

商标注册用商品和服务国际分类特别联盟（尼斯联盟）

专家委员会

第三十二届会议

2022年4月25日至28日，日内瓦

报 告

经专家委员会通过

导 言

1. 尼斯联盟专家委员会（下称委员会）于2022年4月25日至28日在日内瓦以混合形式举行了第三十二届会议。委员会下列成员派代表出席了会议：阿尔及利亚、阿塞拜疆、埃及、爱沙尼亚、奥地利、澳大利亚、保加利亚、波兰、大韩民国、丹麦、德国、俄罗斯联邦、法国、芬兰、荷兰、吉尔吉斯斯坦、加拿大、捷克共和国、拉脱维亚、立陶宛、联合王国、罗马尼亚、美利坚合众国、摩尔多瓦共和国、墨西哥、挪威、葡萄牙、日本、瑞典、瑞士、塞尔维亚、沙特阿拉伯、斯洛伐克、塔吉克斯坦、特立尼达和多巴哥、土耳其、乌克兰、乌拉圭、西班牙、新加坡、新西兰、匈牙利、以色列、意大利、印度和中国（46个）。下列国家派观察员出席了会议：巴基斯坦、巴西、秘鲁、菲律宾、哥伦比亚、洪都拉斯、科威特、莱索托、泰国、委内瑞拉玻利瓦尔共和国、伊拉克（11个）。下列国际政府间组织的代表以观察员身份参加了会议：比荷卢知识产权局（BOIP）、非洲地区知识产权组织（ARIPO）、非洲知识产权组织（OAPI）和欧洲联盟（欧盟）。下列非政府组织的代表以观察员身份参加了会议：国际保护知识产权协会（AIPPI）、国际商标协会（INTA）、加拿大知识产权协会（IPIC）和日本专利代理人协会（JPAA）。与会者名单见本报告附件一。

2. 会议由产权组织基础设施和平台部门助理总干事夏目健一郎先生宣布开幕，他对与会者表示欢迎。

主席团成员

3. 主席汤姆·克拉克先生（EUIPO）于去年当选，任期两个日历年。委员会一致选举安德烈亚斯·厄斯特隆德先生（瑞典）和路易丝·伊德·弗兰克女士（丹麦）担任副主席。

4. 艾莉森·齐格女士（产权组织）担任会议秘书。

通过议程

5. 委员会一致通过了议程，见本报告附件二。

讨论、结论和决定

6. 依照 1979 年 9 月 24 日至 10 月 2 日举行的产权组织领导机构第十届系列会议的决定（见文件 AB/X/32 第 51 段和第 52 段），本届会议的报告仅反映委员会的各项结论（决定、建议、意见等），尤其不反映任何与会者的发言，除非是在委员会任何具体结论作出后对结论表示或者再次表示的保留意见。

通过尼斯分类第十一版的修正和其他修改，以及 NCL12 的生效

7. 根据《议事规则》第 7 条第(1)款，委员会同意，对尼斯分类第十一版 2022 年文本的修改，以及在整个六年修订期间通过的《尼斯协定》第三条第七款第（二）项¹意义上的修正，将于 2023 年 1 月 1 日生效，并在 2022 年年底以前以英文和法文在线公布新的（第十二版）文本（NCL(12-2023)）。

8. 委员会注意到，NCLPub 网站上将作提前公布，英文和法文版 Excel 格式的商品和服务表将于 2022 年 6 月底之前在[电子论坛](#)上公布。

9. 委员会请国际局借此机会更正在尼斯分类案文中发现的所有明显打字或语法错误，并尽可能统一标点符号的使用。

审议 NCLRMS 表决 1 后的第一组提案

10. 讨论依据 NCLRMS 中的第一组进行（项目 [CE322](#) 附件 3），其中载有在表决 1 中获得五分之四多数支持的分​​类修改提案汇总表。

11. 应要求，一项提案被移至第二组。委员会一致同意通过第一组的其余提案。委员会的决定可见 NCLRMS/Sessions/CE32/Group 1（以及[电子论坛](#)，项目 [CE320](#)）。

审议 NCLRMS 表决 1 后的第二组提案

12. 讨论依据 NCLRMS 中的第二组进行（项目 [CE322](#) 附件 5），其中载有在表决 1 中未获五分之四多数支持的分​​类修正和其他修改提案汇总表。

13. 委员会通过了对分类的大量修正和其他修改。委员会的决定可见 NCLRMS/Sessions/CE32/Group 2（以及[电子论坛](#)，项目 [CE320](#)）。

¹ 《尼斯协定》第三条第七款第（二）项：“通过商品和服务分类修正的决定，应由出席会议并参加表决的特别联盟各国以五分之四多数作出。修正是指将商品或服务从一个类移到另一个类，或建立新类。”

NCLRMS（尼斯分类修订管理方案）新修订程序

(a) 引入表决 2

14. 讨论依据项目 [CE322](#) 附件 2 进行，涉及使用 NCLRMS 的新修订程序和引入表决 2，由国际局提交。

15. 委员会感谢国际局考虑成员国的反馈意见并拟定了该项目，该项目最初是在第三十一届会议上讨论的。值得注意的是，表决 1 五分之四多数支持的标准得到了成员国的赞赏，这使会议期间对第二组提案的讨论更加热烈。总的来说，委员会非常支持并批准引入两阶段表决的新修订程序。会议还认识到，今后将考虑对 NCLRMS 进行进一步改进。

专家委员会下届会议

16. 委员会注意到，下届（第三十三届）会议将于 2023 年 4 月底或 5 月初在日内瓦举行，具体取决于产权组织各主要委员会的时间表。

会议闭幕

17. 主席宣布会议闭幕。

18. 专家委员会于 2022 年 5 月 16 日以电子方式一致通过了本报告。

[后接附件]

附件一

LISTE DES PARTICIPANTS/LIST OF PARTICIPANTS

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[技术附件和文件完]