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Benelux Office for Intellectual Property



Around the world in 5 slides



Your concise guided tour to geographical names as trademarks

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23 October2025

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Descriptive or not?

Wordmark **Liechtenstein** for “tomato sauce” (Cl 30) ?

Wordmark **Alicante** for “design services for IT” (Cl 42) ?

Wordmark **Casablanca for “**clothing**”** (Cl 25) ?

23 October 2025

Chiemsee: clear water

- " (…) does not prohibit the registration of geographical names as trademarks solely where the names designate places which are, in the mind of the relevant class of persons, currently associated with the category of goods in question; it also applies to geographical names which are liable to be used in future by the undertakings concerned as an indication of the geographical origin of that category of goods"
- Case law and absolute grounds examination tended to lean more towards "currently associated"(see references to 'reputation'), see Oldenburger, Cloppenburg, Andorra, Monaco and less to "liable in the future" or even to "a place that may give rise to a favourable response" (Alaska)
- Think again: is MONACO a badge of adherence or a badge of origin (trademark) per se for T-shirts?



Postkantoor in Iceland

Old School:
Reputation? Fish…..refusal, but ok for meat, refrigerators, tomatoes etc.

New Academy:
May serve, now and in the foreseeable future.

Less is more!
Of course reputation is included, but is is not the minimum requirement for the finding of descriptiveness!

See: EUIPO Grand Board of Appeal 15 december 2022, R 1238/2019-G

EUIPO
EUROPEAN UNION INTELLECTUAL PROPERTY OFFICE

Boards of Appeal



Postkantoor in Iceland

- Appeal rejected.
- Country names always descriptive? No, only after detailed analysis.
- Limitations ensuring possible descriptive use clearly discloses the need for sub (c).
- Reasonable to be perceived as origin (‘modern economy’) + ecological reputation
- Can be produced, processed, adapted and/or located…

See: GC 16 July 2025, T-105/23



Elixir d'Anvers

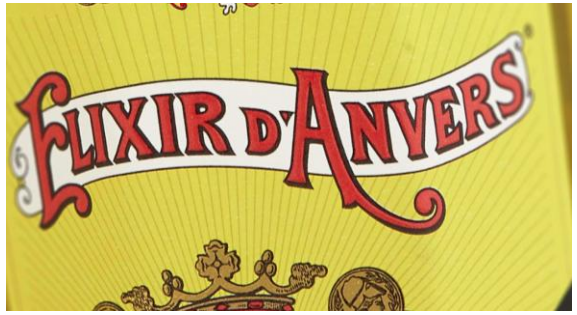
BoA EUIPO 10 september 2025, R 320/2025-4:

"(…) the applicant did not put forward any arguments or provide any evidence to show that the city or province of Antwerp was renowned or known for the manufacture of liqueurs (…)"

BenCJ 15 October 2025, C 2024/23:

"(…) it is clear that the geographical indication 'Anvers' will be understood as a descriptive, non-distinctive element indicating that the goods are manufactured in or originate from that city/province."







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Gracias por su atención y hasta el próximo BOIP coffee break webinar!



Trademarks

tellectual Patents

Property Designs

Copyright Ideas

Disclaimer: this trip was not about collective trademarks