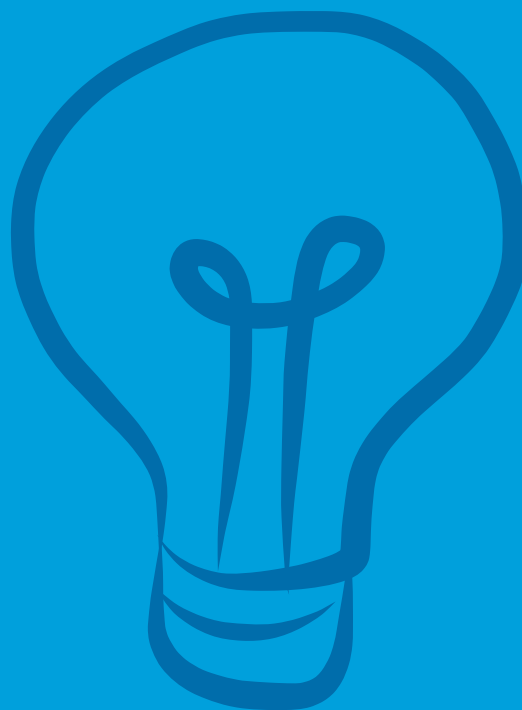


BOIP

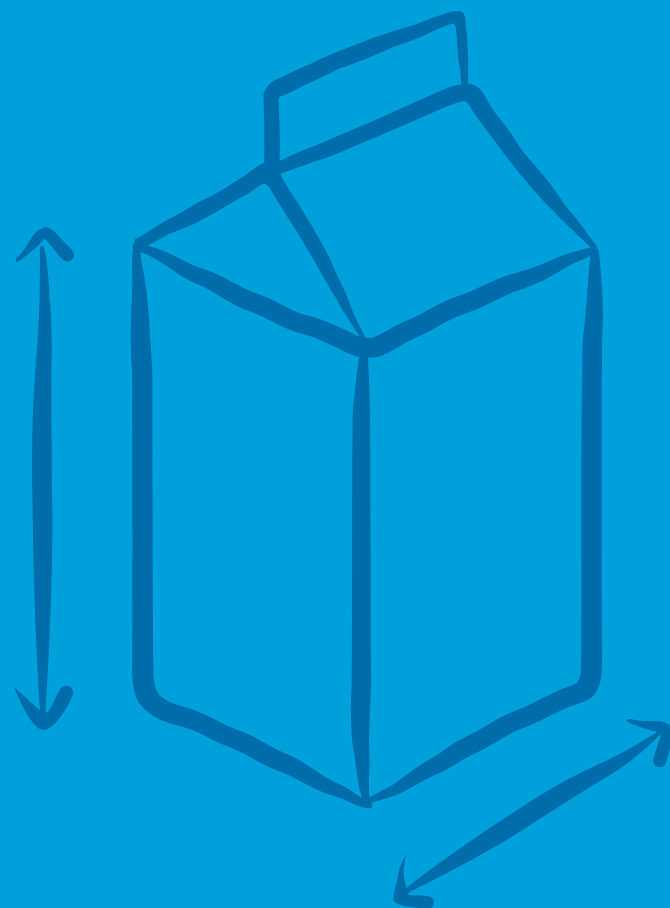
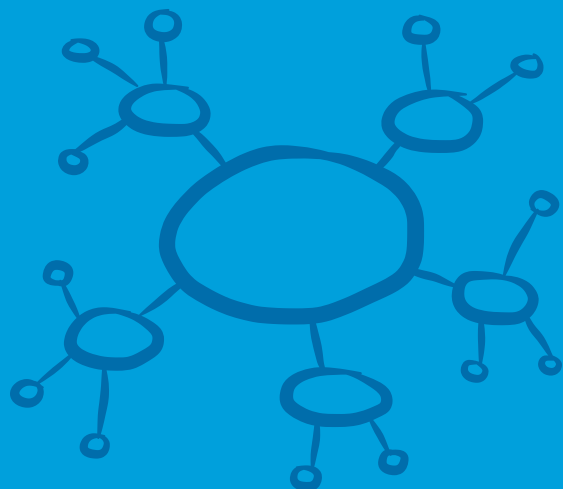
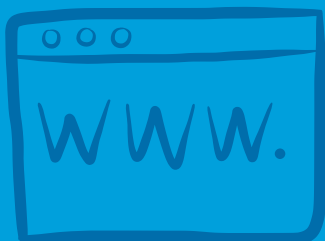


Benelux Office for
**Intellectual
Property**



Annual Report 2021

www.boip.int



Contents

| | |
|----|--|
| 4 | Trademarks |
| 12 | Designs |
| 15 | i-DEPOT |
| 17 | Organisation |
| 19 | Summary financial statements |
| 28 | Independent auditor's report |

Trademarks

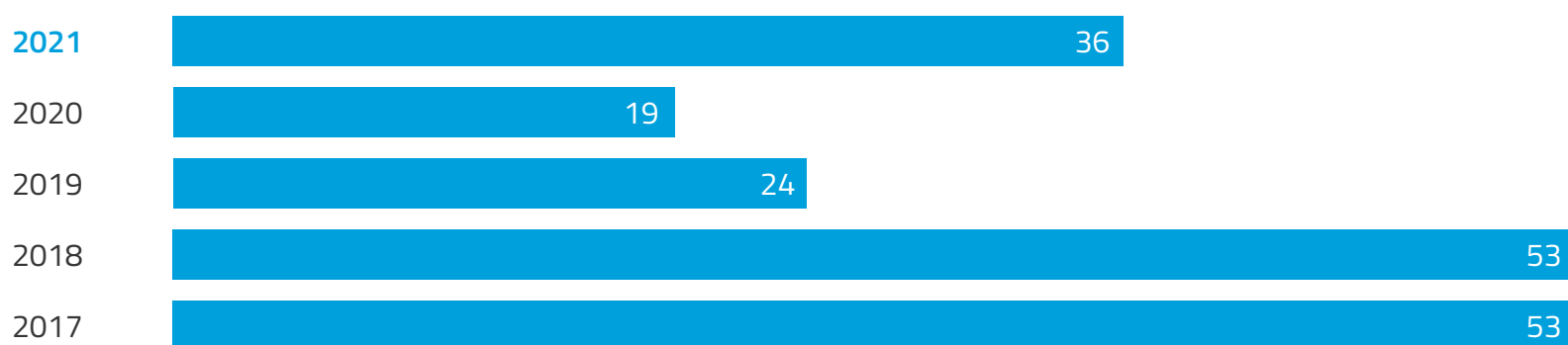


Benelux filings 2017-2021 (in numbers) ¹²



- 1 The numbers of filings are account for by the date of receipt of the application.
- 2 These statistics also comprise lapsed filings. Part of the lapsed filings is missing an application number and thus a country of origin. As a result, some discrepancies exist between the figures contained in this table and those contained in the table entitled 'Benelux filings by country of origin'.

Collective trademarks 2017-2021 (in numbers) ¹²



- 1 The numbers of filings are account for by the date of receipt of the application.
- 2 These statistics also comprise lapsed filings. Part of the lapsed filings is missing an application number and thus a country of origin. As a result, some discrepancies exist between the figures contained in this table and those contained in the table entitled 'Benelux filings by country of origin'.

Certification marks 2019-2021 ¹



- 1 As of 1 March 2019, certification marks could be applied for, in addition to individual and collective trademarks. Prior to 1 March certification marks were not available in the Benelux. See also: www.boip.int

Breakdown of Benelux filings by language 2017-2021

| | 2021 | | 2020 | | 2019 | | 2018 | | 2017 | |
|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | number | % | number | % | number | % | number | % | number | % |
| English | 3,281 | 13.69 | 2,931 | 12.29 | 2,835 | 13.89 | 2,625 | 12.67 | 2,957 | 13.67 |
| French | 2,908 | 12.13 | 3,088 | 12.95 | 2,900 | 14.20 | 3,036 | 14.65 | 3,050 | 14.10 |
| Dutch | 17,780 | 74.18 | 17,823 | 74.75 | 14,683 | 71.91 | 15,062 | 72.68 | 15,626 | 72.23 |
| Total | 23,969 | 100.00 | 23,842 | 100.00 | 20,418 | 100.00 | 20,723 | 100.00 | 21,633 | 100.00 |

Breakdown of Benelux filings by country of origin 2017-2021

| | 2021 | | 2020 | | 2019 | | 2018 | | 2017 | |
|--------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | number | % | number | % | number | % | number | % | number | % |
| Netherlands | 15,563 | 64.93 | 15,021 | 63.00 | 12,315 | 60.31 | 12,296 | 59.34 | 12,669 | 58.56 |
| Belgium | 6,419 | 26.78 | 6,794 | 28.50 | 5,850 | 28.65 | 6,138 | 29.62 | 6,296 | 29.10 |
| Luxembourg | 736 | 3.07 | 742 | 3.11 | 890 | 4.36 | 854 | 4.12 | 1,006 | 4.65 |
| US | 238 | 0.99 | 191 | 0.80 | 226 | 1.11 | 205 | 0.99 | 254 | 1.18 |
| Japan | 13 | 0.05 | 54 | 0.23 | 56 | 0.27 | 39 | 0.19 | 18 | 0.09 |
| Other EU | 532 | 2.22 | 572 | 2.40 | 584 | 2.86 | 686 | 3.31 | 885 | 4.09 |
| Other | 468 | 1.95 | 468 | 1.96 | 497 | 2.44 | 505 | 2.43 | 505 | 2.33 |
| Total | 23,969 | 100.00 | 23,842 | 100.00 | 20,418 | 100.00 | 20,723 | 100.00 | 21,633 | 100.00 |

Number of trademarks published 2017-2021 (in numbers)

| | Individual | Collective | Certification ¹ | Total |
|-------------|---------------|------------|----------------------------|---------------|
| 2021 | 23,642 | 36 | 55 | 23,733 |
| 2020 | 18,989 | 15 | 52 | 19,056 |
| 2019 | 18,581 | 73 | 49 | 18,703 |
| 2018 | 16,623 | 39 | | 16,662 |
| 2017 | 18,532 | 54 | | 18,586 |

1 As of 1 March 2019, certification marks could be applied for, in addition to individual and collective trademarks. Prior to 1 March certification marks were not available in the Benelux. See also: www.boip.int

Requests for renewal 2017-2021 (in numbers)

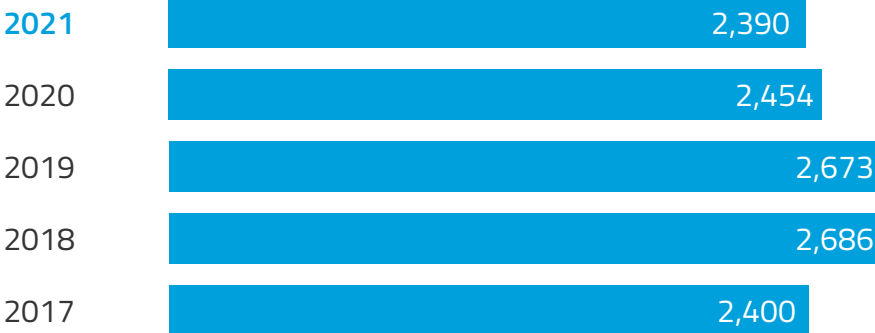
| | Individual | Collective | Certification ¹ | Total |
|-------------|---------------|------------|----------------------------|---------------|
| 2021 | 12,683 | 34 | 41 | 12,758 |
| 2020 | 12,994 | 27 | 31 | 13,052 |
| 2019 | 11,658 | 64 | | 11,722 |
| 2018 | 13,438 | 59 | | 13,497 |
| 2017 | 13,165 | 49 | | 13,214 |

1 In previous years, the figure for collective marks was the total of the collective marks and certification marks combined. These figures were split in 2020.

International registrations applied for via BOIP 2017-2021 (in numbers)



International registrations valid in the Benelux region 2017-2021 (in numbers)



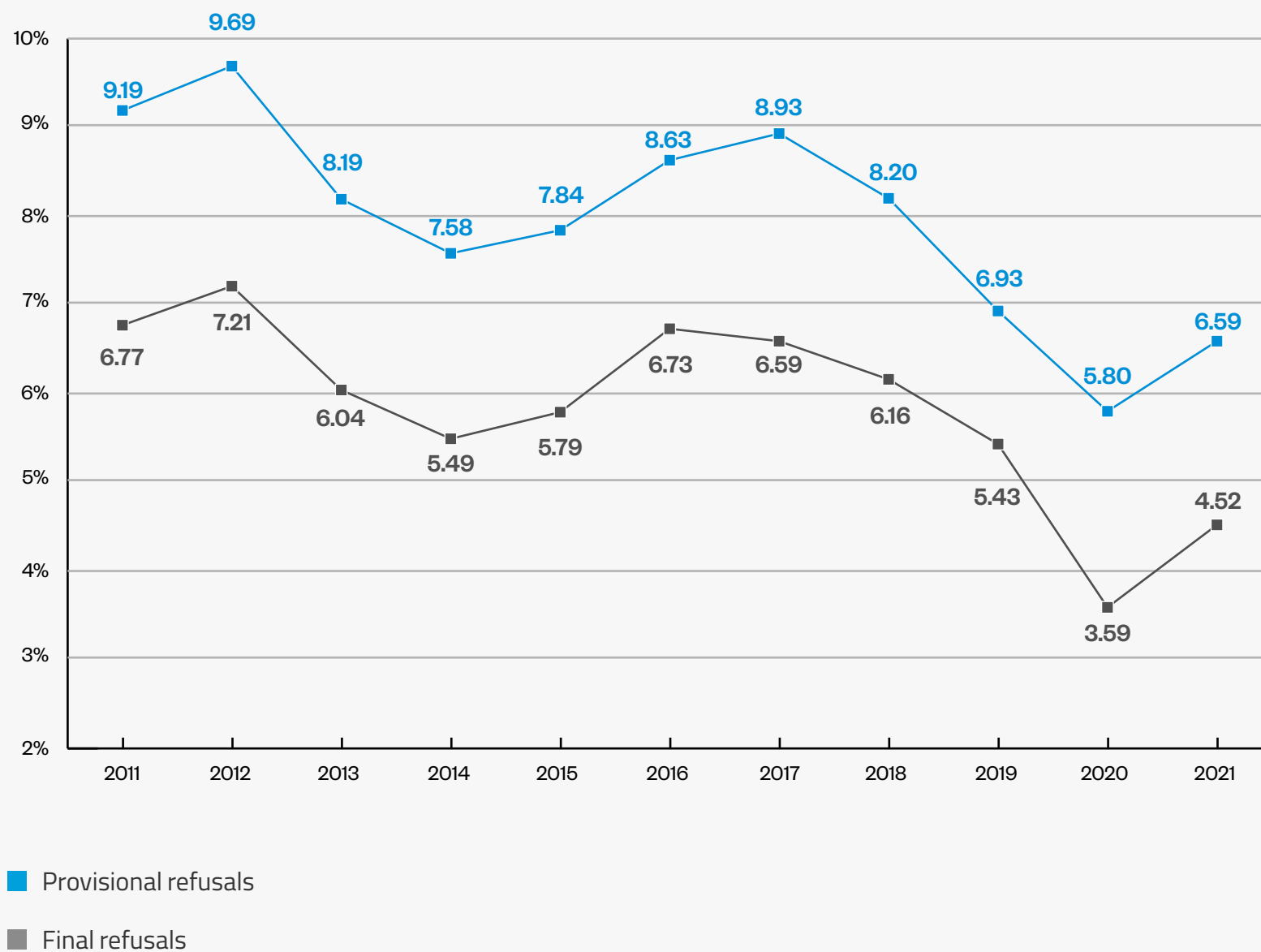
Refusals on absolute grounds – 2020-2021 Statistics

| | 2021 | | 2020 | |
|--|--------|-------|--------|-------|
| | number | % | number | % |
| Benelux filings | | | | |
| Total ¹ | 23,969 | | 23,842 | |
| Filed by trademark proprietors | 12,103 | 50.49 | 12,343 | 51.77 |
| Filed by agents | 11,866 | 49.51 | 11,499 | 48.23 |
| Provisional refusals | | | | |
| Total ¹ | 1,581 | 6.60 | 1,418 | 5.95 |
| Full | 1,537 | 6.41 | 1,384 | 5.80 |
| Partial | 44 | 0.18 | 34 | 0.15 |
| Filed by trademark proprietors ¹ | 988 | 4.12 | 821 | 6.65 |
| Filed by agents ¹ | 593 | 2.47 | 597 | 5.19 |
| Filings resulting in registration despite provisional refusal ² | 115 | 0.48 | 148 | 0.62 |
| Filings withdrawn by request / cancelled priority registrations | 212 | 0.88 | 187 | 0.78 |
| Filings excluded from further processing | 1 | 0.00 | 2 | 0.084 |
| Objection period still underway (1.12 Implementing Regulations) | 157 | 0.66 | 131 | 0.55 |
| Final refusals | | | | |
| Total ¹ | 1,083 | 4.52 | 882 | 3.70 |
| Of which cancelled priority registrations | 39 | 0.16 | 41 | 0.17 |
| Full | 1,054 | 4.40 | 867 | 3.64 |
| Partial | 29 | 0.12 | 15 | 0.06 |
| Filed by trademark proprietors ¹ | 822 | 3.43 | 626 | 5.07 |
| Filed by agents ¹ | 261 | 1.09 | 256 | 2.23 |
| Objections lodged | 141 | 0.59 | 81 | 0.33 |
| No objections lodged | 942 | 3.93 | 801 | 3.36 |
| Appeal lodged (Article 1, 1.15bis BCIP) | 0 | | 0 | |

Notes to the table 'Refusal on absolute grounds'

- 1 These refusals percentages are calculated relative to the number of filings submitted by trademark proprietors / agents.
- 2 This mainly concerns provisional refusals that were reversed following a response from the trademark proprietor / agents, e.g. when the filing was limited or proof of naturalisation was produced.
- 3 In contrast to all other figures in this table, the totals of which have been calculated based on the filing date in the relevant year, the number of appeals has been calculated on the basis of the appeal submission date.

Development of refusals on absolute grounds versus the number of filings 2011-2021



Oppositions 2021

| | number | % |
|--|--------|-------|
| Number of oppositions | | |
| Admissable | 1,059 | 98.79 |
| Inadmissable | 13 | 1.21 |
| Total | 1,072 | |
| Cancelled in 2021 (admissable oppositions) | | |
| Total | 704 | 66.48 |
| Still under consideration (admissable oppositions) | | |
| of 2021 | 355 | 33.52 |
| Language of the proceedings (admissable oppositions) ¹ | | |
| Dutch | 684 | 64.59 |
| French | 166 | 15.68 |
| English | 141 | 13.31 |
| Opposition filed against (admissable oppositions) | | |
| Benelux trademark | 998 | 94.24 |
| International trademark | 61 | 5.76 |
| Total | 1,059 | |
| Opposition based on (admissable oppositions) ² | | |
| Benelux trademark | 285 | 26.91 |
| European Union trademark | 718 | 67.80 |
| International trademark | 258 | 24.36 |
| Well known trademark (Art 6.bis Paris Convention) | 42 | 3.97 |
| Protected designations of origin and protected geographical indications | 4 | 0.38 |
| Trademark filed by agent | 1 | 0.09 |

1 Some closures take place before the procedural language has been set.

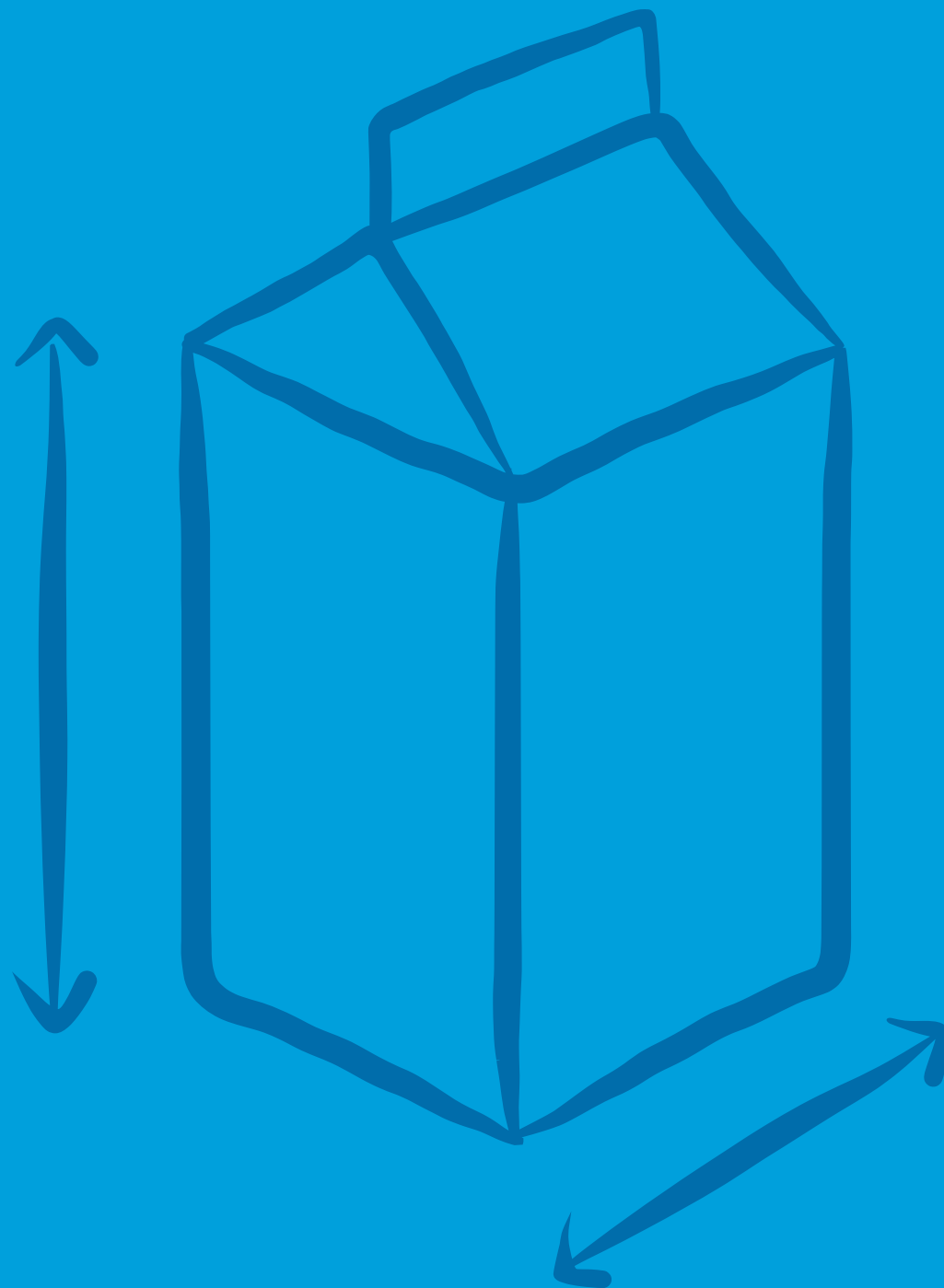
2 Multiple types of rights can be invoked for each opposition.

Cancellation procedures 2021

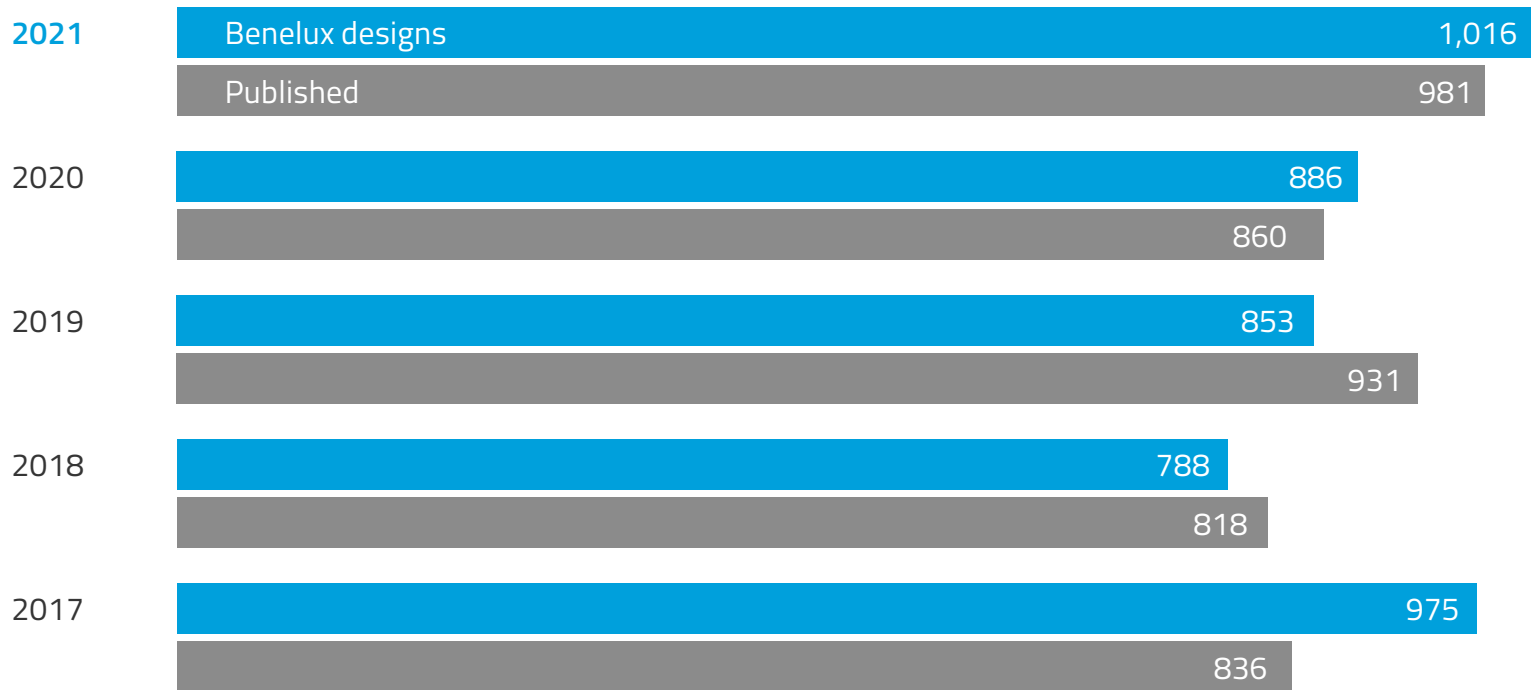
| | number | % |
|---|------------|-------|
| Admissable | 115 | 100 |
| Inadmissable | 0 | |
| Total | 115 | |
| Still under consideration (admissable applications) | | |
| From 2021 | 79 | 68.70 |
| Language of the proceedings (admissable applications) ¹ | | |
| Dutch | 56 | 48.70 |
| French | 30 | 26.09 |
| English | 21 | 18.26 |
| Cancellation filed against (admissable applications) | | |
| Benelux trademark | 95 | 82.61 |
| International trademark | 20 | 17.39 |
| Based on (admissable applications) ² | | |
| Revocation | 56 | 48.70 |
| Absolute invalidity | 42 | 36.52 |
| Relative invalidity | 48 | 41.74 |

1 Some closures take place before the procedural language has been set.
 2 Multiple types of rights can be invoked in each application for cancellation.

Designs



Benelux designs 2017-2021 (in numbers) ¹



1 The figures contained in these tables are accounted for by the number of designs filed and not the number of filings. The figures only cover valid designs.

Request for renewals 2017-2021 (in numbers) ¹



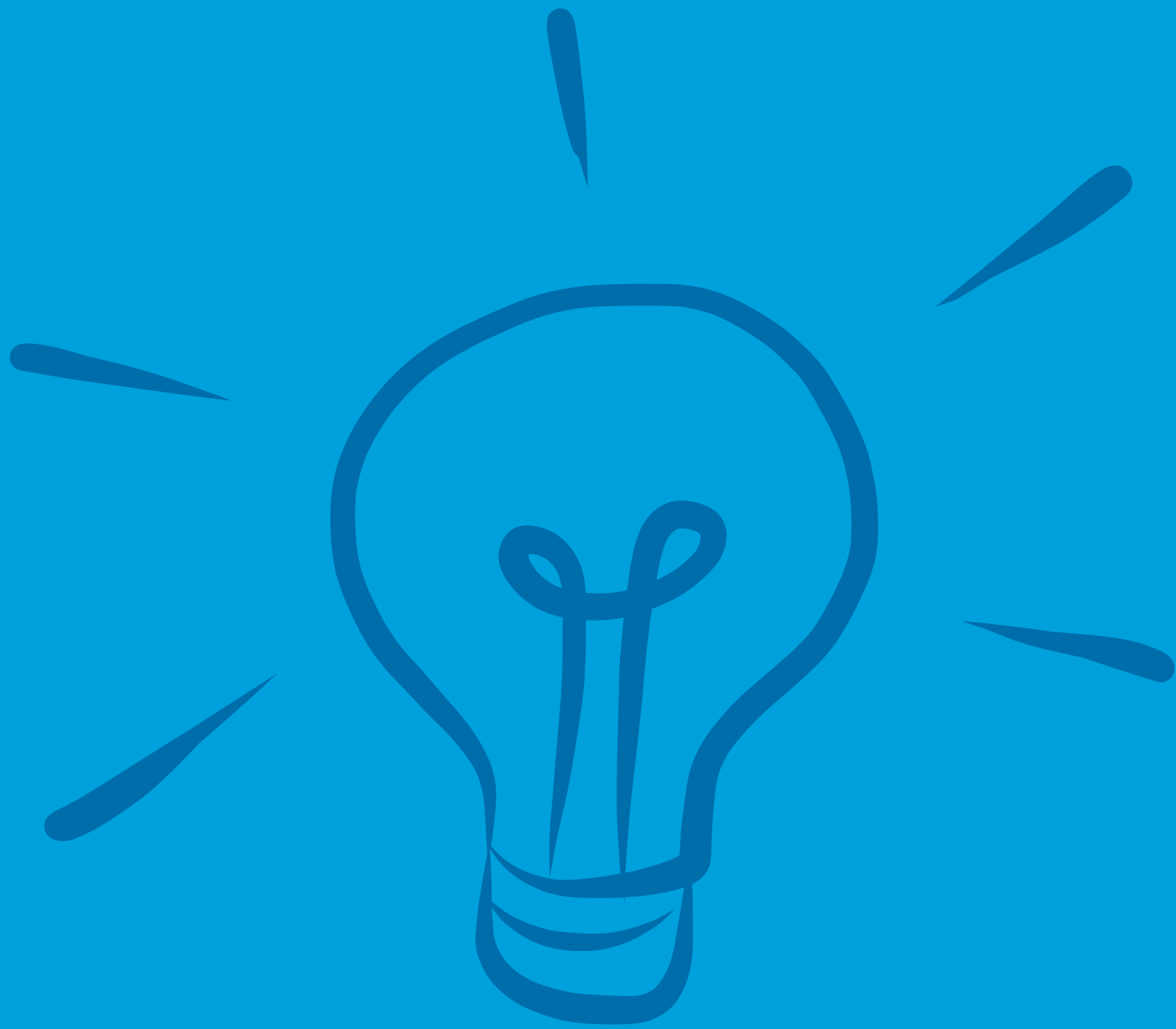
1 The figures contained in these tables are accounted for by the number of designs filed and not the number of filings. The figures only cover valid designs.

Top 10 of Locarno classification in Benelux design applications in 2021 ¹

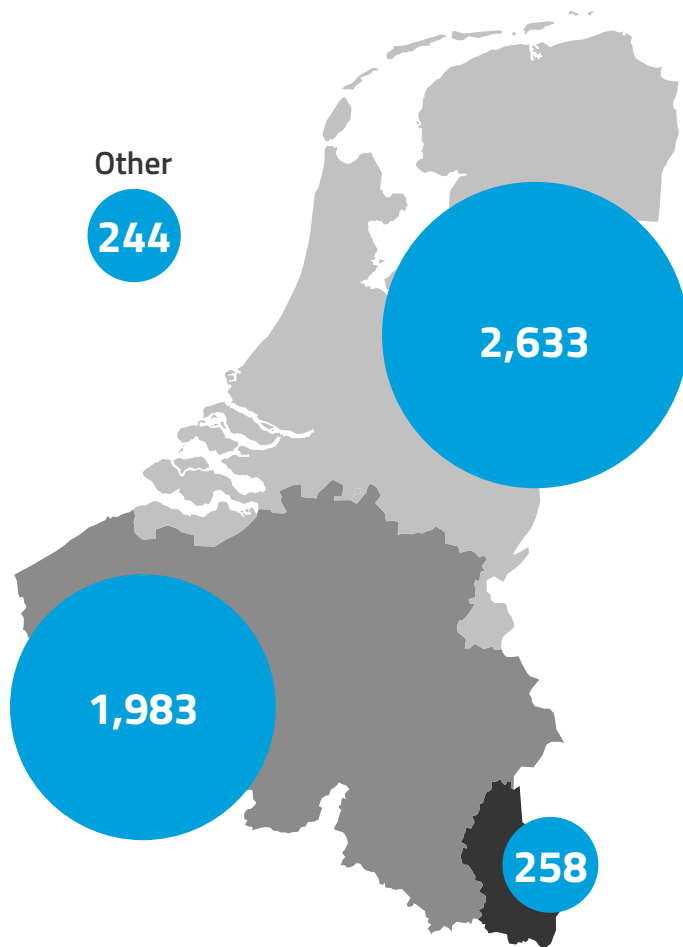
| Class | Description of the class | number |
|-------|--|--------|
| 11 | Decorative goods | 223 |
| 32 | Graphic symbols and logos, surface patterns, decorations | 109 |
| 6 | Furniture and home textiles | 81 |
| 2 | Clothing and haberdashery | 68 |
| 9 | Packaging materials and containers for transporting, loading or unloading goods | 60 |
| 26 | Lighting equipment and material | 58 |
| 7 | Household articles not elsewhere specified | 47 |
| 25 | Construction works, elements and materials | 47 |
| 28 | Pharmaceutical and cosmetic products, articles and equipment for body and beauty care | 33 |
| 21 | Games, toys, tents and sports equipment | 32 |

¹ The Locarno classification is the international classification system for industrial designs.

i-DEPOT



Online i-DEPOT 2021 (in numbers)



Online i-DEPOT 2017-2021 (in numbers)

| | 2021 | 2020 | 2019 | 2018 | 2017 |
|--------------|--------------|--------------|--------------|--------------|--------------|
| Belgium | 1,983 | 3,070 | 1,978 | 1,836 | 2,161 |
| Netherlands | 2,633 | 3,946 | 2,669 | 2,737 | 2,703 |
| Luxembourg | 258 | 244 | 210 | 191 | 172 |
| Other | 244 | 448 | 345 | 267 | 221 |
| Total | 5,118 | 7,708 | 5,202 | 5,031 | 5,257 |

Number of i-DEPOT storage period extensions 2017-2021 (in numbers)



Organisation



Organisation

Our office is situated in The Hague. BOIP has 70 employees.
We work closely with the national offices in Brussels and Luxembourg.

Number of employees

| | 31-12-2021 | 31-12-2020 |
|------------------------------|------------|------------|
| Netherlands | 55 | 57 |
| Belgium | 12 | 12 |
| Luxembourg | 3 | 2 |
| Total | 70 | 71 |
| Breakdown male/female | | |
| Male | 37 | 36 |
| Female | 33 | 35 |
| Number of FTEs | | |
| (full-time equivalents) | 63.62 | 64.25 |



National offices

National office Belgium

Federal Economic Service, Small and Medium-Sized Enterprises and Energy

Intellectual Property Unit

City Atrium - Vooruitgangsstraat 50

1210 Brussels

T +32 800 120 33

piie.contact@economie.fgov.be

<https://economie.fgov.be/en/themes/intellectual-property>

National office Luxembourg

Ministère de l'Économie

Office de la propriété intellectuelle

19-21, Boulevard Royal

L -2914 Luxembourg

T +352 247 841 13

dpi@eco.etat.lu

<https://meco.gouvernement.lu/fr.html>

Summary financial statements



Summary financial statements

Notes

This chapter contains a summary of the internal financial statements for the 2021 financial year. The auditor's report only covers the balance sheet, the income statement, statement of movements in equity and the accompanying notes in the financial chapter of this Annual Report. There are no generally accepted criteria available for compiling summary financial statements. Therefore, the Management Board itself has developed these criteria. The purpose of this chapter is to provide a comprehensible summary of BOIP's internal financial statements. The criteria and the aggregation level applied in this summary are based on this purpose.

The balance sheet as at 31 December 2021 and the 2021 income statement from the internal financial statements are fully incorporated in this summary, together with the statement of changes in equity.

The internal financial statements are based on IPSAS. These summary financial statements only state the accounting policies for a number of material items. The notes required under IPSAS are set out in a simplified manner, taking account of the intended purpose of these summary financial statements.

The accompanying summary was issued at a later date than the internal financial statements. As this document only intends to provide a summary of the original internal financial statements for the 2021 financial year, the events in the interim period have not been taken into account.

Reading this summary is not a substitute for reading the original internal financial statements for the 2021 financial year given that various simplifications have been made. Users who need more information can view a copy of the internal financial statements at BOIP's offices.

Balance sheet 2021

(after appropriation of the result)

| in thousands of euros | 31-12-2021 | 31-12-2020 |
|--|---------------|---------------|
| Assets | | |
| Current assets | | |
| Cash at bank and in hand | 15,785 | 9,978 |
| Receivables, prepayments and accrued income | 4,399 | 5,648 |
| | 20,184 | 15,626 |
| Fixed assets | | |
| Financial fixed assets | 17,059 | 13,988 |
| Financial fixed assets (pension) | 15,194 | 12,168 |
| Tangible fixed assets | 4,547 | 4,899 |
| Intangible fixed assets | 1,519 | 2,584 |
| | 38,319 | 33,639 |
| Total assets | 58,503 | 49,265 |
| Liabilities | | |
| Current liabilities, accruals and deferred income | | |
| | 7,662 | 7,763 |
| Non-current liabilities | | |
| Employee benefits | 20,901 | 19,876 |
| For the account and risk of employees | 16,342 | 12,323 |
| BPP | 274 | 736 |
| | 37,517 | 32,935 |
| Equity | | |
| Cumulative surplus | 13,324 | 8,567 |
| Total liabilities | 58,503 | 49,265 |

Notes to the balance sheet

- The summary financial statements have been prepared in compliance with Articles 19 and 20 of BOIP's financial regulations.
- Bonds, shares and other investments are stated at fair value. The realised and unrealised results are recognised in the income statement. This applies to investments for the account and risk of BOIP and (pension) investments for the account and risk of participants.
- The tangible and intangible fixed assets are stated at cost or on the basis of the costs incurred, less accumulated depreciation and, if applicable, less impairments.
- Current liabilities mainly comprise deferred income (payments for services not yet rendered).
- Non-current liabilities largely consist of liabilities relating to employee benefit schemes, which under IPSAS are required to be recognised under liabilities. BOIP has among other things recognised a debt provision for future pension costs and future warranty costs. The total liability amounts to €29,626,000 (2020: €21,645,000).
- The cumulative surplus comprises the accumulated earnings as well as the movements in non-current liabilities that are taken directly to equity.

Income statement 2021

| in thousands of euros | Budget 2021 | 2021 | 2020 |
|--|---------------|---------------|---------------|
| Revenue | | | |
| Turnover from filings | 7,260 | 8,615 | 6,717 |
| Turnover from renewals | 4,568 | 4,832 | 4,905 |
| Other | 6,240 | 6,861 | 8,035 |
| Total revenue | 18,068 | 20,308 | 19,657 |
| Operating costs | | | |
| Salary costs | 7,406 | 7,806 | 7,120 |
| Social security contributions | 1,206 | 1,248 | 1,205 |
| Pension costs | 3,096 | 2,835 | 3,255 |
| Other staff costs | 797 | 424 | 646 |
| Internal tax and social levies | -2,207 | -2,185 | -2,207 |
| Staff costs | 10,298 | 10,128 | 10,019 |
| Depreciation costs | 1,893 | 1,700 | 2,197 |
| Other operating costs | 3,711 | 3,277 | 3,865 |
| Less: total operating costs | 15,902 | 15,105 | 16,081 |
| Operating result | 2,166 | 5,203 | 3,576 |
| Financial income and expenses | | | |
| Interest income and dividend | 360 | 223 | 267 |
| Investment transaction results | 50 | 1,253 | 145 |
| Exchange gains and losses | 0 | 116 | -8 |
| Financial income (pension) | 0 | 1,556 | 567 |
| Bank charges | -126 | -132 | -103 |
| Total financial income and expenses | 284 | 3,016 | 868 |
| Surplus (+) / Deficit (-) | 2,450 | 8,219 | 4,444 |

Notes to the income statement

BOIP recorded a surplus of €8,219,000 (2020: €4,444,000). €1,898,000 of this increase is the result of the increase in turnover from applications. This is due in particular to the requirements parties such as BOL.com impose on entrepreneurs who want to do business through their platform. €1,370,000 (2020: €138,000) of the rise is due to positive developments in the share prices of investments. One must, however, bear in mind that, in a substantive sense, the surplus is overstated by €1,556,000 (2020: €567,000), as that amount is due to the participants in the pension scheme. Nevertheless, IPSAS reporting rules dictate that this is allocated as income to BOIP.

Revenue relates to the revenue derived from services rendered in the financial year.

- The investment income includes the investment income from BOIP pensions for the account and risk of the participants, which are accounted for on the BOIP balance sheet.
- The cost price of services rendered is allocated to the same period as the income. If the bottom-line result of a service cannot be determined in a reliable manner, but is expected to be positive, only the income amounting to the sum of the costs is recognised. If these costs cannot be reliably determined either, revenues are not recognised in the interim period but on completion of the service. However, the costs already incurred are recognised in the income statement.
- At €20,308,000, turnover was substantially higher than budgeted (€18,068,000). In addition to the €1,355,000 higher revenue from applications, the €494,000 higher international revenues (primarily offset mechanism) are also a factor.
- The staff costs of €10,128,000 are somewhat lower than budget (€10,298,000). As a result of the rising interest rate, lower than budget pension costs (€261,000) and lower other costs for staff (€145,000) oppose higher costs for externally recruited staff (€312,000).
- The depreciation costs recorded of €1,700,000 (budget: €1,893,000) are lower than budgeted due to lower investment.

- The other costs (€3,277,000) remain well within the budget of €3,711,000 due to costs almost across the board that are lower than budget. Only the costs of IT (plus €22,000) and the expenses linked to the BPP (€199,000, which is moreover charged on to the member states) are higher.

Statement of changes in equity 2021

| in thousands of euros | Others reserves | Reserve revaluation | Total |
|--|-----------------|---------------------|--------|
| Equity as at 1 January 2020 | 11,287 | -6,151 | 5,136 |
| Pension | | | |
| Developments in stock | 0 | 0 | 0 |
| Demographic assumptions | 0 | 1,760 | 1,760 |
| Change in the notional interest rate | 0 | -7,719 | -7,719 |
| Income from investments | 0 | 8,188 | 8,188 |
| Change in developments in stock | 0 | -2,674 | -2,674 |
| Pension fund | | | |
| Elimination of VPV pension fund previous year | 0 | 863 | 863 |
| Elimination of BOIP pension fund current account | 0 | -665 | -665 |
| BOIP pension fund returns on investment | 0 | -567 | -567 |
| Healthcare after retirement | | | |
| Change in the notional interest rate | 0 | -282 | -282 |
| Developments in stock | 0 | 83 | 83 |
| Surplus 2020 | 4,444 | 0 | 4,444 |
| Equity as at 31 December 2020 | 15,731 | -7,164 | 8,567 |

| in thousands of euros | Others reserves | Reserve revaluation | Total |
|--|-----------------|---------------------|---------------|
| Equity as at 31 December 2020 | 15,731 | -7,164 | 8,567 |
| Pension | | | |
| Developments in stock | 0 | 0 | 0 |
| Demographic assumptions | 0 | -307 | -307 |
| Change in the notional interest rate | 0 | 4,538 | 4,538 |
| Change in developments in stock | 0 | -2,498 | -2,498 |
| Income from investments | 0 | -3,298 | -3,298 |
| Pension fund | | | |
| Elimination of BOIP pension fund current account | 0 | -282 | -282 |
| BOIP pension fund returns on investment | 0 | -1,556 | -1,556 |
| Aegon current account | 0 | -413 | -413 |
| Other | 0 | 85 | 85 |
| Healthcare after retirement | | | |
| Change in the notional interest rate | 0 | 229 | 229 |
| Developments in stock | 0 | 40 | 40 |
| Surplus 2021 | 8,219 | 0 | 8,219 |
| Equity as at 31 December 2021 | 23,950 | -10,626 | 13,324 |

Independent auditor's report



Independent auditor's report

An auditor's report was issued for the Dutch version of this annual report. The figures in this external annual report correspond to those published in the Dutch annual report.