

11-2018 版商品與服務分類之各類別分類資訊

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Class 1

Chemicals for use in industry, and other general applications, are in Class 1. If a particular use is indicated, however, some chemicals can belong to other classes. For example, hydrogen peroxide for industrial purposes is in Class 1, hydrogen peroxide for cosmetic purposes is in [Cl. 3](#) and hydrogen peroxide for medical purposes is in [Cl. 5](#).

化學品用於工業和其他一般性應用，是歸屬於第 1 類，不過當有特定用途時，某些化學品可能歸屬於其他類；例如工業用過氧化氫在第 1 類、化粧用過氧化氫是在第 3 類、醫療用過氧化氫是在第 5 類。

According to the Explanatory Note, Class 1 includes mainly "chemical products for use in industry, science and agriculture, including those which go to the making of products belonging to other classes". The term "chemical products" in this instance refers to man-made as well as natural products. This justifies the inclusion in Class 1 of synthetic products, such as artificial resins, and of natural products or raw materials, such as raw salt, protein, albumin and lactose. However, certain natural materials in their raw state are not in Class 1, either because of their function or because they are closely associated with goods belonging to other classes, for example, natural resins in [Cl. 2](#), wax and petroleum in [Cl. 4](#), rubber in [Cl. 17](#), and chalk in [Cl. 19](#).

第 1 類說明注釋的主要包括「工業、科學和農業用化學品，包括製成屬於其他類別產品用之化學品」，此處所指的「化學品」涉及人造及天然的產物；這也決定了如人造樹脂等合成產品，以及天然產物或如原鹽、蛋白質、白蛋白和乳糖等原料是含括在第 1 類的理由。然而某些原始狀態的天然材料，因為具有的功能，或是緊密地與其他類商品相關聯，而不歸屬於第 1 類；例如：天然樹脂在第 2 類，蠟和石油在第 4 類，橡膠在第 17 類，以及白堊在第 19 類。

Many goods in this class are used for manufacturing products that belong to other classes. For example, unprocessed artificial resins, usually in the form of viscous liquids, are in Class 1. When artificial resins are manufactured into semi-finished products, for example, in the form of rods or sheets, they are no longer in Class 1 but in [Cl. 17](#). Further manufacture turns these semi-processed resins into finished goods that are in other classes, such as [Cl. 20](#).

本類有許多商品被用於製造屬於其他類別的產品。例如未加工人造樹脂通常為黏性液體的形式，歸屬於第 1 類。當人造樹脂被製成半成品，例如棒狀或片狀，他們不再是第 1 類，而是歸屬於第 17 類。進一步將這些半加工樹脂製成的成品，可能歸屬於其他類別，如第 20 類的成品。

Class 1 also includes certain adhesives, specifically those for use in industry, as well as specialized adhesives, such as adhesives for wall tiles or wallpaper. Adhesives can also belong to other classes, for example, adhesives for cosmetic purposes in [Cl. 3](#), adhesives for dentures in [Cl. 5](#) and adhesives for stationery purposes in [Cl. 16](#).

第 1 類也包含某些黏著劑，特別是工業用，以及例如牆壁磁磚或是壁紙用專業黏著劑。黏著劑也可能屬於其他類別，例如：化粧用膠黏劑屬於第 3 類、假牙黏合劑屬於第 5 類，以及文具用黏著劑屬於第 16 類。

Similarly, putties and other paste fillers also belong to Class 1, for example, glaziers' putty and oil cement. There are however some exceptions such as toy putty in [Cl. 28](#) which is considered to be a plaything.

同樣地，油灰和其他糊狀填充劑也屬於第 1 類，例如：裝玻璃用油灰。然而有若干例外，例如玩具油灰(黏土)被視為是一種玩具而屬於第 28 類。

It should be noted that compost, manure and other products for enhancing plant growth, such as fertilizers, are in Class 1, while pesticides, fungicides and herbicides are in [Cl. 5](#) because their primary function is to kill pests and weeds, even though this may ultimately encourage plant growth.

應注意的是，用來增進植物生長的堆肥、動物糞肥等製品，例如肥料是歸屬於第 1 類，而殺蟲劑、殺真菌劑和除草劑是在第 5 類，儘管這些商品最終可能促進植物的生長，但主要的功能是除蟲和除草。

Finally, biological preparations belong to Class 1 when they are for use in science and industry but are in [Cl. 5](#) when for medical or veterinary purposes.

最後，雖然用於科學或工業上的生物製劑屬於第 1 類，但是醫療用或獸醫用生物製劑，則屬於第 5 類。

Class 2

Class 2 basically includes paints, varnishes, lacquers and other preparations that are used as coatings, either for decorative or protective purposes. Very few coatings are found in classes other than Class 2, the most significant group being building materials in [Cl. 19](#), such as materials for making and coating roads, fireproof cement coatings, bituminous coatings for roofing, and the more general entry "coatings [building materials]". Although some of these goods may be considered to have a protective function, they are nevertheless in [Cl. 19](#) because their primary use is in building.

第 2 類基本上包含油漆、清漆、亮光漆等製劑，作為裝飾或保護目的使用的塗料。不屬於第 2 類的塗料非常少，其中最值得注意的是歸屬於第 19 類的建築材料；例如道路鋪設及塗覆用的材料、耐火水泥塗層、屋頂用瀝青塗層和通常所稱的「塗層材料〔建築材料〕」。這些商品，雖然有些可能認為具有保護功能。但主要係使用於建築而歸屬於第 19 類。

The protective coatings in Class 2 are usually in the form of paints or oils used on wood to prevent deterioration or on metal to prevent rust. It is worth bearing in mind, however, that oils for the preservation of masonry and leather are in [Cl. 4](#) together with industrial oils, and oils for the preservation of food are in [Cl. 1](#).

第 2 類的保護性塗料通常是用於木材防腐或金屬防鏽的漆或油。值得銘記在心的是，磚石建築及皮革的保護用油是和工業用油一起歸屬於第 4 類，食品防腐用油則歸屬於第 1 類。

As well as coatings, such as paints, that may be used to add colour to a surface, Class 2 also includes colorants and dyes in general. Some exceptions are salts for colouring metals which are in [Cl. 1](#) and hair colorants in [Cl. 3](#). It should be noted though that colorants for food and beverages do belong to Class 2 rather than one of the

"food classes". Colorants for the restoration of furniture in the form of markers also belong to Class 2 as they are considered to be primarily a colorant rather than a marker which could be in [Cl. 16](#).

一般而言，第 2 類除了用來增加表面色彩的塗料，例如，油漆外，也包括著色劑和染料。但有些例外，如屬於第 1 類的金屬著色用鹽和屬於第 3 類的染髮劑。應注意的是，食物及飲料用色素屬於第 2 類，而非「食物類別」當中的一類。修復家具用馬克筆型著色劑也是屬於第 2 類，因為它們主要被視為是著色劑而不是屬於第 16 類的記號筆(馬克筆)。

Class 2 also includes inks for printing, marking and engraving meaning that goods such as toner for photocopiers belong to this class. Ink for writing, or in the form of goods like inking pads, belongs to [Cl. 16](#), however.

第 2 類也包括印刷、打印及雕版用油墨，意味著諸如影印機用碳粉等商品屬於本類。然而書寫用墨水或印泥之類的商品則歸屬於第 16 類。

It should also be noted that whilst raw natural resins are in Class 2, unprocessed artificial resins are in [Cl. 1](#) and semi-processed artificial resins are in [Cl. 17](#). Raw natural resins are in Class 2 because they are used in primers, protective coatings, paints, lacquers and varnishes, which are all goods belonging to Class 2.

應注意，未加工天然樹脂是第 2 類、未加工人造樹脂是第 1 類、半加工人造樹脂是第 17 類。未加工的天然樹脂，因使用於底漆、保護塗料、油漆、亮光漆和清漆商品，該等商品都屬於第 2 類，而同歸屬於該類。

Mordants are goods which could belong to either [Cl. 1](#) or Class 2, depending on their nature. The mordants in [Cl. 1](#) are corrosive chemicals (usually acids) used primarily for etching, whereas the mordants in Class 2 are those used mainly to prepare a surface to

accept a dye. As with the raw natural resins, the function of these mordants and their close association with other Class 2 goods justify their inclusion in Class 2, rather than in [Cl. 1](#).

媒染劑，依性質可能是屬於第 1 類或第 2 類商品。第 1 類的媒染劑主要是用於蝕刻的腐蝕性化學品（通常是酸）；第 2 類的媒染劑是那些主要是用來準備染色的物質表面。正如未加工天然樹脂，這些媒染劑的功能和其他第 2 類的商品緊密相關，而決定屬於第 2 類而非第 1 類。

Class 3

Toiletry and sanitary preparations, as well as general cleaning preparations, are usually in Class 3, the main exception being when they are used for medical purposes, in which case they are in [Cl. 5](#).

化粧品和衛生製劑，以及一般清潔製劑通常是在第 3 類，但主要的例外是具醫療用途時，則歸屬於第 5 類。

There are in fact a number of preparations which could possibly be included in other classes that are classified in Class 3 when they are used for cosmetic, cleaning or laundry purposes. For example, ammonia is in [Cl. 1](#) when used for industrial purposes but in Class 3 when used as a detergent, and lotions can be in [Cl. 5](#) when used for pharmaceutical purposes, but in Class 3 when used for cosmetic purposes. Some products, however, are always in Class 3 regardless of purpose, such as essential oils and perfumes.

事實上有不少屬於其他類別的製劑，當作為化粧、去污或洗衣用途時，是歸屬於第 3 類；例如：「氨」作為工業用途，是第 1 類，但作為清潔劑則是第 3 類；護膚液作為藥劑用途是第 5 類，但作為化粧用途則是在第 3 類。不過有些商品不論用途為何，都是歸屬於第 3 類，例如：香精油和香水。

Goods used for personal hygiene or sanitary purposes can be classified in either Class 3 or [Cl. 5](#) depending on their nature or function. Thus, whilst soaps and shampoos in general belong to Class 3, medicated soaps and shampoos are in [Cl. 5](#). Similarly, products intended for use with animals can be divided in the same way so shampoos for animals are in Class 3 but medicated and insecticidal shampoos for animals are in [Cl. 5](#).

個人衛生或清潔用的商品，依其性質或功能而可以屬於第 3 類或第 5 類。肥皂和洗髮劑一般屬於第 3 類，而藥皂和含藥洗髮劑則是第 5 類。同樣地，動物用的產品也是依相同的方式劃分，因此動物用洗毛精是第 3 類，但動物用含藥及殺蟲的洗毛精則是第 5 類。

Class 3 largely consists of *preparations*. However, there are some consumer articles included in this class when they are used for one of the Class 3 purposes or impregnated with a Class 3 preparation, for example, abrasive paper, alum stones, pumice stones, or cloths impregnated with cosmetic lotions or a detergent for cleaning. Articles such as cotton sticks are classified according to their purpose, hence in Class 3 when for cosmetic purposes but in [Cl. 5](#) when for medical purposes.

第 3 類主要是由製劑組成。然而有一些消費品，可作為第 3 類的用途之一，或浸漬了屬於第 3 類的製劑，而歸屬於該類；例如：研磨紙、明礬石、浮石，或浸漬化粧水或清潔劑的布。「棉棒」商品是依用途歸類，因此作為化粧用途時屬於第 3 類，但作為醫療用途時則屬於第 5 類。

It should also be noted that, generally, Class 3 does not include apparatus. Cosmetic utensils and cleaning articles for household purposes, such as electric toothbrushes, combs, and cloths for cleaning, are more commonly classified in [Cl. 21](#).

應注意，通常第 3 類不包含器具。化粧用具和家用清潔器具，如電動牙刷、梳子和清潔用抹布等，更常見歸屬於第 21 類。

Class 4

Class 4 primarily contains industrial oils, greases, wax and lubricants, as well as fuels and illuminating substances. It should be noted, however, that machines, apparatus and lamps that use Class 4 fuels and illuminants are not in Class 4. For example, lamps for lighting are in [Cl. 11](#), regardless of whether they are lamps powered by electricity or by a Class 4 fuel.

第4類主要包含工業用油、油脂、蠟和潤滑劑以及燃料和照明的物質。應該注意，使用第4類燃料和照明用燃料的機器、器具和燈不屬於第4類。例如：照明用的燈具是第11類；不論使用電力或使用第4類的燃料。

Candles and wicks for lighting are in Class 4, even if they are scented. This may seem inconsistent since other items for lighting are in [Cl. 11](#) and scents or perfumes are in [Cl. 3](#). However, candles are neither apparatus for lighting nor perfumes; they are considered to be illuminants and, in fact, are made of the illuminant that makes them work, namely, wax. It should be noted that, when candles are considered to have a specific function, they may be classified in other classes, such as massage candles for cosmetic purposes in [Cl. 3](#) or medicated massage candles in [Cl. 5](#). Furthermore, certain wicks that are intended for use with a specific apparatus can belong to the same Class as that apparatus, for example, wicks adapted for oil stoves in [Cl. 11](#).

蠟燭和照明用燈芯，即使有香味，仍歸屬於第4類。這似乎和第11類的照明商品及第3類的芳香劑或香水有不一致。然而，蠟燭不是照明器具也不是香水，雖認為是照明物，事實上，使它具有照明作用的，是蠟本身。應注意的是，當蠟燭被視為具有特定功能時，可能屬於其他類，例如屬於第3類之化粧用按摩蠟燭精油，或是屬於第5類之含

藥按摩蠟燭精油。此外，使用於某一特定器具的燈芯就應與該器具屬於相同的類別，例如：油爐用芯屬於第 11 類。

Amongst the fuels included in Class 4, there are certain hydrocarbons which may be classified in [Cl. 1](#) when used for chemical purposes and in Class 4 when used as a fuel, for example, benzene is in [Cl. 1](#) while benzene fuel is in Class 4.

第 4 類的燃料，包含某些碳氫化合物，當作為化學用途時可以歸屬於第 1 類，作為燃料時是歸屬於第 4 類，例如：「苯」是第 1 類，「苯燃料」是第 4 類。

Finally, this class includes dust absorbing, wetting and binding compositions. These compositions are used, for example, in sweeping roads or in building construction to prevent dust from floating in the air. They can also be used to absorb, and thus prevent, chemical spills from spreading and damaging the environment. They are included in Class 4 because they are usually oil- or grease-based products.

最後，本類包括灰塵吸收劑、灰塵濕潤劑及灰塵黏著劑。這些組合物可用來吸附，防止化學品溢出而擴散及破壞環境，如：清掃道路或建築物時，防止灰塵漂浮在空氣中。因通常是種以油或油脂為基礎的產品而歸屬於第 4 類。

Class 5

The goods found in Class 5 are usually pharmaceuticals, or medical and veterinary preparations. Other items in the Class Heading and in the Alphabetical List derive their classification in Class 5 from this principle.

第 5 類商品通常是藥品，或醫療和獸醫用製劑。其他在本類的商品依第 5 類類別標題及字母序分類表的分類原則而歸屬於該類。

It should be noted that most of the goods in Class 5 are *preparations*. However, there are some consumer articles included in this class, such as adhesive plasters and bandages for dressings. It should further be noted that the bandages included in this class are used for holding dressings in place. Bandages used to support muscles or any part of the body, or for orthopaedic purposes, are in [Cl. 10](#).

應注意的是，在第 5 類的大多數商品為製劑。然本類仍包括一些如絆創膏和包紮繃帶等消費品。進一步應注意，本類的繃帶是用來保持敷料在恰當的位置。至於用來支撐肌肉或身體的任何部分，或矯形用途的繃帶，則是屬於第 10 類。

Dietary supplements are in Class 5 regardless of whether they are for medical or veterinary purposes or not. These are substances that may or may not be nutritional, such as proteins, vitamins, trace elements, herbs, dietary fibres, glucose and enzymes, in the form of pills, capsules, tablets, powders or liquids. They can be used to supplement a normal diet or just because they are considered beneficial for the health. This is equally the case for dietary supplements with a cosmetic effect which also belong to Class 5.

膳食補充品，不管是作為醫療或獸醫用都歸屬於第 5 類。這種補充品可能是或可能不是營養物質；如丸狀、膠囊狀、片狀、粉末狀或液體狀的蛋白質、維生素、微量元素、草藥、膳食纖維、葡萄糖和酵素，可以用來補充正常的飲食，或可能只是被認為對健康有益。美容用膳食補充品也同樣屬於第 5 類。

It should be noted, however, that *foodstuffs* and *beverages*, such as cereal bars, teas, biscuits and soft drinks, as well as food for animals, that contain dietary supplements, or that are, for example, lower in calories, salt, sugar or fat, are classified in Class 5 *only if they are specified as being adapted for medical or veterinary purposes*. If they are not designated as being for medical or veterinary purposes, they must be classified in one of the food or beverage classes ([Cl. 29](#), [Cl. 30](#), [Cl. 31](#) or [Cl. 32](#)) and must be worded with adequate specificity to determine the appropriate classification.

應注意，食品及飲料；如穀物棒、茶、餅乾和軟性飲料，以及動物用的食品，含膳食補充品，或是如：低熱量、低鹽、低糖或低脂肪，只要明確說明是適用於醫療或獸醫目的，應歸屬於第 5 類。如果未指定作為醫療或獸醫用途，必須歸類於食品或飲料類商品（第 29、30、31 或 32 類），且必須充分特別表示，以作為適當的分類。

The reference to "sanitary preparations for medical purposes" in the Class Heading focuses on the difference between toiletry preparations in [Cl. 3](#) and medicated preparations or preparations intended for medical purposes in Class 5. Sanitary preparations in [Cl. 3](#) are used in personal cleaning or grooming activities, and include goods such as toilet soaps, non-medicated shampoos and personal deodorants. Sanitary preparations for medical purposes in Class 5 go beyond cleaning or grooming, they sterilize or disinfect, or may be medicated preparations, all of which are Class 5

characteristics. Goods in Class 5 therefore include disinfectant soap, medicated soap, medicated shampoos and pediculicidal shampoos. The French equivalent "produits hygiéniques" also refers to menstrual products such as sanitary towels. Based on this part of the Class Heading, and on the Explanatory Note, babies' diapers, as well as absorbent pants and diapers for incontinence, are included in Class 5 as well.

本類在類別標題中提及「醫療用衛生製劑」，在於作為第 3 類「盥洗用製劑」和第 5 類「含藥製劑或醫療用製劑」的區別。第 3 類衛生製劑是在個人清潔或修飾時使用，且包括如香皂、不含藥洗髮精和個人用除臭劑。第 5 類醫療用衛生製劑是在清潔或修飾之外，用來殺菌或消毒或是含藥製劑，都是第 5 類的特點。第 5 類的商品包括消毒皂、藥皂、含藥洗髮精和除蝨洗髮劑。法語同義詞「**produits hygiéniques**」指月經用品；如衛生棉。依本類類別標題和說明注釋，嬰兒用尿布以及失禁用尿褲、失禁用尿布，都歸屬於第 5 類。

Disinfectants, preparations for destroying vermin, fungicides and herbicides are also in Class 5 because they destroy harmful microorganisms, animals and vegetation, thereby contributing to the prevention of infection and the protection of human, animal or plant health.

消毒劑、殺蟲劑、殺真菌劑、除草劑，因為是用來消滅有害微生物、動物和植物，而有助於預防傳染病及保護人類、動物或植物的健康，也屬於第 5 類。

It should be noted that blood, living tissues and biological tissue cultures are also in Class 5 when specified as being for medical or veterinary purposes but in [Cl. 1](#) when they are for industrial or scientific purposes.

應注意，血液、活組織和生物組織培養劑，作為特定醫療或獸醫用途也歸屬於第 5 類。但作為工業或科學用途，則屬於第 1 類。

Class 6

Class 6 is one of the classes that includes unworked or semi-worked materials, namely, common metals and their alloys, and ores. It also includes finished goods that are classified according to material composition. In the Nice Classification, finished goods are in principle classified according to function or purpose. Goods that cannot be classified in this way are classified according to other criteria, like the material of which the goods are made (see [General Remark \(a\) for Goods](#)) and, if they are made of common metals, they belong to Class 6. Typical examples are figurines or statuettes. Because the function or purpose of these goods cannot be identified in any of the Class Headings or Explanatory Notes of the Classification, they are classified according to material composition in the different "materials classes", for example, in Class 6, 14, 16, 19, 20 or 21 if they are made, respectively, of common metals, precious metals, papier mâché, marble, plaster or porcelain.

第 6 類是包含有未加工或半加工材料(即:普通金屬及其合金與礦砂)的類別之一。本類亦包括依材料分類的成品。在尼斯分類中,成品原則上依功能或用途分類,不能依此方法分類的商品,則依其他準則予以分類,如依製成商品的材料分類(參照商品一般性說明(a));商品是由普通金屬製成,應歸屬於第 6 類,典型的例子是小雕像。商品的功能或用途,如果沒有標示在任何類別標題或說明注釋中,應依材料成分歸屬於不同的「材料類別」;例如,由普通金屬、貴重金屬、混凝紙、大理石、石膏或瓷製成的,則分別歸屬於第 6、14、16、19、20 或 21 類。

Goods made of common metals should not be classified in Class 6 if they can be classified in other appropriate classes without reference to material composition (see the excluding Explanatory

Note of Class 6 which specifically excludes "certain goods made of common metals that are classified according to their function or purpose"). For example, machines, motors and engines should not be classified in Class 6 even though they are made primarily of metal because there is an appropriate class in the Classification for these goods, namely, [Cl. 7](#).

普通金屬製商品不應分類在第 6 類，如果其他類別標題沒有提及材料成分，可以歸屬於其他適當的類別（參照第 6 類特別不包括的說明注釋，明確把「某些依其功能或用途分類的普通金屬製品」排除在外）；例如機器、馬達及引擎，儘管主要是由金屬製成，不應屬於第 6 類，而是依其他適當的類別分類，即第 7 類。

As Class 6 includes goods made of a certain material, namely, metal, a decision needs to be made when to classify goods made of metal in Class 6 and the same goods, when not made of metal, in another class. Generally, building materials of metal and small items of metal hardware are in Class 6 while building materials of all materials other than metal are in [Cl. 19](#) and small items of hardware made of non-metallic materials can be found in [Cl. 20](#). Note that many of these items can have both metal and non-metallic elements. In such cases, classification is dependent on the predominating element.

第 6 類因包括由某種材料（即金屬）製成的商品，對於金屬製成的商品，以及相同的商品而非金屬製成時，須判斷屬於別類。一般而言，金屬建築材料和金屬五金小商品是第 6 類；所有非金屬建築材料是第 19 類，而非金屬五金小商品有些是在第 20 類。應注意，這些多數商品可能兼有金屬與非金屬成分。這種情形，係以商品絕大多數的成分加以分類。

It should be noted that the goods in Class 6 are goods made of metal that do not perform a specific task; they are generally simple

pieces of metal. Goods that perform a task belong to other classes, irrespective of material composition, such as machines in [Cl. 7](#) and hand tools in [Cl. 8](#).

應注意，第 6 類的商品並不是為完成特定工作用的金屬製品；通常只是簡單的金屬部件。可用來完成工作的商品，屬於其他類別，而不論其材料成分；如機器屬於第 7 類、手工具屬於第 8 類。

Transportable buildings and other structures of metal are also included in Class 6. This includes facilities such as swimming pools and skating rinks which are classified according to material composition, rather than by function.

可移動的金屬製建築物和其他金屬建構體也是歸屬於第 6 類。這項分類包括如游泳池和溜冰場等，依材料成分而不是依功能分類的各項設施。

Class 7

Class 7 encompasses primarily power-operated tools, machines and machine tools, as well as motors and engines, and parts of machines, motors and engines. To understand the contents of this class it is important to consider it together with [Cl. 8](#) and [Cl. 12](#).

第 7 類主要包含電力驅動的工具、機器和機械工具、馬達和引擎，以及機器、馬達和引擎的零件。要瞭解本類的內容，同時考慮第 8 類和第 12 類的分類是重要的。

The classification of tools depends on their mode of operation. In principle, power-operated tools are in Class 7 while hand-operated hand tools are in [Cl. 8](#). For example, "hammers [hand tools]" are in [Cl. 8](#), while "electric hammers" are in Class 7. However, there are certain hand tools or implements, like depilation appliances, nail clippers and razors, that are in [Cl. 8](#) even if they are electric. They are not in Class 7 because they do not fit in the concept of machines or machine tools. The machines and tools in Class 7 are usually industrial or household machines that use mechanical or electrical power to perform a task such as cleaning, cutting, shaping, welding, drilling, pumping, assembling or loading/unloading. This means that industrial robots which can also perform these types of actions belong to Class 7 but robots used in other fields of activity are classified according to their function in other classes.

工具的分類在於操作的模式。原則上電動工具是第 7 類，手動手工具是第 8 類。例如：「鐵鎚〔手工具〕」是在第 8 類；「電鎚」是在第 7 類。然而，有些手工具或器具，如脫毛器具、指甲刀和剃刀，即使是電動的，屬於第 8 類，不屬於第 7 類，是因為不符合機器和機械工具的概念。第 7 類的機器和工具通常是工業或家庭用機器，使用機械動力或電力來完成如清潔、切割、成形、焊接、鑽孔、泵送、裝配或裝載/卸載工作。這意味著能執行這些活動類型的工業機器人屬於第 7 類，但使用在其他活動領域的機器人則根據其功能而屬於其他類別。

Parts of machines are also classified in Class 7. Goods that normally belong to other classes, such as hammers in [Cl. 8](#) and brushes in [Cl. 21](#), are classified in Class 7 when they are specified as being *parts of machines*.

機器的零件也歸在第 7 類。除通常屬於其他類別的商品，例如第 8 類的「鐵槌」和第 21 類的「刷子」外，當明確作為機器的零件時，則分在第 7 類。

Motors and engines, whether for machines or for vehicles, are classified in Class 7, except for land vehicle motors which are in [Cl. 12](#). Parts of all kinds of motors, including parts of land vehicle motors, are in Class 7. The logic behind the classification of these goods is that motors for land vehicles are usually assembled by the vehicle manufacturer and should therefore be in the same class as land vehicles, namely, [Cl. 12](#). Motor components, however, are usually made by a different manufacturer regardless of the kind of motor and therefore do not need to be classified in [Cl. 12](#) when they are for land vehicle motors.

無論機器或車輛用馬達和引擎是屬於第 7 類，除陸上交通工具用馬達第 12 類之外，所有種類馬達的零件，包括陸上交通工具馬達的零件，都屬於第 7 類。這些商品的分類邏輯是，陸上交通工具馬達通常是由該交通工具製造商裝配，因此應該和陸上交通工具歸屬同一類，即第 12 類。但不管馬達的種類，馬達零件通常是由不同的製造商產製，即使為陸上交通工具馬達用，仍不必要歸屬於第 12 類。

It should be noted that machine coupling and transmission components are classified in the same way as motors and engines, i.e., they are all in Class 7, except for couplings and transmission components for land vehicles which belong to [Cl. 12](#).

應注意，機器用聯結器及傳動零件的分類，與馬達和引擎分類方式相同；除陸上交通工具用聯結器及傳動零件屬於第 12 類外，都是歸屬於第 7 類。

Class 8

According to its Explanatory Note, Class 8 includes mainly "hand-operated tools and implements for performing tasks, such as drilling, shaping, cutting and piercing." Although many of these tools are described in the Alphabetical List as "hand tools", the criterion to determine their classification in Class 8 is not so much that they are hand-held, but rather their mode of operation, i.e., that they are operated manually and not by electricity or any other form of power. Thus, hand-operated tools such as hammers are in Class 8, while electric or pneumatic hammers, which can also be hand-held, are in [Cl. 7](#).

第 8 類依說明注釋「主要包括用於操作鑽孔、成型、切割及穿洞等作業的手動手工具。」儘管在字母表中，許多這些工具被敘述為「手工具」，決定屬於第 8 類的標準，並不在於手持的關係，而是在於商品是用手動，不是用電力或任何其他動力來操作。因此，手動工具；如鐵鎚是在第 8 類。但手持式的電動或氣動鎚，是屬於第 7 類。

It should be noted, however, that certain hand tools are classified in Class 8 regardless of whether they are electric or non-electric. These are small hand implements such as depilation appliances, razors, hair clippers and manicure sets that cannot be considered to be "machines", "machine tools" or "power-operated tools" in [Cl. 7](#).

應注意，某些手工具歸屬於第 8 類，不論其是否為電動或非電動；如脫毛器具、剃刀、理髮剪和修指甲工具等小手工具，不認為屬於第 7 類的「機器」、「機械工具」或「電動工具」。

Handles for hand-operated tools are also classified in Class 8 as they are seen as being an intrinsic part of the tool. Thus, scythe handles and knife handles are in Class 8 but it is worth bearing in

mind that other types of handles would be classified in other classes according to the object they are part of, for example, broom handles belong to [Cl. 21](#) along with brooms, and umbrella handles are in [Cl. 18](#).

操作手工具用的手柄，因為是工具本身的一部分，歸屬於第 8 類。因此，鐮刀柄和刀柄是第 8 類。但應記住，其他種類的握柄，應依其所屬的物件分類；例如，「掃把柄」和「掃把」同屬於第 21 類，而傘柄在第 18 類。

The relationship between Class 8 and [Cl. 21](#) is sometimes problematic as it may be difficult to decide whether certain goods should be considered to be a hand tool in Class 8 or a kitchen or household utensil in [Cl. 21](#). Table cutlery and knives are in Class 8, whereas [Cl. 21](#) includes serving utensils and certain kitchen tools, such as corkscrews, nutcrackers, pie servers and sugar tongs. Other tools used in the kitchen do belong to Class 8, however, because of their cutting nature, including vegetable peelers, fruit corers and kitchen mandolines, as well as non-electric cheese slicers, pizza cutters and tin openers. Similar goods when powered by electricity would belong to [Cl. 7](#), for example, electric knives and electric tin openers.

第 8 類和第 21 類間的關係有時候是有疑問的，某些商品可能困難決定應該是屬於第 8 類的手工具，或是第 21 類的廚房用具或家用器具。餐具和刀是第 8 類；第 21 類包括侍餐用具和某些廚房工具，如拔塞鑽、胡桃夾、餡餅糕點用鏟杓和方糖夾。廚房使用的其他工具，由於是用來切割的性質；包括蔬菜削皮器、水果去核器、廚房切菜器以及非電動起司切片器、披薩切割器、和開罐器，屬於第 8 類。但相類似的電動商品屬於第 7 類；例如：電動刀和電動開罐器。

The term "cutlery" in the Class Heading justifies the inclusion in Class 8 of hand-operated cutting tools, such as knives and scissors.

Certain specialized cutting instruments, however, are classified in other classes, for example, scalpels in [Cl. 10](#) and paper cutters in [Cl. 16](#).

類別標題中的「刀具」一詞，決定手動切割工具以及如刀、劍和剪刀等有刀刃的武器歸屬於第 8 類。然而，有些專業用的切割器具是歸屬於其他類別；例如：解剖刀是第 10 類、裁紙刀是第 16 類。

It should be noted that the term "cutlery" in the Classification also refers to knives, forks and spoons for eating (the term has been translated into French as *"coutellerie, fourchettes et cuillers"* because *"coutellerie"* refers only to knives and other cutting instruments).

應注意，本類中的「刀具」，也和餐刀、餐叉和餐匙有關。

Class 8 is also the correct class for side arms, with the exception of firearms which belong to [Cl. 13](#). Thus, Class 8 is home to bladed weapons, such as bayonets and swords. However, such goods can belong to [Cl. 28](#) when they are used for sports, for example, fencing weapons.

隨身武器除歸屬於第 13 類的槍砲外，也歸屬在第 8 類。因此，有刀刃的武器屬於第 8 類，例如，刺刀和劍。然而，當作為運動用時，則歸屬在第 28 類，例如，劍術用擊劍。

Class 9

Class 9 is often described as the class of electronic equipment but, in fact, it includes a wide variety of goods. There are five general areas of goods: apparatus and instruments for scientific or research purposes, information technology and audiovisual equipment, apparatus and devices for controlling the distribution and use of electricity, optical apparatus and instruments, and safety equipment. Of course, these groups of products are very general and do not comprise all goods in Class 9, which is, together with [Cl. 1](#), one of the largest classes of the Nice Classification.

第 9 類常被稱為電器設備的類別，但事實上，本類包括廣泛而多樣，共有 5 個廣義的商品領域：科學或研究目的用器具和儀器、資訊技術和視聽設備、控制電力分配和使用的器具和裝置、光學器具和儀器以及安全設備。當然，這些產品組群非常廣泛，並不組成第 9 類所有的商品。本類與第 1 類都是尼斯分類最大的類別之一。

It is worth mentioning that safety equipment and protective clothing are classified in Class 9 based on the reference to "life-saving... apparatus" in the Class Heading. The inclusion of protective clothing in this class may seem strange at first, but it becomes more understandable if the term "life-saving" is interpreted in the sense of "preventing serious or fatal accidents", as well as in the sense of "saving human lives". Therefore, protective clothing belongs to Class 9 as much as goods such as breathing apparatus (except for artificial respiration), life belts, life jackets and bullet-proof waistcoats do. Examples of protective clothing in Class 9 are clothing and shoes for protection against accidents, irradiation and fire, clothing especially made for laboratories, protective helmets (including for sports), mouth guards and head guards for sports. However, it should be noted that protective

paddings used as parts of sports suits are classified in [Cl. 28](#) as sports articles. These goods are not considered to be "life-saving" since their function is to protect against bumps and bruises that are not usually fatal or physically incapacitating.

值得一提的是，安全設備和防護服裝是依類別標題中所載的「救生…器具」而歸屬於第 9 類。防護服裝屬於本類，剛開始會覺得很怪異，可是如果「救生」一詞，解釋為「預防嚴重的或致命的意外」以及「拯救生命」，就更能理解。因此防護服裝，如同呼吸裝置(人工呼吸以外)、救生帶、救生衣和防彈背心等商品，歸屬於第 9 類。第 9 類防護服裝的例子，有防事故、防輻射及防火用服裝和鞋；實驗室用特製服裝；護頭盔（包括運動用）；運動用牙套和運動用護頭套。應注意，作為運動服配件使用的防護塞墊，則和運動用品同歸屬於第 28 類；這種商品的功能不是「救生」，而是用來保護非致命性或避免身體碰撞和擦傷造成行動的不便。

Even though Class 9 is the class for a wide range of technology, it should be noted that this does not mean that all robots belong to this class. This class does, however, include humanoid robots with artificial intelligence, laboratory robots, teaching robots and security surveillance robots as they all perform functions included in Class 9. Robots in other classes include industrial robots in [Cl. 7](#), surgical robots in [Cl. 10](#) and toy robots in [Cl. 28](#).

雖然第 9 類是廣泛的技術類別，但應注意，並非意味所有的機器人都屬於這類。然這類包括具人工智慧之人形機器人、實驗室機器人、教學機器人以及安全監視機器人，因其均執行可包括在第 9 類的功能。其他類別的機器人，包括第 7 類的工業機器人，第 10 類的手術機器人，以及第 28 類的機器人玩具。

It should also be mentioned that certain apparatus in Class 9 may be classified in [Cl. 10](#) when used for medical purposes, for example, lasers, X-ray apparatus, MRI apparatus, respirators, and testing apparatus.

特別提到的是，第 9 類某些器具作為醫療用途時可歸屬於第 10 類；例如：雷射、X 光機、磁共振造影儀器、呼吸器和檢測儀器。

Digital goods such as music or electronic books which are intended to be downloaded onto an end user's electronic device are in Class 9. The provision of non-downloadable digital goods online is considered to be a service in [Cl. 41](#), online retail services for these goods would however be in [Cl. 35](#).

音樂或電子書等數位商品可下載到終端使用者的電子設備，是屬於第 9 類。線上提供不可下載的數位商品認為是第 41 類的一種服務，然這些商品的線上零售服務是屬於第 35 類。

Class 10

Class 10 includes mainly surgical, medical, dental and veterinary apparatus and instruments that are generally used for the diagnosis or treatment of human or animal diseases and conditions. The words "apparatus" and "instruments" are important as they help to differentiate Class 10 goods from the medical and veterinary *preparations* in [Cl. 5](#). In a very general manner, [Cl. 5](#), [Cl. 10](#) and [Cl. 44](#) are the "medical/veterinary classes" of the Classification, the first for medicines, the second for medical and veterinary equipment, and the third for medical and veterinary services.

第 10 類主要包括外科、內科、牙科和獸醫用器具及儀器；通常用來診斷或治療人類或動物疾病和症狀。「器具」和「儀器」的用語是重要的，將有助於區別第 10 類商品和第 5 類醫療用及獸醫用製劑之間的差別。以非常廣義的方式分類，第 5、10 和 44 類是有關醫療/獸醫的類別；第 5 類是關於藥品、第 10 類是關於醫療和獸醫設備、第 44 類是關於醫療和獸醫服務。

Certain apparatus and instruments classified in other classes belong to Class 10 when they are used for surgical, medical, dental or veterinary purposes. For example, needles in general are in [Cl. 26](#) and lasers in [Cl. 9](#), but when specified as being for medical purposes, they are in Class 10. The same happens with certain goods that are not apparatus or instruments, like clothing, furniture and bedding. For example, clothing especially for operating rooms, beds specially made for medical purposes, and childbirth mattresses are in Class 10. Nevertheless, adding "for medical or veterinary purposes" to any indication of good does not automatically place that good in Class 10. For example, sterilizers are in [Cl. 11](#), even if they are used for sterilizing medical instruments. The Alphabetical List should thus be consulted when

classifying goods "for medical or veterinary purposes". Furthermore, some goods used with medical apparatus, such as paper for medical examination tables or dental tray covers of paper are classified according to different classification criteria (in this case, [Cl. 16](#) on the basis of material composition).

某些分屬於別類的器具及儀器，當作為外科、內科、牙科和獸醫用途時，則歸屬於第 10 類；例如：一般縫紉編織用針屬於第 26 類，非醫療用雷射設備屬於第 9 類，但指明作為醫療用針，與醫療用雷射時則歸屬於第 10 類。相同的情形，適用於一些非器具或儀器的商品，如服裝、家具和寢具；例如：手術服、醫療用床和分娩褥墊等屬於第 10 類。但並不是任何商品加上「醫療用或獸醫用」就會自動歸屬於第 10 類；例如：「殺菌器」即使用於消毒醫療儀器，仍歸屬於第 11 類。因此有關「醫療用或獸醫用」商品分類時，應參考字母序分類表。此外，一些用於醫療器具的商品，例如醫學檢查台用紙或是紙製牙科托盤蓋，則是按照不同的分類標準歸類（此例依據材料的成分歸屬在第 16 類）。

Class 10 further includes prostheses and artificial implants. The term "artificial" is important for the classification of implants in Class 10 because living tissues used as surgical implants are in [Cl. 5](#).

第 10 類還包括義體（如假牙等）、義肢和人造的植入物。「人造的」對第 10 類「植入物」的分類是重要的，因為外科植入活組織是屬於第 5 類。

There are bandages both in Class 10 and in [Cl. 5](#). The difference is that the bandages in Class 10 are supportive, i.e., they are used for supporting injured muscles or parts of the body and thus have a therapeutic function, while the bandages in [Cl. 5](#) are used simply to bind wounds or hold dressings in place.

第 10 類和第 5 類都有「繃帶」。不同之處在於第 10 類的繃帶是有益於治療的，用於支撐受傷的肌肉或身體部位，因此有醫治的功能，而第 5 類的繃帶，僅是用於包紮傷口或固定敷料。

It should be noted that certain articles, usually made of rubber, also belong to Class 10, such as feeding bottle teats and valves, teething rings, dummies (pacifiers) for babies, condoms, and gloves for medical purposes. Objects in the nature of sex toys are also included in Class 10 as these are not the sort of playthings considered appropriate to [Cl. 28](#).

應注意，通常以橡膠製成的物品，如奶瓶用奶嘴和奶瓶流量調節器、出牙環、安撫奶嘴、保險套及醫療用手套也歸屬於第 10 類。具有性玩具性質的物品也屬於第 10 類，這些商品不適合是第 28 類的玩具分類。

Class 10 also contains apparatus that, whilst not necessarily used directly for medical treatment, helps to maintain or improve human health. Examples include massage apparatus and articles for nursing infants.

第 10 類也包含助於維持或改善人體健康，而不是直接作為醫療用的器具；例如按摩器和哺乳嬰兒用品。

Class 11

The apparatus included in Class 11 can be characterized as being for "environmental control" in the sense that they change the surrounding environment, for example, by heating, cooling, drying, purifying or disinfecting air or water. Consequently, Class 11 includes heating, ventilating, air-conditioning and air purification equipment, sanitary installations, water supply and water treatment installations, refrigerating and freezing equipment, as well as apparatus for cooking, heating and refrigerating food.

屬於第 11 類的器具，可以被定性為「環境控制」，改變周圍環境的商品；例如以加熱、冷卻、乾燥、淨化或消毒空氣或水等。第 11 類包括加熱、通風、空氣調節和空氣淨化設備、衛生設備、供水和水處理設備、冷藏和冷凍設備，以及烹調、加熱和冷藏食品用器具。

There can be confusion with certain electrically heated apparatus in other classes. Unlike Class 11 apparatus, electrically heated apparatus in other classes use heat in order to perform a task rather than having heating as their primary function. For instance, electric glue guns are in [Cl. 7](#) because their purpose is to apply glue (even though heat is used to melt the glue in the gun), whereas glue-heating appliances are in Class 11 because their purpose is to melt the glue, and keep it viscous using heat, so it can then be applied to a surface using a separate tool.

本類可能與別類一些電熱器具相混淆。別類的電熱器具是利用熱來完成工作，和第 11 類的器具不同，是以加熱作為商品的主要功能；例如：電動熱熔膠槍（雖然使用熱度來熔化槍中的黏著劑），其用途是用來塗施黏著劑，屬於第 7 類；反之熔膠加熱裝置屬於第 11 類，因為用途是熔化黏著劑並以熱度保持其黏性，再另外利用其他工具將熔膠施用在表面。

It should be noted that the cooking apparatus and utensils in Class 11 have a heat source that is part of the apparatus, for example, microwave ovens, bakers' ovens, electric kettles and electric pressure cookers. Cooking utensils that do not incorporate a heat source are, generally, in [Cl. 21](#), such as pots and pans for cooking, non-electric kettles and non-electric pressure cookers.

應注意，第 11 類的烹飪器具和烹調用具有加熱的來源；例如：微波爐、製麵包用烤爐、電壺和電壓力鍋。一般來說，第 21 類不配置熱源的烹調用具；如烹飪鍋、平底鍋、非電動壺以及非電壓力鍋。

Pipes as parts of sanitary installations are in Class 11. There are also pipes in [Cl. 6](#), [Cl. 17](#) and [Cl. 19](#). The pipes in Class 11 are those that are directly attached to, and are specialized parts of, installations such as sinks, showers and toilets. The pipes that bring water to and from these installations are building materials and are thus classified in [Cl. 6](#) if they are made of metal and in [Cl. 19](#) if they are rigid and not made of metal. Flexible pipes made of non-metallic materials are in [Cl. 17](#).

輸送管作為衛生設備零件時，歸屬於第 11 類，也有屬於第 6、17 和 19 類的輸送管。第 11 類的輸送管，如洗滌槽、淋浴器和沖水馬桶等是直接附屬於設備的專門零件。安裝輸送水用的管為建築材料，如果是金屬製屬於第 6 類；不易彎曲且非金屬製屬於第 19 類；易彎曲且非金屬製則屬於第 17 類。

Class 11 also contains lighting apparatus and certain accessories related thereto, for example, electric lamps, light bulbs and lamp shades. It should be noted that the lamps and other lighting apparatus in Class 11 are for lighting purposes. Vehicle and laboratory lights are thus in Class 11 and not, respectively, in [Cl. 12](#) or [Cl. 9](#). Lights that are in classes other than Class 11 are used mainly for purposes other than lighting, for example, lamps for

medical purposes are in [Cl. 10](#) and signalling lights and traffic-light apparatus are in [Cl. 9](#). Note however that directional lights for bicycles and light bulbs for directional signals for vehicles belong to Class 11 as they are not considered to be the type of signalling light that would belong to [Cl. 9](#).

第 11 類也包含照明器具和某些相關的配件，例如：電燈、燈泡和燈罩。應注意，第 11 類的燈和其他照明器具係為達到照明目的，因此車輛和實驗室用照明燈屬於第 11 類，而非分別屬於第 12 類或第 9 類。不屬第 11 類的燈主要是作為照明以外的用途；例如：醫療用燈是第 10 類，信號燈和交通信號燈是第 9 類。但應注意，自行車的方向燈以及車輛的方向指示燈，因不認為是第 9 類信號燈的類型，仍屬於第 11 類。

Finally, Class 11 is the class for electrically heated clothing, such as electrically heated socks, because of the heating function of such goods. The same is true of blankets and footmuffs that are in Class 11 when they are electrically heated (and not for medical purposes) but which would otherwise belong to other classes.

最後，電熱襪等電力加熱的衣著，因其加熱功能而屬於第 11 類。毯子和暖腳套適用相同標準；「電毯」和「電暖腳套」（非醫療用）是第 11 類，否則屬於其他類別。

Class 12

Class 12 includes vehicles and apparatus for the transport of people, animals or goods by land, air or water. The term "transport" is significant since there are goods in other classes that could be deemed as providing transport when, in fact, that is not the primary purpose of the goods. For example, road sweeping machines and snow ploughs are in [Cl. 7](#). Although these items move, their purpose is not transport but rather to perform a task, specifically road sweeping or snow removal. Conversely, bicycles are in Class 12 and not in [Cl. 28](#) because they provide transport even if that transport is for sports or for recreational purposes.

第 12 類包括以陸運、空運或水運方式，為運送人、動物或商品的交通工具和器具。「運輸」值得注意的是，因為別類商品可認為有提供運輸功能，但事實上，這些商品的主要目的並不是用來運輸；例如：「道路清掃機」和「除雪機」屬於第 7 類，其目的不是運輸而是完成專門道路清掃或排除積雪的工作。相反地，「自行車」因為提供運輸而屬於第 12 類，而不屬於第 28 類；即使這種運輸有運動或娛樂目的。

Another category of goods which belongs to Class 12 is drones, irrespective of their function or purpose. Drones are considered to be "apparatus for locomotion by air" and as such both civilian and military drones belong to Class 12, as well as camera drones. The only exception is "drones [toys]" which are in [Cl. 28](#).

另一種屬於第 12 類的商品類型是無人機，不管其功能或用途。無人機被認為「空中移動裝置」，從民用無人機、軍用無人機以及攝影空拍機都歸屬在第 12 類。唯一的例外是屬於第 28 類的「遙控飛機【玩具】」。

Goods which are considered to be parts of vehicles, or which are specially adapted only for use therewith, are classified in Class 12

along with vehicles. Examples of these types of goods include clips adapted for fastening automobile parts to automobile bodies, head-rests for vehicle seats, lug nuts for vehicle wheels and rearview mirrors.

交通工具的零件或僅供交通工具使用的商品，與交通工具一起歸屬在第 12 類。這類型商品的例子，包含汽車零件固定用夾具、車輛座位用頭靠、汽車輪轂用螺母以及後視鏡。

It should be noted, however, that not all parts of vehicles are in Class 12. While land vehicle motors are classified in Class 12, all other motors and engines, whether for machines or for other vehicles, are in [Cl. 7](#). However, parts of any kind of motor or engine, including parts of land vehicle motors, are in [Cl. 7](#). The logic behind the classification of these goods is that motors for land vehicles are usually assembled by the vehicle manufacturer and should therefore be in the same class as land vehicles, namely, Class 12. Motor components, however, are usually made by a different manufacturer regardless of the kind of motor and therefore do not need to be classified in Class 12 when they are for land vehicle motors.

應注意，不是所有的交通工具零件都屬於第 12 類。陸上交通工具馬達是第 12 類，但不論是機器或是其他交通工具用所有其他馬達和引擎，則是第 7 類。不過所有種類的馬達和引擎的零件，包括陸上交通工具的馬達零件，都歸屬於第 7 類。前述商品的分類邏輯，是陸上交通工具用馬達通常由交通工具製造業者裝配，應與陸上交通工具同類，即第 12 類；而馬達零件，不管馬達的種類通常是由不同的製造業者製造，即便是陸上交通工具馬達使用的零件，不必歸屬於第 12 類。

As regards couplings and transmission components for vehicles, the designated use also affects classification; those for land

vehicles belong to Class 12 and those for other purposes belong to Cl. 7.

至於交通工具用聯結器及傳動構成零件，因設計用途不同也影響分類；陸上交通工具用屬於第 12 類，為其他用途則屬於第 7 類。

There are other specific items that are not in Class 12 although they are associated with vehicles and apparatus for transport. This usually occurs when the item in question is not a structural part of the vehicle. Thus, goods such as locks for vehicles are classified according to material (in [Cl. 6](#) or [Cl. 20](#)), mileage recorders and rearview cameras for vehicles are in [Cl. 9](#), and lights for vehicles are in [Cl. 11](#). The Alphabetical List should thus be consulted for classification of vehicle parts.

有些和交通工具及運輸工具相關聯的特定商品，不屬於第 12 類。這通常是商品不作為交通工具結構上零件的情形。因此，交通工具用鎖，依材料而分別屬於第 6 類或第 20 類；交通工具用里程記錄器和後視攝影機屬於第 9 類；交通工具用照明燈屬於第 11 類。交通工具零件應參考字母序分類表分類。

Class 13

Class 13 includes firearms, ammunition, projectiles, explosives and pyrotechnical products. Parts of these goods and certain accessories therefor, are also in this class.

第 13 類包含槍砲、彈藥、導彈、炸藥和煙火產品。這些商品的零件和商品的一些配件也屬於本類。

The goods in this class are powered by an incendiary, explosive or propellant force. Goods are not classified in Class 13 just because they are weapons. Bladed weapons such as knives are in [Cl. 8](#), or in [Cl. 28](#) if they are used for sports like fencing weapons. With some exceptions, for example, sprays for personal defence purposes, the weapons in Class 13 are mostly explosive devices.

本類商品是藉由燃燒彈、炸藥或發射火箭的威力驅動。並不是武器商品就屬於第 13 類；有刀刃的武器，如刀是第 8 類，作為運動用，如劍術用擊劍，是第 28 類。有一些例外，例如：個人防護用噴霧器，第 13 類的武器大多是爆炸性裝置。

Sometimes, the term "weapon" is used in Class 13 to distinguish items in this class from similar items that have a different function and that are therefore classified elsewhere, such as "air pistols [weapons]" in Class 13 and "toy air pistols" in [Cl. 28](#).

有時候，第 13 類使用武器一詞，是為了區別歸屬於本類的商品與具有不同功能而歸屬其他類別的類似商品，例如「空氣槍〔武器〕」是第 13 類；「玩具空氣手槍」是第 28 類。

The example mentioned in the previous paragraph is fairly obvious. However, the difference might be less obvious in the case of harpoon guns. "Harpoon guns [weapons]" is in Class 13 while "harpoon guns [sports articles]" is in [Cl. 28](#). The difference between

the weapons and the sporting harpoon guns has been considered significant enough to warrant their classification in different classes. Otherwise, explosives and firearms are all in Class 13, whether for military or sporting use.

前段提到的例子是相當明顯的。但在魚叉槍的情形，差異比較不明顯。「魚叉槍〔武器〕」是第 13 類；「魚叉槍〔運動用品〕」是第 28 類；武器和運動用魚叉槍(標槍)之間，被認為有顯著的不同而得以歸屬於不同類別。除此之外，炸藥和槍砲都歸屬於第 13 類，無論是軍事或運動用途。

Class 14

Jewellery and imitation jewellery (irrespective of material composition), as well as precious and semi-precious stones, are in Class 14. It should be taken into account, however, that certain goods, such as brooches, are classified in [Cl. 26](#) when they are considered to be clothing accessories rather than jewellery. Another thing worth noting is that if jewellery is considered to be for medical purposes, such as anti-rheumatism bracelets, then it belongs to [Cl. 10](#) on the basis of function.

珠寶和人造珠寶（不管材料成分）以及寶石和半寶石是第 14 類。應考量一些商品；如胸針，當被認為服裝配件，而不是首飾時，則歸屬於第 26 類。另值得注意的，首飾作為醫療用途時，例如抗風濕手鐲，基於商品的功能應屬於第 10 類。

Key rings, key chains and charms therefor also belong to Class 14 but it should be noted that any charms that are not for jewellery, key rings or key chains would belong to [Cl. 26](#). This is also the case for similar goods such as beads, as only those for making jewellery belong to Class 14, other beads would be in [Cl. 26](#).

鑰匙圈、鑰匙鏈及其小飾品也屬於第 14 類，但應注意，任何非珠寶首飾、鑰匙圈或鑰匙鏈用的小飾品屬於第 26 類；類似商品如可當珠飾用的小珠，當作為製珠寶用時，歸屬於第 14 類，否則歸屬於第 26 類。

Another category of goods in Class 14 is rosaries and other kinds of prayer beads. Although these goods have a practical function, rather than being simply for ornamental use, their similarity in form and construction to jewellery justifies their inclusion in Class 14.

第 14 類商品的另一種分類，是誦經用的念珠和其他性質的念珠。雖然這些商品具有實質上的功能，而非只是為了裝飾用。但在形式上和構造上類似珠寶首飾，而認為應歸屬於第 14 類。

Generally, watches, clocks, stopwatches and other horological and chronometric instruments are in Class 14. Nonetheless, some chronometric instruments are in [Cl. 9](#) if their purpose is the measurement or recording of time, like in the case of time clocks. Smartwatches are also included in [Cl. 9](#) as it is considered that they have a significant number of features beyond timekeeping which justify classification in that Class.

一般而言，手錶、時鐘、碼錶和其他鐘錶及精密計時儀器也是第 14 類。然而，某些精密計時儀器，如果作為時間的測量或紀錄用，如打卡鐘，屬於第 9 類；智慧型手錶也屬於第 9 類，除可計時以外，因具有相當多該類的特點而分屬於該類。

Class 14 is one of the classes that includes unworked or semi-worked materials, namely, precious metals and their alloys. It also includes finished goods that are classified according to material composition. In the Nice Classification, finished goods are in principle classified according to function or purpose. Goods that cannot be classified in this way are classified according to other criteria, like the material of which the goods are made (see [General Remark \(a\) for Goods](#)) and, if they are made of precious metals, they belong to Class 14. A typical example is figurines or statuettes. Because the function or purpose of these goods cannot be identified in any of the Class Headings or Explanatory Notes of the Classification, they are classified according to material composition in the different "materials classes", for example, in [Cl. 6](#), 14, 16, 19, 20 or 21 if they are made, respectively, of common metals, precious metals, papier mâché, marble, plaster or porcelain.

第 14 類是包含未加工或半加工材料的類別之一，如貴重金屬及其合金。本類亦包括依材料成分予以分類的成品。在尼斯分類中，成品原則是依功能或用途予以分類。不能依此方法分類的商品，則依其他準則予以分類；如依製成商品的材料分類(參照商品一般性說明(a))。商品由貴重金屬製成，應歸屬於第 14 類。典型的例子是小雕像；這種商品的功能或用途，沒有列在任何類別標題或說明注釋中，應依材料成分的「材料類別」加以分類；例如，由普通金屬、貴重金屬、凝紙、大理石、石膏或瓷製成的，分別歸屬於第 6、14、16、19、20 或 21 類。

Whilst the Explanatory Note mentions that "certain goods made of precious metals or coated therewith" belong to Class 14, goods in precious metals should not be classified in Class 14 if they can be classified in other appropriate classes irrespective of material composition. For example, silver tea services should not be classified in Class 14 even though they are made of silver because there is an appropriate class in the Classification for these goods, namely, [Cl. 21](#), the class of household and kitchen utensils and containers.

雖然說明注釋中「貴重金屬製品或鍍有貴重金屬製品」是屬於第 14 類，但商品可以適當歸屬於其他類別時，則不管材料成分是貴重金屬，仍不屬於第 14 類；例如銀製茶具，儘管由銀製成，但可適當的歸屬於第 21 類「家庭和廚房用具和容器」類別，即不應歸屬於第 14 類。

Class 15

All musical instruments, their parts and their accessories are in Class 15, as well as certain goods that create music but are not played by a musician, for example, music boxes and robotic drums. However, goods that affect sound produced from another source, like music amplifiers or loudspeakers, and apparatus that reproduce music, such as compact disc players, are in [Cl. 9](#).

所有樂器、零件及配件，包含其他非由音樂家演奏產生音樂的商品；例如音樂盒以及自動演奏鼓，歸屬於第 15 類。然從另一來源而影響產生的聲音；如音樂放大器或擴音器，以及像雷射唱機等重現音樂的設備，則歸屬於第 9 類。

Class 15 also includes goods that are closely related to the production of music, such as music stands, tuning forks, conductors' batons and colophony for stringed musical instruments.

第 15 類也包括與產出音樂緊密相關的商品；例如樂譜架、音叉、指揮棒和弦樂器用松香。

Class 16

Class 16 comprises mainly paper and cardboard, printed matter such as books, pamphlets and brochures, and materials for printing and bookbinding, as well as writing materials and office requisites such as writing paper, envelopes, pens, ink, paper-clips, adhesive tapes, correcting fluids and staplers.

第 16 類主要包括紙、硬紙板，例如書籍、小冊子與手冊等印刷品、印刷與裝訂用材料，還有書寫材料和辦公用品；例如書寫用紙、信封、筆、墨水、迴紋針、膠帶、修正液及釘書機。

This class also contains office equipment such as mimeograph, sealing, addressing, franking and bookbinding machines. However, it should be noted that photocopiers, computers and printers for use with computers are in [Cl. 9](#), printing presses and printing machines are in [Cl. 7](#), and printing ink and toner for photocopiers are in [Cl. 2](#). Note that 3D printers and 3D printing pens are also in [Cl. 7](#) as they are considered to be machines and tools that are used for manufacturing objects.

本類也包含辦公室設備，例如油印機、封口機、地址機、郵資蓋印機和裝訂機。應注意的是，影印機、電腦和電腦印表機屬於第 9 類；印刷機是第 7 類；印刷油墨和影印機用調色劑是第 2 類。並注意，3D 列印機和 3D 列印筆被認為是用於製造物體的機器和工具，也是屬於第 7 類。

The term "drawing materials and materials for artists" in the Class Heading refers to traditional (non-electronic) art media such as drawing pens, canvas for painting, brushes and palettes for painters, and modelling clay. However, paints are in [Cl. 2](#) and hand tools for use by artists, such as spatulas and sculptors' chisels, are in [Cl. 8](#).

類別標題中的「繪畫用具及藝術家用材料」，是傳統（非電子的）的藝術用工具；例如製圖筆、畫布、畫筆和繪畫用調色盤，以及製作模型用黏土。但「塗料」是第 2 類；藝術家用手工具，如抹刀和雕塑家用鑿子則屬於第 8 類。

Teaching materials are in Class 16 as well. The term refers to goods such as blackboards, terrestrial globes, calculating tables and biological samples for use in microscopy. It should nonetheless be noted that "teaching apparatus" are in [Cl. 9](#), in particular if they are audiovisual equipment. Resuscitation mannequins, resuscitation training simulators and teaching robots are other examples worth mentioning as they are considered to be "teaching apparatus" and thus are classified in [Cl. 9](#) as well.

「教學用品」也是第 16 類；例如黑板、地球儀、計算表和顯微鏡觀察用生物樣本等商品。應注意，「教學儀器」，特別是視聽教材設備，歸屬於第 9 類；「急救訓練用人體模型」、「復甦訓練模擬器」以及「教學機器人」是其它值得一提的例子，因認為是「教學儀器」而歸屬於第 9 類。

Whilst books in printed form are in Class 16, it is important to bear in mind that electronic books or other publications that are intended to be downloaded onto an end user's electronic device are in [Cl. 9](#). The provision of such electronic publications in a non-downloadable form online is considered to be a service in [Cl. 41](#).

印刷形式的書籍是第 16 類，重要的是，預期被下載到最終用戶電子設備之「電子書籍或其他出版物」，屬於第 9 類。但在線上提供這種「不可下載電子出版物」的服務，則歸屬於第 41 類。

In the Nice Classification, finished goods are in principle classified according to function or purpose. Goods that cannot be classified in

this way are classified according to other criteria, like the material of which they are made (see [General Remark \(a\) for Goods](#)) and, if they are made of paper or cardboard, they belong to Class 16. A typical example is bags used for packaging. Because the function or purpose of these goods cannot be identified in any of the Class Headings or Explanatory Notes of the Classification, they are classified according to material composition in the different "materials classes", thus, packaging bags, pouches or envelopes are in Class 16, [Cl. 17](#), [Cl. 18](#) or [Cl. 22](#) depending on whether they are made, respectively, of paper, rubber, leather or textile.

在尼斯分類中，原則上「成品」是依功能或用途予以分類。不能依此方法分類的商品，則依其他準則予以分類；例如依製成商品的材料分類（參照商品一般性說明(a)）；如由紙或紙板製成的商品，應歸屬於第 16 類。典型的例子是包裝用袋，由於這種商品的功能或用途沒有列在任何類別標題或說明注釋中，因此，依材料成分的「材料類別」加以分類；包裝用袋、小袋或封套，依紙、橡膠、皮革或紡織品製成而分別歸屬於第 16、17、18 類或第 22 類。

It should also be noted that plastic packaging that is a substitute for paper, such as plastic films, sheets, bags or envelopes, belongs to Class 16 as well.

應注意，塑膠包裝材料為紙張替代品；如塑料薄膜、薄片、袋和封套等也屬於第 16 類。

Class 17

Class 17 is one of the classes that includes unworked or semi-worked materials, namely, rubber, gutta-percha, gum, asbestos and mica, as well as plastics and resins in extruded form for use in manufacture. It also includes finished goods that are classified according to material composition. In the Nice Classification, finished goods are in principle classified according to function or purpose. Goods that cannot be classified in this way are classified according to other criteria, like the material of which the goods are made (see [General Remark \(a\) for Goods](#)) and if they are made of rubber, gutta-percha, gum, asbestos or mica, they belong to this class. For example, window stops do not correspond to the functions or purposes listed in any of the Class Headings of the Classification and are thus classified in the corresponding "materials classes", namely, Class 17 if they are made of rubber, [Cl. 6](#) if they are made of metal, and [Cl. 20](#) if they are made of any other material.

第 17 類是包括未加工或半加工材料的類別之一；含橡膠、馬來樹膠、樹膠、石棉和雲母，以及生產時使用擠壓成型的塑膠和樹脂。本類亦包括依材料成分予以分類的成品。在尼斯分類中，原則上「成品」是依功能或用途予以分類。不能依此方法分類的商品，則依其他準則予以分類；例如依製成商品的材料分類（參照商品一般性說明(a)）。所以，商品是由橡膠、馬來樹膠、樹膠、石棉或雲母製成，則屬於本類；例如，「窗檔」與尼斯分類的類別標題中任一項商品的功能或用途都不符，因此，應歸類於相對應的「材料類別」；所以，由橡膠製成的屬於第 17 類；由金屬製成的屬於第 6 類；由任何其他材料製成的，則歸屬於第 20 類。

Also, goods that provide insulation are in Class 17 even if they would be in other classes if not specified as being for insulation

purposes. Examples of this are insulating paint, fabric and paper, which are all in Class 17 rather than the typical classes for those goods, namely, [Cl. 2](#), [Cl. 24](#) and [Cl. 16](#), respectively.

商品作為絕緣用歸屬於第 17 類，縱使未明確說明是提供絕緣用時，應該歸屬於別類；如絕緣塗料、絕緣織物和絕緣紙屬於第 17 類，而不歸屬於該等商品典型分類的分別屬於第 2、24 類和第 16 類。

Finally, flexible pipes, tubes and hoses that are not made of metal are in Class 17, such as connecting hoses for vehicle radiators and watering hoses. Rigid pipes, not of metal, for building are in [Cl. 19](#).

最後，非金屬製可彎曲的輸送管、管及軟管屬於第 17 類；如車輛散熱器用連接軟管和灑水軟管。非金屬製建築用硬管屬於第 19 類。

Class 18

Class 18 is one of the classes that includes unworked or semi-worked materials, namely, leather, imitation leather and animal skins. It also includes finished goods that are classified according to material composition. In the Nice Classification, finished goods are in principle classified according to function or purpose. Goods that cannot be classified in this way are classified according to other criteria, like the material of which the goods are made (see [General Remark \(a\) for Goods](#)) and, if they are made of leather or imitations of leather, they belong to Class 18. Clothing and shoes of leather, however, are in [Cl. 25](#) because this is the appropriate class for clothing, footwear and headgear irrespective of material composition. Conversely, there is no appropriate class for packaging such as bags and pouches, which are thus classified in Class 18 if they are made of leather, and in any of the other "materials classes", for example, [Cl. 16](#), [Cl. 17](#) or [Cl. 22](#), if they are made, respectively, of paper, rubber or textile.

第 18 類是包括未加工或半加工材料的類別之一；含皮革、人造皮革和獸皮。本類亦包括依材料成分加以分類的成品。在尼斯分類中，原則上「成品」是依功能或用途予以分類。不能依此方法分類的商品，則依其他準則予以分類；例如依製成商品的材料分類（參照商品一般性說明(a)）；如由皮革，或是人造皮革製成，應歸屬於第 18 類。皮衣和皮鞋，不管其材料成分，衣服、靴鞋和帽子有適當的類別而歸屬於第 25 類。相反地，沒有適當類別可分類的商品，如袋和小袋等包裝材料；由皮革製成，歸屬於第 18 類；由紙、橡膠或紡織品製成，則分別歸屬於第 16、17 類或第 22 類等其他「材料類別」。

Items used for transporting personal goods, such as suitcases and other travelling bags, are in Class 18 irrespective of material composition. Umbrellas and walking sticks are also classified in

Class 18, except walking sticks for medical purposes which belong to [Cl. 10](#).

作為個人物品運輸用的商品，如手提箱和其他旅行袋，不論其材料成分，屬於第 18 類。除了屬於第 10 類的醫療用手杖，傘和手杖也屬於第 18 類。

Finally, due to the mention of whips, harness and saddlery in the Class Heading, many items in Class 18 relate to animals. Some examples are bits for animals, harness fittings, nose bags, covers for horse saddles, stirrups, leashes, and collars for animals, as well as clothing for pets which belongs to Class 18 and not [Cl. 25](#). It should be noted, however, that there are animal-related items that are in classes other than Class 18, such as dog kennels in [Cl. 20](#) and horse brushes in [Cl. 21](#). Antiparasitic collars for animals are in [Cl. 5](#), even though collars for animals are generally in Class 18, as the fact that they are specially designed to deliver an antiparasitic agent justifies their inclusion in [Cl. 5](#).

最後，本類依第 18 類類別標題中所載的「鞭子和馬具」，許多商品與動物有關；例如馬勒、馬具配件、套在馬鼻下的草料袋、馬鞍套、馬鐙、動物用皮帶和項圈，以及「寵物用衣服」屬於第 18 類而不是第 25 類。應注意，有些與動物有關的商品不屬於第 18 類；如「狗屋」屬於第 20 類；「馬刷」屬於第 21 類。動物用項圈一般屬於第 18 類，但特別設計用來注入抗寄生蟲劑的「動物用防寄生蟲項圈」應認為屬於第 5 類。

Class 19

Most of the items in Class 19 are non-metallic building materials; building materials made of metal are in [Cl. 6](#). Anything that constitutes a structure and is not made primarily of metal, from bicycle parking installations to entire buildings, can be classified in Class 19. Also, some specialized building materials are in Class 19 when they might otherwise be classified in another class. One such example is bituminous coatings for roofing which could be in [Cl. 2](#) as a coating but are in fact classified in Class 19 because they are considered to be a specialized building product. Complete homes that are built entirely in a factory and then transported and installed on-site are in Class 19 if they are composed primarily of non-metallic components, and in [Cl. 6](#) if they are primarily made of metal.

第 19 類的商品，大部分是非金屬建築材料；金屬建築材料歸屬於第 6 類。任何主要由非金屬構成的結構體，從自行車用停車裝置到整棟建築物，都歸屬於第 19 類。一些專用的建築材料也屬於第 19 類（可能屬於其他類別）；例如一種屋頂用瀝青塗層可能是屬於第 2 類的塗料，但作為建築專用的瀝青時，應歸屬於第 19 類。工廠建造完成後，再運輸到現場安裝的預造房屋；如主要由非金屬成分組成歸屬於第 19 類；如主要由金屬成分組成則屬於第 6 類。

Non-metallic rigid pipes for building are in Class 19. It should be noted that there are also pipes in [Cl. 6](#), [Cl. 11](#) and [Cl. 17](#). Pipes are considered to be building materials and are thus classified in Class 19 if they are rigid and non-metallic, and in [Cl. 6](#) if they are made of metal (whether rigid or flexible). Flexible non-metallic pipes such as watering hoses or connecting hoses for vehicle radiators are in [Cl. 17](#), and pipes that are directly attached to, and are specialized

parts of, sanitary installations such as sinks, showers and toilets are in [Cl. 11](#).

建築用非金屬不易彎曲的輸送管屬於第 19 類。應注意，有屬於第 6、11 類和第 17 類的輸送管。作為建築材料的輸送管，如果是不易彎曲且非金屬，應屬於第 19 類；金屬製，不管是不易彎曲或易彎曲，都屬於第 6 類；易彎曲且非金屬製輸送管屬於第 17 類，如灑水軟管或車輛散熱器用連接軟管。直接附屬於衛生設備的專門組件，如洗滌槽、淋浴器和沖水馬桶的輸送管屬於第 11 類。

Class 19 includes materials such as stone, concrete and marble. It also includes certain finished goods that are classified according to material composition. In the Nice Classification, finished goods are in principle classified according to function or purpose. Goods that cannot be classified in this way are classified according to other criteria, like the material of which they are made (see [General Remark \(a\) for Goods](#)). Busts, figurines and other similar goods made of stone, marble or other Class 19 materials are thus in Class 19 since there is no specific class in the Nice Classification for three-dimensional works of art.

第 19 類商品的材料，包含如石頭、混凝土和大理石。本類亦包括依材料成分予以分類的成品。在尼斯分類中，原則上「成品」是依功能或用途予以分類。不能依此方法分類的商品，則依其他準則予以分類；例如依製成商品的材料分類（參照商品一般性說明(a)）。因尼斯分類沒有「立體藝術品」的特定類別，由石頭、大理石或第 19 類其他材料製成的半身像、小雕像和其他相仿商品，都屬於第 19 類。

Class 20

Furniture is generally in Class 20 irrespective of material composition. Furniture adapted for a special use is classified according to its purpose, such as furniture especially made for laboratories in [Cl. 9](#) and dentists' armchairs in [Cl. 10](#).

家具，不管材料成分，通常屬於第 20 類。但適用於特殊用途的家具，依其用途予以分類；例如實驗室用特製家具屬於第 9 類；牙科用扶手椅屬於第 10 類。

Bedding, such as mattresses and pillows, is also in Class 20, but not bed linen, eiderdowns, sleeping bags and blankets, which are in [Cl. 24](#) as textile goods.

寢具也屬於第 20 類，如床墊和枕頭。但被單、枕套、鴨絨被、睡袋和毛毯，屬於紡織品而歸屬於第 24 類。

The list of materials in the Explanatory Note controls the inclusion in this class of goods that are classified by material composition. In the Nice Classification, finished goods are in principle classified according to function or purpose. Goods that cannot be classified in this way are classified according to other criteria, like the material of which the goods are made (see [General Remark \(a\) for Goods](#)) and, if they are made of the materials mentioned in the Explanatory Note, they belong to Class 20. Typical examples are figurines or statuettes. Because the function or purpose of these goods cannot be identified in any of the Class Headings or Explanatory Notes of the Classification, they are classified according to material composition in the different "materials classes", for example, in [Cl. 6](#), 14, 16, 19, 20 or 21 if they are made, respectively, of common metals, precious metals, papier mâché, marble, plaster or ceramic.

說明注釋中所列的材料，可作為管控依材料分類而應歸屬於本類的商品。在尼斯分類中，原則上「成品」是依功能或用途予以分類。不能依此方法分類的商品，則依其他準則予以分類；例如依製成商品的材料分類（參照商品一般性說明(a)）。商品若是由說明注釋中所載的材料製成，屬於第 20 類。典型的例子是「小雕像」；這商品的功能或用途沒有列在任何類別標題或說明注釋中，而應依材料成分的「材料類別」加以分類，例如由普通金屬、貴重金屬、混凝紙、大理石、石膏或瓷製成的，則分別歸屬於第 6、14、16、19、20 類或第 21 類。

Furthermore, Class 20 is the class for non-metallic goods that often have a counterpart in [Cl. 6](#) when those goods are made of metal. For example, metal containers for storage or transport are in [Cl. 6](#), while non-metallic ones are in Class 20. There are containers in [Cl. 21](#) as well, but these are limited by the Class Heading to those that are for household or kitchen use and are thus classified according to that purpose, irrespective of material composition.

第 20 類是為非金屬商品的類別，經常和第 6 類的金屬商品相對應；例如貯存或輸送用金屬容器屬於第 6 類，貯存或輸送用非金屬容器屬於第 20 類；也有些容器受限於第 21 類類別標題中的「家庭用或廚房用具及容器」，不管材料成分，依其用途歸屬於該類。

Many hardware items of plastic are in Class 20 with their equivalent of metal being in [Cl. 6](#). It should be noted, however, that hardware related to curtains is classified in Class 20, irrespective of material composition. Also, non-textile curtains, such as bamboo or bead curtains, as well as window blinds or shades for interior use, are in Class 20 because they are considered to be furnishings.

許多塑膠五金商品屬於第 20 類，而與其相當的金屬製商品屬於第 6 類。應注意，和窗簾相關的五金，不管材料成分，屬於第 20 類。非

紡織品製的窗簾；如竹簾或珠簾、室內用百葉簾及遮光簾，因認為是家具而屬於第 20 類。

Class 21

As indicated in the Class Heading and the Explanatory Note, this class includes mainly containers and small hand-operated utensils and apparatus for household and kitchen use. This language covers a very broad range of products, some of them being very much related to certain products in [Cl. 7](#), [Cl. 8](#) and [Cl. 11](#).

本類如類別標題和說明注釋所示，主要包括家庭及廚房用容器、小型手動操作用具和設備。這說法涵蓋了非常廣泛的產品，有一些商品與屬於第 7、8 類和第 11 類商品十分相關。

The criterion used to classify containers in Class 21 is function or purpose. Goods from pails and garbage cans to vases, bottles and indoor aquaria, can be found in Class 21 as household or kitchen containers, irrespective of material composition. Conversely, containers used for the transport and storage of goods are classified by material composition, in [Cl. 6](#) if they are made of metal and in [Cl. 20](#) if they are made of any other material. It should be noted that, according to [General Remark \(f\) for Goods](#), containers that are specially adapted to the shape or form of the product they are intended to contain are, in principle, classified in the same class as that product. For example, containers for contact lenses are in [Cl. 9](#) together with contact lenses, and cases for musical instruments are in [Cl. 15](#) along with musical instruments.

容器歸屬於第 21 類的分類準則，是依照功能或用途。從提桶和垃圾桶，到花瓶、瓶子和室內水族箱，不管材料成分，都屬於第 21 類的「家用或廚房用容器」。相反地，用於輸送和貯存商品的容器，依材料成分分類；金屬製屬於第 6 類，任何其他材料製成的則屬於第 20 類。應注意，依一般說明中，商品部分的第(f)點；專門適用於想要收納的產品形狀或外形的容器，原則上和收納的產品同屬一類。例如：

隱形眼鏡容器與隱形眼鏡同屬於第 9 類；樂器盒與樂器同屬於第 15 類。

Containers and certain utensils used as cookware or tableware, such as dishes, bowls, drinking glasses, mugs, tea services and pie servers, are in Class 21. Important exceptions are knives, forks and spoons, which belong to [Cl. 8](#). It is worth mentioning that while serving utensils, such as sugar tongs and serving ladles, are in Class 21, tongs and ladles used as hand tools are classified in [Cl. 8](#).

作為烹飪用具或餐具使用的容器及一些用具屬於第 21 類；例如盤、碗、飲水玻璃杯、馬克杯、茶具和餡餅糕點用鏟杓。重要的例外，是屬於第 8 類的餐刀、餐叉和餐匙。值得一提的是，侍食用具屬於第 21 類；如方糖夾和分菜勺。但作為手工具使用的鉗子和長柄杓歸屬於第 8 類。

The household and kitchen utensils and apparatus in Class 21 are mostly hand-operated (i.e. non-electric), and any electric counterparts are in other classes. For example, apparatus for cleaning and polishing, and apparatus for kitchen use, such as for mincing, grinding, pressing or crushing are in Class 21 when they are non-electric and in [Cl. 7](#) when they are electric. It should be noted, however, that most combs and brushes (these terms are followed by an asterisk in the Alphabetical List), including cosmetic brushes and toothbrushes, are in Class 21 regardless of whether they are electric or non-electric, while manicure, pedicure and other cosmetic implements, such as nail files, depilation appliances and razors, both electric and non-electric, are classified in [Cl. 8](#).

屬於第 21 類的家庭和廚房用具及器具，大多是手動操作的（即非電動的），而任一對應的電動器具則屬於別類；例如：清潔和打蠟用器具，以及如切碎、磨碎、壓碎或碾碎等廚房用器具，非電動的屬於第

21 類；電動的屬於第 7 類。應注意，大多數的梳子和刷子（在字母序分類表中該項商品標有星號），包括化粧刷和牙刷，不管是電動或是非電動，屬於第 21 類；電動和非電動的指甲用銼刀、脫毛器具和剃刀等修手指甲、修腳趾甲和其他修容工具，則屬於第 8 類。

Cooking apparatus in Class 21, such as kettles and pressure cookers, are non-electric. Cooking apparatus that has an integrated heat source, like electric kettles and electric pressure cookers, are in [Cl. 11](#) together with other electrically heated cooking apparatus.

非電動的烹飪器具屬於第 21 類，如壺和壓力鍋。電壺和電壓力鍋等組合熱源裝置的烹飪器具，和其他電熱烹飪器具同屬於第 11 類。

Finally, it is important to point out that Class 21 is one of the classes that includes unworked or semi-worked materials, in this case glass, with the exception of building glass which is in [Cl. 19](#) as a building material. Class 21 also includes glassware, porcelain and earthenware that cannot be classified according to function or purpose. In the Nice Classification, finished goods are in principle classified according to function or purpose. Goods that cannot be classified in this way are classified according to other criteria, like the material of which the goods are made (see [General Remark \(a\) for Goods](#)) and, if they are made of porcelain, ceramic, earthenware, terra-cotta or glass, they belong to Class 21. Typical examples are busts, statuettes and works of art. Because the function or purpose of these goods cannot be identified in any of the Class Headings or Explanatory Notes of the Classification, they are classified according to material composition in the different "materials classes", for example, in [Cl. 6](#), 14, 16, 19, 20 or 21 if they are made, respectively, of common metals, precious metals, papier mâché, marble, plaster or ceramic.

最後，重要是指出第 21 類包含未加工或半加工材料的類別之一。玻

璃，作為建築用玻璃屬於第 19 類的建築材料。第 21 類也包含不能依功能或用途加以分類的玻璃器皿、瓷器和陶器。在尼斯分類中，原則上「成品」是依功能或用途予以分類。不能依此方法分類的商品，則依其他準則予以分類；例如依製成商品的材料分類（參照商品一般性說明(a)）；例如由瓷、陶、土、紅陶土或玻璃製成，屬於第 21 類。典型的例子是半身像、小雕像和藝術品。這些商品的功能或用途沒有列在任何類別標題或說明注釋中，依材料成分的「材料類別」加以分類；例如，由普通金屬、貴重金屬、混凝紙、大理石、石膏或瓷製成，分別歸屬於第 6、14、16、19、20 類或第 21 類。

Class 22

Class 22 covers textile materials in an unprocessed state, specifically raw fibres.

第 22 類包含未加工的紡織原材料；特別是纖維原料。

This class also includes some finished goods that cannot be easily classified in the other "textile classes" ([Cl. 23](#), [Cl. 24](#) and [Cl. 25](#)), such as tents, awnings and sails. Sails are in Class 22 even though they are used with transport or sports apparatus, such as boats and ski sailing equipment, that belong to other classes.

本類也包含一些不容易歸類到其他「紡織品類別」(第 23、24 類和第 25 類)的成品；例如帳篷、遮篷和帆。「帆」雖然和其他類別的「帆船」及「滑雪用具」等運輸及運動器具一起使用，仍屬於第 22 類。

Class 22 includes goods such as non-metallic slings for handling loads, bands for wrapping or binding, and ropes and string of natural or artificial fibres, paper or plastics. However, yarns and threads used for sewing, knitting, weaving, embroidering, or in the production of fabrics, are in [Cl. 23](#).

第 22 類包含裝卸用非金屬吊索、非金屬包裝或捆綁用帶，以及天然或人造纖維、紙或塑膠製的繩索和細繩等商品。然縫紉、編織、織布、刺繡或在布料生產過程中使用的紗和線，屬於第 23 類。

Nets are also classified in Class 22, for example, fishing nets and animal feeding nets. It should be noted, however, that certain nets for specialized purposes can belong to other classes, such as safety nets in [Cl. 9](#) and nets for sports in [Cl. 28](#). The Alphabetical List should therefore be consulted when classifying nets.

網，也屬於第 22 類；例如漁網和草料網。應注意，專門用途的網可能屬於別類；例如：安全網屬於第 9 類、運動用網屬於第 28 類。進行「網」分類時應參考字母序分類表。

Other finished products in Class 22 are sacks for transporting or storing goods and materials in bulk, mail bags, and bags of textile for packaging.

其他屬於第 22 類的成品是運輸或貯藏散裝物資用粗布袋、郵件袋和包裝用紡織品袋。

Finally, Class 22 includes padding, cushioning and stuffing materials, other than those made of paper or cardboard (which would be in [Cl. 16](#)) or those of rubber or plastics (which would be in [Cl. 17](#)). Padding and stuffing derived from natural sources (other than rubber), such as straw, horsehair, kapok, feathers and seaweed, are thus in Class 22.

最後，第 22 類包含非紙製、紙板或橡膠或塑膠製的襯墊；減震及填塞材料（紙或紙板製屬於第 16 類；橡膠或塑膠製屬於第 17 類）。襯墊及填塞材料來自稻草、馬毛、木棉、羽毛和海草等天然來源（非橡膠）的，屬於第 22 類。

Class 23

As indicated in the brief Class Heading, yarns and threads, whether natural or synthetic, are in Class 23 so long as they are for textile use. Clearly, cotton, silk or woollen threads and yarns are in this class. Moreover, when used for textile purposes, fibreglass, elastic, rubber and plastic threads or yarns are also in Class 23.

紗和線，不管是天然或合成的，如類別標題摘要所示，只要是紡織品用，歸屬於第 23 類。棉線和紗、絲線和紗、毛線和紗很清楚的屬於本類。此外，玻璃纖維線或紗、彈性線或紗、橡膠線或紗以及塑膠線或紗，作為紡織品用，也屬於第 23 類。

It should be noted that the Alphabetical List contains a number of threads that are classified in classes other than Class 23 due to their specialized uses. Some examples of these are threads of plastic for soldering in [Cl. 17](#) and identification threads for electric wires in [Cl. 9](#).

應注意，字母序分類表包含一些有專門用途而不屬於第 23 類的線。舉例而言；焊接用塑膠線屬於第 17 類；電線標識線屬於第 9 類。

Class 24

Fabrics intended for traditional textile uses are in this class, as are certain finished goods made of textile or of substitutes for textiles, such as plastic and oilcloth. Some examples of these goods are handkerchiefs, mosquito nets, printers' blankets, shrouds and wall hangings.

為傳統紡織品用的布料，屬於本類，並包含一些紡織品、塑膠及油布等紡織品替代品做出的成品；例如手帕、蚊帳、印刷機橡皮布、壽衣和壁掛。

This class does not include finished items that are considered clothing in [Cl. 25](#) or textile items that could be classified in other classes according to their function or purpose. Some examples of textile goods that are not in Class 24 are horse blankets in [Cl. 18](#), insulating fabrics and asbestos fabrics in [Cl. 17](#), cloth for bookbinding in [Cl. 16](#), and geotextiles in [Cl. 19](#).

本類不包含屬於第 25 類衣著的成品，或依商品的功能或用途可以歸屬於別類的紡織品商品。不屬於第 24 類的紡織品；例如「馬毯」屬於第 18 類；「絕緣布」和「石棉布」屬於第 17 類；「書籍裝訂布」屬於第 16 類；「地工織物」屬於第 19 類。

It should be noted that all bed linen, whether of textile or of paper, is in Class 24. However, table linen such as tablecloths and napkins are in Class 24 if they are made of textile or of substitutes for textiles, but in [Cl. 16](#) if they are made of paper. Similarly flags and banners are in Class 24 when made of textile or plastic but in [Cl. 16](#) when made of paper.

應注意，所有床單和枕套都屬於第 24 類，不管是紡織品的或是紙製。但餐桌用布，如檯布和餐巾，如果紡織品或紡織品替代品製成的屬於

第 24 類；如果紙製成的屬於第 16 類。同理，旗和旗幟，紡織品或塑膠製成的屬於第 24 類；紙製成的屬於第 16 類。

Sleeping bags and sleeping bag liners are in Class 24 as these goods are considered to be analogous to bed linen. The same is true of sleeping bags for babies which, even though they are a specialized good, are used to keep babies covered as they sleep.

睡袋和睡袋襯裡布，因相當於床單和枕套而歸屬於第 24 類。嬰兒睡袋雖是一種特製商品，因是用來使嬰兒睡覺時保持在蓋著被子的狀態，而屬於第 24 類。

Finally, bed covers such as blankets are in Class 24, unless they are electrically heated, in which case they belong to [Cl. 11](#) (or to [Cl. 10](#), if they are for medical purposes).

最後，像毛毯等床上覆蓋物屬於第 24 類。除非是電熱的屬於第 11 類（或作為醫療用途的屬於第 10 類）。

Class 25

Clothing, footwear and headgear (including for sports) are in Class 25. The exception is when clothing, footwear and headgear are specially adapted for a particular use in which case they are classified in the class that is related to that use. Some examples of specialized clothing and footwear articles that are not in Class 25 are clothing for protection against fire and other highly protective clothing in [Cl. 9](#), clothing especially for operating rooms in [Cl. 10](#) and skating boots with skates attached in [Cl. 28](#).

衣著、靴鞋和帽子（包含運動用）屬於第 25 類。例外是衣著、靴鞋和帽子特別適用於特殊用途時，應依其相關用途分類而不屬於第 25 類；例如，防火衣和其他高度防護性的衣服或鞋，屬於第 9 類；手術服屬於第 10 類；溜冰靴鞋屬於第 28 類。

Certain parts of clothing, such as ready-made linings, are in Class 25. However, most fastenings and haberdashery accessories are in [Cl. 26](#), and structural parts of shoes, like dowels and shoe pegs, are classified according to material in [Cl. 6](#) or [Cl. 20](#).

衣著的一些組件(配件)屬於第 25 類；例如衣服襯裡。但大部分的扣件和服飾配件屬於第 26 類；鞋在結構上的組件，例如鞋跟釘及鞋釘，依其材料分屬於第 6 類或第 20 類。

Class 26

Clothing embellishments are in Class 26. These embellishments may be decorative, such as lace trimmings, and frills and spangles for clothing. They may also be functional, such as belt clasps, snap fasteners, zip fasteners and shoe buckles. The broad reference to pins and needles in the Class Heading allows for the introduction of crochet hooks, knitting needles and sewing needles, as well as items that are related to these goods, such as pin cushions and boxes for needles.

服裝用的裝飾品屬於第 26 類。這種裝飾品有可能如鑲邊飾帶、服裝用褶邊及裝飾亮片；也可能如帶扣、按扣、拉鍊和鞋扣等功能性的商品。本類類別標題中明顯載有「別針和針」，因而包含鉤針、編織針和縫紉針，以及和這些商品有關；如針插和針盒商品。

It should be noted that natural and synthetic hair, wigs and other false hair items are in Class 26 along with items that are for use with hair, such as hair nets and hair curling papers. Furthermore, whilst false beards are in Class 26, false eyelashes are in [Cl. 3](#) with other cosmetic products.

應注意，天然和合成毛髮、假髮和其他人造毛髮商品，以及用於頭髮的商品屬於第 26 類；如髮網和捲髮紙。此外，「假鬍鬚」屬於第 26 類。但是「假睫毛」及其他化粧品同屬於第 3 類。

Hair decorations also belong to Class 26 and this term encompasses goods such as hair bands, hair grips, and ribbons and bows for the hair. It is worth mentioning that haberdashery bows and ribbons, as well as ribbons and bows, not of paper, for gift wrapping, are also in Class 26. This provides a good example of two types of classification principles at work, the first example is classified on the basis of function, i.e. as haberdashery items, the

second on the basis of material. Thus, paper ribbons and bows, other than haberdashery items or for use as hair decorations, belong to [Cl. 16](#) on the basis of material, and rhythmic gymnastics ribbons belong to [Cl. 28](#) on the basis of function.

髮飾品也屬於第 26 類，髮飾品一詞包含如髮帶、髮夾、髮飾帶以及髮用蝴蝶結等商品。值得一提的是，縫紉蝴蝶結及緞帶以及非紙製的禮品包裝用飾帶和蝴蝶結也屬於第 26 類。這提供了兩種典型分類原則的好例子；第一是根據功能分類，即作為裁縫小用品；第二則是根據材料分類。因此，非服飾或頭髮裝飾用的紙帶和紙製蝴蝶結根據材料分類屬於第 16 類，韻律體操彩帶則根據功能分類屬於第 28 類。

The reference to artificial flowers in the Class Heading justifies the inclusion of many artificial replicas of natural flora, such as artificial Christmas wreaths, including those which incorporate lights. However, artificial Christmas trees are considered, for classification purposes, to be objects of amusement, and are thus classified in [Cl. 28](#) together with most Christmas tree decorations.

參照類別標題中所載的「人造花」，可將許多人造仿真的植物歸屬於本類，例如人造聖誕花圈，包括含燈的人造聖誕花圈。但「人造聖誕樹」是具有娛樂性質的物件，和聖誕樹的大多數裝飾品同屬於第 28 類。

Class 27

Basically, this is the class for floor coverings and wallpaper. Perhaps the most important wording in the Class Heading is "materials for covering *existing* floors". This is the language that differentiates items in Class 27 from certain building materials used in the construction of floors that are in [Cl. 19](#), for example, parquet flooring. There are very few exceptions to this broad category. As expressed in the Explanatory Note, the coverings in Class 27 are intended to be added as furnishings to previously constructed floors and walls.

基本上，本類是有關地板覆蓋物和壁紙的類別。本類類別標題中最重要用語，就是「鋪地板用品」，這是第 27 類標題特別用來和屬於第 19 類作為地板結構的建築材料作區別的用語，例如：拼花地板。對於這個廣義的分類，僅有極少數的例外；如第 27 類的說明注釋，本類用品是預先附加在地板及牆壁的結構上。

The Class Heading specifically mentions non-textile wall hangings. This permits the inclusion of wallpaper in the class, even though wallpaper is not normally considered to be a "wall hanging". The term also makes it clear that wall hangings are in this class only when they are not made of textile materials. Textile wall hangings and tapestries should be classified in [Cl. 24](#).

本類類別標題中特別載有「非紡織品壁掛」，而使「壁紙」包含於本類，雖然通常「壁紙」不認為是「壁掛」。這名稱也顯示，只有「非紡織品」材料製成的壁掛才屬於本類。紡織品的壁掛和掛毯應歸屬於第 24 類。

Class 28

Games, toys, playthings and objects of amusement, such as snow globes and confetti, are in this class.

競賽遊戲用品、玩具、遊戲器具以及娛樂性物品屬於本類；例如玻璃雪球及五彩碎紙。

Decorations for Christmas trees, Christmas trees of synthetic material and Christmas tree stands are in Class 28 as well. However, candles, electric lights and confectionery decorations for Christmas trees are in the appropriate classes for candles, lights and confectionery, namely, [Cl. 4](#), [Cl. 11](#) and [Cl. 30](#), respectively. Natural Christmas trees are in [Cl. 31](#), whereas artificial Christmas garlands and artificial Christmas wreaths belong to [Cl. 26](#).

聖誕樹裝飾品、合成材料製聖誕樹和聖誕樹座也屬於第 28 類。但是聖誕樹裝飾用的蠟燭、電燈和糖果，依其適合蠟燭、照明燈和糖果的商品類別，而分別屬於第 4、11 類及第 30 類；天然聖誕樹屬於第 31 類，而人造聖誕花環及人造聖誕花圈屬於第 26 類。

All amusement and game apparatus, whether with integrated display screens or adapted for use with external display screens or monitors, are in Class 28, along with the controllers for such apparatus. Although all video game apparatus is in Class 28, it should be noted, however, that game software is in [Cl. 9](#).

所有娛樂及遊戲裝置；不論是組合式的顯示螢幕或是外部用顯示螢幕或顯示器及其控制器，都屬於第 28 類。雖然所有視頻遊戲器具屬於第 28 類，但應注意，遊戲軟體屬於第 9 類。

While most gymnastic and sporting articles are in Class 28, there are some significant exceptions, such as protective helmets and goggles for sports in [Cl. 9](#), gymnastic mats in [Cl. 27](#) and boots for

sports in [Cl. 25](#). Similarly hunting and fishing tackle for recreational purposes is generally in Class 28 but some related goods such as hunting firearms and harpoons for fishing are in other classes ([Cl. 13](#) and [Cl. 8](#), respectively).

雖然大部分的體操和運動用品屬於第 28 類，但有一些值得注意的例外，像運動用護頭盔和護目鏡屬於第 9 類；體操墊屬於第 27 類；運動用靴屬於第 25 類。同理，娛樂目的用的狩獵和釣魚用具屬於第 28 類，但有一些相關商品；如獵槍和捕魚叉商品屬於別類（分別屬於第 13 類和第 8 類）。

Class 29

Class 29 comprises foodstuffs, specifically those of animal or vegetable origin that are *prepared* for human consumption or for conservation. Some prepared foodstuffs also belong to [Cl. 30](#) specifically those of plant origin, other than fruits and vegetables.

第 29 類由食品組成，特別是來自於動物或蔬菜，可供人類食用或保存的食品。若干經過調製，特別是來自於植物，而不是水果及蔬菜的食品則屬於第 30 類。

Fresh fruits and vegetables are in [Cl. 31](#) even if they have been removed from the ground or picked from the plant, or even washed or waxed. Once the fruits or vegetables have been processed for consumption or conservation, for example, cut for a ready-made salad, frozen, or cooked into a purée, compote or jam, they become a Class 29 product.

新鮮的水果和蔬菜，即使已從土地脫離或從植物上摘下，亦或經過洗滌或上蠟，歸屬於第 31 類。但為了食用或保存而經加工處理的水果或蔬菜；例如：現成的沙拉切片、冷凍或烹調成濃湯的蔬菜；糖漬水果或果醬，即成為屬於第 29 類的商品。

Class 29 is also the class for dairy products like milk and cheese. This also means that milk substitutes, such as almond milk and soya milk, are also in Class 29. Although most non-alcoholic beverages are in [Cl. 32](#), beverages predominantly made of Class 29 ingredients like milk are classified in Class 29. Beverages based on milk substitutes, for example, peanut milk-based beverages, are in this class too.

第 29 類也是乳製品的類別；如牛奶和乳酪，並意調代乳品也屬於第 29 類；如杏仁漿和豆奶。雖然大多數不含酒精的飲料屬於第 32 類，

但以第 29 類的商品（如牛奶）為主要成分製成的飲料歸屬於第 29 類。以代乳品為主要成分的飲料；例如：花生漿飲料也屬於本類。

Likewise, there are other foods and beverages which are classified according to the predominant ingredient, for example, foods like pizza and sandwiches are classified in [Cl. 30](#) even though they may be made with Class 29 goods such as cheese, meat, fish, eggs or vegetables. This is because the predominant ingredient is considered to be the pizza dough or the bread, both of which are [Cl. 30](#) products.

此外，其他依主要成分而分類的食品及飲料；例如：披薩和三明治食品屬於第 30 類，雖然可能是用第 29 類的商品；如乳酪、肉、魚、蛋或蔬菜製成，因主要成分是披薩麵糰或麵包；兩者都是屬於第 30 類。

Following the same principle, filled pastries and pasta are classified in [Cl. 30](#), even if the filling is composed of Class 29 ingredients. However, prepared meals in general can be classified in either Class 29 or [Cl. 30](#) according to the predominant ingredient and must be worded with adequate specificity to determine the appropriate class.

根據前述原則，含餡糕點和義大利麵條歸屬於第 30 類，即使餡料是由第 29 類的商品所組成。但是預製食品，依其主要成分通常可能屬於第 29 類或第 30 類，並必須有足夠的特殊性來作適當的分類。

Oils and fats which are used for culinary purposes are also included in Class 29 as products of animal or vegetable origin. These types of goods are, however, classified in other classes when they are not used for food, for example, oils for cleaning purposes in [Cl. 3](#) and industrial oils in [Cl. 4](#).

作為烹飪用途的油和油脂，同動物或蔬菜來源的產品，亦歸屬於第 29 類。但這種商品非作為食品時，應歸屬於別類；例如清潔用油屬於第 3 類；工業用油屬於第 4 類。

Class 30

Class 30 comprises products of plant origin that are prepared for human consumption or for conservation, such as processed grains, rice, coffee, tea and cocoa. However, Class 30 does not include processed fruits or vegetables, which are in [Cl. 29](#).

第 30 類包含供人類食用或保存的植物來源產品，例如，經加工的穀物、米、咖啡、茶和可可。但第 30 類不包含屬於第 29 類的已加工過的水果或蔬菜。

Substances that sweeten or improve the flavour of food and beverages, like sugar, honey, aromatic substances, preserved herbs, salt and condiments are also in Class 30, with the exception of essential oils which are in [Cl. 3](#). Goods that may be in other classes when used for different purposes are also included in Class 30 when they are used as seasonings, such as processed seeds. Seeds that have been prepared for human consumption but are not intended to be used to flavour or season food are, however, in [Cl. 29](#).

使食品及飲料的味道變甜，或變得更好的物質；如糖、蜂蜜、香料、經保存處理的香草、鹽和調味品也歸屬於第 30 類；只有香精油是例外，屬於第 3 類。商品作為其他用途時也可能歸屬於別類；例如已加工種子，雖然作為調味料時屬於第 30 類。不過，「種子」只要是為了供人類食用，而不是用來調香或調味用，屬於第 29 類。

Certain foods and beverages are classified according to the predominant ingredient. For example, although most non-alcoholic beverages are in [Cl. 32](#), beverages predominantly made of Class 30 ingredients are classified in Class 30. This is the case for coffee-, tea-, cocoa- or chocolate-based beverages.

一些食品和飲料是依其主要成分來分類；例如大多數不含酒精的飲料屬於第 32 類。但是以第 30 類商品為主要成分製成的飲料，屬於第 30 類；例如咖啡、茶、可可或巧克力飲料。

Cereal grain products like flour are also in this class, as well as products made with flour, such as bread and pastries. It should be noted that foods like pizza and sandwiches are classified in Class 30 even though they may be made with [Cl. 29](#) goods such as cheese, meat, fish, eggs or vegetables, because the predominant ingredient is considered to be the pizza dough or the bread, both of which are Class 30 products. This means that hot dog sandwiches and prepared cheeseburgers (served on a bread bun) are in Class 30 as well because the bread is considered predominant.

穀物產品如麵粉，及用麵粉製成的，如麵包和糕點也屬於本類。應注意，披薩和三明治屬於第 30 類，雖然可能是用第 29 類的商品；如乳酪、肉、魚、蛋或蔬菜等製成，因主要成分是披薩麵糰或麵包（兩者都是第 30 類產品）。這意謂「熱狗三明治」和「起司漢堡（使用小圓麵包）」，因為麵包是主要成分，也屬於第 30 類。

Following the same principle, filled pastries and pasta are classified in Class 30, even if the filling is composed of [Cl. 29](#) ingredients. However, prepared meals in general can be classified in either [Cl. 29](#) or Class 30 according to the predominant ingredient and must be worded with adequate specificity to determine the appropriate class.

依前述相同原則，含餡糕點和義大利麵條屬於第 30 類，即使組成的成分是第 29 類的商品。但是預製食品，依其主要成分通常可以屬於第 29 類或第 30 類，並必須有足夠的特殊性來作適當的分類。

In accordance with the Class Heading, this class further includes sauces that are condiments, like soya sauce and ketchup. However,

as Class 30 also includes certain sauces that are not necessarily condiments, like fruit coulis and tomato sauce, while jellies, jams and compotes are in [Cl. 29](#), the Alphabetical List should be consulted when classifying these types of products.

本類依類別標題，還包含佐料的醬汁；如醬油和調味番茄醬，但第 30 類也包含一些不是佐料的醬汁；如水果淋醬和番茄醬，可是果凍、果醬和蜜餞屬於第 29 類。進行這些產品分類時，應參考字母序分類表。

Class 30 is also the home of ice (i.e. frozen water), edible ices, frozen yoghurt and ice cream. Even though ice cream is generally made using dairy products which belong to [Cl. 29](#), ice cream itself is considered a type of confectionery ice in Class 30.

冰(即結冰水)、食用冰、優酪冰淇淋以及冰淇淋也歸屬於第 30 類。即使冰淇淋一般是使用屬於第 29 類的乳製品所製成，冰淇淋本身是一種屬於第 30 類的甜點冰品。

Class 31

Class 31 includes land and sea products that are not prepared for human consumption, live animals and plants, as well as foodstuffs for animals.

第 31 類包含非供人類食用的土地和海洋產物、活動物和植物，以及動物用食品。

It should be noted that fresh fruits and vegetables are in Class 31 even if they have been removed from the ground or picked from the plant, or even washed or waxed. Once the fruits or vegetables have been processed for consumption or conservation, for example, cut for a ready-made salad, frozen, or cooked into a purée, compote or jam, they become a [Cl. 29](#) product.

應注意，新鮮的水果和蔬菜，即使已從土地脫離或從植物上摘下，亦或經過洗滌或上蠟，歸屬於第 31 類。但為了食用或保存而經加工處理的水果或蔬菜；例如：現成的沙拉切片、冷凍或烹調成濃湯的蔬菜；糖漬水果或果醬，即成為屬於第 29 類的商品。

Unprocessed grains, seeds and cereals belong to Class 31. Malt is in Class 31 because it is a grain that has germinated and then been dried to halt the germination process. At this point, malt is used as a basic grain ingredient that has not yet been processed into a [Cl. 30](#) foodstuff, or a [Cl. 32](#) or [Cl. 33](#) beverage.

未加工穀物、種子和穀類植物屬於第 31 類。麥芽屬於第 31 類，因為這種已經發芽的穀物，經曬乾後可停止發芽程序。這時，麥芽可作為尚未加工的第 30 類食品；或第 32 類、第 33 類飲料的基本穀物原料。

Fresh eggs, i.e. eggs in their shells, could be considered an unprocessed animal product in Class 31. However, since eggs are

not *live*, they belong to [Cl. 29](#) together with other foodstuffs of animal origin. In fact, the only eggs that are mentioned in the Alphabetical List in Class 31 are fertilized eggs for hatching, fish spawn and silkworm eggs. This is logical since these eggs are intended to hatch live young.

新鮮蛋（卵）（即帶殼的蛋）可認為是屬於第 31 類未經加工處理過的動物產品。但因為蛋（卵）不是有生命的，所以與其他動物來源的食品同屬於第 29 類。事實上，第 31 類的字母序分類表中所載的蛋（卵）是已受精的種蛋、魚苗、蠶種。這是合邏輯的，因為這種受精的蛋（卵）是用來孵化出小生命。

Seeds for planting, as well as bulbs and seedlings, are included in Class 31. Natural flowers, trees and forestry products, such as tree trunks and unsawn timber, are also in this class. Once the timber has been further processed into, for example, beams, planks or panels for building, these are classified in [Cl. 19](#).

栽植用種子，以及球莖和籽生植物屬於第 31 類；例如樹幹和未鋸林木。天然花卉、樹木和林業產品也屬於本類。一旦林木被進一步處理成例如：建築用橫梁、板條或壁板，則屬於第 19 類。

Products for animal litter are in Class 31 because most animal litter is based on agricultural or forestry products. For example, straw, which is often used for animal litter, is an agricultural product and is thus classified in Class 31.

供動物用墊草是屬於第 31 類，因為大多數的動物用墊草是農業或林業產品；例如：「稻草」常作為動物用墊草，是一種農產品，而屬於第 31 類。

Class 32

Generally, non-alcoholic beverages are in Class 32, except for milk-, coffee-, tea-, cocoa- or chocolate-based drinks which are in [Cl. 29](#) or [Cl. 30](#) depending on the predominant ingredient.

一般來說，不含酒精的飲料屬於第 32 類；除依主要成分而分別屬於第 29 類或第 30 類的牛奶、咖啡、茶、可可和巧克力飲料以外。

The only alcoholic beverage in Class 32 is beer. Beers have been in this class since the first edition of the Nice Classification. Subsequent proposals aimed at transferring beers from Class 32 to [Cl. 33](#) have always been rejected by the Committee of Experts of the Nice Union. At the time the Classification was established, beers were included in Class 32 because they were often commercialized by the same companies that produced and/or sold soft drinks. They were also considered to be an alternative to soft drinks. Generally, beer has lower alcohol content than most beverages in [Cl. 33](#), but it must be remembered that the classification of beer in Class 32 was not decided on the basis of its low alcohol content but rather taking into account channels of commerce. Therefore, with the exception of beers, all alcoholic beverages, even those with a low alcohol content, must be classified in [Cl. 33](#).

屬於第 32 類唯一含酒精的飲料是啤酒。尼斯分類自第 1 版以來，啤酒就歸屬於本類。針對將啤酒從第 32 類移至第 33 類的提議，都被尼斯專家委員會否決。在確立分類時，「啤酒」因為常為生產和（或）販售軟性飲料的相同公司所行銷，而屬於第 32 類，也認為是軟性飲料的替代品。一般而言，「啤酒」比大多數屬於第 33 類含酒精飲料的酒精含量低，但是必須記住，「啤酒」屬於第 32 類，並非依其低酒精含量，而是考慮商業管道。因此，除了啤酒以外，所有含酒精飲料，即使是低酒精含量，應都歸屬於第 33 類。

Class 33

All alcoholic beverages, except beers, are in Class 33, even those with a low alcohol content.

所有含酒精飲料，除了啤酒以外，即使是低酒精含量，屬於第 33 類。

Pre-mixed alcoholic beverages, such as cocktails, are also in Class 33. However, non-alcoholic mixers that are used together with alcoholic beverages, such as ginger ale and soda water, are in [Cl. 32](#).

預混的含酒精飲料也屬於第 33 類，例如雞尾酒。但和含酒精飲料一起調酒用的不含酒精用飲料；例如薑汁汽水和蘇打水，屬於第 32 類。

Class 34

Not only are tobacco, tobacco substitutes (not for medical purposes) and tobacco-based products in Class 34, but also articles used by smokers. Articles that could be classified in other classes are in Class 34 because of this special use. Examples of this are ashtrays and lighters for smokers, as well as matches. However, ashtrays for automobiles are in [Cl. 12](#), along with cigar lighters for automobiles, as both are considered to be specially adapted parts of vehicles.

不只菸草和菸草產品（非醫療用）屬於第 34 類，吸菸者所使用的商品也屬於本類；其他可能歸屬於別類的商品，因這個特殊用途而歸屬於第 34 類；例如菸灰缸、打火機以及火柴。不過，汽車用菸灰缸與汽車點煙器，同是專門為車輛適用的組件，屬於第 12 類。

Electronic cigarettes are also classified in Class 34, along with liquid solutions and flavourings for use in electronic cigarettes. Batteries and chargers for electronic cigarettes are, however, in [Cl. 9](#).

電子菸屬於第 34 類，和電子菸一起使用的液態溶液及調味香料也屬於第 34 類。但電子菸用電池和充電器則屬於第 9 類。

Class 35

Class 35 services are those provided by persons or organizations that directly assist in the operation and management of another commercial or industrial enterprise. Simply because an enterprise conducts some kind of business, it does not mean that the activity of that enterprise is in Class 35. If that were the case, all businesses, regardless of their specific activities, would provide Class 35 services. Services that may further the activities of a business but do not relate directly to the operation or management of a commercial or industrial enterprise belong to other classes. Some examples are various financial and insurance services in [Cl. 36](#), telecommunications services in [Cl. 38](#), transport services in [Cl. 39](#), training services in [Cl. 41](#), and so forth.

第 35 類服務，是指由個人或機構直接協助另一個工商企業的经营或管理所提供的服務。如僅是因為企業經營某種業務，就表示該企業活動是第 35 類的話，會使得所有業務不論其具體活動內容為何，都是在提供第 35 類的服務。有些服務可以促進商業活動，但不直接涉及工商企業的经营或管理，這些服務則歸屬於其他類別；例如第 36 類金融和保險服務、第 38 類電信服務、第 39 類運輸服務，以及第 41 類培訓服務等。

Administrative services relating to the "registration, transcription, composition, compilation or systemization of written communications and registrations" and to compilation of data belong to Class 35. If a service is administrative in nature, for example, appointment scheduling services, it is normally classified in Class 35 even if it is ancillary to services in other classes.

行政服務與「書面訊息及紀錄的記錄、抄寫、組合、匯集或系統化」以及數據資料的匯整相關的，屬於第 35 類。如果服務是行政性質，例如會面行程的安排，即便是其他服務類別的輔助，仍屬於第 35 類。

Whilst the sale of goods is not considered to be a service in itself, activities relating to the bringing together of goods enabling

customers to view and purchase them are in Class 35. This can be in physical retail outlets, through mail order catalogues or by means of online retail stores. This is also the case for digital goods such as music.

商品銷售本身不認為是一項服務，但是匯集商品以利顧客瀏覽及選購相關的活動則屬於第 35 類。這類服務可以透過實體零售店、郵購目錄，或線上零售店提供。數位商品，例如音樂，的情形也是如此。

Advertising is one of the key services in Class 35 and services which are conducted for advertising purposes usually belong to Class 35 even if they can be classified in another class when not for advertising purposes. For example, scriptwriting services are generally classified in [Cl. 41](#) but such services belong to Class 35 when for advertising purposes.

廣告是第 35 類的重要服務之一，以廣告為目的的服務通常歸屬於第 35 類，即便該服務不以廣告為目的時，可能歸屬於另一類；例如，劇本編寫服務通常歸屬於第 41 類，但以廣告為目的時屬於第 35 類。

Class 36

This class includes activities relating to finance, real estate transactions and insurance. If a service concerns the movement of money, investments in the form of money, insurance, or real estate, it is classified in Class 36. Most brokerage services are also in Class 36 because a broker acts as an intermediary between two contracting parties in commercial or financial transactions. The main exceptions are freight brokerage and transport brokerage services in [Cl. 39](#) because they involve the arrangement of transportation services which belong to [Cl. 39](#).

本類包含與財務、不動產交易及保險相關的活動。如果服務涉及金錢流向，或以金錢、保險或不動產的投資，則屬於第 36 類。幾乎仲介經紀服務也屬於第 36 類，因為仲介經紀人在商業或財務交易契約雙方之間扮演中間人的角色；主要的例外是，貨運及運輸經紀服務屬於第 39 類，因為該類與運輸服務的安排有關。

Class 36 also includes appraisal, valuation or evaluation services for establishing the value of a particular item. The appraisal may be used as a reference for insurance coverage or for the sale or purchase of such goods. Similarly, the evaluation of repair costs is in Class 36 as a financial appraisal service.

第 36 類亦包含建立某特定物件價值所提供的評估、估價或評價等服務。評估結果可作為承保範圍或該等商品買賣的參考。同理，維修成本的估價是一種財務評估服務，屬於第 36 類。

There are, however, appraisal and evaluation services in classes other than Class 36. For example, business appraisal services are in [Cl. 35](#) since they provide "help in the management of the business affairs or commercial functions of an industrial or commercial enterprise". The appraisal may be used to evaluate and eventually improve business efficiency or customer service. Although such an improvement may have financial consequences

for the business, the immediate purpose of the appraisal is not financial.

另外也有不屬於第 36 類的評估、估價或評價等服務。例如企業評價服務，因為該服務在於「協助工商企業營業事務或商業功能之管理」而歸屬於第 35 類。評估可用來評價與改善營運的效率或顧客服務，雖這種改善對企業的財務終究有一定影響，然評估的直接目的並非財務方面。

Furthermore, evaluation services that assess the quality of an item or activity are in [Cl. 42](#) since they are often provided by experts in the scientific and technological fields.

此外，對物品或業務的品質進行評價之服務歸屬於第 42 類，因為該等服務常由科學和技術領域專家所提供。

Class 37

Services in this class include the construction of buildings, ships and other major structures, and the repair or installation of virtually all types of goods. They further involve extraction activities in the field of mining, as well as gas and oil extraction.

本類服務包括建築物、船隻和其他主要建築的建造，也包括幾乎所有商品的維修或安裝。甚至包含採礦，以及天然氣和石油開採。

It is worth noting that whilst building construction is in Class 37, certain services ancillary to construction can belong to other classes, for example, business project management services for construction projects in [Cl. 35](#), arranging finance for construction projects in [Cl. 36](#), and construction drafting and architectural services in [Cl. 42](#).

值得注意的是，建築物建造屬於第 37 類，但附屬於建築的某些服務歸屬在其他類別，例如營建計劃之商業專案管理服務在第 35 類，安排營建專案融資在第 36 類，建築製圖及建築設計服務在第 42 類。

Class 37 also includes maintenance and cleaning services. The distinction between Class 37 and [Cl. 40](#) (treatment of materials) for these services should be noted. Cleaning, maintenance and repair services in Class 37 return an object to its original condition, improve it or preserve it without changing its essential properties, while the services in [Cl. 40](#) involve the transformation of an object or material into something different by altering its physical or chemical properties (for example, compare vehicle polishing in Class 37 with chromium plating in [Cl. 40](#)).

第 37 類還包括保養與清潔服務，並注意第 37 類和第 40 類(材料處理)之間的區別。第 37 類的清潔、保養和維修服務，在於使物件回復、改善或保持原樣，而不改變其本質；第 40 類服務則藉由改變物品或材料的物理或化學性質，將其轉化成不同的東西(例如，第 37 類交通工具的拋光打蠟服務與第 40 類的鍍鉻服務相較)。

Class 38

Class 38 includes services that involve providing the means by which one party can communicate with another. This includes direct communication services such as telephony, transmission of messages or communication by computer or other electronic devices, and also services that use a computer or other system to provide oral or visual communication, for example, through the medium of television or radio.

第 38 類的服務包括提供一方可與另一方通訊的方式。這類服務包括直接通訊服務，例如通話、訊息傳輸、或藉由電腦或其他電子設備通訊，以及運用電腦或其他系統（例如透過電視或無線電等媒介）提供聲音或影像通訊。

It is worth noting that the services in Class 38 provide the means to communicate, but not the content or subject matter that may be contained in the communication activity. It should be noted that even if a service is conducted using telecommunication connections, it does not mean that the service should be classified in Class 38. For example, banking services are in [Cl. 36](#) even if the banking activity occurs online using a computer terminal.

值得注意的是，第 38 類的服務在於提供通訊的方式，而非提供通訊活動可能涵蓋的內容或主題。應注意，即使利用電信網路提供服務並不表示該服務即屬於第 38 類。例如，即使利用終端電腦在線上完成銀行交易活動，銀行服務仍歸屬於第 36 類。

Class 39

Transport of anything, be it people, animals or goods, by any method or means is classified in Class 39. From air transport to distribution of electricity, any service that has movement as its primary function belongs to this class. This is the case even if the purpose of the transport is not simply travel. Thus, ambulance transport, guarded transport of valuables and transport for rescue operations are all in Class 39, rather than in the class associated with the purpose of the transport.

利用任何方式或工具運送任何東西，無論是人、動物或是貨物皆屬於第 39 類。從空中運輸至電力分配，任何主要功能是移動的服務皆歸屬於本類，即便運輸的目的不僅是旅行亦然。因此，救護車運輸、貴重物品之警衛護運，以及救難援助運輸皆是第 39 類，而非歸屬於與運輸目的有關的類別。

This class also includes packaging of goods for the purpose of transport or storage, as well as storage of goods regardless of whether those goods are in transit or will remain in the same location for future retrieval. The rental of spaces and equipment for storage is thus also in Class 39 from rental of warehouses to refrigerator rental.

本類也包括為運輸或存放目的之貨品包裝，以及轉運或就地暫存以供日後領取的貨品存放服務。因此，存放空間及設備的出租服務也歸屬於第 39 類，從倉庫出租至冷凍設備出租皆是。

Arrangement of travel is another field of activity in Class 39. While most brokerage services are in [Cl. 36](#), freight and transport brokerage services belong to Class 39. Also, the services of a travel agency involving the arrangement of travel are in Class 39 while other services provided by a travel agency are in other classes, such as issuance of travellers' cheques in [Cl. 36](#) and making arrangements for lodging or meals while travelling in [Cl. 43](#).

旅遊行程安排是第 39 類另一領域的商業活動。雖然大多數經紀服務屬於第 36 類，然而貨運和運輸經紀服務歸屬於第 39 類。此外，旅行社提供的安排旅遊服務屬於第 39 類，但旅行社提供的其他服務則屬於其他類別；例如開立旅行支票是第 36 類，而旅行途中的食宿安排則屬於第 43 類。

Class 40

Treatment of materials refers to the transformation of the essential properties of an object, a substance or a material through mechanical or chemical processes that render that object, substance or material quantitatively or qualitatively different than they were before the treatment or transformation. For example, the tanning of leather makes the final product so different from the original material (raw leather) that it may be considered an entirely new product. It is worth mentioning that Class 40 also covers the treatment of intangible materials and so services such as air purification are also in this class.

「材料處理」是指透過機械或化學處理，對物品、物質或材料本質進行轉化，而在數量或品質上產生與處理或轉化之前不同的變化；例如，皮革經鞣製後所得的產品與原始材料(生皮)差距頗大，甚至可認定是一項全新的產品。並注意，第 40 類還包含無形材料的處理，例如空氣淨化等服務也屬於本類。

"Custom assembling of materials for others" is a key service in Class 40. The transformation of leather, thread, rubber, metal and, perhaps, plastic into a shoe is a treatment of those materials to the extent that the final product is different from any one of its components. However, for such transformation to be considered a service, it must be performed *for the account of others* (see the Explanatory Note of Class 40).

「為他人客製化組裝材料」是第 40 類的重要服務。將皮革、織線、橡膠、金屬以及塑膠透過轉化變成鞋子，將該等材料處理到成品，已不同於任何組成材料。然而，該等轉化必須是為他人所作，才能視為一項服務(參照第 40 類說明注釋)。

It should be noted that activities such as cleaning, maintenance or repair of an object are not considered to be "treatment of materials" since they do not alter the physical or chemical properties of the object but, rather, return the object to its original condition or

preserve it without changing its essential nature. Cleaning, maintenance and repair services are thus in a different class, namely, [Cl. 37](#).

請注意，物品的清潔、保養或維修並不認定為「材料處理」，因為物品的物理或化學性質並無改變，而是將物品修復或保持原樣且不改其本質。因此，清潔、保養或維修服務屬於不同的類別，即第 **37** 類。

Class 41

Educational services belong to Class 41. They include the more formal or traditional forms of education, such as classes, seminars, workshops or degree programmes, as well as other forms of education or training, such as gymnastic instruction, practical training and the training of animals. Services that are integral to education but do not include teaching activities are also classified in Class 41. Such services include, for example, the publication of books or texts (other than the publication of publicity texts which would be in [Cl. 35](#)) and lending library services.

教育服務屬於第 41 類，包括較為正式或傳統形式的教育，例如課程、研討會、講習會或是學位學程，也包括其他形式的教育或訓練，例如體操教學、實務訓練、以及動物訓練。此外，不含教學活動。但是與教育息息相關的服務也屬於第 41 類。這類服務包括圖書或文件出版（並非第 35 類的廣告宣傳本出版），以及圖書出借服務。

It should be noted that, whilst all information could be considered to educate the recipient to some extent, information services are not considered educational services. Information services are classified according to the subject matter of the information and thus can be classified in any of the eleven service classes (see [General Remark \(c\) for Services](#)). Of course, if an information service refers to educational matters, it belongs to Class 41.

請注意，雖然資訊對於接受者而言，有一定程度的教育功能，但是資訊服務不可認定為教育服務。資訊服務是依資訊內容分類，因此可歸屬於 11 個服務類別中的任何一類。（參照服務「一般性說明」(c)）。資訊服務若與教育事務相關，則應歸屬於第 41 類。

Class 41 further includes the organization of sporting and cultural activities and the rental of facilities used for those activities. It also includes services that aim to entertain or amuse, such as arranging beauty contests, or gaming, as well as entertainment-related services like the rental of videotapes or party planning. However,

services that are indirectly related to sporting and cultural activities may not be in Class 41. For example, promotion of goods and services through sponsorship of sports events is in [Cl. 35](#) as an advertising service. Furthermore, some cultural or entertainment services in Class 41, such as the organization of exhibitions and fashion shows, can be classified in [Cl. 35](#) when they are for commercial, promotional or advertising purposes.

第 41 類還包括籌辦體育及文化活動，以及該等活動所用設施的租借。本類另包括以娛樂或消遣為目的之服務，例如籌辦選美比賽或賭博，以及錄影帶租借和派對規劃等娛樂相關的服務。然而，與體育和文化活動間接相關的服務可能不是第 41 類。例如經由贊助體育賽事的宣傳商品及服務屬於第 35 類。此外，有些第 41 類的文化或娛樂服務，例如籌辦展覽和時裝秀，若是以商業、宣傳或廣告為目的，可歸屬於第 35 類。

Class 42

The scientific and technological services in this class include not only practical but also theoretical aspects of science and technology. Class 42 includes research and design services in most scientific and technological areas. Thus, although medical treatment services belong to [Cl. 44](#), medical research services are in Class 42. Industrial analysis services, such as analysis for oil-field exploitation, water analysis and chemical analysis, are in Class 42 as well. It should be noted, however, that medical or veterinary analysis relating to the diagnosis or treatment of humans or animals is in [Cl. 44](#), services relating to business research and analysis of data related to business, marketing and advertising are in [Cl. 35](#), and financial analysis services are in [Cl. 36](#).

歸屬本類的科學及技術性服務，不僅包括科學及技術的理論面，也包含實務面。第42類包括大多數科學及技術性領域的研究和設計服務。因此，雖然醫療服務屬於第44類，醫療研究服務則屬於第42類。工業分析服務；例如油田開採分析、水質分析以及化學分析，亦屬於第42類。並注意，人或動物的疾病診斷及治療有關的醫學或獸醫學分析，則歸屬於第44類；與商業、市場行銷以及廣告有關的商業研究與資料分析，則屬於第35類；財務分析服務歸屬於第36類。

There are also a number of information technology services in Class 42, although it should be noted that online telecommunications services belong to [Cl. 38](#). The design and development of computer hardware and software is in Class 42 along with other design services and so are services such as computer programming, data encryption and monitoring of computer systems. However, this does not mean that simply because a service is rendered using a computer that such a service would belong to Class 42, so, for example, computer aided transmission of messages and images would be correctly classified in [Cl. 38](#). Similarly, services relating to the installation, maintenance

and repair of computer *hardware* are in [Cl. 37](#) along with other installation, maintenance and repair services.

應注意，雖然網路電信服務歸屬於第 38 類，但仍有一些資訊技術服務歸屬於第 42 類。電腦硬體、軟體的設計與開發，連同其他設計服務歸屬第 42 類；包括如電腦程式設計、數據加密和電腦系統監控等服務。然而，這不表示所有以電腦提供的服務都歸屬於第 42 類，例如訊息和影像的電腦輔助傳輸，正確的分類應屬於第 38 類；同理，電腦硬體安裝、保養及維修服務，與其他物品的安裝、保養及維修服務同屬第 37 類。

Class 42 also includes consultancy in the field of technology, for example, information technology consultancy and telecommunications technology consultancy, even when the services provided by such technology may belong to another class.

第 42 類還包括技術領域的諮詢，例如資訊技術諮詢，以及電信技術諮詢，即便藉由該等技術提供的服務可能歸屬於另一類。

Class 43

Class 43 includes restaurant services. Similar services, such as catering services and those provided by cafeterias and snack-bars or fast-food outlets, are also in Class 43. In general, these services involve preparing food and/or beverages for immediate consumption by the consumer.

第 43 類包括餐廳服務，亦包括其他類似服務，例如外燴服務以及自助餐廳、小吃店或快餐店所提供的服務。一般來說，該等服務為顧客提供立即食用的食物及/或飲料。

Class 43 is also the class for *temporary* accommodation services, like those provided by hotels, boarding houses and day-nurseries or crèches. The qualification "temporary" is important as it highlights the difference between Class 43 and services which belong to [Cl. 36](#), such as the rental of apartments or other real estate. It may be difficult to determine what is considered "temporary" as certain services in Class 43 provide accommodation for an extended period of time, for example, retirement home services. However, this is not a real estate activity in the nature of renting an apartment ([Cl. 36](#)) which is intended to be someone's private residence for an indefinite period of time.

第 43 類也包含提供臨時住宿服務，例如旅館、供膳寄宿處以及日間幼兒照顧等服務。符合「暫時性」這條件很重要，因為強調第 43 類與第 36 類，例如公寓或其他不動產的出租服務間的區別。然而，第 43 類有些服務提供長期住宿，例如養老院。因而界定「暫時性」有其困難性。儘管如此，這些服務仍與公寓出租；在於提供人一段時間長短不定的私人住所，屬於不動產活動(第 36 類)的性質不同。

It should be noted that not all activities related to hotel services belong to Class 43. For example, providing entertainment services for a hotel is a [Cl. 41](#) service, and the services of a company that cleans hotel rooms would be in [Cl. 37](#).

請注意，旅館服務相關的活動並非皆屬於第 43 類。例如，為旅館提供娛樂服務屬於第 41 類，而由一家公司提供清潔旅館房間的服務則屬於第 37 類。

Providing temporary accommodation also includes the rental of meeting rooms and the rental of rooms for social events such as wedding receptions and birthday parties. These services thus belong to Class 43. Furthermore, in accordance with [General Remark \(b\) for Services](#), the rental of furniture and tableware often used for such events is classified in this class as well.

提供暫時住宿的服務還包括會議室出租，以及婚宴和生日派對等社交活動的空間出租，這些服務屬於第 43 類。此外，根據服務「一般性說明」(b)，這類社交活動常用的傢俱和餐具的出租服務也屬於這類。

It is also worth bearing in mind that travel agency services cannot be classified in one class. Indeed, such agencies provide services that belong to a number of different classes, such as booking hotel rooms in this class, booking travel tickets and travel tours in [Cl. 39](#) and booking tickets for cultural or entertainment events in [Cl. 41](#).

值得記住的是，旅行社所提供的服務不能歸為一類。旅行社實際上提供多個不同類別的服務，例如代訂旅館房間屬於本類、代訂旅行機票和預約旅遊是第 39 類，以及代訂文化或娛樂活動票券是第 41 類。

Class 44

Class 44 includes services that provide care for both human beings and animals. That care may be medical or cosmetic in nature. Examples include manicuring, pet grooming, physical therapy and palliative care.

第 44 類包含提供人類和動物護理相關的服務。這類護理服務可以是醫療或美容性質。例如指甲修剪、寵物清潔美容、物理治療以及安寧療護。

As animal care is classified in this class, it is a logical progression to include services related to agriculture, aquaculture, horticulture and forestry, such as weed killing and landscape gardening.

由於本類服務包括動物護理，其他與農業、水產養殖、園藝和林業等相關的服務包含於本類，是合邏輯的推論；例如除草和景觀園藝。

However, it should be noted that, although this class covers medical and veterinary services, it is for activities that provide actual medical or hygienic care. For example, whilst medical analysis services which relate directly to the treatment of persons are in Class 44, any theoretical research or analysis services are classified in [Cl. 42](#) with the other scientific and technological services.

請注意，雖然本類涵蓋醫療和獸醫服務，但該等服務是指提供實際醫療或衛生保健的業務活動。例如，與治療人類直接相關的醫療分析服務屬於第 44 類，但任何理論性的研究或分析服務，與其他科學和技術服務同屬於第 42 類。

Class 45

The personal and social services that are included in Class 45 are quite specific. Some examples are marriage agency services, horoscope casting, conducting religious ceremonies and burial services.

第 45 類的私人及社交服務具有特定的性質；例如婚姻介紹所服務、占星、舉行宗教儀式和提供殯葬服務。

Legal services are often rendered by lawyers but this is not a requirement for the classification of a legal service in Class 45. While activities such as adoption agency services, arbitration and mediation services, and registration of domain names can protect the legal rights of individuals or corporations, these services are not necessarily rendered by lawyers. However, they are classified in Class 45 because of the legal aspect of the activity.

法律服務通常由律師提供。但第 45 類的法律服務並無這項要求。例如收養仲介服務、仲裁調解服務，以及網域名稱註冊服務等，雖然都是保護個人或公司合法權利的業務活動，但不一定由律師所提供。儘管如此，該等服務仍為法律層面的業務活動，因此歸屬於第 45 類。

Security services are an extension of the two prior areas of activity in Class 45. Such services may be provided to individuals or corporations, and for legal or physical protection. Generally, services relating to guarding or safety of tangible property and individuals are in Class 45. It should be noted however that internet security and data security are considered to be technological services in [Cl. 42](#).

保全服務是前述兩個第 45 類業務活動領域的延伸。該等服務可提供個人或公司法律保護或實體防護。一般來說，和有體財產、個人防衛或安全相關的服務都屬於第 45 類。並注意，網路安全和資料安全服務是第 42 類的技術服務。

The Class Heading "personal and social services rendered by others to meet the needs of individuals" is not intended to serve as a catch-all phrase that justifies the classification of services in Class 45 so long as they are related to needs of individuals. Many services that are provided to individuals are in other classes and should not be placed in Class 45 simply because they are "personal" or because the activity is performed to benefit an individual. For example, banking services may meet the needs of individuals, nevertheless such services are financial in nature and are thus always classified in [Cl. 36](#).

類別標題「為配合個人需求由他人所提供的私人或社交服務」不能當成只要與個人需求相關的服務皆是第 45 類的通用準則。許多提供給個人的服務歸屬於別類，不能僅因是「個人」服務，或是所進行的相關活動讓個人受益，就歸屬於第 45 類；例如，銀行服務可滿足個人的需求，然這種服務為財務(金融)性質，通常歸屬於第 36 類。