

WIPO



CLIM/GTP/27/2

English only

DATE: July 14, 2008

WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

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

PREPARATORY WORKING GROUP

**Twenty-Seventh Session
Geneva, October 6 to 10, 2008**

**PROPOSALS FOR ADDITIONAL CHANGES
TO THE NINTH EDITION OF THE NICE CLASSIFICATION**

Document prepared by the International Bureau

1. The Annexes to this document contain proposals for additional amendments and other changes to the ninth edition of the Nice Classification, received in response to WIPO Circular NCL 80, dated January 23, 2008.
2. These proposals were submitted by Australia (Annex I), China (Annex II), Germany (Annex III), Hungary (Annex IV), Japan (Annex V), Moldova (Annex VI), Russian Federation (Annex VII) and the United States of America (Annex VIII).
3. *The Preparatory Working Group is invited to consider the above-mentioned proposals and to express its views thereon.*

[Annexes follow]

ANNEX I



Australian Government

IP Australia

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14 April 2008

Mr Ernesto Rubio
Assistant Director General
World Intellectual Property Organisation
34, chemin de Colombettes
1211 Geneve 20
SWITZERLAND

Dear Mr Rubio

Thankyou for your invitation of 23 January 2008 requesting proposals for changes in the ninth edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification). I have the pleasure of responding on behalf of IPAustralia, please find attached Australia's proposals for changes to the ninth edition of the Nice Classification.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Chrissie Norman'.

Chrissie Norman
Assistant Director
Trade Marks & Designs
IPAustralia



CERTIFIED QUALITY
MANAGEMENT SYSTEM
— ISO 9001 —

Category 1: new indications, relating to goods/services that do not appear in the Alphabetical List of the 9th edition of the Classification			
Class	Indication	Related Indications	Remarks
9	<i>Global Positioning Systems (GPS)</i>	<i>090358 Navigational instruments</i>	It could be argued that the related indication already covers this item, but this is an increasingly popular piece of equipment and the term is in common use
9	<i>Portable media players Digital audio players</i>	<i>090452 Sound reproduction apparatus 090663 Personal stereos</i>	This is an attempt to cover 'iPods' and similar type apparatus. Again, it could be argued that the related indications already cover these goods, but they are relatively new and it seems unlikely that they would commonly be described using either of the existing indications
13	<i>Side arms [firearms]</i>	<i>130009 Firearms 080022 Side arms, other than firearms</i>	Provides a 'matching' side arms claim in class 13 for 080022. Would remove any possible confusion over the delineation of classes 8 and 13 for side arms.
26	<i>Hair extensions</i>	<i>260044 Tresses of hair</i>	This is a more up-to-date and common term for these type of goods.
27	<i>Artificial sports surfaces (floor coverings)</i>		Provides clear guidance for artificial surfaces (eg 'astro turf' or 'rebound ace') used for sports

Category 1: new indications, relating to goods/services that do not appear in the Alphabetical List of the 9th edition of the Classification			
Class	Indication	Related Indications	Remarks
29	<ul style="list-style-type: none"> • <i>Stock (bouillon)</i> • <i>Stock (bouillon) cubes</i> 	<p><i>290014 Bouillon</i></p> <p><i>290023 Bouillon concentrates</i></p>	‘Stock’ and ‘stock cubes’ are terms more commonly used than bouillon in many countries. Amendment of 290014 and 290023 to include a reference to ‘stock’ would also be an option.
32	<i>Sports drinks (non-medicated)</i>	<i>320045 Isotonic beverages</i>	Not all sports drinks are necessarily isotonic beverages and it is a product growing in popularity. Would be good to have an entry to clarify that they are generally not class 5.
33	<i>Pre-mixed alcoholic beverages</i>		Another growing field with the increasing popularity of ‘ready-to-drink’ and ‘alco-pop’ type drinks.
35	<i>Business management of sports people</i>	<i>350079 Business management of performing artists</i>	Common confusion between classes 41 and 35 for these types of services.
38	<ul style="list-style-type: none"> • <i>Transmission of digital media files</i> • <i>Wireless broadcasting</i> 	<i>380024 Computer aided transmission of messages and images</i>	To cover ‘pod casts’ and other similar transmission or broadcast services (popular emerging area).
39	<i>Rental of refrigerated water coolers</i>	<p><i>390043 Frozen-food locker rental</i></p> <p><i>390043 Refrigerator rental</i></p>	The rental of these goods is common (especially in offices, waiting rooms etc)

Category 1: new indications, relating to goods/services that do not appear in the Alphabetical List of the 9th edition of the Classification			
Class	Indication	Related Indications	Remarks
41	<i>Rental of sports grounds</i>	<i>410067 Rental of stadium facilities</i> <i>410087 Rental of tennis courts</i> <i>410035 Providing sports facilities</i>	The suggested addition is a slightly broader claim than the existing indications and would clearly cover the rental of all types of sporting grounds, not just stadiums or tennis courts
41	<i>Disc jockey services</i>	<i>410047 Discotheque services</i>	Disc jockeys are hired to provide music and/or entertainment. These services are common and do not seem to be covered by any of the existing indications
41	<i>Language interpreter services</i>	<i>410104 Translation</i>	Interpreter services are becoming more common and are a different service to 'translation'.
41	<ul style="list-style-type: none"> • <i>Personal trainer services (health and fitness training)</i> • <i>Conducting fitness classes (aerobics)</i> 		There are very few indications that cover health and fitness exercise, training and/or classes. Personal trainers are becoming increasingly common and popular.

Category 2: indications to be deleted because the goods or services covered by those indications are no longer needed in the Alphabetical List				
Class	Basic No	Indication	Related Indication(s)	Remarks
1	010563	<i>Algarovilla [tanning material]</i>	<i>010509 Tanning substances</i>	Goods are obscure and are already covered by the related indication
1	010603	<i>Compositions for the manufacture of phonograph records Phonograph records (Compositions for the manufacture of-)</i>	N/A	Outdated
1	010246	<i>Renovating preparations for phonograph records Records (Renovating preparations for phonograph-) Phonograph records (Renovating preparations for-)</i>	N/A	Outdated
2	020097	<i>Bright gold for ceramics</i>	<i>020037 Ceramic paints</i>	Indication is already covered by the related indication
2	020030	<i>Bright platinum for ceramics Platinum paint (Glossy-) for ceramics</i>	<i>020037 Ceramic paints</i>	Indication is already covered by the related indication
2	020012	<i>Silver paint for ceramics Paint (Silver-) for ceramics</i>	<i>020037 Ceramic paints</i>	Indication is already covered by the related indication
5	050173	<i>Anti-horse-fly oils Oils (Anti-horse-fly -)</i>	<i>050178 Insect repellents</i>	Indication is already covered by the related indication


Category 2: indications to be deleted because the goods or services covered by those indications are no longer needed in the Alphabetical List				
Class	Basic No	Indication	Related Indication(s)	Remarks
5	050014	<i>Sal ammoniac lozenges</i>	<i>050214 Lozenges for pharmaceutical purposes</i>	Indication is already covered by the related indication
6	060076	<i>Pipes of metal, for central heating installations</i>	<i>060127 Pipes of metal</i>	Indication is already covered by the related indication
7	070017	<i>Igniting magnetos for engines</i>	<i>070244 Igniting magnetos</i>	Indication is already covered by the related indication
7	070259	<i>Looms [machines]</i>	<i>070259 Looms</i>	Although both have the same basic number, the indication 'looms' should be sufficient to describe this type of good.
7	070345	<i>Pressing machines to make satin-like</i>	<i>070102 Presses</i> <i>070316 Presses [machines for industrial purposes]</i>	Indication is already covered by the related indications
7	070121	<i>Turnip cutters</i>	<i>070123 Cutters [machines]</i>	Goods are obscure and are already covered by the related indication
8	080022	<i>Arms (Side-)</i>	<i>080022 Side arms, other than firearms</i>	The term 'side arms' has come to include firearms (Cl, 13). Both indications have the same basic number, but the second indication includes a clarification not present in the first claim. Either delete the first indication or amend to reflect the second.

Category 2: indications to be deleted because the goods or services covered by those indications are no longer needed in the Alphabetical List				
Class	Basic No	Indication	Related Indication(s)	Remarks
9	090320	<i>Batteries for pocketlamps</i>	<i>090031 Batteries for lighting</i>	Indication is already covered by the related indication
9	090521	<i>Buzzers, electric</i>	<i>090522 Buzzers</i>	Indication is already covered by the related indication
9	090147	<i>Contacts, electric, of precious metal</i>	<i>090148 Contacts, electric</i>	Indication is already covered by the related indication
10	100068	<i>Horsehair gloves for massage</i>	<i>100092 Gloves for massage</i>	Goods are obscure and are already covered by the related indication
11	110153	<i>Furnaces</i>	<i>110150 Furnaces, other than for experimental purposes</i>	If the qualification of the related indication is important, then there should only be one indication for 'furnaces' and it should be the one with the qualification.
11	110041	<i>Lanterns for lighting</i>	<i>110144 Lanterns</i>	Indication is already covered by the related indication
12	120157	<i>Tires, solid, for vehicle wheels</i> <i>Tyres, solid, for vehicle wheels</i>	<i>120031 Tires for vehicle wheels</i> <i>Tyres for vehicle wheels</i>	Indications are already covered by the related indications
15	150047	<i>Bass drum sticks</i>	<i>150010 Drumsticks</i>	Indication is already covered by the related indication

Category 2: indications to be deleted because the goods or services covered by those indications are no longer needed in the Alphabetical List				
Class	Basic No	Indication	Related Indication(s)	Remarks
16	160060	<i>Tear-off calendars</i>	<i>160270 Calendars</i>	Indication is already covered by the related indication
20	200007	<i>Nesting boxes for household pets Boxes (Nesting -) for household pets Household pets (Nesting boxes for -)</i>	<i>200109 Nesting boxes Boxes (Nesting -)</i>	Indication is already covered by the related indication
21	210074	<i>Feeding troughs for animals</i>	<i>210002 Feeding troughs</i>	Indication is already covered by the related indication
21	210106	<i>Lye washtubs</i>	<i>210106 Washtubs</i>	Although both have the same basic number, the indication 'washtubs' should be sufficient to describe this type of good.
21	210095	<i>Mangers for livestock</i>	<i>210074 Mangers for animals</i>	Indication is already covered by the related indication
21	210072 210172	<i>Shirt stretchers Trousers stretchers</i>	<i>210221 Stretchers for clothing</i>	Indication is already covered by the related indication
22	220007	<i>Stuffing</i>	<i>220030 Stuffing, not of rubber or plastic</i>	The first indication (which is without an asterisk) implies that all stuffing falls in class 22. The related indication is clearer.
28	280023	<i>Balls for games (Small -)</i>	<i>280011 Balls for games</i>	Indication is already covered by the related indication

Category 2: indications to be deleted because the goods or services covered by those indications are no longer needed in the Alphabetical List				
Class	Basic No	Indication	Related Indication(s)	Remarks
31	310051	<i>Poultry for breeding Breeding (Poultry for -)</i>	<i>310123 Poultry, live</i>	Indication is already covered by the related indication. No other livestock indications have a separate indication for breeding stock.
34	340002	<i>Mouthpieces of yellow amber for cigar and cigarette holders Yellow amber (Mouthpieces of -) for cigar and cigarette holders</i>	<i>340023 Mouthpieces for cigarette holders Cigarette holders (Mouthpieces for -)</i>	Indication is already covered by the existing indication. The existing indication could be amended to include reference to cigars if necessary.
40	40102	<i>Dental technician (Services of a -)</i>		This claim is very broad and could cover a number of services that could be performed by a dental technician that fall outside class 40 (such as many of the dental services in class 44). This may be due to differences between countries in the role a dental technician may take. An appropriate replacement may be 'custom fabrication of dental appliances or prostheses' or 'custom fabrication of dental appliances such as dentures, crowns or bridge work'.

Category 3: modifications of existing indications of goods or services, following transfer of the goods or services to other classes, or merely for clarification of wordings				
Class	Basic No	Indication	Suggested Amendment	Remarks
1	010219	<i>Cream of tartar, other than for pharmaceutical purposes</i>	<i>Cream of tartar (chemical additive) or Cream of tartar for industrial, agricultural, horticultural or forestry purposes</i>	Cream of tartar is also a cooking agent as well as having a pharmaceutical purpose. See also 010514 <i>Tartar other than for pharmaceutical purposes</i> . This may be ok to leave as is, as the cooking agent is specifically known as 'cream of tartar'.
1	010024	<i>Tragacanth gum for use in manufactures Gum (Tragacanth-)for use in manufactures</i>	<i>Tragacanth gum for use in manufacturing Gum (Tragacanth-)for use in manufacturing</i>	Amend 'manufactures' to 'manufacturing' for clarification
7	070056	<i>Aerated beverages making machines</i>	<i>Aerated beverage-making machines</i>	Amend 'beverages' to 'beverage' for clarity
7	070296	<i>Edible pastes making machines</i>	<i>Edible paste-making machines</i>	Amend 'pastes' to 'paste' for clarity
9	090342	<i>Computer memories</i>	<i>Computer memory</i>	Grammatical correction
9	090568	<i>Ovens for laboratory experiments</i>	<i>Ovens for laboratory use</i>	Provides a slightly broader claim which is in line with other goods with similar qualifications

Category 3: modifications of existing indications of goods or services, following transfer of the goods or services to other classes, or merely for clarification of wordings				
Class	Basic No	Indication	Suggested Amendment	Remarks
11	110119	<i>Beverages cooling apparatus</i>	<i>Beverage-cooling apparatus</i>	Amend 'beverages' to 'beverage' for clarity
11	110035	<i>Bath tubs for sitz baths</i> <i>Sitz-baths (Bath tubs for –)</i>	Transfer indication to class 10	References show that a sitz bath is a lower body water bath most commonly used for treating medical conditions. It is specially adapted to fit the hips only and is commonly administered using a saline solution. See diagram below: 
16	160147	<i>Photographs</i>	<i>Photographs (printed)</i>	Removes any confusion with digitally-stored photographs which would fall in class 9.

Category 3: modifications of existing indications of goods or services, following transfer of the goods or services to other classes, or merely for clarification of wordings				
Class	Basic No	Indication	Suggested Amendment	Remarks
21	210255 210209	<i>Coffee services</i> <i>Tea services</i>	<i>Coffee services (tableware)</i> <i>Tea services (tableware)</i>	Removes any confusion with ‘coffee shop services’ in class 43
22	220017	<i>Hair</i>	<i>Hair [stuffing]</i>	Removes any confusion with wigs, hairpieces etc in class 26
30	300134	<i>Pasty</i>	<i>Pasties</i>	Grammatical correction to plural form
31	310037 310108 310032 310075	<i>Cucumbers</i> <i>Leeks</i> <i>Lemons</i> <i>Lettuce</i>	<i>Cucumbers, fresh</i> <i>Leeks, fresh</i> <i>Lemons, fresh</i> <i>Lettuce, fresh</i>	Brings the claim into line with other types of fruit and veg in class 31 which are qualified with ‘fresh’.
39	390075	<i>Courrier services [messages or merchandise]</i>	<i>Courier services [messages or merchandise]</i>	Typographical error
41	410054	<i>Health club services</i>	<i>Health club services (health and fitness training)</i>	‘Health club services’ is broad and can cover services such as massage or nutrition advice, both of which fall in class 44.

[Annex II follows]

ANNEX II

中华人民共和国国家工商行政管理总局商标局
Trademark Office
State Administration for Industry and Commerce
People's Republic of China

Ernesto Rubio
Assistant Director General
34, chemin des Colombettes
1211 Geneve 20, Switzerland

Date: March 11, 2008

Dear Sir

Please check the proposals (see Annex I) by our bureau for changes in the ninth edition of the Nice Classification according to the documents of C.NCL 80.

Sincerely yours



Li Jianchang

Director General

Trademark office

State Administration for

Industry and Commerce

People's Republic of China

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Telephone: (010) 88650000
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Annex

PROPOSAL SUBMITTED BY CHINA

Category 3: modification of existing indications of goods or services

1. Transfer 'S0439 Silencers for motors and engines' from Basic No.070451 to Basic No.070519.

Basic No.	English Indication	French Indication
070451	E0199 Exhausts for motors and engines S0439 Silencers for motors and engines	P0891 pots d'échappement pour moteurs
070519	M0477 Mufflers for motors and engines	S0317 silencieux pour moteurs

We think 'S0439 Silencers for motors and engines' has the same meaning as 'M0477 Mufflers for motors and engines', so we suggest changing the Basic No. of 'S0439 Silencers for motors and engines' from 070451 to 070519.

2. Transfer 'W0185 Welding apparatus, electric' from Basic No.090456 to Basic No.090428.

Basic No.	English Indication	French Indication
090456	S0643 Soldering apparatus, electric W0185 Welding apparatus, electric	S0416 souder (appareils à ---) électriques
090428	E0070 Electric welding apparatus	S0427 soudure électrique (appareils de ---)

We think 'W0185 Welding apparatus, electric' has the same meaning as 'E0070 Electric welding apparatus', so we suggest changing the Basic No. of 'W0185 Welding apparatus, electric' from 090456 to 090428.

3. Transfer 'L0119 Leather leashes' from Basic No.180031 to Basic No.180005.

Basic No.	English Indication	French Indication
180031	L0012 Laces (Leather ---) L0105 Leads (Leather ---) L0118 Leather leads L0119 Leather leashes	C1268 cordons en cuir
180005	L0107 Leashes (Leather ---)	L0037 laisses

We think 'L0119 Leather leashes' has the same meaning as 'L0107 Leashes (Leather ---)', so we suggest changing the Basic No. of 'L0119 Leather leashes' from 180031 to 180005.

4. Modify 190214, 060040 and 060322.

Basic No.	English Indication	French Indication
190214	F0322 Floor tiles, not of metal T0236 Tile floorings, not of metal	C0278 carrelages non métalliques
060040	F0323 Floor tiles of metal	D0002 dalles métalliques
060322	T0237 Tile floorings of metal	C0277 carrelages métalliques

If 'Floor tiles' has the same meaning as 'Tile floorings', we suggest combining Basic No. 060040 and 060322. If they are not the same things, we suggest separating 190214 into two Basic No.

[Annex III follows]

ANNEX III

Deutsches Patent- und Markenamt

München, den 13. März 2008

Telefon: (0 89) 21 95 - 4480

Aktenzeichen: BfKD

Deutsches Patent- und Markenamt · 80297 München

OMPI (Organisation Mondiale de la Propriété
Intellectuelle)

34, chemin des Colombettes
1211 Genève
(SUISSE)

Ihr Zeichen: C.NCL 80/00

Re: Proposals for changes in the ninth edition of the International Classification of Goods and Services
for the Purposes of the Registration of Marks (Nice Classification) – Proposals of the German Patent
and Trade Mark Office

Madam,

Sir,

the German Patent and Trade Mark Office would like to submit to the International Bureau of the World
Intellectual Property Organization (WIPO) the following proposals for changes in the Nice Classification:

I. Classification of "Napkins" and "Diapers"

Category 2: Deletions

Delete:

Class 16: "Babies' diapers of paper and cellulose, disposable" (Nr. 160321)

"Babies' napkins of paper and cellulose, disposable" (Nr. 160181)

"Babies' napkin-pants [diaper-pants] of paper and cellulose, disposable" (Nr. 160322)

Class 25: "Babies' diapers of textile" (Nr. 250091)

"Babies' pants" (Nr. 250058)

Category 3: Modifications

**Dokumentenannahme
und Nachbriefkasten
nur
Zweibrückenstraße 12**

Hauptgebäude:
Zweibrückenstraße 12

Markenabteilungen:
Cincinnatistraße 64
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Deutsches Patent- und Markenamt
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Bundeskasse Weiden
BBk München
Kto.Nr.: 700 010 54
BLZ: 700 000 00
BIC (SWIFT-Code): MARKDEF1700
IBAN: DE84 7000 0000 0070 0010 54

S-Bahnanschluss im
Münchner Verkehrs- und
Tarifverbund (MVV):



Zweibrückenstr. 12 (Hauptgebäude):
S1 - S8 Haltestelle Isartor

Schwere-Reiter-Straße 37
Cincinnatistraße 64

Replace:

Class 5: "Napkins for incontinents" (Nr. 050351)

with

Class 5: "Napkins"/"Diapers"

(Napkins are today mostly made of plastic materials, so the entry in class 16 is actually obsolete. As all napkins serve hygienic purposes, they should be classified in class 5, no matter whether they are for babies or for incontinents.)

II. Classification of "sleeping bags"

Category 2: Deletions

delete:

Class 20: "Sleeping bags for camping" (Nr. 200234)

Category 3: Modifications

Replace

Class 24: "Sleeping bags [sheeting]" (Nr. 240100)

with

Class 24: "Sleeping bags"

(The differentiation, as the ninth edition of Nice Classification suggests, is in our opinion not really sensible. There should be one class for all sleeping bags.)

III. Classification of "coasters" and "stands"

Category 3: Modifications

Transfer:

Nr. 090158 "Retorts' stands" to Class 21

Replace:

Nr. 210258 "Coasters, not of paper and other than table linen"

with

"Coasters"

Category 2: Deletions

Delete:

Nr. 160283 "Coasters of paper"

Nr. 240096 "Coasters [table linen]"

(Classification should follow the function which an item fulfills. As for instance Nr. 210112 "Flat-iron stands" or "Trivets [table utensils]" are already classified in Class 21, Class 21 generally seems the appropriate class for all kinds of coasters and stands.)

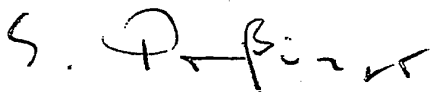
IV. Classification of "Marketing"

Category 1: New Indications

Class 35: "Marketing"

(The existing entry Nr. 350051 "Marketing research" does not cover the whole range of activities that are comprised of the term "Marketing". Trade mark owners from Germany who have been granted the term "Marketing" in Germany, often have problems with an international registration, as WIPO will suggest the term "Marketing research".)

Yours sincerely



E. Preißinger

[Annex IV follows]

ANNEX IV



HUNGARIAN PATENT OFFICE
VICE-PRESIDENT

"10" March 2008
500-N-88

Ernesto Rubio
Assistant Director General
World Intellectual Property Office
34, chemin des Colombettes
CH-1211 Geneva
Switzerland

Re: Proposals for changes in the ninth edition of the International Classification of Goods
For the Purposes of the Registration of Marks (Nice Classification)

Dear Mr. Assistant Director General,

Referring to your letter dated 28th of January, 2008 (C.NCL 80), I have the pleasure in sending you the proposals made by Hungary to be discussed on the twenty-seventh session of the Preparatory Working Group of the Committee of Experts of the Nice Union in October this year.

PART A

Category 1: new indications, relating to goods or services that do not appear in the Alphabetical List of the present edition of the Classification

Class	Indication	Remarks
9	Pen drives	Data processing equipment
28	Button footballs [games]	A game played by flipping button form players
29	Salami	
35	Telemarketing services	These services cover direct marketing services (telephone marketing etc.)

Category 2: indications to be deleted because the goods

Class	Indication	Remarks
2	White lead	Banned paints for causing health care problems.

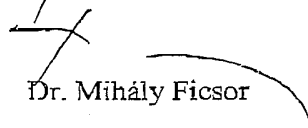
Category 3: modifications of existing indications of goods and services, following transfer of the goods or services

PART B

Changes in the class headings, the explanatory notes and the general remarks

General remarks	Proposal	Remarks
	Under „Services” insert: „Franchising services are in principle classified in the same class as the particular services covered by the franchise (e.g. Licensing of trademarks relating to franchising – Class 45, franchise financing services – Class 36, business advice relating to franchising – Class 35).	
	Under „Services” replace second phrase of (c) „The rendering of the advice, information or consultancy by electronic means (e.g. telephone, computer) does not affect the classification of these services.” with „The rendering of the advice, information or consultancy by electronic means (e.g. telephone, electronic mail, computer networks) does not affect the classification of these services.”	
Explanatory note (Class 38)	Under „This class does not include, in particular:” add: „ – telephone marketing (telemarketing) services	

Sincerely yours,



Dr. Mihály Ficsor

[Annex V follows]

ANNEX V



3-4-3 Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, JAPAN
Phone: 81-3-3581-1898 Fax: 81-3-3581-0762

JAPAN PATENT OFFICE
MINISTRY OF ECONOMY, TRADE AND INDUSTRY
GOVERNMENT OF JAPAN

March 14, 2008

Mr. Ernesto Rubio
Assistant Director General
International Registrations Administration Department
World Intellectual Property Organization
84, chemin des Colombettes
1211 Geneve 20
SUISSE

Dear Mr. Rubio:

In reply to your letter dated January 23, 2008, in which you invited proposals for changes in the ninth edition of the International Classification of Goods and Services for the Purpose of the Registration of Marks (Nice Classification), I have the pleasure in sending you herewith the new Japanese proposals for changes in the ninth edition of the Nice Classification.

Please find enclosed the list of proposed changes.

Sincerely yours,

森吉正美

MORIYOSHI Masami
Director
Trademark Division
Japan Patent Office

CATEGORY 1
New indications

Class	Basic No.	Serial No.	Proposal	Remarks
9			Cell phone straps	These goods are accessories intended for decorating “Portable telephones” (Basic No. 090661) under Class 9 of the alphabetical list, and are widely used. For the above reason, they should be listed in Class 9, as in the case of “Portable telephones” .
16			Marking pens [stationery]	These are a type of stationery in widespread use. With a tip made of fibers or plastic, they are suitable for writing and synonymous with “Marker pens.”
16			Mechanical pencils	These are a type of stationery in widespread use. They are mechanical writing instruments that can be refilled with spare leads as needed and widely used as an alternative to regular pencils. “Pencil lead holders”(Basic No. 160114) under Class 16 also embody the same structure. However, “Mechanical pencils”are better known and constitute a common indication for “mechanical writing instruments that can be refilled with spare leads.”
16			Spare leads for mechanical pencils	These are made from black lead and are intended for use in mechanical pencils, a type of stationery in widespread use. “Pencil leads” (Basic No. 160105) under Class 16 are intended for use in “Pencil lead holders” (Basic No. 160114), which embody the same structure as “Mechanical pencils.” However, “Spare leads for mechanical pencils” are better known than “Pencil leads” and constitute a common indication for Mechanical pencils’ leads.

Class	Basic No.	Serial No.	Proposal	Remarks
28			Stuffed toys	These are stitched fabric toys shaped like animals or specific characters that are stuffed with cotton, etc. The scope of stuffed toys includes “Teddy bears”(Basic Number 280151) under Class 28. Stuffed toys refer to more than simply “Teddy bears.”
28			Go games	“Go games” involve two players, each of whom is assigned black or white stones. Players take turns placing their stones on the board, with the objective of controlling a larger part of the board than their opponent. These are a type of board game that has enjoyed widespread popularity among people in East Asia since ancient times. In recent years, online Go matches have also become popular. The indication “Go games” is commonly used worldwide.
42			Remote supervision of computer systems	These are services for the remote monitoring of computer systems. They are part of a series of computer system support services normally carried out by system engineers with the purpose of solving problems that occur when customers use their computer systems.

[Annex VI follows]

ANNEX VI

AGENȚIA DE STAT
PENTRU PROPRIETATEA INTELLECTUALĂ
A REPUBLICII MOLDOVA



STATE AGENCY
ON INTELLECTUAL PROPERTY
OF THE REPUBLIC OF MOLDOVA

Sr. Andrei Doga nr. 24/1, MD-2024, Chișinău, Republica Moldova
Tel.: +(373 22)44-32-53, +(373 22)44-00-94, fax: +(373 22)44-01-19
www.agepi.md, e-mail: office@agepi.md

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nr. 509
din 2008-03-12

International Bureau
World Intellectual Property Organization
34, chemin des Colombettes, B.P. 18
CH-1211, Geneve, Suisse

Ref: C.NCL 80 of January 23, 2008

Dear Sirs/Madams,

The State Agency on Intellectual Property of the Republic of Moldova (AGEPI) has the pleasure to send you, enclosed, the proposals of the Republic of Moldova for changes in the ninth edition of the International Classification of Goods and services for the purposes of the Registration of Marks.

Yours sincerely,

Chiroșca Dorian

Director General

Enclosure: 1 page

Proposals for changes in the ninth edition of the International Classification of Goods and services for the purposes of the Registration of Marks submitted by the State Agency on Intellectual Property of the Republic of Moldova.

1. New indications:
cl. 29: preserved fish spawn;
cl. 29: processed seeds;
cl. 45: housekeeping services (cleaning or food preparation);

2. Modification of existing indications:

cl. 05 class heading	Pharmaceutical and veterinary preparations	Pharmaceutical preparations for human and veterinary use; or Pharmaceutical preparations
420206	Computer virus protection services	Services in the field of IT security

[Annex VII follows]

ANNEX VII



**ФЕДЕРАЛЬНАЯ СЛУЖБА
ПО ИНТЕЛЛЕКТУАЛЬНОЙ
СОБСТВЕННОСТИ,
ПАТЕНТАМ И ТОВАРНЫМ
ЗНАКАМ
(РОСПАТЕНТ)**

Бережковская наб., 30, корп. 1, Москва, 11-59, ГСП-5, 123995
Тел/факс 240-65-79

13.03.08 № 45-1/4-43

На № _____ от _____

Mr. Ernesto Rubio
Assistant Director General
World Intellectual
Property Organization

Fax: +41 22 733 54 28

Re: Proposals for changes in the ninth edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)

Dear Mr. Rubio,

With reference to your Circular letter of January 23, 2008 please find enclosed the proposals for changes to be introduced into Alphabetical List of the ninth edition of the Nice Classification (Category 1) prepared by the Federal Service for Intellectual Property, Patents and Trademarks.

Sincerely yours,

M. Falcev
Director
International Cooperation
Department

Federal Service for
Intellectual Property,
Patents and Trademarks

Encl.

Enclosure

Proposals prepared by the Federal Service for Intellectual Property, Patents and Trademarks to be introduced into Alphabetical List of the ninth edition of the Nice Classification under Category 1

Proposal №1.

Class 6

1. трубы для газопроводов
Pipes for a gas pipelines
Les tubes pour conduites de gaz
2. трубы для нефтепроводов
Pipes for an oil pipelines
Les tubes pour conduites de pétrole
3. подводные нефтепроводы
Oil pipelines, underwater
Conduites de pétrole, sous-marines
4. подводные газопроводы
Gas pipelines, underwater
Conduites de gaz, sous-marines

Proposal №2.

Class 37

1. бурение глубоких нефтяных и газовых скважин
Drilling of deep oil-wells and gas-wells
Forage des puits à pétrole et sondes à gaz abyssals
2. установка и ремонт подводных нефтепроводов и газопроводов
Underwater oil pipelines and gas pipelines, installation and repair
Conduites de pétrole et conduites de gaz sous-marines, installation et réparation des-

[Annex VIII follows]

ANNEX VIII



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

Marcus Hopperger
Acting Director
Law and International Classifications Division
Sector on Trademarks, Industrial Designs and
Geographical Indications
World Intellectual Property Organization
34, chemin des Colombettes
P.O. Box 18
CH-1211 Geneva 20
Switzerland

MAR 21 2008

Dear Mr. Hopperger:

Please find attached the proposals of the Delegation of the United States for discussion at the October 6-10, 2008, meeting of the Preparatory Working Group of the Committee of Experts of the Nice Union.

If you have any questions regarding the proposals or if you need additional information, please contact Jessie Roberts, United States Patent and Trademark Office's Trademark Administrator for Classification at Jessie.roberts@uspto.gov or 1-571-272-9574.

Sincerely,

A handwritten signature in black ink, appearing to read "Lois E. Boland".

Lois E. Boland
Director
Office of Intellectual Property Policy and Enforcement
United States Patent and Trademark Office

Attachments



Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

The United States Patent and Trademark Office requests the following proposal and changes to prior proposals be presented to the Twenty-Seventh Session of the Nice Union Preparatory Working Group (PWG).

Please delete the following US proposals from the working document to be considered at the Twenty-Seventh Session:

Additions:

- US-161 – Civil engineering services
- US-184 – Mediation
- US-137 – Desk-top publishing services [printing]
- US-140 – Material sterilization services
- US-141 – Sterilization services
- US-162 – Duplication of audio and video tapes

Transfers:

- US-212 – Transfer R0167 “rehabilitation apparatus (body-) from Class 28 to Class 10

Please change the following US proposal that was made but not discussed at the Twenty-Sixth Session of the PWG:

- US-174 – In Class 43, please change “rental of cooking stoves” to “rental of cooking apparatus.” Use of apparatus includes other items similar to stoves such as grills, ovens, fryers, etc. and will result in a broader and, perhaps, more useful addition to the Alphabetical List.
- US-180 – In Class 45, please change “handwriting analysis” to “handwriting analysis [graphology]”

Please add the following explanation to this US proposal that was made but not discussed at the Twenty-Sixth Session of the PWG:

US-177 – In Class 45, “alternative dispute resolution services:

This service includes not only mediation and arbitration, both of which are currently in the Alphabetical List, but also negotiation and collaborative law as well as other non-judicial/nonviolent means of dispute resolution. Since this language is broader than the existing entries, it would be a useful addition to the Alphabetical List.

New proposals

Class 45 – Genealogical research

This research service is not like the more scientific and technological research services in Class 42. It is the tracing of a person’s family tree and heritage and, therefore, is considered a personal service in Class 45.

Class 41 – Vocational rehabilitation [training]

This is not physical rehabilitation in Class 44 but rather training retraining a person through classes, workshops, etc. to perform a new job or vocational function.

[End of Annex VIII and of document]