

**BOARD OF PARK COMMISSIONERS OF THE CLEVELAND METROPOLITAN
PARK DISTRICT (“CLEVELAND METROPARKS”)**

POLICY STATEMENT

SUBJECT: Trademark, Copyright, and Logo Usage Policy

EFFECTIVE DATE: April 23, 2026

I. PURPOSE

The Board of Park Commissioners of the Cleveland Metropolitan Park District (Cleveland Metroparks) owns brands, marks, names, copyrighted materials, and logos which are very important organizational assets. See the attached Exhibit A which includes a list of registered trademarks (including all service marks) and registered copyrights belonging to Cleveland Metroparks.

The Cleveland Metroparks Trademark, Copyright, and Logo Usage Policy sets forth the authorized policies for using or referring to Cleveland Metroparks brands, trademarks, product and service names, logos, copyrighted materials, and slogans.

II. TRADEMARK AND COPYRIGHT RIGHTS OF CLEVELAND METROPARKS

As the owner of its trademarks and copyrighted materials, Cleveland Metroparks has the exclusive right to use its trademarks and copyrighted materials, as well as the right to stop others from using its trademarks or copyrighted materials improperly or without authorization.

Identification of Cleveland Metroparks products or services is the sole permissible use of Cleveland Metroparks trademarks and logos. Only approved publication and/or use of Cleveland Metroparks copyrighted materials is permitted. The following is a non-exhaustive list of impermissible uses of Cleveland Metroparks trademarks, copyrighted materials, and/or logos:

- A. No Cleveland Metroparks trademark, copyrighted material, or logo may be incorporated into or used as part of a third party’s own logo, company name, product logo or otherwise.
- B. No Cleveland Metroparks copyrighted material may be reproduced by or incorporated into the creative content of a third party.
- C. No Cleveland Metroparks trademark or logo may be used in any way that is likely to be confusing, misleading or deceptive as to the true identity or source of products, services, materials, courses or programs.
- D. No mark that is misleadingly similar in design or appearance to any Cleveland Metroparks mark or infringes on Cleveland Metroparks trademark rights may be used.
- E. No Cleveland Metroparks trademark, copyrighted material, or logo may be used in any manner that is likely to disparage, dilute or negatively affect Cleveland Metroparks reputation.

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- F. No Cleveland Metroparks trademark, copyrighted material, or logo may be used in a way that is likely to imply that the user, its products, or its services are endorsed by, sponsored or affiliated with Cleveland Metroparks, without written permission from Cleveland Metroparks.

Cleveland Metroparks will pursue its legal rights against those who engage in any of the aforementioned activities or any other activities that infringe on Cleveland Metroparks trademark or copyright rights.

III. PROPER USE OF TRADEMARKS AND SYMBOLS

Cleveland Metroparks trademarks shall be used so long as such references (a) are truthful, fair, and not misleading, and (b) comply with this Policy.

- A. When referencing Cleveland Metroparks, Cleveland Metroparks Zoo, Emerald Necklace, or Merwin’s Wharf entities, CLEVELAND METROPARKS, CLEVELAND METROPARKS ZOO, EMERALD NECKLACE, or MERWIN’S WHARF names may be used as proper nouns. Cleveland Metroparks, Cleveland Metroparks Zoo, Emerald Necklace, or Merwin’s Wharf names may, in that instance, be used as a trade name, and no trademark symbol is needed when referring to the company.

Correct: Today, Cleveland Metroparks announced the opening of the new Fort Hill Staircase.

Incorrect: Today, Cleveland Metroparks® announced the opening of the new Fort Hill Staircase.

- B. Trademarks may not be used in the plural or the possessive.

Correct: Cleveland Metroparks Emerald Necklace.

Incorrect: Cleveland Metroparks’ Emerald Necklace.

Trademarks must not be used in the possessive.

Correct: Cleveland Metroparks Emerald Necklace.

Incorrect: Cleveland Metropark’s Emerald Necklace.

- C. Cleveland Metroparks trademarks may not be shortened, abbreviated or made into acronyms.

Correct: “Cleveland Metroparks”

Incorrect: “CMP.”

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IV. PROPER TRADEMARK AND COPYRIGHT ATTRIBUTION

- A. Include a trademark notice when referring to a trademark. Place an appropriate trademark notice symbol (® or ™ if not yet registered) adjacent to the first or most prominent reference to the trademark. Do not add a space between the trademark name and the symbol. The symbol should be in superscript or subscript. In the absence of those symbols, a parenthetical notation such as (R) or (TM) is acceptable.

Correct: Edgewater LIVE®

Incorrect: Edgewater LIVE ®

- B. Use the appropriate trademark symbol. When referring to Cleveland Metroparks trademarks, use the “®” symbol in accordance with the status of the particular Cleveland Metroparks product or service if registered or ™ if not yet registered.
- C. Use the trademark legend. In addition to applying the appropriate symbol to the trademark being used, third parties must attribute all Cleveland Metroparks Trademarks in an appropriate trademark legend. The legend may be printed in small print; however, it must be large enough to be legible. Permissible locations to place the legend include, but are not limited to, the end of a document, on the back of a package or on the bottom of a web page.

1. Use the following standard trademark legend in all material referencing any Cleveland Metroparks trademark:

“Cleveland Metroparks, *[insert all other trademarks, product names, service names, program names, etc., that are referred to or displayed in the document]* is/are registered trademarks of Cleveland Metroparks.”

- D. Use the appropriate copyright symbol. When referring to Cleveland Metroparks copyrights, use the “©” symbol regardless of whether the copyrighted material has been registered and, when appropriate, the year of first publication. The location of the symbol will vary depending on whether the work is visual, audio, information technology, or other. Placement may be discussed with the Legal or Marketing Department(s).
- E. Use the copyright legend. In addition to applying the appropriate symbol to the copyrighted material being used, third parties must attribute all Cleveland Metroparks

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copyrighted material in an appropriate copyright legend. The legend may be printed in small print; however, it must be large enough to be legible. Permissible locations to place the legend include, but are not limited to, the end of a document, on the back of a package or on the bottom of a web page.

1. Use the following standard copyright legend in all material referencing any Cleveland Metroparks copyrighted materials:

“This work is the registered copyrighted material of Cleveland Metroparks and is being used here with the permission of Cleveland Metroparks.”

V. USE OF CLEVELAND METROPARKS LOGOS

Cleveland Metroparks logos may only be shown independently. A logo may not be used in the context of a written description. Additionally, Cleveland Metroparks logos shall only be used in accordance with the Cleveland Metroparks Style Guide, and as may be amended from time to time, available on the employee portal.

VI. REGISTRATION OF CLEVELAND METROPARKS TRADEMARKS AND COPYRIGHTS

Registering Cleveland Metroparks trademarks and copyrighted materials provides added legal protection to the trademarks and/or copyrighted materials. Trademarks and copyrighted materials should be registered when the assets are of high economic value or failure to register runs a significant risk of harm to Cleveland Metroparks or its reputation or a risk of unauthorized use. Registration should be conducted consistent with guidelines developed by the Legal and Marketing Departments. See Exhibit B for the current guidelines.

VII. THIRD PARTY USE OF CLEVELAND METROPARKS TRADEMARKS AND COPYRIGHTED MATERIALS

- A. Affiliates of Cleveland Metroparks, licensees, and other third parties are limited to specific, approved uses of Cleveland Metroparks trademarks and copyrighted materials consistent with the guidelines set forth at Exhibit B. Affiliates may not use any Cleveland Metroparks trademark as part of their own logo or company name or in third party advertising, product packaging, website or other promotional materials.

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- B. Non-affiliate third parties must use Cleveland Metroparks trademarks within the parameters outlined below. Unauthorized or improper use of Cleveland Metroparks trademarks may infringe on Cleveland Metroparks trademark rights.
1. Cleveland Metroparks trademarks may not be used in third party company or product names without a written trademark license agreement.
 2. A licensed third party shall not use any other trademark or service mark in close proximity to any of the Cleveland Metroparks trademarks or combine marks in either case so as to effectively create a unitary composite mark, *without the prior written approval of Cleveland Metroparks*; provided, however, nothing herein shall prevent such licensed third party from preparing and distributing marketing materials in which the Cleveland Metroparks Trademarks and the licensed third party’s marks appear on the same page or slide as discrete marks. Notwithstanding the foregoing, each use of Cleveland Metroparks trademarks is subject to Cleveland Metroparks pre-approval, such approval may be withheld at its sole discretion.
 3. Prior to publication or release, written approval by Cleveland Metroparks must be received by all third parties of advertising and/or marketing collateral or other materials that use Cleveland Metroparks trademarks.
 4. Neither domain names nor metatags in third party websites may use or include Cleveland Metroparks trademarks without Cleveland Metroparks advance written consent.
 5. Additionally, without Cleveland Metroparks advance written consent, third parties may not hyperlink or deeplink to Cleveland Metroparks webpages, unless the third party provides clear and unmistakable notice that the end user is exiting that website and entering the Cleveland Metroparks website. The sole circumstance under which deeplinking is permissible is when a need for information on Cleveland Metroparks products, programs, services or technologies exists on the third party website.
 6. Proper references to Cleveland Metroparks products or services by third parties is permissible. To refer to Cleveland Metroparks products and services, third parties may use Cleveland Metroparks trademarks but only if used properly and accompany the trademarks with the appropriate trademark symbol and legend. For further guidance, please refer to Section 2 of this policy entitled “Proper Use of Trademarks and Symbols.”

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C. THIRD PARTY USE OF CLEVELAND METROPARKS LOGOS

Cleveland Metroparks logos may be used only when licensed from Cleveland Metroparks. If a company or individual has a valid written license agreement in effect with Cleveland Metroparks, that company or individual must use the logo in accordance with the specifications described in the license agreement. Those guidelines are license specific, and will not be addressed in this general Policy. In the event that the terms of an individual license and this Policy conflict, the terms of the individual license shall govern. A logo licensee whose license does not describe limitations on use of the logo should follow the guidelines found in Section 2.

References:

Federal Trademark Act (also known as the Trademark Act of 1946 and the Lanham Act). 15 U.S.C. §§ 1051–1127.

Trade name registration. Ohio Rev. Code Ann. §§ 1329.01–1329.10.

Trademark registration. Ohio Rev. Code Ann. §§ 1329.54–1329.99.

Rules of practice in trademark cases. 37 C.F.R. §§ 2.1–2.189.

Assignment and recording of trademark applications and registrations. 37 C.F.R. §§ 3.1–3.85.

Classification of goods and services under Trademark Act. 37 C.F.R. §§ 6.1–6.4.

The Copyright Protection Act of 1976. 17 U.S.C. §§101-1511

Replaces and Supersedes: Trademark and Logo Usage Policy, November 17, 2022

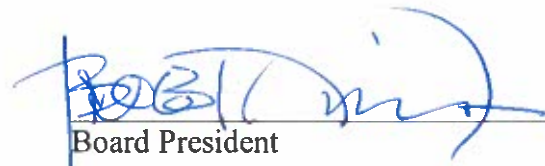
Approved:



Chief Executive Officer-Secretary

4-23-26

Approval Date



Board President

April 2021


Review Date

Exhibit A

Cleveland Metroparks Registered Trademarks and Copyrights

Registered Trademarks:

Trademark	Registration No.
	8065614
ADVENTUREKEYS	7499458
	7007390
CLEVELAND METROPARKS	4976036
CLEVELAND METROPARKS Logo 	5073941
CLEVELAND METROPARKS ZOO	4971516
	5219684

Trademark	Registration No.
	5317719
EDGEWATER LIVE	5043040
	5080262
EMERALD NECKLACE	5311752
MERWIN'S WHARF	5064955
	5078617
RED LINE GREENWAY	6660176
	6660177
WILD WINTER LIGHTS	6603732
WILD WINTER LIGHTS	6390144
	6603513

Registered Copyrights:

Title of Work	Registration No.
Tiger and Some Mistletoe	VAu 1-377-780
Tall is Calm	VAu 1-377-807
Not a Creature	VAu 1-377-774
Rhino Wonderland	VAu 1-377-914
The 100 Year Trail: A Centennial Celebration of Cleveland Metroparks	TX 9-423-358
Cleveland Metroparks Zoo Future for Wildlife	VA 2-454-312
From the Great Lakes to Puerto Rico The story of the Puerto Rican Crested Toad	In process

Exhibit B

Trademark and Copyright Registration and Licensing Guidelines



Trademark and Copyright Registration and Licensing Guidelines

As set forth in Cleveland Metroparks Trademark and Logo Usage Policy, Cleveland Metroparks brands, marks, names, and logos are important organizational assets and are protected by law from improper third-party use. Likewise, original creative content, including photographs, artwork, writings, and software code, can have economic value for Cleveland Metroparks and is entitled to similar legal protection. These intellectual property ("IP") assets should be formally registered in certain circumstances to maximize the protections offered to Cleveland Metroparks. They should also be formally licensed whenever they are shared with third parties.

These guidelines set forth the approach staff should take to register trademarks and copyrighted work and the process by which trademarks and copyrighted work should be licensed when Cleveland Metroparks authorizes third party use.

REGISTRATION:

Trademarks

I. Definitions and Legal Protections:

- a. **Definition:** A trademark is any word, phrase, symbol, design, or other device, alone or in combination, used to identify the source or origin of goods. Trademarks allow consumers to distinguish Cleveland Metroparks products and services from its competitors, fostering consumer loyalty and improving the efficiency of marketing through brand recognition.
 - i. A trademark identifies the source of a good or service that is sold. All trademarks must be associated with the sale of a good or service. In the case of Cleveland Metroparks, the service is typically park or zoo services.
 - ii. The trademark must be used in commerce, in other words, in connection with the selling of the good or service to which it is connected. If it is not yet used in commerce, discuss with legal whether it can yet be trademarked.
 - iii. A trademark can be a word mark, which simply protects a name like "Coca-Cola" or "Nike." It can also be a stylized mark, like the Nike Swoosh or McDonald's golden arches. Cleveland Metroparks has registered word marks, including "Cleveland Metroparks," and registered stylized marks, including the Leafman logo.
- b. **Legal Protections:**
 - i. Without registration, a trademark is protected in its geographic area (and any natural zone of expansion) simply by being the first mark used in commerce in connection with particular goods or services. These "common law" trademark protections are enforceable in state court.

- ii. With registration, the trademark gains nationwide protection subject only to any pre-existing common law use of the trademark by another party.
- iii. Initial trademark registration is for five years, with proof of use at the five-year mark extending protection to 10 years. The mark must be renewed every 10 years thereafter.

II. **When to Register a Trademark:**

- a. Because the trademark process is extensive and can be expensive, trademarks should only be registered if you intend to use them in commerce for more than five years.
- b. Trademarks should be registered when they identify the source of a good or service, for instance, when they indicate a program comes from Cleveland Metroparks or a toy comes from the Cleveland Metroparks Zoo. They cannot be registered to protect a design for its creative content. For those types of creation, see the copyright section.

III. **How to Register a Trademark:**

- a. Contact the legal department.
- b. You will need:
 - i. A digital file of your trademark if it is a stylized mark, and not just a word mark.
 - ii. A list of which classes of goods/services you would like to register your trademark in. A list of the classes of goods and services is attached here. Legal can assist you in identifying which classes are appropriate.
 - iii. A sample of your trademark in each class of goods/services.
 - 1. The sample must contain a copy of the trademark that is identical to the digital file. For instance, if your stylized mark is vertical and in color, your sample must contain the mark in vertical format and in color.
 - 2. The sample must not just use the trademark as part of a design, but must be used to show the source of the goods. For instance, for a shirt, a price tag or clothing tag with the trademark shows that the source of the shirt is Cleveland Metroparks, while a t-shirt with a big "Cleveland Metroparks" in script is simply advertising or highlighting Cleveland Metroparks and would not be considered an appropriate sample.
 - 3. The sample must be an actual item, not just a mockup of an item.
 - iv. Budget for the registration fees. The fee for trademark registration is \$350 for each class of goods/service in which you will register the trademark. The department that requests/principally uses the trademark will be responsible for paying for the trademark registration.
- c. Timing:
 - i. Initial registration:
 - 1. The sooner you register your trademark upon its use in commerce, the better protected it will be from other similar marks that show up outside the initial geographic area of use. It is best practice to register the trademark in the first month it is used in commerce.
 - 2. The registration process itself is relatively quick to complete, but Legal will need to work with you to ensure samples are appropriate. Thus, the Legal Department typically needs approximately one month from the time you contact the department to register the trademark.

3. Typically, within one to three months of submission, an examining attorney at the U.S Patent and Trademark Office ("USPTO") will review the submission. Sometimes, the examining attorney will seek additional information, which may extend the time for review by up to an additional three months.
 4. After the examining attorney has accepted the submission, the mark is published in the Trademark Official Gazette for thirty (30) days, which allows any party with a similar mark to object to its registration.
 5. If there are no objections, the mark will be registered shortly after the end of the thirty (30)-day publication period.
- ii. **Five-year Declaration of Use:** Five (5) years after your trademark is registered, you must file a Declaration of Use proving you are still using the mark in commerce. Legal will reach out to you in advance of this filing deadline, but it is best practice for you to calendar it as well. At this point, your trademark is considered incontestable.
 - iii. **Ten-year Declaration of Use and Application for Renewal:** Between years nine (9) and ten (10) after filing, you must file a Declaration of Use and Application for Renewal proving you are still using the mark in commerce and seek to renew registration for an additional ten (10) years. Legal will reach out to you in advance of this filing deadline, but it is best practice for you to calendar it as well.
 - iv. **10-year Declarations of Use:** Every ten (10) years thereafter, an additional Declaration of Use and Application for Renewal must be filed if the trademark is still in use.

Copyrights

I. Definitions and Legal Protections

- a. **Definition:** Copyrighted work is a creative expression in a fixed medium. It includes photographs, artwork, writings, musical compositions, and even software code. The work must be an original work of authorship and have a modicum of creativity. (Use of AI can impact whether a work is subject to copyright protection. Please discuss AI creations with the Legal Department.)
- b. **Legal Protections:**
 - i. Copyright protections automatically apply to creative content created in the United States, entitling the creator to six exclusive rights regarding their work:
 1. the right to reproduce
 2. the right to create derivative works
 3. the right to distribute copies or transfer ownership of the work
 4. the right to perform the work publicly
 5. the right to display the work publicly
 6. the right to perform the work publicly via digital audio transmission
 - ii. Before a legal proceeding can be brought to enforce or protect a copyrighted work, the work must be registered with the United States Copyright Office.
 - iii. Copyright protection is good for 95 years from the date of registration or 120 years from the date of creation, whichever is shorter.

II. When to Register Copyrighted Work:

- a. Because copyrighted work automatically receives protections under U.S. law, registering copyrighted work should be done only when the work is of particularly high value or is used in the public in such a way that it is at high risk of being copied in an unauthorized fashion.
- b. Copyrighted work should be registered if:
 - i. It is of high value or was expensive to create, e.g., a piece of software code that would be valuable to others;
 - ii. It is being presented to the public and is sufficiently appealing that it is likely to be copied, e.g., a t-shirt design that we think would be used by a competitor to create competing merchandise;
 - iii. It is a work of authorship that took a significant amount of time, e.g., a book.

III. How to Register a Copyrighted Work:

- a. Contact the Legal Department.
- b. You will need:
 - i. Two copies of the copyrighted work if it is in published form (e.g., two copies of a book) or a transferrable file if it is in digital form.
 - ii. Budget for the registration fees, which vary from \$45 – \$500, but typically are \$65 for a standard individual copyrighted work. The department that requests/principally uses the copyrighted work will be responsible for paying for the copyright registration.
- c. Timing:
 - i. The best protection for your copyright occurs if it is registered within three (3) months of being published.
 - ii. The registration process is relatively quick to complete, and the Legal Department can typically complete it in less than two weeks from the time you contact the department.
 - iii. The US Copyright Office can take anywhere from two to twelve months to process a registration.

LICENSING:

- I. **When Should a Trademark or Copyrighted Work Be Licensed:** Whenever Cleveland Metroparks staff wants to share a Cleveland Metroparks trademark or copyrighted work, staff must formally license the use via a separate licensing agreement or as a part of another contract governing the relationship with the third party. If applicable, use of the trademark or copyrighted work must be consistent with the Cleveland Metroparks Trademark and Logo Usage Policy.
- II. **Process for Licensing a Trademark or Copyrighted Work:**
 - a. Step 1: Contact the department responsible for the trademark or copyrighted work and request approval for sharing the item.
 - i. For most trademarks and copyrights, the Marketing Department manages the item (e.g., Leafman Logo, Cleveland Metroparks Name, Zoo Logo, Cleveland Metroparks Zoo Name, 100 Years Book, etc.).

- ii. Some items, such as the ABCA logo or CHEERS logo, may be managed by another department.
- b. Step 2: Once you have received approval from the appropriate department:
 - i. Contact the Brand Advertising Director who will determine if the third party's use of the copyright or trademark requires a legal contract or an authorization letter from the Brand Advertising Director. Legal contracts shall be required when:
 - 1. Cleveland Metroparks is expending its own funds;
 - 2. The third party will be paying Cleveland Metroparks for use of the copyright or trademark;
 - 3. The copyright or trademark is being used on an item that will be sold by the third party;
 - 4. The use of the copyright or trademark by the third party runs a high risk of misuse, customer confusion, or negative impact to Cleveland Metroparks' reputation; or
 - 5. Other situations as discussed with the Legal Department.
 - ii. If a legal contract is required, either:
 - 1. Submit a contract request to the Legal Department for a license agreement, identifying the trademark or copyrighted work you wish to share, the purpose of sharing the mark/copyright, and the time period the third party is authorized to use the mark/copyright; OR
 - 2. Include the licensing as a component of another agreement governing the relationship (e.g., a project development agreement or affiliate agreement), and notify Legal by including it in the notes section of your contract request or sending a separate communication to the attorney responsible for the other agreement.

Sources:

1. Cleveland Metroparks Trademark and Logo Usage Policy, dated November 17, 2022
2. <https://guides.library.cornell.edu/copyright/copyright-101>
3. Michael J. Schwab, Acquiring Trademark Rights and Registrations, Practical Law Practice Note 2-505-1700 (West 2025).
4. <https://www.uspto.gov/trademarks>
5. <https://www.copyright.gov/>

Attachment A:**International Trademark Classes****Goods**

Class 1 – Chemicals
Class 2 – Paints
Class 3 – Cosmetics and cleaning preparations
Class 4 – Lubricants and fuels
Class 5 – Pharmaceuticals
Class 6 – Metal goods
Class 7 – Machinery
Class 8 – Hand tools
Class 9 – Electrical and scientific apparatus
Class 10 – Medical apparatus
Class 11 – Environmental control apparatus
Class 12 – Vehicles
Class 13 – Firearms
Class 14 – Jewelry
Class 15 – Musical instruments
Class 16 – Paper goods and printed matter
Class 17 – Rubber goods
Class 18 – Leather goods
Class 19 – Non-metallic building materials
Class 20 – Furniture and articles not otherwise classified
Class 21 – Housewares and glass
Class 22 – Cordage and fibers
Class 23 – Yarns and threads

Class 24 – Fabrics
Class 25 – Clothing
Class 26 – Fancy good
Class 27 – Floor coverings
Class 28 – Toys and sporting goods
Class 29 – Meats and processed foods
Class 30 – Staple foods
Class 31 – Natural agricultural products
Class 32 – Light beverages
Class 33 – Wines and spirits
Class 34 – Smokers' articles

Services

Class 35 – Advertising and business
Class 36 – Insurance and financial
Class 37 – Building construction and repair
Class 38 – Telecommunications
Class 39 – Transportation and storage
Class 40 – Treatment of materials
Class 41 – Education and entertainment
Class 42 – Computer and scientific
Class 43 – Hotels and restaurants
Class 44 – Medical, beauty and agricultural
Class 45 – Personal and legal