

Federal Administrative Court rejects VERO for aluminium goods as merely descriptive

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- The IGE refused protection to the mark VERO for aluminium sheets and foils
- The court confirmed, noting that the relevant public consisted primarily of industry professionals, with a high level of technical knowledge
- Given the nature of the goods and expectations of the target market, the sign would be perceived as a quality indication

The Swiss Federal Administrative Court has upheld a decision by the Federal Institute of Intellectual Property (IGE) denying protection to the word mark VERO in Class 6 for aluminium-related goods ([Case B-4003/2024](#), 4 March 2025).

Background

Speira GmbH, a prominent German company specialising in aluminium rolling and recycling, sought to extend its International Registration ([No 1644194](#)) for the mark VERO to Switzerland. The trademark covered goods in Class 6, specifically aluminium sheets and foils – particularly those used as raw materials for beverage cans.

On 24 May 2024 the IGE refused protection to the trademark in Switzerland. Speira appealed on 25 June 2024, seeking the reversal of the decision.

Federal Administrative Court decision

The court, however, affirmed the IGE's view. It held that the relevant public consisted primarily of industry professionals, especially beverage manufacturers and intermediaries, who are expected to possess a high level of technical knowledge. These professionals understand that the materials in question must be composed of aluminium or its alloys, and that specific material properties are essential for further processing into beverage cans.

The court noted that the word 'vero' means 'true' or 'authentic' in Italian. Given the nature of the goods and the expectations of the target market, the term would be perceived as a quality indication, suggesting that the material is genuine or of high quality, rather than as a distinctive trademark. The court concluded that the sign functioned merely as a promotional descriptor and lacked the distinctiveness required for trademark protection.

Accordingly, the appeal was dismissed, and the refusal of protection in Switzerland was confirmed.

Comment

The decision highlights the importance of the context and target audience in trademark law. For technical goods aimed at informed professionals, even simple words such as 'vero' can lose their distinctiveness if they are seen as mere quality claims. When choosing trademarks, especially for industrial or B2B products, companies must consider not only their linguistic meaning (in Switzerland, Italian, German, French, Rhaeto-Romanic and English are known languages), but also how the term will be perceived in its commercial environment.

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