

CHAPTER 2019-74

House Bill No. 445

An act relating to trademark classifications; amending s. 495.111, F.S.; revising classes of goods and services to conform to the classifications adopted by the United States Patent and Trademark Office; providing an effective date.

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

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

495.111 Classification.—

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

(a) Goods:

1. Class 1 Chemicals for use 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 use 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 preparations; non-medicated dentifrices; perfumery, essential oils; bleaching preparations and other substances for laundry use; cleaning, polishing, scouring, and abrasive preparations; soaps; perfumery, essential oils, cosmetics, and hair lotions; and dentifrices.

4. Class 4 Industrial oils and greases, wax; 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 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 nonelectric cables and wires of common metal; ironmongery and small items of metal hardware; metal containers for storage or transport; safes pipes and tubes of metal; safes; goods of common metal not included in other classes; and 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 hand tools; incubators for eggs; automatic vending machines.

8. Class 8 Hand tools and ~~hand-operated implements, hand-operated;~~ 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 coin-operated 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 orthopedic 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, jewelry 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; drawing materials and materials for artists; paintbrushes; instructional and teaching materials; plastic sheets, films and bags for wrapping and packaging 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); printers' type,; and printing blocks.~~

17. Class 17 Unprocessed and semi-processed rubber, gutta-percha, gum, asbestos, mica, and substitutes for all these materials ~~goods made from these materials and not included in other classes;~~ plastics and resins 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 (non-metallic nonmetallie); non-metallic nonmetallie rigid pipes for building; asphalt, pitch, and bitumen; non-metallic nonmetallie transportable buildings; monuments, not of metal.~~

20. Class 20 ~~Furniture, mirrors, and 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, and meerschaum and substitutes for all these materials, or of plasties.~~

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

22. Class 22 ~~Ropes and, 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); and raw fibrous textile materials and substitutes therefor.~~

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

24. Class 24 Textiles and substitutes for textiles; household linen; curtains of textile or plastic textile goods not included in other classes and 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 nontextile).~~

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, frozen, dried, and cooked fruits and vegetables; jellies, jams, ~~and~~ compotes; eggs, milk, and milk products; ~~and edible oils and fats~~ for food.

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

31. Class 31 Raw and unprocessed agricultural, aquacultural, horticultural, and forestry products; raw and unprocessed grains and seeds and grains 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; ~~and malt.~~

32. Class 32 Beers; mineral and aerated waters and other non-alcoholic beverages ~~nonalcoholic drinks;~~ fruit beverages ~~drinks~~ and fruit juices; and 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 arrangement 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 tangible property and individuals; personal and social services rendered by others to meet the needs of individuals; ~~and security services for the protection of property and individuals.~~

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

Approved by the Governor June 7, 2019.

Filed in Office Secretary of State June 7, 2019.