



## DESIGNS

South Africa

**Adams & Adams**

Registration of Designs  
An asset worth protecting

CAPE TOWN

PRETORIA

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DURBAN

## Design Act no. 195 of 1993

### Intellectual property

Intellectual property, although intangible, is a valuable asset on the balance sheet of any business - in many cases exceeding in actual marketable value the fixed property of the business.

'Intellectual property' is a generic term used to refer collectively to intangible products such as patents, industrial designs, trade marks and brand names, copyright, trade secrets and know-how, etc., all of which are products created through the innovative or creative efforts of people. It is important for people in business to be informed of the different kinds of intellectual property, to recognise when intellectual property has been created within the ambit of their business activities, and to see to it that the necessary steps are taken timeously to ensure that this property is protected. Legal protection is necessary to prevent others from making unauthorised use of the intellectual property to the detriment of the true owner, and to ensure that the true owner will enjoy the full commercial benefit of his/her creative efforts.

### What can be protected by design registration?

A design registration affords protection specifically directed at the visual features of an article, ie. the shape and appearance of an industrial article. Traditionally this protection does not extend to the underlying principle of the article or its functional purpose, in the sense that a competing article which has a different shape and appearance would not constitute an infringement, even though it operates on the same underlying principles and/or fulfils the identical functional purpose. A design registration can be relied upon by the proprietor to prevent others from making, importing, using or disposing of articles within the same class and embodying the registered design or a design not substantially different therefrom. It is not necessary for the proprietor to prove that the infringer had actually copied his/her design; substantial similarity with the registered design is the test.

Accordingly, where the shape or configuration or appearance of an article determines its selection for a particular application, design protection may be ideally suited to secure exclusive rights to supply such an article. In other words, when an article is designed with a new shape or appearance or configuration, it may qualify for design registration.

The Designs Act distinguishes between two types of designs, namely-

- **aesthetic designs**, which are designs applied to articles for the pattern or shape or configuration or ornamentation of the article, the article having features which appeal to and are judged solely by the eye, irrespective of the aesthetic quality thereof; and
- **functional designs**, which are designs also applied to articles for the pattern, shape or configuration of the article, but in this case the article has features which are necessitated by the function which the article is to perform. Included by definition in the category of functional designs are integrated circuit topographies and mask works.

'**Aesthetic design**' is defined to mean any design applied to any article, whether for the pattern or the shape or the configuration or the ornamentation thereof, or for any two or more of those purposes, and by whatever means it is applied, having features which appeal to and are judged solely by the eye, irrespective of the aesthetic quality thereof.

No feature of an article in so far as it is necessitated solely by the function which the article is intended to perform, and no method or principle of construction will afford the registered proprietor of an aesthetic design any rights in terms of the Designs Act in respect of such feature.

'**Functional design**' is defined to mean any design applied to any article, whether for the pattern or the shape or the configuration thereof, or for any two or more of those purposes, and by whatever means it is applied, having features which are necessitated by the function which the article to which the design is applied, is to perform, and includes an integrated circuit topography, a mask work and a series of mask works.

Examples of articles to which aesthetic designs may be applied are those articles where the shape or configuration is optional and not necessitated by the function of the article, such as furniture, textiles, bottle shapes, lamps and lamp shades, door handles, and so on. On the other hand, examples of articles to which functional designs may be applied are those where the shape or configuration is dictated by the function which the article has to perform, such as cogs, cams, levers, rolled metal sections, tyre treads, and the like.

The new shape or appearance of an article may be registered as both an aesthetic and a functional design.

It should be noted that articles in the form of spare parts for a machine, vehicle or equipment are excluded from protection by way of functional design registration. However, designs for non-functional features of replacement parts, eg. of motor vehicle body parts, may be protected as aesthetic designs.

### Classification of articles

For the purpose of registration, articles are divided into 31 different classes. (See the classification list on page 10 et seq.)

When a design application is filed, the selection of the appropriate class or classes is extremely important. The monopoly right afforded by a registered design is restricted to articles which fall within the class in which the design has been registered. If the design is applied to an article which is not included in the class or classes in respect of which the design has been registered, then such article will not fall within the scope of the registered design and will hence not constitute an infringement of the registered design.

Where a particular design can be applied to articles which are in different classes, separate design applications must therefore be filed in the different classes.

## Novelty and originality

To be registrable, an aesthetic design must be new and original, while a functional design must be new and not commonplace in the art. A design is deemed to be new if it does not form part of (ie. can be distinguished from) the state of the art. The 'state of the art' comprises all matter / information which has been made available to the public (in the Republic or elsewhere) in any manner whatsoever. This means that absolute novelty is the criterion for a valid design registration.

The consequence of this requirement is that the owner of a new design must be careful not to disclose the design to the public, for example by exhibiting or selling it, until such time as a design application has been lodged.

## Release date

The Designs Act does, however, provide for a grace period, in that it provides that the novelty of a design will be assessed at the date of application or at the release date, whichever is the earlier, provided that an application for registration is lodged within six months from the release date (or two years in the case of integrated circuits). The 'release date' is the date on which the design is first made available to the public (in the Republic or elsewhere) with the consent of the proprietor.

The practical advantage to the applicant of the recognition of the release date in the Designs Act, is that a further window of opportunity has been created for obtaining design protection, at least in South Africa, in respect of designs which have been disclosed to the public and which then prove to have commercial potential.

There are certain risks attached to relying on the grace period where the design has been released to the public prior to the filing of an application, particularly in regard to the validity of corresponding applications in other countries. It is possible that foreign countries may not recognise the grace period. Legal advice should be sought in this connection.

## The effect of a design registration

The effect of a design registration is to grant to the registered proprietor in the Republic, the right to exclude others from making, importing, using or disposing of articles included within the class in which the design is registered, which articles embody the design or a design not substantially different therefrom. The objective is stated to be that the registered proprietor shall enjoy the whole profit and advantage accruing by reason of the registration.

Design protection is in general a limited form of protection. In the case of aesthetic designs, the protection afforded is determined by the appearance of the article **as judged by the eye**. The scope of protection afforded by a registered design depends upon the degree of difference between the registered design and prior similar articles. If the degree of difference is large, then the scope of protection afforded by the registered design will tend to be wide. However, if the degree of difference between the registered design and prior similar articles is small, then the scope of protection afforded by the registered design will be correspondingly narrow.

## Who can file an application

An application for registration may be filed by the proprietor of a design. The proprietor will be-

- the author of the design; or
- where the author executes the work for another person, that other person; or
- where a person or his employee makes a design for another person in terms of an agreement, that other person; or
- where the ownership in the design has passed to another person (eg. by way of an assignment), such other person.

An application is filed with the Registrar of Designs, and the Act prescribes the forms and representations of the design which are to be lodged. It should be noted that design protection is based on the design features as depicted in the representations (which may be drawings or photographs), interpreted in association with the definitive statement and explanatory statement, if any, which form part of the application documents.

## Requirements for filing

### Non-convention applications

The filing requirements for applications with no claim to priority (see the section on 'Convention applications' below), including most locally originating applications, are set out below.

- **Declaration and power of attorney**  
The Registrar requires a declaration to be signed by the applicant stating that he is the proprietor of the design. If the application is to be filed by a patent agent or a patent attorney, a power of attorney is required. Usually in such cases the power of attorney is incorporated in the declaration form.
- **Assignment**  
Where the applicant has acquired the right to apply from a predecessor in title, the registrar may call for an assignment or other proof to the satisfaction of the registrar of the right of the applicant to apply.
- **Part A or Part F**  
Information is required as to whether the application is to be filed in Part A or Part F of the register. Once a design application has been filed it can be amended from Part A to Part F, and vice versa, only while the application is still pending and prior to registration. However, once a design has been filed in one of the Parts, Part A or Part F, it will be possible to file a further design application for the same design and with a later effective date in the other Part.
- **Release date (if applicable)**  
If applicable, the date on which the design was first made available to the public in the Republic or elsewhere with the consent of the proprietor or any predecessor in title must be furnished.

- **Representations**

Seven representations are required of each view of the design, which can either be drawings or photographs, of which four have to be filed and the others are for our file. Each drawing or photograph should be on a sheet of A4 size or in the case of an integrated circuit topography, a mask work or a series of mask works, a size which can be folded to A4 size, and must appear on one side only of the paper. Photographs should, if possible, show the design against a plain background. When more figures than one are shown, these should if possible be on one and the same sheet and each view should be designated (ie. front view, side view, etc.). Reference symbols may appear in or on the representations, and the definitive statement may refer to such symbols.

- **Repeating surface patterns**

Each representation of a design which consists of a repeating surface pattern must show the complete pattern and a sufficient portion of the repeat in length and width, and such representation ought not to be of a size less than A5. The registrar may require specimens to be filed.

- **Definitive statement**

It is necessary to furnish a definitive statement of the features of the design for which the applicant claims protection. In order for us to be able to draft a suitable definitive statement, it is necessary to know whether it is an aesthetic design (to be registered in Part A) or a functional design (to be registered in Part F). In the definitive statement reference may be made to reference symbols appearing in or on the representations. It is also essential to know if there are any features of the design which are not essential, ie are merely preferred.

- **Explanatory statement**

In the case of a functional design for an integrated circuit topography or a mask work or a series of mask works, an explanatory statement referring to the function and operation of the integrated circuit topography or mask work or series of masks works must be furnished. For other functional designs and for aesthetic designs, an explanatory statement is optional, and may refer, for example, to features of the article to which the design is to be applied, or to the method or principle of construction of the article.

The explanatory statement may be used to assist interpreting the scope of the protection afforded by the design registration.

- **Brief statement**

A brief statement of not more than 150 words of the features of the design is required for publication in the Patent Journal. We can prepare a brief statement from the explanatory statement.

- **Classification**

A design application is to be filed in the appropriate class(es) in which the relevant articles have been classified. See the classification list on page 10 et seq.

**Convention applications**

Convention applications (see the section on 'International convention' on page 9) claiming priority from an application first filed in another country (a so-called basic application), must be filed within six months from the date on which the basic design application was filed in a convention country. In addition to the requirements referred to above, the following documents have to be filed:

- a certified copy of the basic application in order to support the claim to convention priority
- an assignment of priority rights if the South African applicant is not the same as the applicant in the basic convention country.

**Informal filing**

In cases of urgency, an application for registration of a design can be filed and a filing date can be obtained with the following information and documentation:

- an informal copy of the representation(s)
- the applicant's name and address
- information as to whether an application is to be filed in Part A or Part F of the register or in both Part A and Part F
- the class or classes in which the application or applications is/are to be filed, failing which the registrar has to be requested to determine the class. In the event that a single application is filed and the registrar determines that the design should be registered in more than one class, it will be possible subsequently to file one or more further application(s) in the other class(es), with later effective dates

- information as to whether the application is to be filed as a convention or non-convention application and, in the event of a convention application, particulars of the basic application, ie country, number and date from which priority is to be claimed.

The formal documents can be filed subsequently.

### Duration of a design registration

Once granted, an aesthetic design has a term of duration of 15 years, and a functional design 10 years, provided the prescribed renewal fees are paid.

### Infringement of a design registration

A design registration is infringed if any person, without the authority of the proprietor of the design registration, makes, imports, uses or disposes of articles included within the class(es) in which the design is registered, which articles embody the design or a design not substantially different therefrom.

In the case of proceedings for infringement where infringement is established, the plaintiff will be entitled to-

- an interdict;
- surrender of any infringing product or any article or product of which the infringing product forms an inseparable part;
- damages; and
- in lieu of damages, at the option of the plaintiff, an amount calculated on the basis of a reasonable royalty which would have been payable by a licensee or sub-licensee in respect of the registered design concerned.

### Searches

**An infringement search** can be conducted at the Designs Office in Pretoria. This is to ascertain whether or not exploitation of the design would infringe a prior registered design in the RSA in the name of some other person. If there is such a registered design, it may result in the applicant being sued for an interdict and damages.

An infringement search is advisable before heavy capital costs are incurred in commencing exploitation of a design.

**A registrability search** can be conducted at the Designs Office in Pretoria and/or at a Designs Office or Patent Office in one or more foreign countries, in order to ascertain the extent to which the design is registrable. Such searches should be done before filing design applications abroad on an extensive scale. However, no search can ever be regarded as conclusive as to registrability, partly due to the nature of the registrability requirements, and partly because no guarantee can be given that in a search all relevant disclosures will be located. If further information on searches is required, please let us know.

### International convention - priority right

South Africa is a member of the Paris Convention for the Protection of Industrial Property. This convention provides for the mutual recognition by member countries of the first filing date in a convention country. Consequently, an application for the registration of a design first filed in the Republic of South Africa affords the applicant a priority right for the registration of the same design in other convention countries, provided that the foreign applications are filed within six months of the filing date of the basic application in this country. However, as mentioned above in relation to the release date, if the design is made available to the public before the basic application filing date, it may thereafter not be possible to obtain valid design protection in some of the important foreign countries.

A first filing date in a foreign member country of the convention likewise affords a priority right to the foreign applicant.

### Classification

#### **Class 1 Foodstuffs**

- 1-01 Bakers' products, biscuits, pastry, macaroni, and other cereal products, chocolates, confectionery, ices.
- 1-02 Fruit and vegetables.
- 1-03 Cheeses, butter and butter substitutes, other dairy products.
- 1-04 Butchers' meat, fish.
- 1-05 Vacant.
- 1-06 Animal foodstuffs.
- 1-99 Miscellaneous.

#### **Class 2 Articles of clothing and haberdashery**

- 2-01 Undergarments, lingerie, corsets, brassieres, nightwear.
- 2-02 Garments.
- 2-03 Headwear.
- 2-04 Footwear, socks and stockings.
- 2-05 Neckties, scarves, neckerchiefs and handkerchiefs.
- 2-06 Gloves.
- 2-07 Haberdashery and clothing accessories.
- 2-99 Miscellaneous.

**Class 3 Travel goods, cases, parasols and personal belongings, not elsewhere specified**

- 3-01 Trunks, suitcases, briefcases, handbags, keyholders, cases specially designed for their contents, wallets and similar articles.
- 3-02 Vacant.
- 3-03 Umbrellas, parasols, sunshades and walking-sticks.
- 3-04 Fans.
- 3-99 Miscellaneous.

**Class 4 Brushware**

- 4-01 Brushes and brooms for cleaning.
- 4-02 Toilet brushes, clothes brushes and shoe brushes.
- 4-03 Brushes for machines.
- 4-04 Paintbrushes, brushes for use in cooking.
- 4-99 Miscellaneous.

**Class 5 Textile piecegood articles, artificial and natural sheet material**

- 5-01 Spun articles.
- 5-02 Lace.
- 5-03 Embroidery.
- 5-04 Ribbons, braids and other decorative trimmings.
- 5-05 Textile fabrics.
- 5-06 Artificial or natural sheet material.
- 5-99 Miscellaneous.

**Class 6 Furnishing**

- 6-01 Beds and seats.
- 6-02 Vacant.
- 6-03 Tables and similar furniture.
- 6-04 Storage furniture.
- 6-05 Composite furniture.
- 6-06 Other furniture and furniture parts.
- 6-07 Mirrors and frames.
- 6-08 Clothes hangers.
- 6-09 Mattresses and cushions.
- 6-10 Curtains and blinds.
- 6-11 Carpets, mats and rugs.
- 6-12 Tapestries.
- 6-13 Blankets and other covering materials, household linen and napery.
- 6-99 Miscellaneous.

**Class 7 Household goods, not elsewhere specified**

- 7-01 China, glassware, dishes and other articles of a similar nature.
- 7-02 Cooking appliances, utensils and containers.
- 7-03 Table knives, forks and spoons.
- 7-04 Hand-manipulated utensils, instruments and appliances for serving or preparing food or drink.
- 7-05 Flat irons and laundering, cleaning and drying equipment.
- 7-06 Other table utensils.
- 7-07 Other household receptacles.
- 7-08 Fireplace articles.
- 7-99 Miscellaneous.

**Class 8 Tools and hardware**

- 8-01 Tools and implements for drilling, milling or digging.
- 8-02 Hammers and other similar tools and implements.
- 8-03 Cutting tools and implements.
- 8-04 Screwdrivers and other similar tools and implements.
- 8-05 Other tools and implements.
- 8-06 Handles, knobs and hinges.
- 8-07 Locking or latching devices.
- 8-08 Fastening, supporting or mounting devices not included in other classes.
- 8-09 Metal fittings and mountings for doors, windows and furniture and similar articles.
- 8-10 Bicycle racks.
- 8-99 Miscellaneous.

**Class 9 Packages and containers for the transport or handling of goods**

- 9-01 Bottles, flasks, pots, carboys, demijohns and containers with dynamic dispensing means.
- 9-02 Storage cans, drums and casks.
- 9-03 Boxes, cases, containers, and (preserve) tins.
- 9-04 Hampers, crates and baskets.
- 9-05 Bags, sachets, tubes and capsules.
- 9-06 Ropes and hooping materials.
- 9-07 Closing means and attachments.
- 9-08 Pallets and platforms for forklifts.
- 9-09 Refuse and trash containers and stands therefor.
- 9-99 Miscellaneous.

**Class 10 Clocks and watches, and other measuring instruments, checking and signalling instruments**

- 10-01 Clocks and alarm clocks.
- 10-02 Watches and wrist-watches.
- 10-03 Other time-measuring instruments.
- 10-04 Other measuring instruments, apparatus and devices.
- 10-05 Instruments, apparatus and devices for checking, security or testing.
- 10-06 Signalling apparatus and devices.
- 10-07 Casings, dials, hands and all other parts and accessories of instruments for measuring, checking and signalling.
- 10-99 Miscellaneous.

**Class 11 Articles of adornment**

- 11-01 Jewellery.
- 11-02 Trinkets, table mantel and wall ornaments, flower vases and pots.
- 11-03 Medals and badges.
- 11-04 Artificial flowers, fruit and plants.
- 11-05 Flags, and festive decorations.
- 11-99 Miscellaneous.

**Class 12 Means of transport or hoisting**

- 12-01 Vehicles drawn by animals.
- 12-02 Handcarts, and wheelbarrows.
- 12-03 Locomotive and rolling stock for railways and all other rail vehicles.
- 12-04 Telpher carriers, chair lifts and ski lifts.
- 12-05 Elevators and hoists for loading or conveying.
- 12-06 Ships and boats.
- 12-07 Aircraft and space vehicles.
- 12-08 Motor-cars, buses and lorries.
- 12-09 Tractors.
- 12-10 Trailers.
- 12-11 Cycles and motorcycles.
- 12-12 Perambulators, invalid chairs, and stretchers.
- 12-13 Special-purpose vehicles.
- 12-14 Other vehicles.
- 12-15 Tyres and anti-skid chains for vehicles.
- 12-16 Parts, equipment and accessories for vehicles, not included in other classes or subclasses.
- 12-99 Miscellaneous.

**Class 13 Equipment for production, distribution or transformation of electricity**

- 13-01 Generators and motors.
- 13-02 Power transformers, rectifiers, batteries and accumulators.
- 13-03 Equipment for distribution or control of electric power.
- 13-04 Integrated circuits, mask works and series of mask works.
- 13-99 Miscellaneous.

**Class 14 Recording, communication or information retrieval equipment**

- 14-01 Equipment for the recording or reproduction of sounds or pictures.
- 14-02 Data processing equipment.
- 14-03 Communications equipment, wireless remote controls and radio amplifiers.

14-99 Miscellaneous.

**Class 15 Machines, not elsewhere specified**

15-01 Engines.  
15-02 Pumps and compressors.  
15-03 Agricultural machinery.  
15-04 Construction machinery.  
15-05 Laundry, cleaning and drying machines.  
15-06 Textile, sewing, knitting and embroidering machines.  
15-07 Refrigerating machinery and apparatus.  
15-08 Vacant.  
15-09 Machine tools, abrading and founding machinery.  
15-99 Miscellaneous.

**Class 16 Photographic, cinematographic and optical apparatus**

16-01 Photographic cameras and film cameras.  
16-02 Projectors and viewers.  
16-03 Photocopying apparatus and enlargers.  
16-04 Developing apparatus and equipment.  
16-05 Accessories.  
16-06 Optical articles.  
16-99 Miscellaneous.

**Class 17 Musical instruments**

17-01 Keyboard instruments.  
17-02 Wind instruments.  
17-03 Stringed instruments.  
17-04 Percussion instruments.  
17-05 Mechanical instruments.  
17-99 Miscellaneous.

**Class 18 Printing and office machinery**

18-01 Typewriters and calculating machines not elsewhere specified.  
18-02 Printing machines.  
18-03 Characters and type faces.  
18-04 Bookbinding machines, printers' stapling machines, guillotines and trimmers (for bookbinding).  
18-99 Miscellaneous.

**Class 19 Stationery and office equipment, artists' and teaching materials**

19-01 Writing paper, cards for correspondence and announcements.  
19-02 Office equipment.  
19-03 Calendars.

- 19-04 Books and other objects of similar outer appearance.
- 19-05 Vacant.
- 19-06 Materials and instruments for writing by hand, for drawing, for painting, for sculpture, for engraving and for other artistic techniques.
- 19-07 Teaching materials.
- 19-08 Other printed matter.
- 19-99 Miscellaneous.

**Class 20 Sales and advertising equipment, signs**

- 20-01 Automatic vending machines.
- 20-02 Display and sales equipment.
- 20-03 Signs, signboards and advertising equipment.
- 20-99 Miscellaneous.

**Class 21 Games, toys, tents and sports goods**

- 21-01 Games and toys.
- 21-02 Gymnastics and sports apparatus and equipment.
- 21-03 Other amusement and entertainment articles.
- 21-04 Tents and accessories thereof.
- 21-99 Miscellaneous.

**Class 22 Arms, pyrotechnic articles, articles for hunting, fishing and pest killing**

- 22-01 Projectile weapons.
- 22-02 Other weapons.
- 22-03 Ammunition, rockets and pyrotechnic articles.
- 22-04 Targets and accessories.
- 22-05 Hunting and fishing equipment.
- 22-06 Traps and articles for pest destruction.
- 22-99 Miscellaneous.

**Class 23 Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel**

- 23-01 Fluid distribution equipment.
- 23-02 Sanitary appliances.
- 23-03 Heating equipment.
- 23-04 Ventilation and air-conditioning equipment.
- 23-05 Solid fuel.
- 23-99 Miscellaneous.

**Class 24 Medical and laboratory equipment**

- 24-01 Fixed apparatus and equipment for doctors, hospitals and laboratories.
- 24-02 Medical instruments, instruments and tools for laboratory use.

- 24-03 Prosthetic articles.
- 24-04 Materials for dressing, nursing and medical care.
- 24-99 Miscellaneous.

**Class 25 Building units and construction elements**

- 25-01 Building materials.
- 25-02 Prefabricated or pre-assembled building parts.
- 25-03 Houses, garages and other buildings.
- 24-04 Steps, ladders and scaffolds.
- 25-99 Miscellaneous.

**Class 26 Lighting apparatus**

- 26-01 Candlesticks and candelabra.
- 26-02 Torches and hand lamps and lanterns.
- 26-03 Public lighting fixtures.
- 26-04 Luminous sources, electrical or not.
- 26-05 Lamps, standard lamps, chandeliers, wall and ceiling fixtures, lampshades, reflectors, photographic and cinematographic projector lamps.
- 26-06 Luminous devices for vehicles.
- 26-99 Miscellaneous.

**Class 27 Tobacco and smokers' supplies**

- 27-01 Tobacco, cigars and cigarettes.
- 27-02 Pipes, and cigar and cigarette holders.
- 27-03 Ashtrays.
- 27-04 Matches.
- 27-05 Lighters.
- 27-06 Cigar cases, cigarette cases, tobacco jars and pouches.
- 27-99 Miscellaneous.

**Class 28 Pharmaceutical and cosmetic products, toilet articles and apparatus**

- 28-01 Pharmaceutical products.
- 28-02 Cosmetic products.
- 28-03 Toilet articles and beauty parlour equipment.
- 28-04 Wigs, and false hairpieces.
- 28-99 Miscellaneous.

**Class 29 Devices and equipment against fire hazards, for accident prevention and for rescue**

- 29-01 Devices and equipment against fire hazards.
- 29-02 Devices and equipment for accident prevention and for rescue, not elsewhere specified.
- 29-99 Miscellaneous.

**Class 30 Articles for the care and handling of animals**

- 30-01 Animal clothing.
- 30-02 Pens, cages, kennels and similar shelters.
- 30-03 Feeders and waterers.
- 30-04 Saddlery.
- 30-05 Whips and prods.
- 30-06 Beds and nests.
- 30-07 Perches and other cage attachments.
- 30-08 Markers, marks and shackles.
- 30-09 Hitching posts.
- 30-99 Miscellaneous.

**Class 31 Machines and appliances for preparing food or drink, not elsewhere specified**

**Class 99 Miscellaneous.**

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