

Class 8

According to its Explanatory Note, Class 8 includes mainly "hand-operated implements used as tools in the respective professions". Under these parameters, Class 8 includes many tools that perform a task, such as drilling, shaping, cutting or piercing. Although many of these tools are described in the Alphabetical List as "hand tools", the criterion to determine their classification in Class 8 is not so much that they are hand-held, but rather their mode of operation, i.e., that they are operated by hand and not by electricity or any other power source. Thus, hand-operated tools such as hammers are in Class 8, while electric or pneumatic hammers, which can also be hand-held, are in [Class 7](#).

第 8 類依說明注釋「主要包括各行業用手操作之器具」這個決定因素加以分類，第 8 類包括許多用來完成如鑽孔、成型、切割或穿孔等工作的工具。儘管在字母表中，許多這些工具被敘述為「手工具」，決定屬於第 8 類的標準，並不在於手持的關係，而是在於商品是用手，不是用電力或任何其他動力來源的操作模式。因此，手動工具；如鐵鎚是第 8 類。但手持式的電動或氣動鎚，是屬於第 7 類。

It should be noted, however, that certain hand tools are classified in Class 8 regardless of whether they are electric or non-electric. These are small hand implements such as depilation appliances, razors, hair clippers and manicure sets that cannot be considered as "machines" or "machine tools" in [Class 7](#).

應注意，某些手工具歸屬於第 8 類，不論其是否為電動或非電動；如脫毛器具、剃刀、理髮剪和修指甲工具等小手工具，不屬於第 7 類的「機器」或「機械工具」。

Handles for hand-operated tools are also classified in Class 8 as they are seen as being an intrinsic part of the tool. Thus, scythe

handles and knife handles are in Class 8 but it is worth bearing in mind that other types of handles would be classified in other classes according to the object they are part of, for example, broom handles belong in [Class 21](#) along with the brooms.

操作手工具用的手柄，因為是工具本身的一部分，歸屬於第 8 類。因此，鐮刀柄和刀柄是第 8 類。但應記住，其他種類的握柄，應依其所屬的物件分類；例如，「掃把柄」和「掃把」同屬於第 21 類。

The relationship between Class 8 and [Class 21](#) is sometimes problematic, as it may be difficult to decide whether certain goods should be considered as a hand tool in Class 8 or as a kitchen or household utensil in [Class 21](#). Table cutlery and knives are in Class 8, whereas [Class 21](#) includes serving utensils and certain kitchen tools, such as corkscrews, nutcrackers, pie servers and sugar tongs. Other tools used in the kitchen do belong in Class 8, however, because of their cutting nature, including non-electric cheese slicers, non-electric pizza cutters, non-electric tin openers and vegetable choppers. Similar goods when powered by electricity would belong to [Class 7](#), for example, electric knives and electric tin openers.

第 8 類和第 21 類間的關係有時候是有疑問的，某些商品可能困難決定；應該是第 8 類的手工具，或是第 21 類的廚房用具或家用器具。餐具和刀是第 8 類，第 21 類包括侍餐用具和某些廚房工具；如拔塞鑽、胡桃夾、餡餅糕點用鏟杓和方糖夾。廚房使用的其他工具，由於有用來切割的性質；包括非電動起司切片器，非電動披薩切割器，非電動開罐器和切菜刀，屬於第 8 類。但相類似的電動商品屬於第 7 類；例如：電動刀和電動開罐器。

The term "cutlery" in the Class Heading justifies the inclusion in Class 8 of hand-operated cutting tools and bladed weapons, such as knives, swords and scissors. Certain specialized cutting

instruments, however, are classified in other classes, for example, scalpels in [Class 10](#) and fencing weapons in [Class 28](#).

類別標題中的「刀具」一詞，決定手動切割工具以及如刀、劍和剪刀等有刀刃的武器歸屬於第 8 類。然而，有些專業用的切割器具是歸屬於其他類別；例如：解剖刀是第 10 類、劍術用擊劍是第 28 類。

It should be noted that the term "cutlery" in the Classification also refers to knives, forks and spoons for eating (the term has been translated into French as *"coutellerie, fourchettes et cuillers"* because *"coutellerie"* refers only to knives and other cutting instruments).

應注意，本類中的「刀具」，也和餐刀、餐叉和餐匙有關。