

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES FOR THE PURPOSES OF THE REGISTRATION OF MARKS
(NICE UNION)**

PREPARATORY WORKING GROUP

**Twenty-Fourth Session
Geneva, April 19 to 23, 2004**

REPORT

adopted by the Preparatory Working Group

INTRODUCTION

1. The Preparatory Working Group of the Committee of Experts of the Nice Union (hereinafter referred to as “the Working Group”) held its twenty-fourth session in Geneva from April 19 to 23, 2004.
2. The following current members of the Working Group were represented at the session: Algeria, Austria, China, Croatia, France, Germany, Hungary, Ireland, Japan, Kazakhstan, Latvia, Luxembourg, Mexico, Netherlands, Norway, Portugal, Republic of Korea, Romania, Russian Federation, Slovenia, Spain, Sweden, Switzerland, United Kingdom, United States of America (25). The Benelux Trademark Office (BBM) and the Commission of the European Communities (CEC) were represented by observers.
3. The Working Group noted that, in accordance with the Rules of Procedure of the Committee of Experts of the Nice Union, Finland had become a new member of the Working Group. Brazil, Côte d’Ivoire, the Dominican Republic, Greece, Iraq, Kenya, Lithuania, the Philippines, Singapore, The former Yugoslav Republic of Macedonia, Turkey and Ukraine also participated in the Working Group as observers.

4. The list of participants appears as Annex I to this report.
5. The session was opened by Mr. Jean-Paul Hoebreck, Deputy Director, International Trademark and Industrial Design Classifications Service, International Registrations Administration Department, Sector of Trademarks, Industrial Designs and Geographical Indications (WIPO), who welcomed the participants on behalf of the Director General.

OFFICERS

6. The Working Group unanimously elected Mrs. Maria Joana Marques Cleto (Portugal) as Chair and Mr. Ştefan Cocoş (Romania) as Vice-Chair.
7. Mr. Jean-Paul Hoebreck (WIPO) acted as Secretary of the session.

ADOPTION OF THE AGENDA

8. The Working Group unanimously adopted the agenda, which is reproduced in Annex II to this report.

CONCLUSIONS, DISCUSSIONS AND DECISIONS

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

CONTINUATION OF THE CONSIDERATION OF ADDITIONAL PROPOSALS FOR CHANGES TO THE EIGHTH EDITION OF THE NICE CLASSIFICATION

10. Discussions were based on documents CLIM/GTP/21/2 to 6, CLIM/GTP/22/2 to 5, CLIM/GTP/23/2 to 5 and CLIM/GTP/24/2 to 7, containing proposals for changes to the Nice Classification submitted by Azerbaijan, Japan, Kyrgyzstan, the Republic of Korea, the Russian Federation, Sweden, Switzerland, Ukraine, the United Kingdom, the Benelux Trademark Office (BBM) and the International Bureau.
11. The Working Group approved a number of changes to the Nice Classification, shown in Annex III to this report, which also shows the proposed changes that were rejected by the Working Group or withdrawn by the proposing offices.

12. While considering the deletion of the indication D0221 “Dog washes” (proposal BX-2-007) or its modification (proposal KG-3-003), the modification of the indication C0259 “Cattle washes” (proposal KG-3-002), and the transfer of indication A0306 “Animal washes” (proposal BX-3-012), which belong to Class 5, the Working Group noted that certain offices had experienced difficulties in classifying products of that type either in Class 3 or in Class 5.

13. As a result, the Working Group noted that the Benelux Trademark Office (BBM) would review all indications of goods relating to animal washes in the Alphabetical List of the eighth edition of the Nice Classification and draw up a consolidated document, which would be submitted to the next session of the Working Group for consideration.

STATUS OF THE WORK

14. In view of the heavy workload put before the Working Group, it was not possible to consider all proposals for changes to the eighth edition of the Nice Classification (see document CLIM/GTP/24/4), and so the Working Group agreed to discuss the remaining proposals at its next session (see paragraph 17 of this report).

15. With regard to Items 5, 6 and 7 of the agenda (see document CLIM/GTP/24/1), the Working Group also agreed to discuss at its next session the proposal concerning the classification of “Motors and engines; couplings and transmission components” in Classes 7 and 12, submitted by Switzerland (see document CLIM/GTP/24/5) and the proposals for changes in Classes 32 and 33 and for the transfer of the Class Heading “Legal services” and related indications from Class 42 to Class 45, which were submitted by the International Bureau (see documents CLIM/GTP/24/6 and 7 respectively).

16. The Working Group also agreed to discuss at its next session the working papers containing proposals for changes to the Nice Classification submitted by Mexico, Singapore and the United States of America, which had been distributed during the session.

SUBMISSION OF NEW PROPOSALS FOR CHANGES TO THE NICE CLASSIFICATION

17. In order to continue the work on the revision of the Nice Classification, the Working Group invited member States of the Nice Union and intergovernmental organizations concerned to submit to the International Bureau by October 1, 2004, any new proposals for changes to the Classification, which would then be considered by the Working Group at its next session. Such proposals should, however, be based on the discussions that had taken place at the current session.

NEXT SESSION OF THE WORKING GROUP

18. The Working Group noted that its next session would be held in Geneva from January 31 to February 4, 2005.

19. The Working Group unanimously adopted this report at its closing session on April 23, 2004.

[Annexes follow]