environment, these services do not have the same purpose or result and must be clarified for appropriate classification, e.g., simulated travel services provided in virtual environments for entertainment purposes (Cl. 41).”

Another example is “simulated restaurant services provided in virtual environments for entertainment purposes” in Class 41. These services involve the provision of virtual food and beverages that avatars can consume in a virtual environment. As there is no actual preparation or serving of physical food or drinks, such services do not fall within the scope of

Class 43, which covers traditional restaurant services. Instead, these simulated services belong to Class 41, as they are intended for entertainment purposes.

- e) “Services rendered in the framework of franchising are in principle classified in the same class as the particular services provided by the franchisor (e.g., business advice relating to franchising (Cl. 35), financing services relating to franchising (Cl. 36), legal services relating to franchising (Cl. 45)).”

The International Bureau will consider an expression listed in an international application to be too vague for the purposes of classification, if such expression does not clearly specify the branch of activity in which the service is provided. Accordingly, the International Bureau would consider the indication “providing facilities” in Classes 41, 43 or 44, too vague because the nature of the service and, most importantly, the branch of activity would be unclear.

Instead, the International Bureau will accept more specific indications such as “providing sports facilities” in Class 41 (Basic No. 410035), “providing campground facilities” in Class 43 (Basic No. 430026), or “providing physical rehabilitation facilities” in Class 44 (Basic No. 440271), as they clearly identify the service and the relevant field of activity.

These examples illustrate the importance of specifying the branch of activity of the service description to ensure clarity and proper classification.

### 3.3. Classification Decision-Making Process

The decision-making process for classifying goods and services is a structured process that examiners of the International Bureau follow to ensure the proper classification and clear identification of goods and services listed in international applications, in accordance with the Nice Classification and the applicable Examination Guidelines.

For Member Offices and users of the Madrid System, a clear understanding of the methodology and classification standards applied by the International Bureau allows for better anticipation of how goods and services will be assessed and classified, thereby reducing inconsistencies and improving classification outcomes.

The decision-making process centers around three main steps: **Identify – Analyze – Classify**

a) Identify the Nature of the Goods and Services

- Examiners review the full description provided in the international application to understand the context and rationale behind the grouping of each good or service.
- Examiners determine the true nature, function and intended purpose of each good or service listed, ensuring a precise understanding of its business and legal significance.

b) Analyze the Goods and Services

➤ Reference to the Nice Classification:

- Examiners consult the Alphabetical List and Class Headings of the Nice Classification.
- Examiners use basic numbers to find exact match terms or synonyms or analogous comparable terms.
- Examiners refer to the Explanatory Notes to clarify ambiguous or complex terms.
- Examiners assign the correct class number to each good or service based on the nature, function, intended purpose, or other subsidiary criteria.

➤ Reference to the Madrid Goods and Services (MGS) Manager:

- Examiners search for pre-approved terms in MGS to ensure consistency.

➤ Evaluation of the Clarity and Acceptability of Goods and Services:

- Examiners check whether each term listed is clear, specific, and sufficiently precise.
- Examiners assess the term within the context of the assigned class.
- Examiners determine if the term could belong to multiple classes.
- Examiners ensure a term is consistent with the assigned class.
- Examiners refer to Explanatory Notes or request clarification from the applicant, if necessary.
- Examiners ensure classification aligns with the WIPO Examination Guidelines.
- Examiners issue an irregularity notice if a term is incorrectly classified, too vague for the purposes of classification, incomprehensible, or linguistically incorrect.

c) Classify the Goods or Services

- Examiners finalize the classification by confirming that all terms are accepted and properly classified.

- Examiners proceed with the recording of the international application in the International Register.
- The International Bureau publishes and notifies the applicant and designated Contracting Parties of the international registration.

### 3.4. Examination Procedure

Upon receipt of the international application, the International Bureau will examine it to ensure compliance with the formality requirements set out in the Regulations.

If the application contains any irregularities, the International Bureau will notify both the Office of origin and the applicant.

There are two distinct kinds of irregularities that must be remedied by the Office of origin:

- Irregularities concerning the classification of goods and services (Rule 12).
- Irregularities concerning the indications of goods and services (Rule 13).

#### **Irregularities under Rule 12 – Classification of Goods and Services**

If the International Bureau determines that the goods and services are not classified in the correct class(es), it will notify the Office of origin with a proposed reclassification and copy the applicant. The notification will also indicate any additional fees resulting from the proposed changes.

If the proposed reclassification results in the inclusion of more classes than originally indicated, the applicant will be required to pay additional fees to cover the additional classes.

The Office of origin may respond to the proposed reclassification within three months from the notification date. While the Office is not obliged to provide an opinion, the International Bureau cannot accept proposals or suggestions directly from the applicant.

If no response is received within two months, the International Bureau will send a reminder to both the Office of origin and the applicant, reiterating the proposed classification.

If the Office of origin responds to the irregularity, the International Bureau will review the Office's response, and may withdraw, modify or confirm its proposal. The outcome will be communicated to both the Office of origin and the applicant. Any changes in the applicable fees will also be indicated.

If the International Bureau decides to withdraw its proposal, any additional fees previously claimed will not be due and, if already paid, will be reimbursed to the applicant.

Regardless of whether the Office of origin provides an opinion on the proposal, the International Bureau will proceed with the registration of the mark with the classification it considers to be correct.

Any additional fees resulting from the proposed reclassification must be paid within the prescribed period. Failure to do so will result in the application being considered abandoned.

In that case, the International Bureau will notify the Office of origin and inform the applicant accordingly. Any fees already paid will be refunded to the applicant, after deducting an amount equivalent to half of the basic fee for a black-and-white registration.

### **Irregularities under Rule 13 – Indication of Goods and Services**

If the International Bureau considers that a term in the list of goods and services is too vague for the purposes of classification, is incomprehensible, or is linguistically incorrect, it will notify the Office of origin and inform the applicant. It may suggest a substitute term or recommend the deletion.

The Office of origin may, within three months of the notification, respond to the irregularity with a proposal. The following scenarios may then apply:

- If the Office's proposal is acceptable, or if the Office agrees to the suggestion made by the International Bureau, the International Bureau will amend the term accordingly.
- If the proposal is acceptable but raises classification issues, the procedure described under Rule 12 will apply.
- If no acceptable proposal is received within the time limit:
  - o If the Office of origin has specified a class for the term, the International Bureau will include the term in the international registration just as it appears in the international application, accompanied by a note indicating that the term is, in the opinion of the International Bureau, too vague for the purposes of classification, incomprehensible, or linguistically incorrect.
  - o If, however, no class is indicated, the International Bureau will delete the term and notify the Office of origin and the applicant accordingly.

### **3.5. Examination of Limitation Lists in International Applications**

The international application may contain limitations of the list of goods and services with respect to one or more designated Contracting Parties. Such limitations may be introduced for

various strategic or procedural reasons, including reducing the amount of payable fees, avoiding potential provisional refusals, preventing possible legal conflicts or litigation, or complying with agreements made with third parties.

The limitation may be different for designated Contracting Parties. For example, if the main list includes: *“Beers; mineral and aerated waters and other non-alcoholic beverages”* (Class 32), the limitation may be expressed as follows:

- United States of America: *“Beers; mineral and aerated waters”*
- European Union: *“Mineral and aerated waters”*
- Switzerland: *“Beers”*

When submitting a limitation, the applicant must clearly specify all the goods and services for which protection is sought in the relevant designated Contracting Parties. If only certain goods and services within a class are indicated, the International Bureau will interpret this as a request for protection limited to those goods or services, excluding other goods or services listed in the main list.

## Examination Policy

When a limitation of the list of goods or services is included in the international application, the International Bureau will examine the limited list to ensure that the goods and services are correctly classified and grouped in accordance with the Nice Classification. This examination follows the same procedure as described above.

Importantly, the International Bureau will not examine whether the limited goods and services fall within the scope of the main list. This determination is the responsibility of the Offices of the designated Contracting Parties.

If the International Bureau is unable to classify the goods and services listed in the limitation, it will issue an irregularity under [Rule 12\(8bis\)](#). If the irregularity is not remedied within three months of the notification date, the limitation will be deemed not to contain the goods and services concerned.

If the International Bureau makes a proposal for the classification of the goods and services, it will register the mark with the classification that it considers to be correct, regardless of whether the Office of origin has provided an opinion, in accordance with [Rule 12\(9\)](#).

## 4. Classification Policy on the Acceptability of Goods and Services

### 4.1. Class Headings

The Class Headings indicate, in general terms, the fields to which in principle the goods and services under a particular class belong. The Class Headings comprise a number of general indications of goods or services which are delimited by semicolons.



For example, the headings for Class 12 and Class 35 read as follows:

Class 12: *“Vehicles; apparatus for locomotion by land, air or water”*

Class 35: *“Advertising; business management, organization and administration; office functions”*

The heading for Class 12 thus comprises two general indications: “vehicles” and “apparatus for locomotion by land, air or water”, whereas the heading for Class 35 comprises three general indications: “Advertising”, “business management, organization and administration” and “office functions”.

### **Examination policy**

The International Bureau considers that Class Headings or their general indications are comprehensible, linguistically correct and sufficiently precise and that their use constitutes a proper specification of goods and services for the purposes of classification.

Therefore, the International Bureau accepts Class Headings when listed as indications of goods and services in international applications. Class Headings may be listed in their entirety or partially with only some of the general indications.

Consequently, the International Bureau will not raise an irregularity when the general indications or the entire Class Headings as provided for in the Nice Classification are listed in an international application.

The International Bureau’s policy of accepting Class Headings may differ from the practice that is followed by some national or regional Offices. Some of those Offices do not accept Class Headings and may require the holder of the international registration to further specify the goods or services for which protection is sought.

Moreover, the interpretation of which goods and services are covered under a Class Heading may differ among those Contracting Parties that accept partial or total use of Nice Class Headings.

Once a mark is registered by the International Bureau, any future changes to a particular Class Heading will not retroactively affect international registrations that list an older version of that Class Heading.

## 4.2. Indications Classifiable in Multiple Classes

Certain indications for a product or a service may be classified in more than one class.

For example, “chronographs” could be classified either in Class 9, which includes “chronographs [time recording apparatus]” (Basic No. 090586), or in Class 14, which includes “chronographs [watches]” (Basic No. 140027). Similarly, “pathological testing” could be classified either in Class 44, which includes “pathological testing for diagnostic and treatment purposes” (Basic No. 440277), or in Class 42, which includes “pathological testing for forensic purposes” (Basic No. 420308).

### Examination policy

According to the Regulations, the International Bureau shall require that the goods and services listed in an international application be comprehensible, linguistically correct and sufficiently precise for their correct classification.

### Goods

According to the General Remarks of the Nice Classification, finished products are classified according to their purpose or function, as specified in the corresponding Nice Class Heading and Explanatory Notes. Where the purpose or function of a given finished product is not mentioned in any Class Heading, the product may be classified according to other criteria, like its material or mode of operation.

A particular finished product may thus be classified in more than one class, depending on the way in which that product is qualified.

For the purposes of classification, when a particular product could potentially be classified in more than one class, but only one of the applicable classes has been indicated, the International Bureau will not consider this as an irregularity. It will be assumed that the applicant intends to refer only to the product as it is understood within the context of that class ([Paragraph 346 of the Guide to the Madrid System](#)).

The International Bureau will take into account the class number indicated in the international application, which provides the context within which the product is to be interpreted. Where an indication has sufficient meaning in the context of a class, it can be grouped under that class without further specification.

However, such interpretation by the International Bureau is without prejudice to the rights of designated Contracting Parties. Each designated Member retains full authority to determine the

scope of protection of the mark in accordance with its own national or regional laws and practices.

As a consequence, the following classification principles shall apply:

### 1. Classification by Purpose:

When a particular product could potentially be classified in more than one class according to its **intended purpose** and any of the applicable classes has been indicated, the International Bureau will accept this indication.

For example, “lasers” would be accepted in

- Class 9, which includes “lasers, not for medical purposes” (Basic No. 090323)
- Class 10, which includes “lasers for medical purposes” (Basic No. 100106)

“Chamois leather” would be accepted in

- Class 18, which includes “chamois leather, other than for cleaning purposes” (Basic No. 180094)
- Class 21, which includes “chamois leather for cleaning” (Basic No. 210263)

“Alcohol” would be accepted in

- Class 1, which includes “alcohol for industrial purposes” (Basic No. 010040)
- Class 5, which includes “alcohol for pharmaceutical purposes” (Basic No. 050438)

“Seawater” would be accepted in

- Class 1, which includes “seawater for industrial purposes” (Basic No. 010636)
- Class 5, which includes “seawater for medicinal bathing” (Basic No. 050044)
- Class 30, which includes “seawater for cooking” (Basic No. 300169)

### 2. Classification by Material:

When a particular product could potentially be classified in more than one class according to the **material** of which it is made and any of the applicable classes has been indicated, the International Bureau will accept this indication.

For example, “labels” would be accepted in

- Class 6, which includes “labels of metal” (Basic No. 060465)

- Class 16, which includes “labels of paper or cardboard” (Basic No. 160308)
- Class 18, which includes “labels of leather” (Basic No. 180130)
- Class 20, which includes “labels of plastic” (Basic No. 200307)
- Class 24, which includes “labels of textile” (Basic No. 240102)

“Building materials” would be accepted in

- Class 6, which includes “building materials of metal” (Basic No. 060291)
- Class 19, which includes “building materials, not of metal” (Basic No. 190197)

“Bags for packaging” would be accepted in

- Class 16, which includes “bags [envelopes, pouches] of paper or plastics, for packaging” (Basic No. 160246)
- Class 17, which includes “bags [envelopes, pouches] of rubber, for packaging” (Basic No. 170077)
- Class 18, which includes “bags [envelopes, pouches] of leather, for packaging” (Basic No. 180079)
- Class 22, which includes “bags [envelopes, pouches] of textile, for packaging” (Basic No. 220069)

### 3. Classification by Function:

When a particular product could potentially be classified in more than one class according to its **function** and any of the applicable classes has been indicated, the International Bureau will accept this indication.

For example, “robots” would be accepted in

- Class 7, which includes “industrial robots” (Basic No. 070422)
- Class 9, which includes “humanoid robots with artificial intelligence for use in scientific research” (Basic No. 090778), “laboratory robots” (Basic No. 090787), “teaching robots” (Basic No. 090788), “security surveillance robots” (Basic No. 090789), and “telepresence robots” (Basic No. 090822)
- Class 10, which includes “surgical robots” (Basic No. 100253)
- Class 28, which includes “toy robots” (Basic No. 280231)

“Contraceptives” would be accepted in

- Class 5, which includes “chemical contraceptives” (Basic No. 050095)
- Class 10, which includes “contraceptives, non-chemical” (Basic No. 100184)

#### 4. Classification by Mode of operation:

When a particular product could potentially be classified in more than one class according to its **mode of operation** and any of the applicable classes has been indicated, the International Bureau will accept this indication.

For example, “window closers” would be accepted in

- Class 6, which includes “window closers of metal, non-electric” (Basic No. 060444)
- Class 7, which includes “window closers, electric” (Basic No. 070546) or “pneumatic” (Basic No. 070550) or “hydraulic” (Basic No. 070548)
- Class 20, which includes “window closers, not of metal, non-electric” (Basic No. 200342)

“Linear actuators” would be accepted in

- Class 7, which includes “pneumatic or hydraulic linear actuators, other than for land vehicles” (Basic No. 070594)
- Class 9, which includes “electric linear actuators” (Basic No. 090900)
- Class 12, which includes “pneumatic or hydraulic linear actuators for land vehicles” (Basic No. 120336)

#### 5. Classification by Nature:

When a particular product could potentially be classified in more than one class according to its **nature** specifically, whether it is unprocessed, semi-processed, processed or preserved, and any of the applicable classes have been indicated, the International Bureau will accept this indication.

For example, “lentils” would be accepted in

- Class 29, which includes “preserved lentils” (Basic No. 290077)
- Class 31, which includes “fresh lentils” (Basic No. 310076)

“Synthetic resins” would be accepted in

- Class 1, which includes “synthetic resins, unprocessed” (Basic No. 010455)
- Class 17, which includes “synthetic resins, semi-processed” (Basic No. 170075)

## 6. Multi-Criteria Classification: Specification Requirements

When a particular product could potentially be classified in multiple classes according to more than one of the five classification criteria mentioned above, the description of the product must have sufficient meaning and specificity in the context of the designated class to justify its grouping therein.

If the description of the product falls clearly and naturally within the scope of the class, as defined in the relevant Class Heading and Explanatory Note, the International Bureau will accept such a description without requesting further specification.

Conversely, if the description is ambiguous or lacks the necessary specificity to establish a clear and unequivocal association with the designated class, the International Bureau will not accept it. Instead, the International Bureau will raise an irregularity under Rule 13, requesting further specification.

For example, “doors” by itself could potentially fall under four different classes, either according to their material or purpose:

- Class 6, which includes “doors of metal” (Basic No. 060100)
- Class 12, which includes “doors for vehicles” (Basic No. 120160)
- Class 19, which includes “doors, not of metal” (Basic No. 190069)
- Class 20, which includes “doors for furniture” (Basic No. 200170)

In this context, the International Bureau will accept the indication “doors” in Classes 6 and 19 without requiring further clarification, as the term clearly and naturally falls within the scope of both classes as building and construction materials, in accordance with the corresponding Class Headings and Explanatory Notes.

By contrast, the same indication is deemed ambiguous and too vague for classification purposes when applied to Classes 12 and 20, as it lacks the necessary specificity to establish a clear and unequivocal association with the goods covered by these classes.

Accordingly, the International Bureau will not accept the indication “doors” in Classes 12 and 20 without further qualification. In such cases, an irregularity will be raised under Rule 13 of the Regulations, and the applicant will be requested to provide a more precise description.

Similarly, “pipes” by itself could potentially fall under seven different classes, either according to their material, purpose or function:

- Class 6, which includes “pipes of metal” (Basic No. 060127), “steel pipes” (Basic No. 060011), “drain pipes of metal” (Basic No. 060114), “gutter pipes of metal” (Basic No. 060356), “water-pipes of metal” (Basic No. 060091), “pipes of metal for central heating installations” (Basic No. 060076)
- Class 7, which includes “cutting blow pipes, gas-operated” (Basic No. 070486), “soldering blow pipes, gas-operated” (Basic No. 070504)
- Class 11, which includes “water-pipes for sanitary installations” (Basic No. 110103), “boiler pipes for heating installations” (Basic No. 110078), “heat-stabilized polypropylene pipes for heating installations” (Basic No. 110398)
- Class 15, which includes “wind pipes for organs” (Basic No. 150058)
- Class 17, which includes “canvas hose pipes” (Basic No. 170065), “flexible pipes, not of metal” (Class Heading)
- Class 19, which includes “branching pipes, not of metal” (Basic No. 190080), “drain pipes, not of metal” (Basic No. 190220), “rigid pipes, not of metal for building” (Basic No. 190178), “gutter pipes, not of metal” (Basic No. 190075), “water-pipes, not of metal” (Basic No. 190076), “penstock pipes, not of metal” (Basic No. 190232), “sandstone pipes” (Basic No. 190101),
- Class 34, which includes “tobacco pipes” (Basic No. 340009)

The International Bureau will accept the indication “pipes” in Classes 6 and 19 without requiring further clarification, as the term clearly and naturally falls within the scope of both classes as building and construction materials, in accordance with the corresponding Class Headings and Explanatory Notes.

By contrast, the International Bureau will not accept the indication “pipes” as such in any of the other five applicable classes, as the term is considered ambiguous and lacks the required specificity to establish a clear and unequivocal association with the goods covered by these classes. Accordingly, the International Bureau will raise an irregularity under Rule 13, inviting the applicant to provide further specification.

## Services

According to the General Remarks of the Nice Classification, services are, in principle, grouped under a given class according to their branches of activities, as specified in the corresponding Class Heading and in its Explanatory Notes.

As with finished products, a particular service could potentially be classified in more than one class, depending on the way in which that service is qualified. In such cases, the International Bureau will follow a practice similar to that followed for finished products, *mutatis mutandis*.

Accordingly, the International Bureau would accept indications of services, where the indication has sufficient meaning in the context of a given class, which allows it to be grouped under that class without further specification.

The following are examples of indications of services that the International Bureau would accept in more than one class without further specification.

For example, “accommodation bureau services” would be accepted in

- Class 36, which includes “accommodation bureau services [apartments]” (Basic No. 360045)
- Class 43, which includes “accommodation bureau services [hotels, boarding houses]” (Basic No. 430004)

“Booking of seats” would be accepted in

- Class 39, which includes “booking of seats for travel” (Basic No. 390056)
- Class 41, which includes “booking of seats for shows” (Basic No. 410078)

“Pest control services” would be accepted in

- Class 37, which includes “pest control services, other than for agriculture, aquaculture, horticulture and forestry” (Basic No. 370143)
- Class 44, which includes “pest control services for agriculture, aquaculture, horticulture and forestry” (Basic No. 440220)

“Scriptwriting” would be accepted in

- Class 35, which includes “scriptwriting for advertising purposes” (Basic No. 350132)
- Class 41, which includes “scriptwriting, other than for advertising purposes” (Basic No. 410089)

“Organization of exhibitions” would be accepted in

- Class 35, which includes “organization of exhibitions for commercial or advertising purposes” (Basic No. 350064)



- Class 41, which includes “organization of exhibitions for cultural or educational purposes” (Basic No. 410051)

“Publication” would be accepted in

- Class 35, which includes “publication of publicity texts” (Basic No. 350038)
- Class 41, which includes “publication of books” (Basic No. 410024) and “publication of texts, other than publicity texts” (Basic No. 410016)

“Providing user reviews” would be accepted in

- Class 35, which includes “providing user reviews for commercial or advertising purposes” (Basic No. 350160)
- Class 41, which includes “providing user reviews for entertainment or cultural purposes” (Basic No. 410226)

## General terms

A general term refers to a term listed in the Alphabetical List of the Nice Classification that is primarily associated with a particular class (known as its “natural class”) and that may also relate to other classes, depending on how such term is qualified. General terms are indicated in the Alphabetical List with an asterisk.

Some examples of general terms are:

“Acids” in Class 1; “paints” in Class 2; “soap” in Class 3; “candles” in Class 4; “vitamin preparations” in Class 5; “doors of metal” in Class 6; “pulleys” in Class 7; “knives” in Class 8; “magnets” in Class 9; “feeding bottles” in Class 10; “burners” in Class 11; “bicycles” in Class 12; “cartridges” in Class 13; “watches” in Class 14; “cardboard” in Class 16; “gaskets” in Class 17; “bags” in Class 18; “plaster” in Class 19; “armchairs” in Class 20; “brushes” in Class 21; “nets” in Class 22; “threads” in Class 23; “cloth” in Class 24; “clothing” in Class 25; “buttons” in Class 26; “carpets” in Class 27; “skateboards” in Class 28; “eggs” in Class 29; “bread” in Class 30; “oats” in Class 31; “cocktails” in Class 33; “cigarettes” in Class 34; “brokerage” in Class 36; “dyeing services” in Class 40; “writing of texts” in Class 41; “architectural services” in Class 42; “rental of lighting apparatus” in Class 43; and “rental of diving suits” in Class 45.

The International Bureau will raise an irregularity where a general term has been listed in an international application under a class other than its “natural class”, without any further qualification. In this particular case, the applicant would be required to further specify the product or service for which protection is sought, so it can be properly classified.

For example, while the International Bureau would accept “armchairs” in Class 20, it would not accept it in Class 10. In this particular case, the applicant would be required to further qualify the term, for instance, “armchairs for medical or dental purposes”.

As another example, while the International Bureau would accept “dyeing services” in Class 40, it would not accept it in Class 44. In this case, the applicant could, for instance, specify the service as “hair dyeing services”.

### 4.3. Use of Expressions Defining the Scope of the List of Goods and Services

#### 4.3.1. Use of “in particular”, “namely”, “i.e.”, “being” and similar expressions

Applicants often use expressions in the list of goods and services to further specify (for example, “in particular”, “especially”, “specifically”, “including”, “mainly”) or to restrict (for example, “namely”, “i.e.”, “being”) the list of goods and services. The International Bureau accepts these expressions when they are followed by the names of specific goods or services.

- Class 8, which includes “choppers being knives”
- Class 9, which includes “computer software, in particular recorded computer game software,”
- Class 12, which includes “cars, namely, motor racing cars”

The International Bureau also accepts expressions that may be included at the end of the list of goods and services to further specify or to narrow the list of goods and services.

- Class 44, which includes “Landscape gardening; landscape design and architecture; lawn care; all the aforementioned services relating to public parks and gardens”

#### 4.3.2. Use of “and the like”, “etc.”, “such as”, “for example”

Applicants sometimes use expressions such as “and the like”, “etc.” or “such as”, with a view to extending the protection to goods or services of a similar nature to the ones already indicated in a class, though without specifying them.

The International Bureau does not accept the use of these expressions which lack precision and do not allow for a clear identification of the goods and services for which protection is sought.

#### 4.3.3. Claims for “all goods/services” or “all other goods/services” in a given class

The International Bureau does not accept the use of expressions such as “all goods in class X”, “all services in this class”, “all other goods in class X”, “all other services in this class”. According to [Rule 9\(4\)\(a\)\(xiii\) of the Regulations](#), applicants must indicate “the names of the goods and services for which the international registration of the mark is sought”.

The International Bureau will raise an irregularity under Rule 13 of the Regulations when those expressions appear either alone (i.e., no goods or services were listed) or along with actual names of goods or services.

#### 4.4. Use of Duplicate Terms

Some international applications list terms or expressions for goods or services more than once within a given class. While this might be an error made by the applicant and overlooked by the Office of origin, it may also be an intentional choice.

#### Examination policy

Under the current legal framework, the International Bureau is required to check the proper classification of the indications of goods and services listed in an international application. The International Bureau cannot question or interpret the intent of the applicant.

Accordingly, when an indication for a good or service is listed more than once within the correct class in an international application, the International Bureau will neither raise an irregularity nor *ex officio* amend the list of goods and services in that application, as certified and transmitted by the Office of origin, by removing the identical instance or instances.

The acceptance of duplicate terms in the list of goods and services by the International Bureau is intended solely as a general guideline to support the efficient processing of international applications.

However, such acceptance does not bind the designated Contracting Parties, each of which retains full authority to assess and determine the acceptability of duplicate terms in accordance with its own national or regional laws and examination practices.

#### 4.5. Terms Too Vague for the Purposes of Classification

The International Bureau considers a term too vague for the purposes of classification when it lacks the necessary clarity, precision or specificity to clearly identify the nature, function, or purpose of the goods, or the branch of activity to which the services belong, making it difficult or impossible to assign the term to a specific class under the Nice Classification.

Examples of too vague terms:

- Electronic apparatus/equipment
- Electric instruments/mechanisms
- Peripheral devices
- Artificial products
- Support services
- Providing facilities
- Providing information
- Technical consultancy/advice

#### 4.6. Incomprehensible Terms

The International Bureau considers a term to be incomprehensible when it is unintelligible due to the use of invented words, incorrect or flawed syntax, or semantic ambiguity. It may also be deemed incomprehensible if it includes non-standard or overly technical language that fails to convey a clear meaning or cannot be understood within the context of a given class.

Examples of incomprehensible terms:

- Invented words without explanation (e.g., "zorbiflex solutions")
- Extremely technical terminology without context (e.g., "non-linear epitaxial dielectric isolation substrates")
- Contradictory terms (e.g., "liquid solids")
- "Phototelegraphicalizing apparatus", in Class 9, instead of "phototelegraphy apparatus"
- "Computering game solutions", in Class 42, instead of "development of computer games"
- "Beautifyment products", in Class 3, instead of "cosmetic products"
- "Telecommunicationalities", in Class 38, instead of "telecommunication services"

#### 4.7. Linguistically Incorrect Terms

The International Bureau considers a term to be linguistically incorrect when it contains grammatical errors, spelling mistakes or incorrect syntax which prevent a clear understanding of the goods or services claimed, and which make it unsuitable for formal classification.

Examples of linguistically incorrect terms:

- Misspelled terms affecting the meaning (e.g., "computr softwear")
- Grammatically incorrect constructions (e.g., "managing of the business by consulting")
- Incorrect word combinations creating ambiguity (e.g., "retail vehicles of clothing")
- Incorrect use of prepositions changing meaning (e.g., "services consisting with computers")
- Incomplete phrases lacking essential elements (e.g., "preparation and" without indicating what is being prepared)
- Pluralization and article errors (e.g., "providing of advices in business managements")
- Grammar issues (e.g., "services of machineries", in Class 37, instead of "machinery maintenance")
- Syntactic errors (e.g., "consultations in legal", in Class 45, instead of "legal consultancy")

#### 4.8. Cross-Class References within the List

A clear description is essential to the proper identification and correct classification of goods and services. Indications of goods and services which are based upon a reference to what is contained in another class are not accepted by the International Bureau for the purposes of classification.

For example, expressions such as "computer software for services in Class 36" in Class 9 or "retail services relating to the goods mentioned in Class 25 above" in Class 35, are not accepted by the International Bureau.

Accordingly, when reference is made to other classes in the list of goods and services, the International Bureau will raise an irregularity under Rule 13 of the Regulations.

#### 4.9. Proprietary Names in lists of goods and services

Some international applications, certified by the Office of origin, include proprietary names (e.g., brand names, registered trademarks), in lists of goods and services for which registration is sought.

##### **Examination policy**

The Madrid System operates in multiple working languages and across over 130 jurisdictions, each with its own trademark laws and regulations, and accepted terminology. As a result, a term that is considered acceptable in one jurisdiction may be considered proprietary or ambiguous in another.

The International Bureau's role in the examination of international applications is limited to formal examination. Specifically, it ensures that the terms used in the list of goods and services are classifiable under the Nice Classification.

The International Bureau does not perform substantive examination of trademark rights or determine whether a term in a list of goods and services constitutes a proprietary name. This responsibility lies with the Office of origin, which certifies the international application, and with the applicant.

Accordingly, the International Bureau accepts the use of proprietary names provided that such terms clearly identify the product in a manner that allows or enables its proper classification in accordance with the Nice Classification.

Conversely, if a proprietary name does not allow for clear and accurate classification, the International Bureau will deem the term irregular under Rule 13, considering it too vague for the purposes of classification.

### 5. Format and Syntax of the List of Goods and Services

#### 5.1. Punctuation

The appropriate use of punctuation marks in the list of the goods and services for which the applicant seeks protection is very important, as it facilitates their understanding, classification and subsequent translation.

In particular, semicolons have historically been used by most national offices to clearly distinguish between different categories of goods and services within a class. The use of commas alone cannot enable this distinction.

Accordingly, the MM2 form instructs applicants to use semicolons to separate indications of goods and services:

*Use semicolon (;) to separate indications of goods or services listed in a given class.*

*For example:*

*09 Screens for photoengraving; computers.*

*35 Advertising; compilation of statistics; commercial information agency services.*

Moreover, full stops should be used exclusively at the end of the list under a particular class to indicate that the list is complete for that class.

#### Punctuation examples:

The use of semicolons, as instructed above, facilitates the correct interpretation of the goods and services listed in an international application.

Any misuse of a comma or a semicolon is likely to lead to a misinterpretation of the goods and services listed in the international application, both at the examination and translation stages, as shown in the following examples:

#### **Class 1**

- Class 1: Vitamin preparations; proteins for use in the manufacture of food supplements

In the list, as it appears above, “vitamin preparations” are not related to “for use in the manufacture of food supplements”; therefore, vitamin preparations should be reclassified in Class 5.

Alternatively, the indication could have been worded as follows:

- Class 1: Vitamin preparations, proteins for use in the manufacture of food supplements.

In this list, as it appears above, “vitamin preparations” are related to “for use in the manufacture of food supplements”; therefore, the goods are correctly classified in Class 1.

#### **Class 41**

- Class 41: Publication of books; magazines.

In the list, as it appears above, “magazines” are not related to “publication” services; therefore, magazines should be reclassified in Class 16.

Alternatively, the indication could have been worded as follows:

- Class 41: Publication of books, magazines.

In this list, as it appears above, “magazines” are related to “publication” services; therefore, the services are correctly classified in Class 41.

Similarly, appropriate use of commas and semicolons should be made when expressing a limitation or providing further specification, for instance:

### **Class 12**

- Class 12: Tires for automobiles, motorcycles and bicycles.

In the list, as it appears above, three types of tires for vehicles are included in the list.

Alternatively, the indication could have been worded as follows:

- Class 12: Tires for automobiles; motorcycles and bicycles.

In this list, as it appears above, only one type of tire (tires for automobiles) is included in the list as well as two different vehicles (motorcycles and bicycles).

### **Class 20**

- Class 20: Tables, chairs, furniture frames; all aforementioned goods of wood.

In the list, as it appears above, the limitation would refer to all the listed goods.

Alternatively, the limitation could have been worded as follows:

- Class 20: Tables; chairs, furniture shelves, all aforementioned goods of wood.

In this list, as it appears above, the limitation is in relation to chairs and furniture shelves only.

### **Class 25**

- Class 25: Silk shirts, trousers and dresses.

In the list, as it appears above, all shirts, trousers and dresses listed are made of silk.



Alternatively, the indication could have been worded as follows:

- Class 25: Silk shirts; trousers and dresses.

In this list, as it appears above, only the shirts are made of silk. The remaining two clothing items, namely, trousers and dresses, are indicated without restrictions.

### **Examination policy**

As a general rule, the International Bureau will not, *ex officio*, amend the list of goods and services in international applications, as certified and transmitted by the Office of origin, by adding or changing punctuation marks.

The general principles of examination apply.

The International Bureau will not raise an irregularity regarding the list of goods and services where all indications are sufficiently clear for the purpose of classification and are classified under the correct class number of the Nice Classification.

The International Bureau will raise an irregularity under Rule 13 of the Regulations where, following examination, it appears that an indication listed in the international application is not sufficiently clear for the purpose of classification.

Similarly, the International Bureau will raise an irregularity under Rule 12 of the Regulations where, following examination, it appears that an indication listed in the international application has been grouped under the incorrect class number of the Nice Classification.

The Office of origin may reply to an irregularity notice by correcting the punctuation in the list of goods and services of the international application.

However, in very specific and limited circumstances, the International Bureau may, *ex officio*, amend the punctuation in the list of goods and services in international applications. Such amendments are made exclusively to support the efficient processing of applications and to avoid unnecessary irregularity notices that could place an undue burden on Offices and users.

Furthermore, these amendments shall be obvious, non-substantive, meaning that the scope of the list of goods and services is not affected, and consistent with the structure and terminology of the Nice Classification.

Examples of *ex officio* punctuation amendments:

- Class 25: "Clothing footwear headgear" should be written as "clothing, footwear, headgear"

In this list, as it appears above, commas are added to clearly separate distinct terms, in accordance with the heading for Class 25.

- Class 20: “Door closers not of metal non-electric” should be written as “door closers, not of metal, non-electric”

In this list, as it appears above, commas are added to match the terms listed under basic number 200335 of the Nice Classification.

- Class 30: “Chocolate-based beverages pasta; flour-based dumplings” should be written as “chocolate-based beverages; pasta; flour-based dumplings”

In this list, as it appears above, semicolons are added to clearly distinguish between the different food products, in accordance with the terminology of the Nice Classification.

- Class 21: “Cloth, for washing; floors” should be written as “cloth for washing floors”

In this list, as it appears above, punctuation is removed to match the term listed under basic number 210303 and restore the intended meaning.

- Class 35: “Wholesale and retail services for unprocessed synthetic resins; unprocessed plastics; compost; animal manure; fertilizers; degreasing preparations for use in manufacturing processes; chemical additives to fungicides and raw salt”

should be written as follows:

“Wholesale and retail services for unprocessed synthetic resins, unprocessed plastics, compost, animal manure, fertilizers, degreasing preparations for use in manufacturing processes, chemical additives to fungicides and raw salt”

In this list, as it appears above, only “unprocessed synthetic resins” are associated with “wholesale and retail services”; all other products, when considered individually, should be reclassified under Class 1. However, replacing semicolons with commas links all the chemical products to “wholesale and retail services”, thereby restoring the intended meaning.

## 5.2. Use of Abbreviations and Acronyms

An abbreviation is a “shortened form of a word or phrase”<sup>1</sup> (e.g. apps for applications).

An acronym is an “abbreviation formed from the initial letters of other words”<sup>2</sup> (e.g. SUV for sport utility vehicle).

<sup>1</sup> “[abbreviation, n.](#)” Oxford English Dictionary

<sup>2</sup> “[acronym, n.](#)” Oxford English Dictionary

Some abbreviations and acronyms are frequently used in the indication of goods and services and are commonly known to the public, such as “CD-ROM”, “DVD”, “TV sets”, etc., or to a specific industry or field of specialty, such as “DNA chips”, “PVC films”, “AC-DC converters”, etc. Sometimes, abbreviations and acronyms are also used as nouns and, therefore, found in plural form (e.g. DVDs, CDs).

### Examination policy

An abbreviation or acronym, used in a list of goods and services, is acceptable where it enables the accurate and unequivocal identification of the good or service concerned for the purpose of classification.

If an abbreviation or acronym is not known by the public, it should be presented to the International Bureau in its developed form, followed by the abbreviation or acronym in upper case and square brackets, e.g. “automated teller machines [ATM]”. Such presentation would allow their correct classification and translation.

The following indications available in the Nice Classification include an acronym preceded by its developed form:

*“Point-of-sale [POS] terminals”* (Basic No. 090924)

*“Global Positioning System [GPS] apparatus”* (Basic No. 090701)

*“Light-emitting diodes [LED]”* (Basic No. 090704)

*“Magnetic resonance imaging [MRI] apparatus, not for medical purposes”* (Basic No. 090808)

*“Information technology [IT] support services [troubleshooting of software]”* (Basic No. 420221)

Abbreviations and acronyms are also acceptable on their own if they are widely known, easily understandable and unequivocal for the purpose of classification. Examples of this are “DNA chips” or “DVD players”.

In the examination of lists of goods and services under Rules 12 and 13 of the Regulations, the International Bureau will determine whether an abbreviation or acronym used is acceptable. The International Bureau cannot, *ex officio*, modify any abbreviation or acronym, as doing so could alter the intended scope.

If the International Bureau cannot clearly understand or identify an abbreviation or acronym used in the list of goods and services, it will raise this issue in an irregularity notice under Rule 13.

### 5.3. Use of Brackets

#### Round brackets

Round brackets were originally used in the printed/paper editions of the Nice Classification in order to cross-reference indications of goods or services in the Alphabetical List.

For instance, “Adhesives for dentures” (Basic No. 050003), listed under the letter “A”, was cross-referenced as “Dentures (Adhesives for –)” under the letter “D”; “Cooking salt” (Basic No. 300049), listed under “C”, was cross-referenced as “Salt (Cooking –)”, under “S”.

Round brackets were also used to list expressions that began with a term under which the product or service could not be listed because it was considered to be too general. In those cases, the most important part was used to list the expression, followed by the rest of the expression between round brackets.

For example, “Apparatus for measuring the thickness of skins” (Basic No. 090386) was not listed under the letter “A”; instead, it was listed under the letter “S” as “Skins (Apparatus for measuring the thickness of –)”. “Compositions for the manufacture of technical ceramics” (Basic No. 010631) was listed, under the letter “C” but as “Ceramics (Compositions for the manufacture of technical –)”.

In some cases, the most important part could be considered to be in the middle of the expression, such as “Cooking (Preparations for stimulating –) for industrial purposes” or “Patches (Adhesive rubber –) for repairing inner tubes.”

Round brackets made it easier to find indications in the Alphabetical List when the Nice Classification was published in printed format.

As of January 2013, the Nice Classification is published exclusively online. Search functionalities available in the online publication made the use of round brackets unnecessary and the Committee of Experts of the Nice Union decided to remove them all from the Alphabetical List.

Round brackets are also used in the English version of the Alphabetical List to denote the corresponding American expression of the term that precedes them.

For example, “trousers / pants (Am.)” (Basic No. 250064) or “freight brokerage [forwarding (Am.)]” (Basic No. 390072).

### Square brackets

Square brackets in the Alphabetical List of the Nice Classification are used to include expressions that are meant to provide a more precise definition of the preceding term.

For example, “accommodation bureau services [apartments]” in Class 36 (Basic No. 360045) or “accommodation bureau services [hotels, boarding houses]” in Class 43 (Basic No. 430004).

### **Examination policy**

The use of round and square brackets is acceptable when listing the goods and services in international applications. The International Bureau will not alter the list of goods and services in an international application, as certified and transmitted by the Office of origin, by adding, changing or removing round or square brackets or by reordering the terms in an expression.

The general principles of examination apply.

The International Bureau will not raise an irregularity concerning indications of goods and services that contain either round or square brackets where those indications are sufficiently clear for the purposes of classification and are classified in the appropriate class number of the Nice Classification.

The International Bureau will raise an irregularity under Rule 13 of the Regulations where, following examination, it appears that an indication that contains either round or square brackets is not sufficiently clear for the purposes of classification.

Finally, the International Bureau will raise an irregularity under Rule 12 of the Regulations where, following examination, it appears that an indication that contains either round or square brackets has been grouped under the incorrect class number of the Nice Classification.

### **5.4. Use of Singular or Plural Form**

Goods are most often found in their plural form in international applications. For example, “*smartphones*” is used instead of “*smartphone*”. Conversely, collective or uncountable goods will be listed using their singular form, as is the case, for instance, for the term “*meat*” rather than “*meats*”.

With respect to services, both plural and singular forms may be found in international applications, depending upon the nature and the common expression of listed services, e.g. *oil-field surveys*, *business appraisals*, *boarding house bookings*, *mental health services*, on the one hand, *construction*, *factoring*, *business research*, *car rental*, *energy auditing*, *acupuncture*, on the other.

As a consequence, while it is generally recommended to refer to countable goods and services in the plural form when applying for the registration of a trademark, the International Bureau will not raise an irregularity for an inconsistent use of singular or plural form in a list of goods and services, nor alter such a list to adopt a consistent use of the singular or plural form.

### 5.5. Use of (“and/or”) and (“/”)

Applicants sometimes use expressions such as “and/or” or oblique strokes “/” in lists of goods and services to group goods or services of a similar nature. These expressions typically serve to indicate that the listed items may be considered either jointly or separately (“and/or”), or as alternatives, equivalents or synonyms (“/”).

For example:

- Chemical preparations for use in industry and/or science
- Cleaning and/or polishing preparations
- Arranging and/or conducting of seminars
- Bathing suits/swimsuits
- Book-keeping/accounting services

The International Bureau accepts such expressions in international applications only when both goods and services clearly fall under the same class.

## 6. *Ex Officio* Amendments by the International Bureau

The International Bureau may, in very specific and limited circumstances, make *ex officio* amendments to the list of goods and services in international applications without raising an irregularity notice. These amendments are made exclusively to support the efficient processing of international applications by promptly resolving minor issues, while also avoiding unnecessary irregularity notices that could place an undue burden on Offices and users.

Furthermore, such amendments are limited to instances where:

- No interpretation or subjective judgment is required.
- The error is immediately apparent and patently obvious to any examiner.
- The intended meaning is perfectly clear.
- The correction is minor and introduces no substantive change to the scope of the list of goods and services.
- The correction is consistent with the structure and terminology of the Nice Classification.

However, for any amendments that could potentially affect the scope or require judgment, the International Bureau will raise an irregularity under Rule 13 of the Regulations where, following examination, it appears that an indication listed in the international application is not sufficiently clear for the purposes of classification.

It should also be noted that the International Bureau assumes no responsibility or liability for any failure to make such amendments. The accuracy and completeness of the information provided in international applications remain the sole responsibility of the Office of origin and the applicant.

Errors that may be subject to *ex officio* amendments include the following:

### Simple spelling mistakes

For example:

- *"Toyz for children"* should be written as *"toys for children"*
- *"Statioery"* should be written as *"stationery"*
- *"Clothng"* should be written as *"clothing"*
- *"Finanncial services"* should be written as *"financial services"*
- *"Downlodable software"* should be written as *"downloadable software"*
- *"Phsraceuticals"* should be written as *"pharmaceuticals"*

### Basic grammatical errors

For example:

*"Services for providing food and drinkings"* instead of *"services for providing food and drinks"*

In this example, the correction does not alter the meaning or change the scope of the service.

### Formatting issues

- a. Incorrect or inconsistent hyphenation of compound terms that are well-established in the Nice Classification

For example:

- Class 3: *"make up powder"* instead of *"make-up powder"*
- Class 25: *"ready made clothing"* instead of *"ready-made clothing"*
- Class 32: *"non alcoholic beverages"* instead of *"non-alcoholic beverages"*

b. List of goods and services in capital letters

The use of capital letters in a list of goods and services should be restricted to the first letter of the first good or service at the beginning of each new class listed, as well as to acronyms, abbreviations, proper nouns and place names. Consequently, any list of goods and services presented to the International Bureau and consisting of only uppercase indications will be reformatted during the examination stage to feature lowercase characters, with uppercase letters used only as detailed above.

For example:

- Class 42: “*PROVIDING VIRTUAL COMPUTER SYSTEMS THROUGH CLOUD COMPUTING; QUALITY CONTROL; SCIENTIFIC RESEARCH IN THE FIELD OF GENETICS; HOSTING COMPUTER WEBSITES*” will be *ex officio* reformatted as follows:
- Class 42: “*Providing virtual computer systems through cloud computing; quality control; scientific research in the field of genetics; hosting computer websites*”

c. Use of definite and indefinite articles (“the”, “a”)

The use of definite articles (“the”) or indefinite articles (“a”) to precede indications of goods or services in international applications is not necessary and should be avoided. When such usage appears in the list of goods and services, the International Bureau may, *ex officio*, remove these articles, as appropriate. This practice ensures consistency with the terminology and structure of the Nice Classification

For example:

- Class 28: “The appliances for gymnastics” should be amended to “*appliances for gymnastics*”
- Class 36: “A business brokerage” should be amended to “*business brokerage*”

d. Use of prepositions (“for”, “of”)

For example:

- Class 7: “brushes being parts for machines” should be amended to “*brushes being parts of machines*”
- Class 12: “bodies of vehicles” should be amended to “*bodies for vehicles*”



## Use of certain expressions in lists of goods and services such as “*based on intent to use*” or “*based on use in commerce*”

The International Bureau will, *ex officio*, remove expressions such as “*based on intent to use*” or “*based on use in commerce*” from lists of goods and services, as these expressions are not relevant to the classification or scope of the goods and services for which registration is sought.

## 7. Classification of Specific Goods and Services

### 7.1. Emerging Technologies and Digital Services

With the rapid evolution of technological innovation, the classification of goods and services has become increasingly challenging, particularly with the emergence of new technologies and the expansion of digital services. This section aims to provide guidance on the classification of goods and services involving emerging technologies, as well as digital services.

#### a) Artificial Intelligence (AI)-related terms

Applicants frequently include AI-related terms in their lists of goods and services. However, vague or overly broad specifications can hinder accurate classification. The International Bureau emphasizes the need for specificity and clarity when referring to AI-related goods and services. These goods and services should be classified in accordance with the general principles of classification, taking into account the specific nature, function or purpose of such goods or services.

Examples of acceptable AI-related terms:

- Class 7: “Household cleaning and laundry robots with artificial intelligence” (Basic No. 070598)
- Class 9: “Humanoid robots with artificial intelligence for preparing beverages” (Basic No. 090916), “humanoid robots with artificial intelligence for use in scientific research” (Basic No. 090778), “humanoid robots with artificial intelligence for use in household cleaning and laundry” (Basic No. 090953)
- Class 42: “Artificial intelligence consultancy” (Basic No. 420277), “artificial intelligence as a service [AlaaS]” (NCL 420315), “research in the field of artificial intelligence technology” (Basic No. 420278)

Conversely, the International Bureau does not accept the term “artificial intelligence apparatus”, and will consider it too vague for the purposes of classification. In such cases, an irregularity will be raised under Rule 13, requiring the applicant to specify the function or intended purpose of such apparatus for proper classification.

### b) Non-fungible tokens (NFTs)

The International Bureau does not accept the term “non-fungible tokens (NFTs)” on its own, as it does not represent a product or service in itself. NFTs are unique digital identifiers used to certify ownership and authenticity, and therefore require further specification. NFT-related goods and services are classified based on the underlying product or service to which the NFT pertains. Accordingly, it is essential that applicants indicate the type of goods authenticated by the NFT or the nature of the services associated with it to ensure accurate classification.

Examples of acceptable NFT-related terms:

- Class 9, which includes “downloadable digital music files authenticated by non-fungible tokens [NFTs]” (Basic No. 090933)
- Class 25, which includes “clothing authenticated by non-fungible tokens [NFTs]” (Basic No. 250200)
- Class 35, which includes “retail services relating to downloadable digital image files authenticated by non-fungible tokens [NFTs]” (Basic No. 350185)
- Class 41, which includes “rental of digital image files authenticated by non-fungible tokens [NFTs]” (Basic No. 410263)
- Class 42, which includes “providing online non-downloadable computer software for minting non-fungible tokens [NFTs]” (Basic No. 420301)

Similarly, the International Bureau does not accept terms such as “non-fungible token [NFT] multimedia files” in Class 9, as they lack sufficient specificity for the purposes of classification. A more suitable wording would be “downloadable multimedia files authenticated by non-fungible tokens [NFTs],” which accurately reflects both the nature of the product and its association with NFTs.

### c) Virtual goods

In general, virtual goods are intangible items intended for use in online environments. The term “downloadable virtual goods” alone is not accepted by the International Bureau, as it lacks sufficient specificity for the purposes of classification. To ensure clarity, applicants should specify the nature of the virtual good.

For example, terms such as “downloadable virtual goods in the form of clothing for use in online virtual environments” or “downloadable virtual clothing” are acceptable in Class 9. It is important to note that such virtual clothing differs in nature, function, and purpose from tangible clothing, which is classified in Class 25.

The same principle applies to other virtual items. Terms like “downloadable virtual goods in the form of bags for use in online virtual environments” or “downloadable virtual bags” are also acceptable in Class 9, and should not be confused with physical bags, which fall under Class 18.

#### d) Services in virtual environments

According to the General Remarks of the Nice Classification, the means by which a service is provided does not impact its classification.

For example, “financial consultancy” is classified in Class 36 regardless of whether it is provided in person, by telephone, online, or in a virtual environment. Similarly, both “banking services” and “online banking services rendered in virtual environments” fall under Class 36.

Likewise, “conducting guided tours” is classified in Class 41, regardless of the means by which the tours are rendered. Accordingly, “providing online virtual guided tours” is also appropriately classified in Class 41 (Basic No. 410253).

However, this principle does not apply when the purpose or result of the service changes due to its means or place of delivery. This is particularly relevant for services rendered in virtual environments, where the nature of the service may differ significantly from its physical counterpart.

For instance, “transport services” in Class 39 involve the moving of goods or people from one physical place to another. However, in a virtual environment, these services do not have the same purpose or result and must be clarified for appropriate classification. For example, “simulated travel services provided in virtual environments for entertainment purposes” belong to Class 41 (Basic No. 410255).

A similar distinction applies to “restaurant services,” which are classified in Class 43. When these services are provided in a virtual environment for entertainment purposes, they no longer serve the same function and are therefore classified in Class 41 as “simulated restaurant services provided in virtual environments for entertainment purposes” (Basic No. 410262).

#### 7.2. Typical National or Regional Products

The Committee of Experts of the Nice Union has approved the inclusion of typical national or regional products in the Alphabetical List, accompanied, where necessary, by a definition or explanation of the product in square brackets. For instance, “huqin [Chinese violins]” (Basic No. 150081) or “randsels [Japanese school satchels]” (Basic No. 180127).

To the same extent, the International Bureau also accepts the use of typical national or regional products followed by a clarifying definition or explanation in square brackets. For instance, “bibimbap [rice mixed with vegetables and beef]” (Basic No. 300250), “doenjang [condiment]” (Basic No. 300311), or “tajine [prepared meat, fish or vegetable dish]” (Basic No. 290233).

Similarly, the International accepts typical national or regional products without a definition or explanation in square brackets, provided the term is listed in the Alphabetical List (e.g., “kimbap” (Basic No. 300313), “guacamole” (Basic No. 290199), or “kumys” (Basic No. 290071)) or its meaning is clearly defined in either the Oxford or Larousse dictionaries, as endorsed by the Committee of Experts at its 29th session in 2019 (e.g., “skyr” – *“an Icelandic dairy product resembling a thick yogurt, made from strained curds”* –, or “rendang” – *“an Indonesian and Malaysian dish of meat, usually beef, slow-cooked in coconut milk and various spices until fairly dry”*).

If a term is not sufficiently clear or cannot be verified through the approved sources, the International Bureau will consider it too vague for the purposes of classification and will raise an irregularity under Rule 13, requesting further specification.

### 7.3. Kits and Sets

The International Bureau classifies “kits” or “sets” either according to their purpose (e.g. “hands-free kits for telephones” in Class 9, “knitting kits” and “sewing kits” in Class 26, “scale model kits [toys]” in Class 28, “manicure sets” and “pedicure sets” in Class 8) or by their composition (e.g. “kits comprised of fabrics for making quilts” in Class 24, “dental care kits comprising toothbrushes and floss” in Class 21), the latter provided that all the goods comprised in the kit can be classified in the same class.

Accordingly, “kits” or “sets” that have no stated purpose need to list the items of which the kit or set is composed. The International Bureau will raise an irregularity under Rule 13 where the list of goods in an application contains the word “kit” or “set” without either a stated purpose or a list of the goods comprised in the kit or set.

Moreover, the International Bureau would not accept kits or sets that have no stated purpose and are composed of goods that can be classified in various classes. In this particular case, the applicant would have to list each good under its appropriate class. The International Bureau will raise an irregularity under

Rule 12 where the list of goods in an international application contains the word “kit” or “set” followed by a list of goods that can be classified in different classes.

Similarly, the International Bureau would not accept kits or sets that have a stated purpose but are composed of goods that can be classified in various classes. In this particular case, the applicant would have to list each good under its appropriate class. The International Bureau will raise an irregularity under Rule 12 where the list of goods in an international application contains the word “kit” or “set” followed by a list of goods that can be classified in different classes.

For example, “cosmetic kits comprising almond soap, beauty masks, false eyelashes, lipsticks, make-up powder, tissues of paper for removing make-up and facial cleansing brushes” shall be classified as follows: “cosmetic kits comprising almond soap, beauty masks, false eyelashes, lipsticks and make-up powder” in Class 3; “tissues of paper for removing make-up” in Class 16; “facial cleansing brushes” in Class 21.

#### 7.4. Gift Baskets

The International Bureau does not accept the term “gift baskets” as a standalone product. Instead, the International Bureau classifies “gift baskets” according to their composition.

Accordingly, “gift baskets” need to list the items of which the basket is composed. The International Bureau will raise an irregularity under Rule 13 where the list of goods in an application contains the term “gift baskets” without a list of the goods comprised in the basket.

Moreover, the International Bureau does not accept gift baskets that are composed of goods that can be classified in various classes. In this particular case, the applicant would have to list each good under its appropriate class. The International Bureau will raise an irregularity under Rule 12 where the list of goods in an international application contains the term “gift baskets” followed by a list of goods that can be classified in different classes.

For example, “gift baskets containing fresh fruits, fresh flowers, fruit juices, chocolate bars, almond confectionery and picnic blankets” shall be classified as follows: “gift baskets containing fresh fruits and fresh flowers” in Class 31; “fruit juices” in Class 32; “chocolate bars and almond confectionery” in Class 30, and “picnic blankets” in Class 24.

#### 7.5. Prepared Meals, Snacks and similar foodstuffs

The International Bureau does not accept the terms “prepared meals” or “snacks” on their own without a clear specification of their constituent ingredients. These goods are classified according to the primary ingredient of which they are made, and if they are made of multiple ingredients, classification will be determined by the ingredient that predominates, regardless of whether the subsidiary ingredients fall under different classes.

For example:

- Class 29; “prepared meals consisting primarily of meat and vegetables” or “fish-based snack food” or “meat-based snack food containing rice”
- Class 30: “prepared meals consisting primarily of pasta” or “rice-based snack food” or “cereal-based snack food containing dried fruits”

## 7.6. Charitable Services

Charitable services are generally understood to refer to non-monetary services provided in the public interest or for the benefit of the common good.

However, the International Bureau does not accept the term “charitable services” on its own, as it is considered too vague for the purposes of classification. To be acceptable, this term must be qualified by the specific nature of the service being provided. This is because charitable services may fall under different classes depending on the actual activity performed, irrespective of the charitable or philanthropic intent behind them.

Examples of acceptable terms:

- Class 36: “charitable fund raising” (Basic No. 360015)
- Class 39: “charitable services, namely providing transportation for the elderly or disabled”
- Class 41: “charitable services, namely organizing and conducting training workshops
- Class 43: “charitable services, namely providing food and temporary accommodation to individuals in need”
- Class 44: “charitable services, namely, providing medical care and health counseling”
- Class 45: “charitable services, namely providing fresh flowers to people living with terminal illnesses”

## 7.7. Electronic games

As from January 2012 (NCL10-2012), all electronic games apparatus is classified in Class 28. Game software and programs remain in Class 9, irrespective of the nature of the game itself.

## 7.8. Low alcohol beverages or wines

“Low alcohol beverages” and “low alcohol wines” fall in Class 33 irrespective of the level of alcohol they might contain. The Nice Classification does not establish the amount of alcohol that a beverage or wine should contain to be considered either alcoholic or non-alcoholic. It simply states that all alcoholic beverages should be classified in Class 33, except for beers which belong to Class 32.

## 7.9. Filters and filtering materials

Filters are finished products and are classified according to their function or purpose or in the same class as the products of which they are parts, e.g. “filters being parts of machines or engines” (Class 7), “filters for use in photography” (Class 9), “filters for respiratory masks for medical purposes (Class 10), “filters for water filtering apparatus” (Class 11), “cigarette filters” (Class 34).

Filtering materials are classified according to the material of which they are made, e.g. “filtering materials of unprocessed plastics” (Class 1), “filtering materials of paper” (Class 16), “filtering materials of semi-processed foams of plastic” (Class 17), and “filtering materials of textile” (Class 24).

#### 7.10. Valves

Valves are finished products and are classified according to their function or purpose or in the same class as the products of which they are parts, e.g. “valves being parts of machines” (Class 7), “feeding bottle valves” (Class 10), “valves for vehicle tires” (Class 12), “valves for musical instruments” (Class 15).

Where the above is not possible, valves are classified according to the materials from which they are made, e.g. “valves of metal, other than parts of machines” (Class 6), “valves of leather” (Class 18), “valves of india-rubber or vulcanized fiber” (Class 17), “valves of plastic, other than parts of machines” (Class 20).

#### 7.11. Manufacturing of goods

The International Bureau does not accept the general expression “manufacturing of goods”. However, the International Bureau accepts “custom manufacturing of goods for others” or “custom manufacturing of goods to the order and specification of a customer” as a service in Class 40, since the custom manufacturing of goods is expressly mentioned in the Nice Explanatory Notes.

The International Bureau’s acceptance of the expression “custom manufacturing of goods for others” and the acceptance of that expression in a national or regional office may be different. Legislative or regulatory requirements in those offices may require that these services be specified more precisely.

#### 7.12. Association services

An association is “*an official group of people who have joined together for a particular purpose*” (Oxford Advanced Learner’s Dictionary 2025, Oxford University Press). Some associations may provide educational services as well as advocacy and lobbying in areas of interest to their members, while other associations may have social or entertainment pursuits.

Services provided by an association to its members are, in principle, classified according to the nature of the service provided. The International Bureau shall consider qualifying wording to define the specific nature of the activities being performed.

For example:

- Class 35: “association services, namely, promotion of the commercial interests of professionals and businesses in the field of mobile software application development”
- Class 36: “association services, namely, underwriting insurance for its members”

- Class 39: “arranging of travel tours by an association for its members”
- Class 41: “educational and entertainment services provided by an association to its members”
- Class 45: “association services being the certification of legal documents by the association for its members”

### 7.13. Parts and fittings (or accessories)

The International Bureau does not accept expressions such as “parts and fittings” or “parts and accessories” without further specification as these expressions, on their own, do not adequately identify the goods to be covered.

Accordingly, applicants should further specify the goods for which the parts or fittings are intended, provided that such goods are of a nature that can, in a normal and logical sense, incorporate these components.

For example, adequate expressions would be “parts and fittings for agricultural machines” in Class 7, “parts and fittings for motor vehicles” in Class 12 or “computers and parts and fittings therefor” in Class 9.

Conversely, expressions such as “chemical preparations for medical purposes; parts and fittings for all the aforementioned goods” are not acceptable, as chemical preparations are not of a nature that can, in a normal and logical sense, incorporate parts or fittings.

### 7.14. Wholesale and retail services

The International Bureau accepts the indications “wholesale services” and “retail services” on their own when listed in an international application under Class 35, without requiring further specification.

However, the International Bureau’s practice may differ from that followed by national or regional offices, where legislative or regulatory requirements may require that such services be specified more precisely.

## Final Note

The International Bureau will, on an ad hoc basis, publish additional goods and services which are of particular value and interest to Member Offices and users of the Madrid System on its website.



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## 8. Most Common Rule 12 and Rule 13 Irregularities in Classification Examination

Applying the general principles of classification accurately is essential when classifying goods and services. However, recurring irregularities in the interpretation and implementation of Rule 12 and Rule 13 continue to pose challenges for both IP Offices and applicants. This section highlights the most common irregularities observed under these rules during classification examination by the International Bureau, while providing practical clarifications and guidance to support consistent classification practices.

### 8.1. Advertising design

The International Bureau considers the indication “*advertising design*” in Class 35 too vague for classification purposes. A recommended alternative includes “*development of advertising concepts*” (Basic No. 350121), which encompasses the creation of advertising ideas, concepts and related materials, such as brochures, print or online advertisements, and direct mail advertisements, aimed at enhancing public communication.

### 8.2. Air quality data collection services

The International Bureau considers the indication “*air quality data collection services*” to be incorrectly classified in Class 42, and recommends reclassifying it under Class 35, as an administrative service. This recommendation aligns with the Explanatory Note for Class 35, which includes services such as the registration, transcription, composition, compilation, or systematization of written communications and registrations, as well as the compilation of mathematical or statistical data. Furthermore, this reclassification is supported by analogy with the following indications: “*compilation of information into computer databases*” (Basic No. 350080), “*compiling indexes of information for commercial or advertising purposes*” (Basic No. 350135), and “*data processing services [office functions]*” (Basic No. 350173).

### 8.3. Anti-damp insulating compositions [paint]

The International Bureau considers the indication “*anti-damp insulating compositions [paint]*” to be incorrectly classified in Class 2. It recommends reclassifying it under Class 17 instead, by analogy with “*insulating paints*” (Basic No. 170060). To retain this indication in Class 2, a more appropriate formulation would be “*damp-proofing paints*”.

### 8.4. Aquarium fish nets

The International Bureau considers the indication “*aquarium fishing nets*” to be incorrectly classified in Class 28. It recommends reclassifying it under Class 21, by analogy with “*fishing nets for aquaria*” (Basic No. 210472).

### 8.5. Bases for perfumes

The International Bureau considers the indication “*bases for perfumes*” in Class 3 too vague for the purposes of classification. To retain this term in Class 3, further specification is required. Recommended alternatives include, for example, “*extracts of flowers [perfumes]*” (Basic No. 030101) or “*oils for perfumes and scents*” (Basic No. 030118).

### 8.6. Chemicals for preventing corrosion

The International Bureau considers the indication “*chemicals for preventing corrosion*” to be incorrectly classified in Class 1. It recommends reclassifying this indication under Class 2, in line with the Class Heading and Explanatory Note for Class 2, and by analogy with “*anti-rust preparations*” (Basic No. 020107) and “*anti-corrosive preparations*” (Basic No. 020010). To retain the indication in Class 1, a more appropriate formulation would be, for example, “*chemicals for the manufacture of preparations for preventing corrosion*”.

### 8.7. Clothing for water sports

The International Bureau considers the indication “*clothing for water sports*” to be incorrectly classified in Class 9. It recommends reclassifying this indication under Class 25, in accordance with the Explanatory Note for Class 25, which explicitly includes clothing and footwear designed for sports activities. To retain this indication in Class 9, further specification is required to clarify the protective nature of the clothing. Acceptable alternatives include, for example, “*dive skins*” (Basic No. 090904) or “*dry suits*” (Basic No. 090903) or “*wet suits*” (Basic No. 090905). Additionally, clothing that is essential for the practice of certain sports and unsuitable for general wear belongs to Class 28.

### 8.8. Clothing alteration services

The International Bureau considers the indication “*clothing alteration services*” to be incorrectly classified in Class 37. Instead, it recommends reclassifying this indication under Class 40, which covers the treatment of materials, consistent with the entry “*clothing alteration*” (Basic No. 400098). This distinction is based on the nature of the service provided. Services in Class 37, such as cleaning, maintenance and repair are intended to restore, preserve, or improve an object without altering its fundamental characteristics. In contrast, Class 40 encompasses services that transform the essential properties of an object, substance, or material, whether through mechanical or chemical processes, resulting in a qualitative or quantitative change from its original state.

### 8.9. Customer support services

The International Bureau considers the indication “*customer support services*” in Class 42 too vague for the purposes of classification. To retain this indication in Class 42, it must be further specified by identifying the relevant branch of activity. Acceptable alternatives include, for

example, “*information technology [IT] support services [troubleshooting of software]*” (Basic No. 420221) or “*troubleshooting of computer software problems [technical support]*”.

These examples clarify the technical nature of the service and align with the scope of Class 42, which covers scientific and technological services, including IT-related support.

#### 8.10. Disinfectant dispensers for toilets

In January 2023, the entry “disinfectant dispensers for toilets” was removed from Class 11 of the Nice Alphabetical List. As a result, the International Bureau now considers this indication unclear for the purposes of classification. The ambiguity lies in whether the term refers to dispensers placed in toilet rooms, which could fall under Class 6, if made of metal, Class 20, if not of metal, or Class 21, if they are dispensing bottles, or whether it refers to components of sanitary installations, which may still be classified under Class 11. To ensure clarity and proper classification in Class 11, acceptable alternatives include “*disinfectant apparatus for dispensing solutions into water-pipes for sanitary installations*” (Basic No. 110377), and “*disinfectant apparatus*” (Basic No. 110115).

#### 8.11. Electric hot brushes

The International Bureau considers the indication “*electric hot brushes*” to be incorrectly classified in Class 8. Instead, it recommends reclassifying the term under Class 21, by analogy with related entries, such as “*electric combs*” (Basic No. 210176) and “*electric brushes, except parts of machines*” (Basic No. 210251).

#### 8.12. Electronic games consoles adapted for use with an external display screen or monitor

The International Bureau considers the indication “*electronic games consoles adapted for use with an external display screen or monitor*” to be incorrectly classified in Class 9. It recommends reclassifying the term under Class 28, in line with the Class Heading. This recommendation is further supported by analogous entries, such as “*apparatus for games*” (Basic No. 280128), “*video game machines*” (Basic No. 280214), “*arcade video game machines*” (Basic No. 280216), and “*video game consoles*” (Basic No. 280255).

#### 8.13. Filters

The International Bureau considers the standalone indication “*filters*” in Class 7 too vague for classification purposes. To justify inclusion in Class 7, this indication must be further specified by clarifying the function or intended use of the filters. Acceptable alternatives include “*filtering machines*” (Basic No. 070192) or “*filters being parts of machines or engines*” (Basic No. 070457).

#### 8.14. Fireplugs

The indication “*fireplugs*” is a synonym for “*fire hydrants*”, referring to devices connected to a water supply system that firefighters use to access water in case of a fire. Accordingly, the International Bureau classifies the term “*fireplugs*” under Class 11, by analogy with the entry “*hydrants*” (Basic No. 110049).

#### 8.15. Hand-operated cherry pitters

The indication “*hand-operated cherry pitters*” refers to a kitchen tool designed to remove the pit (stone) from the cherry. It typically works by pushing a small plunger through the cherry to eject the pit. Accordingly, the International Bureau classifies the term “*hand-operated cherry pitters*” under Class 8, by analogy with the entry “*fruit corers*” (Basic No. 080285).

#### 8.16. Heating patches for medical purposes

The International Bureau considers the indication “*heating patches for medical purposes*” to be incorrectly classified in Class 5. Instead, it recommends reclassifying this indication under Class 10, by analogy with related entries, such as “*cooling patches for medical purposes*” (Basic No. 100260) and “*disposable steam-heated patches for therapeutic purposes*” (Basic No. 100289).

#### 8.17. High frequency apparatus for welding

The indication “*high-frequency apparatus for welding*” refers to equipment that uses high-frequency electrical energy to generate heat for welding materials. Accordingly, the International Bureau classifies this indication under Class 7, by analogy with related entries, such as “*welding machines, electric*” (Basic No. 070349) and “*electric welding apparatus*” (Basic No. 070526).

#### 8.18. Household utensils of precious metal

The International Bureau considers the indication “*household utensils of precious metal*” to be incorrectly classified in Class 14. It recommends reclassifying this term under Class 21, in line with the Class Heading and Explanatory Note for Class 21, and irrespective of the material from which the goods are made. This recommendation is further supported by the analogous entry “*utensils for household purposes*” (Basic No. 210159).

#### 8.19. Hydro alcohol

The International Bureau considers the indication “*hydro alcohol*” in Class 5 too vague for the purposes of classification. To retain this term in Class 5, it must be further specified by clarifying its intended use or purpose. Recommended alternatives include “*hydroalcoholic solutions for medical purposes*” or “*hydroalcoholic preparations for medical use*”.

#### 8.20. Impregnating preparations

The International Bureau considers the indication *“impregnating preparations”* in Class 2 too vague for the purposes of classification. To retain this term in Class 2, its function or intended purpose must be clearly specified. Acceptable alternatives include *“anti-corrosive preparations”* (Basic No. 020010), *“anti-rust preparations”* (Basic No. 020107), *“binding preparations for paints”* (Basic No. 020087), or *“wood preservatives”* (Basic No. 020049).

#### 8.21. Insurance plan administration

The International Bureau considers the indication *“insurance plan administration”* to be incorrectly classified in Class 35. It recommends reclassifying this indication under Class 36, in line with the Class Heading and Explanatory Note for Class 36, and by analogy with the related entry *“administration of insurance plans”* (Basic No. 360145).

#### 8.22. Mattress pads

A mattress pad is a removable layer placed on top of a mattress to provide additional comfort, protection, or support. It is typically thinner than a mattress topper and is generally regarded as a bedding article rather than bed linen. Accordingly, the International Bureau classifies the indication *“mattress pads”* under Class 20, by analogy with *“bedding, except linen”* (Basic No. 200077) and *“sleeping pads”* (Basic No. 200293). To classify this term under Class 24, an acceptable alternative would be *“mattress covers”* (Basic No. 240030).

#### 8.23. Milk proteins

Milk proteins are obtained from fresh milk through membrane separation. This gentle, non-denaturing process preserves the proteins' original structure. These proteins are used in both the food and beverage industry and the health and nutrition sector. Accordingly, the International Bureau considers the indication *“milk proteins”* to be incorrectly classified in Class 29. It recommends reclassifying this indication under Class 1, by analogy with related entries *“protein [raw material]”* (Basic No. 010452), *“proteins for the food industry”* (Basic No. 010699), and *“proteins for use in the manufacture of food supplements”* (Basic No. 010698).

#### 8.24. Monitoring and tracking of package shipments

The International Bureau considers the indication *“monitoring and tracking of package shipments”* to be incorrectly classified in Class 35. It recommends reclassifying this indication under Class 39, by analogy with related entries, such as *“transportation logistics”* (Basic No. 390101) and *“providing transportation information”* (Basic No. 390077). Class 39 primarily covers services related to the transport of people, animals, or goods from one location to another, whether by rail, road, water, air, or pipeline, as well as services necessarily connected with such transport. It also includes services providing information about journeys or the transport of goods offered by brokers and travel agencies, as well as information on tariffs, timetables and methods of transport.

### 8.25. Photographic supplies

The International Bureau considers the indication “*photographic supplies*” in Class 1 too vague for the purposes of classification, as it does not clearly specify the nature of the goods. The term “*supplies*” is generic and may encompass a broad range of photographic products that fall under different classes of the Nice Classification. To retain this indication in Class 1, the supplies must be clearly defined. Acceptable alternatives include “*photographic developers*” (Basic No. 010435), “*photographic paper*” (Basic No. 010322) and “*photographic sensitizers*” (Basic No. 010436).

### 8.26. Rental of soft furnishings

The International Bureau considers the indication “*rental of soft furnishings*” in Class 37 too vague for the purposes of classification, as it does not clearly define the nature of the goods involved. The term “*soft furnishings*” is overly broad and may cover a wide range of fabric-based decorative items that fall under different classes, such as curtains, shower curtains, cushions, rugs, carpets, draperies, bedding, bed linens, bath and dish towels, table linens, furniture coverings, and upholstery fabrics. Therefore, the indication “*rental of soft furnishings*” must be further specified to enable accurate and proper classification.

### 8.27. Rental of computer game programs

The International Bureau considers the indication “*rental of computer game programs*” to be incorrectly classified in Class 41. It recommends reclassifying this indication under Class 42, by analogy with the related entry “*rental of computer software*” (Basic No. 420159). To retain this indication in Class 41, acceptable alternatives would include, for example, “*games equipment rental*” (Basic No. 410198) or “*rental of computer games*”.

### 8.28. Replication equipment

The International Bureau considers the indication “*replication equipment*” in Class 9 too vague for the purposes of classification, as it does not clearly specify the nature of the goods involved. The term “*equipment*” is overly broad and does not allow for accurate and proper classification. To justify the grouping in Class 9, the indication must be further qualified. Recommended alternatives include “*photocopiers [photographic, electrostatic, thermic]*” (Basic No. 090154), “*portable document scanners*” (Basic No. 090912), or “*scanners for data processing*” (Basic No. 090622).

### 8.29. Podcasting services

The International Bureau considers the indication “*podcasting services*” in Class 38 too vague for classification purposes, as it does not clearly specify the branch of activity of the services. To justify the grouping in Class 38, the branch of activity must be clarified. Recommended alternatives include, for example, “*transmission of podcasts*” (Basic No. 380054) or “*podcast broadcasting services*”.



### 8.30. Royal jelly

The indication “*royal jelly*” is a general term listed with an asterisk under Class 30, which is its natural class. Accordingly, the International Bureau considers the indication “*royal jelly*” to be incorrectly classified in Class 5 without any further qualification. It recommends reclassifying this indication under Class 30, by analogy with the related entry “*royal jelly*” (Basic No. 300168). To justify inclusion in Class 5, the intended use or purpose of the product must be clearly specified. Acceptable alternatives include “*royal jelly for pharmaceutical purposes*” (Basic No. 050316) and “*royal jelly dietary supplements*” (Basic No. 050425).

### 8.31. Street furniture made of metal

Street furniture is generally understood as equipment installed in streets for the benefit of the public. Accordingly, the International Bureau considers the indication “*street furniture made of metal*” in Class 6 too vague for the purposes of classification, as it does not clearly specify the nature of the goods. To retain this indication under Class 6, the wording must identify the specific items concerned. Acceptable examples include “*street furniture being letter boxes of metal*”, “*street furniture being telephone booths of metal*”, “*street furniture being advertisement columns of metal*”, or “*street furniture being metal posts*”.

### 8.32. Swaddling clothes

The International Bureau considers the indication “*swaddling clothes*” to be incorrectly classified in Class 25. It recommends reclassifying this indication under Class 24, by analogy with the related entry “*baby buntings*” (Basic No. 240123). Baby bunting is generally defined as a “*baby's warm sleeping bag or one-piece garment without leg openings, often with an attached hood*” (Oxford English Dictionary Online, © 2018 Oxford University Press). These goods are primarily used as bedding for infants rather than as clothing (see Information File related to the entry “*sleeping bags for babies*” (Basic No. 240122).

### 8.33. Support tool kits comprising of power-driven saws and hand saws

The International Bureau classifies kits either by their intended purpose or by their composition, provided that all the goods included in the kits can be classified in the same class. Accordingly, the International Bureau considers the indication “*tool kits comprising of power-driven saws and hand saws*” to be incorrectly classified in Class 7. It recommends retaining “*power-driven saws*” in Class 7, by analogy with the entry “*saws [machines]*” (Basic No. 070341), while reclassifying “*hand saws*” under Class 8, by analogy with the entry “*saws [hand tools]*” (Basic No. 080055).

#### 8.34. Warmth-keeping supports

The International Bureau considers the indication “*warmth-keeping supports*” in Class 25 too vague for the purposes of classification, as it does not clearly identify the nature or type of the goods. The term “*supports*” is overly broad and does not allow for accurate classification. To justify inclusion in Class 25, the indication must be further specified to reflect the actual goods concerned. Acceptable alternatives include, for example, “*thermal clothing*”, “*thermal headgear*”, “*thermal socks*”, or “*thermal underwear*”.