EUIPO
EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

www.euipo.europa.eu

TMclass

A presentation to the CarIPI IP offices

João Carrilho & Martin Beckman

Day 1 - 22 September 2020

An overview of the centralised online tools of EUIPN

Search and Classification Tools

TMview

DesignView

TMclass

DesignClass

CENTRALISED TOOLS: IP office takes advantage of the existing application hosted at EUIPO to integrate its data. No license agreement is needed.

TMclass

What is TMclass?

TMclass is ***a free online tool*** which allows any Internet user to ***search, translate*** or ***classify*** goods and services when applying for a trade mark application.

TMclass benefits & key features

1. When you apply for the registration of a trade mark, you need to describe the goods and/or services for which you wish to protect your trade mark.

2. TMclass is an online tool to help users to correctly search, verify, translate and classify goods and services before and when filing a trade mark application.

3. TMclass brings together the classification databases of participating offices worldwide.

4. TMclass means certainty as to which goods and services will be accepted by the participating offices.

5. Taxonomy tree which groups goods or services based on concept, relationship and market sectors, helping the user to choose the right term for his/her business area.

6. Minimal delay in trade mark registration.

7. **Free of charge.**

EUIPO
EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

TMclass / DESIGNclass - Disclaimer

- The general purpose of TMclass/DesignClass is to provide a single access point for information concerning goods and services / product indications and their classification.

- The classification data comes from the individual classification databases of the participating offices in TMclass/DesignClass. Each office is responsible for their own data.

- The classification terms accepted by one participating office may not be acceptable by another office.

- The classification data is not necessarily comprehensive, complete, accurate or up to date.

- TMclass/DesignClass is for **consultation** purposes only and cannot be considered a professional or legal advice. If specific advice is required, please consult a suitably qualified professional.

✓ **In other words, EUIPO recommends the users to seek legal advice and verify the information through the services of the participating offices prior to any legal action.**

TMclass – types of integrations

1. **Nice:**
   - ✓ The IP office uses and accepts the Nice list.
2. **Nice + local goods and services**:
   - ✓ Terms from other lists such as MGS, HDB or IDlist.
   - ✓ Local products and services.
3. **HDB**:
   - ✓ The harmonised database of goods and services.

When a user files a trademark application…

The user must describe and classify the goods and services (G & S).

Often done manually without any automated support.

Mistakes are likely to be made. The user might include unacceptable G+S or classify wrongly.

This means uncertainties for the user: Will the G & S be accepted? Will he/she receive a deficiency letter? Will this slow down the application?

Also the IP office often deals with the examination and classification of the G & S manually without automated support.

Professional staff can still make mistakes. It can be difficult to detect unacceptable or wrongly classified G & S. It can become a monotonous task.

This can lead to extra time needed for examination, inconsistent check and classification of G & S as well as decisions on which trademarks that are registered.

The IP office will have to deal with quality issues, user complaints and workload of the staff and its motivation.

What about the list of Nice terms? Still a short list. The IP office is not obliged to accept the complete list. The user still will not know if the G & S applied for will be accepted.

HDB is the solution. It is based on the Nice classification. It is a list of pre-accepted and pre-classified G & S used and accepted by all participating offices.

TMclass - HDB: The Harmonised Database

In 2007 the IP offices of the European Union launched a project to harmonise their lists of pre-accepted and pre-classified goods and services into a unique list translated in the 23 languages of the EU.

This list is known as HDB (Harmonised Database) and contains around 60.000 concepts summing a total of 85.000 when including synonyms.

In addition, the goods and services were organised in a hierarchical structure (Taxonomy / browse tree).

TMclass - HDB: The Harmonised Database

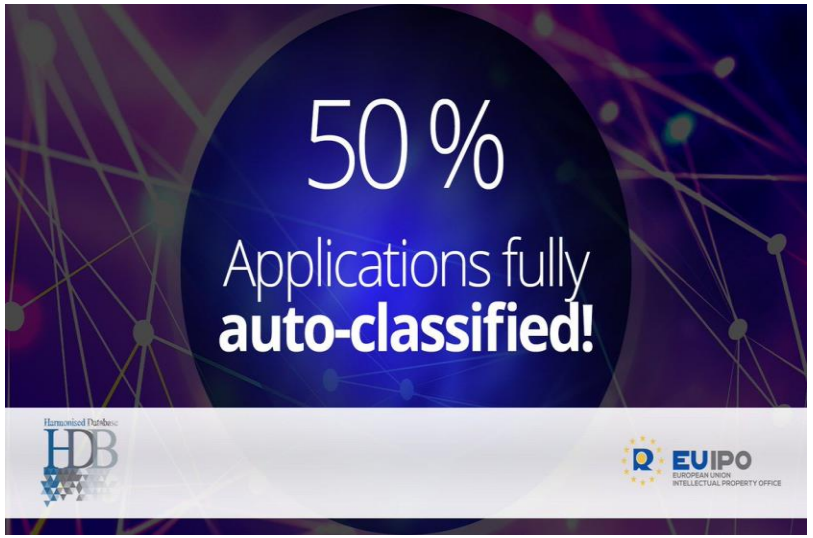
What are the advantages of the HDB?

- A user who applies for a trademark using goods and services from HDB is assured that these goods and services and their classification will be accepted by any other office that uses and accepts HDB.
- Even if the language is different in each office, the translation functionality can be used.

And since 2017, the usage of the HDB has been extended outside the European Union!

Quality

- 2018: 80% of all the goods and services used in EUTMs applications came from the HDB.
- 2019: **89%** of all the goods and services used in EUTMs applications came from the HDB. They were therefore automatically accepted by EUIPO.
- 2018 & 2019: **50%** of the EUTMs used exclusively pre-accepted terms from the HDB. In other words, these applications did not require any examination of the goods and services and their classification.

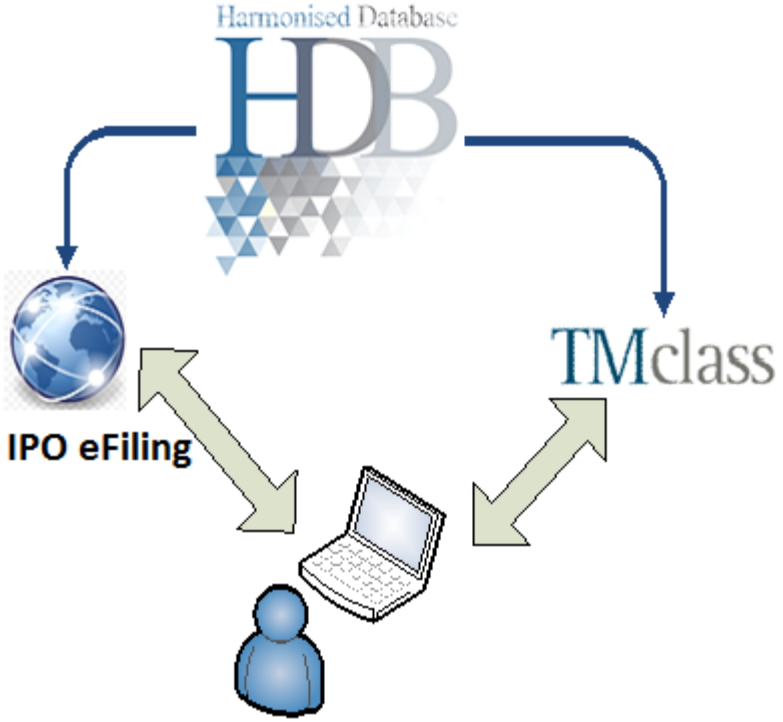


TMclass - HDB: The Harmonised Database

How to take advantage of the database?

Facilitating and promoting its usage:

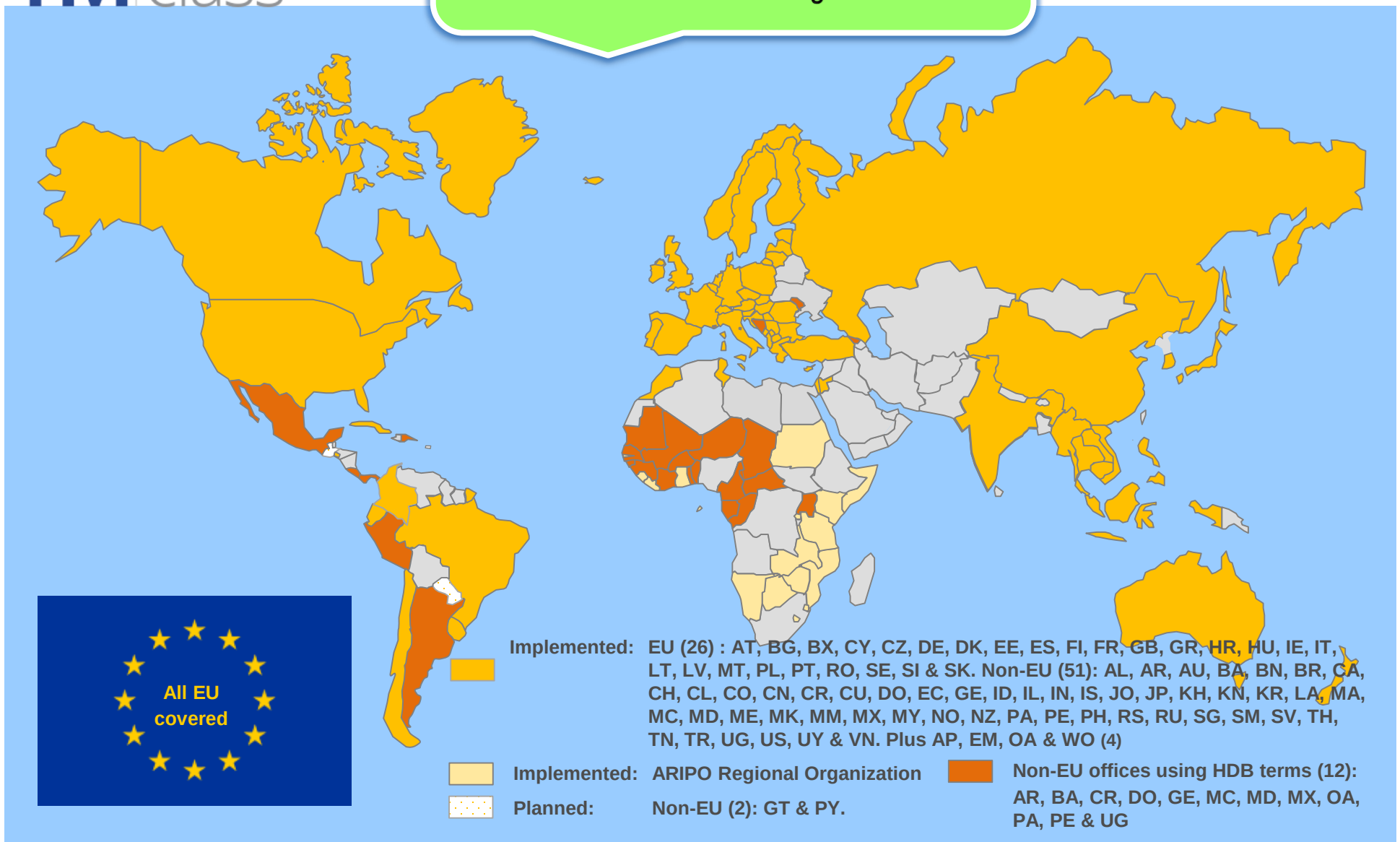
- Integrating HDB in the e-Filing of the IP office
- The IP office can offer advantages for users making use of it: For example “fast-track”



EUIPO
EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

TM class

81
Implementations
12 non-EU offices using HDB terms



HDB integration process (working language of the IP office is an EU language)

1. The IP office (IPO) agrees to the terms and conditions for its participation in HDB, mainly:
   - The IPO must accept all terms presently in HDB.
   - The IPO must accept all future changes in HDB being new, modified and/or deleted terms in the database.
2. The IPO assigns a classification expert to the project and sends its contact details and logo to EUIPO.
3. EUIPO configures TMclass TEST with the IPO's contact details and logo. There is no software to be installed in the premises of the IPO or any connections to the IPO's systems.
4. The IPO verifies its details and confirms that expected terms can be searched (UAT).
5. EUIPO prepares IPO in TMclass PROD. A user account is created with access to an AdminTool (TMC). EUIPO provides knowledge transfer.
6. Go-live.

✓ After the Go-live:

- The EEA/Candidate/Potential Candidate countries can participate in the workflow proposing changes in the database.
- Other non-EU countries will be included in the workflow with access to TMC in order to receive information on the changes in HDB.

Q & A

Questions?

EUIPO
EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

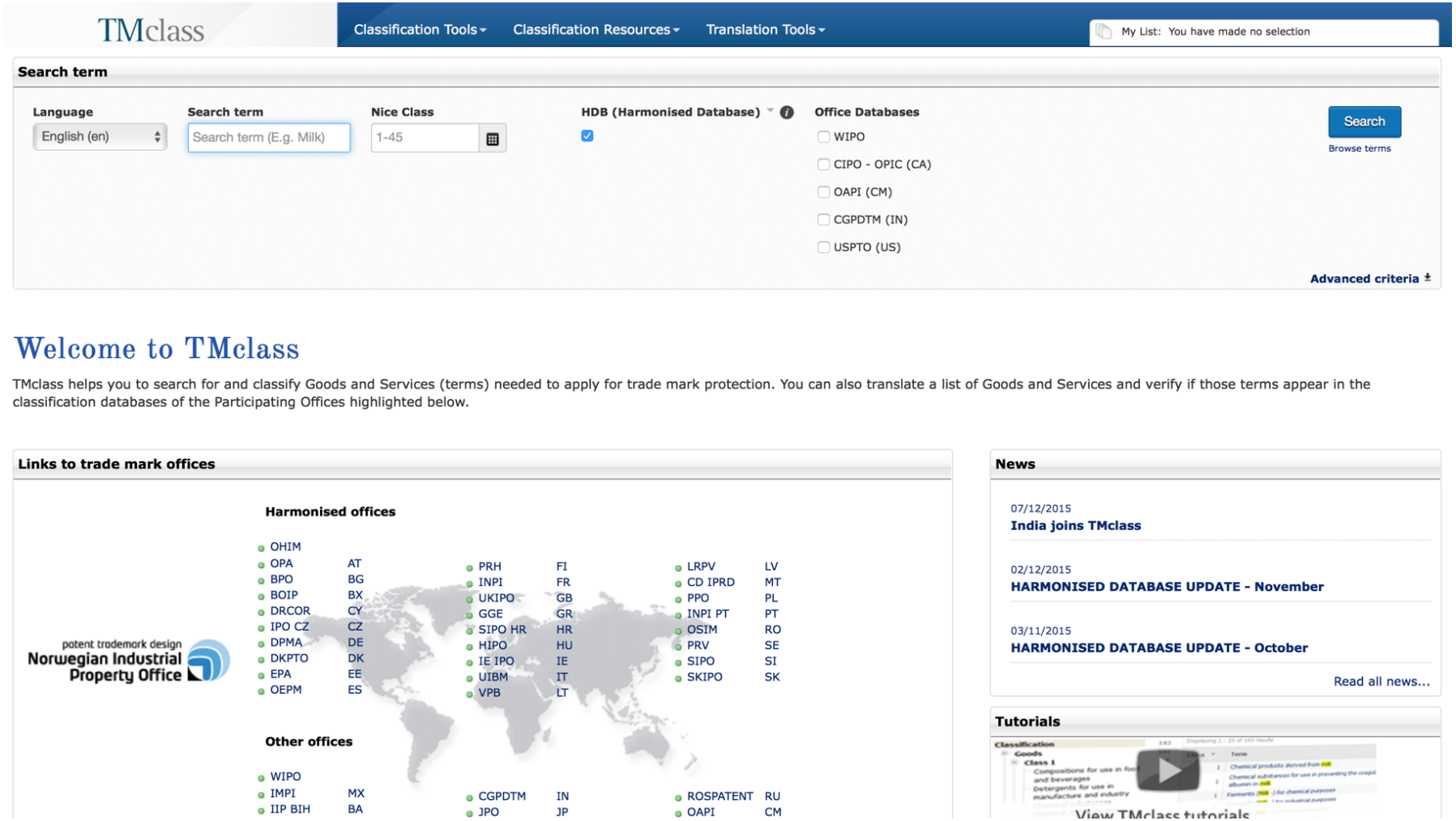
www.euipo.europa.eu

@EU_IPO

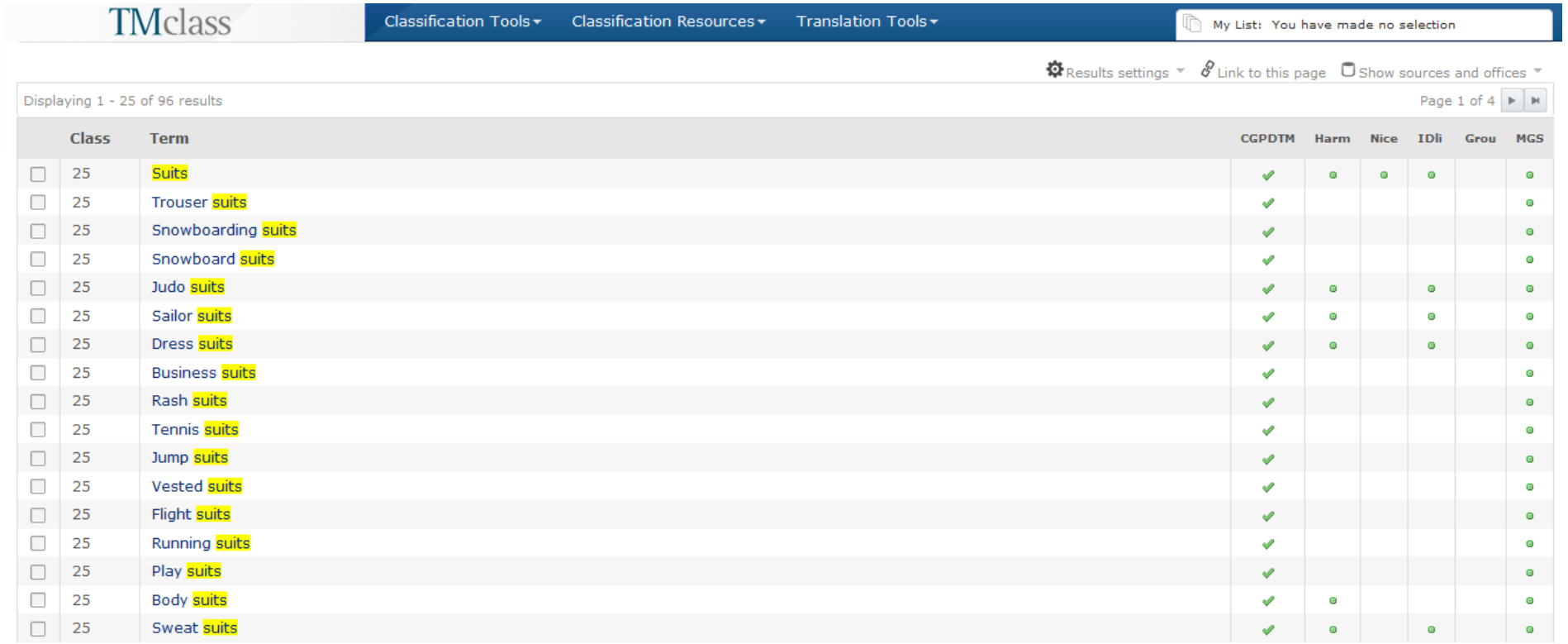
EUIPO

Thank you

TMclass website: http://tmclass.tmdn.org

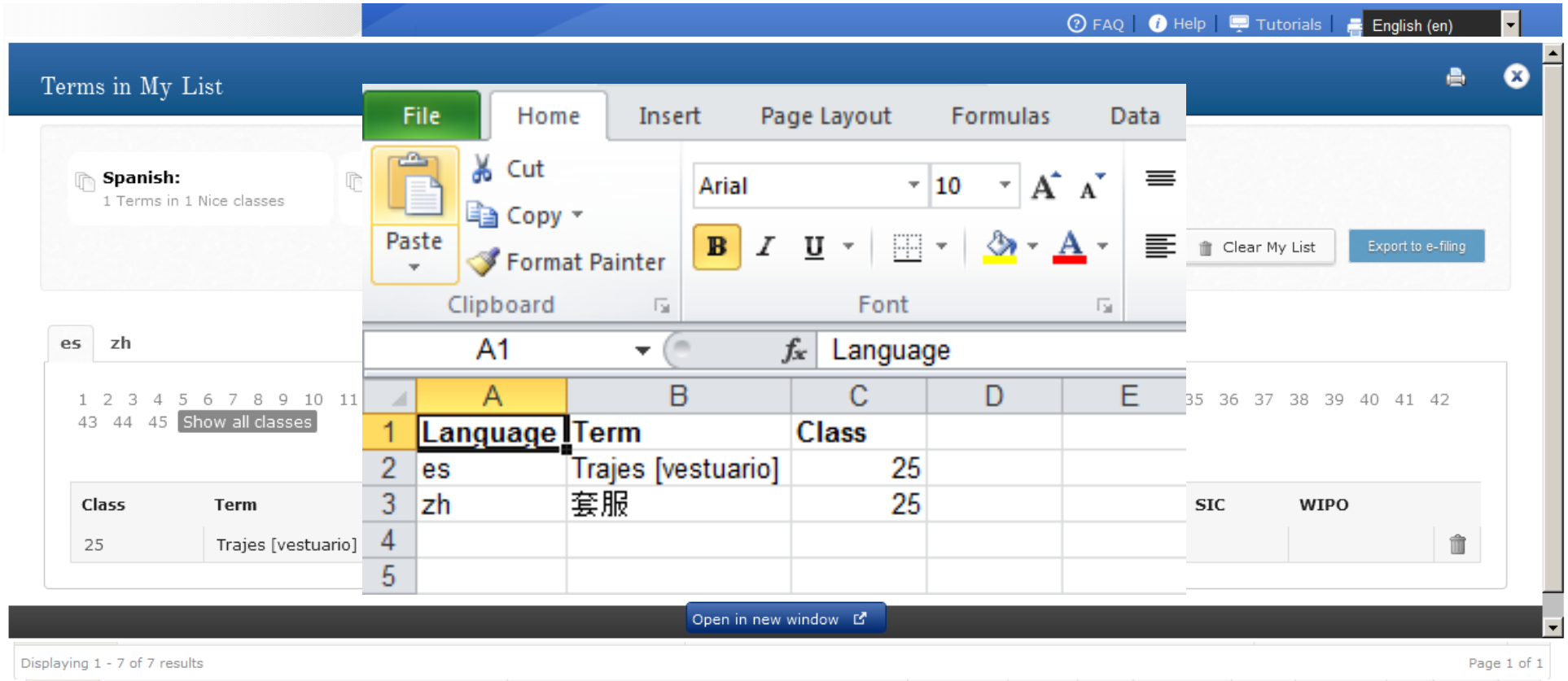


TMclass: Search term

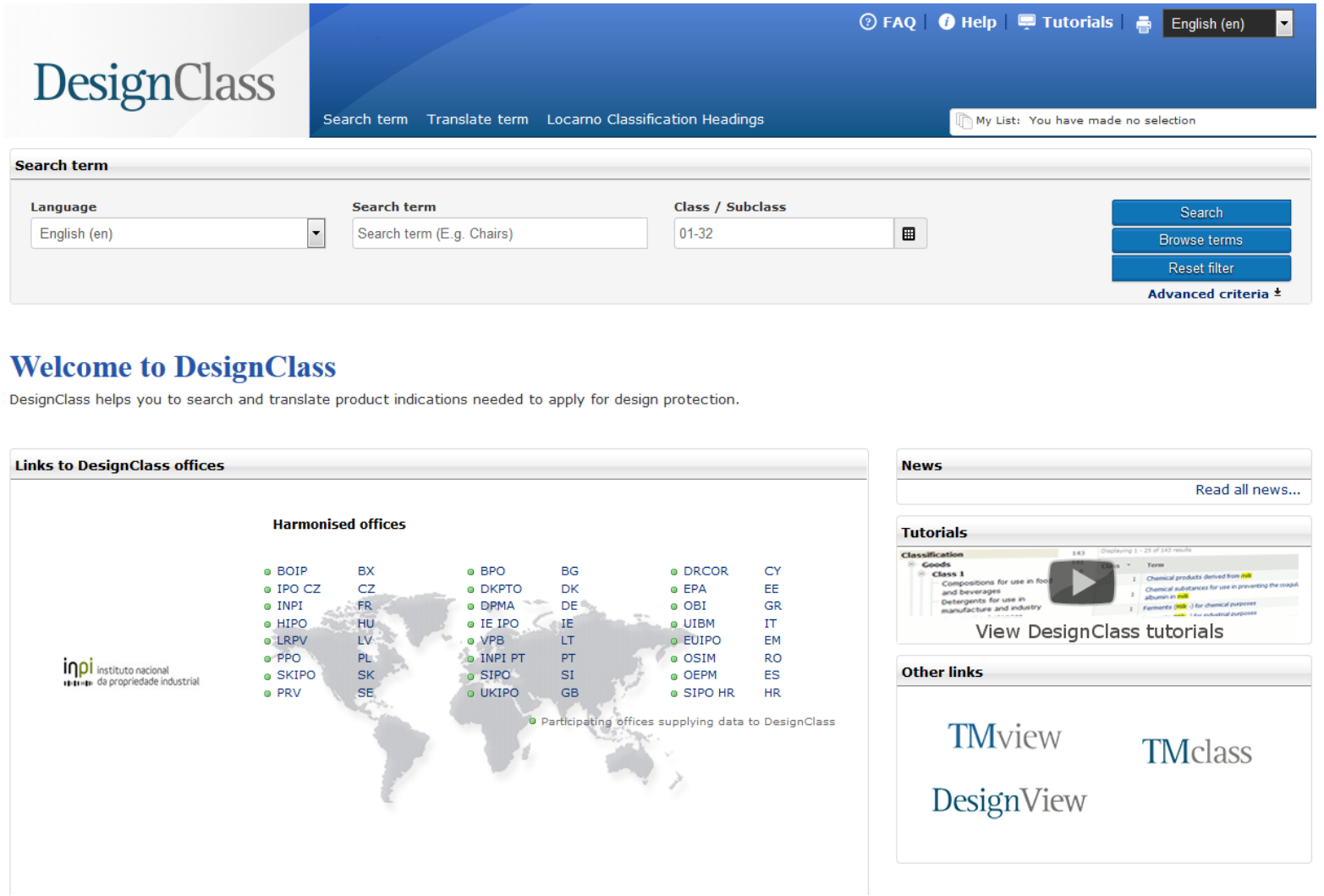


	Class	Term	CGPDTM	Harm	Nice	IDli	Grou	MGS
☐	25	Suits	✔	●	●	●		●
☐	25	Trouser suits	✔					●
☐	25	Snowboarding suits	✔					●
☐	25	Snowboard suits	✔					●
☐	25	Judo suits	✔	●		●		●
☐	25	Sailor suits	✔	●		●		●
☐	25	Dress suits	✔	●		●		●
☐	25	Business suits	✔					●
☐	25	Rash suits	✔					●
☐	25	Tennis suits	✔					●
☐	25	Jump suits	✔					●
☐	25	Vested suits	✔					●
☐	25	Flight suits	✔					●
☐	25	Running suits	✔					●
☐	25	Play suits	✔					●
☐	25	Body suits	✔	●				●
☐	25	Sweat suits	✔	●		●		●

TMclass: Translate term



Website address: http://euipo.europa.eu/designclass



EUIPO
EUROPEAN UNION
INTELLECTUAL PROPERTY OFFICE

Presentation			
Status	DRAFT / APPROVED		
Approved by owner	-		
Authors	MB	Martin Beckman	
	-		
Contributors	-		
	-		

Revision history			
Version	**Date**	**Author**	**Description**
0.1	11/09/2020	MB	
0.2	20/09/2020	MB	