

Understanding the Classification of Goods and Services

Madrid System Webinar

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Structure of the Webinar

- Presentation: Understanding the International Classification of Goods and Services
- ❖ International Classification System
- ❖ WIPO examination practices
- Questions & Answer session at the end
- Presentation slides available for download. Recording will be uploaded on the [Madrid Webinar page](#).
- Short survey to provide feedback

The Importance of Classification

- Classification may be defined as the process in which ideas or objects are categorized or grouped according to established criteria
- Classification is an important part of the trademark registration process



International Classification of Goods and Services

- The Nice Classification is an international classification system used to classify goods and services for the purposes of the registration of marks
- There is two parts which consist of 34 classes of goods and 11 classes of services – 45 classes in total

The Nice Agreement

In addition to the WIPO, over 150 national/regional Offices use the Nice Classification, including:

- ❖ the African Intellectual Property Organization (OAPI),
 - ❖ the African Regional Intellectual Property Organization (ARIPO),
 - ❖ the Benelux Office for Intellectual Property (BOIP), and
 - ❖ the European Union Intellectual Property Office (EUIPO)
 - ❖ United Arab Emirates, Peru and Indonesia
- In October 2023, 93 Member States are party to the Nice Agreement.
 - Nice Classification is also used by Offices not party to the Nice Agreement.

Revisions of the Nice Classification

- The Committee of Experts (CE) of the Nice Union carries out revisions of the NCL
- All countries of the Nice Union are members of the CE
- The CE decides and adopts all changes to the NCL. These are published as new editions every five years and new versions every year.

Question

Revisions to the Nice classification were made this year during what session number of the CE?

- 15th
- 29th
- 34th
- 47th

Revisions of the Nice Classification

The last meeting regarding revisions was the 34th session (Geneva, April 22 to April 26, 2024).

Revisions made during the 34th session will enter into force on 1 January 2025 and be published online in a new version of the twelfth edition (NCL12-2025)

The 35th Session will be held in Geneva in April / May of 2025.

The Nice Classification

The current version of the [12th edition](#) entered into force on 1 January 2024, and is available online

WIPO will apply the latest edition of the Nice Classification to all applications, regardless of the edition of the Nice Classification applied to the goods and services in the basic application or registration.

Advantages of using the NCL system

Trademark applications can be filed with reference to a single classification system

Drafting of applications is simplified

Translation work can be simplified if the alphabetical list is used

Nice Classification Structure

Class headings describe in very broad terms the nature or field of the goods or services contained in each of the 45 classes

The explanatory notes describe in greater detail which goods or services do or do not fall in a particular class

The most detailed level is the alphabetical list which contains around 10,000 indications of goods and 1,000 indications of services.

The general remarks explain what criteria should be applied if the term cannot be found in the alphabetical list and cannot be classified in accordance with the explanatory notes

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EDITION-VERSION

12-2024

OTHERS

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List of Goods and Services in Class Order

Please select a class from the class index.

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 Explanatory Notes

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Class 1

Chemicals for use in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; fire extinguishing and fire prevention compositions; tempering and soldering preparations; substances for tanning animal skins and hides; adhesives for use in industry; putties and other paste fillers; compost, manures, fertilizers; biological preparations for use in industry and science.

Class 2

Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants, dyes; inks for printing, marking and engraving; raw natural resins; metals in foil and powder form for use in painting, decorating, printing and art.

Class 3

Non-medicated cosmetics and toiletry preparations; non-medicated dentifrices; perfumery, essential oils; bleaching preparations and other substances for laundry use; cleaning, polishing and abrasive preparations.

Class 4

Industrial oils and greases, wax; lubricants; dust absorbing, wetting and binding compositions; fuels and illuminants; candles and wicks for lighting.

Class 5

Pharmaceuticals, medical and veterinary preparations; sanitary preparations for medical purposes; dietetic food and substances adapted for medical or veterinary use, food for babies; dietary supplements for human beings and animals; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

Class 6

Common metals and their alloys, ores; metal materials for building and construction; transportable buildings of metal; non-electric cables and wires of common metal; small items of metal hardware; metal containers for storage or transport; safes.

Class 7

Machines, machine tools, power-operated tools; motors and engines, except for land vehicles; machine coupling and transmission components, except for land vehicles; agricultural implements, other than hand-operated hand tools; incubators for eggs; automatic vending machines.

Class 8

Hand tools and implements, hand-operated; cutlery; side arms, except firearms; razors.

Class 9

Class 16

Paper and cardboard; printed matter; bookbinding material; photographs; stationery and office requisites, except furniture; adhesives for stationery or household purposes; drawing materials and materials for artists; paintbrushes; instructional and teaching materials; plastic sheets, films and bags for wrapping and packaging; printers' type, printing blocks.

Explanatory Note

Class 16 includes mainly paper, cardboard and certain goods made of those materials, as well as office requisites.

This Class includes, in particular:

- paper knives and paper cutters;
- cases, covers and devices for holding or securing paper, for example, document files, money clips, holders for cheque books, paper-clips, passport holders, scrapbooks;
- certain office machines, for example, typewriters, duplicators, franking machines for office use, pencil sharpeners;
- painting articles for use by artists and interior and exterior painters, for example, artists' watercolour saucers, painters' easels and palettes, paint rollers and trays;
- certain disposable paper products, for example, bibs, handkerchiefs and table linen of paper;
- certain goods made of paper or cardboard not otherwise classified by function or purpose, for example, paper bags, envelopes and containers for packaging, statues, figurines and works of art of paper or cardboard, such as figurines of papier mâché, framed or unframed lithographs, paintings and watercolours.

This Class does not include, in particular:

- paints (Cl. 2);
- hand tools for artists, for example, spatulas, sculptors' chisels (Cl. 8);
- teaching apparatus, for example, audiovisual teaching apparatus, resuscitation mannequins (Cl. 9), and toy models (Cl. 28);
- certain goods made of paper or cardboard that are classified according to their function or purpose, for example, photographic paper (Cl. 1), abrasive paper (Cl. 3), paper blinds (Cl. 20), table cups and plates of paper (Cl. 21), bed linen of paper (Cl. 24), paper clothing (Cl. 25), cigarette paper (Cl. 34).

General Remarks

The indications of goods or services appearing in the class headings are general indications relating to the fields to which, in principle, the goods or services belong. The Alphabetical List should therefore be consulted in order to ascertain the exact classification of each individual product or service.

GOODS

If a product cannot be classified with the aid of the List of Classes, the Explanatory Notes and the Alphabetical List, the following remarks set forth the criteria to be applied:

- a. A finished product is in principle classified according to its function or purpose. If the function or purpose of a finished product is not mentioned in any class heading, the finished product is classified by analogy with other comparable finished products, indicated in the Alphabetical List. If none is found, other subsidiary criteria, such as that of the material of which the product is made or its mode of operation, are applied.
- b. A finished product which is a multipurpose composite object (e.g., clocks incorporating radios) may be classified in all classes that correspond to any of its functions or intended purposes. However if a good has a primary purpose it should be classified in this class. If those functions or purposes are not mentioned in any class heading, other criteria, indicated under (a), above, are to be applied.
- c. Raw materials, unworked or semi-worked, are in principle classified according to the material of which they consist.
- d. Goods intended to form part of another product are in principle classified in the same class as that product only in cases where the same type of goods cannot normally be used for another purpose. In all other cases, the criterion indicated under (a), above, applies.
- e. When a product, whether finished or not, is classified according to the material of which it is made, and it is made of different materials, the product is in principle classified according to the material which predominates.
- f. Cases adapted to the product they are intended to contain are in principle classified in the same class as the product.

SERVICES

If a service cannot be classified with the aid of the List of Classes, the Explanatory Notes and the Alphabetical List, the following remarks set forth the criteria to be applied:

- a. Services are in principle classified according to the branches of activities specified in the headings of the service classes and in their Explanatory Notes or, if not specified, by analogy with other comparable services indicated in the Alphabetical List.
- b. Rental services are in principle classified in the same classes as the services provided by means of the rented objects (e.g., Rental of telephones, covered by [Cl. 38](#)). Leasing services are analogous to rental services and therefore should be classified in the same way. However, hire- or lease-purchase financing is classified in [Cl. 36](#) as a financial service.
- c. Services that provide advice, information or consultancy are in principle classified in the same classes as the services that correspond to the subject matter of the advice, information or consultancy, e.g., transportation consultancy ([Cl. 39](#)), business management consultancy ([Cl. 35](#)), financial consultancy ([Cl. 36](#)), beauty consultancy ([Cl. 44](#)). The rendering of the advice, information or consultancy by electronic means (e.g., telephone, computer) does not affect the classification of these services.
- d. The means by which a service is rendered in principle does not have any impact on the classification of the services. For example, financial consultancy is classified in [Cl. 36](#) whether the services are rendered in person, by telephone, online, or in a virtual environment. However, this remark does not apply if the purpose or result of a service changes due to its means or place of delivery. This is the case, for example, when certain services are rendered in a virtual environment. For instance, transport services belonging to [Cl. 39](#) involve the moving of goods or people from one physical place to another. However, in a virtual environment, these services do not have the same purpose or result and must be clarified for appropriate classification, e.g., simulated travel services provided in virtual environments for entertainment purposes ([Cl. 41](#)).
- e. Services rendered in the framework of franchising are in principle classified in the same class as the particular services provided by the franchisor (e.g., business advice relating to franchising ([Cl. 35](#)), financing services relating to franchising ([Cl. 36](#)), legal services relating to franchising ([Cl. 45](#))).

Classification of Goods Example

Leather jackets



Class heading

 **Class 25**

Clothing, footwear, headwear.

Explanatory note

Explanatory Note

Class 25 includes mainly clothing, footwear and headwear for human beings.

Basic number

 250151 **clothing** of leather

General remarks

A finished product is in principle classified according to its function or purpose.

Classification of Services Example

Rental of helicopters



Class heading

 **Class 39**

Transport; packaging and storage of goods; travel arrangement.

Basic number

 390102 **aircraft** rental

General remarks:

Rental services are in principle classified in the same classes as the services provided by the means of the rented objects.

Question:

Which is the correct classification class for “Pipes”?

- Class 6
- Class 7
- Class 11
- Class 19
- Class 34

Answer:

All of them.

Class 6: “pipes of metal”, “steel pipes”, “drain pipes of metal”, “gutter pipes of metal”, “water-pipes of metal”, “pipes of metal for central heating installations”

- Class 7: “cutting blow pipes”, “soldering blow pipes”, “automotive exhaust pipes”

- Class 11: “water-pipes for sanitary installations”, “boiler pipes for heating installations”

- Class 19: “drain pipes, not of metal”, “rigid pipes, not of metal”, “gutter pipes, not of metal”, “water-pipes, not of metal”

- Class 34: “tobacco pipes”

Classification Role of WIPO

- WIPO shall register the international applications “with the classifications and grouping that WIPO considers to be correct”.
- Different practices in the Member States
- WIPO accepts class headings, but not all the designated Contracting Parties will accept them

International Application: G&S

10 GOODS AND SERVICES

You can find indications that are pre-accepted by the International Bureau in the Madrid Goods & Services Manager (MGS) at www.wipo.int/mgs/. By using these indications you can avoid possible irregularities concerning the classification of goods and services and a delay in the recording of the international registration.

Please use font “**Courier New**” or “**Times New Roman**”, size 12 pt, or above.

Please make consistent use of a semicolon (;) to clearly specify the goods and services indications in your list, e.g.:
09 Scientific, optical and electronic apparatus and instruments; screens for photoengraving; computers.
35 Advertising; compilation of statistics; commercial information agencies.

(a) Indicate below the goods and services for which the international registration is sought:

Class	Goods and services
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- G&S for which the mark is to be protected
- G&S must reflect the scope of the basic mark, i.e. they can be narrower, but not broader than those in the basic mark
- Indications should be grouped in the appropriate classes of the Nice Classification

International Application Irregularities

Classification of G&S (Rule 12):

- Goods and services not properly classified
- Final responsibility for the classification and grouping of the G/S listed in the international application lies with WIPO

Indication of G&S (Rule 13):

- Too vague, linguistically incorrect, or incomprehensible for the purposes of classification
- If the term is not amended it is registered with a notation from WIPO

WIPO Examination Guidelines

WIPO has developed [Examination Guidelines for classification of goods and services](#) – latest version is available online.

Question

10 GOODS AND SERVICES

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09 Scientific, optical and electronic apparatus and instruments; screens for photoengraving; computers.
35 Advertising; compilation of statistics; commercial information agencies.

(a) Indicate below the goods and services for which the international registration is sought:

Class	Goods and services
9	All goods

WIPO Guidelines Example

- 2.5.3. Claims for “all goods” or “all other services” in a given class
- WIPO does not accept the use of expressions such as “all goods in class X”, “all services in this class”, “all other goods in this class”

WIPO Guidelines Example

- 2.5.2. Use of “and the like” or “etc.”
- “And the like” or “etc.” are sometimes used by applicants, with a view to extending the protection to goods or services of a similar nature as the ones already indicated in a class, though without specifying them.
- The International Bureau does not accept the use of the above-mentioned expressions which lack accuracy and do not allow for a clear identification of the goods and services for which protection is sought.

Madrid Goods & Services Manager

- WIPO's online tool for facilitating national and international trademark filing
- This free tool indicates the goods and services accepted by WIPO and by participating Offices of Contracting Parties
- Over 100,000 English descriptions
- Compile your list in 20 languages, including the 3 official languages of the Madrid System
- Terms pre-approved by WIPO and participating Madrid System members ("check acceptance" feature)
- See [previous webinar](#) for more information on [MGS](#)

6 7

Add... ▾

Edit class ✎ Clear class ✎ Check acceptance by designated Contracting Party (dCP) ✓

6 Common metals and their alloys, ores; metal materials for building and construction; transportable buildings of metal; non-electric cables and wires of common metal; small items of metal hardware; metal containers for storage or transport; safes.

dCP Accepted by dCP dCP Rejected by dCP dCP Status unknown

AT AU BA BG BN BR BX BY CA CH CN CO DE DK EE EG EM FI GE GB ID IL IR IS IT JP KH KR LV MN MX NO NZ PT RS RU SE SG TR UA US VN copper pipes

Useful Online Resources

WIPO's [Examination Guidelines Concerning the Classification of Goods and Services in International Applications](#)

Consult our [Madrid Goods & Services Manager](#)

[Madrid Goods & Services Manager Webinar](#)

[Nice Classification](#)

- Q&A Session about Classification

Public Education Resources

Good news! We are now on LinkedIn!

We'll be sharing tips, facts, stories, learning opportunities and much more on WIPO's [Madrid System](#), [Hague System](#) and [Lisbon System](#), as well as trademarks, designs, and geographical indications!

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1:03:21

9 MONTHS AGO

Actualizaciones legales del Siste...

マドリッド制度に関するお知らせ

商標の国際登録制度『マドリッド制度』の概要(初級) - 制度を学びたいスタートアップ、中小企業の方にも!

2023年10月26日

1:13:44

EDUCATION 15 DAYS AGO

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Webinar sobre el Sistema de Madrid

Protéger sa marque à l'étranger : Guide sur le système de Madrid de l'OMPI et outils de propriété intellectuelle pour les PME

1:08:24

5 MONTHS AGO

Protéger sa marque à l'étranger ...

التحديات القانونية بشأن نظام مدريد

تحديثات قانونية لعام 2023 وملاحظات الفريق العامل

1:44:48

8 MONTHS AGO

عام 2023 آراء ومقترحات الفريق العامل ...

马德里体系网络研讨会

中国商标局的马德里申请程序 (2023)

1:09:00

EDUCATION 4 MONTHS AGO

The Madrid Filing Procedure in China Trademark Office

Семинары по Мадридской системе

Официальные формы: Управление международной регистрацией

59:39

EDUCATION 2 YEARS AGO

Official Forms: Managing an international registration

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1:06:25

EDUCATION 1 MONTH AGO

Understanding Procedures at th...

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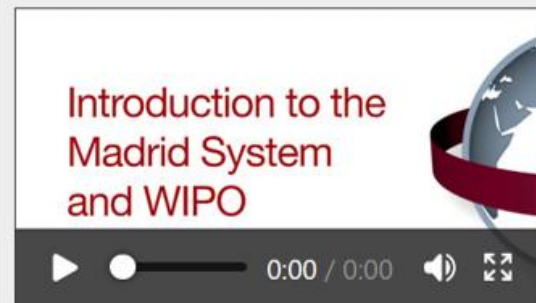
How to extend the protection of an international registration via the subsequent designation

In this tutorial, you will learn how to expand the geographical coverage of your existing international registration by adding additional countries or regions through a subsequent designation. [About subsequent designations.](#)



How to renew international registrations (part 1)

This tutorial will go over the renewal process, modifications to international registrations before and after the renewal and the costs associated to the renewal. [About renewals.](#)



Video: An introduction to the International Trademark System.



Video: Benefits and advantages of the Madrid System.

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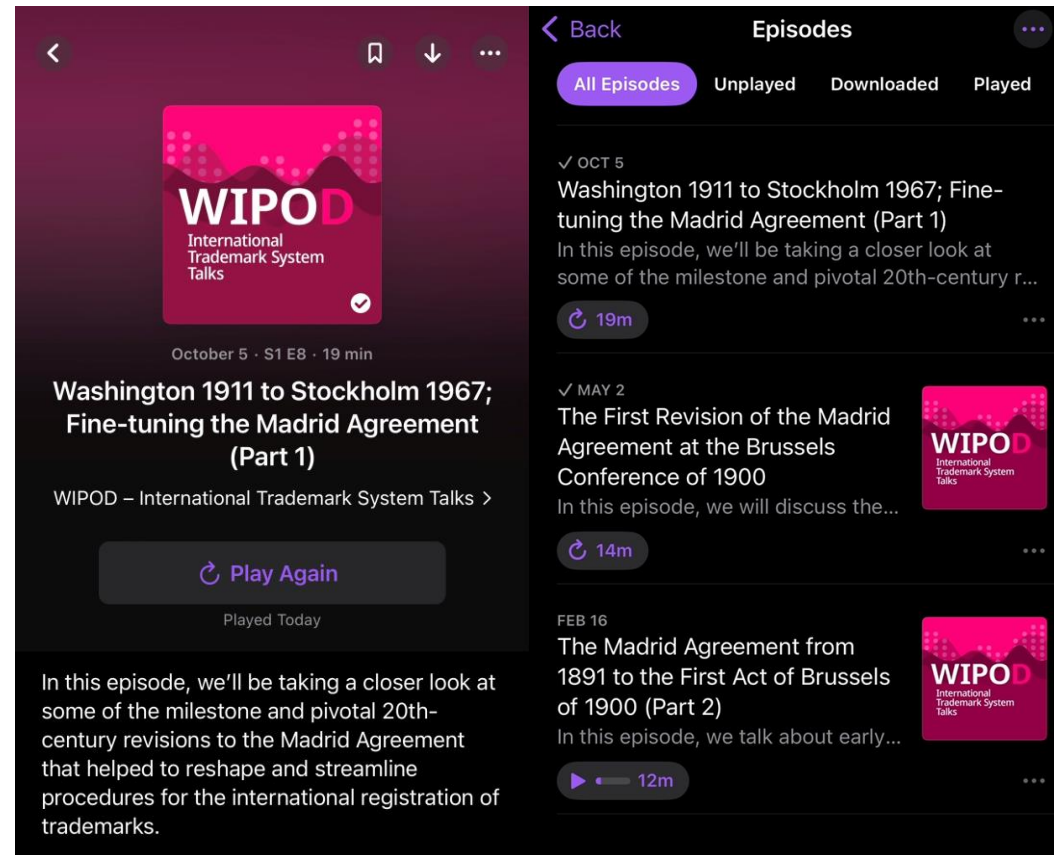
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Testimonials and Case Studies

Madrid System Success Story: M'Simbi – Spreading Self-Love Globally, One Doll at a Time

July 25, 2023

We have just released a new success story highlighting how the [Madrid System](#) supports innovative entrepreneurs who want their brand to make a difference even beyond their national borders.

What do you do when society tricks you into believing you do not fit in? You carve your own path and you make your voice heard! This is exactly what Maingaila Moono – former biostatistician and now full-time entrepreneur from Zambia – did when she realized that her daughter did not feel like she complied with traditional beauty standards.



In 2022, the [Zambian Association of Manufacturers](#) assigned Maingaila the [Game Changers Award](#), as an acknowledgement of her innovative ideas, her sense of leadership and her positive impact on the manufacturing industry. (Photo: MacLean's Photography)

Her little girl motivated Maingaila to find a way to manufacture Black dolls, and to set up her own business - M'Simbi- whose mission is to teach young girls to be proud of their cultural identity and aware of their own unique beauty.

M'Simbi products now range from dolls to backpacks, and from clothes to hair accessories, and are exported to the United Kingdom and the United States of America.

International trademark protection in those countries through the [Madrid System](#) is what truly allowed M'Simbi to take off, opening up doors to major international e-commerce platforms.

"I would definitely encourage local entrepreneurs to apply for trademark protection both locally and internationally. When [PACRA \(Patents and Companies Registration Agency in Zambia\)](#) told us that you can register your trademark in many countries at once with the [Madrid System](#), it really intrigued us."

— Maingaila Moono

[Access the full success story](#)

Madrid System Success Story: HABIBA Jewellery – Timeless Tunisian Jewelry Takes the International Stage by Storm

September 26, 2023

Entrepreneur Sonia Feki's brand "[HABIBA Jewellery](#)" – created as a tribute to her mother – was quick to win the hearts of women across Tunisia. Despite the challenges of the COVID-19 pandemic, the brands' success grew, spontaneously catching the attention of Egyptian media outlets, in turn raising awareness in the Gulf countries. From there, demand grew in other African countries.

Find out all about Sonia's journey to success, and how the [Madrid System](#) is helping her not just to expand her horizons but also to face the future with confidence.



Sonia's secret to success?

"When I founded [HABIBA Jewellery](#), I projected myself 15 years into the future. Protecting my trademark – first nationally and then internationally – was one of my top priorities."

— Sonia Feki, [HABIBA Jewellery](#)

[Access the full success story](#)

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