

70-3a-308 Classification.

- (1)
- (a) Except as provided in Subsection (1)(b), in administering this chapter, the division shall for the purposes of classifying:
 - (i) goods, use the general classes of goods designated in 37 C.F.R. 6.1; and
 - (ii) services, use the general classes of services designated in 37 C.F.R. 6.1.
 - (b) If the United States Patent and Trademark Office does not use the classifications described in Subsection (1)(a), to the extent practical, the classification of goods and services under this section should conform to the classification adopted by the United States Patent and Trademark Office.
- (2) A single application for registration of a mark may include any or all goods upon which, or services with which, the mark is actually being used if it indicates the appropriate one or more classes of goods or services.
- (3) When a single application includes goods or services that fall within multiple classes, the division may require payment of a fee for each class.

Enacted by Chapter 318, 2002 General Session