Yvonne Noorlander
Legal Officer
BOIP



NEW 13th EDITION OF THE NICE CLASSIFICATION - IMPACTING NEW FILINGS, SEARCHES AND WATCHES + CLASSIFICATION ERRORS TO AVOID

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Practical importance

New versions and editions of the Nice Classification have implications for the preparation of new trademark filings since other/multiple/new classes may need to be included as a result of the changes.

Regarding availability searches and trademark watches, it can be advisable to include the applicable class number from previous editions as well as from the new edition, to avoid gaps in your searches and watches.

As of the 1st of January 2026 the 13th edition of the Nice Classification entered into force. Please find next some practical information on this recent change.

'Versions' and 'editions' explained

To keep the Nice Classification up-to-date and adapted to a dynamic global economy new 'versions' are published and enter into force annually and concern the addition or deletion of goods and services from the alphabetical list, modification of goods and services wording, class headings and explanatory notes.

Furthermore new 'editions' are published and enter into force every three years (instead of the previous five-year period) and include transfers of goods and services from one class to another, any creation of new classes and version-changes of the previous three years.

Key changes

Some key changes and additions in the 13th edition of the Nice classification involve, in short:

Changes

- Many eyewear and optical products (transfer from class 9 to class 10);
- Rescue and emergency vehicles (transfer from class 9 to class 12);
- Electrically heated clothing (transfer from class 11 to class 25);
- Electric toothbrushes (transfer from class 10 to class 21);
- Iced tea [tea-based beverages] in class 30 (previously: iced tea);
- Mediation [legal services] in class 45 (previously: mediation).

Additions
- Patio umbrellas (class 22);
- Protective mats for induction hobs (class 21);
- Providing smash rooms for entertainment purposes (class 41);
- Artificial Intelligence as a service [AIaaS] (class 42);
- Rental of spectacles; rental of sunglasses (class 44);
- Notary services (class 45).

- In addition, essential oils will be classified based on intended use. Essential oils for industrial use belong to class 1, essential oils for aromatherapy belong to class 5, flavour enhancers for food [essential oils] belong to class 30.

Avoiding classification errors

Besides keeping track of new 'versions' and 'editions' of the Nice Classification, a good way to try to avoid classification errors is by using the 'Harmonized Database' containing more than 70.000 terms that have already been accepted by all national offices in the European Union.

To further help you with classification, BOIP has compiled a short list of common classification errors to avoid:

- 'Social services' should be specified (for example: financial services with a social purpose (class 36), psychological care with a social purpose (class 44);
-'Snacks' are classified according to the ingredients they are based on, so should be specified (for example: snacks based on vegetables (class 29), snacks based on pastry (class 30);
-'Purchasing services' is not acceptable (possible alternative: purchasing of goods and services for other businesses);
- 'Building advice' is not acceptable (possible alternative: building construction advisory services (class 37);
- 'Maintenance of computer hardware' (class 37) and 'maintenance of computer software' (class 42) are often applied for in the wrong class number;
- 'Skin care' is not acceptable (possible alternatives: cosmetic skin care creams (class 3), medical skin care creams (class 5)).

Avoiding these commonly made errors is of great interest to applicants and practitioners, since it reduces time spent on office actions and contributes to quicker trademark registration.

You can find the new 13th edition of the Nice Classification and the Harmonized Database through these links:

https://nclpub.wipo.int/enfr/
https://euipo.europa.eu/ec2/