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Benelux Office for Intellectual Property

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Classification

Useful insights on descriptions of goods and services

BOIP coffee break webinar

19 June 2025

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Topics



-General tips



-Clarity and precision

-Most common regularisations



Quiz

Of all regularisations, what percentage concerns classification?

A. 30%

B. 60%

C. 90%



Quiz

Of all regularisations, what percentage concerns classification?

A. 30%

B. 60%

C. 90%



Numbers

2024

> 4.800 regularisation letter
(24% of all TM applications)

+-60% classification

+-50/50 (proprietor/representative)



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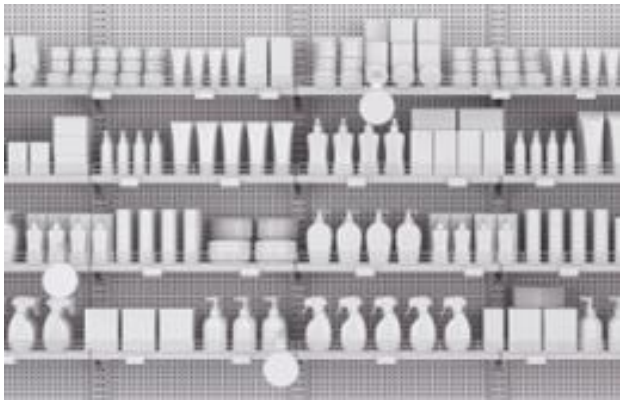
Nice Classification System

Class
1 to 34

Goods

Class
35 to 45

Services



General tips

-**<u>Selection: be ambitious but realistic;</u>**

-Correct use of terms: in particular, namely etc.;

-Use the Harmonized Database (EUIPN);

-Punctuations , or ;

Clothing, excluding socks; headgear.



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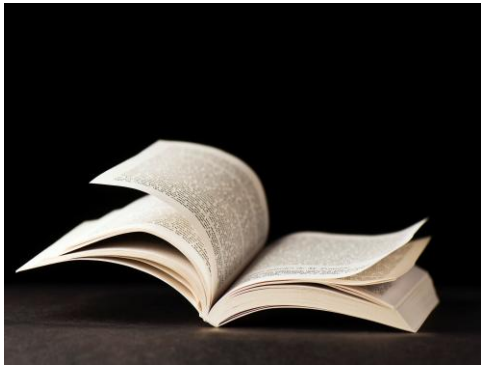


Legal basis

Article 2.5bis (1) BCIP

Application in accordance with System

- Uniform trademark registration
- Availability searches



Clear and precise

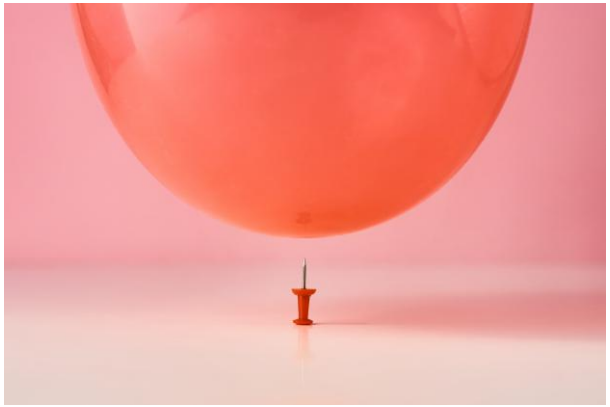
Article 2.5bis (2) BCIP

To determine extent of protection



Risks unclear and imprecise

- Regularisation -> delay;
- Losing opposition / cancellation;
- Losing trademark registration!



POSTKANTOOR

CJEU 12 February 2004, EU:C:2004:86, C-363/99

...provided they are not connected with a post office...



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CJEU 12 February 2004, EU:C:2004:86, C-363/99

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Remaining services cannot be understood with clarity and precision.



IP TRANSLATOR

CJEU 19 June 2012, ECLI:EU:C:2012:361, C-307/10

- Class headings of Nice Classification may be used
- Provided they are sufficiently clear and precise



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IP TRANSLATOR

CJEU 19 June 2012, ECLI:EU:C:2012:361, C-307/10







Class 6:	Goods of common metal not included in other classes.
Class 7:	Machines.
Class 14:	Goods in precious metals or coated therewith.
Class 16:	Goods made from paper and cardboard.
Class 17:	Goods made from rubber, gutta-percha, gum, asbestos and mica.
Class 18:	Goods made of these materials [leather and imitations of leather].
Class 20:	Goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.
Class 37:	Repair; Installation services.
Class 40:	Treatment of materials.
Class 45:	Personal and social services rendered by others to meet the needs of individuals.

Rule Director General

20 November 2013

One party invokes vague terms,

the other party's terms are sufficiently clear and precise,

BOIP will rule in favor of the latter.



MOULDPRO

General Court (EU) 26 April 2023, ECLI:EU:T:2023:211, T-794/21

EUTM: MOULDPRO

Class 17: Hose couplings



MOULDPRO

General Court (EU) 26 April 2023, ECLI:EU:T:2023:211, T-794/21

- Class number is purely administrative
- Exception when unclear and imprecise

  -account will be taken of the System



MOULDPRO

General Court (EU) 26 April 2023, ECLI:EU:T:2023:211, T-794/21

- Registration: Hose coupling
- Interpretation class 17: Non-metallic hose coupling
- Use: Metallic hose coupling



MOULDPRO

General Court (EU) 26 April 2023, ECLI:EU:T:2023:211, T-794/21

Non-metallic hose couplings ≠ metallic hose couplings

No genuine use -> trademark cancelled



Frequent regularisations

- Snacks?

  -Snack foods based on vegetables (class 29)

  -Snack foods based on pastry (class 30)



Frequent regularisations

- Purchasing services?
  (FR: Services d'achats / NL: aankoopdiensten)

  -Purchasing of goods and services for other businesses



Frequent regularisations

- Building Advice?

  -Building construction advisory services (class 37)

  Advisering op het gebied van de bouw

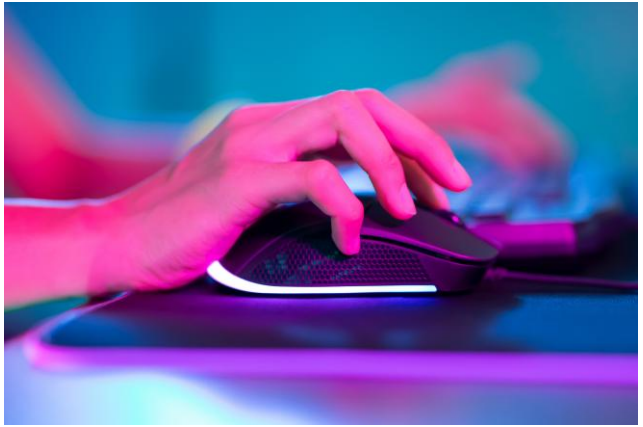
  -Advisory services relating to civil engineering (class 42)

  Advisering op het gebied van bouwkunde



Frequent regularisations

- Maintenance of computer hardware/software?
  -Maintenance of computer hardware (class 37)
  -Maintenance of computer software (class 42)



Frequent regularisations

- Foodstuffs?

  -raw materials/ingredients/finished/fresh (1, 2, 3, 29, 30, 31)



Frequent regularisations

- Cosmetics / medical?

  -skin care cosmetics (class 3)

  -skin care creams for medical use (class 5)



Frequent regularisations

- Social services?
  (FR: services sociaux / NL: maatschappelijke diensten)

  -financial services with a social purpose (class 36)
  -psychological care with a social purpose (class 44)

- Intermediary services; research; advice; analysis?



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*Why did **coffee** insist on being registered under class 30 of the Nice Classification System?*

Because it knew that without proper classification,

*It might get **filtered** out during examination.*



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Thank you for watching our webinar!

Please fill in the **survey** and help us improve our services.

If you have any questions: legal@boip.int