

## **Special Union for the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Union)**

### **Committee of Experts**

**Thirty-Second Session**  
**Geneva, April 25 to 28, 2022**

#### **REPORT**

*adopted by the Committee of Experts*

#### **INTRODUCTION**

1. The Committee of Experts of the Nice Union (hereinafter referred to as “the Committee”) held its thirty-second session in Geneva from April 25 to 28, 2022 in hybrid format. The following members of the Committee were represented at the session: Algeria, Australia, Austria, Azerbaijan, Bulgaria, Canada, China, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Hungary, India, Israel, Italy, Japan, Kyrgyzstan, Latvia, Lithuania, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Spain, Sweden, Switzerland, Tajikistan, Trinidad and Tobago, Turkey, Ukraine, United Kingdom, United States of America and Uruguay (46). The following States were represented by observers: Brazil, Colombia, Honduras, Iraq, Kuwait, Lesotho, Pakistan, Peru, Philippines, Thailand and Venezuela (Bolivarian Republic of) (11). Representatives of the following international intergovernmental organizations took part in the session in an observer capacity: African Intellectual Property Organization (OAPI), African Regional Intellectual Property Organization (ARIPO), Benelux Office for Intellectual Property (BOIP) and European Union (EU). Representatives of the following non-governmental organizations attended the session in an observer capacity: Association for the Protection of Intellectual Property (AIPPI), Intellectual Property Institute of Canada (IPIC), International Trademark Association (INTA) and Japan Patent Attorneys Association (JPAA). The list of participants appears as Annex I to this report.

2. The session was opened by Mr. Ken-Ichiro Natsume, Assistant Director General, Infrastructure and Platforms Sector of WIPO, who welcomed the participants.

## **OFFICERS**

3. The Chair, Mr. Thom Clark (EUIPO), was elected last year for two calendar years. The Committee unanimously elected Mr. Andreas Östlund (Sweden) and Ms. Louise Yde Frank (Denmark) as Vice-Chairs.

4. Ms. Alison Züger (WIPO) acted as Secretary of the session.

## **ADOPTION OF THE AGENDA**

5. The Committee unanimously adopted the agenda, which appears as Annex II to this report.

## **DISCUSSIONS, CONCLUSIONS AND DECISIONS**

6. As decided by the Governing Bodies of WIPO at their tenth series of meetings held from September 24 to October 2, 1979 (see document AB/X/32, paragraphs 51 and 52), the report of this session reflects only the conclusions of the Committee (decisions, recommendations, opinions, etc.) and does not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the Committee was expressed or repeated after the conclusion was reached.

## **ADOPTION OF AMENDMENTS AND OTHER CHANGES TO THE ELEVENTH EDITION OF THE NICE CLASSIFICATION, AND ENTRY INTO FORCE OF NCL12**

7. In accordance with Rule 7(1) of the Rules of Procedure, the Committee agreed that changes to the 2022 version of the eleventh edition of the Nice Classification, and amendments in the sense of Article 3(7)(b) of the Nice Agreement<sup>1</sup> adopted during the whole six-year revision period, would enter into force on January 1, 2023 and be published online in a new (twelfth) edition (NCL (12-2023)), in English and French, by the end of 2022.

8. The Committee noted that an early publication will be made available on the NCLPub site, and the list of goods and services in Excel format, in English and French, will be made available on the [electronic forum](#) by the end of June 2022.

9. The Committee invited the International Bureau to take the opportunity of correcting any obvious typing or grammatical errors which it found in the text of the Classification and harmonizing, as far as possible, the use of punctuation.

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<sup>1</sup> Article 3(7)(b) of the Nice Agreement: "Decisions concerning the adoption of amendments to the Classification shall require a majority of four-fifths of the countries of the Special Union represented and voting. "Amendment" shall mean any transfer of goods or services from one class to another or the creation of any new class."

## **CONSIDERATION OF PROPOSALS IN GROUP 1 AFTER VOTE 1 IN NCLRMS**

10. Discussions were based on Group 1 in NCLRMS (project [CE322](#), Annex 3), which contained a summary table of proposals for changes to the Classification, which had received four-fifths majority support at Vote 1.

11. Upon request, one proposal was moved to Group 2. The Committee agreed unanimously to adopt the remaining proposals in Group 1. The decisions of the Committee are available in NCLRMS/Sessions/CE32/Group 1 (as well as on the [electronic forum](#), project [CE320](#)).

## **CONSIDERATION OF PROPOSALS IN GROUP 2 AFTER VOTE 1 IN NCLRMS**

12. Discussions were based on Group 2 in NCLRMS (project [CE322](#), Annex 5), which contained a summary table of proposals for amendments and other changes to the Classification, which did not receive four-fifths majority support at Vote 1.

13. The Committee adopted a significant number of amendments and other changes to the Classification. The decisions of the Committee are available in NCLRMS/Sessions/CE32/Group 2 (as well as on the [electronic forum](#), project [CE320](#)).

## **NEW REVISION PROCEDURE WITH NCLRMS (NICE CLASSIFICATION REVISION MANAGEMENT SOLUTION)**

### **(a) INTRODUCTION OF VOTE 2**

14. Discussions were based on project [CE322](#), Annex 2, relating to the new revision procedure using NCLRMS and the introduction of Vote 2, submitted by the International Bureau.

15. The Committee thanked the International Bureau for taking the feedback of Member States into account and elaborating on this project, which was initially discussed at the thirty-first session. Notably, the criterion of four-fifths majority support for Vote 1 was appreciated by the Member States, allowing for more robust discussion of Group 2 proposals during the meeting. Overall, the Committee was very supportive of and approved the new revision procedure with the introduction of two-phase voting. It was also recognized that further improvements to the NCLRMS will be considered in the future.

## **NEXT SESSION OF THE COMMITTEE OF EXPERTS**

16. The Committee noted that the next (thirty-third) session would be held in Geneva at the end of April or beginning of May 2023, subject to the schedule of WIPO principal Committees.

**CLOSING OF THE SESSION**

17. The Chair closed the session.

*18. The Committee of Experts  
unanimously adopted this report by  
electronic means on May 16, 2022.*

[Annexes follow]