

INTERNATIONAL CLASSIFICATION
FOR INDUSTRIAL DESIGNS

国际外观设计分类表

(第11版) 中英文对照版

(LOCARNO CLASSIFICATION)
ELEVENTH EDITION



世界知识产权组织 编
国家知识产权局专利局 译



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内容摘要

本分类表为第 11 版《国际外观设计分类表》(《洛迦诺分类表》)的中英文对照版。在世界知识产权组织公布的《国际外观设计分类表(第 11 版)》官方版本的基础上,我国将分类表的历次修订内容的整理成果编撰在本次出版的分表类表中,以方便对分类表的理解和使用。

第 11 版《国际外观设计分类表》(《洛迦诺分类表》)于 2016 年 6 月以两种正式文本(英文和法文)出版,于 2017 年 1 月 1 日正式实施,同时废止前一版本。

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责任校对: 王岩

执行编辑: 王玉茂 王瑞璞

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GUOJI WAIGUANSHEJI FENLEIBIAO

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邮 编: 100081

责编电话: 010-82000860 转 8118

责编邮箱: lilin@cnipr.com

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PREFACE

A diplomatic conference, to which all the countries that were members of the Paris Convention for the Protection of Industrial Property were invited and which was held in Locarno (Switzerland), adopted, on October 8, 1968, the Locarno Agreement Establishing an International Classification for Industrial Designs (hereinafter referred to as “the Locarno Agreement” and “the Locarno Classification”, respectively). The text of the Locarno Agreement is available in the selection menu on the left.

The Locarno Classification comprises:

(i) a list of classes and subclasses;

(ii) an alphabetical list of goods in which industrial designs are incorporated, with an indication of the classes and subclasses into which they fall;

(iii) explanatory notes.

The original list of classes and subclasses was attached to the Locarno Agreement when it was adopted.

The Locarno Agreement set up a Committee of Experts, in which each country party to the Locarno Agreement is represented. The Agreement empowered the Committee to make “amendments” or “additions” to the original list of classes and subclasses. It entrusted the Committee to establish the alphabetical list and the explanatory notes (which were not established in the diplomatic conference), and it empowered the Committee to amend and supplement each and any of the three parts (list of classes and subclasses, alphabetical list of goods, explanatory notes) of the Locarno Classification.

The Locarno Classification has been revised several times by the Committee of Experts. The present (eleventh) edition of the Classification incorporates all the revisions made in and before October 2015.

In this most recent edition, the list of classes and subclasses consists of 32 classes and 219 subclasses, with explanatory notes, as the case may be. The alphabetical list of goods, which contains 5,167 entries in English, is presented in alphabetical order irrespective of the class to which each good belongs, as well as in the order of classes and subclasses, alphabetically under each subclass.

The Locarno Classification is “solely of an administrative character” and does not bind the contracting countries “as regards the nature and protection afforded to the [industrial] design [classified in a certain manner]” (Locarno Agreement, Article 2(1)). The Locarno Agreement requires the industrial property office of each contracting country to “include in the official documents for the deposit or registration of [industrial] designs, and, if they are officially published, in the publications in question, the numbers of the classes and subclasses of the Locarno Classification into which the goods incorporating the [industrial] designs belong” (Article 2(3)). Recommendations of the Committee of Experts deal with the manner in which the classes and subclasses should be indicated in the said documents and publications. These recommendations are available in the selection menu on the left.

On October 10, 2016, the following 54 countries were party to the Locarno Agreement: Argentina, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, China, Croatia, Cuba, Czech Republic, Democratic People’s Republic of Korea, Denmark, Estonia, Finland, France, Germany,

Greece, Guinea, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Malawi, Mexico, Mongolia, Montenegro, Netherlands, Norway, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Turkmenistan, Ukraine, United Kingdom, Uruguay, Uzbekistan.

The International Bureau of the World Intellectual Property Organization (WIPO), the African Intellectual Property Organization (OAPI), the African Regional Intellectual Property Organization (ARIPO), the Benelux Office for Intellectual Property (BOIP) and the European Union Intellectual Property Office (EUIPO) also use the Locarno Classification in their registers and in the publications they issued.

This eleventh edition of the Locarno Classification, published in June 2016 in the two authentic versions (English and French), will enter into force on January 1, 2017, and will replace the previous one.

* * *

Geneva, June 2016

序 言

1968年10月8日,《保护工业产权巴黎公约》全体成员国在瑞士洛迦诺召开外交会议,缔结了《建立工业品外观设计国际分类洛迦诺协定》(下文分别称为《洛迦诺协定》和《洛迦诺分类表》)。协定内容可在左侧的选择菜单查看。¹

《洛迦诺分类表》包括以下内容:

(I) 大类和小类表;

(II) 依字母编序的外观设计产品项列表,并标示出其所属大类和小类;

(III) 注释。

《洛迦诺协定》缔结时附有初版大类和小类表。

《洛迦诺协定》成立了由每一方成员国代表组成的专家委员会,该专家委员会由《洛迦诺协定》授权负责初版大类和小类表的修订或增补工作,并受委托制定未在外交会议上制定的依字母编序的产品项列表和注释;同时专家委员会经授权负责修正和补充(增加)《洛迦诺分类表》的大类和小类目录、依字母编序的产品项列表、注释三部分内容。

专家委员会已多次修订《洛迦诺分类表》,当前第11版分类表收录了2015年10月之前的所有修订内容。

在新版分类表中,大类和小类表中包括32个大类和219个小类,并视情况附有注释。依字母编序的外观设计产品项列表包含5167个英文条目,依字母顺序进行排列而不考虑产品所属的类别,在按大类和小类顺序排列的产品项列表中,产品项也依字母顺序排列在每一个小类下。

《洛迦诺分类表》“纯粹属管理性质”,不约束各缔约国“给予[工业品]外观设计的保护性质和保护范围[以某种方法分类]”(《洛迦诺协定》第2(1)条)。《洛迦诺协定》要求各缔约国的工业产权局“在[工业品]外观设计保存或注册的官方文件上以及在正式公布这些文件时在有关刊物上标明使用该外观设计的产品所属洛迦诺分类表的大类和小类号”(《洛迦诺协定》第2(3)条)。专家委员会案中制定了使用于上述文件和出版物中的大类和小类的标示方法,具体方法可在左侧的选择菜单中查看。²

至2016年10月10日,以下54个国家加入了《洛迦诺协定》:阿根廷、亚美尼亚、奥地利、阿塞拜疆、白俄罗斯、比利时、波斯尼亚和黑塞哥维那、保加利亚、中国、克罗地亚、古巴、捷克、朝鲜、丹麦、爱沙尼亚、芬兰、法国、德国、希腊、几内亚、匈牙利、冰岛、爱尔兰、意大利、日本、哈萨克斯坦、吉尔吉斯斯坦、拉脱维亚、马拉维、墨西哥、蒙古、黑山共和国、荷兰、挪威、波兰、韩国、摩尔多瓦、罗马尼亚、俄罗斯、塞尔维亚、斯洛伐克、斯洛文尼亚、西班牙、瑞典、瑞士、塔吉克斯坦、前南斯拉夫的马其顿共和国、特立尼达和多巴哥、土耳其、土库曼斯坦、乌克兰、英国、乌拉圭、乌兹别克斯坦。

世界知识产权组织(WIPO)国际局、非洲知识产权组织(OAPI)、非洲地区工业产权组织(ARIPO)、比荷卢知识产权局(BOIP)和欧洲知识产权局(EUIPO)也在注册簿和发行的出版物中使用《洛迦诺分

1 世界知识产权组织采用网页公布形式,我国则采用纸质出版物,协定内容详见“建立工业品外观设计国际分类洛迦诺协定”。

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日内瓦，2016 年 6 月

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日内瓦，2016 年 6 月

LOCARNO AGREEMENT

Establishing an International Classification for Industrial Designs

*Signed at Locarno on October 8, 1968
as amended on September 28, 1979*

Article 1

Establishment of a Special Union; Adoption of an International Classification

- (1) The countries to which this Agreement applies constitute a Special Union.
- (2) They adopt a single classification for industrial designs (hereinafter designated as “the international classification”) .
- (3) The international classification shall comprise:
 - (i) a list of classes and subclasses;
 - (ii) an alphabetical list of goods in which industrial designs are incorporated, with an indication of the classes and subclasses into which they fall;
 - (iii) explanatory notes.
- (4) The list of classes and subclasses is the list annexed to the present Agreement, subject to such amendments and additions as the Committee of Experts set up under Article 3 (hereinafter designated as “the Committee of Experts”) may make to it.
- (5) The alphabetical list of goods and the explanatory notes shall be adopted by the Committee of Experts in accordance with the procedure laid down in Article 3.
- (6) The international classification may be amended or supplemented by the Committee of Experts, in accordance with the procedure laid down in Article 3.
- (7) (a) The international classification shall be established in the English and French languages.
(b) Official texts of the international classification, in such other languages as the Assembly referred to in Article 5 may designate, shall be established, after consultation with the interested Governments, by the International Bureau of Intellectual Property (hereinafter designated as “the International Bureau”) referred to in the Convention Establishing the World Intellectual Property Organization (hereinafter designated as “the Organization”) .

Article 2

Use and Legal Scope of the International Classification

(1) Subject to the requirements prescribed by this Agreement, the international classification shall be solely of an administrative character. Nevertheless, each country may attribute to it the legal scope which it considers appropriate. In particular, the international classification shall not bind the countries of the Special Union as regards the nature and scope of the protection afforded to the design in those countries.

(2) Each country of the Special Union reserves the right to use the international classification as a principal or as a subsidiary system.

(3) The Offices of the countries of the Special Union shall include in the official documents for the deposit or registration of designs, and, if they are officially published, in the publications in question, the numbers of the classes and subclasses of the international classification into which the goods incorporating the designs belong.

(4) In selecting terms for inclusion in the alphabetical list of goods, the Committee of Experts shall exercise reasonable care to avoid using terms in which exclusive rights may exist. The inclusion of any word in the alphabetical index, however, is not an expression of opinion of the Committee of Experts on whether or not it is subject to exclusive rights.

Article 3

Committee of Experts

(1) A Committee of Experts shall be entrusted with the tasks referred to in Article 1 (4) , 1 (5) and 1 (6) . Each country of the Special Union shall be represented on the Committee of Experts, which shall be organized according to rules of procedure adopted by a simple majority of the countries represented.

(2) The Committee of Experts shall adopt the alphabetical list and explanatory notes by a simple majority of the votes of the countries of the Special Union.

(3) Proposals for amendments or additions to the international classification may be made by the Office of any country of the Special Union or by the International Bureau. Any proposal emanating from an Office shall be communicated by that Office to the International Bureau. Proposals from Offices and from the International Bureau shall be transmitted by the latter to the members of the Committee of Experts not later than two months before the session of the Committee at which the said proposals are to be considered.

(4) The decisions of the Committee of Experts concerning the adoption of amendments and additions to be made in the international classification shall be by a simple majority of the countries of the Special Union. Nevertheless, if such decisions entail the setting up of a new class or any transfer of goods from one class to another, unanimity shall be required.

(5) Each expert shall have the right to vote by mail.

(6) If a country does not appoint a representative for a given session of the Committee of Experts, or if the expert appointed has not expressed his vote during the session or within a period to be prescribed by the rules of procedure of the Committee of Experts, the country concerned shall be considered to have accepted the decision of the Committee.

Article 4

Notification and Publication of the Classification and of Amendments and Additions There to

(1) The alphabetical list of goods and the explanatory notes adopted by the Committee of Experts, as well as any amendment or addition to the international classification decided by the Committee, shall be communicated to the Offices of the countries of the Special Union by the International Bureau. The decisions of the Committee of Experts shall enter into force as soon as the communication is received. Nevertheless, if such decisions entail the setting up of a new class or any transfer of goods from one class to another, they shall enter into force within a period of six months from the date of the said communication.

(2) The International Bureau, as depositary of the international classification, shall incorporate therein the amendments and additions which have entered into force. Announcements of the amendments and additions shall be published in the periodicals to be designated by the Assembly.

Article 5

Assembly of the Special Union

- (1) (a) The Special Union shall have an Assembly consisting of the countries of the Special Union.
- (b) The Government of each country of the Special Union shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts.
- (c) The expenses of each delegation shall be borne by the Government which has appointed it.
- (2) (a) Subject to the provisions of Article 3, the Assembly shall:
 - (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement;
 - (ii) give directions to the International Bureau concerning the preparation for conferences of revision;
 - (iii) review and approve the reports and activities of the Director General of the Organization (hereinafter designated as "the Director General") concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union;
 - (iv) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;
 - (v) adopt the financial regulations of the Special Union;

- (vi) decide on the establishment of official texts of the international classification in languages other than English and French;
 - (vii) establish, in addition to the Committee of Experts set up under Article 3, such other committees of experts and working groups as it deems appropriate to achieve the objectives of the Special Union;
 - (viii) determine which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;
 - (ix) adopt amendments to Articles 5 to 8;
 - (x) take any other appropriate action designed to further the objectives of the Special Union;
 - (xi) perform such other functions as are appropriate under this Agreement.
- (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
- (3) (a) Each country member of the Assembly shall have one vote.
- (b) One-half of the countries members of the Assembly shall constitute a quorum.
- (c) Notwithstanding the provisions of subparagraph (b), if, in any session, the number of countries represented is less than one-half but equal to or more than one-third of the countries members of the Assembly, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the conditions set forth hereinafter are fulfilled. The International Bureau shall communicate the said decisions to the countries members of the Assembly which were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of countries having thus expressed their vote or abstention attains the number of countries which was lacking for attaining the quorum in the session itself, such decisions shall take effect provided that at the same time the required majority still obtains.
- (d) Subject to the provisions of Article 8 (2), the decisions of the Assembly shall require two-thirds of the votes cast.
- (e) Abstentions shall not be considered as votes.
- (f) A delegate may represent, and vote in the name of, one country only.
- (4) (a) The Assembly shall meet once in every second calendar year in ordinary session upon convocation by the Director General and, in the absence of exceptional circumstances, during the same period and at the same place as the General Assembly of the Organization.
- (b) The Assembly shall meet in extraordinary session upon convocation by the Director General, at the request of one-fourth of the countries members of the Assembly.
- (c) The agenda of each session shall be prepared by the Director General.
- (5) The Assembly shall adopt its own rules of procedure.

Article 6

International Bureau

- (1) (a) Administrative tasks concerning the Special Union shall be performed by the International Bureau.
(b) In particular, the International Bureau shall prepare the meetings and provide the secretariat of the Assembly, the Committee of Experts, and such other committees of experts and working groups as may have been established by the Assembly or the Committee of Experts.
(c) The Director General shall be the chief executive of the Special Union and shall represent the Special Union.
- (2) The Director General and any staff member designated by him shall participate, without the right to vote, in all meetings of the Assembly, the Committee of Experts, and such other committees of experts or working groups as may have been established by the Assembly or the Committee of Experts. The Director General, or a staff member designated by him, shall be ex officio secretary of those bodies.
- (3) (a) The International Bureau shall, in accordance with the directions of the Assembly, make the preparations for the conferences of revision of the provisions of the Agreement other than Articles 5 to 8.
(b) The International Bureau may consult with intergovernmental and international non-governmental organizations concerning preparations for conferences of revision.
(c) The Director General and persons designated by him shall take part, without the right to vote, in the discussions at those conferences.
- (4) The International Bureau shall carry out any other tasks assigned to it.

Article 7

Finances

- (1) (a) The Special Union shall have a budget.
(b) The budget of the Special Union shall include the income and expenses proper to the Special Union, its contribution to the budget of expenses common to the Unions, and, where applicable, the sum made available to the budget of the Conference of the Organization.
(c) Expenses not attributable exclusively to the Special Union but also to one or more other Unions administered by the Organization shall be considered as expenses common to the Unions. The share of the Special Union in such common expenses shall be in proportion to the interest the Special Union has in them.
- (2) The budget of the Special Union shall be established with due regard to the requirements of coordination with the budgets of the other Unions administered by the Organization.
- (3) The budget of the Special Union shall be financed from the following sources: