

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL CLASSIFICATION  
FOR INDUSTRIAL DESIGNS  
(LOCARNO UNION)**

**COMMITTEE OF EXPERTS**

**Ninth Session  
Geneva, November 14 to 18, 2005**

PROPOSALS FOR ADDITIONS AND AMENDMENTS  
TO THE EIGHTH EDITION OF THE LOCARNO CLASSIFICATION

*Document prepared by the International Bureau*

1. The Annex to this document contains proposals for additions and amendments to the eighth edition of the Locarno Classification submitted by the United Kingdom in response to WIPO Note C. LOC 11, dated July 28, 2004.

2. *The Committee of Experts is invited to consider the above-mentioned proposals and decide thereon.*

[Annex follows]



INVESTOR IN PEOPLE

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Date 14 January 2005

Dear Sir

**Proposals for changes in the eighth edition of the International Classification of Industrial Designs (Locarno Classification): Committee of Experts Nov. 2005**

Thank you for your letter of July 28, 2004, inviting the United Kingdom office to submit to the International Bureau proposals for the amendment or additions to the current edition of the Locarno Classification.

I have pleasure in enclosing proposals which we think would improve the operation of the Locarno system and they are set out in the following annexes:

- Annex A: New Indications;
- Annex B: Creation of a new class;
- Annex C: Addition to the General Remarks.

You will note that I have proposed a new category of designs to be added to the classification, namely, logos, graphic designs, ornamentation, get-up and surface patterns. In order to achieve this aim I have firstly proposed that such designs are classified under Class 99 as miscellaneous items. However, if the Committee rejects this suggestion then the UK will propose the creation of a new class in order to cater for this category of designs which Locarno does not currently cover.

We look forward to discussing these proposals at the Committee of Experts which is due to meet on November 14<sup>th</sup> 2005.

Yours faithfully

CHARLES HAMILTON

TRADE MARKS & DESIGNS CLASSIFICATION



**Ninth Session of the Committee of Experts 2005**

**New Indications**

<b>Class/ Sub class</b>	<b>Indication of Goods</b>
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14-01	MP3 players
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**Justification for new indication:**

These goods are frequently specified in design applications and it would be helpful for the users of the Locarno system to be able to quickly identify the class and sub-class when searching the classification. Although MP3 is only one of various methods of compressing sound into audio files, this is the most commonly identified system.

<b>Class/ Sub class</b>	<b>Indication of Goods</b>
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14-03	Global positioning systems [GPS]
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14-03	Satellite navigational apparatus
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**Justification for new indication:**

These goods are frequently specified in design applications and it would be helpful for the users of the Locarno system to be able to quickly identify the class and sub-class when searching the classification. Commonly known by the abbreviation "GPS", these are goods are used mainly for the purpose of identifying the precise location of individuals as well as for navigating.



ANNEX A



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**Ninth Session of the Committee of Experts 2005**

**New Indications**

<b>Class/ Sub class</b>	<b>Indication of Goods</b>
99-00	Get-up
99-00	Get-up [arrangement of the interior of a room]
99-00	Graphic designs [two-dimensional]
99-00	Graphic designs for applied to packaging
99-00	Logos applied to clothing
99-00	Ornamentation applied to surfaces
99-00	Surface patterns

**Justification for new indications:**

The European Directive (Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998) requires that European Union member states broaden the scope of the term "design" to include ornamentation. Consequently, it would seem that the current Locarno classification for industrial designs lacks the provision to classify designs which are not, in themselves, a type of industrial product falling within the current Locarno classes. Because of the changes in design law, which reflects the diversity in the use of designs, there is a need to provide for the categorisation of two dimensional designs within the Locarno Classification. Examples of such designs are listed above.

**Note: if the Committee rejects these new indications for inclusion in Class 99, the United Kingdom recommends that a new class be created for this new category of designs. Details are shown under Annex B.**



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## ANNEX B

### Ninth Session of the Committee of Experts 2005

#### Creation of a new class

#### **CLASS 32**

#### **Graphic symbols and logos; surface patterns; ornamentation**

Note: These two dimensional symbols, logos, patterns and ornamentations fall in the subclasses as listed below and are classified according to the goods to which they are applied.

- 32-01 Celestial bodies, natural phenomena, geographical maps
- 32-02 Human beings
- 32-03 Animals
- 32-04 Supernatural, fabulous, fantastic or unidentifiable beings
- 32-05 Plants
- 32-06 Landscapes
- 32-07 Constructions, structures for advertisements, gates or barriers
- 32-08 Foodstuffs
- 32-09 Textiles, clothing, sewing accessories, headwear, footwear
- 32-10 Tobacco, smokers' requisites, matches, travel goods, fans, toilet articles
- 32-11 Household utensils
- 32-12 Furniture, sanitary installations
- 32-13 Lighting, wireless valves, heating, cooking or refrigerating equipment, washing machines, drying equipment
- 32-14 Ironmongery, tools, ladders
- 32-15 Machinery, motors, engines
- 32-16 Telecommunications, sound recording or reproduction, computers, photography, cinematography, optics



- 32-17 Horological instruments, jewellery, weights and measures
- 32-18 Transport, equipment for animals
- 32-19 Containers and packing, representations of miscellaneous products
- 32-20 Writing, drawing or painting materials, office requisites, stationery and booksellers' goods
- 32-21 Games, toys, sporting articles, roundabouts
- 32-22 Musical instruments and their accessories, music accessories, bells, pictures, sculptures
- 32-23 Arms, ammunition, armour
- 32-24 Heraldry, coins, emblems, symbols
- 32-25 Ornamental motifs, surfaces or backgrounds with ornaments
- 32-26 Geometrical figures and solids
- 32-27 Forms of writing, numerals
- 32-28 Inscriptions in various characters
- 32-29 Colours

**Justification for new Class:**

The European Directive (Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998) requires that European Union member states broaden the scope of the term "design" to include ornamentation. Consequently, it would seem that the current Locarno classification for industrial designs lacks the provision to classify designs which are not, in themselves, a type of industrial product falling within the current Locarno classes. Because of the changes in design law, which reflects the diversity in the use of designs, there is a need to provide for the categorisation of two dimensional designs within the Locarno Classification. Examples of such designs are listed above. In order to sub-classify these designs, the United Kingdom office uses the Vienna Classification which is suited for this purpose.

**Note:** In the event that this new category of designs are accepted by the Committee under Class 99, the United Kingdom will withdraw this proposal to create the new Class 32.



**Addition to the General Remarks**

***GENERAL REMARKS***

**New paragraph (f):**

Designs that take the form of two-dimensional graphic symbols, logos, ornamentation or patterns which are applied to the surfaces of materials and objects, are classified under Class \_\_.

**Justification for new General Remark:**

The general remark is required in order to make it clear that these designs are do not fall in same class or classes as the goods to which they are applied. The class number has been left blank because it will be for the Committee to decide whether this new category of designs should fall under Class 99 or in a new Class 32.

[End of Annex and of document]