

Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks applies to HKSAR

The Intellectual Property Department announced today (February 27) that the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Agreement) applies to the Hong Kong Special Administrative Region (HKSAR) with effect from today.

The Nice Agreement establishes an international classification system for goods and services for the purposes of the registration of trade marks (International Classification). The International Classification consists of a list of classes (34 classes for goods and 11 classes for services) and an alphabetical list of goods and services. Official documents and publications about trade mark registrations issued by the trade mark offices of the contracting parties must include the numbers of the classes of the International Classification to which the goods or services for which the trade marks are registered belong.

The application of the Nice Agreement to the HKSAR does not necessitate any change in our existing trade mark policy, law and practice, given that our local trade mark registration regime has been using the International Classification established by the Nice Agreement. The current Trade Marks Rules (Cap 559A) expressly provides, amongst others, that goods or services in respect of which a trade mark is registered under the current Trade Marks Ordinance (Cap 559) shall generally be classified in accordance with the International Classification adopted by the Nice Agreement and in force on the date of registration. The Trade Marks Rules further requires the Registrar of Trade Marks, upon registration of a trade mark, to enter in the register certain prescribed particulars including the classes and description of goods or services in the International Classification in respect of which the trade mark is registered.

As one of the cornerstones of the international trade mark regime, the International Classification has been applied by about 150 trade mark offices worldwide. Application of the Nice Agreement to the HKSAR will formalise the application of the International Classification to the HKSAR, and will further exhibit our full support for such international standard.

The Nice Agreement was signed on June 15, 1957, revised at Stockholm on July 14, 1967 and at Geneva on May 13, 1977, and amended at Geneva on September 28, 1979.

The full text of the Nice Agreement is available at the website of the World Intellectual
Property Organisation at
http://www.wipo.int/treaties/en/classification/nice/trtdocs_wo019.html.

Ends