

PRC ADOPTS TENTH EDITION OF THE INTERNATIONAL CLASSIFICATION FOR TRADEMARK APPLICATIONS AS FROM 1 JANUARY 2012

The PRC Trademark Office (CTMO) will adopt the tenth edition of the International Classification for specification of goods and services as from 1 January 2012.

MAJOR CHANGES AND HIGHLIGHTS

1. Transfer of goods from one class to another

Goods	Classification under 9 th Edition	Classification under 10 th Edition
Electric welding apparatus	Class 9	Class 7
Fire hose	Class 17	Class 9
Drinking straws	Class 20	Class 21
Tea cosies	Class 26	Class 21

2. Change and transfer of goods / services from one class to another

Goods/Services	Classification under 9 th Edition	Changed to	Classification under 10 th Edition
Electroplating apparatus	Class 9	Electroplating machines	Class 7
Babies' diaper-pants of paper and cellulose, disposable	Class 16	Babies' diaper-pants	Class 5
Evaluation of wool	Class 35	Financial evaluation of wool	Class 36
Evaluation of standing timber	Class 35	Financial evaluation of standing timber	Class 36
Make-up removing appliances, electric	Class 9	Make-up removing appliances	Class 21

3. Additions and deletions of specifications under 10th Edition

Additions		Deletions	
Goods/Services	Class	Goods/Services	Class
✓ Drying agents for dishwashing machines	Class 3	✗ Air freshening preparations	Class 5
✓ Downloadable image files; Downloadable music files; Downloadable ring tones for mobile phones	Class 9	✗ Pins for wheels, etc.	Class 6
✓ Paper party hats	Class 28	✗ Digital imaging services	Class 41
✓ Transmission of digital files	Class 38		
✓ Planning and arranging of wedding ceremonies	Class 45		



4. Franchising

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 (Class 35), financing services relating to franchising (Class 36), legal services relating to franchising (Class 45).

5. Revisions concerning game and amusement apparatus

- Both “game and amusement apparatus adapted for use with an external display screen or monitor” and “game and amusement apparatus other than those adapted for use with an external display screen or monitor” (originally in Class 9) will now be reclassified under Class 28.
- In Class 28, “games other than those adapted for use with an external display screen or monitor” is now deleted and “apparatus for games other than those adapted for use with an external display screen or monitor” is changed to “apparatus for games”.
- In Class 28, the following specifications are added:
 - video game machines
 - portable games with liquid crystal displays
 - arcade video game machines

6. Revisions concerning aloe products

- In Class 3, addition of specifications, e.g. “aloe vera preparations for cosmetic purposes”;
- In Class 5, addition of specifications, e.g. “aloe vera preparations for pharmaceutical purposes”;
- In Class 29, addition of specifications, e.g. “aloe vera prepared for human consumption”;
- In Class 31, addition of specifications, e.g. “aloe vera plants”;
- In Class 32, addition of specifications, e.g. “aloe vera drinks, non-alcoholic”

PRACTICAL CONCERNS

Importance of cross class searches

Despite the re-classification, the goods and services that were in the same class will still be considered similar. It is therefore important for client to conduct cross-class clearance searches to ensure registrability.

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