NATIONAL ADMINISTRATIVE REGISTER · OCTOBER 20, 2003

ADOPTION OF THE 8TH EDITION OF THE NICE CLASSIFICATION

IPO OFFICE ORDER NO. 104, S. 2003, October 20, 2003

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Whereas, Republic Act No. 8293 or the Intellectual Property Code of the Philippines and the Trademark Regulations prescribe the Nice Classification in the categorization of goods and services covered by mark application or registration;

Whereas, the Nice Classification had been amended and came into force in its Eight (8th) Edition on 01 January 2002 establishing the new Classes 43, 44 and 45;

Whereas, there is a need to amend Rule 416 of the Trademark Regulation to adopt the new classes of goods and services prescribe under the amended Nice Classification particularly under classes 42, 43, 44 and 45 thereof;

Wherefore, Rule 416 of the Trademark Registration is hereby amended by incorporating Classes 43, 44, and 45 of the Nice Classification, to read as follows;

> RULE 416. Nice Classification - The applicant must indicate the names of the goods or services for which the registration is sought, grouped according to the classes of the Nice Classification, together with the number of the class of the Nice Classification to which each group of goods or services belongs.
>
> (a) CLASSIFICATION OF GOODS
>
> CLASS
>
> TITLE
>
> xxx
>
> xxx
>
> "42
>
> Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services
>
> 43

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Services for providing food and drink; temporary accommodation

44

Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services

45

Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals"

All mark registrations granted following the old Nice Classification shall be re-classified upon renewal thereof subject to payment of the required fees. A mark owner or applicant, however, may, prior to its renewal or grant, request for re-classification under the amended Nice Classification subject to payment of the required fees.

For pending applications filed on or after 01 January 2002, the new classification shall be observed.

Examiners are hereby instructed to advise clients to observe the new Nice Classification. Examiners are likewise ordered to expand the trademark search process to address the consequences of the new classification.

Ms. Eleanor B. Meñez, Administrative Officer III, is hereby directed to file three (3) certified copies of this Office Order with the University of the Philippines Law Center, and one (1) certified copy each to the Office of the President, the Senate of the Philippines, the House of Representatives, the Supreme Court of the Philippines and the National Library not later than 27 October 2003.

Mr. Restituto E. Maligaya - Division Chief, Operations and Maintenance Division, MIS-EDP Bureau, is hereby directed to post his Office Order in the IPO Website not later than 27 October 2003.

This Office Order shall take effect 11 November 2003 after fifteen (15) days following its publication in a newspaper of general circulation not later than 27 October 2003.

Adopted: 20 Oct. 2003

(SGD.) EMMA C. FRANCISCO
Director General

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