

Lebanon adopted 10th edition of the nice classification

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Lebanon has decided to adopt the Tenth Edition of the International Classification of Goods and Services for the purposes of the registration of Trademark under the Nice Agreement (Nice Classification).

The tenth edition of the Nice Classification was entered into force on January 1, 2012. The previous one was the ninth edition of the Nice Classification and had been in force since January 1, 2007.

The number of classes in the 10th edition, as well as the class heading for each class, remains unchanged from the ninth edition. However, various goods have been moved from one class to another. For example, 'swimming belts', 'swimming jackets' and 'water wings' have been moved from Class 9 to Class 28, 'soldering apparatus', 'electric door openers' and 'vending machines' have been moved from Class 9 to Class 7 and 'entertainment and gaming devices' are now classified uniformly in class 28. The gaming devices that are equipped with an external display screen or monitor were classified into Class 9 and those with built-in screen were classified in class 28 previously.

The adoption of the 10th edition does not affect trademarks already filed/registered in Lebanon. Upon next renewal, the goods / classes affected by the change will be re-classified adequately.

In the Middle East region, not all countries have adopted 10th edition of the Nice Classification, meaning that the same product or service may fall in different classes from country to country depends on which edition of the Nice Classification the country follows. As a result, it is important to bear in mind which edition of the Nice Classification applies when conducting clearance searches and filing trademark applications in a given country to ensure that applications are filed in the correct class.

The table below classifies the countries in the ME region according to their adoption of the Nice Classification:

Algeria, Bahrain, Cyprus, Egypt, Jordan, Morocco, Syria, Tunisia and UAE,	10th Edition of the Nice Classification
Iran, Oman and Saudi Arabia	9th Edition of the Nice Classification
Gaza, Kuwait, Libya, Sudan, West Bank and Yemen	8th Edition of the Nice Classification
Iraq and Qatar	7th Edition (with Iraq following a local sub-classification)

Background:

The Nice Classification consists of a classification of goods and services for the purposes of registering trademarks and service marks. It is based on a multilateral treaty administered by World Intellectual Property Organization (WIPO). This treaty is called the Nice Agreement concerning the International Classification of Goods and Services for the Purpose of the Registration of Marks, which was concluded in 1957. This Classification is commonly referred to as the Nice

Classification. The Nice Agreement is open to States party to the Paris Convention for the Protection of Industrial Property.

The trademark offices of the contracting States of the Nice Agreement are required to include in the official documents and publications the numbers of the classes of goods and/or services. Use of the Nice Classification by national offices has the advantage of filing applications with reference to a single classification system. The preparation of applications is thereby greatly simplified, as the goods and services to which a given mark applies will be classified in the same way in all countries that have adopted it, although the differences between each edition of the Classification (as discussed above) raises some complications.

The Nice Classification comprises the class headings accompanied by explanatory notes and an alphabetical list of goods and services, with the class in which each product or service is placed. The class headings describe in very broad terms the nature of the goods or services contained in each of the 34 classes of goods and 11 classes of services. In order to keep the Nice Classification up to date, it is continuously revised and a new edition is published every five years, although from this year onwards the review and issuing new editions with minor changes shall occur every year with substantial review and changes will continue to occur every five years. The revision is carried out by a Committee of Experts set under the Nice Agreement. All states party to the Agreement are members of the Committee of Experts.

Although only 83 States are party to the Nice Agreement, the trademark offices of at least 150 States, as well as the International Bureau of WIPO, the African Intellectual Property Organization (OAPI), the African Regional Intellectual Property Organization (ARIPO), the Benelux Office for Intellectual Property (BOIP) and the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM) of the European Communities, actually use the Nice Classification.