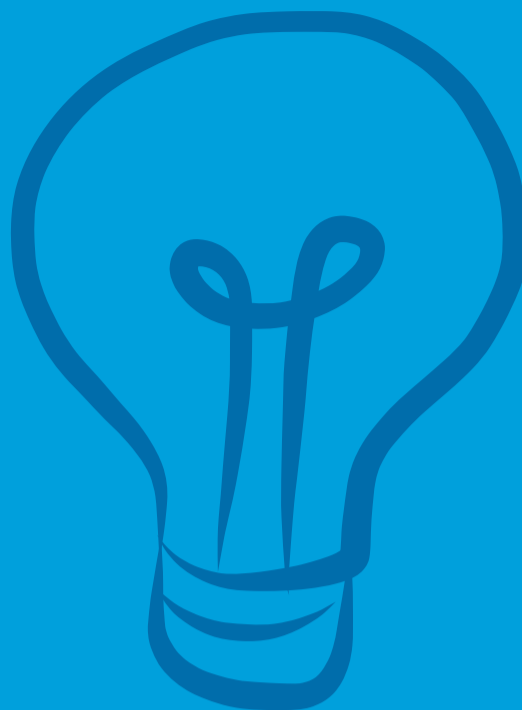


BOIP

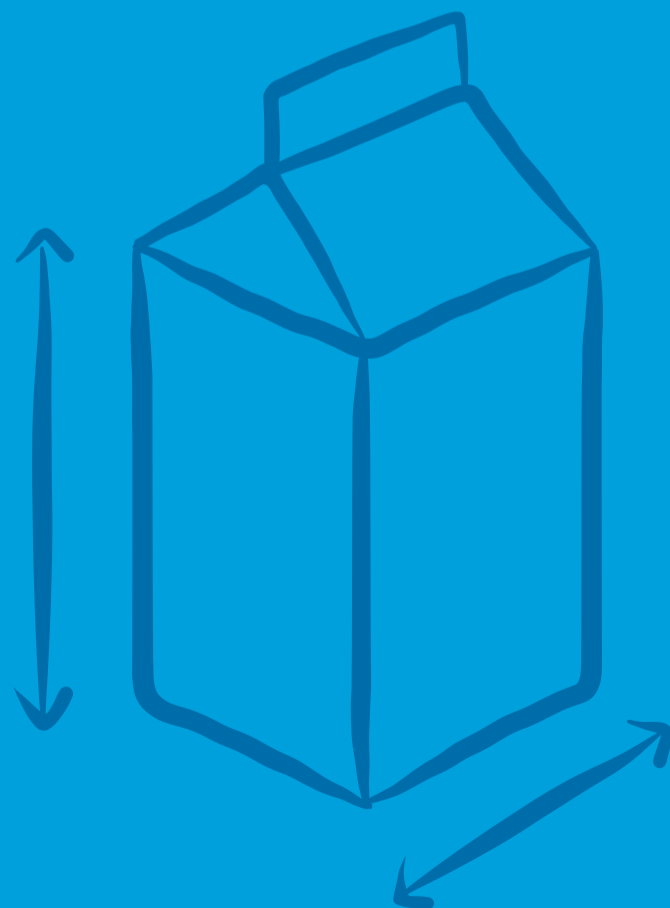
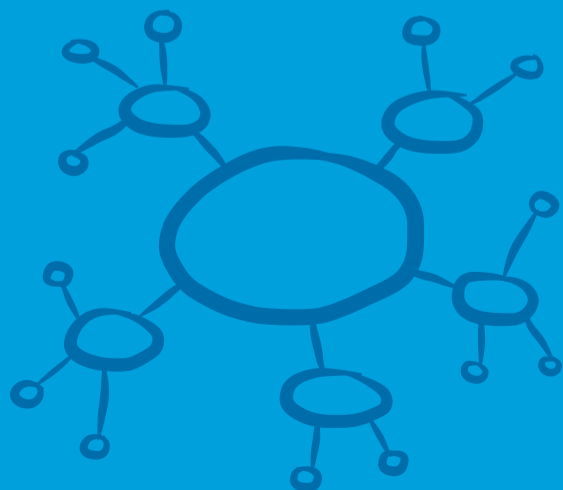


Benelux Office for  
**Intellectual  
Property**



# Annual Report 2020

[www.boip.int](http://www.boip.int)



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# Trademarks



### Benelux filings 2016-2020 <sup>12</sup>

2020	Benelux filings (in numbers)	23,842
	Of which submitted online (in %)	99.92
2019		20,418
		99.78
2018		20,723
		99.80
2017		21,633
		98.92
2016		21,778
		99.06

- 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 2016-2020 (in numbers) <sup>12</sup>

2020	19
2019	24
2018	53
2017	53
2016	88

- 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 2019-2020<sup>1</sup>

2020	58
2019	49

1 Since 1 March 2019, besides individual and collective marks, certification marks can also be applied for. Prior to 1 March 2019, certification marks as such were not available in the Benelux.

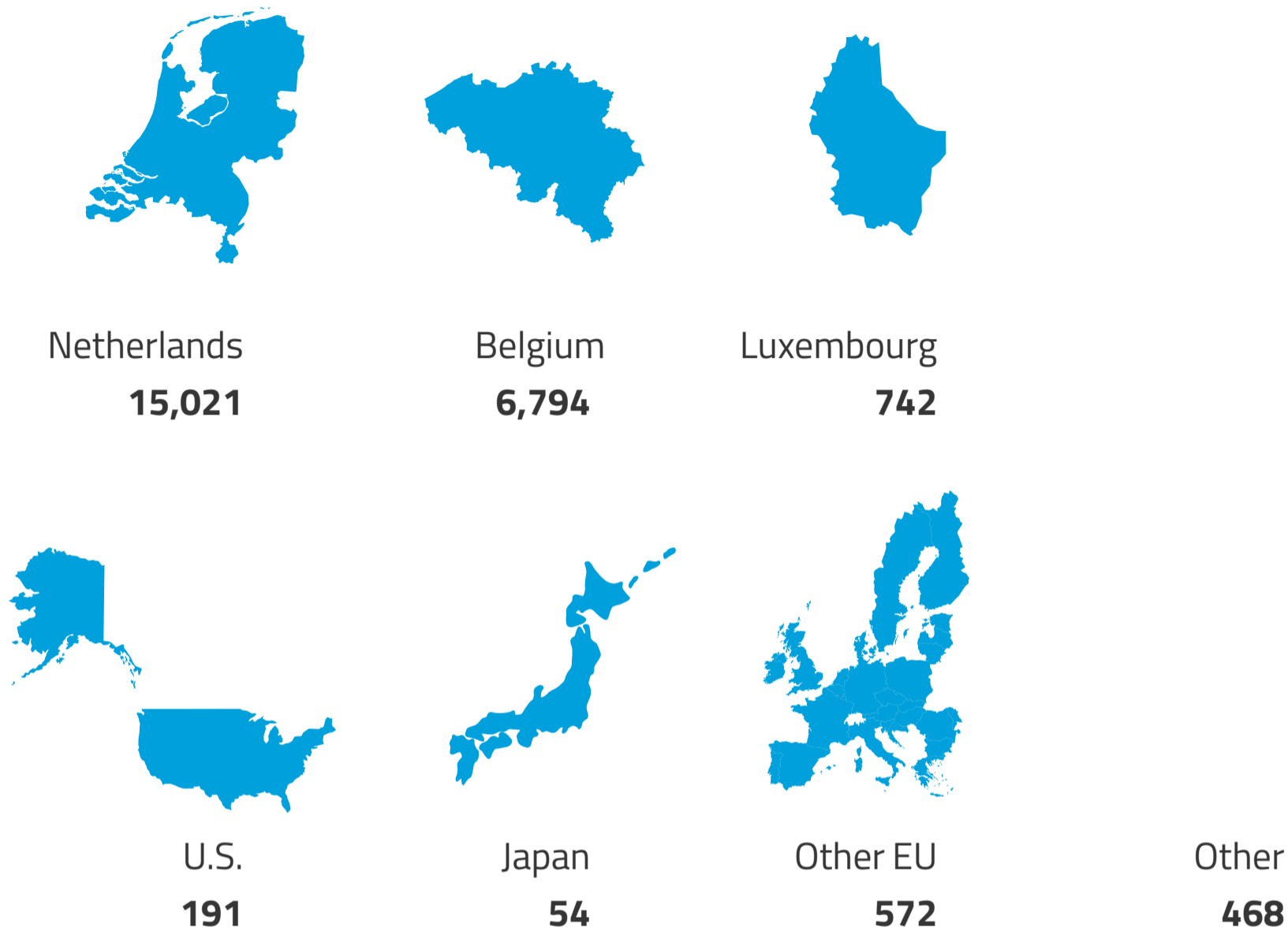
## Breakdown of Benelux filings by country of origin 2016- 2020 (in numbers)

	2020	2019	2018	2017	2016
iDEAL	6,572	4,389	3,838	4,250	4,276
Bancontact/Mister Cash	763	520	563	945	815
Belfius Direct Net	298	210	142	0	0
Money transfer	4,374	4,069	5,333	7,554	8,195
CBC Online	64	32	17	0	0
DirectEbanking (BE)	7	4	4	0	0
ING HomePay	141	123	77	0	0
KBC Online	409	254	180	0	0
Current account	9,032	8,887	8,562	6,589	6,017
Maestro	66	54	60	0	0
MasterCard	1,202	1,111	1,113	1,208	1,327
Sofort Überweisung (DE)	1	4	3	0	0
VISA	913	759	831	972	1,062
Giropay		2			

## Breakdown of Benelux filings by language 2016-2020

	2020		2019		2018		2017		2016	
	Number	%	Number	%	Number	%	Number	%	Number	%
English	2,931	12.29	2,835	13.89	2,625	12.67	2,957	13.67	2,997	13.76
French	3,088	12.95	2,900	14.20	3,036	14.65	3,050	14.10	3,193	14.66
Dutch	17,823	74.75	14,683	71.91	15,062	72.68	15,626	72.23	15,588	71.58
<b>Total</b>	<b>23,842</b>	<b>100</b>	<b>20,418</b>	<b>100</b>	<b>20,723</b>	<b>100</b>	<b>21,633</b>	<b>100</b>	<b>21,778</b>	<b>100</b>

## Breakdown of Benelux filings by country of origin 2020



## Breakdown of Benelux filings by country of origin 2016-2020

	2020		2019		2018		2017		2016	
	Number	%	Number	%	Number	%	Number	%	Number	%
Netherlands	15,021	63.00	12,315	60.31	12,296	59.34	12,669	58.56	12,690	58.29
Belgium	6,794	28.50	5,850	28.65	6,138	29.62	6,296	29.10	6,305	29.00
Luxembourg	742	3.11	890	4.36	854	4.12	1,006	4.65	1,090	5.00
U.S.	191	0.80	226	1.11	205	0.99	254	1.18	298	1.40
Japan	54	0.23	56	0.27	39	0.19	18	0.09	25	0.10
Other EU	572	2.40	584	2.86	686	3.31	885	4.09	874	4.01
Other	468	1.96	497	2.44	505	2.43	505	2.33	489	2.25
<b>Total</b>	<b>23,842</b>	<b>100</b>	<b>20,418</b>	<b>100</b>	<b>20,723</b>	<b>100</b>	<b>21,633</b>	<b>100</b>	<b>21,778</b>	<b>100</b>

## Number of trademarks published 2016-2020 (in numbers)

	Individual	Collective	Certification	Total
<b>2020</b>	<b>18,989</b>	<b>15</b>	<b>52<sup>1</sup></b>	<b>19,056</b>
2019	18,581	73	49	<b>18,703</b>
2018	16,623	39		<b>16,662</b>
2017	18,532	54		<b>18,586</b>
2016	18,929	66		<b>18,995</b>

1 Since 1 March 2019, besides individual and collective marks, certification marks can also be applied for. Prior to 1 March 2019, certification marks as such were not available in the Benelux.

## Requests for renewal 2016-2020 (in numbers)

	Individual	Collective	Certification <sup>1</sup>	Total
<b>2020</b>	<b>12,994</b>	<b>27</b>	<b>31</b>	<b>13,052</b>
2019	11,658	64		<b>11,722</b>
2018	13,438	59		<b>13,497</b>
2017	13,165	49		<b>13,214</b>
2016	13,153	60		<b>13,213</b>

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 2016-2020 (in numbers)**



**International registrations valid in the Benelux region 2016-2020 (in numbers)**





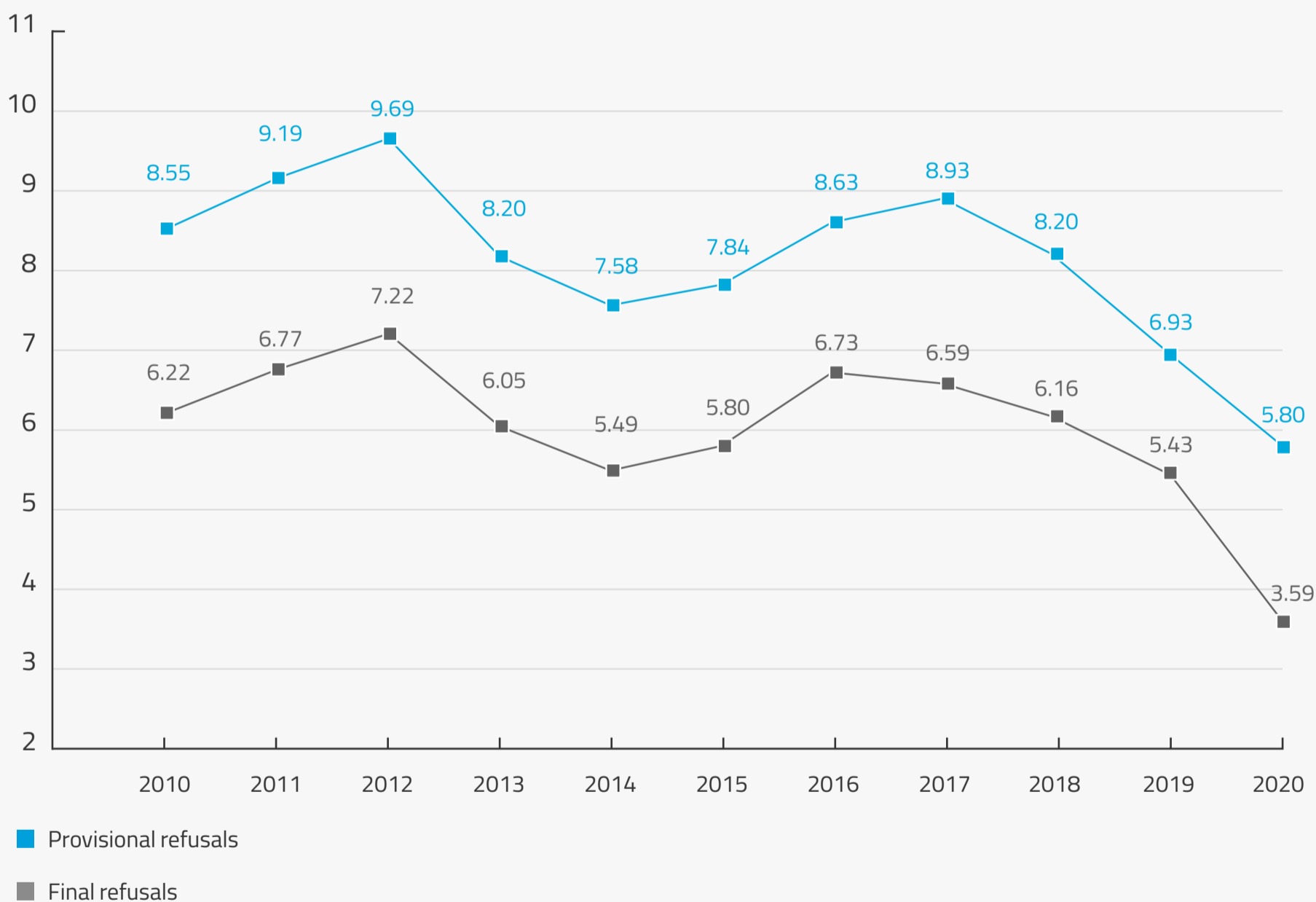
## Refusals on absolute grounds – 2019-2020 Statistics

	2020		2019	
	Number	%	Number	%
<b>Benelux depots</b>				
Total	23,842	100	20,418	100
Filed by trademark proprietors	12,343	51.77	9,153	44.83
Filed by agents	11,499	48.23	11,266	55.17
<b>Provisional refusals</b>				
Total	1,418	5.95	1,448	7.09
Full	1,384	5.80	1,396	6.84
Partial	34	0.15	52	0.25
Filed by trademark proprietors <sup>1</sup>	821	6.65	819	8.95
Filed by agents <sup>1</sup>	597	5.19	629	5.58
Filings resulting in registration despite provisional refusal <sup>2</sup>	148	0.62	206	1.00
Filings withdrawn by request / cancelled priority registrations	187	0.78	223	1.09
Filings excluded from further processing	2	0.08	5	0.02
Objection period still underway (1.12 Implementing Regulations)	131	0.55	4	0.02
<b>Final refusals</b>				
Total	882	3.70	1,110	5.44
Of which cancelled priority registrations	41	0.17	62	0.30
Full	867	3.64	1,071	5.25
Partial	15	0.06	39	0.19
Filed by trademark proprietors <sup>1</sup>	626	5.07	742	8.11
Filed by agents <sup>1</sup>	256	2.23	368	3.27
Objections lodged	81	0.33	123	0.60
No objections lodged	801	3.36	987	4.83
Appeal lodged (Article 1,15bis BCIP) <sup>3</sup>	0		3	

## 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 proprietors/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 2010-2020



## Oppositions 2020

	Number	%
Admissable	842	99.06
Inadmissable	8	0.94
<b>Total</b>	<b>850</b>	
<b>Cancelled in 2020 (admissable oppositions)</b>		
Total	536	63.66
<b>Still under consideration (admissable oppositions)</b>		
of 2020	306	36.34
<b>Language of the proceedings (admissable oppositions)<sup>1</sup></b>		
Dutch	544	64.61
French	122	14.49
English	135	16.03
<b>Opposition filed against (admissable oppositions)</b>		
Benelux trademark	769	91.33
International trademark	73	8.67
<b>Opposition based on (admissable oppositions)<sup>2</sup></b>		
Benelux trademark	269	31.95
European Union trademark	566	67.22
International trademark	196	23.28
Well known trademark (Art. 6bis Paris Convention)	39	4.63
Protected designations of origin and protected geographical indications	3	0.36
Trademark filed by agent	1	0.12

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

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

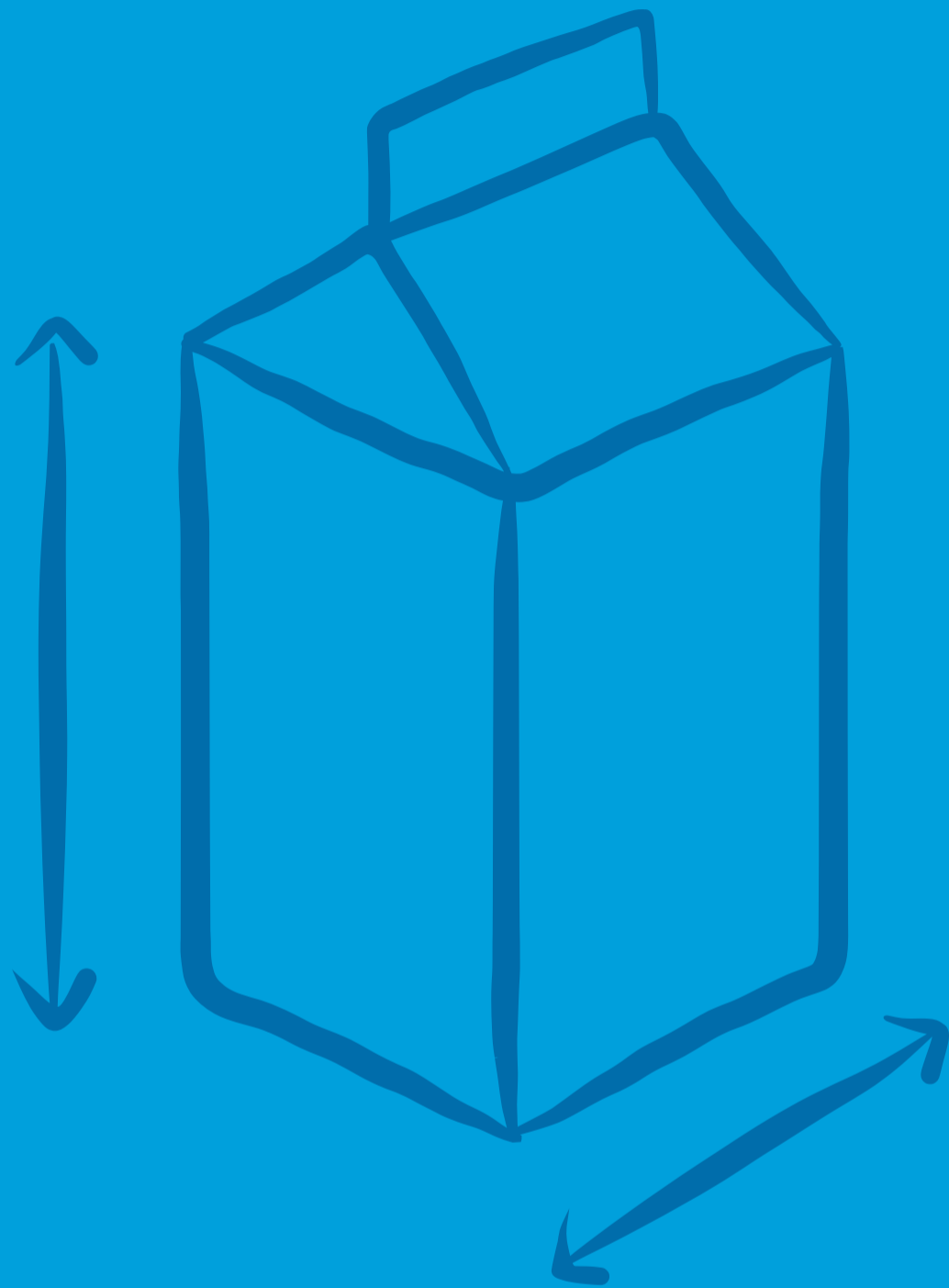
## Cancellation procedures 2020

	Aantal	%
Admissable	88	100
Inadmissable	0	0
<b>Total</b>	<b>88</b>	
<b>Still under consideration (admissable applications)</b>		
of 2020	58	65.91
<b>Language of the proceedings (admissable applications) <sup>1</sup></b>		
Dutch	48	54.54
French	17	19.32
English	20	22.73
<b>Cancellation filed against (admissable applications)</b>		
Benelux trademark	75	85.23
International trademark	13	14.77
<b>Based on (admissable applications) <sup>2</sup></b>		
Revocation	41	46.59
Absolute invalidity	21	23.86
Relative invalidity	35	39.77

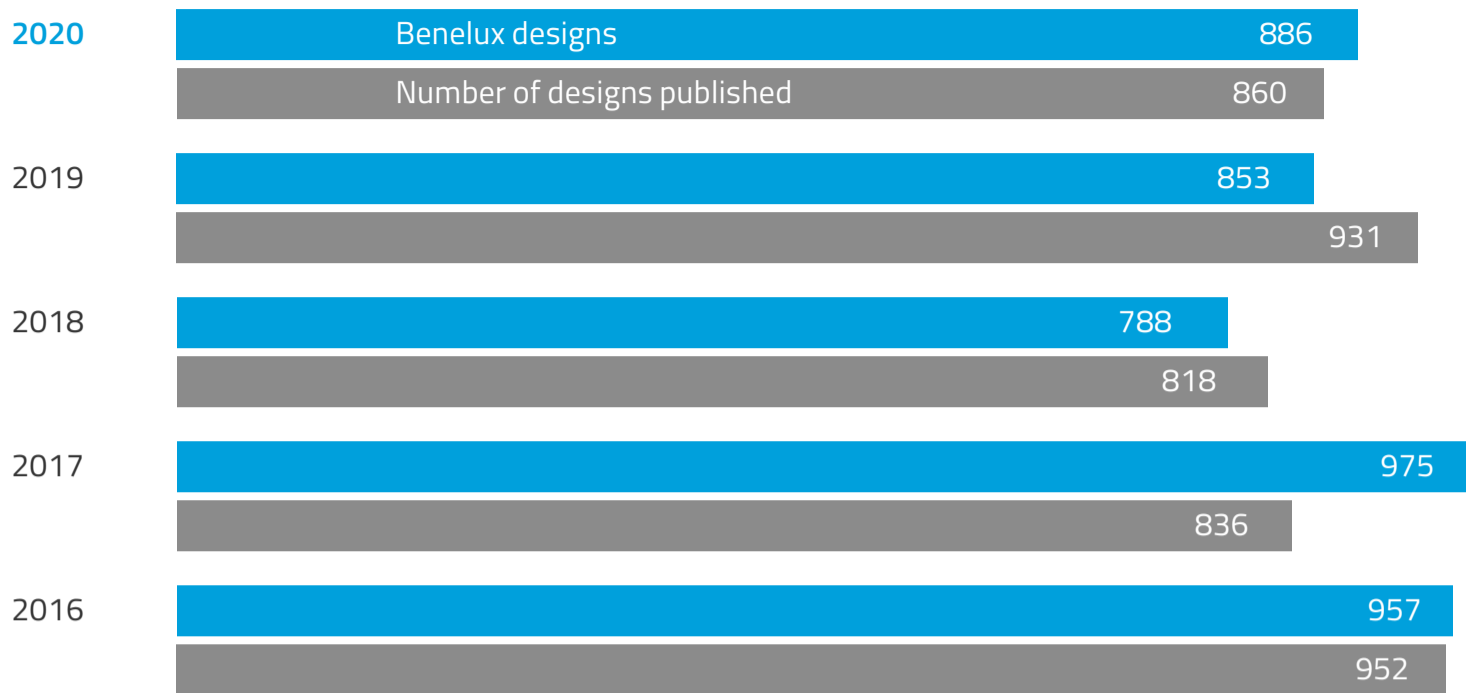
1 Some closures take place before the procedural language has been set.

2 Multiple grounds can be invoked in each application for cancellation.

# Designs

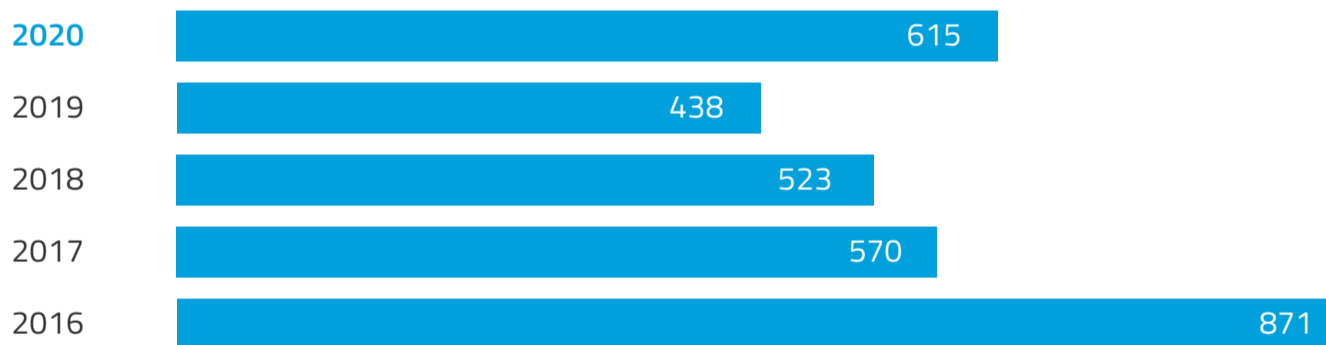


## Benelux designs 2016-2020 (in numbers) <sup>1</sup>



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.

## Requests for renewal 2016-2020 (in numbers) <sup>1</sup>



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.

## Type of submission 2016-2020 (in %) <sup>1</sup>



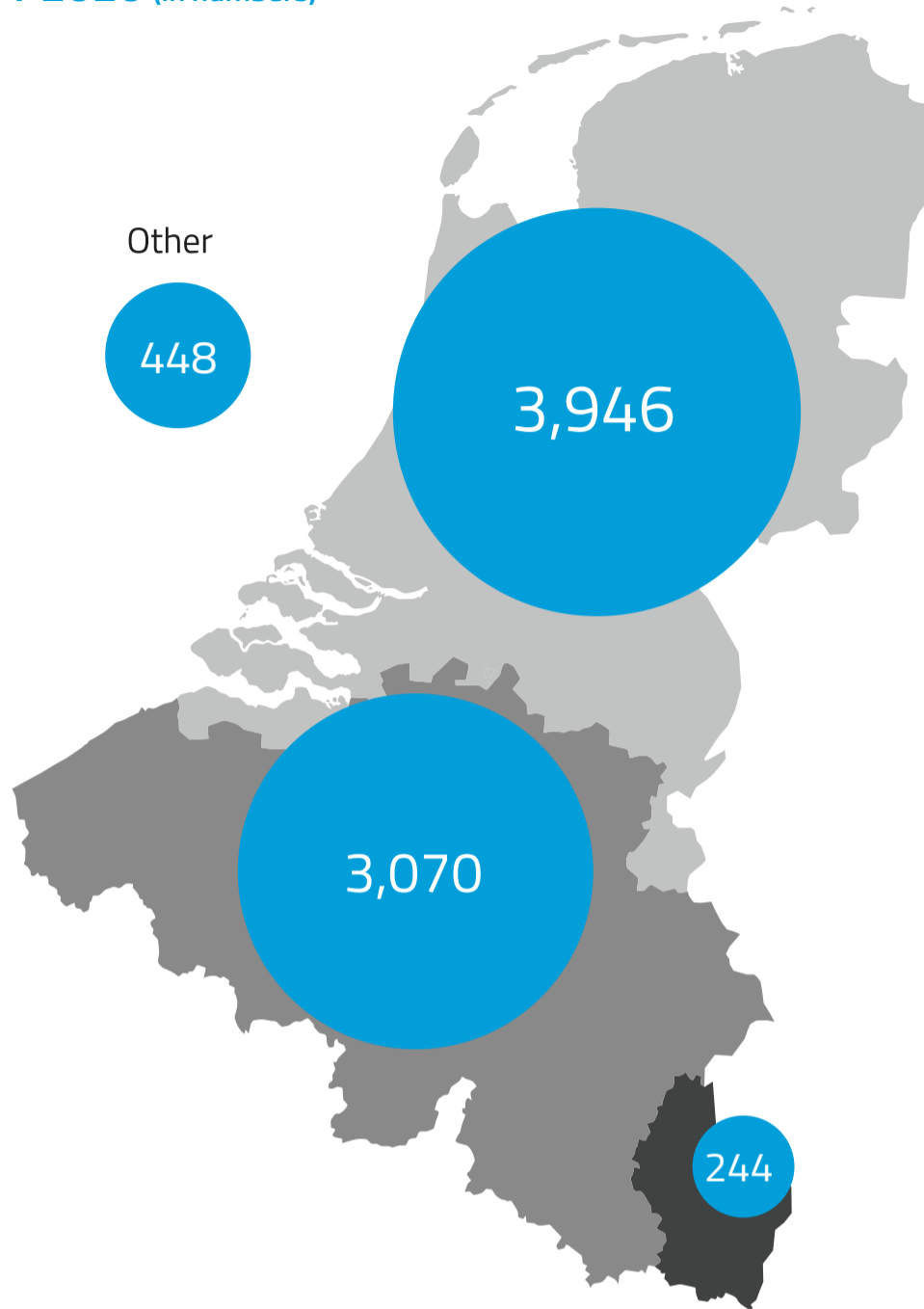
1 The figures contained in these tables are accounted for by the number of filings not the number of designs filed. The figures only cover valid filings.

i-DEPOT





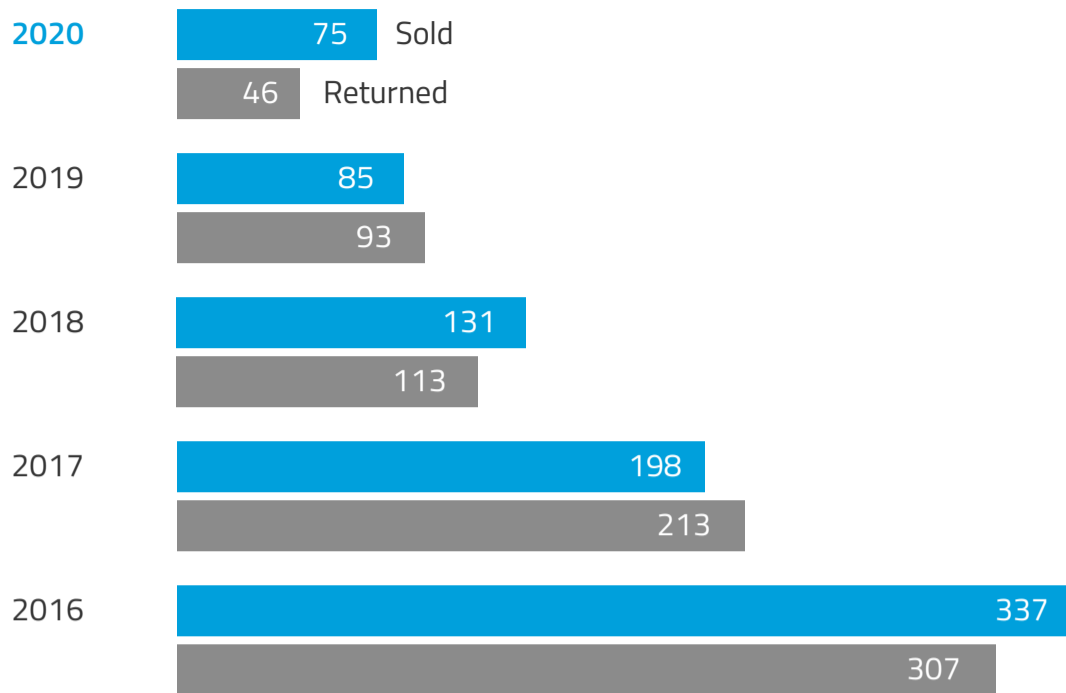
## Online i-DEPOT 2020 (in numbers)



## Online i-DEPOT 2016-2020 (in numbers)

	2020	2019	2018	2017	2016
Belgium	3,070	1,978	1,836	2,161	2,288
Netherlands	3,946	2,669	2,737	2,703	2,887
Luxembourg	244	210	191	172	245
Other	448	345	267	221	208
<b>Total</b>	<b>7,708</b>	<b>5,202</b>	<b>5,031</b>	<b>5,257</b>	<b>5,628</b>

## i-DEPOT envelopes 2016-2020 (in numbers) <sup>1</sup>



<sup>1</sup> Sold envelopes are not always returned within the same year. Therefore in certain years the number of returned envelopes may be higher or lower than the number of sold envelopes.

## Breakdown of i-DEPOT envelopes by country 2016-2020 (in numbers)

	2020	2019	2018	2017	2016
Belgium	17	48	33	73	129
Netherlands	19	31	14	107	123
Luxembourg	9	13	65	27	45
Other	1	1	2	6	10
<b>Total</b>	<b>46</b>	<b>93</b>	<b>114</b>	<b>213</b>	<b>307</b>

## Number of i-DEPOT storage period extensions 2016-2020 (in numbers)



# Organisation



# Organisation

Our office is situated in The Hague. BOIP has 71 employees. We work closely with the national offices in Brussels and Luxembourg.

## Number of employees

	31-12-20	31-12-19
NL	57	53
B	12	15
L	2	1
FR	0	1
<b>Total</b>	<b>71</b>	<b>70</b>
Male	36	35
Female	35	35
<b>Number of FTEs (full-time equivalents)</b>	<b>64.25</b>	<b>62.47</b>



## 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/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](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 2020 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 the 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 2020 and the 2020 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 certain 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 2020 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 2020 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 office.

# Balance sheet 2020

(after appropriation of the result)

in thousands of euros	31 December 2020	31 December 2019
<b>Assets</b>		
<b>Current assets</b>		
Cash at bank and in hand	9,978	7,702
Receivables, prepayments and accrued income	5,648	3,420
	15,626	11,122
<b>Fixed assets</b>		
Financial fixed assets	13,988	13,546
Financial fixed assets (pension)	12,168	8,497
Tangible fixed assets	4,899	5,209
Intangible fixed assets	2,584	4,167
	33,639	31,419
<b>Total assets</b>	<b>49,265</b>	<b>42,541</b>
<b>Liabilities</b>		
<b>Current liabilities, accruals and deferred income</b>	7,763	7,225
<b>Non-current liabilities</b>		
Employee benefits	19,876	19,984
For the account and risk of employees	12,323	8,664
BPP	736	1,532
	32,935	30,180
<b>Equity</b>		
Cumulative surplus	8,567	5,136
<b>Total liabilities</b>	<b>49,265</b>	<b>42,541</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 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 €24,645,000 (2019: €21,495,000).
- The cumulative surplus comprises the accumulated earnings as well as the movements in non-current liabilities that are taken directly to equity.



# Income statement 2020

in thousands of euros	Budget 2020	2020	2019
<b>Revenue</b>			
Turnover from filings	6,285	6,717	6,715
Turnover from renewals	4,776	4,905	4,396
Other	6,363	8,035	6,995
<b>Total revenue</b>	<b>17,424</b>	<b>19,657</b>	<b>18,106</b>
<b>Operating costs</b>			
Salary costs	7,120	7,120	7,197
Social security contributions	1,322	1,205	1,198
Pension costs	2,837	3,255	2,729
Other staff costs	697	646	721
Internal tax and social levies	-2,213	-2,207	-2,294
Staff costs	9,763	10,019	9,551
Depreciation costs	2,328	2,197	2,412
Other operating costs	3,429	3,865	4,172
<b>Less: total operating costs</b>	<b>15,520</b>	<b>16,081</b>	<b>16,135</b>
<b>Operating result</b>	<b>1,904</b>	<b>3,576</b>	<b>1,971</b>
<b>Financial income and expenses</b>			
Interest income and dividend	397	267	289
Investment transaction results	0	145	1,052
Exchange gains and losses	0	-8	11
Financial income (pension)	0	567	939
Bank charges	-101	-103	-98
<b>Total financial income and expenses</b>	<b>296</b>	<b>868</b>	<b>2,193</b>
<b>Surplus (+) / Deficit (-)</b>	<b>2,200</b>	<b>4,444</b>	<b>4,164</b>

## Notes to the income statement

BOIP recorded a surplus of €4,444,000 (2019: €4,164,000). Increased income as a result of the EUIPO offset mechanism (€788,000) and higher turnover from renewals (€509,000) opposed a sharp drop in investment income (€1,325,000). One must however bear in mind that, in a substantive sense, the surplus is overstated by €567,000 (2019: €926,000), 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.

- 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, 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 €19,657,000, turnover was clearly higher than budgeted (€17,424,000). In addition to the €1,024,000 higher international revenues (primarily offset mechanism), the €600,000 higher turnover in patent collaboration and the €432,000 higher revenue from filings are also contributing factors.
- The staff costs of €10,019,000 were slightly above budget (€9,763,000). This was caused by the higher than budgeted pension costs (€418,000) due to the falling interest rates.
- The depreciation costs recorded of €2,197,000 (budget: €2,328,000) were lower than budgeted due to a lower investment level.
- Other costs (€3,865,000) exceeded the budgeted amount of €3,429,000 due to additional spending with regard to the BPP (€586,000, which will be charged on to the Member States).

# Statement of changes in equity 2020

	Other	Reserve	Total
in thousands of euros	reserves	revaluation	
Equity as at 1 January 2019	7,123	-1,895	5,228
<b>Pension</b>			
Demographic assumptions	0	718	718
Change in the notional interest rate	0	-11,622	-11,622
Income from investments	0	8,162	8,162
<b>Pension fund</b>			
Elimination of BOIP pension fund current account	0	-908	-908
Other	0	-67	-67
<b>Healthcare after retirement</b>			
Change in the notional interest rate	0	-390	-390
Developments in stock	0	-149	-149
<b>Surplus 2019</b>	<b>4,164</b>	<b>0</b>	<b>4,164</b>
<b>Equity as at 31 December 2019</b>	<b>11,287</b>	<b>-6,151</b>	<b>5,136</b>
<b>Pension</b>			
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
<b>Pension fund</b>			
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
<b>Healthcare after retirement</b>			
Change in the notional interest rate	0	-282	-282
Developments in stock	0	83	83
<b>Surplus 2020</b>	<b>4,444</b>	<b>0</b>	<b>4,444</b>
<b>Equity as at 31 December 2020</b>	<b>15,731</b>	<b>-7,164</b>	<b>8,567</b>

# 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.