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Legal Alerts

The United Arab Emirates Opens Class 33 Trademark Filings for Alcoholic Beverages

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The United Arab Emirates (UAE) Trademark Office has begun accepting trademark applications under Class 33 (alcoholic beverages – other than beer), effective September 14, 2026. Under the new approach, beer in Class 32 can also be registered without additional restrictions. This landmark change in Office practice aligns the UAE with the international Nice Classification system for trademarks and the Madrid Protocol registration framework, closing a longstanding gap that forced brand owners to rely on workaround filings under Class 32 (non-alcoholic beverages) or Class 43 (bar and hospitality services).

The new filing framework did not require an amendment to the UAE Trademark Law (Federal Decree-Law No. 36 of 2021), and Class 33 applications will follow the standard examination, publication and registration process. Like all other UAE trademark registrations, Class 33 registrations last for 10 years from the filing date. The UAE grants trademark rights on a first-to-file basis, so well-known brands without Class 33 coverage should consider filing promptly.

Why Trademarks Matter

Trademarks are among the most valuable assets a business can own. They identify the source and quality of goods and services, build consumer trust and distinguish a company's products from competitors. In industries where brand identity drives purchasing decisions, including alcoholic beverages, hospitality and luxury goods, trademark protection is not optional; it is foundational. The consequences of failing to secure and enforce trademark rights can be severe, and a robust trademark portfolio is essential to protecting brand value. The failure to act, whether by not registering or not enforcing, invites risk.

The UAE's Shift to Class 33 Trademark Protection

Historically, the UAE Trademark Office did not accept applications in Class 33 due to cultural and regulatory sensitivities around alcohol. Brand owners in the wines and spirits sectors had to rely on alternative strategies such as filing under Class 32 or, more recently, Class 43 after the UAE Trademark Office began accepting "bar services" under that class. The UAE's accession to the Madrid Protocol in 2021 and its adoption of the 13th edition of the Nice Classification laid the groundwork for this shift.

Why This Matters to Your Business

Alcoholic Beverage Companies. Wine, spirits and ready-to-drink brands can now secure direct trademark protection in the class that actually matches their goods, which is a critical step for companies whose products are visible in the UAE's duty-free retail channels, regional re-export networks and the broader Gulf market. Existing Class 32 registrations remain valid and carry weight as earlier rights, but they no longer substitute for purpose-matched Class 33 coverage. Brand owners should conduct clearance searches in Classes 32 and 43 in addition to Class 33 before filing, since many competitors historically sought protection for alcoholic beverage marks under alternative classes as a workaround, and those earlier filings could affect the registrability of a new Class 33 application.

Hospitality Industry. Hotels, resorts, restaurants and nightlife venues operating branded beverage programs in the UAE now have a clearer path to protect the house marks and proprietary labels they serve on premises. Paired with existing Class 43 filings for hospitality services, Class 33 registrations strengthen the overall brand shield across both the product and the service. Hospitality companies should also be alert to trade name/trademark registry conflicts - the UAE's trade name registries (held at the Emirate level) and the federal Trademark Registry are not synchronized, meaning a third party could register a confusingly similar trade name before a brand owner secures its trademark.

Luxury Goods Companies. For luxury and prestige brands that extend into premium spirits, Champagne or branded cocktail lines, Class 33 protection reinforces the exclusivity that defines the luxury market with respect to third-party squatters seeking to capitalize on well-known names. For such items, counterfeit goods remain a persistent threat, especially in online marketplaces and grey-market channels. The UAE also offers expedited trademark examination services, allowing legitimate owners to secure priority dates and examination results before infringers can react, and IP owners can also record marks with UAE customs authorities to help intercept counterfeits at entry points.

Key Considerations

Brand owners should be aware that early filing can be critical. Industry experts have warned that well-known brands without Class 33 coverage could face opportunistic filings from third parties. Keep in mind, of course, that trademark registration does not replace or bypass the regulatory and licensing requirements needed to import, distribute or sell alcohol within the UAE or establish business names and licensing there.

Recommended Next Steps

Businesses with existing or planned UAE operations should consider the following:

- Review existing UAE trademark portfolios for Class 33 gaps;
- Conduct clearance searches;
- File Class 33 applications for house marks and flagship brands; and
- Implement watch services to monitor for conflicting third-party filings.

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Foster Garvey's Intellectual Property team is well-positioned to guide clients through this transition, with established relationships with local counsel and filing agents across the UAE and the broader Gulf region. To discuss your filing strategy or to request a portfolio review, please contact our Intellectual Property, Alcoholic Beverages, Hospitality or Luxury Law teams.

The information above involves complex legal considerations and is provided for general informational purposes only. It does not constitute legal advice. For guidance on specific legal matters, you should consult with an attorney. Foster Garvey requires engagement letters to establish the attorney-client relationship for new (or returning) clients and requires written confirmation to expand the scope of representation for existing clients.

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