

By Senator Berman

31-00340-19

2019198__

1 A bill to be entitled
 2 An act relating to trademark classifications; amending
 3 s. 495.111, F.S.; revising classes of goods and
 4 services to conform to the classifications adopted by
 5 the United States Patent and Trademark Office;
 6 providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:
 9

10 Section 1. Paragraphs (a) and (b) of subsection (1) of
 11 section 495.111, Florida Statutes, are amended to read:

12 495.111 Classification.—

13 (1) The following general classes of goods and services,
 14 conforming to the classification adopted by the United States
 15 Patent and Trademark Office, are established for convenience of
 16 administration of this chapter:

17 (a) Goods:

18 1. Class 1 Chemicals for use ~~used~~ in industry, science, and
 19 photography, as well as in ~~agriculture, horticulture, and~~
 20 forestry; unprocessed artificial resins, unprocessed plastics;
 21 ~~manures~~; fire extinguishing and fire prevention compositions;
 22 tempering and soldering preparations; substances for tanning
 23 animal skins and hides ~~chemical substances for preserving~~
 24 foodstuffs; tanning substances; and adhesives for use ~~used~~ in
 25 industry; putties and other paste fillers; compost, manures,
 26 fertilizers; biological preparations for use in industry and
 27 science.

28 2. Class 2 Paints, varnishes, lacquers; preservatives
 29 against rust and against deterioration of wood; colorants, and

31-00340-19

2019198__

30 dyes; inks for printing, marking and engraving mordants; raw
31 natural resins; and metals in foil and powder form for use in
32 painting, decorating, printing and art painters, decorators,
33 printers, and artists.

34 3. Class 3 Non-medicated cosmetics and toiletry
35 preparations; non-medicated dentifrices; perfumery, essential
36 oils; bleaching preparations and other substances for laundry
37 use; cleaning, polishing, scouring, and abrasive preparations;
38 soaps; perfumery, essential oils, cosmetics, and hair lotions;
39 and dentifrices.

40 4. Class 4 Industrial oils and greases, wax; lubricants;
41 dust absorbing, wetting, and binding compositions; fuels
42 ~~(including motor spirit)~~ and illuminants; ~~and~~ candles and wicks
43 for lighting.

44 5. Class 5 Pharmaceuticals, medical and veterinary
45 preparations; sanitary preparations for medical purposes;
46 dietetic food and substances adapted for medical or veterinary
47 use, and food for babies; dietary supplements for humans and
48 animals; plasters, and materials for dressings; material for
49 stopping teeth, and dental wax; disinfectants; preparations for
50 destroying vermin; and fungicides, and herbicides.

51 6. Class 6 Common metals and their alloys, ores; metal
52 ~~building~~ materials for building and construction; transportable
53 buildings of metal; ~~materials of metal for railway tracks; non-~~
54 electric nonelectric cables and wires of common metal;
55 ~~ironmongery and~~ small items of metal hardware; metal containers
56 for storage or transport; safes pipes and tubes of metal; safes;
57 ~~goods of common metal not included in other classes; and ores.~~

58 7. Class 7 Machines, ~~and~~ machine tools, power-operated

31-00340-19

2019198

59 tools; motors and engines, ~~except for land vehicles~~; machine
60 coupling and transmission components, ~~except for land~~
61 ~~vehicles~~; agricultural implements, other than hand-operated
62 hand tools; incubators for eggs; automatic vending machines.

63 8. Class 8 Hand tools and ~~hand-operated~~ implements, hand-
64 operated; cutlery; side arms, except firearms; ~~and~~ razors.

65 9. Class 9 Scientific, nautical, surveying, photographic,
66 cinematographic, optical, weighing, measuring, signaling,
67 checking (supervision), ~~and~~ life-saving and teaching apparatus
68 and instruments; apparatus and instruments for conducting,
69 switching, transforming, accumulating, regulating ~~or~~
70 controlling electricity; apparatus for recording, transmission ~~or~~
71 or reproduction of sound or images; magnetic data carriers, and
72 recording discs; compact discs, DVDs and other digital recording
73 media; ~~automatic vending machines and~~ mechanisms for coin-
74 operated apparatus; cash registers, calculating machines, ~~and~~
75 data processing equipment, and computers; computer software; ~~and~~
76 fire-extinguishing apparatus.

77 10. Class 10 Surgical, medical, dental ~~and~~ veterinary
78 apparatus and instruments; ~~artificial limbs, eyes, and teeth~~;
79 orthopaedic orthopedic articles; ~~and~~ suture materials;
80 therapeutic and assistive devices adapted for the disabled;
81 massage apparatus; apparatus, devices and articles for nursing
82 infants; sexual activity apparatus, devices and articles.

83 11. Class 11 Apparatus for lighting, heating, steam
84 generating, cooking, refrigerating, drying, ventilating, water
85 supply ~~and~~ sanitary purposes.

86 12. Class 12 Vehicles; apparatus for locomotion by land,
87 air ~~or~~ water.

31-00340-19

2019198__

88 13. Class 13 Firearms; ammunition and projectiles;
89 explosives; ~~and~~ fireworks.

90 14. Class 14 Precious metals and their alloys ~~and goods in~~
91 ~~precious metals or coated therewith (not included in other~~
92 ~~classes);~~ jewellery, jewelry ~~and~~ precious and semi-precious
93 ~~stones; and~~ horological and chronometric instruments.

94 15. Class 15 Musical instruments.

95 16. Class 16 Paper and, ~~cardboard, and goods made from~~
96 ~~these materials (not included in other classes);~~ printed matter;
97 bookbinding material; photographs; stationery and office
98 requisites, except furniture; adhesives for stationery or
99 household purposes; drawing materials and materials for artists;
100 paintbrushes; instructional and teaching materials; plastic
101 sheets, films and bags for wrapping and packaging artists'
102 ~~materials; paint brushes; typewriters and office requisites~~
103 ~~(except furniture); instructional and teaching material (except~~
104 ~~apparatus); plastic materials for packaging (not included in~~
105 ~~other classes); printers' type, ~~and~~ and printing blocks.~~

106 17. Class 17 Unprocessed and semi-processed rubber, gutta-
107 percha, gum, asbestos, mica~~,~~ and substitutes for all these
108 materials ~~goods made from these materials and not included in~~
109 ~~other classes;~~ plastics and resins in extruded form for use in
110 manufacture; packing, stopping~~,~~ and insulating materials; ~~and~~
111 flexible pipes, tubes and hoses, not of metal.

112 18. Class 18 Leather and imitations of leather ~~and goods~~
113 ~~made of these materials and not included in other classes;~~
114 animal skins and hides; luggage and carrying bags ~~trunks and~~
115 ~~traveling bags;~~ umbrellas and, ~~parasols;~~ ~~and~~ walking sticks;
116 ~~and~~ whips, harness~~,~~ and saddlery; collars, leashes and clothing

31-00340-19

2019198__

117 for animals.

118 19. Class 19 Building materials (non-metallic ~~nonmetallic~~);
119 non-metallic ~~nonmetallic~~ rigid pipes for building; asphalt,
120 pitch, and bitumen; non-metallic ~~nonmetallic~~ transportable
121 buildings; monuments, not of metal.

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

129 21. Class 21 Household or kitchen utensils and containers;
130 cookware and tableware, except forks, knives and spoons ~~(not of~~
131 ~~precious metal or coated therewith);~~ combs and sponges; brushes,
132 ~~(except~~ paintbrushes ~~paint brushes);~~ brush-making materials;
133 articles for cleaning purposes; ~~steel wool;~~ unworked or semi-
134 worked ~~semiworked~~ glass, ~~(except~~ building ~~glass used in~~
135 ~~building);~~ and glassware, porcelain, and earthenware ~~not~~
136 ~~included in other classes.~~

137 22. Class 22 Ropes and string; nets; tents, and
138 tarpaulins; awnings of textile or synthetic materials;
139 ~~tarpaulins,~~ sails; sacks for the transport and storage of
140 materials in bulk, and bags ~~(not included in other classes);~~
141 padding, cushioning and stuffing materials, ~~(except of~~ paper,
142 cardboard, rubber or plastics); ~~and~~ raw fibrous textile
143 materials and substitutes therefor.

144 23. Class 23 Yarns and threads, for textile use.

145 24. Class 24 Textiles and substitutes for textiles;

31-00340-19

2019198__

146 household linen; curtains of textile or plastic ~~textile goods~~
147 ~~not included in other classes and bed and table covers.~~

148 25. Class 25 Clothing, footwear, ~~and~~ headgear.

149 26. Class 26 Lace and embroidery, ribbons ~~and~~ braid;
150 buttons, hooks and eyes, pins ~~and~~ needles; ~~and~~ artificial
151 flowers; hair decorations; false hair.

152 27. Class 27 Carpets, rugs, mats and matting, linoleum ~~and~~
153 other materials for covering existing floors; ~~and~~ wall hangings
154 (non-textile nontextile).

155 28. Class 28 Games, toys and playthings; video game
156 apparatus; gymnastic and sporting articles ~~not included in other~~
157 ~~classes; and~~ decorations for Christmas trees.

158 29. Class 29 Meat, fish, poultry ~~and~~ game; meat extracts;
159 preserved, frozen, dried ~~and~~ cooked fruits and vegetables;
160 jellies, jams, ~~and~~ compotes; eggs~~; milk~~ and milk products; ~~and~~
161 ~~edible~~ oils and fats for food.

162 30. Class 30 Coffee, tea, cocoa ~~and~~ artificial coffee;
163 ~~sugar~~, rice~~; tapioca~~ and sago ~~and~~ ~~artificial coffee~~; flour
164 and preparations made from cereals~~; bread~~, pastries ~~pastry~~ and
165 confectionery; edible ~~and~~ ices; sugar, honey, ~~and~~ treacle;
166 yeast, baking-powder ~~baking powder~~; salt~~; and~~ mustard; vinegar,
167 ~~and~~ sauces (condiments); spices; ~~and~~ ice (frozen water).

168 31. Class 31 Raw and unprocessed agricultural,
169 aquacultural, horticultural ~~and~~ forestry products; raw and
170 unprocessed grains and seeds ~~and grains not included in other~~
171 ~~classes; live animals~~; fresh fruits and vegetables, fresh herbs;
172 ~~seeds~~, natural plants ~~and~~ flowers; bulbs, seedlings and seeds
173 for planting; live animals; foodstuffs and beverages for
174 animals; ~~and~~ malt.

31-00340-19

2019198__

175 32. Class 32 Beers; mineral and aerated waters and other
176 non-alcoholic beverages ~~nonalcoholic drinks~~; fruit beverages
177 ~~drinks~~ and fruit juices; ~~and~~ syrups and other preparations for
178 making beverages.

179 33. Class 33 Alcoholic beverages (except beers).

180 34. Class 34 Tobacco; smokers' articles; ~~and~~ matches.

181 (b) Services:

182 1. Class 35 Advertising; business management; business
183 administration; ~~and~~ office functions.

184 2. Class 36 Insurance; financial affairs; monetary affairs;
185 ~~and~~ real estate affairs.

186 3. Class 37 Building construction; repair; ~~and~~ installation
187 services.

188 4. Class 38 Telecommunications.

189 5. Class 39 Transport; packaging and storage of goods; ~~and~~
190 travel arrangement ~~arrangements~~.

191 6. Class 40 Treatment of materials.

192 7. Class 41 Education; providing of training;
193 entertainment; ~~and~~ sporting and cultural activities.

194 8. Class 42 Scientific and technological services and
195 research and design relating thereto; industrial analysis and
196 research services; design and development of computer hardware
197 and software; ~~and legal services~~.

198 9. Class 43 Services for providing food and drink; ~~and~~
199 temporary accommodation.

200 10. Class 44 Medical services; veterinary services;
201 hygienic and beauty care for human beings or animals; ~~and~~
202 agriculture, horticulture, ~~and~~ forestry services.

203 11. Class 45 Legal services; security services for the

31-00340-19

2019198__

204 physical protection of tangible property and individuals;
205 personal and social services rendered by others to meet the
206 needs of individuals; ~~and security services for the protection~~
207 ~~of property and individuals.~~

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