

# Trade marks

## Technical Focus Group (TFG) meeting minutes

<b>Date/time</b>	3 March 2026 at 2 pm
<b>Location</b>	Hybrid of virtual & in-person: <ul style="list-style-type: none"> <li>• G.13</li> <li>• Microsoft Teams</li> </ul>
<b>Apologies</b>	Gina Choi; Jason Rudkin-Binks

### Participants

MBIE / Intellectual Property Office of New Zealand ("IPONZ")	Other
Rebecca James, Manager Trade Marks & GIs (chair) Jeanette Singh, Principal Trade Mark Examiner Trish Scott, Principal Trade Mark Examiner Beth Hunt, Acting Principal Trade Mark Examiner George Wardle, Principal Advisor, Corporate Governance and Intellectual Property Policy Team Murray Clarke, Trade Marks Team Leader Jeanette Palliser, Trade Marks Team Leader Julie McCarthy, Trade Marks Team Leader Connor McIver, Senior Trade Marks Examiner (minutes)	Alan Chadwick Chris Sheehan David Moore Kate Giddens Sarah Chapman Kate Duckworth Nick Holmes Katy Rostovitch Gemma Smith Virginia Nichols Tom Robertson Kylie Jenner

### Minutes

Topic	Speaker
<b>Welcome and introduction</b>	Rebecca James
<b>IPONZ updates</b>	<b>Rebecca James</b>
<p><b>Team update</b></p> <p>First Examination: Pendency times have been improving, with work being allocated out at the start of the week with a key target of pendency time for completion between circa 50 – 55 working days. This is around a 3 working day improvement since the last meeting, however, we expect this will likely fluctuate over this month and into the next due to public holidays.</p> <p>Evidence: We remain within 100 working days on evidence files.</p> <p>Correspondence remains almost entirely within published turnaround times.</p>	

Since the last meeting, our main focus after examination has been classification activities preparing for Nice 13 which came into force on 1 Jan 2026, and considering the proposals to be discussed at the upcoming Nice Committee of Experts meeting in Geneva at the end of April.

#### **Fees review update**

The IPONZ fees review is now on hold until after the election.

#### **IPONZ IT platform upgrade project update**

The IPONZ platform upgrade is progressing, however, the first release covering designs services has been delayed for a few months to ensure a smooth transition. We are continuing to work with customers (especially agency firms) to optimise their setups as part of this work.

#### **Update of our section 17 Practice Guideline – offensive marks & INNs/INN stems**

We presented two draft updates of our section 17 Practice Guidelines at the 14 October 2025 TFG meeting. Work to publish this content is currently underway. If all goes well, the new content should be published this month.

#### **Update from MBIE policy team**

**George Wardle**

#### **Copyright Act Review**

The Minister of Commerce and Consumer Affairs paused our work on progressing targeted changes to the Copyright Act late last year to ensure sufficient Ministry resources would be available to progress his portfolio priorities for 2026. We are in discussions about what might be achievable for this year for progressing copyright reforms, taking into account the May 2028 deadline for implementing EU free trade agreement copyright obligations.

#### **India Free Trade Agreement**

The Government announced conclusion of negotiations for a free trade agreement with India in late December. Although the text of the agreement is yet to be made public, we don't expect any changes to IP statutes would be necessary to facilitate its ratification.

However, MFAT has published information about a proposed side-letter to the agreement concerning a commitment to review the geographical indications section of the IP chapter. The side letter commits the Parties to undertake a review of GI protections, with a view to matching protections we have agreed with the EU, including to allow for protection of individual GI names. The review will start on signature of the agreement and will be completed within 6 months of the agreement entering into force. The public will have the chance to have input, including in relation to the protection of any nominated names. One name India is keen on protecting as a GI is BASMATI for rice.

We understand the two governments are working towards signature in late April.

#### **Amendments to the Plant Variety Rights Act 2022**

A significant portion of our time since work on the Copyright Act was paused has been on the development of advice for the Minister of Commerce and Consumer Affairs on proposals to amend the Plant Variety Rights Act 2022.

<p><b>13<sup>th</sup> Edition of the Nice Classification &amp; Conflicting Goods and Services List</b></p>	<p><b>Trish Scott</b></p>
<p>The 13<sup>th</sup> Edition of the Nice Classification came into effect on 1 January 2026. Nice 13 applies to national marks with a filing date on or after 1 January 2026, New Zealand designations with a designation date on or after 1 January 2026, and all NZOOs filed in 2026.</p> <p>We published an updated version of our Classification and Specification Practice Guideline on 5 January. This includes a new Appendix 5, which lists the goods and services that moved to a new Nice class with Nice 13.</p> <p>The most notable Nice 13 class moves concern essential oils and eyewear:</p> <ul style="list-style-type: none"> <li>• Essential oils were previously all classified in class 3 but are now classified according to their function or purpose.</li> <li>• Spectacles, sunglasses and contact lenses have moved from class 9 to class 10, along with their parts and accessories.</li> </ul> <p>Because the class moves for essential oils and eyewear were significant and were the most likely to affect clients, we updated Specification Builder to reflect these two class moves on 1 January. Updating Specification Builder entirely took longer to achieve but has now been accomplished.</p> <p>You will recall we amended the Conflicting Goods and Services List in May last year. We realised at that time that we would need to update the List again once Nice 13 had come into effect.</p> <p>This work has now been done. A new version of the Conflicting Goods and Services List was published on the IPONZ website on 28 January. The most significant changes concern the goods and services that moved class with Nice 13. Searching for “Nice 13” in the List will find these entries.</p> <p>On 28 January we also updated the Conflicting Class Table in section 6.2 of our section 25 Practice Guideline. The Conflicting Class Table now aligns with the current version of the Conflicting Goods and Services List. Our system defaults for similar class searches of the register likewise now align.</p> <p><b>Questions</b></p> <p>Member raised that a Swiss agent had queried whether IPONZ will still refuse to allow broad computer software despite e.g. ‘computer software applications, downloadable’ being a Nice term in class 9.</p> <p>IPONZ response was that we will continue to object and require specificity for software terms, as per our practice guidelines. The issue is not about whether the class is correct; the issue is breadth.</p>	
<p><b>Expedited examination requests update</b></p>	<p><b>Murray Clarke</b></p>
<p>Since the beginning of this year, we have received 25 requests for expedited examination. This is a manageable number.</p> <p>Of the 25 requests, nine were from private applicants and the rest were from agents.</p> <p>We asked for additional detail/reasoning in response to four of these requests. We granted the other requests immediately.</p> <p>If you are requesting an expedited examination, please remember to include genuine and compelling reasons in your request (beyond saying that the mark is important to the business/client). This would save IPONZ time, as we wouldn’t have to seek further information.</p> <p><b>Questions</b></p> <p>Member queried if any requests for expedition had been rejected. Murray confirmed all were accepted eventually, though some required IPONZ to seek further information re sufficiently compelling reasons.</p>	

<b>Any other business</b>	
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<b>Other business items raised by TFG members</b>
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- Member mentioned post-acceptance requests for amendments to specifications (e.g., to avoid potential opposition). Member queried whether there could be a way for these to be flagged and completed as a matter of urgency. IPONZ advised these kinds of requests can be brought to our attention by emailing mail@iponz; suggested flagging the urgency/relevant deadline in the subject line.

<b>Close of Meeting</b>
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Summary of Actions
