

Distribution services

(Circular No. 12/2014, dated 31 July 2014)

This circular serves to clarify the Registry's approach towards the classification of the description of service "distribution services" in an application for registration of a trade mark.

"Distribution services" per se

The Registry does not accept the description "distribution services" per se, as the description is too vague for classification and may involve services that straddle across Classes 35, 39 and 41.

For example, the meaning of distribution services in Classes 35, 39 and 41 may be understood in the following contexts:

- Distribution services for the purpose of advertising, retailing or wholesaling fall in Class 35;
- Distribution services by way of transportation of goods, as well as distribution services in the nature of transportation and supply of goods such as water, electricity and energy by pipeline and cable fall in Class 39;
- Distribution services relating to the process of making works of visual or audio production available to the public fall in Class 41.

To render the description clear, the nature of distribution services needs to be specified. The following are some examples of acceptable descriptions:

- "Distribution of advertising material" in Class 35
- "Distribution of samples" in Class 35
- "Distribution of goods (transportation)" in Class 39
- "Distribution of electricity" in Class 39
- "Distribution (other than transportation) of films" in Class 41
- "Distribution (other than transportation) of sound recordings" in Class 41

"Distribution services (other than transportation)" in Class 35

Please note that the mere addition of the qualifier "(other than transportation)" to the vague description "distribution services" does not render it proper to Class 35, as the qualifier does not sufficiently convey the nature of the intended services apart from saying that it does not include transportation.

The following are some examples of adequately qualified descriptions in Class 35:

- "Distribution services, namely, retail and wholesale services"
- "Distribution services, namely, marketing of goods"
- "Distribution services, namely, the bringing together, for the benefit of others, of a variety of goods (excluding transport thereof), enabling customers to conveniently view and purchase those goods from a distributor outlet"