

BOIP

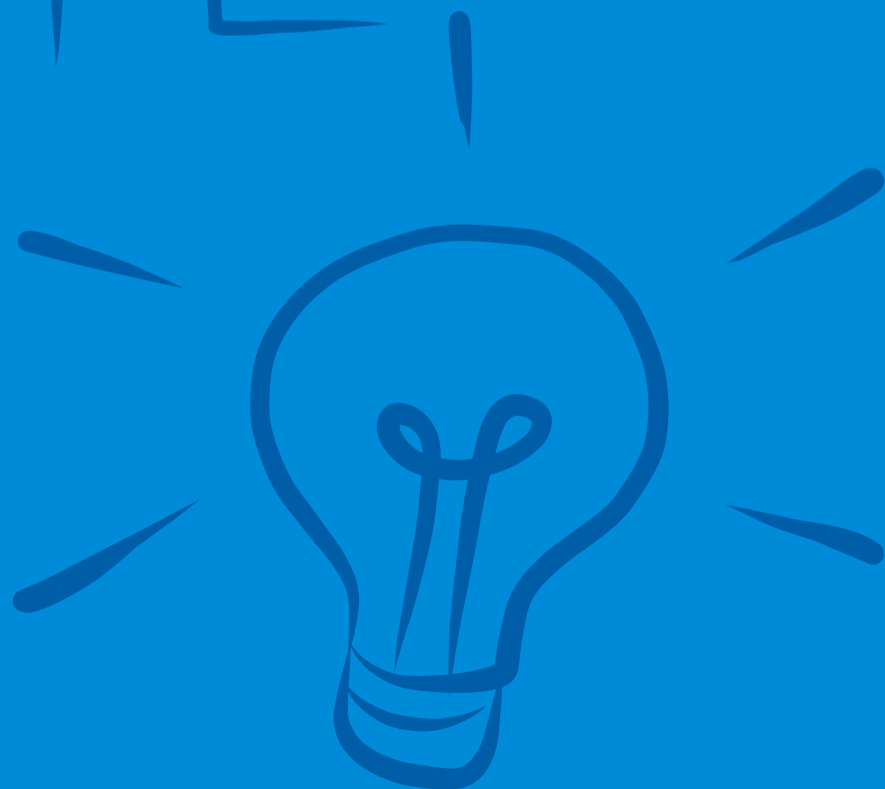
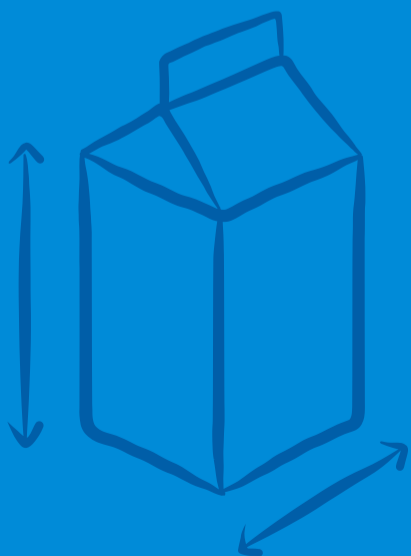


Benelux Office for  
**Intellectual  
Property**



# Annual Report 2022

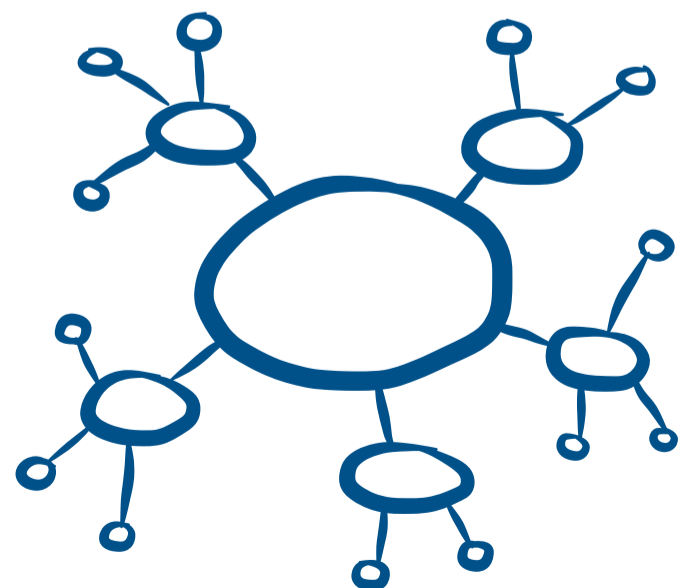
www.**boip**.int





# Contents

- 3 [Trademarks](#)
- 10 [Designs](#)
- 13 [i-DEPOT](#)
- 15 [Organisation](#)
- 17 [Summary financial statements](#)
- 26 [Independent auditor's report](#)



# Trademarks



## Benelux filings 2018 - 2022 in numbers <sup>1,2</sup>

2022	19,210
2021	23,969
2020	23,842
2019	20,418
2018	20,723

- 1 The numbers of filings are accounted for by the date of receipt of the application.
- 2 These statistics also comprise lapsed filings. Some filings lapse before they are linked to a customer. Then there is no known 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'.

## Breakdown of Benelux filings by country of origin 2018 - 2022

	2022		2021		2020		2019		2018	
	number	%	number	%	number	%	number	%	number	%
Netherlands	12,317	64.12	15,563	64.93	15,021	63	12,315	60.31	12,296	59.34
Belgium	5,093	26.51	6,419	26.78	6,794	28.5	5,850	28.65	6,138	29.62
Luxembourg	629	3.27	736	3.07	742	3.11	890	4.36	854	4.12
US	236	1.23	238	0.99	191	0.8	226	1.11	205	0.99
Japan	6	0.03	13	0.05	54	0.23	56	0.27	39	0.19
Other EU	487	2.54	532	2.22	572	2.4	584	2.86	686	3.31
Other	442	2.30	468	1.95	468	1.96	497	2.44	505	2.43
<b>Total</b>	<b>19,210</b>	<b>100.00</b>	<b>23,969</b>	<b>100.00</b>	<b>23,842</b>	<b>100.00</b>	<b>20,418</b>	<b>100.00</b>	<b>20,723</b>	<b>100.00</b>

## Breakdown of Benelux filings by language 2018 - 2022

	2022		2021		2020		2019		2018	
	number	%	number	%	number	%	number	%	number	%
English	3,092	16.10	3,281	13.69	2,931	12.29	2,835	13.89	2,625	12.67
French	2,342	12.19	2,908	12.13	3,088	12.95	2,900	14.20	3,036	14.65
Dutch	13,776	71.71	17,780	74.18	17,823	74.75	14,683	71.91	15,062	72.68
<b>Total</b>	<b>19,210</b>	<b>100.00</b>	<b>23,969</b>	<b>100.00</b>	<b>23,842</b>	<b>100.00</b>	<b>20,418</b>	<b>100.00</b>	<b>20,723</b>	<b>100.00</b>

### Number of trademarks registered 2018 - 2022 in numbers

	2022	2021	2020	2019	2018
Filed by trademark proprietors	8,374	11,743	9,035	7,345	6,258
Filed by agents	9,860	11,990	10,021	11,306	10,392
<b>Total</b>	<b>18,234</b>	<b>23,733</b>	<b>19,056</b>	<b>18,651</b>	<b>16,650</b>

### Requests for renewal 2018 - 2022 in numbers



### International registrations applied for via BOIP 2018 - 2022 in numbers



### International registrations valid in the Benelux 2018 - 2022 in numbers



## Refusals on absolute grounds 2021-2022

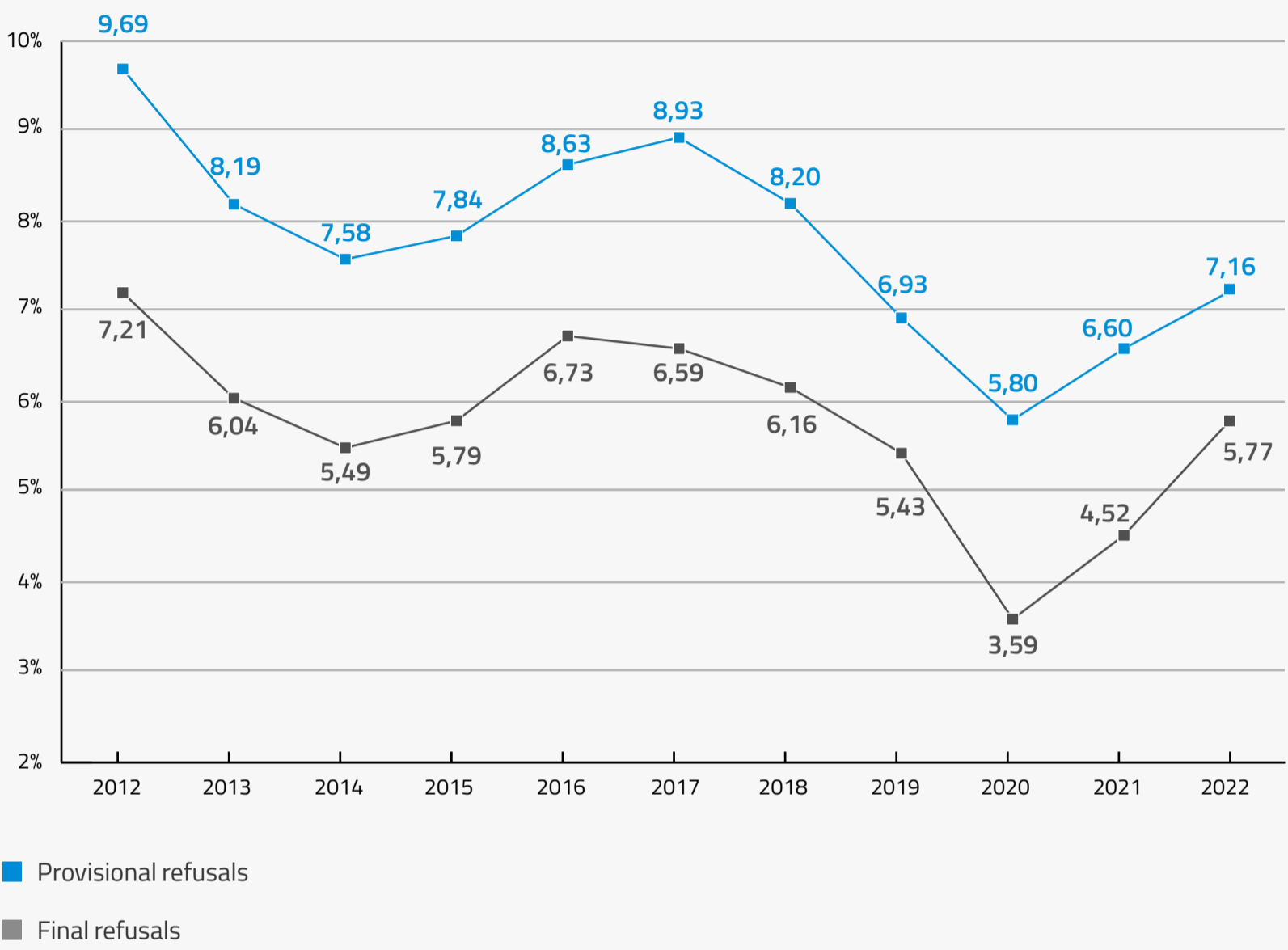
	2022		2021	
	number	%	number	%
<b>Benelux filings</b>				
Filed by trademark proprietors	9,136	47.56	12,103	50.49
Filed by agents	10,074	52.44	11,866	49.51
Total	19,210		23,969	
<b>Provisional refusals</b>				
Full	1,344	7.00	1,537	6.41
Partial	32	0.17	44	0.18
Filed by trademark proprietors <sup>3</sup>	854	9.35	988	8.16
Filed by agents <sup>3</sup>	522	5.18	593	5.00
Filings resulting in registration despite provisional refusal <sup>4</sup>	115	0.60	115	0.48
Filings withdrawn by request / cancelled priority registrations	216	1.12	212	0.88
Filings excluded from further processing	2	0.01	1	0.00
Objection period still underway (1.12 Implementing Regulations)	8	0.04	157	0.66
Total	1,376	7.16	1,581	6.60
<b>Final refusals</b>				
Of which cancelled priority registrations	62	0.32	39	0.16
Full	1,084	5.64	1,054	4.40
Partial	24	0.12	29	0.12
Filed by trademark proprietors <sup>3</sup>	762	8.34	822	6.79
Filed by agents <sup>3</sup>	346	3.43	261	2.20
Objections lodged	128	0.67	141	0.59
No objections lodged	980	5.10	942	3.93
Appeal lodged (Article 1, 1.15bis BCIP) <sup>5</sup>	0	0.00	0	0.00
Total	1,108	5.77	1,083	4.52

<sup>3</sup> These refusals percentages are calculated relative to the number of filings submitted by trademark proprietors / agents.

<sup>4</sup> 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.

<sup>5</sup> 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 in percentage versus the number of filings 2012 - 2022



## Oppositions 2018 - 2022 in numbers



## Oppositions 2022

	number	2022 %
<b>Number of oppositions</b>		
Admissible	817	99.03
Inadmissible	8	0.97
Total	825	
<b>Cancelled in 2022 (admissible oppositions)</b>		
Total	569	69.65
<b>Still under consideration (admissible oppositions)</b>		
of 2022	248	30.35
<b>Language of the proceedings (admissible oppositions) <sup>6</sup></b>		
Dutch	522	63.89
French	103	12.61
English	146	17.87
<b>Opposition filed against (admissible oppositions)</b>		
Benelux trademark	767	93.88
International trademark	50	6.12
Total	817	
<b>Opposition based on (admissible oppositions) <sup>7</sup></b>		
Benelux trademark	231	28.27
European Union trademark	561	68.67
International trademark	195	23.87
Well known trademark (Art 6.bis Paris Convention)	35	4.28
Protected designations of origin and protected geographical indications	1	0.12

<sup>6</sup> Some closures take place before the procedural language has been set.

<sup>7</sup> Multiple types of rights can be invoked for each opposition.



## Admissible applications 2018 - 2022 in numbers



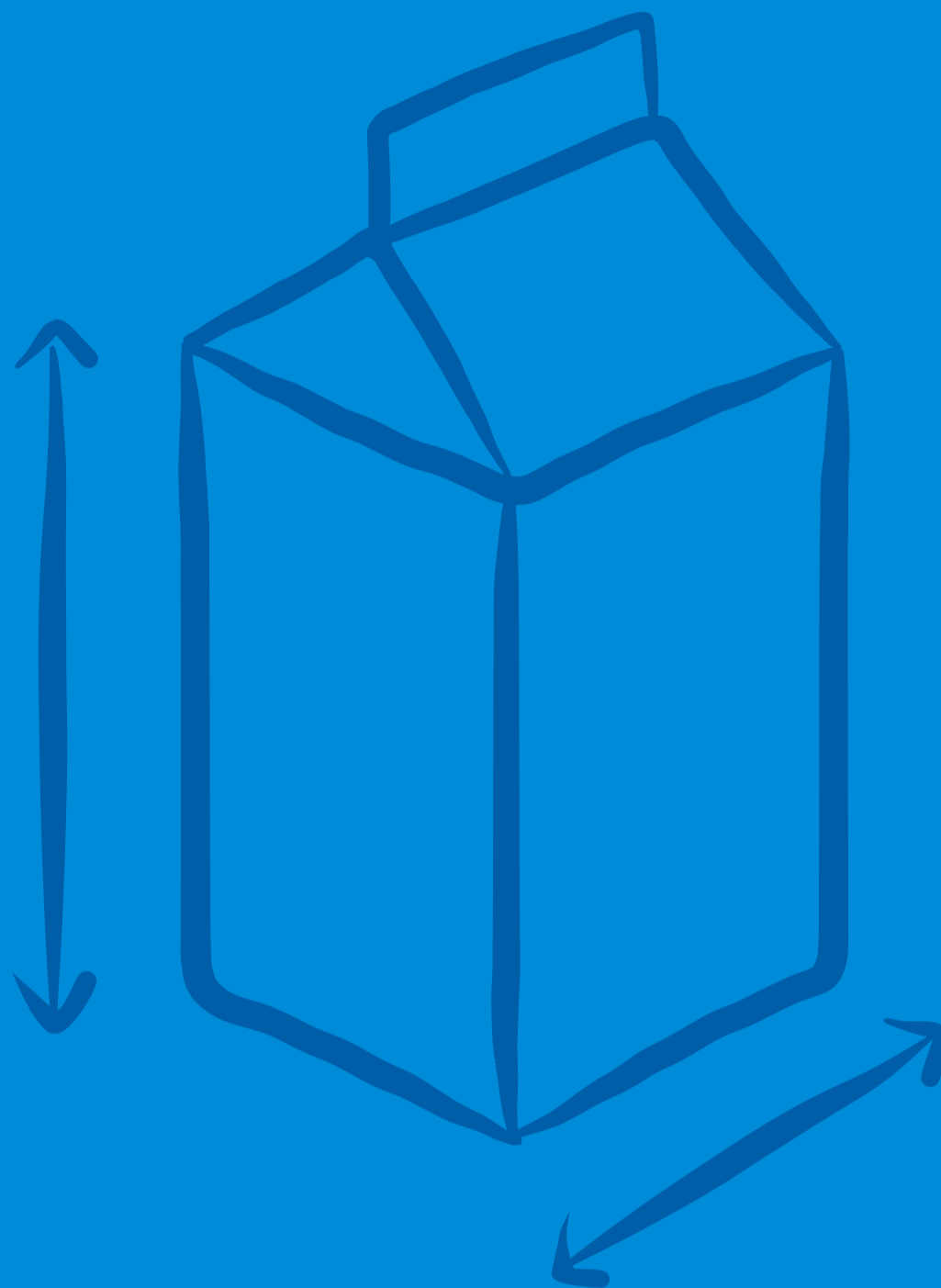
## Cancellation procedures 2022

	number	2022 %
Admissible	134	98.53
Inadmissible	2	1.47
Total	136	
<b>Still under consideration (admissible applications)</b>		
From 2021	74	55.22
<b>Language of the proceedings (admissible applications) <sup>8</sup></b>		
Dutch	84	62.69
French	17	12.69
English	22	16.42
<b>Cancellation filed against (admissible applications)</b>		
Benelux trademark	121	90.30
International trademark	15	11.19
<b>Based on (admissible applications) <sup>9</sup></b>		
Revocation	65	48.51
Absolute invalidity	57	42.54
Relative invalidity	74	55.22

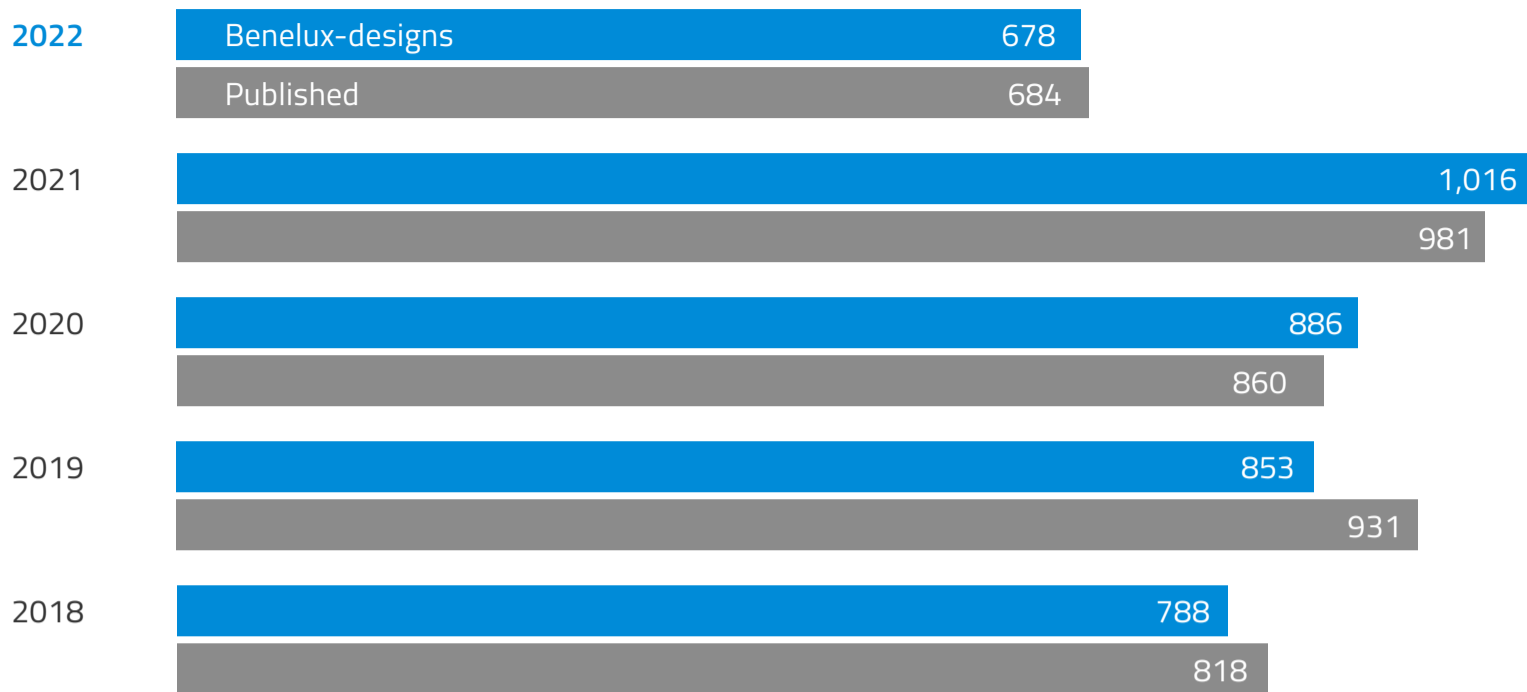
<sup>8</sup> Some closures take place before the procedural language has been set.

<sup>9</sup> Multiple types of rights can be invoked in each application for cancellation.

# Designs



## Benelux designs 2018 - 2022 in numbers <sup>10</sup>



<sup>10</sup> 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 2018 - 2022 in numbers <sup>11</sup>



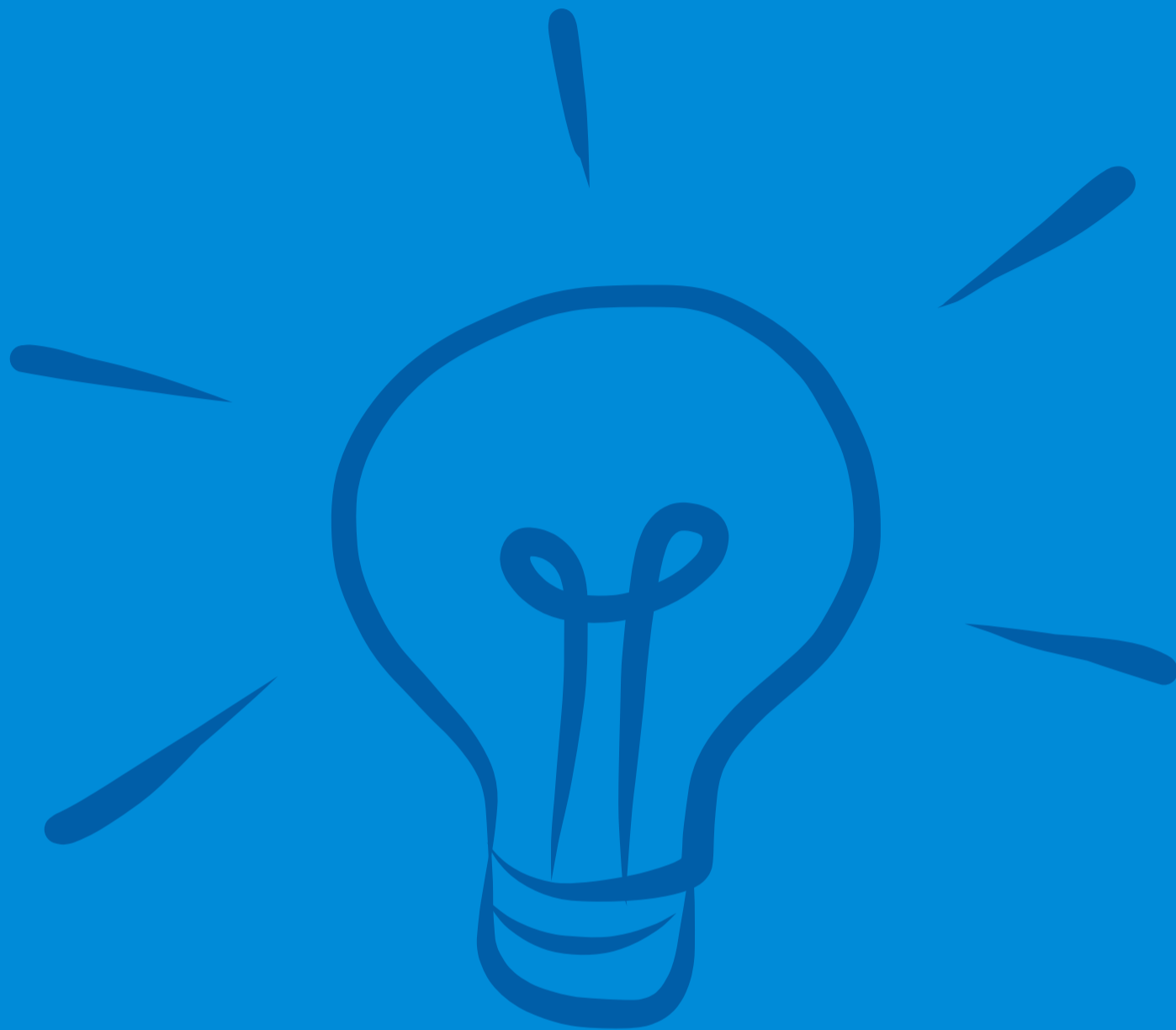
<sup>11</sup> The figures contained in these tables are accounted for by the number of designs filed and not the number of filings. The figures only cover valid designs.

## Top 10 of Locarno classification in Benelux design applications in 2022 <sup>12</sup>

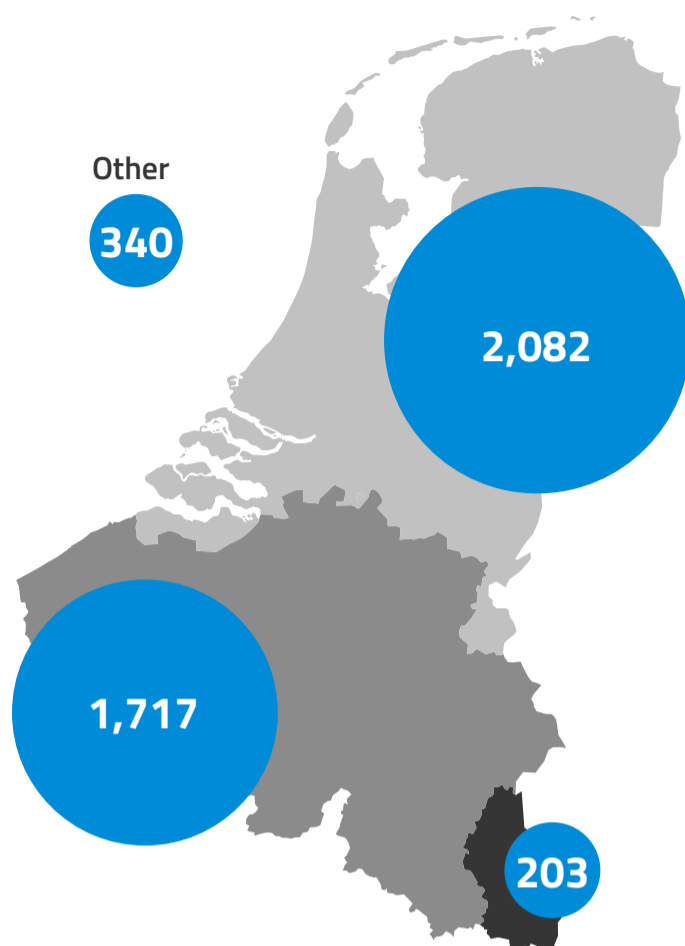
Class	Description of the class	2022 Number
32	Graphic symbols and logos, surface patterns, decorations	117
2	Clothing and haberdashery	67
6	Furniture and home textiles	55
21	Games, toys, tents and sports equipment	47
11	Decorative goods	34
13	Equipment for production, distribution or transformation of electricity	30
8	Tools and hardware	29
9	Packaging materials and containers for transporting, loading or unloading goods	28
23	Fluid distribution equipment, sanitary, heating, ventilation and airconditioning equipment, solid fuel	28
25	Construction works, elements and materials	27

<sup>12</sup> The Locarno classification is the international classification system for industrial designs.

# i-DEPOT



## Online i-DEPOT 2022 in numbers



## Online i-DEPOT 2018 - 2022 in numbers

	2022	2021	2020	2019	2018
Belgium	1.717	1.983	3.070	1.978	1.836
Netherlands	2.082	2.633	3.946	2.669	2.737
Luxembourg	203	258	244	210	191
Other	340	244	448	345	267
<b>Total</b>	<b>4.342</b>	<b>5.118</b>	<b>7.708</b>	<b>5.202</b>	<b>5.031</b>

## Number of i-DEPOT storage period extensions 2018 - 2022 in numbers



# Organisation



# Organisation

Our office is situated in The Hague. BOIP has 76 employees.  
We work closely with the national offices in Brussels and Luxembourg.

## Number of employees

	31-12-2022	31-12-2021
Netherlands	59	55
Belgium	12	12
Luxembourg	3	3
Other	2	0
<b>Total</b>	<b>76</b>	<b>70</b>
<b>Breakdown male/female</b>		
Male	38	37
Female	38	33
<b>Number of FTEs</b>		
(full-time equivalents)	67,22	63,62



## 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](mailto:piie.contact@economie.fgov.be)

<https://economie.fgov.be/nl/themas/intellectuele-eigendom>

### 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](mailto: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 2022 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 2022 and the 2022 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 2022 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 2022 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 2022

after appropriation of the result.

In thousands of euros	31-12-2022	31-12-2021
<b>Assets</b>		
Cash at bank and in hand	14,958	15,785
Receivables, prepayments and accrued income	5,166	4,399
<b>Total current assets</b>	<b>20,124</b>	<b>20,184</b>
Financial fixed assets	18,026	17,059
Financial fixed assets (pension)	14,685	15,194
Tangible fixed assets	4,572	4,547
Intangible fixed assets	716	1,519
<b>Total fixed assets</b>	<b>37,999</b>	<b>38,319</b>
<b>Total assets</b>	<b>58,123</b>	<b>58,503</b>
<b>Liabilities</b>		
<b>Current liabilities, accruals and deferred income</b>	<b>7,928</b>	<b>7,662</b>
Employee benefits	17,331	20,901
For the account and risk of employees	16,400	16,342
BPP	56	274
<b>Total non-current liabilities</b>	<b>33,787</b>	<b>37,517</b>
<b>Equity</b>		
Cumulative surplus	16,408	13,324
<b>Total liabilities</b>	<b>58,123</b>	<b>58,503</b>

## 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 both investments for the account and risk of BOIP, as well as (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 €26,845,000 (2021: €29,626,000).
- The cumulative surplus comprises the accumulated earnings as well as the movements in non-current liabilities that are taken directly to equity.

# Income statement 2022

In thousands of euros	Budget 2022	2022	2021
<b>Revenue</b>			
Turnover from filings	6,919	6,958	8,615
Turnover from renewals	4,616	4,851	4,832
Other	6,277	6,242	6,861
<b>Total revenue</b>	<b>17,812</b>	<b>18,051</b>	<b>20,308</b>
<b>Operating costs</b>			
Salary costs	8,202	8,156	7,806
Social security contributions	1,284	1,184	1,248
Pension costs	3,016	2,763	2,835
Other staff costs	833	222	424
Internal tax and social levies	-2,246	-2,221	-2,185
<b>Staff costs</b>	<b>11,089</b>	<b>10,104</b>	<b>10,128</b>
Depreciation costs	1,391	1,284	1,700
Other operating costs	3,644	3,928	3,277
<b>Less: total operating costs</b>	<b>16,124</b>	<b>15,316</b>	<b>15,105</b>
<b>Operating result</b>	<b>1,688</b>	<b>2,735</b>	<b>5,203</b>
<b>Financial income and expenses</b>			
Interest income and dividend	329	168	223
Investment transaction results	0	-2,603	1,253
Exchange gains and losses	0	27	116
Financial income (pension)	0	-2,114	1,556
Bank charges	-117	-113	-132
<b>Total financial income and expenses</b>	<b>212</b>	<b>-4,635</b>	<b>3,016</b>
<b>Surplus (+) / Deficit (-)</b>	<b>1,900</b>	<b>-1,900</b>	<b>8,219</b>

## Notes to the income statement

BOIP recorded a deficit of €1,900,000 (2021: surplus €8,219,000). Of the difference (€10,119,000), €7,526,000 is due to the negative exchange results. In addition, €1,657,000 is the result of lower deposits because corrective action took place last year as a consequence of the additional requirements parties such as BOL.com impose on entrepreneurs who wish to do business via their platforms.

However, one must bear in mind that, in a substantive sense, the deficit is understated by €2,114,000 (2021: overstated by €1,556,000), as that amount must be charged to the participants in the pension scheme. Nevertheless, IPSAS reporting rules dictate that this is allocated as a loss to BOIP.

- The budgets included in the summary financial statements have not been audited.
- 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 €18,051,000, turnover was slightly higher than budgeted (€17,812,000). Against the lower international revenues (€633,000) due to the absence of offset, there is a €695,000 higher revenue from the BPP (Benelux Patent Platform).
- The staff costs of €10,104,000 are somewhat lower than budget (€11,089,000). Approximately half of the difference (€450,000) is accounted for by a release of the long-term liabilities to staff due to the departure of a number of employees and a decrease in interest rate.

- The depreciation costs recorded of €1,284,000 (budget: €1,391,000) are much lower than budgeted due to lower investment.
- The other costs (€3,928,000) come out above the budget of €3,644,000 despite costs almost across the board that are lower than budget. Only the expenses linked to the BPP (€695,000, which is moreover charged on to the member states) are much higher.

# Statement of changes in equity 2022

In thousands of euros	Other reserves	Reserve revaluation	2022 Total
<b>Equity as at 1 January 2021</b>	15,731	-7,164	8,567
<b>Pension</b>			
Developments in stock	0	-307	-307
Demographic assumptions	0	4,538	4,538
Change in the notional interest rate	0	-2,498	-2,498
Income from investments	0	-3,298	-3,298
<b>Pension fund</b>			
Elimination of VPV pension fund previous year	0	-282	-282
Elimination of BOIP pension fund current account	0	-1,556	-1,556
BOIP pension fund returns on investment	0	-413	-413
Other	0	85	85
<b>Healthcare after retirement</b>			
Change in the notional interest rate	0	229	229
Developments in stock	0	40	40
<b>Surplus 2021</b>	8,219	0	8,219
<b>Equity as at 31 December 2021</b>	23,950	-10,626	13,324



In thousands of euros	Other reserves	Reserve revaluation	2022 Total
	23,950	-10,626	13,324
<b>Pension</b>			
Developments in stock	0	-543	-543
Demographic assumptions	0	32,233	32,233
Change in the notional interest rate	0	-1,548	-1,548
Change in developments in stock	0	-27,422	-27,422
<b>Pension fund</b>			
Elimination of BOIP pension fund current account	0	-26	-26
BOIP pension fund returns on investment	0	2,114	2,114
Aegon current account	0	24	24
Other	0	-486	-486
<b>Healthcare after retirement</b>			
Change in the notional interest rate	0	1,053	1,053
Developments in stock	0	-415	-415
<b>Surplus 2022</b>	-1,900	0	-1,900
<b>Equity as at 31 december 2022</b>	22,050	-5,642	16,408

# 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.