

**2009**

**PATENT ATTORNEYS**

**EXAMINATION**

**PAPER B**

The New Zealand Law and Practice  
relating to Trade Marks

Regulation 158 (1) (b)

Duration: 3 hours (plus 10 minutes for reading)

When considering answers to the questions in this year's examinations, no account is to be taken of any provisions of the Patents Bill, the Trade Marks (International Treaties and Enforcement) Amendment Bill, the Regulatory Improvement Bill (as it relates to amendment of the Designs Act 1953), or any other bill that may be before the New Zealand Parliament.

## Trade Mark Exam 2009

### Question 1 (Total 20 marks)

Shirley Thompson operates a trendy coffee shop in Auckland which trades under the name HEAVEN. The Auckland coffee shop began trading in May 2006. Shirley opened a second coffee shop in Wellington in December 2006. Both HEAVEN coffee shops sell coffee, tea and other non-alcoholic beverages, and an extensive range of hand made fudges, chocolates and nougats.

Shirley owns the following registered trade mark:

Mark:	HEAVEN
Services:	Restaurant services; provision of food and beverages.
Class:	43
Filed:	1 July 2008
Registered:	1 June 2009

Tom Eadie began making sweets from his basement in Taupo in January 2007 which he marketed under the brand name SWEET HEAVEN. He initially supplied his sweets to dairies around Taupo and Rotorua.

Tom filed a trade mark application in 2008 and the trade mark application is now accepted. Details are as follows:

Mark:	SWEET HEAVEN
Goods:	Sweets.
Class:	30
Published:	30 April 2009
Application Accepted:	16 April 2009
Filed:	30 October 2008

In August 2008, Tom opened a SWEET HEAVEN sweet shop in Taupo selling his huge range of sweets, as well as soda drinks and milkshakes. It quickly becomes an iconic shop and compulsory stop for families driving through Taupo on State Highway 1.

Shirley has just received a text message from one of her friends asking her if the SWEET HEAVEN shop is associated with her business. On finding that Tom is trading under the name SWEET HEAVEN, Shirley comes to you demanding that legal action be taken to stop Tom using her trade mark.

Advise Shirley whether she can stop Tom from using the trade mark SWEET HEAVEN, discuss the requirements for each cause of action, including any remedies available, and provide recommendations on how Shirley should proceed.

**Question 2 (16 marks)**

- (a)** Discuss the border protection measures available under the Trade Marks Act 2002, including the procedures for establishing any border protection measures, and the procedures governing the seizure, detention, and release of imported goods under those provisions. (5 marks)
- (b)** One of the purposes of the Trade Marks Act 2002 is to address Maori concerns relating to the registration of trade marks that contain a Maori sign, including imagery and text. Discuss how the Trade Marks Act 2002 attempts to address Maori concerns, including identifying any relevant provisions, and commenting on any practices adopted by the Intellectual Property Office of New Zealand. (6 marks)
- (c)** What is ambush marketing? Discuss the impact the Major Events Management Act 2007 has on ambush marketing. What is the procedure to declare words and emblems under that Act and how long does that protection last? (5 marks)

**Question 3 (12 marks)**

Norton Glass LLP is a United States based window manufacturer. Norton has been manufacturing and marketing its aluminium windows ( ie. window glass and window frames ) in the United States under the NORTON brand for over 20 years.

Norton Glass LLP owns a United States trade mark registration for NORTON GLASS covering "aluminium windows" in class 6. This US registration coexists on the US Register of Trademarks alongside a registration for NORTON in class 6 covering "metal building materials, namely, sheet materials of metal for use in building" in the name of Castle Inc.

Harper Industries Limited is the exclusive New Zealand distributor for Castle Inc's products in New Zealand. It has been selling NORTON metal building materials in New Zealand since 2002. Harper Industries Limited owns a New Zealand trade mark registration for the trade mark NORTON covering "metal building materials; window frames made of metal" in class 6. The application for this registration was filed on 13 November 2005 and its actual date of registration is 10 June 2006.

To date, use of the trade mark NORTON by Harper Industries Limited has been limited to metal building materials. There has been no use of NORTON in relation to window frames or window glass.

Norton Glass LLP has appointed a local New Zealand distributor for its products in New Zealand, and the first shipment of NORTON GLASS branded aluminium windows arrives in New Zealand in September 2009.

What steps should Norton Glass LLP take to ensure its distributor is free to sell its aluminium windows in New Zealand in September under the trade mark NORTON GLASS. For any actions you recommend, identify any deadlines that may apply, the procedures involved for each action, and advise on any protection strategy.

**Question 4 (Total 27 marks)**

**Part I**

David James Matthews is a corn farmer based in Te Awamutu, producing and selling corn products including “corn, fresh corn, frozen corn, corn chutney, corn feed for animals, popcorn and popped corn” over the last two years but restricted to the Te Awamutu region. Mr Matthews is proud of his environmentally friendly farming procedures and policies and all his marketing focuses on this aspect of his business. All of his corn products are sold under the trade mark GREEN TABLETS. He also uses a GREEN TABLETS label.

Mr Matthews’s business has been a huge success in the Te Awamutu region. He wishes to expand his business and asks you to advise him if his mark is available to use and register in New Zealand.

- (a) Devise a search strategy for this mark, including any methods or parameters for the searches you will make on the IPONZ website. (3 marks)

**Part II**

You conduct a search and find the following:

- (1) Registration for GREEN CAPSULES covering “nutritional supplements” in class 5 – accepted 27 April 2009 – Mr Matthews knows this mark is in use and the owners have attempted to stop his use of GREEN TABLETS on corn feed for animals.
  - (2) Registration for TABLETS covering “plants” in class 31 – registered 27 February 2000 – next renewal fee due 27 September 2009 – Mr Matthews advises you this mark is not in use.
  - (3) Lapsed registration for CHILLI TABLETS covering “chilli” in class 29 – registered 27 May 2000 – last renewal fee due on 5 February 2009 – Mr Matthews advises you this mark is not in use.
  - (4) Registration for RED TABLETS covering “agricultural machinery and equipment” in class 7 – registered 4 July 2007 – investigations find the mark is in use.
  - (5) Registration for the colour GREEN covering “publications and magazines” in class 16 – Mr Matthews confirms this mark is in use and the publication writes on environmentally friendly farming practices.
- Company registration for Green Tablet Limited – further inquiries confirm Green Tablet is a lobby group on environmental issues.
  - Domain name registration for greentablet.co.nz – further inquiries reveal the domain name is owned by the Green Party and is a blog site for the discussion of environmentally friendly issues in New Zealand.

- Green Tablet is the name of a small mountain, found next to Table Mountain in Capetown, South Africa, known for its tablet shape and unusual green colouring, and its farming activities.

Advise Mr Matthews on whether the trade mark GREEN TABLETS is available for use and registration for all of the goods of interest. Discuss any possible obstacles found by the search, including any strategies for overcoming those obstacles. Advise Mr Matthews on any steps he should take to strengthen his protection. (12 marks)

### **Part III**

Mr Matthews then informs you that he filed a trade mark application for the words GREEN TABLETS covering “corn; fresh corn; frozen corn; corn products; corn chutney; corn feed for animals; popcorn and popped corn” in class 29 on 10 June 2009.

The following objections were raised in a compliance report.

Section 17 – the use of this mark is likely to deceive or cause confusion if the mark is not used on environmentally friendly products

Section 18 – the mark is non-distinctive and should be available for other traders to use

Section 31 – the application covers goods in more than one class and asks Mr Matthews to delete “corn products; corn chutney; popcorn; popped corn” as these are goods in class 30, “corn feed for animals” as these are goods in class 31.

Section 25 – citations based on registrations (1) – (5) found by your search.

Noting any deadlines that apply, draft a response to the compliance report. In your response, refer to relevant case law, any documents that may be required, and advise what steps Mr Matthews should take to strengthen his protection. (12 marks)

**Question 5** (Total 25 marks)

You act for the New Zealand Apple Growers Cooperative (NZAG).

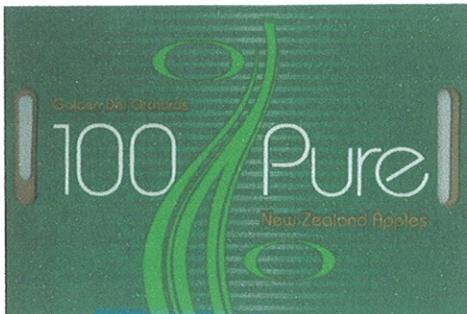
NZAG has developed the following trade mark (which can be used in two forms):



NZAG wants all of its members to be able to use this trade mark as a label applied to fruit and as branding for apple cartons. NZAG's members are keen to have a trade mark which promotes the clean green image of New Zealand both in New Zealand and in export markets. NZAG's intention is to promote the trade mark as indicating that the apples are New Zealand grown and are pesticide free.

You conduct a trade mark search in respect of "100% PURE" and "PURE NEW ZEALAND" marks. The search data is **attached**.

The most relevant trade mark found on the Register of Trade Marks is:



The trade mark was registered in the name of Apple Exports Limited in 2001, and it covers apples in class 31. The mark contains the words "Golden Del Orchards" in small print as shown. Apple Exports uses this trade mark on exported product only.

NZAG requests your advice as to:

- (a) Whether NZAG (and its members) can use the proposed 100% PURE NEW ZEALAND APPLES trade mark;
- (b) Whether NZAG can register the trade mark;
- (c) The best option for registering the trade mark and facilitating the use of the mark by its members (for the purpose of this part of this question, assume the mark is distinctive and registrable).

NOTE: You do not need to comment on the situation outside of New Zealand.

**Search Results:** ID 10334560 - 39 hits from 465,558 records on 03 Jun 09 10:47  
**Search Criteria:** ((PURE NEW ZEALAND)<ln>(IPTITLE,OFFTITLE))

Currently Displaying records 1 - 39

Trade Mark Number	Title	Current Proprietor (first only)	Classification System -Class	Status
<input type="checkbox"/> 21542	PURE NEW ZEALAND GRAPE WINE AAC A.A.CORBAN	PERNOD RICARD NEW ZEALAND LIMITED	3 43	100 Registered
<input type="checkbox"/> 137313	PURE NEW ZEALAND WOOL		4 12	110 Expired
<input type="checkbox"/> 214782	HIGH COUNTRY 100% PURE NEW ZEALAND WOOL	AUTEX INDUSTRIES LIMITED	4 24	110 Expired
<input type="checkbox"/> 256795	Neutrien Abalone Pure New Zealand Abalone Extract	PIONEER INTERNATIONAL CO., LTD.	4 5	140 Cancelled/Declared Invalid/Revoked/Abandoned
<input type="checkbox"/> 635199	Brightwater Ridge Pure New Zealand artesian water	Mead IP Trustee Ltd as Trustees for the Mead Intellectual Property Trust	4 32	110 Expired
<input type="checkbox"/> 637021	wild earth PURE NEW ZEALAND ADVENTURE	NATURALLY NEW ZEALAND SOUVENIRS (CHRISTCHURCH) LIMITED	4 16	110 Expired
<input type="checkbox"/> 637022	wild earth PURE NEW ZEALAND ADVENTURE	NATURALLY NEW ZEALAND SOUVENIRS (CHRISTCHURCH) LIMITED	4 25	110 Expired
<input type="checkbox"/> 637023	wild earth PURE NEW ZEALAND ADVENTURE	NATURALLY NEW ZEALAND SOUVENIRS (CHRISTCHURCH) LIMITED	4 35	110 Expired
<input type="checkbox"/> 648233	Nzone PURE NEW ZEALAND ARTESIAN WATER	MEAD INTERNATIONAL LTD	4 32	120 Abandoned Prior to Registration
<input type="checkbox"/> 652215	Natural Energy Pure New Zealand	EISUNG KIM	8 30	105 Expired but Restorable
<input type="checkbox"/> 655763	PURE NEW ZEALAND TOURS	PURE NEW ZEALAND TOURS LIMITED	8 39	100 Registered
<input type="checkbox"/> 672962	PARADISE Pure Rotorua New Zealand 100% Pure New Zealand Spring Water	PARADISE VALLEY SPRINGWATER LIMITED	8 32	100 Registered
<input type="checkbox"/> 672963	PARADISE Pure Rotorua New Zealand 100% Pure New Zealand Spring Water	PARADISE VALLEY SPRINGWATER LIMITED	8 32	100 Registered
<input type="checkbox"/> 676195	Pure New Zealand	The Derek Corporation Limited	8 29	120 Abandoned Prior to Registration
<input type="checkbox"/> 680327	Absolutely Natural 100% PURE NEW ZEALAND PRODUCTS	ABSOLUTELY NATURAL LIMITED	8 3	100 Registered
<input type="checkbox"/> 684510	100% Pure New Zealand Pine	NEW ZEALAND TIMBER INDUSTRY FEDERATION INC	8 19	100 Registered
<input type="checkbox"/> 684929	ARTESIAN NEW ZEALAND PREMIUM ; PURE NEW ZEALAND PREMIUM	Richard Griffin	8 32	120 Abandoned Prior to Registration
<input type="checkbox"/> 705782	One Degree Pure New Zealand	Edward Nee Nee	8 12 8 16 8 35	100 Registered
<input type="checkbox"/> 706866	Kaikoura Fresh Pure New Zealand Spring Water STILL WATER	J and R Roberts Supermarket Limited	8 32	100 Registered

<input type="checkbox"/>	716145	pure new zealand seawater	george van valkenburg	8 5	120	Abandoned Prior to Registration
<input type="checkbox"/>	726289	APEX 100% PURE NEW ZEALAND CAR RENTAL	APEX RENTAL CARS LIMITED	8 39	140	Cancelled/Declared Invalid/Revoked/Abandoned
<input type="checkbox"/>	731640	1ST CLASS PURE NEW ZEALAND LAMB	The Neal Meat Company	8 29	120	Abandoned Prior to Registration
<input type="checkbox"/>	734840	100% PURE & NATURAL NEW ZEALAND ; 100% PURE NEW ZEALAND	MAXX Marketing	8 31	120	Abandoned Prior to Registration
<input type="checkbox"/>	744705	pure new zealand cafe	Pure NZ Cafe Limited	8 43	120	Abandoned Prior to Registration
<input type="checkbox"/>	753974	SUMMIT WOOL SPINNERS LTD 100% Pure New Zealand Wool Grown in New Zealand 100% Pure New Zealand Yarn Made in New Zealand www.summitwool.co.nz	Summit Wool Spinners Ltd	8 23	100	Registered
<input type="checkbox"/>	757147	Aroha Elderflower Cordial 100% Pure New Zealand Goodness	Mark Dillon	8 32	100	Registered
<input type="checkbox"/>	764711	three islands pure new zealand	Canterbury Retail Limited	9 35	140	Cancelled/Declared Invalid/Revoked/Abandoned
<input type="checkbox"/>	765504	SWEET BEE NATURES SWEETENER Pure New Zealand Honey Flakes	Pacific Laboratories Ltd	9 30	100	Registered
<input type="checkbox"/>	770496	pure new zealand wal	Glenn Elliott	9 32	120	Abandoned Prior to Registration
<input type="checkbox"/>	771229	PURE NEW ZEALAND LIMITED	Lombard Group Limited	9 29 9 30 9 32 9 33	120	Abandoned Prior to Registration
<input type="checkbox"/>	772135	fresh.H2O PURE NEW ZEALAND SPRING WATER	David Roberts	9 32	120	Abandoned Prior to Registration
<input type="checkbox"/>	777737	Pure New Zealand Cuisine	Nigel Morris	9 43	120	Abandoned Prior to Registration
<input type="checkbox"/>	778435	Matsons Pure New Zealand Artesian Water	Matsons Brewery Limited	9 32	100	Registered
<input type="checkbox"/>	784838	PURE NEW ZEALAND ; PURE NEW ZEALAND	Wayne Semmens	9 32	120	Abandoned Prior to Registration
<input type="checkbox"/>	791136	Golden Del Orchards 100% Pure New Zealand Apples ; Golden Del Orchards 100% Pure New Zealand Apples	Apple Express Limited	9 31 9 35 9 39	100	Registered
<input type="checkbox"/>	795026	HAND KNIT YARNS by Naturally IT'S PURE NEW ZEALAND	Wentworth Distributors NZ Ltd	9 16 9 23 9 26 9 35	100	Registered
<input type="checkbox"/>	804535	PURELY PAUA NZ PURE NEW ZEALAND PERFECTION	Laryne Miles	9 29	50	Examination
<input type="checkbox"/>	805238	purenewzealand PURE NEW ZEALAND PRODUCTS LTD	Pure New Zealand Products Limited	9 30	70	Accepted

**Search Results:** ID 10334630 - 34 hits from 465,558 records on 03 Jun 09 10:53  
**Search Criteria:** ((100% PURE)<in>(IPTITLE,OFFTITLE))

Currently Displaying records 1 - 34

Trade Mark Number	Title	Current Proprietor (first only)	Classification System -Class	Status
<input type="checkbox"/> 175444	SLEEP EASY 100% PURE WOOL WONDER REST MATTRESS OVERLAY	WILLIE WEAVERS LTD	4 24	140 Cancelled/Declared Invalid/Revoked/Abandoned
<input type="checkbox"/> 214782	HIGH COUNTRY 100% PURE NEW ZEALAND WOOL	AUTEX INDUSTRIES LIMITED	4 24	110 Expired
<input type="checkbox"/> 276854	100% PURE JAVA	SUN MICROSYSTEMS, INC.	4 9	110 Expired
<input type="checkbox"/> 276889	100% PURE JAVA	SUN MICROSYSTEMS, INC.	4 9	110 Expired
<input type="checkbox"/> 294140	DILMAH 100% PURE CEYLON TEA CEYLON GOLD Special leaf tea	MERRILL J FERNANDO & SONS (PVT) LTD	4 30	110 Expired
<input type="checkbox"/> 308238	100% PURE	New Zealand Tourism Board	4 35	100 Registered
<input type="checkbox"/> 308239	100% PURE	New Zealand Tourism Board	4 39	100 Registered
<input type="checkbox"/> 308240	100% PURE	New Zealand Tourism Board	4 41	100 Registered
<input type="checkbox"/> 308241	100% PURE	New Zealand Tourism Board	4 42	100 Registered
<input type="checkbox"/> 316422	New Zealand Delicious 100% PURE & NATURAL	SUNRISE APIARIES LTD	4 30	120 Abandoned Prior to Registration
<input type="checkbox"/> 654839	FROM THE WORLD'S MOST PRISTINE SKIES 100% PURE RAINWATER	RainSystems Limited	8 32	105 Expired but Restorable
<input type="checkbox"/> 668245	100% PURE LUXURY	Pelorus Lodge Limited	8 43	120 Abandoned Prior to Registration
<input type="checkbox"/> 672962	PARADISE Pure Rotorua New Zealand 100% Pure New Zealand Spring Water	PARADISE VALLEY SPRINGWATER LIMITED	8 32	100 Registered
<input type="checkbox"/> 672963	PARADISE Pure Rotorua New Zealand 100% Pure New Zealand Spring Water	PARADISE VALLEY SPRINGWATER LIMITED	8 32	100 Registered
<input type="checkbox"/> 676135	100% PURE TASTE	New Zealand Natural Pty Limited	8 29	120 Abandoned Prior to Registration
<input type="checkbox"/> 676136	100% PURE TASTE	New Zealand Natural Pty Limited	8 30	120 Abandoned Prior to Registration
<input type="checkbox"/> 676137	100% PURE TASTE	New Zealand Natural Pty Limited	8 32	120 Abandoned Prior to Registration
<input type="checkbox"/> 676138	100% PURE TASTE	New Zealand Natural Pty Limited	8 43	120 Abandoned Prior to Registration
<input type="checkbox"/> 680327	Absolutely Natural 100% PURE NEW ZEALAND PRODUCTS	ABSOLUTELY NATURAL LIMITED	8 3	100 Registered
<input type="checkbox"/> 684518	100% Pure New Zealand Pine	NEW ZEALAND TIMBER INDUSTRY FEDERATION INC	8 19	100 Registered
725289	APEX 100% PURE NEW ZEALAND APEX RENTAL CARS		8 39	140 Cancelled/Declared

	CAR RENTAL	LIMITED			Invalid/Revoked/Abandoned
☐ 728881	Esthetics The Mystery of Nature ; West Alps 100% PURE ACTIVE WILD MANUKA HONEY ; Creation DEER VELVET EXTRACT SKIN CARE	Yeounhwa Ryu	8 3 8 30	120	Abandoned Prior to Registration
☐ 728278	Dilmah THE SINGLE ORIGIN TEA 100% PURE CEYLON	MERRILL J. FERNANDO & SONS (PVT) LTD.	8 30	100	Registered
☐ 734840	100% PURE & NATURAL NEW ZEALAND ; 100% PURE NEW ZEALAND	MAXX Marketing	8 31	120	Abandoned Prior to Registration
☐ 738440	100% PURE	New Zealand Tourism Board	8 25	100	Registered
☐ 750861	teaz Single Origin 100% Pure Ceylon Tea Premium Quality 2 Tea bags	Chandika Rukshani Ediriweera	8 35	100	Registered
☐ 751054	Appletiser 100% PURE PLEASURE	SABMiller International B.V.	8 32	100	Registered
☐ 751148	Grapetiser 100% PURE PLEASURE	SABMiller International B.V.	8 32	100	Registered
☐ 752454	Pearliser 100% PURE PLEASURE	SABMiller International B.V.	8 32	100	Registered
☐ 753974	SUMMIT WOOL SPINNERS LTD 100% Pure New Zealand Wool Grown in New Zealand 100% Pure New Zealand Yarn Made in New Zealand www.summitwool.co.nz	Summit Wool Spinners Ltd	8 23	100	Registered
☐ 757147	Aroha Elderflower Cordial 100% Pure New Zealand Goodness	Mark Dillon	8 32	100	Registered
☐ 762421	ST CLAIR'S Since 1875 100% PURE CEYLON BLACK TEA GARDEN FRESH The Master Blenders Choice James W Ryan Founder St.Clair's Tea Plantation ; ST CLAIR'S Since 1875 100% PURE CEYLON BLACK TEA GARDEN FRESH The Master Blenders Choice James W Ryan Founder St.Clair's Tea Plantation	Maskeliya Tea Gardens Ceylon Limited	9 30	100	Registered
☐ 773239	PARENTAL ADVISORY 100% PURE ENERGY	Energy Products Ltd	9 32 9 33	120	Abandoned Prior to Registration
☐ 791138	Golden Del Orchards 100% Pure New Zealand Apples ; Golden Del Orchards 100% Pure New Zealand Apples	Apple Exports Limited	9 31 9 35 9 39	100	Registered

*East Waikato Science and Technology Fair*

Pursuant to Section 60(2) of the Patents Act 1953 and Section 10(2) of the Designs Act 1953, I, Neville Harris, Commissioner of Patents and Designs, do hereby declare the East Waikato Science and Technology Fair, to be held at Morrinsville College, Alexandra Avenue, Morrinsville, New Zealand, on 14 October 2009, be an Industrial Exhibition for the purposes of the said Acts.

Neville Harris  
Commissioner of Patents and Designs  
17 June 2009

## Nice Classification of Goods and Services for Trade Marks

New Zealand follows the 9<sup>th</sup> edition of the Nice Classification of Goods and Services for Trade Marks, which is maintained by the World Intellectual Property Organization (WIPO). Trade marks registered in New Zealand since 1 January 2007 are recorded on the IPONZ database as being applied for or registered under **Classification System 9**, referring to the current edition of Nice Classification.

Prior to 1 January 2007 IPONZ defined the *version* of classification system, that a trade mark is registered in respect to, as either **schedule 3, 4, 6 or 8**— a reference to the corresponding Schedule of the New Zealand Trade Marks Regulations 1954.

**Schedule 8** covers trade marks applied for between 20 August 2002 and 31 December 2006.

**Schedule 6** covers trade marks applied for between 7 January 2002 and 19 August 2003. Schedule 6 was in effect the 8<sup>th</sup> edition of the Nice Classification and it corresponds directly to IPONZ's **Classification System 8**. Please note that all application filed under Schedule 6 have been re-indexed to appear as Classification System 8.

**Schedule 4** covers trade marks applied for between 11 December 1941 and 6 January 2002 (unless the proprietor of the mark has requested conversion to schedule 6).

**Schedule 3** covers trade mark applied for prior to 11 December 1941 (unless the proprietor of the mark has requested conversion to schedule 4).

## Class Headings - Nice Classification (9th Edition)

### Part I: Classes of Goods

1. Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.
2. Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.
3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.
4. Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.
5. Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.
6. Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.
7. Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs.
8. Hand tools and implements (hand-operated); cutlery; side arms; razors.
9. Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.
10. Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.
11. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.
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, not included in other classes; jewellery, precious stones; horological and chronometric instruments.
15. Musical instruments.
16. Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.
17. Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.
18. Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.
19. Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.
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 and substitutes for all these materials, or of plastics.
21. Household or kitchen utensils and containers; combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; unworked or 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 and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.
23. Yarns and threads, for textile use.
24. Textiles and textile goods, not included in other classes; bed and table covers.
25. Clothing, footwear, headgear.
26. Lace and embroidery, ribbons and braid; buttons, 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 not included in other classes; decorations for Christmas trees.
29. Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats.
30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.
31. Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt.
32. Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.
33. Alcoholic beverages (except beers).
34. Tobacco; smokers' articles; matches.
35. Advertising; business management; business administration; office functions.