

30 KAR 3:030. Classification of goods and services for registration of trademarks and service marks.

RELATES TO: KRS 365.593

STATUTORY AUTHORITY: KRS 365.593

NECESSITY, FUNCTION, AND CONFORMITY: KRS 365.593 requires the Secretary of State to promulgate an administrative regulation establishing a system for classifying goods and services for purposes of application for registration of trademarks and service marks. To the extent practical, the Secretary of State is required to follow the classification of goods and services adopted by the U.S. Patent and Trademark Office. This administrative regulation establishes a system of classification of goods and services in compliance with 37 C.F.R. 6.1 and the U.S. Patent and Trademark Office Trademark Manual of Examining Procedure Third Edition section 1401.

Section 1. The applicant shall indicate by number the classification of the goods or services recited in the application. The following classification of goods and services shall be used in the registration of trademarks and service marks:

(1) Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry;

(2) Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists;

(3) Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices;

(4) Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks;

(5) Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides;

(6) Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; nonelectric cables and wires of common metal; iron-mongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores;

(7) Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements; incubators for eggs;

(8) Hand tools and implements (hand operated); cutlery; side arms; razors;

(9) Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus;

(10) Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials;

(11) Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes;

(12) Vehicles; apparatus for locomotion by land, air or water;

- (13) Firearms; ammunition and projectiles; explosives; fireworks;
- (14) Precious metals and their alloys or goods in precious metals or coated with precious metals that are, not included in other classes; jewelry, precious stones; horological and chronometric instruments;
- (15) Musical instruments;
- (16) Paper, cardboard and goods made from these materials that are not included in other classes; printed matter, bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); playing cards; printers' type; printing blocks;
- (17) Rubber, gutta-percha, gum asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal;
- (18) Leather and imitations of leather, and goods made of these materials not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery;
- (19) Building materials (nonmetallic); nonmetallic rigid pipes for building; asphalt, pitch and bitumen; nonmetallic transportable buildings; monuments that are not of metal;
- (20) Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics;
- (21) Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel wool; unworked or semiworked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes;
- (22) Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials;
- (23) Yarns and threads, for textile use;
- (24) Textiles and textile goods, not included in other classes; bed and table covers;
- (25) Clothing, footwear, headgear;
- (26) Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers;
- (27) Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (nontextile);
- (28) Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees;
- (29) Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats;
- (30) Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, honey, treacle; yeast, baking powder, salt, mustard; vinegar, sauces (condiments); spices; ice;
- (31) Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt;
- (32) Beers; mineral and aerated waters and other nonalcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages;
- (33) Alcoholic beverages (except beers);
- (34) Tobacco; smokers' articles; matches;
- (35) Advertising; business management; business administration; office functions;

- (36) Insurance; financial affairs; monetary affairs; real estate affairs;
- (37) Building construction; repair; installation services;
- (38) Telecommunications;
- (39) Transport; packaging and storage of goods; travel arrangement;
- (40) Treatment of materials;
- (41) Education; providing of training; entertainment; sporting and cultural activities;
- (42) Providing of food and drink; temporary accommodation; medical, hygienic and beauty care; veterinary and agricultural services; legal services; scientific and industrial research; computer programming; services that cannot be placed in other classes;
- (43) Services for providing food and drink; temporary accommodations;
- (44) Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services; or
- (45) Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals. (20 Ky.R. 3208; eff. 8-4-94; 29 Ky.R. 2722; eff. 7-17-03.)