

1 A bill to be entitled
2 An act relating to registration and protection of
3 trademarks; amending s. 495.111, F.S.; providing for
4 repeal of the statutory classification system;
5 creating a procedure for annually updating the
6 trademark classification system; clarifying
7 application requirements, providing for an online
8 electronic trademark application system; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (1) of section 495.111, Florida
14 Statutes, is amended to read:

15 The department shall, no later than July 1 of each year,
16 adopt the United States Patent and Trademark Office's system of
17 classification of goods and services in effect on June 1 of that
18 year as the Florida classification system. The Classification
19 shall be published as part of the trademark registration form.

20 ~~(a) Goods:~~

21 ~~1. Class 1 Chemicals for use in industry, science and~~
22 ~~photography, as well as in agriculture, horticulture and~~
23 ~~forestry; unprocessed artificial resins, unprocessed plastics;~~
24 ~~fire extinguishing and fire prevention compositions; tempering~~
25 ~~and soldering preparations; substances for tanning animal skins~~
26 ~~and hides; adhesives for use in industry; putties and other~~
27 ~~paste fillers; compost, manures, fertilizers; biological~~
28 ~~preparations for use in industry and science.~~

29 ~~2. Class 2 Paints, varnishes, lacquers; preservatives against~~

~~rust and against deterioration of wood; colorants, dyes; inks for printing, marking and engraving; raw natural resins; metals in foil and powder form for use in painting, decorating, printing and art.~~

~~3. Class 3 Non-medicated cosmetics and toiletry preparations; non-medicated dentifrices; perfumery, essential oils; bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations.~~

~~4. Class 4 Industrial oils and greases, wax; lubricants; dust absorbing, wetting and binding compositions; fuels and illuminants; candles and wicks for lighting.~~

~~5. Class 5 Pharmaceuticals, medical and veterinary preparations; sanitary preparations for medical purposes; dietetic food and substances adapted for medical or veterinary use, food for babies; dietary supplements for humans and animals; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.~~

~~6. Class 6 Common metals and their alloys, ores; metal materials for building and construction; transportable buildings of metal; non-electric cables and wires of common metal; small items of metal hardware; metal containers for storage or transport; safes.~~

~~7. Class 7 Machines, machine tools, power-operated tools; motors and engines, except for land vehicles; machine coupling and transmission components, except for land vehicles; agricultural implements, other than hand-operated hand tools; incubators for eggs; automatic vending machines.~~

~~8. Class 8 Hand tools and implements, hand-operated; cutlery;~~

59 ~~side arms, except firearms; razors.~~

60 ~~9. Class 9 Scientific, nautical, surveying, photographic,~~
61 ~~cinematographic, optical, weighing, measuring, signaling,~~
62 ~~checking (supervision), life-saving and teaching apparatus and~~
63 ~~instruments; apparatus and instruments for conducting,~~
64 ~~switching, transforming, accumulating, regulating or controlling~~
65 ~~electricity; apparatus for recording, transmission or~~
66 ~~reproduction of sound or images; magnetic data carriers,~~
67 ~~recording discs; compact discs, DVDs and other digital recording~~
68 ~~media; mechanisms for coin-operated apparatus; cash registers,~~
69 ~~calculating machines, data processing equipment, computers,~~
70 ~~computer software; fire-extinguishing apparatus.~~

71 ~~10. Class 10 Surgical, medical, dental and veterinary apparatus~~
72 ~~and instruments; artificial limbs, eyes and teeth; orthopaedic~~
73 ~~articles; suture materials; therapeutic and assistive devices~~
74 ~~adapted for the disabled; massage apparatus; apparatus, devices~~
75 ~~and articles for nursing infants; sexual activity apparatus,~~
76 ~~devices and articles.~~

77 ~~11. Class 11 Apparatus for lighting, heating, steam generating,~~
78 ~~cooking, refrigerating, drying, ventilating, water supply and~~
79 ~~sanitary purposes.~~

80 ~~12. Class 12 Vehicles; apparatus for locomotion by land, air or~~
81 ~~water.~~

82 ~~13. Class 13 Firearms; ammunition and projectiles; explosives;~~
83 ~~fireworks.~~

84 ~~14. Class 14 Precious metals and their alloys; jewellery,~~
85 ~~precious and semi-precious stones; horological and chronometric~~
86 ~~instruments.~~

87 ~~15. Class 15 Musical instruments.~~

88 ~~16. Class 16 Paper and cardboard; printed matter; bookbinding~~
89 ~~material; photographs; stationery and office requisites, except~~
90 ~~furniture; adhesives for stationery or household purposes;~~
91 ~~drawing materials and materials for artists; paintbrushes;~~
92 ~~instructional and teaching materials; plastic sheets, films and~~
93 ~~bags for wrapping and packaging; printers' type, printing~~
94 ~~blocks.~~

95 ~~17. Class 17 Unprocessed and semi-processed rubber, gutta-~~
96 ~~percha, gum, asbestos, mica and substitutes for all these~~
97 ~~materials; plastics and resins in extruded form for use in~~
98 ~~manufacture; packing, stopping and insulating materials;~~
99 ~~flexible pipes, tubes and hoses, not of metal.~~

100 ~~18. Class 18 Leather and imitations of leather; animal skins~~
101 ~~and hides; luggage and carrying bags; umbrellas and parasols;~~
102 ~~walking sticks; whips, harness and saddlery; collars, leashes~~
103 ~~and clothing for animals.~~

104 ~~19. Class 19 Building materials (non-metallic); non-metallic~~
105 ~~rigid pipes for building; asphalt, pitch and bitumen; non-~~
106 ~~metallic transportable buildings; monuments, not of metal.~~

107 ~~20. Class 20 Furniture, mirrors, picture frames; containers,~~
108 ~~not of metal, for storage or transport; unworked or semi-worked~~
109 ~~bone, horn, whalebone or mother-of-pearl; shells; meerschaum;~~
110 ~~yellow amber.~~

111 ~~21. Class 21 Household or kitchen utensils and containers;~~
112 ~~cookware and tableware, except forks, knives and spoons; combs~~
113 ~~and sponges; brushes, except paintbrushes; brush-making~~
114 ~~materials; articles for cleaning purposes; unworked or semi-~~
115 ~~worked glass, except building glass; glassware, porcelain and~~
116 ~~earthenware.~~

117 ~~22. Class 22 Ropes and string; nets; tents and tarpaulins;~~
118 ~~awnings of textile or synthetic materials; sails; sacks for the~~
119 ~~transport and storage of materials in bulk; padding, cushioning~~
120 ~~and stuffing materials, except of paper, cardboard, rubber or~~
121 ~~plastics; raw fibrous textile materials and substitutes~~
122 ~~therefor.~~

123 ~~23. Class 23 Yarns and threads, for textile use.~~

124 ~~24. Class 24 Textiles and substitutes for textiles; household~~
125 ~~linen; curtains of textile or plastic.~~

126 ~~25. Class 25 Clothing, footwear, headgear.~~

127 ~~26. Class 26 Lace and embroidery, ribbons and braid; buttons,~~
128 ~~hooks and eyes, pins and needles; artificial flowers; hair~~
129 ~~decorations; false hair.~~

130 ~~27. Class 27 Carpets, rugs, mats and matting, linoleum and~~
131 ~~other materials for covering existing floors; wall hangings~~
132 ~~(non-textile).~~

133 ~~28. Class 28 Games, toys and playthings; video game apparatus;~~
134 ~~gymnastic and sporting articles; decorations for Christmas~~
135 ~~trees.~~

136 ~~29. Class 29 Meat, fish, poultry and game; meat extracts;~~
137 ~~preserved, frozen, dried and cooked fruits and vegetables;~~
138 ~~jellies, jams, compotes; eggs; milk and milk products; oils and~~
139 ~~fats for food.~~

140 ~~30. Class 30 Coffee, tea, cocoa and artificial coffee; rice;~~
141 ~~tapioca and sago; flour and preparations made from cereals;~~
142 ~~bread, pastries and confectionery; edible ices; sugar, honey,~~
143 ~~treacle; yeast, baking powder; salt; mustard; vinegar, sauces~~
144 ~~(condiments); spices; ice (frozen water).~~

145 ~~31. Class 31 Raw and unprocessed agricultural, aquacultural,~~

~~horticultural and forestry products; raw and unprocessed grains and seeds; fresh fruits and vegetables, fresh herbs; natural plants and flowers; bulbs, seedlings and seeds for planting; live animals; foodstuffs and beverages for animals; malt.~~

~~32. Class 32 Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages.~~

~~33. Class 33 Alcoholic beverages (except beers).~~

~~34. Class 34 Tobacco; smokers' articles; matches.~~

~~(b) Services:~~

~~1. Class 35 Advertising; business management; business administration; office functions.~~

~~2. Class 36 Insurance; financial affairs; monetary affairs; real estate affairs.~~

~~3. Class 37 Building construction; repair; installation services.~~

~~4. Class 38 Telecommunications.~~

~~5. Class 39 Transport; packaging and storage of goods; travel arrangement.~~

~~6. Class 40 Treatment of materials.~~

~~7. Class 41 Education; providing of training; entertainment; sporting and cultural activities.~~

~~8. Class 42 Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software.~~

~~9. Class 43 Services for providing food and drink; temporary accommodation.~~

~~10. Class 44 Medical services; veterinary services; hygienic~~

and beauty care for human beings or animals; agriculture,
horticulture and forestry services.

~~11. Class 45 Legal services; security services for the physical
protection of tangible property and individuals; personal and
social services rendered by others to meet the needs of
individuals.~~

~~(c) Certification and collective membership marks:~~

~~1. Class 200 Collective membership marks.~~

~~2. Class A Certification marks for goods.~~

~~3. Class B Certification marks for services.~~

~~(d) The goods and services recited in collective trademark
and collective service mark applications are assigned to the
same classes that are appropriate for those goods and services
in general.~~

Section 3. Section 495.031(5), Florida Statutes is amended
to read:

(5) Every application under this section shall be signed
and verified by the applicant or by a member of the firm or an
officer or other authorized representative of the business
entity applying. Verification shall be made in accordance with
§ 92.525, Fla. Stat.

(6) Every paper application under this section shall be
accompanied by three specimens or facsimiles showing the mark as
actually used. Every electronic application filed under section
shall be accompanied by an electronic copy of a specimen,
complying with the requirements of the department, showing the
mark as actually used.

204 Section 4. Section 495.030 is created to read:
205 Online registration system. An Applicant may submit an
206 online trademark registration application using the procedures
207 set forth in this Section.
208 (1) The department shall establish and maintain a secure
209 Internet website that safeguards an applicant's information to
210 ensure data integrity and permits an applicant to:
211 (a) Submit an application in accordance with Sections
212 495.031 and 495.035;
213 (b) Submit a renewal application in accordance with
214 495.071;
215 (c) Provide an electronic version of a required
216 specimen of use;
217 (d) Provide an electronic version of a drawing of the
218 mark;
219 (e) Pay the fee required by Section 495.191
220 (f) Complete the verification required by Section
221 495.031(5) .
222 (2) The department shall make the Online Registration
223 System required by the Section 495 available no later than July
224 1, 2027.

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226 Section 5. This act shall take effect July 1, 2026.

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228 Section 6. This act shall be referred to as the "Technical
229 Trademark Amendments Act of 2026."