



**OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET  
(TRADE MARKS AND DESIGNS)**

The President

Alicante, 21 November 2013  
ICLAD/JN/MV/IB/mc/mn

Circular letter to all UAs by email only

**Common Communication on the Common Practice of the General Indications of the Nice Class Headings**

Dear Sir/Madam

I am pleased to inform you that progress continues to be made in the harmonisation of EU IP practices, as exemplified by the collaborative approach adopted by user associations, OHIM, EU IP Offices, IPI (Switzerland) and NIPO (Norway) in the interpretation of the "IP Translator" Court ruling .

As discussion, debate and consensus building on interpreting rulings such as IP Translator, become more commonplace, communication of the resulting decisions has become increasingly important. One means of notifying stakeholders of outcomes is through Common Communications, which are drafted and synchronously released by participating offices to provide consistent and reliable information to all stakeholders.

The *Common Communication on the Common Practice of the General Indications of the Nice Class Headings*, which was published on 20 November 2013, clearly describes the common practice on the acceptability of the general indications of the Nice Class headings. It can now be found on our website at:

[http://oami.europa.eu/ows/rw/resource/documents/OHIM/EUTMDN/common\\_communication\\_2\\_2013\\_en.pdf](http://oami.europa.eu/ows/rw/resource/documents/OHIM/EUTMDN/common_communication_2_2013_en.pdf)

The first communication, *Common Communication on the Implementation of 'IP Translator'*, which describes how EU IP offices interpret the scope of protection of their national and Community trade marks filed before and after 'IP Translator', has been updated with recent changes. The new version was also published on 20 November 2013 and is available on our website at:

<https://www.tmdn.org/network/documents/89965/89970/Common%20Comunication%201?version=1.0&t=1383231589671>

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The cooperation that EU IP Offices, IPI (Switzerland), NIPO (Norway), User Associations, and OHIM have demonstrated to reach this stage is proof that we are progressing toward a cohesive European Trade Mark and Design Network. Let us continue to work in this spirit for the benefit of our users.

I am pleased to share this result with you and strongly encourage you to further disseminate this Common Communication amongst our mutual stakeholders.

Yours sincerely



António Campinos

Enc: Links to the publication of the Common Communication on all participating offices' websites.

Website links of Common Communication on the Common Practice on the General Indications of the Nice Class Headings

| Country       | Website link  |
|---------------|---|
| Austria (AT)  | <a href="http://www.patentamt.at/Markenschutz/Europaeisches_Markenetzwerk">http://www.patentamt.at/Markenschutz/Europaeisches_Markenetzwerk</a>   |
| Bulgaria (BG) | <a href="http://www1.bpo.bg/index.php?option=com_content&amp;task=view&amp;id=751&amp;Itemid=435">http://www1.bpo.bg/index.php?option=com_content&amp;task=view&amp;id=751&amp;Itemid=435</a>   |
| Benelux (BX)  | Dutch: <a href="http://goo.gl/7jcfH5">http://goo.gl/7jcfH5</a><br>French: <a href="http://goo.gl/qGTGyd">http://goo.gl/qGTGyd</a><br>English: <a href="http://goo.gl/JPZqUJ">http://goo.gl/JPZqUJ</a><br><a href="https://www.boip.int/wps/portal/site/juridical/news/Common%20communication/">https://www.boip.int/wps/portal/site/juridical/news/Common%20communication/</a><br><a href="https://www.boip.int/wps/portal/site/juridical/regulations/rulesdg/">https://www.boip.int/wps/portal/site/juridical/regulations/rulesdg/</a> |
| Croatia (HR)  | <a href="http://www.dziv.hr/hr/novosti/ip-translator---objava-zajednickih-komunikacija-nacionalnih-ureda-drzava-clanica-europske-unije.221.html">http://www.dziv.hr/hr/novosti/ip-translator---objava-zajednickih-komunikacija-nacionalnih-ureda-drzava-clanica-europske-unije.221.html</a>   |
| Cyprus (CY)   | <a href="http://www.mcit.gov.cy/mcit/drcor/drcor.nsf/All/60B7187DE0AB4AE1C2257B5D0030CB10?OpenDocument">http://www.mcit.gov.cy/mcit/drcor/drcor.nsf/All/60B7187DE0AB4AE1C2257B5D0030CB10?OpenDocument</a>   |
| Czech (CZ)    | <a href="http://www.upv.cz/cs/upv/aktuality/aktual2009/tmdn_prohlaseni2.html">http://www.upv.cz/cs/upv/aktuality/aktual2009/tmdn_prohlaseni2.html</a><br><a href="http://www.upv.cz/en/ipo/current-news/actual/tmdn_communication2.html">http://www.upv.cz/en/ipo/current-news/actual/tmdn_communication2.html</a><br><a href="http://www.upv.cz/cs/prumyslova-prava/ochranne-znamky/tmdn_prohlaseni.html">http://www.upv.cz/cs/prumyslova-prava/ochranne-znamky/tmdn_prohlaseni.html</a>   |
| Germany (DE)  | <a href="http://www.dpma.de/service/dasdpmainformiert/hinweise/hinweis_europaweite_klassifikationspraxis/index.html">http://www.dpma.de/service/dasdpmainformiert/hinweise/hinweis_europaweite_klassifikationspraxis/index.html</a>   |
| Denmark (DK)  | <a href="http://ip-professionelle.dkpto.dk/media/21892587/brugerbrev%20fra%20varemærkeheden%2020%20november%202013.pdf">http://ip-professionelle.dkpto.dk/media/21892587/brugerbrev%20fra%20varemærkeheden%2020%20november%202013.pdf</a>   |
| Estonia (EE)  | <a href="http://www.epa.ee/client/default.asp?wa_object_id=2&amp;wa_id=1033&amp;wa_id_key">http://www.epa.ee/client/default.asp?wa_object_id=2&amp;wa_id=1033&amp;wa_id_key</a>   |
| Spain (ES)    | <a href="http://www.oepm.es/es/sobre_oepm/noticias/2013/2013_11_19_Acuerdo_Oficinas_Nacionales_Marcas.html">http://www.oepm.es/es/sobre_oepm/noticias/2013/2013_11_19_Acuerdo_Oficinas_Nacionales_Marcas.html</a>   |
| Finland (FI)  | Finnish:<br><a href="http://www.prh.fi/fi/asiakastiedotteet/2013/P_971.html">http://www.prh.fi/fi/asiakastiedotteet/2013/P_971.html</a><br><br>Swedish:<br><a href="http://www.prh.fi/sv/asiakastiedotteet/2013/P_974.html">http://www.prh.fi/sv/asiakastiedotteet/2013/P_974.html</a><br><br>English:<br><a href="http://www.prh.fi/en/asiakastiedotteet/2013/P_975.html">http://www.prh.fi/en/asiakastiedotteet/2013/P_975.html</a>   |
| France (FR)   | <a href="http://www.inpi.fr/fr/1-inpi/actualites/actualites/article/communication-commune-de-lensemble-des-offices-du-reseau-europeen-des-marques-dessins-et-mode-1.html?tx_ttnews%5BbackPid%5D=2565&amp;cHash=8750bbb3f7">http://www.inpi.fr/fr/1-inpi/actualites/actualites/article/communication-commune-de-lensemble-des-offices-du-reseau-europeen-des-marques-dessins-et-mode-1.html?tx_ttnews%5BbackPid%5D=2565&amp;cHash=8750bbb3f7</a>   |

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| Greece (GR)    | <a href="http://gge.gov.gr/?page-id=6226">http://gge.gov.gr/?page-id=6226</a>  |
| Hungary (HU)   | <a href="http://www.sztnh.gov.hu/hirek/kapcsolodo/HU_Common_Communication_2_v1_0_1.pdf">http://www.sztnh.gov.hu/hirek/kapcsolodo/HU_Common_Communication_2_v1_0_1.pdf</a><br><a href="http://www.sztnh.gov.hu/#">http://www.sztnh.gov.hu/#</a>   |
| Ireland (IE)   | <a href="http://www.patentsoffice.ie/en/news_article.aspx?article=6db48360-902e-4d04-bb1c-aaa14e6ec621">http://www.patentsoffice.ie/en/news_article.aspx?article=6db48360-902e-4d04-bb1c-aaa14e6ec621</a>  |
| Italy (IT)     | <a href="http://www.uibm.gov.it/">http://www.uibm.gov.it/</a><br><a href="http://www.uibm.gov.it/index.php/comunicazione-comune-sull-attuazione-di-ip-translator">http://www.uibm.gov.it/index.php/comunicazione-comune-sull-attuazione-di-ip-translator</a>   |
| Latvia (LV)    | <a href="http://www.lrv.gov.lv/lv/patentu-valde/aktualitates/zinas-no-iestades/eiropas-savienibas-dalibvalstu-kopigs-pazinojums-par">http://www.lrv.gov.lv/lv/patentu-valde/aktualitates/zinas-no-iestades/eiropas-savienibas-dalibvalstu-kopigs-pazinojums-par</a>  |
| Lithuania (LT) | <a href="http://www.vpb.lt/index.php?&amp;nn=726">http://www.vpb.lt/index.php?&amp;nn=726</a>  |
| Malta (MT)     | <a href="http://www.mcit.gov.cy/mcit/drcor/drcor.nsf/All/60B7187DE0AB4AE1C2257B5D0030CB10?OpenDocument">http://www.mcit.gov.cy/mcit/drcor/drcor.nsf/All/60B7187DE0AB4AE1C2257B5D0030CB10?OpenDocument</a>  |
| Norway (NO)    | <a href="http://www.patentstyret.no">http://www.patentstyret.no</a><br><a href="http://www.patentstyret.no/no/Forekspertter/Varemerkeeksperten/Endringer-i-rutiner-mm/">http://www.patentstyret.no/no/Forekspertter/Varemerkeeksperten/Endringer-i-rutiner-mm/</a>   |
| OHIM           | <b>OHIM website:</b><br><a href="http://oami.europa.eu/ows/rw/news/item3140.en.do">http://oami.europa.eu/ows/rw/news/item3140.en.do</a><br><br><a href="http://oami.europa.eu/ows/rw/resource/documents/OHIM/EUTMDN/common_communication_2_2013_en.pdf">http://oami.europa.eu/ows/rw/resource/documents/OHIM/EUTMDN/common_communication_2_2013_en.pdf</a><br><a href="http://oami.europa.eu/ows/rw/resource/documents/OHIM/EUTMDN/common_communication_12042013_en.pdf">http://oami.europa.eu/ows/rw/resource/documents/OHIM/EUTMDN/common_communication_12042013_en.pdf</a><br><br><b>Gateway:</b><br><a href="https://www.tmdn.org/network/documents/89965/72f4fce-106c-4de6-b684-822e5131fbac">https://www.tmdn.org/network/documents/89965/72f4fce-106c-4de6-b684-822e5131fbac</a><br><a href="https://www.tmdn.org/network/documents/89965/f7f4a715-6170-4be4-9d89-efcda0ad50b4">https://www.tmdn.org/network/documents/89965/f7f4a715-6170-4be4-9d89-efcda0ad50b4</a> |
| Poland (PL)    | <a href="http://www.uprp.pl/wspolny-komunikat-dotyczacy-praktyki-w-zakresie-ogolnych-okreslen-naglowkow-klasyfikacji-nicejskiej/Lead02,57,8674,7,index.pl.text/">http://www.uprp.pl/wspolny-komunikat-dotyczacy-praktyki-w-zakresie-ogolnych-okreslen-naglowkow-klasyfikacji-nicejskiej/Lead02,57,8674,7,index.pl.text/</a><br><br><a href="http://www.uprp.pl/aktualizacja-wspolnego-komunikatu-dotyczacego-wykonania-wyroku-w-sprawie-ip-translator/Lead02,57,8673,7,index.pl.text/">http://www.uprp.pl/aktualizacja-wspolnego-komunikatu-dotyczacego-wykonania-wyroku-w-sprawie-ip-translator/Lead02,57,8673,7,index.pl.text/</a>   |
| Portugal (PT)  | <a href="http://www.marcaspatentes.pt/index.php?action=view&amp;id=879&amp;module=newsmodule">http://www.marcaspatentes.pt/index.php?action=view&amp;id=879&amp;module=newsmodule</a>  |
| Romania (RO)   | <a href="http://www.osim.ro/marci/pmarc.htm">http://www.osim.ro/marci/pmarc.htm</a><br><a href="http://www.osim.ro/marci/RO_Common_Communication_v.pdf">http://www.osim.ro/marci/RO_Common_Communication_v.pdf</a>   |
| Sweden (SE)    | <a href="http://www.prv.se/sv/Om-oss/Nyheter/Nya-gemensamma-kommunikationer-fran-OHIM/">http://www.prv.se/sv/Om-oss/Nyheter/Nya-gemensamma-kommunikationer-fran-OHIM/</a><br><a href="http://www.prv.se/en/About-us/News/New-Common-Communications-from-OHIM/">http://www.prv.se/en/About-us/News/New-Common-Communications-from-OHIM/</a><br><br><a href="http://www.prv.se/sv/Varumarke/Klassa-varor-och-tjanster/">http://www.prv.se/sv/Varumarke/Klassa-varor-och-tjanster/</a><br><a href="http://www.prv.se/en/Trademarks/Classifying-goods-and-services/">http://www.prv.se/en/Trademarks/Classifying-goods-and-services/</a>   |
| Slovenia (SI)  | <a href="http://www.uil-sipo.si/uil/urad/o-uradu/novice/elektronske-novice/clanki/usklajena-praksa-uradov-za-intelektualno-lastnino-v-eu-glede-nesprejemljivosti-11-splosnih-navedb-i/">http://www.uil-sipo.si/uil/urad/o-uradu/novice/elektronske-novice/clanki/usklajena-praksa-uradov-za-intelektualno-lastnino-v-eu-glede-nesprejemljivosti-11-splosnih-navedb-i/</a>  |

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| Slovakia (SK)       | <a href="http://www.upv.sk/?novinky">http://www.upv.sk/?novinky</a><br><a href="http://www.upv.sk/?novinky&amp;clanok=spolocne-oznamenie-o-spolocnom-postupe-pri-pouzivani-vseobecnych-oznaceni-nazvov-tried-niceskeho-triedenia">http://www.upv.sk/?novinky&amp;clanok=spolocne-oznamenie-o-spolocnom-postupe-pri-pouzivani-vseobecnych-oznaceni-nazvov-tried-niceskeho-triedenia</a><br><a href="http://www.upv.sk/swift_data/source/images/novinky/2013/11/Spolocene%20oznamenie%20o%20spolocnom%20postupe%20pri%20pouzivani%20vseobecnych%20oznaceni%20nazvov%20tried%20niceskeho%20triedenia%20v1.0.pdf">http://www.upv.sk/swift_data/source/images/novinky/2013/11/Spolocene%20oznamenie%20o%20spolocnom%20postupe%20pri%20pouzivani%20vseobecnych%20oznaceni%20nazvov%20tried%20niceskeho%20triedenia%20v1.0.pdf</a><br><a href="http://www.upv.sk/swift_data/source/images/novinky/2013/11/Spolocene%20oznamenie%20o%20vykonavani%20rozsudku%20vo%20veci%20IP%20Translator%20v1.1.pdf">http://www.upv.sk/swift_data/source/images/novinky/2013/11/Spolocene%20oznamenie%20o%20vykonavani%20rozsudku%20vo%20veci%20IP%20Translator%20v1.1.pdf</a> |
| United Kingdom (UK) | <a href="http://www.ipo.gov.uk/policy-notice-iptranslator.htm?DEBUGDATE=20.11.2013&amp;DEBUGTIME=09.00.00">http://www.ipo.gov.uk/policy-notice-iptranslator.htm?DEBUGDATE=20.11.2013&amp;DEBUGTIME=09.00.00</a>  |