

PATENTS

COPYRIGHTS



DESIGNS

TRADE MARKS

CIPO PRACTICE NOTE

Number: 02/2017

NICE CLASSIFICATION

Summary

The Cayman Islands Intellectual Property Office will accept specifications listed as acceptable by WIPO and/or the Harmonised offices in the [TMclass database](#).

General indications found in the class headings between semicolons will be accepted as sufficiently clear and precise with the exception of the below listed indications.

Commencement

This practice note will come into effect on **22 August 2017**.

EUIPO TMclass Database

Specifications for trade mark applications received will be examined using the [WIPO NICE Classification database](#). If no reference is found in the WIPO database, the [EUIPO TMclass database](#) will be consulted. Where an indication is not accepted by the WIPO, the indication will be accepted without objection, if it is listed in the TMclass database as accepted by the Harmonised offices.

Where the indication does not appear to be accepted by the WIPO nor the Harmonised offices, the indication may be subject to objections by the Registrar.

Class Headings

General indications found in the class headings between semicolons will be accepted as sufficiently clear and precise. Where class headings are used, it will be assumed that the scope of cover is not intended to cover all goods in the class but rather the ordinary meaning of the words. The applicant can choose to list specific goods or services in addition to the class heading.

The following 5 general indications of class headings will not be accepted as they lack clarity and precision to specify the scope of protection for which the trade mark is sought:

Class 7 – Machines and machine tools

Class 37 – Repair



Class 37 – Installation services

Class 40 – Treatment of materials

Class 45 – Personal and social services rendered by others to meet the needs of individuals

“All goods” or “All services”

The expressions “all goods” or “all services” in a class are too broad and too vague and will not be accepted in the specification.

Punctuation

Use semicolons (;) to separate the different categories of goods or services as segments within a class.

Use commas (,) to separate different items within the same category of goods or services where they are related to each other.

Full stops (.) may be used at the end of the specification for each class of goods or services, or at the end of the specification of the last class of goods or services listed in the application.

Where a specification is not properly punctuated, the Registrar will raise an objection.

Fees

The \$100.00 fee for filing **Form TM9A** will include up to **four (4)** amendments to a trade mark application. Upon filing Form TM9A to amend a trade mark application for a **fifth (5th)** time, the \$100.00 filing fee will become payable.

*Donnell Dixon
Deputy Registrar General*

