

# WIPO



CEL/8/4

ORIGINAL: English

DATE: June 28, 2002

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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

**SPECIAL UNION FOR THE INTERNATIONAL CLASSIFICATION  
FOR INDUSTRIAL DESIGNS  
(LOCARNO UNION)**

**COMMITTEE OF EXPERTS**

**Eighth Session  
Geneva, October 21 to November 1, 2002**

COMMENTS ON THE STUDY OF THE  
PROPOSALS FOR AMENDMENTS TO CLASSES 6 AND 19

*Document prepared by the International Bureau*

1. The Annexes to this document contain comments on the report presented by Hungary (see document CEL/8/3), received from member States of the Locarno Union, in response to WIPO Circular LOC 1, dated February 3, 2000.
2. These comments were submitted by Germany (Annex I), Ireland (Annex II), Norway (Annex III), the Republic of Moldova (Annex IV), Romania (Annex V) and Switzerland (Annex VI).
3. *The Committee of Experts is invited to consider the comments referred to above and to take any appropriate decision thereon.*

[Annexes follow]

ANNEX I

COMMENTS SUBMITTED BY GERMANY

Translation of a letter dated November 3, 2000

addressed by: Mr. Okelmann  
German Patent and Trade Mark Office  
Munich

to: Mr. Hoebrek  
Head  
International Trademark and Industrial  
Design Classifications Section  
International Registrations Department  
World Intellectual Property Organization (WIPO)  
Geneva

Sir,

I refer to your letter of 3 February 2000 inviting us to give an opinion on the proposal made by the Hungarian Patent Office in relation to product classes 06-01 and 19-01.

I would like to advise you that the classification of the articles placed in the product classes concerned raises no practical difficulties for the German Patent and Trade Mark Office.

As a general rule, the extension of product classes by additional subclasses makes more precise classification more difficult where the subclasses are closely linked. It would follow that in the event of doubt the common higher class alone would be allocated in future. For subsequent searching, entries would in such case therefore be less precise than under the current system.

In its report, the Hungarian Patent Office refers to difficulties in searching as the main reason for introducing the new subclasses 06-02 and 19-05. This in no way corresponds to the experience of the designs register of the German and Patent Trade Mark Office.

Observations concerning product class 06-01:

Product class 06-01 comprises beds and seats

We can indeed confirm here the statement made in the proposal that a large number of filings are received in this class. Since the setting up of a designs register at the German Patent and Trade Mark Office, 4,654 filings have been registered under subclass 06-01. The proposal aims to increase clarity by separating “seats” from “beds”. Beds account for some 20 per cent of filings registered in the product class 06-01. As far as figures are concerned, an additional subdivision in this class would therefore result in a slight improvement in the searching field. As already mentioned above, it would however seem doubtful whether it would always be possible to make a clear distinction between “seats” on the one hand and “beds” on the other. For example, couches for massage, chaises longues, ottomans and platforms for saunas would be registered under subclass 06-01 “seats” although they would also be registrable as beds. In the event of duplication, there should always be recourse to the higher common class 06.

Observations concerning product class 19-01:

Product class 19-01 comprises writing paper, cards for correspondence and announcements. During the last 12 years since the setting up of the designs register at the German Patent and Trade Mark Office, only 367 filings have been received for subclass 19-01. In view of those figures, the creation of a new subclass cannot be supported. It is not necessary therefore in this field to make improvements to searching possibilities. In addition, the products currently placed in subclass 19-01 are closely linked. As a general rule, a collective filing comprises printed and non-printed cards.

Consequently, we do not support the dividing up of subclass 19-01. Although there is no reservation of principle against a division of subclass 06-01, we cannot deny certain doubts as to the need and usefulness of the proposal. In addition, there exists a principle of not unnecessarily compromising the advantage of the room available for the future that is constituted by the unused subclasses.

Sincerely yours,

Okelmann

[Annex II follows]

## ANNEX II



**Oifig Na bPaitinní**

**Patents Office**

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Bóthar Hebron  
Cill Chainnigh

Government Buildings  
Hebron Road  
Kilkenny

Tel: (00-353-56) 20111  
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Fax: (00-353-56) 20100  
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Your ref: C.LOC.1  
01

7 June, 2000

Mr Jean-Paul Hoebreck  
Head International Trademark  
and Industrial Design Classifications Section.  
W.I.P.O.  
34 Chemin des Colombettes  
1211 Geneva 20  
Switzerland

Dear Mr Hoebreck

I refer to your letter of 3 February 2000 concerning the proposal to transfer Seats from Class 6-01 to the vacant Class 6-02 and of certain indications from Class 19-01 to the vacant Class 19-05. Having examined the Hungarian Patent's Office proposals, the following are the observations of the Irish Patent's Office.

In relation to Sub-class 6-01, the Hungarian Office proposed dividing the goods in this Sub-class into two Sub-classes as follows;

6-01 – Seats

- Notes: (a) Including all seats even if they are suitable for lying, such as couches, benches, divans, ottomans, platforms for saunas and sofas.  
(b) Including vehicle seats.

6-02 – Beds

- Notes: (a) Not including seats for lying, (C16-01), such as couches, benches, divans, ottomans, platforms for saunas and sofas.  
(b) Including mattress supports.

The Hungarian Office gave an indication of the goods to be included in each Sub-class. They listed "divans" under Sub-class 6-01. In Ireland, in addition to it being a sofa, a divan is also considered to be a bed consisting of a base and mattress, usually with no board at either end. It is the view of this Office that "divans" should also be included in Sub-class 6-02. In addition, any reference in the notes to them not being included in Sub-class 6-02 should be removed.

In relation to Sub-class 19-01, the Hungarian Office proposed dividing the goods in this Sub-class into two Sub-classes as follows:

19-01 – Writing paper, cards for correspondence

- Notes: (a) Including all paper in the widest sense of the term, which is used for writing, drawing, painting and printing, such as tracing paper, carbon paper, newsprint, envelopes.
- (b) Not including pre-paid sheets and cards, if the relevant information is in part or in whole printed on them before they are used for the actual communication (CI 19-05).

Class 19-05 – Announcement cards


Note: Including sheets and cards if the relevant information is in part or in whole pre-printed on them.

Again, they gave an indication of the goods to be included in each Sub-class. “Paper (safety)” and “safety paper” (annotation – pre-printed and numbered paper material used for certifying a relevant fact) are listed in Sub-class 19-01. Based on the notings for each Sub-class, it is the view of this Office that these are proper to Sub-class 19-05.

“Picture postcards”, “Postcards (illustrated)” and “postcards (picture)” (annotation – postcard carrying a photographic/non-photographic picture on one side and the message may be written onto the other) are listed in Sub-class 19-05. From the annotation, it would appear that the relevant information on these cards is not pre-printed. Again, based on the notings for each Sub-class, it is the view of this Office that these are proper to Sub-class 19-01.

This Office has not objections to the remaining proposals.

Yours sincerely

  
\_\_\_\_\_  
Margaret Hogan

[Annex III follows]

ANNEX III



**PATENTSTYRET**  
Norwegian Patent Office



To:

**WIPO**  
Jean-Paul Hoebreck  
Head of International Trademark and Industrial Design Classifications Section  
34, chemin des Colombettes  
1211 Genève 20  
Suisse

DIRECT TELEPHONE:

OUR REF.:

YOUR REF.:

DATE (ccyy.mm.dd):

1997/01287

C. LOC 1-01

2000 -08- 24

Re: International Classification for Industrial Designs (Locarno Classification)

Dear Mr. Hoebreck

Referring to your letter of February 3, 2000, we would like to thank you and Hungary for the preparatory work.

We can support the report submitted by Hungary regarding the transfer of "Beds" from Class 6-01 to the vacant Class 6-02, and of "Announcement cards" from 19-01 to the vacant Class 19-05.

Sincerely yours

Thale Andresen b.a.  
Senior Executive Officer  
Designs Section

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[Annex IV follows]

ANNEX IV



STATE AGENCY  
ON INDUSTRIAL PROPERTY PROTECTION  
OF THE REPUBLIC OF MOLDOVA

AGEPI

no 407

05.04.2000

Mr. Jean-Paul Hoenbreck  
Head of the International  
Trademark and Industrial  
Design Classifications Section  
WIPO, 34, chemin des Colombettes  
1211, Geneva 20, Switzerland

Dear Mr. Hoenbreck,

We carefully studied the Report by the Hungarian Patent Office on proposals for Amendments to Classes 06 and 19 of the seventh edition of the Locarno Classification. It has arisen our interest and we decided to accept this proposal in the given version.

Sincerely yours,

Eugen Stashkov  
Director General

24/1, Andrei Doga str., MD-2024, Chişinău, Republic of Moldova,  
tel.: (+3732) 44-32-53, fax: (+ 3732) 44-01-19, web site: [www.agepi.md](http://www.agepi.md), e-mail: [office@agepi.md](mailto:office@agepi.md)  
Bank account: 2224703014242 USD, BCA "Banca Socială", Chişinău, Bank Code 280101703

[Annex V follows]

ANNEX V

COMMENTS SUBMITTED BY ROMANIA

Translation of a letter dated August 2000

addressed by: Mr. Gheorghe Bucșă  
State Office for Inventions and Trademarks  
Bucharest

to: Mr. Hoebrek  
Head  
International Trademark and Industrial  
Design Classifications Section  
International Registrations Department  
World Intellectual Property Organization (WIPO)  
Geneva

Dear Mr. Hoebrek,

Following your circular of February 3, 2000, concerning the proposals made by Hungary (relating to transfer of certain entries), I would advise you herewith that we are in agreement with those proposals.

Sincerely yours,

Gheorghe Bucșă  
Head of the Industrial Designs Service

[Annex VI follows]



ANNEX VI

COMMENTS SUBMITTED BY SWITZERLAND

Translation of a letter dated August 25, 2000

addressed by: Mr. Beat Schiesser  
Swiss Federal Institute of Intellectual Property  
Bern

to: Mr. Hoebrek  
Head  
International Trademark and Industrial  
Design Classifications Section  
International Registrations Department  
World Intellectual Property Organization (WIPO)  
Geneva

Sir,

With reference to your letter of 3 February 2000, we have the following position on the proposals made by the Hungarian Patent Office, as follows:

In the last 20 years, 900 filings for industrial designs have been registered with reference to product class 06-01, but during the same period of time, there have only been 50 filings referring to product class 19-01.

The classification of files in these product classes has not so far caused any problems.

**Product Class 06-01**

Clear distinction between “chair and armchair” on the one hand and “beds” on the other, raises a problem since sofas and armchairs can often be readily transformed into beds.

Our recommendation with regard to that proposal is to maintain the current attribution in Class 06-01. However, we would not be opposed to possible new classification according to the proposal made by Hungary.

**Product Class 19-01**

Despite the small number of filings in this field, we would not agree to the splitting up of this class. The greater part of the designs already registered have been multiple deposits containing both articles that are printed and that are not printed.

In our opinion, we should not agree to a splitting up of class 19-01.

We hope to have replied satisfactorily to your questions.

Sincerely yours,

Beat Schiesser

[End of Annex VI and of document]