BOIP

Benelux Office for Intellectual Property

Team BOIP



COMMON PRACTICE 17: Slogans
16 February 2026

The European Intellectual Property Network (EUIPN) has recently adopted the CP 17 Common Practice regarding the distinctive character of slogans.

Although the assessment of whether a slogan can be registered as a trademark will be caried out on a case-by-case basis, the principles mentioned in the Common Practice serve as a guidance to ensure that the participating IP Offices approach it in a similar and predictable way.

Slogans often serve to promote goods or services. However, slogans may also function as a trade mark distinguishing goods and services.

The Common Practice establishes amongst others a non-exhaustive list of factors for assessing the distinctive character of slogans.

The following non-exhaustive factors may serve as indicators for establishing the distinctiveness of a slogan:

- it has a number of meanings;
- it constitutes a play on words;
- it introduces elements of conceptual intrigue or surprise;
- it has a degree of originality or resonance;
- it has unusual syntactic structures and/or linguistic and stylistic devices, such as alliteration, metaphors, rhyme, paradox etc.

Meeting one or more of the criteria may indicate that a slogan is distinctive. However, in each case an overall assessment of the factors that apply must be performed.

The Common Practice gives several illustrative examples of distinctive and non-distinctive slogans, such as:

Distinctive slogans:
'*We make up your mind*' for cosmetics (class 3)
'*Software with a byte*' for software design (class 42)
'*Bottle the Chaos*' for energy drinks (class 32)

Non-distinctive slogans:
'*You take the picture; we edit it to perfection*' for photography (class 41)
'*Save with us*' for debt advisory services (class 36)
'*It is already there before you even need it*' for parcel delivery (class 39)

BOIP & CP17:

- BOIP participated in establishing this new CP.
- BOIP implemented CP17 on 16 February 2026.
- The Common Practice will be applicable to both new and pending proceedings.
- There will be no major changes for applicants, as the Common Practice is consistent with the existing practice of BOIP.

The Common Practice can be found here on the BOIP website: https://www.boip.int/en/ip-professionals/regulations-policy/policy#commoncommunications

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