

**Decree No. 558/81 of March 24, 1981, on the
Implementation of Law No. 22.362 of December 26, 1980,
on Trademarks and Designations**

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Buenos Aires, March 24, 1981

CONSIDERING Law 22.362 on Trademarks and Designations, and

CONSIDERING:

That it is necessary to regulate that Law

THE PRESIDENT OF THE ARGENTINE NATION THEREFORE

DECREES

Article 1 – Goods and services shall be classified in accordance with the following classification:

LIST OF CLASSES

GOODS

1. Chemicals used in industry, science, photography, agriculture, horticulture and forestry; artificial and synthetic resins, unprocessed plastics (in powder, liquid or paste form); manures (natural and artificial); fire extinguishing compositions; baths and chemical preparations for soldering; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.
2. Paints, varnishes, lacquers; antioxidant preservatives and preservatives against deterioration of wood; colorants; mordents; natural resins; metals in foil and powder form for painters and decorators.
3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery; essential oils, cosmetics, hair lotions; dentifrice.
4. Industrial oils and greases (not edible oils or fats or essential oils); lubricants; dust binding compositions; fuel compositions (including motor spirit) and illuminants; candles, light bulbs and wicks.
5. Pharmaceutical, veterinary and sanitary products; dietetic products for children and the sick; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; herbicides; preparations for destroying vermin.

6. Common metals, unprocessed and semi-processed, and their alloys; anchors, anvils, bells, laminated and fused building materials; rails and other materials of metal for railway tracks; chains (except engine chains for vehicles); non-electric cables and wires of common metal; ironmongery; pipes and tubes of metal; large and portable safes; balls of steel; horseshoes; keys and bolts; other goods of metal (non-precious) not included in other classes; ores.

7. Machines and machine tools; motors and engines (except for land vehicles); couplings and transmission belts (except for land vehicles); large agricultural implements; incubators.

8. Hand tools and implements; cutlery; side arms.

9. Scientific, nautical, surveying, electrical (including radio), photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus that operates automatically on insertion of a coin or token; loudspeakers; cash registers, calculating machines; fire-extinguishing apparatus.

10. Surgical, medical, dental and veterinary instruments and apparatus (including prostheses).

11. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitation facilities.

12. Vehicles; apparatus for locomotion by land, air or water.

13. Firearms; ammunition and projectiles; explosives; fireworks.

14. Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery); jewellery, precious stones; clocks and watches and other chronometric instruments.

15. Musical instruments (not including loudspeakers and radio sets).

16. Paper, cardboard, goods made from paper or cardboard and not included in other classes; printed matter, newspapers and periodicals; books; bookbinding material; photographs; stationery; adhesives (for stationery); artists' materials; paintbrushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); playing cards; printers' type; printing blocks.

17. Gutta-percha, elastic, balata and substitutes, and goods made from these materials and not included in other classes; sheets, blocks and rods made of plastics in extruded form; packing, stopping and insulating materials; asbestos, mica and goods made therefrom; flexible pipes, not of metal.

18. Leather and imitations of leather, and goods made of these materials and not included in other classes; skins and hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.
19. Building materials, natural and artificial stones, cement, lime, mortar, gypsum and gravel; clay or cement pipes; goods for roadbuilding; asphalt, pitch and bitumen; transportable houses; stone monuments; chimneys.
20. Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid and substitutes for all these materials, or of plastics.
21. Small utensils and portable containers for the household or kitchen (not of precious metal or coated therewith); combs and sponges; brushes (except paintbrushes); brush-making materials; articles and materials for cleaning purposes; steel wool; unworked and semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.
22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks; padding and stuffing materials (horsehair, kapok, feathers, marine algae, etc.); raw fibrous textile materials.
23. Yarns and threads.
24. Textiles; bed and table covers; textile goods not included in other classes.
25. Clothing, including boots, shoes and slippers.
26. Lace and embroidery, ribbons and braid; buttons, press studs, hooks and eyes, pins and needles; artificial flowers.
27. Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).
28. Games and playthings; gymnastic and sporting articles (except clothing); ornaments and decorations for Christmas trees.
29. Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other milk products; edible oils and fats; preserves, pickles.
30. Coffee, tea, cocoa, sugar, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, cakes, pastry, confectionery and ices; honey, treacle; yeast, baking powder; salt, mustard; pepper, vinegar, sauces; spices; ice.

31. Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, live plants and natural flowers; foodstuffs for animals, malt.

32. Beer, ale and porter; mineral and aerated waters and other non-alcoholic drinks; syrups and other preparations for making beverages.

33. Wines and spirits.

34. Raw or manufactured tobacco; smokers' articles; matches.

SERVICES

35. Advertising and business.

36. Insurance and finance.

37. Building construction and repairs.

38. Communications.

39. Transport and storage.

40. Treatment of materials.

41. Education and entertainment.

42. Miscellaneous.

Article 2 – The National Directorate of Industrial Property may classify goods and services not expressly listed in the classification set out in Article 1. The nature of the good or service shall be of primary importance, with a view to including it in the classes in which similar goods or services are already classified. This classification shall be published in the Trademark Gazette produced by the National Directorate of Industrial Property.

Without prejudice to the provisions of the previous paragraph, the National Directorate of Industrial Property shall, for the purpose of classifying goods and services, bear in mind the explanatory notes contained in the annex to the present Decree.

FEES

Article 3 – Procedures with the National Directorate of Industrial Property shall be subject to payment of the following fees:

Application for registration or renewal.....120,000 pesos
Application for reclassification.....40,000 pesos

Application to record transfer of trademark or change of owner name.....	60,000 pesos
Opposition to registration of a trademark.....	40,000 pesos
Application for new attestation or certification.....	50,000 pesos
Application for full or partial copy of record.....	15,000 pesos
Information required about a trademark.....	3,000 pesos
Each administrative record of which the original has to be submitted to the courts by court order	50,000 pesos

The State Secretariat for Industrial Development shall have the authority to adjust the amounts of fees in accordance with the provisions of Article 47 of the Law and to determine fees for new services that may be implemented.

Article 4 – No application shall be processed unless it is accompanied by proof of payment of the relevant fee.

FILING OF APPLICATIONS AND OBJECTIONS

Article 5 – Applications for registration and renewal of trademarks and notices of opposition may be filed in the national provinces and territories, at post offices designated by the relevant regulations.

Article 6 – The Head of the Trademarks Department of the National Directorate of Industrial Property shall transmit to postal administrators a ledger in which applications shall be recorded, provided that the interested parties file their applications in the form prescribed by law.

The respective ledgers shall be initialed and their pages numbered by the National Directorate of Industrial Property.

Article 7 – Within two (2) days of filing, the postal administrator shall transmit to the National Directorate of Industrial Property a certified copy of the relevant record with proof of payment of the relevant fee and, where appropriate, descriptions, drawings and printing blocks.

Once this documentation is received, it shall be recorded in the relevant ledger and the period referred to in Article 12 shall commence.

APPLICATION FOR REGISTRATION AND RENEWAL AND REGISTRATION PROCEDURE

Article 8 – Where the applicant is a legal person, the application shall mention the person's inclusion in the relevant registers and membership of the relevant bodies, in accordance with the rules governing its incorporation, in addition to the steps referred to in Article 10 of the Law.

Article 9 – Where appropriate, two (2) typographic printing blocks shall be submitted with the application for registration. They shall be made of metal or wood and shall be capable of printing the mark clearly and distinctly; their dimensions shall not exceed

eight (8) centimeters in height by ten (10) centimeters in width. These printing blocks shall be used where publication is required by Articles 12 and 45 of the Law. In the case of renewal, only one typographic printing block shall be submitted.

Article 10 – Where the trademark is wholly or partly formed of a drawing, image or engraving, a facsimile shall be glued to the descriptions. Ten loose facsimiles shall also be included. The facsimiles shall be printed in a single color.

CONSIDERATION OF APPLICATIONS AND PROCEDURE FOR INCLUSION IN THE REGISTER

Article 11 – The applicant shall be provided with a receipt indicating the mark, the filing date, time and number, the applicant's name, the goods or services to be distinguished and the appropriate class. An identical receipt shall be sent to the postal administrator.

Article 12 – Within ten (10) days of filing, the application shall be studied in order to determine whether it has been filed in the appropriate class and whether the formalities required under Article 10 of the Law have been completed, and the applicant shall be notified accordingly within the following five (5) days. If the application has been incorrectly classified, the applicant shall also be notified of the Directorate's opinion and of the prior art, if any.

The applicant shall have ten (10) days to make the appropriate correction or to contest the opinion. Within ten (10) days of expiry of this period, publication shall be ordered or a refusal shall be issued, as appropriate.

Article 13 – The publication of the application shall contain the applicant's name, the filing date, the goods or services to be distinguished, the class in which they are included, the filing number, the priority claimed, if any, and, where appropriate, the registration number of the industrial property agent who is processing the application.

Article 14 – Notices of opposition shall be filed in duplicate. The opponent shall be provided with a record of the filing date.

Article 15 – Within fifteen (15) days of expiry of the period referred to in Article 13 of the Law, the applicant shall be notified of the prior art, objections raised and other observations made in respect of the trademark registration, and shall be provided with a copy of the notice of opposition, which shall indicate the date on which it was filed.

Article 16 – If only observations are preventing registration from being granted, the applicant shall have ninety (90) days from the date of notification to respond to the opinion and make the relevant corrections. From the time of response, or if no response is made within the period mentioned, the National Directorate of Industrial Property shall have ninety (90) days to issue a decision.

Article 17 – Within five (5) days of receipt of the official notification referred to in Article 18 of the Law, the applicant shall be given ten (10) days to respond to the opinion

on the prior art and other observations on the application. If the applicant acts on the official notification, he or she shall respond to the opinion at the time of making the submission.

The National Directorate of Industrial Property shall issue a decision within ninety (90) days of receipt of the response or of expiry of the deadline for responding.

NOTIFICATIONS

Article 18 – The applicant shall be notified of a decision to refuse the application within five (5) days of issuance of the decision.

Article 19 – In the case of applications for trademarks that have been withdrawn or abandoned, the applicant shall be notified of the number and date of the decision within five (5) days of issuance of the decision.

Article 20 – When registration is granted, the applicant shall be notified of the need to collect the relevant certificate within ten (10) days; otherwise, the record shall be archived.

Article 21 – Notifications pursuant to this Decree shall be made in accordance with the provisions of the Law on Administrative Procedures and its regulations or by registered letter with confirmation of receipt. All the time periods established in this Decree shall be counted in calendar days.

WITHDRAWAL FROM COURT PROCEEDINGS

Article 22 – If the parties decide to abandon court proceedings, they shall do so in writing, jointly or separately. Within ten (10) days of receiving notification of withdrawal from both parties, each party shall be given a further ten (10) days to make a submission and offer the evidence it considers relevant. Such evidence shall be submitted within thirty (30) days of being offered and, once that period has expired, a decision shall be issued within the following ninety (90) days.

RECORDING OF TRANSFERS

Article 23 – In order to record a change of owner name or the transfer of a registration or application, the following shall be submitted:

- (a) An application indicating the names and domiciles of the transferor and the transferee, the registration grant number and a copy of the document attesting the transfer or the change of name; the transferee shall establish a special domicile in the Federal Capital. The transfer may be effected by completing the form prepared for that purpose by the National Directorate of Industrial Property;
- (b) The certificate of trademark registration or a new attestation thereof;
- (c) Proof of payment of the appropriate fee.

APPLICATION FOR NEW ATTESTATIONS

Article 24 – In order to obtain a new attestation of the registration granted, an application shall be filed, accompanied by a copy of the description, together with proof of payment of the appropriate fee.

When a number of attestations of the same registration are requested, they may be requested in a single application, which shall be accompanied by as many copies of the descriptions as the number of attestations required. The appropriate fee shall be paid for each one.

At the request of any interested party, certification shall be provided indicating the trademark, the goods which it distinguishes, the filing and registration dates and numbers, the name of the owner and any other information requested about the contents of the relevant record.

ADVERTISING SLOGANS

Article 25 – The registration certificate provided to the owner of a trademark that consists of an advertising slogan shall bear the inscription "advertising slogan trademark". The same inscription shall be included on certificates of trademarks that consist of an advertising slogan or of any other word or sign that is or can be individually registered as a trademark.

PUBLICATION

Article 26 – Registration applications shall be published in the Trademark Gazette produced by the National Directorate of Industrial Property. The surrender of a registered mark shall be announced in the Trademark Gazette at the request of the interested party and at that party's expense.

Article 27 – Where publication is required under Article 45 of the Law, it shall be effected in the Review produced by the National Directorate of Industrial Property.

Article 28 – Where publication is required under Article 45 of the Law, the mark and the number of the decision on registration, abandonment, withdrawal or refusal, as appropriate and in sequential order, shall be indicated, along with the name of the owner, the goods or services distinguished by the mark, the class to which the mark pertains and, where appropriate, the registration number of the industrial property agent who carried out the relevant procedures.

In the case of a transfer, only the name of the new owner, the registration number, the relevant class, the date on which the transfer was recorded and, where appropriate, the registration number of the industrial property agent who carried out the procedures shall be indicated.

Article 29 – The costs associated with publication in the cases required by the Law shall be paid from the relevant budget headings of the Special Account, Secretariat for Industrial Development-National Directorate of Industrial Property – Required Services, into which the sums received in this connection shall be deposited.

The State Secretariat for Industrial Development shall determine the publication and sale prices for the Trademark Gazette and the Monthly Review, which may not exceed the Official Gazette's rates for similar services.

APPLICANTS AND AGENTS

Article 30 – Procedures with the National Directorate of Industrial Property may be carried out by the following:

- (a) Applicants, whether natural or legal persons;
- (b) Their agents with general power of attorney;
- (c) Registered industrial property agents.

Article 31 – Where industrial property agents act with power of attorney, they shall not act beyond that power unless asked to do so by the interested party or by the National Directorate of Industrial Property.

Where they act as managers, they shall obtain the power within sixty (60) days and shall declare this for the relevant record; otherwise, their management shall be subject to approval.

Article 32 – The National Directorate of Industrial Property shall have the authority to issue procedural rules in proceedings relating to the implementation of this Decree.

Article 33 – The Decree of December 5, 1900 regulating Law No. 3975, the Decree of July 30, 1912 establishing the classification of goods, and Decrees Nos. 4065/32, 68.514/35, 111.715/37, 7309/61 and 10.261/61 are hereby repealed.

Article 34 – The Ministry of Agriculture Decisions of June 14, 1912, August 21, 1912, May 12, 1915, January 20, 1926, June 18, 1932, April 29, 1935 and No. 418 of April 11, 1938; Decision No. 307/60 of the State Secretariat for Industry and Mining; Decision No. 133/79 of the State Secretariat for Industrial Development; and Regulations No. 4/56, 4/60, 3/61 and 9/62 of the National Directorate of Industrial Property are hereby repealed.

Article 35 – This Decree shall be disseminated, published, transmitted to the National Official Registry and placed in the archives.

VIDELA

José A. Martínez de Hoz

Alberto Rodríguez Varela

ANNEX TO DECREE No. 558

EXPLANATORY NOTES

GOODS

- (a) Finished goods shall generally be classified on the basis of their function or purpose, or that of the industry which produces them, or alternatively that of the materials from which they are made or of an outlet where they are sold.
- (b) Raw materials, unprocessed or semi-processed, shall generally be classified on the basis of their constituent material.
- (c) Goods used to form part of another good shall generally be classified in the same class as that other good only in cases where they cannot normally be classified elsewhere. In all other cases, the factors referred to in paragraph (a) shall be applicable.

CLASS 1

Chemical products used in science, not including chemical products for use in medical science (class 5). Chemical products used in agriculture, horticulture, forestry, not including herbicides or preparations for destroying vermin (class 5). Adhesives used in industry, not including adhesives for stationery (class 16); fish products for use in foodstuffs are listed in class 30. This class also includes artificial and synthetic resins and unprocessed plastics (in powder, liquid or paste form). Natural resins are listed in class 2.

CLASS 2

Paints, varnishes, lacquers for artists and industry and for clothes or handicrafts, including colorants for foodstuffs and beverages. Insulating varnishes are listed in class 17. Colorants, not including laundry bluing or hair dyes (class 3). Natural resins: class 2. Artificial and synthetic resins are listed in class 1.

CLASS 3

Cleaning preparations, not including chemical chimney cleaners (class 1). Scouring preparations, not including chemicals used in industry (class 1). Abrasive preparations, not including sharpening stones or grindstones (class 8).

CLASS 4

Industrial oils and greases. Fuel compositions such as coal or charcoal, firewood, fuel oils and motor spirit.

CLASS 5

Class 5 also includes antiparasitic treatments.

CLASS 6

Common metals, unprocessed and semi-processed, and their alloys, not including mercury, antimony, alkaline or alkaline-earth metals (class 1) or metals in foil or powder form for painters and decorators (class 2). Laminated or fused metal building materials; other building materials (stone, wood, plastics) belong to class 19. Ores, not including aluminum ore (bauxite) (class 1).

CLASS 7

Machines and machine tools, not including those in classes 9, 10, 11, 12 and 16.
Motors and engines (except for land vehicles); motors and engines for land vehicles: class 12.
Machine coupling and transmission belts (except for land vehicles); machine coupling and transmission belts for land vehicles: class 12.
Incubators for poultry farming. Incubators for newborn babies are listed in class 10.

CLASS 8

Hand implements used as tools in the respective professions, not including implements driven by a motor (class 7) or instruments or apparatus listed in classes 9 and 10.
Cutlery, including cutlery of precious metals, and razor blades and razors of all types (including electric razors).
Surgical instruments that can be listed under the term "cutlery" are listed in class 10.
Paper knives are listed in class 16.
Forks and spoons, also of precious metals.
Side arms; fencing foils are listed in class 28.

CLASS 9

Scientific apparatus and instruments, i.e. for scientific research in laboratories.
Nautical apparatus and instruments (except actual vehicles), i.e. apparatus and instruments used for controlling ships, such as apparatus and instruments for measuring and for transmitting orders.
Electrical apparatus and instruments not included in other classes.
(I) The following electromechanical and electrothermic apparatus are included in class 9:
(a) Certain electrothermic tools and apparatus, such as electric soldering irons and electric flat irons which, if not electrical, would belong to class 8;
(b) Apparatus and devices which, if not electrical, would be listed in various classes, such as electrically heated bearings, clothing and other articles heated electrically and worn by people, electric foot warmers, electric cigar-lighters, etc.;
(c) Electromechanical apparatus for household use that are used for cleaning (electric vacuum cleaners and floor-polishing machines for household use) which, if not electrical, would belong to class 21.

(II) Class 9 does not include the following electromechanical and electrothermic apparatus and instruments:

(a) Apparatus and instruments included in class 7:

- Apparatus and instruments driven by an electrical motor;
- Electromechanical apparatus for the kitchen (grinders and mixers for foodstuffs, fruit presses, electrical coffee mills, etc.);

(b) Apparatus included in class 8:

- Electric razors and clippers;

(c) Apparatus included in classes 10 and 11:

- Electrically heated blankets, etc. (class 10);
- Electrical apparatus for space heating or for the heating of liquids, for cooking, ventilating, etc. (class 11), not including electrical hot water bottles (class 9).

Photographic, cinematographic and optical apparatus and instruments, including image projectors and enlargers; measuring apparatus and instruments, except clocks and watches and other chronometric instruments (class 14); signaling apparatus and instruments, including dog whistles; control apparatus and instruments, except control clocks (class 14); cash registers and calculating machines, including punched card office machines. Class 9 also includes special cases for the apparatus and instruments listed in this class.

CLASS 10

Surgical, medical, dental and veterinary apparatus and instruments, including special furniture for those professions and hygiene articles (such as support bandages, rubber hygiene articles).

CLASS 11

Apparatus for steam generating, not including parts of machines (class 7) or vehicles (class 12); apparatus for ventilating, including air conditioning apparatus.

CLASS 12

Vehicles: for parts of vehicles, consult the list of goods.

Class 12 includes:

- Motors and engines for land vehicles;
- Couplings and transmission belts for land vehicles.

Motors, engines, couplings and transmission belts for other vehicles are listed in class 7.

Apparatus for locomotion by land, not including fixed railway installations (class 6).

CLASS 13

This class includes, in general, all pyrotechnical products, except matches (class 34).

CLASS 14

Precious metals, except:

- Metals in foil and powder form for painters and decorators (class 2);
- Amalgam of gold for dentists (class 5).

Goods in precious metals or coated therewith: jewellery is included in this class, provided that it is not used for any purpose other than adornment, for example, bracelets and necklaces, including those made from various materials (plastic).

Certain clothing accessories (such as brooches, pins and fasteners) are listed in class 26; consult the alphabetical list of goods. Class 14 also includes bronze objects of art; objects of art of other materials are classified according to their constituent material. Pen nibs of gold are listed in class 16.

Class 14 also includes cases and other special articles of packaging for clocks and watches.

CLASS 15

Musical instruments, including mechanical pianos and their accessories and musical boxes.

CLASS 16

Paper and goods made from paper, with exceptions: consult the alphabetical list of goods. Cardboard and goods made from cardboard, not including cardboard for roofs (class 19); artists' materials, not including:

- Paints (class 2);
- Tools, spatulas, chisels for sculptors (class 8).

CLASS 17

Sheets, blocks and rods made of plastic (in extruded form): class 17; insulating materials, i.e. electrical, thermal and acoustic insulating materials.

CLASS 18

No observations.

CLASS 19

Building materials, including semi-worked woods (beams, planks, panels, etc.), veneers, building glass (for example, floor slabs, glass tiles).

This class does not include:

- Preparations for impregnating, waterproofing or hardening cement or for fireproofing (class 1);
- Paints and varnishes (class 2);
- Metal building materials, such as girders, rails, etc. (class 6).

Lime, with exceptions.

Pitch, not including black shoemaker's pitch (class 3).

CLASS 20

Furniture, including metal furniture and furniture for camping; not including special furniture for doctors, surgeons or dentists (class 10).

Mirrors, including looking glasses and furnishing or toilet mirrors.

Class 20 includes bedding (for example, mattresses, spring mattresses, pillows), but not bedding linen.

Class 20 includes plastic goods not included in other classes.

CLASS 21

Small utensils and portable containers for the home or kitchen: for example, kitchen utensils, pails, pans of iron, aluminum, plastics or other materials, small apparatus for mincing, grinding, pressing, etc., except those driven by electricity (class 7).

Combs and sponges, as well as all toilet utensils, except:

- razor blades and razors (class 8);
- metal implements and utensils for manicure and pedicure (class 8);
- mirrors (class 20).

Articles for cleaning purposes, except:

- cleaning preparations, soaps, etc. (class 3);
- apparatus driven by a non-electrical motor (class 7) or by an electrical motor (class 9).

Glassware not included in other classes. Glass for window panes is listed in class 19.

CLASS 22

String, not including strings for musical instruments (class 15);

Cords and twines in natural or artificial textile fibers or plastics.

Nets, not including hairnets (class 26) and nets for games (class 28); tents; sails, i.e. sails made for boats; veils for dresses are listed in class 25; sacks; stuffing materials, except those made of foam rubber or plastic (class 17).

CLASS 23

No observations.

CLASS 24

Textiles, except those included in classes 22 and 26.

Blankets, including travel blankets. Electrically heated blankets are listed in class 10; horse blankets in class 18.

CLASS 25

Clothing, except clothing to protect against accidents and special clothing for life-saving (class 9).

CLASS 26

Hooks and eyes for women's work or for clothing. Slide fasteners are listed in class 26. Needles: consult the alphabetical list of goods. Dressmakers' articles are listed in class 26.

CLASS 27

Other products that serve as floor coverings, i.e. products intended to be added as furnishings to previously constructed floors:

- Wallpaper and similar products for covering walls;
- Linoleum.

CLASS 28

Games, not including playing cards (class 16).

Sporting articles, provided that they are not included in other classes. This includes, for example, the following articles:

Fishing tackle (except nets, which belong to class 22);

Equipment for various sports and games; articles for the beach and swimming, except:

- breathing apparatus (class 9);
- bathing suits and beachwear (class 25);

Christmas tree ornaments and decorations, except:

- candles (class 4);
- confectionery and chocolate (class 30).

CLASS 29

Meat and fish, including mollusca and crustacea.

Fish and poultry, not including fish or poultry that are live or for breeding (class 31).

Milk and other milk products, including milk-based beverages.

CLASS 30

Tea, except medicinal teas (class 5).

Preparations made from cereals: cereals prepared for human consumption (for example, oat flakes and those made of other cereals) are listed in this class, whereas raw cereals and foodstuffs for animals are listed in class 31 (agricultural products, seeds).

Class 30 includes beverages with coffee, cocoa or chocolate base.

CLASS 31

Agricultural and horticultural products: includes cereals not prepared for consumption and, in general, all land products that have not been subjected to any form of preparation, except rice (class 30) and tobacco (class 34).

Forestry products: specifically, raw woods.

Semi-worked woods are listed in class 19.

Live animals, except:

- Cultures of micro-organisms (class 5);
- Leeches (class 5);
- Fishing bait (class 28);
- Crustacea and mollusca (class 29).

CLASS 32

Class 32 includes fruit juices and fruit-juice-based drinks.

CLASSES 33 AND 34

No observations.

CLASS 35

This class refers to services rendered by persons or organizations principally with the object of:

1. Help in the working or management of a commercial undertaking; or
2. Help in the management of the business affairs or commercial functions of an industrial or commercial enterprise.

This class also includes advertising establishments primarily undertaking communications to the public, declarations or announcements by all means of diffusion and concerning all kinds of goods or services.

Notes

1. This class does not include enterprises whose principal function is the sale of goods, that is, commercial enterprises, but does include certain secondary aspects of enterprises that help them to function as such.
2. This class includes services consisting of the registration, transcription, composition, compilation, transmission or systematization of written communications and registrations, and also the use or compilation of mathematical or statistical data.
3. This class does not include services such as evaluations and reports of engineers which do not directly refer to the working or management of affairs in a commercial or industrial enterprise.
4. This class includes services of advertising agencies and services such as the distribution of prospectuses, directly or through the post, or the distribution of samples. This class may refer to advertising in connection with other services, such as those concerning bank loans or advertising by radio. See class 42 for professional consultations and planning not related to the management of business affairs.

CLASS 36

This class refers to:

1. Services rendered in financial and monetary affairs; and
2. Services rendered in relation to insurance contracts of all kinds.

Notes

1. Services relating to financial or monetary affairs comprise the following:
 - (a) Services of all banking establishments or institutions connected with them, such as exchange brokers or clearing services;
 - (b) Services of credit institutions other than banks, such as cooperative credit associations, individual financial companies, lenders, etc.;
 - (c) Services of "investment trusts" and holding companies;
 - (d) Services of brokers dealing in shares and property;
 - (e) Services connected with monetary affairs vouched for by trustees;
 - (f) Services rendered in connection with the issuing of travelers' checks and letters of credit.
2. Realty administrators of buildings who render services of letting or valuation, or financing, may be listed in this class. However, those who render other services are to be listed with the respective services; for example, the services of an estate agent engaged in the repair or renovation of a building are to be listed in class 37 (construction and repair).
3. Services dealing with insurance, such as services rendered by agents or brokers engaged in insurance, services rendered to insurers and the insured, and insurance underwriting services, are to be listed in this class.

CLASS 37

This class refers to services rendered by contractors or building owners in the construction or making of permanent buildings.

It also refers to services rendered by persons or organizations engaged in the restoration of objects to their original condition or in preserving them without altering their physical or chemical properties.

Notes

1. The term "building construction" within the meaning of this class includes services relating to the construction of buildings and structures designed by engineers, such as roads, bridges, dams or transmission lines and services of undertakings specializing in the field of construction, such as those of painters, plumbers, heating installers or roofers.
2. Services auxiliary to construction services, such as inspections of construction plans, are included in this class.
3. The hiring of tools or building materials is included in this class.
4. The term "repair services" within the meaning of this class includes services which undertake to put any object into good condition after wear, damage, deterioration or partial destruction. This class refers, then, to an existing building or object that has become imperfect and is to be restored to its original condition.

5. This class covers various repair services, such as those in the fields of electricity, furniture, instruments, tools, etc.
6. This class also refers to services of maintenance for preserving an object in its original condition without changing any of its properties. For the distinction between this class and class 40, see class 40, note 1.
7. Within the meaning of this class, the storage of goods such as clothes or vehicles is not considered a maintenance service: see class 39 (transport and storage). See class 40 for services connected with dyeing of cloth or clothes.

CLASS 38

This class refers to services allowing at least one person to communicate with another by a sensory means. Such services include those which:

1. allow one person to talk to another;
2. transmit messages from one person to another; and
3. place a person in oral or visual communication with another (radio and television).

Notes

1. This class includes services which consist essentially of the broadcasting of radio or television programs.
 2. Radio advertising services are not included in this class. For those services, see class 35 (advertising and business).
- See class 35 for telephone answering services used as auxiliary services for business.

CLASS 39

This class refers to services rendered in transporting persons or goods from one place to another and services necessarily connected with such transport. It includes the transport of passengers and goods by rail, road, water, air or pipeline.

This class also includes services relating to the storing of goods in a warehouse or other building for their preservation or guarding.

It also includes the following services relating to the transport of persons or goods:

1. Services rendered by companies exploiting stations, bridges, rail-road ferries, etc., used by the transporter;
2. Services connected with the hiring of transport vehicles;
3. Services connected with maritime tugs, unloading, the functioning of ports and docks and the salvaging of wrecked ships and their cargoes;
4. Services connected with the functioning of airports;
5. Services connected with the packaging and parceling of goods before dispatch;
6. Services consisting of information about journeys or the transport of goods by brokers and tourist agencies, information relating to tariffs, timetables and methods of transport;
7. Services relating to the inspection of vehicles or goods before transport.

Notes

1. This class does not include the issuing of travelers' checks or letters of credit by brokers or travel agents. For those services, see class 36 (insurance and finance).
2. This class does not include services rendered for the maintenance and repair of vehicles or the maintenance and repair of objects connected with the transport of persons or goods. For those services, see class 37 (building construction and repair).
3. This class does not include services relating to advertising transport undertakings, such as the distribution of prospectuses or advertising on the radio. For those services, see class 35 (advertising and business).
4. This class does not include services relating to insurance (commercial, fire or life) during the transport of persons or goods. For those services, see class 36 (insurance and finance).
5. This class does not include services relating to reservation of rooms in a hotel by travel agents or brokers. For those services, see class 42 (various).

CLASS 40

This class refers to services not listed in other classes rendered by the mechanical or chemical processing or transformation of objects or inorganic or organic substances.

Notes

I. The distinction between this class and class 37 is as follows:

- (a) Class 37 includes mainly repair services whose purpose is to restore an object to its original condition or ensure its preservation without changing its essential properties (for example, painting a garden fence, including in a color different from the original color).
- (b) Class 40 includes transformation of an object or substance and any process involving a change in its essential properties (for example, dyeing a garment). A maintenance service of the type usually included in class 37 shall be included in class 40 if it entails such a change (for example, the chroming of motor vehicle bumpers). Services covered by class 40 may be present during the production of any substance or object other than a building; for example, services which involve cutting, shaping, polishing by abrasion or metal coating are included in this class.

II. For the purposes of classification, the mark is considered a service mark only in cases where processing or transformation is effected on behalf of another person to whom the processed substance or object is returned, using a substance or object that belongs to another person. Also for the purposes of classification, a mark is considered a trademark in all other cases where the substance or object is marketed by the person who processed or transformed it.

CLASS 41

This class refers to services rendered by persons or institutions in the development of the mental faculties of persons or animals. These services include all forms of education of persons or training of animals.

This class also includes services intended to entertain or to engage the attention. These services include those whose basic aim is the entertainment, amusement or recreation of people.

CLASS 42

This class refers to all services that cannot be listed in other classes.

Notes

1. This class includes the following types of services:

- (a) Services provided to obtain bed and board in hotels, boarding houses, campsites, tourist hostels, farm boarding houses, sanatoria and rest and convalescent homes;
- (b) Services provided by establishments essentially engaged in obtaining food or drink prepared for consumption. These services may be provided through restaurants, self-service restaurants, cafeterias, etc.;
- (c) Personal services rendered by establishments to meet the needs of individuals. These services may include social escort services, beauty salons, funeral or cremation establishments and hairdressing salons;
- (d) Services provided by persons, individually or collectively, as members of an organization that requires a high level of mental activity, in relation to the theoretical or practical aspects of complex fields of human activity. The services provided by such persons require a broad and in-depth university education or equivalent experience. Such services, provided by members of professions such as engineers, chemists, physicists, etc., are included in this class;
- (e) This class includes the services of travel agencies or brokers who secure hotel reservations for travelers. See class 39 (transport and storage) for other services for travelers provided by travel agencies or brokers;
- (f) This class includes the services of engineers who undertake evaluations, estimates, research and reports;
- (g) This class includes services not included in other classes provided by associations to their own members.

2. This class does not include the services of singers or dancers who perform in orchestras or operas. For those services, see class 41 (education and entertainment). See class 35 for professional services giving direct aid in the operations or functions of a commercial undertaking.