

# The new Nice Classification and its impact on trademark protection



*The Nice Classification is an international system that organizes products and services into 45 classes in order to facilitate the registration and management of national and international trademarks.*

On **January 1, 2026**, the 13th edition of the Nice Classification came into force. It has been developed primarily with regard to the **destination, purpose of the product/service, or method of use**.

- Trademark applications filed on or after this date must be classified according to this new edition.
- The list of goods and services in registrations filed prior to January 1, 2026, **will not be reclassified**.

In terms of new developments, specifically, **changes and modifications have been made in nearly all classes of the Nice Classification, with the exception of classes 23 and 33**.

On the other hand, classes 13 (firearms; ammunition and projectiles; explosives; fireworks), 32 (beers; non-alcoholic beverages; mineral and aerated waters; fruit-based beverages and fruit juices; syrups and other preparations for making non-alcoholic beverages) and 38 (telecommunications services) have undergone certain modifications only with respect to the explanatory notes presented before the complete list of products or services included therein, with no changes to the overall layout of the catalogue of products or services they contain.

The rest of the classes have changed both in their explanatory notes and in the complete list of their products or services. These are classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, and 45.

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# Most significant developments

The following are some of the main new features:

- **Essential oil products** were previously covered by a single class. Now, depending on their intended use and purpose, they are divided into different classes:
  - Class 1: essential oils used in the manufacture of cosmetics or for industrial purposes;
  - Class 3: essential oils for fragrancing or cosmetic purposes;
  - Class 5: essential oils for aromatherapy;
  - Class 29: essential oils intended for flavoring food or beverages.
- **Optical products** (spectacles, contact lenses and sunglasses, etc) have moved from class 9 to class 10, as they are considered products for medical and/or therapeutic use.
- 3 - **Optical services** maintain the same classification. However, given the changes made in relation to the classification of optical products and services (discussed in the previous point), it is advisable to review the protection of these services, such as the sale, repair, and maintenance of this type of product.
- **Electrically heated clothing** was previously classified under class 11, which covers electrical appliances and devices. However, these products are now registered under class 25, along with clothing in general.
- **Emergency and rescue vehicles** were previously classified in class 9, but are now in class 12 due to their primary function as a mean of transport.
- Products with **integrated technology**, which are currently classified in class 9, are no longer automatically assigned to this class. Instead, their classification depends on the main function of the product. They must be assigned to the class corresponding to their essential function, even if they incorporate electronic components (examples: a smart refrigerator now corresponds to Class 11, a smart suitcase to Class 18, and a smart toy to Class 28).

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# Main Consequences

One of the main consequences of the new edition of the Nice Classification is that many previously registered trademarks, whose products or services are affected by the changes introduced, may require a **strategic review of their protection**.

Although these registrations remain fully valid and are not automatically reclassified, the descriptions of goods and services under which they were granted may no longer accurately reflect the company's current or future activity under the new classification criteria.

This misalignment may result in **limitations to the actual scope of protection**, especially in a context where new trademark applications are filed with more precise lists aligned with the 13th edition of the Nice Classification.

## Advice on trademark registration and protection

Reviewing trademark portfolios allows for the **identification of potential protection gaps**, the anticipation of conflicts with third parties, and ensures that the trademark continues to be an effective asset consistent with the evolution of the business.

At **UNGRIA**, we have a team of **trademark attorneys** with extensive experience in designing and managing protection strategies tailored to each business.

We can help you analyze the impact of the new Nice Classification on your trademark portfolio, identify potential gaps in protection, and define the best strategy for registering, maintaining, and defending your trademarks, both nationally and internationally.

Please do not hesitate to contact us for more information.

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