

Providing a website

(Circular No. 7/2016, dated 28 Jul 2016)

Kits

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This circular serves to clarify the Registry's approach towards the classification of the descriptions "Providing a website" and "Kits" in an application for registration of a trade mark.

Providing a website

The Registry accepts the description "providing a website" in Class 42, by interpreting the description as a form of website hosting services. As such, the description would not be acceptable in other services classes.

In cases where the website is used as a means for providing services, the applicant would be required to reword the description by specifying the services which are provided via the website. For example, "providing a website containing non-downloadable games" is not acceptable in Class 41, as the description refers to a type of website hosting services. On the other hand, "providing non-downloadable games via a website" is acceptable in Class 41, as it is a form of entertainment services provided via a website.

Kits

The Registry wishes to clarify that the description "kits" per se, without any further qualification, is considered too vague for classification purposes.

The applicant should specify the purpose of the goods to render the "kits" proper to the appropriate class, for example, "cosmetic kits" in Class 3 or "sewing kits" in Class 26.

Alternatively, the applicant can specify the composition of the "kits", making sure that all the goods in the kits are classified under the same class. An example of an acceptable description would be "repair kits comprising screwdrivers, pliers and hammers" in Class 8.