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An act relating to registration and protection of trademarks; amending s. 495.111, F.S.; providing criteria for classification of registered trademark to conform with international standards; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 495.111, Florida Statutes, is amended to read:

- (a) Goods:
- 1. Class 1 Chemicals for used in industry, science, and photography; as well as in agriculture, horticulture, and forestry; unprocessed artificial resins, unprocessed plastics+ manures; fire extinguishing and fire prevention compositions; tempering and soldering preparations; substances for tanning animal skins and hides; chemical substances for preserving foodstuffs; tanning substances; and adhesives for used in industry; putties and other paste fillers; compost, manures, fertilizers; biological preparations for use in industry and science.
- 2. Class 2 Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; dyes; inks for printing, marking and engraving; mordants; raw natural resins; and metals in foil and powder form for use in painting, decorating, printing and art painters, decorators, printers, and artists.
 - 3. Class 3 Non-medicated cosmetics and toiletry

- 4. Class 4 Industrial oils and greases; lubricants; dust absorbing, wetting, and binding compositions; fuels (including motor spirit) and illuminants; and candles and wicks for lighting.
- 5. Class 5 Pharmaceuticals, medical and veterinary preparations; sanitary preparations for medical purposes; dietetic food and substances adapted for medical use or veterinary use, and food for babies; dietary supplements for humans and animals; plasters, and materials for dressings; material for stopping teeth, and dental wax; disinfectants; preparations for destroying vermin; and fungicides, and herbicides.
- 6. Class 6 Common metals and their alloys; ores; metal building materials for building and construction; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; metal containers for storage or transport; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.
- 7. Class 7 Machines, and machine tools; power-operated tools; motors and engines, (except for land vehicles); machine coupling and transmission components, (except for land vehicles); agricultural implements, other than hand-operated tools; incubators for eggs; automatic vending machines.

8. Class 8 Hand tools and hand operated implements, handoperated; cutlery; side arms, except firearms; and razors.

- 9. Class 9 Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), and life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating, or controlling electricity; apparatus for recording, transmission, or reproduction of sound or images; magnetic data carriers, and recording discs; compact discs, DVDs and other digital recording media; automatic vending machines and mechanisms for coinoperated apparatus; cash registers, calculating machines, and data processing equipment, and computers; computer software; and fire-extinguishing apparatus.
- 10. Class 10 Surgical, medical, dental, and veterinary apparatus and instruments, artificial limbs, eyes, and teeth; orthopaedic articles; and suture materials; therapeutic and assistive devices adapted for the disabled; massage apparatus; apparatus, devices and articles for nursing infants; sexual activity apparatus, devices and articles.
- 11. Class 11 Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply, and sanitary purposes.
- 12. Class 12 Vehicles; apparatus for locomotion by land, air, or water.
- 13. Class 13 Firearms; ammunition and projectiles; explosives; and fireworks.
- 14. Class 14 Precious metals and their alloys and goods in precious metals or coated therewith, not included in other

classes; jewellery, and precious and semi-precious stones; and horological and chronometric instruments.

15. Class 15 Musical instruments.

- 16. Class 16 Paper, and cardboard, and goods made from these materials (not included in other classes); printed matter; bookbinding material; photographs; stationery and office requisites, except furniture; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes) drawing materials and materials for artists; paintbrushes; instructional and teaching materials; plastic sheets, films and bags for wrapping and packaging; printers' type,; and printing blocks.
- 17. Class 17 <u>Unprocessed and semi-processed rRubber</u>, gutta-percha, gum, asbestos, mica, and goods made from <u>substitutes for all these materials and not included in other classes</u>; plastics <u>and resins</u> in extruded form for use in manufacture; packing, stopping, and insulating materials; and flexible pipes, tubes and hoses, not of metal.
- 18. Class 18 Leather and imitations of leather; and goods made of these materials and not included in other classes; animal skins and hides; luggage and carrying bags trunks and traveling bags; umbrellas, and parasols; and- walking sticks; and whips, harness, and saddlery; collars, leashes and clothing for animals.
- 19. Class 19 Building materials (nonmetallic); non—
 metallic rigid pipes for building; asphalt, pitch, and bitumen;
 nonmetallic transportable buildings; monuments, not of metal.

20. Class 20 Furniture, mirrors, picture frames; containers, not of metal, for storage or transport; unworked or semi-worked bone, horn, whalebone or mother-of-pearl; shells; meerschaum; yellow amber.goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

- 21. Class 21 Household or kitchen utensils and containers; cookware and tableware, except forks, knives and spoons; combs and sponges; brushes, (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass, (except building glass used in building); glassware, porcelain, and earthenware not included in other classes.
- 22. Class 22 Ropes, string, nets, tents, and tarpaulins; awnings of textile or synthetic materials; tarpaulins, sails; sacks, for the transport and storage of materials in bulk; and bags (not included in other classes); padding, cushioning and stuffing materials, except of paper, cardboard, rubber or plastics; (except of rubber or plastics); raw fibrous textile materials and substitutes therefor.
 - 23. Class 23 Yarns and threads for textile use.
- 24. Class 24 Textiles <u>and substitutes for textiles;</u>
 household linen; curtains of textile or plastic. <u>textile goods</u>
 not included in other classes; bed and table covers.
 - 25. Class 25 Clothing, footwear, and headgear.
- 26. Class 26 Lace and embroidery, ribbons, and braid; buttons, hooks and eyes, pins, and needles; and artificial flowers; hair decorations; false hair.

- 27. Class 27 Carpets, rugs, mats and matting, linoleum, and other materials for covering existing floors; and wall hangings (non-textile).
- 28. Class 28 Games, toys and playthings; video game apparatus; gymnastic and sporting articles not included in other classes; and decorations for Christmas trees.
- 29. Class 29 Meat, fish, poultry and game; meat extracts; preserved, <u>frozen</u>, dried, and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; and edible—oils and fats for food.
- 30. Class 30 Coffee, tea, cocoa <u>and artificial coffee</u>, <u>sugar</u>, rice, tapioca, <u>and sago</u>, <u>and artificial coffee</u>; flour and preparations made from cereals; bread, pastryies and confectionery; and edible ices; <u>sugar</u>, honey, <u>and treacle</u>; yeast, baking powder; salt; and mustard; vinegar and sauces (condiments); spices; and ice <u>(frozen water)</u>.
- 31. Class 31 Raw and unprocessed aAgricultural, aquacultural, horticultural and forestry products; raw and unprocessed and grains and seeds; not included in other classes; live animals; fresh fruits and vegetables; fresh herbs; seeds, natural plants, and flowers; bulbs, seedlings and seeds for planting; live animals; foodstuffs and beverages for animals; malt.
- 32. Class 32 Beers; mineral and aerated waters and other non-alcoholic <u>beverages drinks</u>; fruit <u>beverages drinks</u> and fruit juices; syrups and other preparations for making beverages.
 - 33. Class 33 Alcoholic beverages (except beers).
 - 34. Class 34 Tobacco; smokers' articles; and matches.
 - (b) Services:

- 1. Class 35 Advertising; business management; business administration; and office functions.
- 2. Class 36 Insurance; financial affairs; monetary affairs; and real estate affairs.
- 3. Class 37 Building construction; repair; and installation services.
 - 4. Class 38 Telecommunications.

- 5. Class 39 Transport; packaging and storage of goods; and travel arrangements.
 - 6. Class 40 Treatment of materials.
- 7. Class 41 Education; providing of training; entertainment; and sporting and cultural activities.
- 8. Class 42 Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; and legal services.
- 9. Class 43 Services for providing food and drink; and temporary accommodation.
- 10. Class 44 Medical services; veterinary services; hygienic and beauty care for human beings or animals; and agriculture, horticulture, and forestry services.
- 11. Class 45 Legal services; security services for the physical protection of property and individuals; pPersonal and social services rendered by others to meet the needs of individuals.; and security services for the protection of property and individuals.
 - (c) Certification and collective membership marks:
 - 1. Class 200 Collective membership marks.
 - 2. Class A Certification marks for goods.

3. Class B Certification marks for services.

- (d) The goods and services recited in collective trademark and collective service mark applications are assigned to the same classes that are appropriate for those goods and services in general.
- (2) The establishment of the classes of goods and services set forth in subsection (1) is not for the purpose of limiting or extending the rights of the applicant or registrant. A single application for registration of a mark may include any or all goods upon which, or services with which, the mark is actually being used comprised in one or more of the classes listed, but in the event that a single application includes goods or services in connection with which the mark is being used which fall within different classes of goods or services, a fee equaling the sum of the fees for registration in each class shall be payable.

Section 2. This act shall take effect July 1, 2019.

Section 3. This act shall be referred to as the "Technical Trademark Amendments Act of 2018."