

## **Special Union for the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Union)**

### **Committee of Experts**

**Thirty-Fourth Session**  
**Geneva, April 22 to 25, 2024**

#### **REPORT**

*adopted by the Committee of Experts*

#### **INTRODUCTION**

1. The Committee of Experts of the Nice Union (hereinafter referred to as “the Committee”) held its thirty-fourth session in Geneva from April 22 to 25, 2024 in hybrid format. The following members of the Committee were represented at the session: Algeria, Armenia, Australia, Austria, Azerbaijan, Belarus, Canada, China, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Latvia, Lithuania, Mexico, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Trinidad and Tobago, Türkiye, Ukraine, United Kingdom, United States of America and Uruguay (50). The following States were represented by observers: Brazil, Côte d’Ivoire, Ethiopia, Iraq, Madagascar, Niger, Thailand and Vanuatu (8). Representatives of the following international intergovernmental organizations took part in the session in an observer capacity: Benelux Office for Intellectual Property (BOIP) and European Union (EU). Representatives of the following non-governmental organizations attended the session in an observer capacity: Association for the Protection of Intellectual Property (AIPPI), European Law Students' Association (ELSA International), Intellectual Property Institute of Canada (IPIC), International Trademark Association (INTA) and Japan Patent Attorneys Association (JPAA). The list of participants appears as Annex I to this report.

2. The session was opened by Mr. Ken-Ichiro Natsume, Assistant Director General, Infrastructure and Platforms Sector of WIPO, who welcomed the participants.

## OFFICERS

3. The Chair, Mr. Sébastien Tinguely (Switzerland), and the Vice-Chairs, Ms. Monique Choiniere (United States of America) and Ms. Rula Cohay (Israel), were elected at the thirty-third session for two calendar years.

4. Ms. Alison Züger (WIPO) acted as Secretary of the session.

## ADOPTION OF THE AGENDA

5. The Committee unanimously adopted the agenda, which appears as Annex II to this report.

## DISCUSSIONS, CONCLUSIONS AND DECISIONS

6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Committee (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Committee was expressed or repeated after the conclusion was reached.

## DECISIONS OF THE COMMITTEE

7. In accordance with the provisions of Article 3(7)(a) and (b) of the Nice Agreement, the decisions of the Committee concerning the adoption of amendments<sup>1</sup> to the Nice Classification (hereinafter referred to as “the Classification”) required a four-fifths majority of the countries of the Nice Union represented and voting at the session. Decisions concerning the adoption of other changes to the Classification required a simple majority of the countries of the Nice Union represented and voting at the session.

## ENTRY INTO FORCE OF THE DECISIONS OF THE COMMITTEE

8. In accordance with Rule 7 of its Rules of Procedure, the Committee agreed that changes to the Classification that did not entail an amendment in the sense of Article 3(7)(b) of the Nice Agreement will enter into force on January 1, 2025, and will be incorporated in a new version of the Classification. Amendments will enter into force later, at a date to be determined by the Committee.

9. The Committee noted that the International Bureau will prepare and publish online the new version of the Classification (NCL (12-2025)), in English and French, by the end of 2024. The list of goods and services in Excel format, in English and French, will be made available on the [electronic forum](#) by the end of June 2024.

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<sup>1</sup> Article 3(7)(b) of the Nice Agreement provides that “...“Amendment” shall mean any transfer of goods or services from one class to another or the creation of any new class.”

10. The Committee invited the International Bureau to take the opportunity of correcting any obvious typing or grammatical errors that it found in the text of the Classification and harmonizing, as far as possible, the use of punctuation.

## **BUSINESS SEGMENT**

### **USER ASSOCIATIONS PRESENT THEIR NICE CLASSIFICATION-RELATED ISSUES**

11. The Representative of the International Trademark Association (INTA) made a statement outlining the importance of a study to reduce the size of Class 9 by reminding the Committee of the solutions that it had proposed at the thirty-third session last year (the INTA statement is available in Project [CE342](#) of the electronic forum).

12. The Representative of the Japan Patent Attorneys Association (JPAA) made a statement highlighting the need for more services provided in virtual environments to be added to the alphabetical list to ensure more consistent practice between offices (the JPAA statement is available in Project [CE342](#) of the electronic forum).

### **CONSIDERATION OF PROPOSALS IN GROUP 1 (FOUR-FIFTHS MAJORITY APPROVAL) AFTER VOTE 1 IN NCLRMS**

13. Discussions were based on Group 1 in [NCLRMS](#), which contained proposals for changes to the 2024 version of the Classification, which had received four-fifths majority support at Vote 1.

14. The International Bureau moved one proposal to Group 2. The Committee agreed unanimously to adopt the remaining proposals in Group 1. The decisions of the Committee are available in NCLRMS/Sessions/CE34/Group 1 (as well as on the [electronic forum](#), project [CE340](#)).

### **CONSIDERATION OF PROPOSALS IN GROUP 2 AFTER VOTE 1 IN NCLRMS**

15. Discussions were based on Group 2 in [NCLRMS](#), which contained proposals for amendments and other changes to the Classification, which did not receive four-fifths majority support at Vote 1.

16. The Committee adopted a significant number of amendments and other changes to the Classification. The decisions of the Committee are available in NCLRMS/Sessions/CE34/Group 2 (as well as on the [electronic forum](#), project [CE340](#)).

17. The Committee had a broad discussion around a group of proposals submitted by Australia related to changing certain computer software terms that are currently found in the alphabetical list to terms with greater specificity. Whilst the Committee did not reach consensus on this, a number of delegations (Switzerland, United States of America, Germany, EUIPO, Saudi Arabia and Japan) stated that they would be willing to work on a group project to investigate further. The International Bureau offered assistance in coordinating the project, for example, by sending a survey to member states to garner their current position, if the group finds this helpful.

## **NEXT SESSION OF THE COMMITTEE OF EXPERTS**

18. The Committee noted that the next (thirty-fifth) session would be held in Geneva at the end of April or beginning of May 2025, subject to the schedule of WIPO meetings, including principal Committees.

## **ELECTION OF A CHAIR AND TWO VICE-CHAIRS FOR THE THIRTY-FIFTH AND THIRTY-SIXTH SESSIONS OF THE COMMITTEE**

19. The Committee was invited to nominate and elect Officers for the next two calendar years, namely for the thirty-fifth and thirty-sixth sessions. As no nominations were received, the Committee took note that the nomination process will remain open and that the election will take place at the start of the thirty-fifth session in 2025.

## **CLOSING OF THE SESSION**

20. The Chair closed the session.

*21. The Committee of Experts unanimously adopted this report by electronic means on May 14, 2024.*

[Annexes follow]