

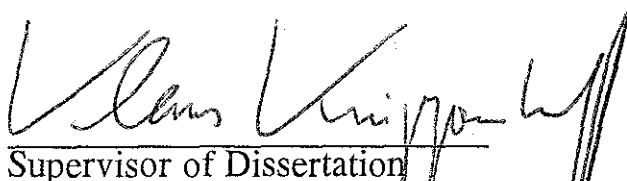
HOW BRAND NAMES BRAND SOCIETIES:
A COMPARATIVE STUDY OF BRAND NAMES REGISTERED
IN SELECTED ENGLISH-SPEAKING COUNTRIES 1870-1980

Charles Augustus McClure

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1. Background

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1.1 The Inception of This Study

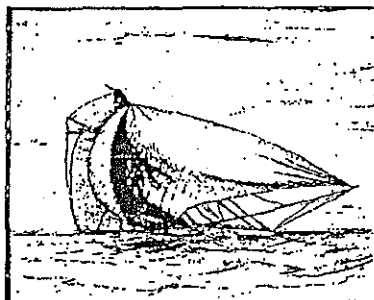
This investigation relates to a specific form of mass communication accomplished through what lawyers usually call "trademarks" but that marketing experts are more likely to call "brand names" or more simply just "brands"—as will be done much of the time here. More particularly, it involves content analysis of (i) registered brand names in themselves and (ii) related information from their registration documents.

Matters to be investigated included especially the following:

(a) **audience attributes**, consumers, media, registrants, etc.; (b) **brand behavior**, origination, screening instances, goods distributions, longevity, etc.; (c) **brand morphology**, pure verbal, pure design, and verbal-design combinations, length measures, etc.; (d) **brand semantics**, branded goods classification, denotative meaning, especially relative to attributes of branded goods; all in the light of (e) **country characteristics**, geographic, industrial, linguistic, socioeconomic, technological, etc.; and (f) **system aspects**, constraints, membership, behavior, meaning, and distinction from other symbol systems.

This task gave rise to a feeling of being adrift on a wild sea. The following brand seems apt—but was for velveteens, a smoother prospect.

Brand 1.1-1 USA031
Regn. 28,733 (1895)



1.1 The Inception of This Study

Whereas the foregoing Preface recites preparatory steps, such as efforts to obtain the essential excerpts from the official records of various countries, it does not consider the prerequisite of drawing a random sample of registration numbers to designate the specific brand names whose records form the source items to be coded and analyzed in this study.

After having performed an initial pilot study of a couple hundred U.S. brand names, randomly selected by number, the present investigator selected an entirely new set of one thousand brand numbers for this study from Kendall & Smith (1938) *Randomness and random sampling numbers* via Edwards' (1968) appendix of 5000 of those numbers. Subsets of that large set were used for the other countries insofar as possible. Where more numbers were needed because of oddities in numbering (e.g., gaps or repetitions) in particular countries, they were obtained similarly.

When the record copies of the United Kingdom sample set were being obtained by this investigator at the registry in London in 1985, all of the preselected numbers were exhausted without providing the desired size of sample set—because, under U.K. practice, serial application numbers become the registration numbers, but of course many applications never go to registration. The investigator selected supplemental numbers from a suitable volume in the U.K. Patent Office Library: Clark (1966) *Random numbers in Uniform and Normal Distribution, with Indices for Subsets* (specifically from columns 24V01 to 24V14, and rows 24H01 to 24H72).

The individual sample sets from the respective countries are considered in some detail in a later section.

1.1 The Inception of This Study

The present investigator undertook this effort reasonably aware of the difficulties attendant upon comparisons made across different countries, well attested to in the literature, such as by Rokkan (1966) and others in *Comparing Nations - The Use of Quantitative Data in Cross-National Research*, edited by Merriitt & Rokkan; and by Pierce & Pride (1970) as authors and editors of *Cross-National Microanalysis: Procedures and Problems*. As suggested in the present Preface, the physical sciences and the law as intellectual disciplines have given the present investigator the highest regard for whatever the soundly based relevant facts may be, and a correlative skepticism about conclusions drawn from assumed "facts."

The review of pertinent literature will show that there are self-styled experts on what constitutes (or how to construct) a good brand name, whose beliefs and recommendations are based upon unverified conclusions (maybe correct, maybe not) and little inclination toward pragmatic effort of the kind that might cast some light where heretofore heat has prevailed. Every now and then somebody actually undertakes to look at the record, but so far without much long-term success in changing the prevailing *post hoc ergo propter hoc* sentiment. The present effort diligently attempts to be more than another such look because brand names, as an all-pervasive (putatively everlasting) phenomenon, deserve intensive unbiased scrutiny.

In the past couple of years, brands have suffered drastic revaluation in segments of the popular press, ranging from glorification as a fundamental incentive for business corporation mergers and acquisitions, to excoriation as being basically a justification of "greedy" excess corporate profits.

1.1 The Inception of This Study

Heartily recommended as entertaining and thought-provoking antidotes to such extremes are articles published a quarter century apart: Kenneth Ford's "The Day the Brands Died" (standstill ensued) *Printers' Ink* (1965) and one cautionary and one optimistic from *The Economist* (1993, 1994).

1.2 Brand Names as Subject Matter

We encounter brand names—or simply "brands"—every day in commercial mass communication, and we use them frequently in communicating with one another. Brand names are designed to be recognized and used actively, both spoken and written. If brand names are sufficiently accepted by their audience, they may—and often do—become highly regarded and valuable.

Most brand names fit readily enough into our language, but they are rarely found in dictionaries because they are deemed to serve principally a proprietary function that is incompatible with more general usage. Indeed, if any brand becomes so accepted as to lose its distinctive character its proprietary value may diminish—or be wholly lost. Hence, a brand owner encourages its acceptance as widely as possible, short of transformation from a proprietary designation into a generic term no longer susceptible of ownership.

By reason of their ubiquitous character, brand names (like certain "four-letter" words) are often so well worn as to be substantially disregarded. As with servants whom an aristocracy relies upon but does not deign to notice, brands have much to reveal, both about themselves and about the societies in which they flourish.

1.2 Brand Names as Subject Matter

Perhaps the traditional British distaste for trade has carried over to brand names or "trade" marks insofar as they are seldom subjected to scholarly scientific scrutiny, especially to the extent that Werkman did. Yet brands or trademarks figure prominently in characterizing our world.

John Dewey (1916), as quoted by Park & Burgess (1969), stated:

Society not only continues to exist *by* transmission, *by* communication, but it may fairly be said to exist *in* transmission, *in* communication. There is more than a verbal tie between the words common, community, and communication. Men live in common; and communication is the way in which they come to possess things in common.

Gerbner's view (1969) that television broadcasting of a certain program or series of programs—or even a type of program—establishes a shared experience in diverse members of the audience, who then become a global community in that regard, applies similarly to TV advertising, which often is distributed likewise and invariably features brand names. Brand advertising in other media tends toward a like result. Even if one shrinks from the prospect of "Coca-Colanization" of the world, the brand becomes additionally symbolic in its potential for fostering such a broad community. Despite recent weakening of brands, capitalistic economic systems are making brands a world-wide lingo well recognized by consumers, as ethnic, linguistic, and political boundaries are transcended by Apple, Barbie, Coca-Cola, etc. with an ease disturbing to chauvinists.

Association of the Russian bear and pigtailed Chinese man is a politically derived example of a brand name registered for goods lacking discernible political meaning or related purpose: "sheetings" (see over).

1.2 Brand Names as Subject Matter

Brand 1.2-1 USA043
Regn. 38,505 (1902)



The present statutory definition of a trademark can be located at Section 1127 of the United States Code, as follows:

The term "trademark" includes any word, name, symbol, or device, or any combination thereof--

(1) used by a person, or

(2) which a person has a bona fide intention to use in commerce and applies to register on the principal register established by the Act,

to identify and distinguish his or her goods, including a unique product, from those manufactured or sold by others and to indicate the source of the goods even if the source is unknown.

The term "device" is the British equivalent of what is more commonly called "design" in the United States, despite the statutory wording. Examples of design brand names have been shown above.

An example of a brand name that lacks any design aspect, so is what trademark attorneys consider verbal and usually call a "word mark" (even if it happens to contain one or more numerals) is shown next:

1.2 Brand Names as Subject Matter

Brand 1.2-2 KEN001

Regn. 272 (1918)

MELROSE'S TEAS

The statute clearly indicates that combinations of alphanumeric and design components in brand names are also permissible. Numerals are quite rare, though perhaps especially noticeable because of that fact. Brand names lacking a design component are often termed "verbal" brands or "word" marks, regardless of any numeric content.

Daphne Robert Leeds, former U.S. Assistant Commissioner of Patents and Trademarks, gave an address (pub'd 1956) in which she emphasized that "trademark" and "brandname" [sic] are legal/commercial cognates, are used interchangeably, and both are to be distinguished from trade or business names. She (*née* Daphne Robert) had published *The New Trade-Mark Manual* (1947), to which subsequent reference—with excerpts—will be made, as in regard to the legal classification of brand names as arbitrary, suggestive, or descriptive of branded goods.

In the United Kingdom—colonizer or "mother country" of the other six nations—brand names fell under that blend of custom and the rulings of church and state known as the common law of England, well before the availability of a governmental register of brand names. Such *de facto* and *de jure* influences made their way to the colonies, as well. Registration, however, began at different times in the respective countries, subject to additional influences. Before considering any or all countries in more detail it is instructive to place brand names in historical perspective.

1.3 Historical Perspective

This study covers the past hundred years or so, from about the 1870's, when registration of brand names first began to be accepted as a governmental function (in a majority of the countries sampled), until the mid-1970's to mid-1980's, and was updated for survival data, where quantity was largest and period until renewal was longest (U.S.A).

Seven nations are included: Australia, Canada, India, Ireland, Kenya, the United Kingdom and the United States. Their selection and other experimental design considerations are considered in the next chapter, but the table shows, by country, the respective time periods covered.

Table 1.3-1
Registration Years of Brand Names in Samples

	<u>Country</u>	<u>Years:</u>	<u>Initial</u>	<u>Final</u>	<u>Range</u>
AUS:	Australia		1907	1978	72
CAN:	Canada		1872	1980	109
IND:	India		1942	1974	33
IRE:	Ireland		1876	1974	99
KEN:	Kenya		1918	1978	61
UNK:	United Kingdom		1877	1981	105
USA:	United States		1871	1976	106

NOTE: Both initial and final years were counted in calculating ranges.

Clearly the number of years providing registration data approximated a century in a majority of the countries: Canada, Ireland, the United Kingdom, and the United States. The notably short period for India, and intermediate periods for Australia and Kenya, resulted from lack of brand name legislation to enable registration sooner in those countries. In all countries except one (India, where pent-up demand spent itself) the rate of registration began slowly and gradually increased.

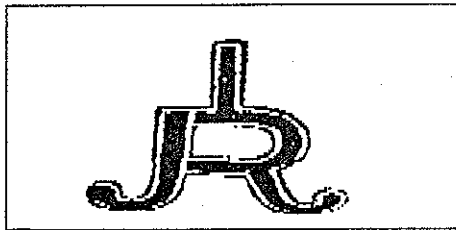
1.3 Historical Perspective

If asked about branding, many Americans appropriately enough would conjure up visions of cowboys applying hot irons to the rumps of calves to produce identifiable scars.

The first brand in our Australian sample is for stoves, grates, etc. and remarkably resembles a branding iron:

Brand 1.3-1 AUS001

Regn. 473 (1879)



As noted (at p. 128) by Ruston (1954):

...the brands on these beasts served the purpose of owner's marks, enabling the owners to reclaim any of their stock which strayed, were stolen by "rustlers," and so on. Now, when the beast was sold, the brand would immediately become a trade-mark and tell any purchaser who had reared the animal. Even after slaughter...the brand would survive on the hide, identifying that, in its turn, to a purchaser.

Ruston traces use of ownership and possessory ideograms back more than 5000 years, chiefly through evidence on pottery fragments, and describes their adaptation to use on land boundaries, coinage and articles of precious metal, and on goods bartered or sold, whereupon such brandlike markings became brand names or "trade marks" (U.S. intermediately "trade-marks" and now usually "trademarks").

1.3 Historical Perspective

Diamond (1975) reviews recent history, and illustrates both verbal and design features, in transitioning readers from a commercial to a legal perspective. He concludes in the following vein (at p. 290):

From the earliest expression of primitive man in the form of a mark inscribed upon some object for identification purposes, we have come to a complex marketing device embodying several different functions that is an indispensable part of today's economic processes. Trademarks [brand names] are essential to the operation of a competitive system of free enterprise, for they are the only feasible means by which the consumer can select the particular variety of product that he wishes to buy from among the multitude of choices that manufacturers now make available to satisfy individual tastes and individual preferences among the purchasing public.

Without disputing the value of brands to makers or merchants of goods, Diamond shifts the focus to the purchaser and points out the public interest served by brand names. Not only does the brand name usually make known the supplier of the branded goods/services, but it provides an assurance to prospective purchasers of getting like kind and quality. He continues with legally oriented historical accounts of the development of brand names and notes that country-wide brand registration arose about a hundred years ago, incidentally the period covered by the present study.

Paster (1969) gives an historical-legal accounting with emphasis upon the extension of brand names from commercial phenomena to becoming property rights, neatly complementing the converse view by Ruston [*supra*]. Paster notes (pp. 551-2) that the necessity for brand names is attributable to or accentuated by a growing complexity of commerce:

1.3 Historical Perspective

In a world which traded face-to-face, the purchaser of a commodity dealt directly with the producer, and a trademark [brand name] was not used because it was not necessary...The satisfied purchaser would simply return to the same market place and trade with the same individual...

If the market exceeds a single locality, and a product passes through the hands of middlemen, the purchaser lacks direct contact with the producer, Paster says: "...a means of product/producer identification to the ultimate purchaser is essential..." and traces the increase in scope of protection against such encroachment as using confusingly similar brands. Notwithstanding early instances of compulsory adoption of brands, and the granting of brand monopolies, governmental registration of brand names is (as it is for patents of invention, as well) clearly an incidental product of the 19th-century Industrial Revolution.

Change-over from so-called "common" or judge-made law to legislative or statutory law in England and the United States is summarized by Burrell and Pattishall (1977) in the American Bar Center joint booklet: *200 Years of English & American Patent, Trademark & Copyright Law*.

Burrell restates (at p. 46) the law's subsidiary role:

"The Common Law follows the practice of merchants" is a celebrated maxim of commercial lawyers...for the reason that the law cannot tell a man how to conduct his business; it can simply set up restraints and limitations to ensure so far as possible fairness in commercial dealing, and provide the trade and public with certain safeguards against deception and abuse.

And Pattishall (p. 51 *et seq*) reviews the U.S. case law, in its two centuries of development and emphasizes its increasing complexity.

1.4 Relevant Prior Writings

Relevant prior writings until the present (1995) are noted in this section, whereas the final section (1.5) in this chapter is reserved for a book about brand names in several countries and somewhat resembling the present investigation though prepared with rather different objectives. That work is *Trademarks—Their Creation, Psychology and Perception*, by Casper Werkman (a European) published (1974) by DeBussey in Amsterdam; Longman in London; and Barnes & Noble in New York. The present investigator first discovered it in 1977 during a visit to the British Patent Office Library. (Inexplicably, Werkman is not cited in any relevant writing noted below as originating from the mid-1970's or later.)

Certainly brands, in the words of Sapir (1925) quoted by Jakobson (1970), meet the linguistic definition of belonging to a "strictly socialized form of human behavior" and yet ought to evidence "such regularities as only the natural scientist is in the habit of formulating."

The "scientific advertising" movement in the mid-twentieth century was based chiefly upon updating a largely intuitive approach to persuasion with psychological principles and statistical procedures for analyzing demographic data, as was noted by Schultze (1978), who saw advertising as a form of mass communication that plays a substantial role in defining peoples' lives, but his summary hardly mentioned brand names.

The digital computer was used early in searching brand names, as summarized by Vasilevsky (1967), and is now customary. Commercial firms in the United States and elsewhere offer searching services upon meaning, phonetic, and—to a limited extent—design, especially pictorial, aspects, via mainly proprietary and unpublished procedures.

1.4 Relevant Prior Writings

Vasilevsky comments that pictorial (in which he seems to include all non-verbal visual) subject matter is least satisfactory for computer searching and cites the suggestion by Harrison (1964) of the "pict" as a grapheme analog. Despite the adoption of the pixel, as scanning and storage facilities for binary data increase dramatically, the pict concept does not seem to have been considered for design aspects of brand names.

A morphological analysis of the non-verbal elements of brands was provided by Watt (1967) in his enlightening analysis of cattle brands. In Watt's scheme, Brand 1.3-1 (v. p. 9)—if a cattle brand—might have been the "Hanging J R" but few brand names can be so strictly stylized as that.

An atypical lawyer, Greenberg (1951), noted that the first brand name registered (in 1871) as a trademark in the United States was chiefly pictorial, but—after checking selected weeks in 1926, 1941, and 1951—he reported a "disappointingly low pictorial" incidence (5-10%) in brand name registrations. He termed the low pictorial percentage found in his periodic samples to be "in marked contrast to almost 50% picture trademarks identified in stories in modern trademarks" comprising a "most famous brands" selection by Lambert (1941).

Greenberg clearly had a refreshingly empirical approach to the subject matter. He also espoused the present view that pictorial matter, when present, should not be descriptive of the goods but rather should be "suggestive" or even "tell a story" about the goods, citing Victor's "His Master's Voice" plus a picture of a phonograph and a dog listening to it, also Fisk's "Time to Retire" with sleepy boy holding a tire and a candle.

1.4 Relevant Prior Writings

Greenberg's aptitudes and interests happened to bridge the usual gap between legal and psychological approaches to brand names. Primarily psychological points of view characterize many designers, experimenters, and theorists in structure and interpretation of brand names.

Bowen (1961) reviewed the psychologically oriented treatment of conflict between brand names through the first half of the present century. He notes that divergent views can exist simultaneously because primarily ideological or intuitive rather than based upon scientific procedures, such as representative sampling. He also points out that judges habitually choose between opposing positions but that their methods reflect little acquaintance with the actual facts of life in the market place, and he suggests that soundly based research could go far to assist the courts and to enlighten all who undertake to devise, use, and protect brand names.

Psychologists have been particularly interested in the human faculty of distinguishing like or similar words, as reported, for example, by Dunn-Rankin (1978). He credits Selvin Chin-Chance (1978) with ascertaining that adult recognition of words is dependent chiefly upon three factors: meaning, initial letter, and length (in that order). Chin-Chance himself later revised the factors to initial and final letters and meaning.

Dunn-Rankin also mentions that Swedish psychologist Benny Brodda, in estimating confusion potential between existing and prospective trade (perhaps brand) names, found order of letters most important. Dunn-Rankin's own research found initial letter most critical and word length second in importance, although familiar endings and internal letter combinations also contribute to recognition and recall.

1.4 Relevant Prior Writings

Biron & McKelvie (1986) and other cognitive psychologists have investigated a conclusion by Lutz & Lutz (1977) that recall of corporate and brand names (in telephone directory display advertising) with verbal matter about the advertised item is enhanced by presence of "interactive" pictorial matter (meaningfully interrelated and not spatially removed).

Kanungo (1968) queried the importance of meaningfulness in brand awareness and conducted experiments on pseudo-words as brand names. He postulated another characteristic: "fittingness" for suggestive attributes of the branded goods and concluded that meaningfulness is relatively unimportant where fittingness is present but more so when nonfitting. From scrutiny of Kanungo's coined brand names it seems that both he and trademark lawyers would expect his fitting, meaningful brands to be "descriptive" and his non-fitting, low meaning ones "arbitrary". Whereas his non-fitting meaningful ones appear "suggestive" as he might agree, his meaningful non-fitting brands appear largely arbitrary (as they should). His fittingness seems a second-class meaningfulness requiring no matrix.

Recollection/recall experiments, whether of words already existing or made-up for the purpose, are rife and subject to human predispositions and clinical difficulties. Sapir (1929) distinguished the primary or referential meaning of words, which he viewed as "arbitrary or conventional" from a more fundamental "expressive" meaning that he considered to be inherent in the word as a "phonetic symbolism" for which he cited experimental support. Taylor (1963) critiqued seven intervening studies, which favored Sapir's view 5 to 2, but concluded that other empirical factors account for such presumed inherent attributes (such as size).

1.4 Relevant Prior Writings

New letter combinations as pseudo-words for experiments upon recognition and recall may be generated by computer, as done by Peterson and Ross (1972), who interestingly also categorized them by number of syllables, as well as together with pictorial matter. Many studies of recollection and recall using made-up words, with or without existing words, have ensued. They tend to scrutinize one another's methodology so exhaustively that each one's own conclusions may become suspect.

Oral/aural perception studies have given rise to the recent so-called "chickens and pickles" flurry started by Schloss (1981), pursued by Vanden Bergh alone (1982), with others (1984, 1987) and again alone (1987). Schloss found that the 200 brands top-ranked (in 1979) by *Marketing and Media Decisions* were notably high in content of P and K (or C) sounds, which Vanden Bergh called "plosive" and agreed were unduly frequent. Ultimately he (or a co-author) checked the dictionary and admitted that the top-ranked frequencies of plosive initial letters in the top-ranked brand names are not significantly different from what such an authority already indicated about the English language as a whole. However, he also cited Newman (1933) for phonetic symbolism of dark vs. light sounds, depending upon placement of the tongue, as another aspect of brand names.

Another enthusiasm of Vanden Bergh and his journalism colleagues and students (1988) is to classify brand names according to nearly two dozen "linguistic devices" (i.e., figures of speech) found in them. One can only surmise what degree of intercoder reliability was achieved. The article states that the coders worked in tandem—and found considerable use of "masculine" and "feminine" rhymes, also "semantic appositeness."

1.4 Relevant Prior Writings

A promising title by Barclay (1964) mentioning "semantic differential" was oriented toward consumer perceptions of food product characteristics, rather than toward brand name features, as is a more recent dissertation by Robertson (1982). A pilot study by the present investigator found semantic differential scales uselessly low in intercoder reliability.

As long as a half-century ago the tautological creed (attributed to Lippincott and Margulies) was that if a product or its brand name is bad, the combination will fail in the market place because only a good product with a good brand name will succeed. Repeated efforts to define what makes a good brand name were made by an industrial designer, Nash (1951, 1954, 1955) who urged that borders, color-dependence, and geometrical figures be superseded by distinctive pictorial components.

Where "brand" appears in business literature, usually in marketing, rarely is "brand" anything but a stand-in for a product (or service). A book by King (1973) candidly considers how to develop successful brands, but considers mainly branded products rather than their names. Nevertheless he states "What makes companies succeed is not products but brands" and ends by urging development of more theory. Feldman (1969) concluded that acronyms are poor choices for brand names because their minimal redundancy of meaning discourages recognition and recall by prospective purchasers. Recently, Zinkhan and Martin (1987) made a stimulating addition to the field with *New Brand Names and Inferential Beliefs: Some Insights on Naming New Products*, regarding the distinctness between consumer attitudes toward branded goods and toward the brand names themselves, in a meaning-oriented study.

1.4 Relevant Prior Writings

Quite a few business-oriented writers have volunteered as guides: Murphy (1944) with *Brand Strategy*, a helpful comprehensive methodical approach; Peterson & Ross (1972)—already noted—with *How to Name New Brands*, much phonetic symbolism with made-up words; Collins (1977) with *A Name to Conjure With*, more phonetic symbolism; and Murphy and Rowe (1988) with *How to Design Trade Marks and Logos*, a practical guidebook. A still more recent phonetic symbolism effort, by Heath, Chatterjee, and France (1990), is *Using the Phonemes of Brand Names to Symbolize Brand Attributes*.

In summary, the literature reflects a good deal of folklore, personal opinions and predilections, and a modest degree of experimentation and theorizing, about brand names. Next we turn to Werkman's book (noted above) as the most systematic report of broad-based samples of existing brand names, although it also tends strongly toward a seemingly intuitive phonetic symbolism, as is suggested by the words: *Their Creation, Psychology and Perception* in the subtitle.

Brand 1.4-1 KEN003
Regn. 1,269 (1926)



1.5 Werkman's Book

Werkman's volume sets forth in *Part I*, Trademarks at Present, the first of four major parts: (i) an overview of brand names, what they are, what they do, and difficulties of devising and registering them; (ii) aspects of branded products, whether culturally familiar or not, linguistic and cultural aspects; (iii) use of brand names in various modes and means of advertising; and (iv) perception and interpretation of brands by consumers. The part about product information includes a summary presentation (p. 21) of a dozen aspects (mostly concerned with word origin--language or synthetic) of brands for foodstuffs and brands for soaps/detergents, all from the official German register and each based upon five hundred (500) examples "chosen at random" (without details).

His *Part II*, International Differences, includes a preliminary portion wherein (solely) verbal brand names for each of four classes of high profile goods (automobiles, brassieres, cigarettes, and perfumes) are selected and explicated as "cultural phenomena" according to the author's own characterizations of the four countries his survey covered, namely: France, Germany, United Kingdom and United States.

Correspondence with Mr. Werkman (who lives near Geneva) failed to clarify what method was used in selecting his target 100 brand names per class, especially as automobile samples of 55 in France and 75 in Germany were all that "could be found" (p.234), and a French cigarette sample is omitted because of "not enough cigarette trademarks in France" (p. 235). In this fundamental regard, therefore, Werkman's methodology differs in an unknown way from the present investigator's procedure of random sampling of registered brand names without favoring any brand.

1.5 Werkman's Book

Werkman, after a brief discussion of brand names as "cultural phenomena" characterized in part by letters or words, and/or in part by designs, outlines his methodology (rather too briefly and incompletely) and then summarizes his results, country by country, in separate subparts.

He analyzes verbal brands for source language, first and last letters, length (in words and letters), and for product information and other related information. He also characterizes certain examples of both verbal and design brands as "typical" of national characteristics, which he seems to consider as pre-existing and self-evident—at least to him.

In contrast, except for demographic, geographical, industrial, linguistic, or equally self-evident attributes, the present investigator undertook to realize the diversity of the countries involved in his study from analysis of the brand data, rather than from some presumably intuitive or otherwise self-evident principles. However, this comment should not detract from Werkman's accomplishment in both scope and interpretation.

In his *Part III*, Horizontal Analysis, the most frequent motifs in his samples include the sun, eye, human female figure, stars, crowns, hands, and horses. He never says how (or how reliably) his items were coded.

In contrast, after examining more than one recommended classification of designs, the present investigator found in his pilot study that attempting to classify designs by any such arbitrary types, without properly all-inclusive and mutually exclusive classes, had intercoder reliability problems. Rather than devising a comprehensive but unofficial classification scheme, he used two three-way coding levels in the present study, regretting that neither he nor Werkman had a better design classification.

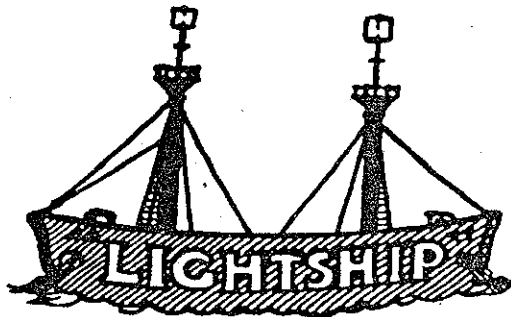
1.5 Werkman's Book

In his *Part IV*, Rejuvenation of Trademarks, Werkman emphasizes the desirability of updating brand names as time passes and the cultural context changes. He underscores the importance of information content, whether about the branded product itself or less directly related, and touches upon brand names without information content, including made-up words. He also recapitulates some word-length, letter-frequency, and vowel/consonant data.

Werkman's book is thought-provoking and merits perusal by anyone interested in brand names, whether in themselves, or in their processes of formation, or in their characterizations of source countries. His substantial contribution makes it all the stranger that reference to his work is so consistently absent from the bibliographies for writings by academics, brand designers, marketers, or other brand investigators.

May Werkman and other prior scholars guide the present investigator, as the lightship guided sailors--see the following apt illustration, which happens to have been of a brand for (presumably textile) winders.

Brand 1.5-1 USA167
Regn. 169,538 (1923)



2.1 Source Countries and Sampling

The present investigation was limited to countries where English is the predominant language. The investigator did not feel qualified to interpret and to compare brand names from other languages. Moreover, English is increasingly the world's dominant language of commerce. Great Britain, called here the United Kingdom (U.K. or often UNK), and its former colonies were substantially all the candidate countries for this study, and ultimately constituted all of those that participated.

An attempt was made to select countries over ranges of population, geographic location and size, and economic development, plus a good mix of racial, religious, and second-language diversity. These goals were attained, but not without a substantial amount of difficulty. Some countries do not register brand names, whereas some that do refused indirectly to make their registration information available for the purpose of this study. In the following seven countries, efforts to obtain the desired information were unavailing for the reasons stated:

- a. discarded/missing records (Hong Kong, New Zealand, Zimbabwe);
- b. impractical availability/cost requirements (Bahamas, Nigeria); and
- c. political refusal (Liberia, South Africa) not overt but apparent after unsuccessful intercession by U.S. diplomatic officers.

The Canadian sample was obtained shortly before files of expired brand registrations were discarded. An early turndown in the United Kingdom on the ground of incompleteness of records was rescinded subsequently, and this investigator was finally granted ready access to the files.

2.1 Source Countries and Sampling

Elsewhere bureaucratic cooperation, though willing, often took much longer than had been anticipated, but eventually proved successful—in the seven countries finally selected. The next table shows how varied they actually proved to be, along and across the listed attributes or dimensions.

Table 2.1-1

Notable Characteristics of Source Countries

Country <u>Abbrevn</u>	Geog <u>Locn</u>	(millions) <u>sq mi</u>	GNP <u>pop</u>	GNP <u>/cap</u>	Form of <u>Govm't</u>	Year <u>Free</u>	Other <u>Lang.</u>
AUS	Asia	2.97	16	Med	Parl Fed	1901	—
CAN	N.Am.	3.83	20	High	Parl Fed	1867	French
IND	Asia	1.24	487	Low	Fed Rep	1947	Hindi
IRE	Eur.	0.03	4	Med	Republic	1932	Gaelic
KEN	Afr.	0.02	19	VLow	Fed Rep	1964	Swahili
UNK	Eur.	0.09	56	High	Parl Fed	1215	Gaelic
USA	N.Am.	3.5	241	VHigh	Fed Rep	1776	Spanish

(Ref. Goode's World Atlas 17th ed. 1982 Rand McNally)

Included are one African, two Asian, two European, and two North American countries. Three are very large territorially, one large, one small, and two very small. Their populations range from one very large, one large, one medium, three small, and one very small. Their per capita economic standings include one very high, two high, two medium, one small, and one very small. Relative autonomy came to one each in the 13th, 18th, and 19th centuries (U.K., U.S., and Canada, respectively), and to the others in the 20th century. Australia and Canada remain members of the United Kingdom federation (or commonwealth). Ireland is a republic; whereas Kenya and the U.S. are federal republics—all quite democratic, although the U.K. is a constitutional monarchy.

2.1 Source Countries and Sampling

The source data to be sampled were all brand names ever registered in the selected countries, together with items of bookkeeping information about the brands—such as dates of first use, of application, of registration, and of any renewal or cancellation; duration of registration in years, and renewals (if any); types of registering entities and renewing entities; kinds of goods (or services) for which registered; and their official application numbers and/or registration numbers.

While anyone might expect the numbering of brand registrations for identification to be simply serial—beginning at any number from unity or another convenient starting number (e.g., 100 or 1000, as for checks), and readily suited to random number sampling—in practice it was not so easy.

In each country whatever comprehensive set of identification numbers was available became the means for random sampling of the brands. In most countries these were serially assigned registration numbers, although there were enough exceptions from that straightforward practice to require some adjustments. Thus, for whatever bureaucratic reasons, some runs of numbers were never used, whereas some runs were repeated and had to be distinguished. The sampling readily took all that into account.

In Ireland the numbering started at 30,000 (instead of lower) and went on to about 55,000; then, as the registrations of early ones expired, the same numbers were reallocated to new brands—until the year 1929, when the numbering started over at 30,000 again and continued serially.

2.1 Source Countries and Sampling

Canada repeated a run of nearly 60,000 low numbers, and then left out nearly 50,000 numbers between 50,000 to 100,000 (to compensate?). India omitted more than 30,000 from above 45,000 to about 80,000. In the U.K. some 10,000 numbers were omitted just before 300,000; and in the U.S., about 50,000 were left out between about 445,000 and 500,000.

These numbering variations are irrelevant to this study, but they sometimes resulted--more or less arbitrarily--from amendment of the laws controlling other aspects of the brand name registration process.

In India and the United Kingdom, application numbers functioned also as registration numbers for whichever brands were accepted. Hence, many additional random numbers had to be drawn in order to get a sample set of adequate size in those countries, as many applications never went to registration. All these deviations were taken into account in sampling .

2.2 Sample Sets and Subsets

Comparative sample sizes are introduced by this pair of pie charts.

Fig. 2.2-1
Sample Sizes Less USA

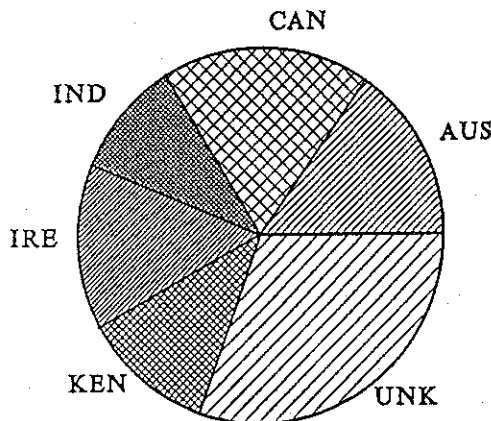
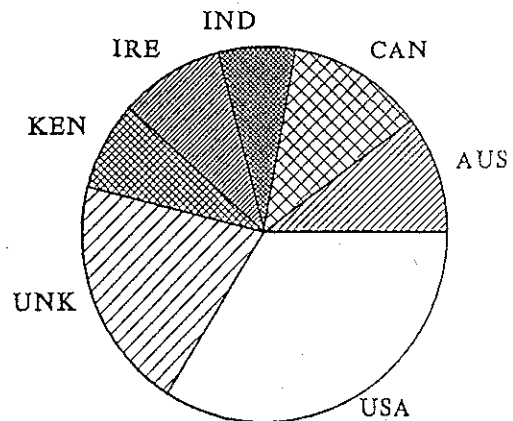


Fig. 2.2-2
Sample Sizes With USA



2.2 Sample Sets and Subsets

(Note that in all the charts, graphs, tables, etc. the countries are identified by three-letter abbreviations as optimal for accurate brief identification.)

The relative sizes of the sample sets are highlighted in these charts. The first compares the number of cases in the respective sample sets from the countries other than the United States. The second chart is a similar comparison of the sample sizes in all the countries including the U.S. Together they show at a glance that the United States sample occupies about the same fraction of the total number of brand names in this study that the United Kingdom does of the other countries--i.e., without the U.S.

The minimum selected sampling rate was 1 per 1000 in Australia, Canada, the U.K., and the U.S., giving a thousand brands from the U.S. To get samples of adequate size (desirably two to three hundred) the rate was raised to nearly 1 per 100 in Kenya, and was intermediate in India and Ireland. The ratios in India and the United Kingdom are approximate because only the applications (not the registrations) are serially numbered.

The individual sample sets were selected by stratified random sampling. In the United States, as an example, the first million registered brand names were divided into ten consecutive "strata" of a thousand brand names each. Each stratum was sampled randomly at the given rate to yield just a hundred brand names each, for a total of one thousand in the entire U.S. sample set.

In other countries similar procedures were followed to assure similarly stratified random sampling over the period during which brand names were registered there. Rates of registration increased over time (except in India), so resulting samples are unevenly distributed timewise.

2.2 Sample Sets and Subsets

The usual result is to emphasize more recent periods over earlier ones, as seems most appropriate because (*omnia paribus*) recent registrations have a greater claim upon our attention than do those of much earlier years.

Legislative amendments relative to brand names had the occasional effect of altering the term of registration, the renewal term, etc., thereby necessitating differing analytical treatments of previous and subsequent brand names. Largely for this reason it was necessary to subdivide each country's sample into distinct subsets--themselves seldom coterminous with the stratified sampling periods.

In each of the United Kingdom and the United States, a half dozen subsets were defined, mainly by such legislative events. To favor subset comparison from country to country, those with most recent introduction of brand name registration and the smallest samples (India and Kenya) are allocated four subsets, whereas the remaining several have five subsets.

Table 2.2-1

Sampling Rates and Sample Set & Subset Data

<u>Country</u>	<u>Cases in Set</u>	<u>Per 1000</u>	<u>No. of Strata</u>	<u>Subset Periods</u>
AUS	300	1.04	6	5
CAN	359	1.46	5	5
IND	198	1.00*	6	4
IRE	275	3.33	6	5
KEN	230	9.20	5	4
UNK	594	1.00*	12	6
USA	1000	1.00	10	6

* Approximate, mainly because no fixed proportion of serially numbered applications attained registration.

2.2 Sample Sets and Subsets

As is apparent, the last foregoing table details the total number of brand names in each country's sample set, the sampling rates, the number of sampling strata, and the number of selected subset periods.

The total number of cases in this study approaches three thousand, totaling exactly 2956. Listings of all of these cases, identified by country and registration number, appear consecutively in Appendix I.

In all of the countries the sampling strata are a finer subdivision than are the subsets, as much as twice as numerous in the U.K. and nearly so in the U.S. Hence, each subset overlaps at least two sampling strata.

Although the maximum number of subsets is a half dozen, only the subsets numbered from 1 to 4 are found in the sets of all the countries. These positively numbered subsets are intended to designate comparable (not identical) periods, which begin in the present century and terminate in the late 1970's or in the 1980's. Both India and Kenya have had such brief histories of brand name registration as to have only positive subset periods.

However, Australia, Canada and Ireland, where registration began much earlier, have been allotted a preceding base period (numbered 0).

The United Kingdom and the United States sample sets, being much larger than--and as early as--those of Canada or Ireland, have an additional preceding base subset or period, numbered -1.

The next table identifies legislative changes and similar bases for dividing one subset from the next. An effort was made to equalize each country's respective subsets in number of registrations, wherever there was no reason not to do so, which is called simply "arbitrary" in the table.

2.2 Sample Sets and Subsets

Table 2.2-2
Sample Subset Period Determinants

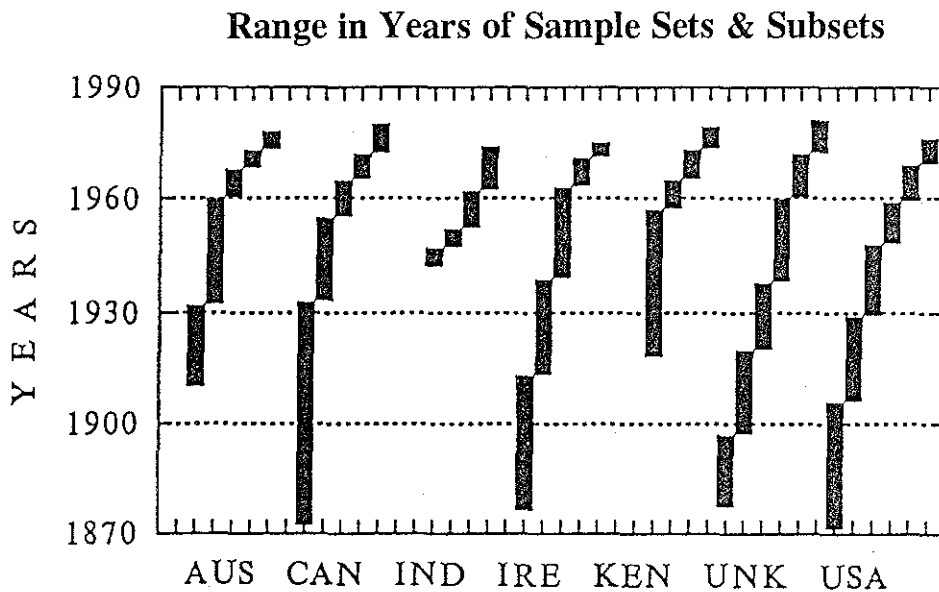
AUS:	<ul style="list-style-type: none"> 0 - Act of 1905 - Registration & renewal both 14 yrs. 1 - Arbitrary. 2 - 1955 Act eff. Int'l. classn. Renewal 7 yrs. 3 - Arbitrary. 4 - Not renewable at time of sampling.
CAN:	<ul style="list-style-type: none"> 0 - Act of 1867 - Registration term 25 years. 1 - Act of 1932 - Regn term from application date. 2 - Act Of 1954 - Regn term 15 years from issuance. 3 - Not renewable at time of sampling. 4 - Arbitrary.
IND:	<ul style="list-style-type: none"> 1 - Act of 1940 - Registration 7, renewal 14 years. 2 - Independence 1947. 3 - Renewal revised to 7 years. 4 - Act of 1958.
IRE:	<ul style="list-style-type: none"> 0 - Act of 1875 - Registration term indefinite. 1 - Amdt of 1917 - Regn and renewal both 14 years. 2 - 1939 rev. of Act of 1927 - Consecutive regn nos. 3 - Act of 1963 - Registration term 7 years. 4 - Not renewable at time of sampling.
KEN:	<ul style="list-style-type: none"> 1 - Ordinance of 1912. Regn & renewal 14 years. 2 - Arbitrary. 3 - Act of 1965 - Intl classification. Regn 7 yrs. 4 - Not renewable at time of sampling.
UNK:	<ul style="list-style-type: none"> - 1 - Acts of 1875 and 1883 - Regn & renewal 14 years. 0 - Act of 1905 - Proposed instead of actual use O.K. 1 - Act of 1919 - A and B registers. 2 - Act of 1938 - Regn 7 & first renewal 7 years. 3 - Arbitrary 4 - Not renewable at time of sampling.
USA:	<ul style="list-style-type: none"> - 1 - Acts of 1870, 1881. Regn & renewal 30 years. 0 - Act of 1905 - Regn & renewal 20 yrs. New classn. 1 - Arbitrary. 2 - Act of 1946 - Concurrent Int'l classification. 3 - Not renewable at time of sampling. 4 - Arbitrary.

2.2 Sample Sets and Subsets

Note that the New British (now International) classification arose in Subset Period 2 in Australia and Kenya as well as the U.K., was used in all periods in India, and also in Ireland by reclassification. Inasmuch as Canada had no classes, the U.S. classification was used for Canada also.

The following vertical bar graph displays the extent of the sample sets in the respective countries, extending over their total ranges in years, with each bar subdivided into corresponding consecutive subset portions, slightly offset. A maximum of about a century is covered, from about 1870 to about 1980, as already noted in more detail in Table 1.3-1.

Fig. 2.2-3



In this graph, each country's individual subsets, from beginning to end, rise above the country name abbreviation, continue for the span of years intersected, offset to the right from one another, and conclude at the topmost subset (4) preceded by the others (left and down in reverse order).

2.3 Coding Instrument and Reliability

Appendix I sets forth the "Guide to Coding Registered Brand Names" used in this study. Minor adaptations of it retaining all the needed information matched the registration procedures of the various countries.

The data to be coded are classifiable into three diverse types:

(a) general bookkeeping; (b) alphanumeric brands and (c) design brands.

The coding instrument is divided into corresponding parts I, II, and III.

Part I - The first or general bookkeeping part of the coding guide is directed to kinds of data about which coders can be expected to agree, because little or no discretion or judgment—only care—is required to provide an accurate entry. Sequential case numbers and a coder identity number are included. Brand applicants must provide their names and addresses, legal entity type, and sometimes other information, but the only such item noted here is whether applicants for (or renewers of) a brand registration are proprietorships, partnerships, corporations, or political entities. Most of the other entries are dates, such as year of application filing, year of first use (if available), and year of registration. Also included are the number of renewals (if any), reason for discontinuation (if no longer on the register), whether on a first-class or lesser register, and whether any part of the brand is disclaimed (e.g., as a word of the language usable by others in its ordinary sense) apart from the brand as a whole. Also required is the class (numerical) of goods for which registered—a judgmental item only in Canada, where coders classified the goods (or services) according to the U.S. classification for lack of formal Canadian classification. A rather more discretionary transitional final entry required the coder to locate each brand along an alphanumeric-to-design continuum (via a Likert scale).

2.3 Coding Instrument and Reliability

Part II - The second part of the coding guide calls for various alphanumeric features, including number of letters, words, syllables, numerals and numbers—requiring relatively little discretion or judgment. (See comment below about unreliability in counting numerals or numbers.) Two rather judgmental items conclude this part: degree of alphanumerical information content by way of meaning relation of the brand name to the branded goods (or services); and whether any such part of the brand is shown in stylized, rather than plain ordinary typographical, form.

Part III - The third part of the coding guide asks if a border or outline is present, which (like the stylization query at the end of Part I) is a transition feature between alphanumeric (verbal) and design features of brands. As to design brands themselves, the guide asks whether any design feature (other than a border) is pictorial or is abstract (or mixed pictorial and abstract), and whether any pictorial feature shows a human, a man-made, (i.e., mad.) or mixed item. It also includes judgmental requirements of design classification according to the World Intellectual Property Organization (WIPO), and degree of design information content or meaning relation to the branded goods; also the question of whether color is present in the brand as registered (all the records show the brands in black and white).

The Pilot Study - A pilot study (unpublished) of similar nature was conducted by this same author on a random sample of some two hundred brand names registered in the United States. Its coding instrument asked for more items to be coded, such as peculiarities of U.S. practice, recognition of brands by coders, rating of semantic differential (activity, potency, evaluation scales), and other features such as meter, rhyme, and slogan.

2.3 Coding Instrument and Reliability

Krippendorff's intercoder reliability computer program (1968) was applied to the coding results obtained by three coders in the pilot study. The program compares the actual agreement of each pair of coders against the agreement that would be expected by chance. Considering the results of all pairs, the program is adapted to calculate separate coefficients of agreement for nominal, ordinal, interval, and ratio data. As a result of checking the intercoder reliability in the pilot study, the number of items to be coded was pruned to delete most of the less reliable ones. Summarized below are some of the reliability results obtained in the pilot study, plus comments about consequent inclusion or exclusion of specific source data.

Part I application filing and brand use and registration dates all received intercoder reliability ratings of 0.95 or higher (interval). Renewals (interval) and renewing entities (whether nominal or ordinal) received coefficients above 0.90. Coding of goods/services classes rated nearly perfect, with a 0.97 agreement coefficient (nominal). Registering entity rated just under 0.80 (nominal) and just under 0.90 (ordinal) perhaps varying because of gradation in entities from individual to state-controlled.

Allocation along an alphanumeric to non-alphanumeric (or design) spectrum gave the coders difficulty, resulting in unacceptably low coefficients (nominal) of only 0.33 in the pilot and 0.65 in a recheck (based upon another, smaller sample). However, except for one invalid entry in the recheck, perfect (1.00) agreement would have resulted from combining the "Mostly Alphanumeric" and "Mostly Design" values into a single "Mixed" value, indicating no difficulty in coding the extreme or purely verbal and purely design brands but only in weighing the mixed ones.

2.3 Coding Instrument and Reliability

Although all four values of such "Mostly" categories were coded for the present study, during data processing the two intermediate values were combined. Marginally rated categories (nominal) of disclaimer of descriptive matter (0.68) and second-class registration (0.65) were kept for counting in the main study but noted as being of apparently too low intercoder reliability. Others, such as slogan (0.58) and discontinuation of registration (0.43), were discarded completely as manifestly unacceptable.

In Part II, the "verbal" section, the alphabetical categories in which components are counted (ratio scale) rated lower than the housekeeping categories in Part I for intercoder reliability but high enough to be retained, such as words (0.84), letters (0.83), and syllables (0.77). Each of these categories improved in the recheck--which as already noted involved a different set or sample--to range from 0.82 (syllables) to 0.95 (letters). Coding semantic differential scales was hopelessly unreliable (0.39 to 0.21) in the pilot study so never made it into the present study.

As already noted, the numeric categories were excessively weak: number of numerals (0.69) and number of numbers (0.37). Their coding was continued in the present study only to identify whether a brand name had any numerical content at all. Miscoding of such rare items as numerals/numbers may contribute larger errors than if the item were of more usual occurrence. Stylization of numerals/numbers may have contributed, as may have some verbal conversion of them by the coders.

The last category of Part II, "stylized" (verbal only) and the first category of Part III "borders" (all) were only about 0.50 as rechecked and were retained for use only to estimate their frequency and time trends.

2.3 Coding Instrument and Reliability

Verbal brand/goods meaning relation from Part II, and design meaning relation from Part III, had similarly low coefficients (ordinal). The major difficulty lay in distinguishing the information-laden values of "descriptive" and "suggestive" rather than in distinguishing them from the information-free extreme of "arbitrary". So, satisfactory agreement can be attained by joining the first two values into a value of "high" coupling (informational) and leaving the third value as "low" coupling. Such recoding was adopted for the most part in the present study except where the two high-coupling components were compared with one another.

The other categories of Part III, the design section of the coding instrument, included a three-valued "pictorial" type, which received a weak intercoder coefficient, in the mid 0.70's. It was retained only to stimulate possible future interest in such item. Pictorial stylization as "natural" or "grotesque" gave an even lower coefficient (in the mid 0.60's) and was discarded. A category dividing brand design components into abstract and pictorial, which provided for an intermediate mixed value, was rehabilitated from an unacceptable rating by deleting the intermediate value and retaining only the extreme values, about which there was very little coder dispute. The WIPO design classes proved too "noisy" to be worth reporting, being inadequately mutually exclusive and exhaustive.

Three coders (including the author) coded all the samples in the present study, except that only the author coded the final U.K. sample. A number of cross-checks, via mutually incompatible answer categories, were built into the coding guide. Two of the coders cross-checked each coder's work product to reconcile any mutually incompatible entries.

2.3 Coding Instrument and Reliability

Thus, if a given case was coded as wholly alphanumeric, only the first and last sets of entries in the third part should be present; if coded wholly design, no second-part entries should be present; if coded mostly one or the other, both parts should have entries. Similar cross-checks were performed on meaning relationships, on pictorial and abstract designs, and on the types of brand-registering entities and brand-renewing entities.

Rather more detailed coding of U.S. data was accomplished than is relied upon in the present account, some of which may be of interest in another forum later, e.g., legal technicalities, such as disclaimer, expunction, and restoration. The infrequency of color (not even reported in some countries) and of numerals/numbers, and the coding unreliability of them and of the WIPO design classification, led to their omission from the study despite initial inclusion in the comprehensive coding instrument.

2.4 Data Processing

Except for the United Kingdom data, which were keyed directly into a computer, the coded items of information for the brand names, were entered via punch cards as "cases" of data, retrievable at will. Initially, data processing was done chiefly by SPSS methods of Nie et al. (1975). More recently, the SYSTAT statistical computer package was used.

Frequency distributions were obtained and printed for the multi-valued items or variables for each country (a) taken as a whole and (b) by subset periods. Transformations of entries were made to render values of certain variables comparable, such as in classifications of goods (considered further below), and to calculate the duration of each brand name in a sample set, according to various terms of registration or renewal.

2.4 Data Processing

Measures were devised to measure such phenomena as the trend from individual to communal ownership of brand names, and trends in branding of selected groupings of goods as indicators of social change.

Survival of brands is an obvious goal and may be taken as evidence of the success of them in the marketplace, or at least of their branded products. Random sampling should average out product success or failure. Those brand names that survived the test of the marketplace, which is where brands live and die, were compared in various of their features with those brands not maintained beyond their initial period of registration. Noted for survivability were specific brand name features (e.g., pertinent information content) about whose desirability there are differences of opinion among brand designers, marketers, lawyers, and psychologists.

Noted national similarities or differences in features of brands were considered in relation to economic, social, and/or technological factors. The countries were ranked by various noted attributes for grouping by multi-dimensional analyses. Other stated objectives of this study were pursued by similar standard techniques, and were achieved—whether fully, partly, or not at all—as noted in further detail in subsequent sections.

Brand 2.4-1 UNK495

Regn. 996,348 (1972)



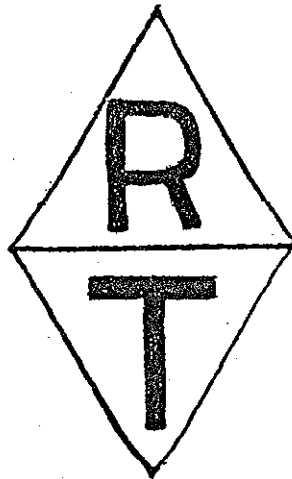
3. Viewpoints and Constraints

-38-

3.1 Commercial

The Historical Perspective section in the first chapter recounted how brand names grew out of commercial activity, characterized in part by (i) the desire of an artisan (or guild, etc.) to be recognized as the source of a given work product, and satisfying that desire by applying an identifying mark on the product, and (ii) the correlative desire of a purchaser of the product to feel confident that it will prove satisfactory, and accepting the applied mark as an assurance thereof. Letters might or might not be used, as might an outline or other simple design, as below.

Brand 3.1-1 - CAN041
Regn. 136,744 (1927)



An intermediary (e.g., a broker, lender, or shipper) in a sale/purchase transaction, also welcomes such assurance to facilitate profitable resale or other transfer of products, and presumably a gain or profit. Brand names (i.e., trademarks) were increasingly accepted as beneficial to parties to sale/purchase transactions, and became popular in many venues, as merchandising customs assimilated them.

3.1 Commercial

Brand names are considered by the business community as mainly an advertising tool, i.e., something to remind an existing or prospective purchaser of advertisers' branded goods or services so as to increase sales. See illuminating commentary in *International Encyclopedia of Communications* (1989) published by The Annenberg School of Communications of the University of Pennsylvania together with Oxford University Press. Under the heading Advertising in vol. 1 (of 4), appear contributions about brands, viz., Overview by Leo Bogart (p. 8); History by Wm. M. Weilbacher (p. 19); and Economics by D.G. Tuerck (pp. 25-26).

Advertisers often go to the extent of attempting, as by interviews and written surveys, to measure consumers' awareness of existing brands or even their receptivity to new brand candidates. Academics or other experts are often sufficiently interested to engage in clinical "recognition and recall" experiments, such as cited in section 1.4 *supra*.

Advertising normally includes considerable textual and pictorial subject matter besides brand names, presumably directed toward influencing the audiences to acquire whatever product (or service) is so advertised. Although some investigators, such as Lutz (*supra*) and McKelvie (*supra*), prefer "interactive" showing of some related item and/or usage, the added content may interfere with determination of whatever effect a brand name may have in its absence and so constitute "noise" for the present purpose.

Commercial enterprisers praise market success of branded goods as stock pickers do for stocks that rise in price, but after-the-fact explanations of favorable predictions in either venue are idiosyncratic and not convincing, so it seems only fair to discount their claims of successes.

3.1 Commercial

Accordingly, the present investigation, although sharing the curiosity of advertisers, marketers, and others, is retrospective first and only subsequently is predictive. Priority of purpose must go to becoming better informed about what brand names actually consist of and just which variously constituted brand names have survived in the marketplace, as reflected in their official registration and any renewals of registration. Only after we have that information should we attribute success or failure to any aspect of brands or relate brand differences to other phenomena, such as diversity of characteristics between countries, for example.

3.2 Legal

As not everyone in trade is scrupulously honest, possible false branding/marketing occurs from time to time—whereupon people may be misinformed about the actual source of a work product. Sanctions to encourage honest dealing or to discourage dishonest dealing may depend for enforcement upon self-help by victims of false branding, individually or as vigilantes, but customarily nowadays it is entrusted to public enforcers authorized to apprehend wrongdoers and to courts to determine suitable punishment and/or retribution.

Also as dishonest or mistaken people may wrongly accuse innocent persons, some way of ascertaining the truth must be a prerequisite to public enforcement of commercial custom. Hence, a legal system is needed, to make rules about what commercial customs will be enforced, and how. Such a system develops rules of its own about how to deal with subject matter within its jurisdiction—here specifically brand names.

3.2 Legal

Law, whether as a matter of fiat or of social contract, sanctions commercial custom to a substantial extent, so as to enable buyers and sellers to transact their business and to rely upon delivery and payment, or else to be recompensed for failure to receive promised goods or their agreed price. As already noted, brand names constitute an assurance that goods are of a kind and quality, preferably already known as so branded.

A brand name well known for certain goods may be extended to different goods by the original seller under the well known brand without damage to the public if quality is maintained. Alternatively, the supplier may lower its quality standards, for either or both the original or/and newer goods, thereby disappointing its customers who relied upon the brand name to guarantee the former quality but received inferior goods. A seller of inferior goods may adopt the known brand for either like or unlike goods, thus deceiving purchasers who expect the former's goods.

Not only may customers be misled by misuse of accepted brands, multiple sellers may adopt brands that--though non-identical--are confusingly similar in some respect, whereupon customers may mistake one brand of a given kind of goods for another brand of that general kind of goods, an error that presumably would not have occurred if all sellers of such goods had used distinctive brands.

Rules and regulations arise by assimilated custom and by legislative intent and effort to constrain what can be done with brand names. Listing of brand names in use, of their users, and of the goods so branded is kept, and a fee is required for such registration of them by a duly constituted authority. Benefits of enforcement accrue to the registering brand users.

3.2 Legal

Registered brand names may thereby acquire for their registrants desirable advantages, such as the right to use a standard symbol as notice of registration, readier recourse to the legal system for relief against unauthorized users, readier extension of the same or similar brands to additional goods, and freedom from loss of the registration because of a third party's objection not previously asserted despite passage of significant time since registration.

Although registration of a brand name may be maintained perpetually, the law requires recurrent renewal, to preclude the register from becoming clogged with discontinued brands, which could militate against creation and use of new brands. The period from registration to renewal, and the period from one renewal to a successive renewal, are set by legislation and may be changed from time to time (as Table 2.2-2 has shown).

The most frequent obstacles to registration are that a brand name proposed to be registered is either incapable of distinguishing (such as by being merely descriptive) or is the same as or confusingly similar to a brand for similar goods. Pre-registration examination is designed to preclude registration of candidate brands for these or other reasons.

Even after registration a brand may be impaired or lost completely by becoming accepted as the generic name of its particular goods. SHREDDED WHEAT and THERMOS are examples where the law entitled other producers or sellers to use those words for their similar goods together with their own wording sufficient to distinguish multiple sources of the named goods from each other as well as from the original source.

3.3 Creative

Brand names, unlike patents and copyrights, are not subject to an originality requirement. Someone desiring a new brand may--but need not--create a new word or expression or a new design or any new verbal/design combination. An old word, expression, and/or design may constitute a new brand. However, it is unlikely that a first choice will prove to be available for the use desired to be made of it, whereupon a succession of candidates may have to be considered.

Although brand names may be adopted at will, there may be outstanding legal rights to their use with certain goods that would lead to legal complications, so prudence dictates undertaking to ascertain beforehand whether any identical or similar brands are being used and/or have been registered, especially for the same or similar goods (or services). Confusing similarity to similar goods is a frequent barrier.

Unfamiliarity with selecting brand names may lead an entrepreneur to seek assistance in doing so, but should be done with the understanding that a variety of views exists about brand names selection and/or construction or creation. Beginners tend to prefer a brand name that describes the product (or service) to simplify the task of acquainting prospective purchasers with its availability and utility--at least until learning that merely descriptive designations cannot be registered, and anyone, including competitors, can continue to use descriptive words likewise.

People skilled in brand name selection, registration, or enforcement prefer more distinctive brands, but a new verbal expression or design that is readily registrable may be rejected by prospective customers.

3.3 Creative

Lawyers especially tend to prefer an arbitrary designation substantially devoid of meaning (e.g., KODAK) so as to be minimally likely to be confused with existing brand names and, thus, easy to protect.

Even professional designers have erred toward the arbitrary end of the spectrum, as in devising excessively arty or letters and/or designs so distorted as to be unidentifiable.

Habitual designers of brand names, whether enlightened lawyers, marketers, or entrepreneurs, tend to avoid the extremes of arbitrariness and descriptiveness and to prefer a middle ground, where the brand is deemed only "suggestive" of an attribute of the branded goods or service. IVORY is a classic example, with connotations of whiteness (hence, cleanliness) and, as a bonus, rarity value (desirability).

Many experienced designers prefer to include design and verbal features in a single brand, either or both of them also preferably suggestive of a desirable attribute of the branded goods (or service).

Brand 3.3-1 - USA302
Regn. 302,318 (1933)



The above brand was registered for Toy Paint Box Kits, for children, so the copying implication seems apt. Minimally shown, the kits are outweighed by the cat design and words KOPY-KAT, so the brand is suggestive, rather than descriptive of the branded goods.

3.4 Social

Brand naming is subject to other constraints than commercial, legal, and creative. Possible affronts to social custom and order are disallowed, such as scandalous or obscene matter. Political symbols, such as the flag of a nation or of a constituent subdivisions are unacceptable, and inclusion of geographical names or personal surnames usually necessitates adequate factual substantiation. Social constraints (e.g., scandalous matter) tend to change in small increments and without much fanfare, whereas sociopolitical ones (e.g., protected symbols) do so in larger increments—and often only after legal action.

Writers with reservations about capitalistic economics from time immemorial have inveighed against brand names for producing economic rents. U.S. administrative agencies have been targeted by business writers for anti-business bias. Ford (1965) entertainingly fired a satirical shot across the bow of the Federal Trade Commission (FTC) thirty years ago with his "The Day the Brands Died"—and business ground to a halt.

A spasm of socioeconomic revulsion against the 1980's "greed decade" has occasioned numerous anti-brand outbreaks, which in turn gave rise to letters to the editors. *The Economist* in an article entitled "Shoot out at the check out" (5 June 1993) noted that the drastic lowering in top-brand cigarette prices was a rational business reaction to loss of sales to lower-priced off-branded competition. Consumers justifiably prefer to buy at a lower price whatever is offered branded at a higher price, and some large suppliers are switching to emphasizing their trade (corporate—not brand) names as an umbrella, at least for the time being.

3.4 Social

More recently, *The Economist* in a follow-up article "Don't get left on the shelf" (2 July 1994) points out that in an economy where computers, as well as other goods, have become commodities, sellers should recognize: "The point of brands is, and always has been, to provide information... In some ways, commoditisation has made this information more important, not less...So the battle over brands will go on."

3.5 Informational

The spectrum (arbitrary...suggestive...descriptive) has an infinity of intermediate locations for brands, of course, and concerns only attributes of the branded goods/services. Other description, or suggestion, such as by depiction of a woman in blue garb along with the words BLUE NUN, should be considered arbitrary, relative to the branded goods (wine), whatever else one might imagine contributed to its naming.

It is hardly possible to make a complete list of goods for which brand names might be used, much less their various attributes or characteristics that might be brought to mind by brands for such goods. However, in specific cases, goods features are reasonably apparent--and every individual brand name is a specific case, of course.

Among the most likely mental associations are whatever characteristics of the goods can be apprehended by the five senses: hearing, sight, smell, taste, and touch. Many less obvious characteristics also come to mind, such as ethnic, geographical, historical, mythical, political, social, and technological, for example.

3.5 Informational

Despite a seemingly infinite range of possible linkages between a brand name and its branded goods (or services), a brand that fails to trigger a prompt mental connection in a potential buyer or user has proved ineffective, at least with that person at that time. A good brand name is self-effacing or "transparent" (i.e., signifying the branded item, rather than having any distracting meaning in itself). A slang expression or a *double entendre* may attract attention, but if not effectively coupled to the goods it may go the way of much clever advertising that people remember in itself rather than for the advertised product or service.

The literature is full of assertions that a brand name should have both verbal and design components. This may be because some people remember one kind of component rather than the other, or because some people tend to remember both. It seems a sensible view, one the present investigator has been known to espouse. A few relevant citations are noted above, but the evidence is slim, and much of it far removed from the marketplace. Reports of live experiments in recognition and recall, whether of existing or newly synthesized words, with or without designs, often seem notable mainly for their disagreement about how to construct such an experiment.

Hence, the plan here is to distinguish clearly between alphanumeric ("verbal") components and non-verbal ("design") components of brand names, in regard to their information content about attributes of the branded goods or services. Either or both kind of component may be found anywhere on the spectrum of meaning relationship from non-informative ("arbitrary") to extremely informative ("descriptive").

3.5 Informational

Noted already is a preference of some brand designers for the middle ground ("suggestive") as a creative strategy to avoid the prospect, for brand names at the low meaning end, of little or no foreseeable ownership right/capital value, to—for those at the high end—an immoderate cost of establishing the desired brand/goods recognition and recall.

3.6 Evolutionary

A communications orientation suggests avoiding injecting "noise" such as can be expected from idiosyncratic choice of brands considered. It seems more appropriate to let the marketplace reveal what is a good brand name and what is not, by means of a group of brands selected by random sampling. Whatever influences (unknown or overlooked here) may enter into determining which brands survive and which do not survive also should be distributed randomly throughout the sample.

McPhee [1963] reviewed cultural mass communication (books, plays, movies, and TV programs). He found repetitive screening of such work products (notably TV programs) by audiences to be conducive to retaining good (or "wheat") quality, whereas single screening, as of Broadway plays by critics, is more conducive to eliminating poor (or "chaff") quality.

Brands are subject to successive screening: first by a registering agency (the professional critic), which screens out the chaff; and then repetitively by prospective purchasers, who retain the wheat. Surviving brands have met both tests, perhaps aided by mutation between renewals.

3.6 Evolutionary

Boulding (1978) points out (at p. 68) in regard to population dynamics of human work products or artifacts:

"For each such species of artifact we can postulate something like birth and death functions relating, in a given environment, the flow of production and consumption to the total population or the existing stock. These relationships are somewhat different in character and are mediated in ways different from the environment of biological populations, though they are probably of about equal stability. In this case perhaps it is more convenient to think of production (births) and consumption (deaths) flows (units of population per unit of time) rather than of birth and death rates, because there is no particular reason to suppose that the ratio of production to the stock or consumption to the stock, which would be the equivalent of the birth and death rates, has any tendency whatever to be constant...The death rate of human artifacts can be related to the age distribution in much the same way as the death rate of biological species, because artifacts have a life history as do biological individuals. When they reach their particular 'allotted span' they are likely to decay to the point where they will be scrapped or 'die.' The variability of life-history of artifacts may be greater than that of biological individuals because of greater variability in the maintenance function."

He notes that "multi-parental" human artifacts are unlikely to be a function of existing stock of the species, but he exemplifies equilibrium dynamics only by tangibles to be consumed or "wear out" (e.g., cars).

Discontinuation of intellectual work products (brand names as an example) apparently depends more upon complex exogenous factors than upon the usual endogenous ones that affect machines or even humans.

3.7 Comparative

Boulding also considered (p. 129) the evolution of language, thus:

"A word actually spoken or written can be thought of as an individual of a species, of which the total existing number of such words is a population. Its genome is the knowledge of the word in human minds; it is born when it is used either in speech or in writing. In spoken language it dies when it reaches the recipient's ear and is registered in the recipient's mind; in written language the word lives for a very long time until the writing or the message is lost. Even in spoken languages words become extinct; they are forgotten and their genomes in human minds disappear. Other words are invented by a process of linguistic mutation. Some invented word do not survive the inventor. However, if there is a niche for them, they pass into the language and become a living word-species."

Boulding goes on to consider a tri-axial social dynamics construct:

"Relations between organizations and people (marked TIE) are the bondings, which may be various mixes of threats, integrative relationships, and exchange...may...be mediated through things."

Boulding's TIE model (p. 231) is reproduced next, as Fig. 3.7-1, an equilateral triangle having three coordinates (Threat, Integrative, and Exchange—hence TIE), each ranging in value from 100% in its corner to nil at the other corners. It serves to locate social groups according to Boulding's estimate of the mix of those three variables in making up or influencing such organizations as a self-explanatory example of social dynamics, which he considered earlier using a construct omitted here.

NOTE: These excerpts from Kenneth E. Boulding, *Ecodynamics—A New Theory of Societal Evolution*, copyright 1978 by Sage Publications, Inc., are reprinted here by written permission of Sage Publications, Inc.

3.7 Comparative

Fig. 3.7-1
Boulding's TIE Construct

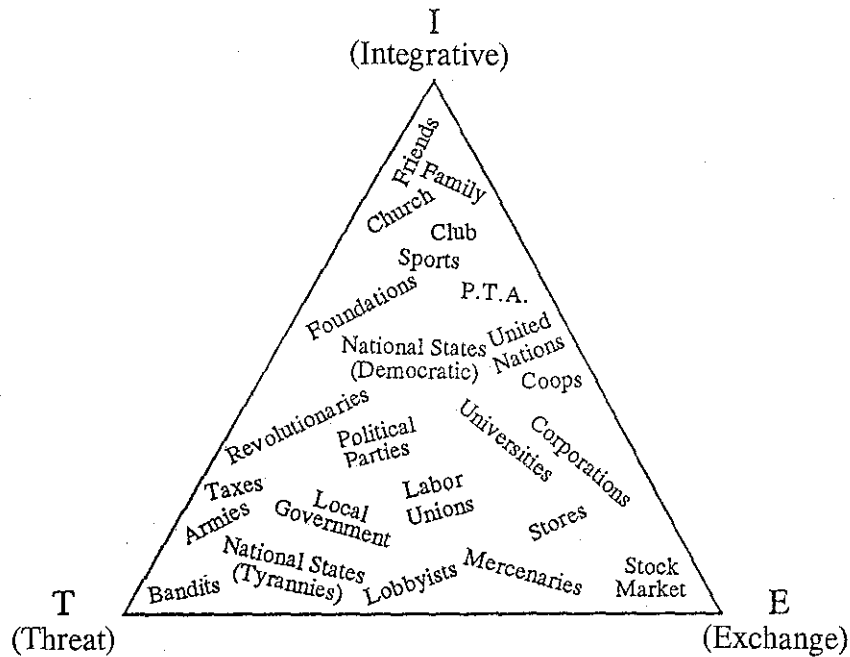
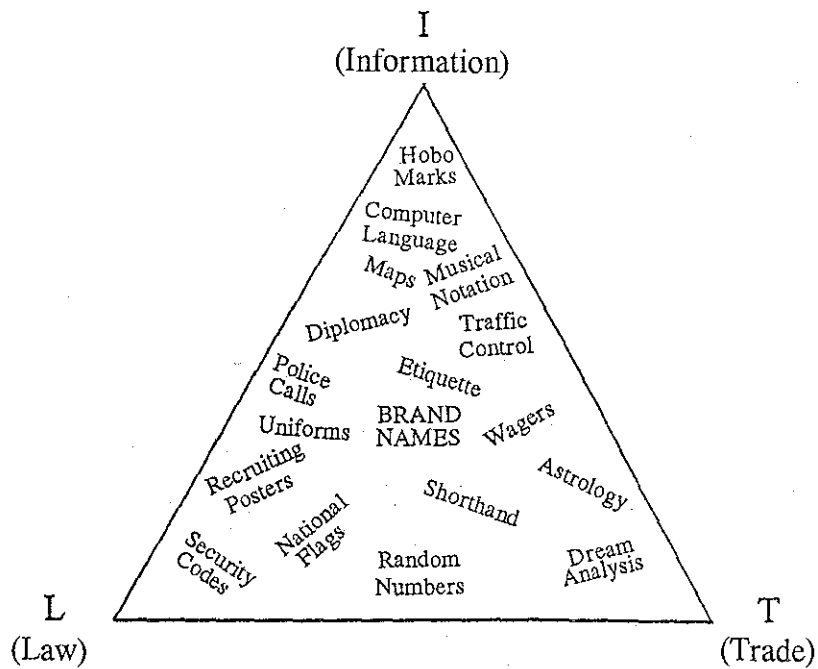


Fig. 3.7-2
Author's LIT Construct



3.7 Comparative

Fig. 3.7-2 is the present investigator's suggested symbol system adaptation of Boulding's triaxial conception of human social groups as located relative to the three respective axes of **Threat** (relational), **Integrative** (organizational), and **Exchange** (evaluative). This new construct locates symbol systems used by humans, in relation to three comparable axes of **Law**, **Information**, and **Trade**. Because of its relatively even mix of all three, **Brand Names** are even more central than may appear without measurement from the respective apexes, at a position bracketed by Boulding's **Democracies**, **Labor Unions**, and **Political Parties**.

However, no case is made here for the (idiosyncratic) placement shown of any of the identified kinds of verbal/design symbol systems in this diagrammatic three-dimensional LIT construct. Rather, the objective is to illustrate a way to compare brands with other verbal/design symbol aggregations, each of which might well be designated a symbol system, regardless of how other people might arrange or rearrange any of their relative locations in such an unusual triangular representation.

The next section pursues that approach for brand names, as a guide to the kinds of characteristics to be analyzed. Color is not one of them because though it is found in many brand names in advertising, brands usually are colorless as registered, to avoid being limited by color(s).

Brand 3.7-1 - CAN346
Regn. 234,243 (1979)



4.1 Requisites

Krippendorff (1969) in "Models of Messages" categorizes messages into these three model types: (i) association, (ii) discourse, and (iii) communication. They are cumulatively hierarchical, in the sense that the discourse type may contain the association type, and the communication type may contain the other two. Semantically they are, respectively, (i) associative or correlative (whether causal or not), (ii) denotative or connotative, and (iii) controlling or interactively consequential.

Advertising seeks to be in the latter or highest class, of course, but hardly can claim more than an intermediate rank as denotative or connotative discourse. Brand names are the nucleus of advertising, essential for directing a prospective purchaser to the goods or services of the advertiser, rather than to those of a competitor.

Brands exist altogether on a level of association as an aggregation or set of symbols essential to advertising discourse, which is a type of mass communication and the highest level of interest to Cox (1961) in Dexter and White (1964)—and other advertising/marketing professionals.

The present study views brand names not only as a vast symbol system but as a multitude of subsystems, including one in each of the seven English-speaking countries investigated here. Whatever symbol characteristics are scrutinized here are compared within and among countries, and often throughout successive periods of time within single countries.

Brand attributes of interest may be behavioral (e.g., survival), morphological (e.g., spoken or written length, or verbal/design composition), or relational (to their branded goods, registering entities, or purchasers). These will become more familiar in the light of further exposition here.

4.1 Requisites

The nature of symbol systems is considered below, recognizing that what is important is not that an aggregation of elements or members be called a system, but that treating them as such somehow enlightens us.

As further pointed out by Krippendorff (1969), the term "system" may have many meanings according to whether it is defined in a "hard" or "soft" way—as Rapoport put it—or even vaguer than merely soft. The requirements for a hard system are too rigorous to be met by social phenomena (e.g., brand names), so let us look at those for a soft system.

Krippendorff lists two requisites for a static—and two more for a dynamic—system, as follows:

- (1) Many constituent element which have
- (2) A structure...recognizable relationships among the elements which are not reducible to a mere accidental aggregation of elements.
- (3) A behavior or a function...efforts to maintain a short-term steady state at which some essential structure...the identity of the system...remains invariant (a) in spite of changes in elements...and (b) in spite of changes in the environment with which they interact.
- (4) A history...slow, long-term changes...grow, develop, evolve or degenerate, disintegrate, die.

As a symbol system should have symbols as its elements or members, so a brand name symbol system has brand names as its elements or members. That brand names as a system also meet the requirements for structure, behavior, and history will be confirmed below.

4.2 Examples

First, it may be helpful to contrast the brand name symbol system with other mass communication symbol systems often encountered. Candidates appear in Fig. 3.7-2 devoted to the triangular LIT construct in the last preceding chapter. Those listed there are only suggestive, rather than exhaustive, of such symbol systems. Maps and traffic control seem to be worthwhile examples, although others may be as (or more) illustrative.

In maps, as in brand names, both verbal and design symbols are encountered. The same is true in traffic control, where oral messages predominate, but light and sound also are used, both alone and in various combinations with the other symbols.

The objectives of safety and speed of transport have kept traffic symbols fewer than the words of a spoken or written language, and probably usually clearer because the price of ambiguity is so high in travel. In addition to universally recognized symbols, such as arrows and simple pictograms, color and shape have been utilized. The trend is toward reduction, if not elimination, of verbal matter (except in air traffic control) because of language difficulties with polyglot travelers. English is the proper language of international traffic control, as well as of commerce.

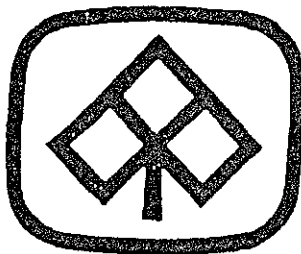
Land traffic control, notwithstanding the difficulties in reconciling diverse systems originating in various countries and localities well recounted by Eliot (1969), is coalescing into an essentially uniform and nearly closed system with numerous graphic examples known worldwide. Symbol systems of air and sea traffic are already fairly systematized, but they are rather intricate and are addressed to well qualified audiences.

4.2 Examples

Maps may be even simpler, such as a network plot plus noted inter-nodal mileages, or may be replete with coloring, contouring, or shading to indicate topography and vegetation. Also common are pictorial and abstract symbols, plus a map "legend" or interpretive guide to the meanings of the usual symbols. Except for recent dynamic electronic presentations (so-called "moving maps") maps are usually static, whereas traffic control is mainly dynamic. The following brand might be from a map. Not surprisingly, it was registered for articles made of timber.

Brand 4.2-1 UNK464

Regn. 927,491 1968)



4.3 Membership

The mass communication system of registered brand names is multifarious in having alphanumeric and design components, separately and in combination, which generally lack coded meanings, although they may be very meaningful to their originators and to whoever relies upon them. Wide structural variety is exhibited by verbal brands, free of some of the constraints upon formation of words in whatever human language. These brand names clearly meet the basic requirements for a soft system. There is similarly a wide latitude in design components, alone or with words.

4.3 Membership

The brand name system has both static and dynamic characteristics. Individual brands are relatively fixed in form upon being registered, but the overall membership is never static, as it is always open to addition of new members of unlimited variety. Entry may occur at any time, subject to meeting membership requirements as administered by a governmental agent designated to administer the system. The brand name symbol system is also continually losing members for any of a variety of reasons.

Indeed members of the system may be cloned, as when an existing brand for a given kind of goods is extended to (and re-registered for) another kind of goods. An example might be a textile brand for sportswear that is extended by its owner for skates and skis. This kind of symbol reproduction can give rise to registration of brands that are identical twins, triplets, etc. However, as with humans in comparable circumstances, their relation to the outside world may diverge radically.

Brand names may also be abandoned (discontinued in use) and then likely to disappear from view and to be dropped from the register in due course, most often by lack of re-registration at the next renewal date. Earlier de-registration may occur, as by action of a competing applicant whose registration of a similar brand may have been refused registration. Hence, membership in the brand name symbol system is in continual flux. The behavior of the system is shaped by commercial, legal, and social forces beyond the control of one or a few individuals or groups.

Of course, the brands in the system interact with one another and with one another and relate to specific goods or services. These and other interrelations are considered in the next section.

4.4 Interrelation

Unregistered brand names in commercial use, being subject to fewer constraints than those on official registers, may relate to one another and to the outside world somewhat differently than those in the registered brand name system. However, as corporate stocks not listed on a prestigious stock exchange mirror those that are so listed, so do the unregistered brands mirror their registered brethren. Of course, the fact that the unregistered brands do not appear in the present investigation does not deprive us of whatever they can teach us about their behavior.

Source data about the brand names on official registers is being recorded continually in an automatic, rather unobtrusive way without any intervention by people seeking to influence what is recorded. The body of data includes not only the brand names themselves but also associated information about their owners, their branded goods, and their survival in the marketplace. For more than a century such "social bookkeeping" as defined by Dibble (1963) or "running record" type of "unobtrusive measures" according to Webb et al. (1966) has provided source data uninfluenced by any assumptions or purposes of the present investigator.

As already noted, similarities between brand members are subject to legal constraints. Most important, no brand should be so similar to another as to be likely to divert trade; this is usually expressed in terms of likelihood of resulting confusion or deception of prospective purchasers. Mere descriptiveness is not proscribed but is freely available to everyone as to any goods but not as the presumably distinguishing part of a brand. Other potential disqualifications apply to what is primarily a surname, or a geographical connotation, or misleading description, for example.

4.4 Interrelation

The brands of the registered brand name symbol are demonstrably subject to such bureaucratic, commercial, legal, and social constraints to endow the system with enough structure to meet Krippendorff's second requirement for a soft system.

4.5 Continuity

Such constraints are institutionalized by subjecting brand names to examination by an appropriate governmental authority before their official registration. Such authority, besides checking brands for lack of confusing similarity, also passes upon other substantive and procedural matters. If all requirements are satisfied, a brand is placed on an official register for a given period of time, subject to possible renewal for a succeeding period, in the absence of removal for cause in the meantime. If not so renewed, a brand is dropped from the register at the end of that period, but a brand name registration may be renewed perpetually, subject to lawful requirements, chiefly that the brand itself remain in continuing usage. The next table shows what changes or is preserved—besides the register.

Table 4.5-1

Changing vs. Surviving Features of This Brand Name Symbol System

<u>Changing Features</u>	<u>Surviving Features</u>
Registered/Renewed Brands	A Body of Registered/Renewed Brands
Registering/Renewing Owners	A Body of Owners of Such Brands
Registry Administrators	A Brand Administrative Agency
Items of Branded Goods	A Miscellany of Branded Goods
Distributors of Goods	A Distributive Network
Consumers of the Goods	A Body of Branded Goods Consumers
Trademark Enforcers	A Legal System of Enforcement

4.5 Continuity

As the table suggests, addition or deletion of an individual brand to or from the register has slight effect upon the brand name symbol system, which is continually gaining and losing individual members, but survives. In like manner, the people involved live, die, and are replaced.

The system is subject to being shocked by legislative changing of such important environmental influences as the classification system, the duration of registrations and/or of renewed registrations (i.e., renewals). Nevertheless, brand registration systems, once instituted, endure forever.

Bureaucratic practices of the authority examining candidate brands for registration can be expected to undergo changes over time, as do commercial practices. Thus, the system has an evolving long-term identity or history, meeting Krippendorff's final requirement for a soft system.

The scene is set for attacking (investigating) brand morphology, relations to the branded goods, and to their source countries, and trends over time in such characteristics. The following brand is symbolic.

Brand 4.5-1 UNK105

Regn. 230,165 (1900)



5. Morphological Features

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5.1 Principal Features

The major exclusive division of brand name composition is between alphanumeric (made up of letters and/or numerals) and non-alphanumeric features. The most succinct term for alphanumeric is "verbal" and for non-alphanumeric is "design"--rather than the British term "device".

Notwithstanding this dichotomous verbal/design cut, there also are other features applicable to one or both, e.g., "stylization" of letters or numerals, and "borders" which may outline brands of whatever type.

Numeric components are relatively infrequent in brands, as shown in the following table which lists by country "pure" numeric (letter-free), "mixed" alphanumeric, and their sum (in percent of all brands).

Table 5.1-1
Numeric Incidence (Percent) in Brand Names

<u>Country</u>	<u>Pure</u>	<u>Mixed</u>	<u>Total</u>
AUS	0.0	0.7	0.7
CAN	0.3	3.6	3.9
IND	1.0	5.0	6.0
IRE	0.0	2.6	2.6
KEN	0.4	0.0	0.4
UNK	0.2*	3.2	3.4
USA	0.3*	1.7	2.0

Note: * marks an instance of design plus otherwise pure numeric brand.

Despite any coding unreliability of numeric incidence, it clearly is quite small. Perhaps the rarity of numerical content might have value to the brand names where present, alone or together with other features, but it is not considered further in this brand name investigation.

5.1 Principal Features

The alphanumeric part of a brand name may be spoken, of course, as well as written. Thus, its verbal content (including any numerals) has phonetic aspects to be considered, chiefly syllabic. Syllables per brand constituted the coded phonetic measure chosen for inclusion in this study.

Written features, such as initial letter, brand length in word count, and even word length in letter count, were also included for coding.

Color was coded also, but (as noted) its frequency of occurrence proved quite small (several percent maximum). Moreover, as the brands appear only in black and white, designation of color is variously shown and hard to code. Hence, color is not considered further in this study.

5.2 Verbal, Design, and Mixed Brands

All brand names in this study were coded according to a four-value scale: Solely Verbal, Mostly Verbal, Mostly Design, and Solely Design. Because of the difficulty coders experienced in determining whether the verbal or the design aspect predominated in the mixed brands, both of the intermediate or "Mostly" categories were collapsed into a single "Mixed" designation for data processing.

Despite occasional occurrences of single or multiple letters pronounceable only as a letter string, the alphabetical part of a brand name usually comprises one or more pronounceable words, whether pre-existing or newly created. Various verbal features were coded, as suggested above and considered further below, directed to visual aspects (letters, words), as well as to aural/phonetic characteristics (syllables).

5.2 Verbal, Design, and Mixed Brands

Design features can be dichotomized into pictorial and abstract, with similar provision for occurrence of mixtures as in the verbal brands.

It is apparent that pictorial designs may be divided into types—as may abstract designs also. What may not be so obvious is that there does not appear to be any accepted categorization of designs actually useful.

Appendix IV lists several well known design classifications that were considered for use in this study:

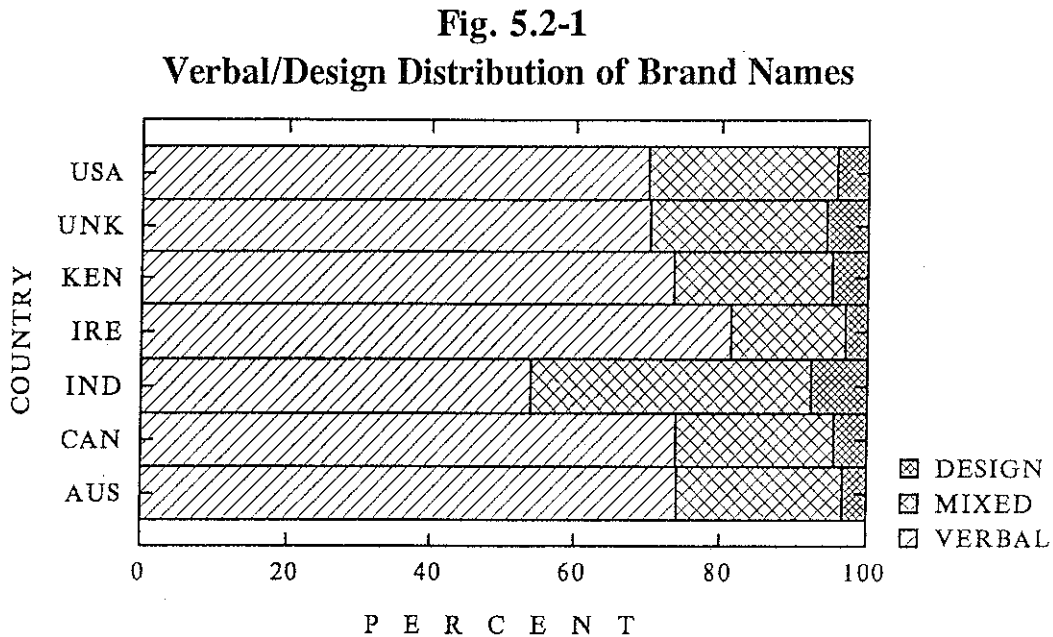
- (i) The folkloric classification of brands or marks (not necessarily commercial) by Bühler-Oppenheim (1971);
- (ii) A classification in *Symbol Sourcebook* by Dreyfuss (1972).
- (iii) The World Intellectual Property Organization (WIPO) *International Classification of the Figurative Elements of Marks* (1973); and

All three schemes suffer from categories not together all-inclusive and individually mutually exclusive. The quasi-official WIPO scheme was attempted to be used, but intercoder reliability could not be achieved with it. No attempt was made to use either of the other two.

Hence, as reported here, all designs were coded as (a) abstract, (b) mixed abstract/pictorial, or (c) pictorial; and the latter category in turn was recoded as (i) human, (ii) man-made; or (iii) other.

A matter of considerable interest is the alphanumeric vs. design make-up of the brands in the various countries of the study. Accordingly, the next graph shows the percentage distribution of the brands classified as Verbal, Mixed, or Design for the respective countries.

5.2 Verbal, Design, and Mixed Brands



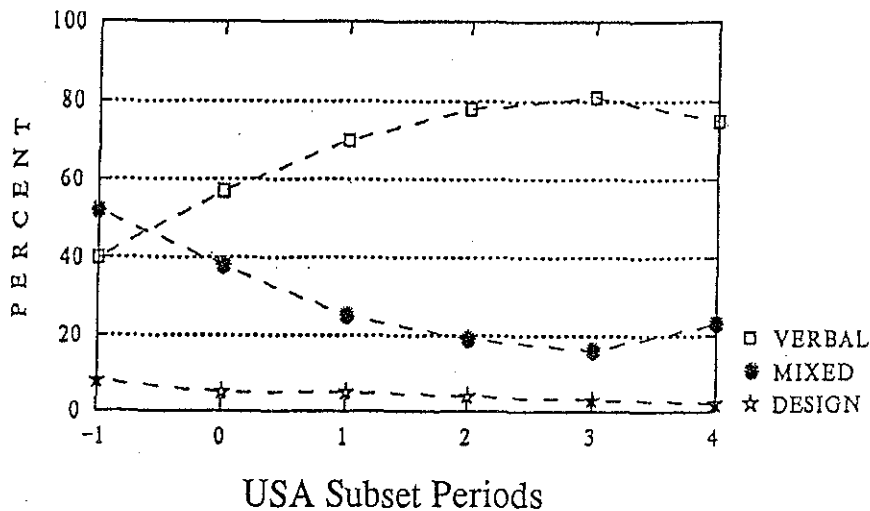
This chart shows that—with two notable exceptions—purely verbal brand names (without any design component) predominate, at nearly 3/4 of all brands. The Irish sample exhibits the lowest (under 3%) pure design, and highest (80%) pure verbal, brand name incidence. The Indian sample is almost equally divided between purely verbal brand names and those in which designs are present—with or without any verbal components. India also has the highest incidence (above 7%) of pure designs.

The desirability of design features in brand names when verbal features may be unintelligible to a substantial part of the population is apparent. According to Taylor & Hudson (1972) literacy in India was only 28%, and even less (23%) in Kenya—whereas in Ireland it was 96%, and about the same in the other nations.

5.2 Verbal, Design, and Mixed Brands

Whether the verbal/design ratio in a country's brands has changed with time is not apparent from the last graph, which lacks any time-related dimension, but the next graph plots the incidence of pure verbal, pure design, and mixed brands, in the United States by subset periods.

Fig. 5.2-2
USA Verbal/Design Brand Distribution Over Time



The observed pattern resembles the outline of an aquatic animal heading rightward, truncated by the field of view at both left and right, swimming above a gradually declining underwater land layer. At the outset the incidence of pure brand names was less than ten percent, subsided over time, and stabilized at only several percent. Mixed verbal/design and purely verbal brands started nearly equal but with the mixed brands slightly higher, interchanged positions in the second subset (0), continued falling and rising, respectively, until the penultimate subset (3), then reversed direction in the final subset (4)—as if reacting to verbal overexposure and/or rediscovering style in designs.

5.2 Verbal, Design, and Mixed Brands

The verbal/design brand distribution over time in the other countries proved to be similar, except that the noted design resurgence appears stronger in Kenya and is missing altogether in Ireland.

Design features in brand names wherever verbal features may be unintelligible to a substantial part of the population is understandable. An increase in purely verbal brand names and decrease in purely design brands over time is compatible with increases in literacy. The recent return toward inclusion of design features, notably in the most developed countries, should coincide with the proprietary objective of distinguishing a brand name in the rapidly increasing sea of purely verbal brands. The relative desirability of mixed verbal/design, as compared with purely verbal or purely design brands is considered in subsequent chapters.

As already noted, pictorial brands have advocates, such as Greenberg (1951) and Nash (1951). However, merely being partly pictorial may be insufficient to keep verbal similarities from rendering brand names confusingly similar, as words are usually given more weight than designs (by the authorities) in determining likelihood of confusion.

Thomson (1954) states that, over the given period he studied, verbal similarities gave rise to many U.S. cases of third-party opposition to prospective registration of similar brand names, notwithstanding that the brands had been cleared by the examiners. Nearly one-fifth were opposed as being identical, another one-fifth as having the same suffix, and one-third as having identical prefixes. He concluded (at p. 793):

"The attorney who searches until he finds a mark free from doubt will search for a long, long time."

5.3 Verbal Feature Distributions

Because the initial letter of a brand name is important to recognition, as pointed out by Dunn-Rankin (*supra*) and is a contributor to potential conflict between brands, as noted by Thomson (*supra*), this study investigated the range of initial letters in brand names having verbal components.

Table 5.3-1
High Ranking Initial Letters

<u>Country</u>	<u>First</u>	<u>Second</u>	<u>Third</u>	<u>Fourth</u>
AUS	C	S	P	A
CAN	S	C	A	L
IND	P	S	[design]	M
IRE	S	P	C	D
KEN	C/S tie		M	P
UNK	S	C	M	A
USA	S	C	P	T

Interestingly, only five different letters appear in the top three ranks in the seven countries, (S) in first or second place in all; (C) in five; and (P) in four. The other two letters (A, M) occurred much less frequently: The top three letters (each country equally weighted) are clearly S, C, P. Several more letters (D, L, P) occur if the fourth rank is included.

Reference to *Webster's International Dictionary*, 2d ed. [1950] reveals an identical ranking for the number of pages devoted to these three top-ranking initial letters and, thus, presumably also the number of correspondingly initialed words themselves. See the following table.

Table 5.3-2
Dictionary Comparison of Initial Letters

<u>Rank</u>	<u>Letter</u>	<u>USA Cases</u>	<u>Webster's Pages</u>
1	S	9.2%	12.4%
2	C	7.8%	9.7%
3	P	7.6%	9.3%

5.3 Verbal Feature Distributions

The lower (closely proportional) percentages for these three initial letters in this study suggests that greater liberty is taken in forming brand names than in formation of English words generally. This may well be attributable to freedom of the brand name system from some constraints upon the structure of normal English words, such as spelling and pronunciation rules. Acronyms and numbers also undoubtedly contribute.

It does not appear that brand names otherwise differ in initial letter from the language generally. Whereas C and P may qualify as "plosive" much--but not all--of the time, the most prominent initial letter, the sibilant S, hardly does. Of course, sometimes S immediately precedes C or P, but it alternatively may precede a vowel or even H, L, M, N, or W.

Another chief word-recognition factor according to Dunn-Rankin (*supra*) and others is word length. This study investigated as measures of length of brand names: (i) total number of letters, (ii) total number of words, (iii) total number of syllables, (iv) number of letters per word, and (v) total number of syllables.

As single-word brand names predominate in every country the number of letters per word approximates the number of letters per brand name though diluted in multiple-word brands. The number of letters per brand name and the number of letters per word are predominantly visual features, whereas the number of words per brand is aural as well as visual, and the number of syllables per brand name is predominantly aural.

The pauses between spoken words and between syllables of a word may vary, so the aural measure of most likely distinctiveness is number of syllables per brand name. More than about a half dozen is infrequent.

5.3 Verbal Feature Distributions

The next table shows the syllable frequency rankings per country. It shows that the countries fall into two fairly clear categories (with one tie).

Table 5.3-3

Syllable Frequency Ranking Per Brand Name		
<u>2, 3, 4</u>	<u>2&3 TIE, 4</u>	<u>3, 2, 4</u>
AUS	UNK	CAN
KEN		IND
		IRE
		USA

Clearly, the United Kingdom has an intermediate or balanced distribution as between two and three syllables per brand, from which the other countries deviate by one syllable, two countries toward the shorter end, and four of them toward the longer

No other potentially significant syllable frequency difference among them seems important, as third place in all goes to four syllables. Not shown here, one and five syllables usually are contesting for fourth place. Comparable ranking of the frequency of occurrence of individual letters appears in the next table.

Table 5.3-4

Total Letters Frequency Ranking Per Brand Name

<u>Country</u>	<u>First</u>	<u>Second</u>	<u>Third</u>
AUS	8	7--tie--6	
CAN	8	6	9
IND	7	8	6
IRE	7	6	8
KEN	7	5	6
UNK	7	8	6
USA	8	9	7

5.3 Verbal Feature Distributions

Clearly, Kenya favors brand names with the fewest total letters, whereas the United States favors those with the most letters. The other countries are distributed intermediately, with Canada just below the U.S., and Australia just above Kenya.

Not quite determinable from the table, the arithmetic mean of this portion of the letters distribution is lowest in Kenya, and next lowest in Ireland. The United States has the highest mean, followed by Canada and the United Kingdom

Outside this range, India is exceptional, because of frequent use of labels with many words on them (as well as numerous designs). Overall its average letter count is highest, and its range for number of letters is the broadest. However, even in India discrimination among actual higher letter counts is hardly a likely factor in brand recognition, especially as the modal preference there, as elsewhere, is for those with just over a half dozen total letters.

5.4 Stylization and Borders

The verbal parts of most brand names are plain enough, shown in an unexceptional type style for registration, even though brand names when used may (and indeed should) be styled in some manner or other, so as to be distinguished substantially from surrounding text.

Other brands have designedly fancy verbal parts and are called "stylized" in this study. It seems reasonable to expect embellishment of this sort to a greater extent where usage of designs is high, also reasonable that a trend in stylization over time would be more likely to resemble a trend in design usage rather than not.

5.4 Stylization and Borders

Stylization of the verbal part of a brand name is similar in its history to the usage of borders, and it is not considered further here.

A quasi-design feature that may be present in what is otherwise a purely verbal brand name, or in mixed or purely design brands, is a border or outline, usually in simple geometrical form such as a circle, oval, or rectangle. Border usage over time has diminished, as has stylization of verbal content. Anyone of middle age or older probably would admit that brand names "in the old days" tended to be fancier than they are now.

This trend very likely betokens the fade-out of the Victorian love of embellishment--notwithstanding a recent partial return to earlier forms, out of nostalgia, etc. An old-time border appears in this stylized brand.

Brand 5.2-1 USA086

Regn. 86,526 (1912)



5.5 Design Feature Distributions

The two chief subdivisions of design features are into pictorial, on the one hand, and abstract on the other. Yet mixtures of the two types of designs are frequent. For each sample set, the next table summarizes by way of review the total number of brands in the respective sample sets and the number and percentage of them that have design features. (The next table after that shows the distribution of the designs under the headings Picture, Mixed, and Abstract.)

5.5 Design Feature Distributions

Table 5.5-1
Designs in Brand Names

<u>Country</u>	<u>Total</u>	<u>w/Designs</u>	<u>% of Total</u>
AUS	300	78	26.0
CAN	359	94	26.2
IND	198	91	46.0
IRE	275	51	18.6
KEN	230	61	26.5
UNK	594	177	29.8
USA	1000	301	30.1

This table shows, as was noted earlier in this chapter, that in frequency of design brands India and Ireland are at significantly high and low extremes, whereas all the other countries occupy a midrange of design brand frequency between one-fourth and one-third. Australia, Canada, and Kenya are remarkably uniform, between 26 and 26 1/2 percent. The United Kingdom and the United States are a bit higher, at about 30 percent, based upon larger sample sets, as may be a result of the noted slight recent resurgence of designs in brand names in the industrialized countries.

The next table considers those brands having pictorial design components and compares them as a percentage of all design brands and also as a percentage of all cases per set. It shows that, as part of the total, pictorial designs are least frequent in Ireland and Canada, and most common in India. If these picture-containing brands are compared to all design-containing brands however, only Canada is significantly low, and India's high is exceeded by the United Kingdom's three-fourths of all design brands.

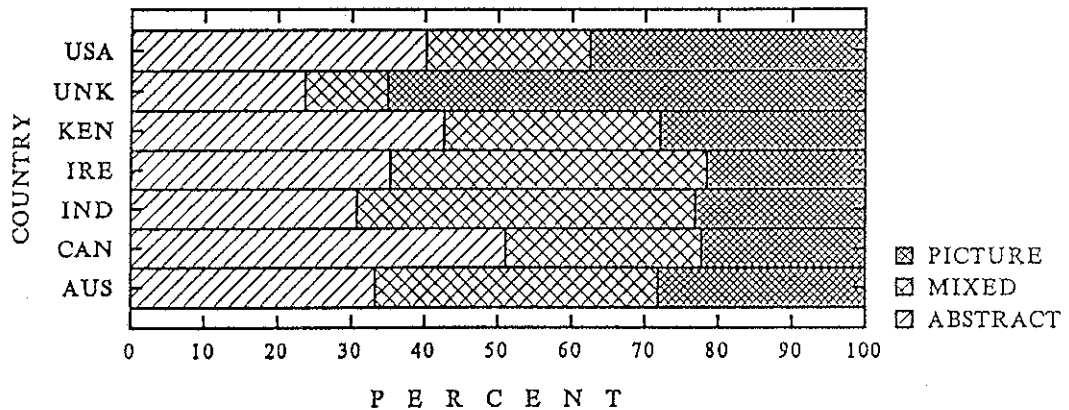
5.5 Design Feature Distributions

Table 5.5-2
Pictorial Designs in Brand Names

<u>Country</u>	<u>No. of Cases</u>	<u>% of Designs</u>	<u>% of Set</u>
AUS	52	66.7	17.3
CAN	46	48.9	12.8
IND	63	69.6	31.8
IRE	33	64.7	12.0
KEN	35	57.4	15.2
UNK	135	76.3	22.7
USA	180	59.8	18.0

The next diagram is a graph of the distribution of the designs, in brands that have a design component, among these several categories: all pictorial, mixed, all abstract. In the graph, the terms used are Picture, Mixed, and Abstract.

Fig. 5.5-1
Pictorial vs. Abstract Designs



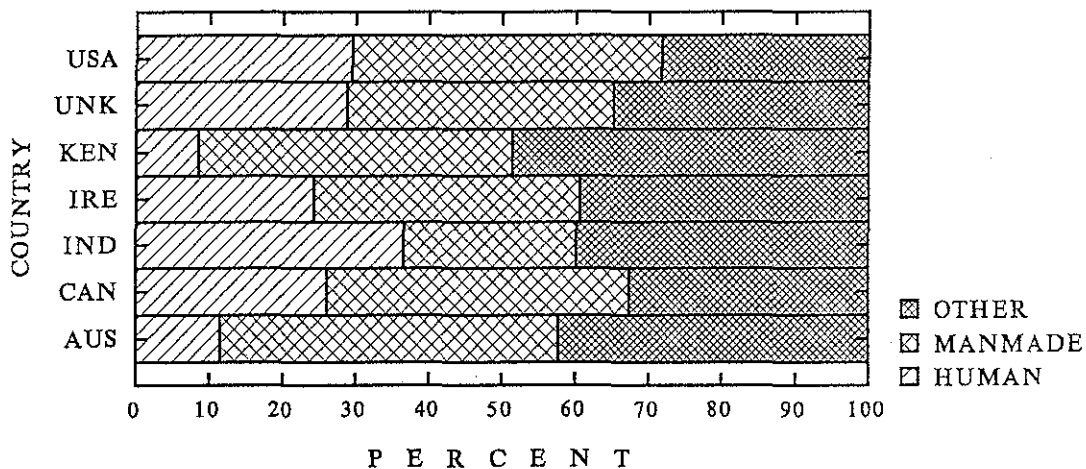
Unexpectedly, it shows that the Canadian sample set has the largest percentage (a bit over 50%) of purely abstract brands, and the United Kingdom has the most (nearly 75%) brands at least partly pictorial. Canada and Ireland are in a virtual tie for fewest pictorial brands.

5.5 Design Feature Distributions

As for what is depicted in the brand names, existing classification schemes were unsatisfactory, so a simplified reclassification was adopted according to whether pictorial components portray chiefly a human, a man-made object, or another subject. This may be deemed a drastic reduction of two dozen pictorial categories of the WIPO pictorial scheme.

The next graph is a bar chart similar to those above, except that here the pictorial designs (both pure and mixed types) are classified according to such three-way human, man-made, or other categorization.

Fig. 5.5-2
Pictorial Design Types



This graph shows that the highest proportion of human designs (about 1/3) is in India, and the lowest (about 1/10) is in Kenya. As they have relatively small and similar percentages of Moslem inhabitants, the difference does not seem attributable to any Moslem constraint against such showing.

Depiction of man-made objects, the middle category in Fig. 5.5-2, is lowest (about 1/4) in India and is half again as much in Ireland and the United Kingdom, and nearly twice as much elsewhere as in India.

5.5 Design Feature Distributions

Representation of subjects other than human or man-made is lowest (28%) in the United States and next lowest (34%) in Canada, with Kenya the highest at 48%, and the rest intermediate. The bases for these diverse preferences are similarly obscure.

This ends our preliminary review of morphological features of brand names, but they will be referred to often in succeeding chapters.

The following brand is illustrative of a relatively complex verbal/design combination in which both kinds of feature blend together quite successfully. It was registered for weekly publications, perhaps with the implication that gathering information for rather leisurely reporting is itself an exhilarating journey around and around, a sentiment in which the present investigator wholeheartedly concurs.

Brand 5.5-1 CAN229
Regn. 161,406 (1969)



* * *

6.1 Audiences for Brand Names

An issuer of mass communication customarily considers the audience sought to be reached. The manufacturer or merchant who brands an item of goods usually advertises the goods by reference to the brand, in an attempt reach likely customers. Such advertising may be accompanied by news, entertainment, or other information, as well, and may be disseminated by an agent, just as distribution may be by an agent.

The advertiser necessarily has some concept or "model" of what is being undertaken, yet faulty assumptions or other flaw may preclude the "audience" or "client" from receiving an effective communication.

As Churchman (1970) has noted (p. 16), much modeling or model-building in such a situation "...is deficient because it glides over some very critical issues: *who* is the client, *what* does the client want, and *how* do we determine whether he has 'satisfactorily' attained what he wants?"

Churchman considers disfunctional client-dependency, citing such instances as non-acceptance of statistical models for quality control procedures by persons charged with the responsibility for controlling product quality, and non-implementation by middle management of a model "sold" to top management only. He continues by saying the following:

On the one hand, we have models that describe various kinds of organizations, e.g., inventory systems, transportation systems, educational systems, and so on. Second, we have models that describe decision-makers, their alternative choices, their environment, attitudes, their values, and so on. Third, we have models that describe information systems: how data is collected, how it is stored, how it is retrieved, how it is interpreted, etc.

NOTE: Churchman excerpts by written permission of editor & publisher.

6.1 Audiences for Brand Names

Churchman's clear implication is that some clients are more receptive to some kinds of modeling and models than they are to others, if not that modelers have their own preferences or at least their own perceptions of clients' wishes. He concludes the same passage, as follows:

What we lack at the present time is any way to integrate these three components of the model-client problem. In the academic field one finds people working in one of the three sectors: modeling of [organizational] systems, modeling of people and social groups, and modeling of information systems. We still lack any clear way of how to bring together these various sectors of effort.

(Of course, whether the clients want or need the kind of integration that Churchman advocates might be questioned by his own rationale.)

Ashby (1970) notes accordingly (at p. 94 et seq):

"the basic fact that every model of a real system is in one sense second-rate. Nothing can exceed, or even equal, the truth and accuracy of the real system itself. Every model is inferior, a distortion, a lie. Why then do we bother with models?

Ultimately, I propose, we make models for their convenience...From this point of view, there is no such thing as the true model of a complex system...

Thus, both the client's and the model-builder's preferences are appropriate factors to be considered in model choice.

The present study deals with a complex system that is part informational, part organizational, and part decisional by Churchman's view, and its potential clients are diverse. It has no "true" model by Ashby's view, so is modeled here by an evolving view of brands and their symbol system.

6.1 Audiences for Brand Names

Inasmuch as brand names serve commercial purposes, one natural client (or client group) is made up of the persons and organizations engaged in such use, usually including the maker of the branded goods (or supplier of services), those who advertise and market them, brand designers, and business advisors. Their interests are not monolithic, of course, but they are usually close enough to be considered together.

Another natural clientele consists of those persons and groups with a professional interest in the informational aspects of symbol systems, especially as operative in mass communication, where brand names figure so prominently. Of particular concern in that group are academics by whom this report is to be scrutinized before formal acceptance and who may grant or withhold their approval of it—communicational functioning. Subsequent academic readers become arbiters of it, as well, and constitute a greater intended audience.

A further client group, entitled to be included because of the legal institutionalization of brand names on official trademark registers and their protection against infringers, is the legal fraternity. Included are those lawyers instrumental in placing brand names on such official registers, in trademark and unfair competition practice and also the functionaries who decide whether or not to put a brand on such a register, and judges who hear and decide resulting disputes about registrability and between brand owners whose usage of brands is or may be conflicting.

Yet another client group comprises social scientists interested in cultural or ethnographic comparisons between societies, mostly found in universities, 'think tanks,' and similar groups of scholars.

6.1 Audiences for Brand Names

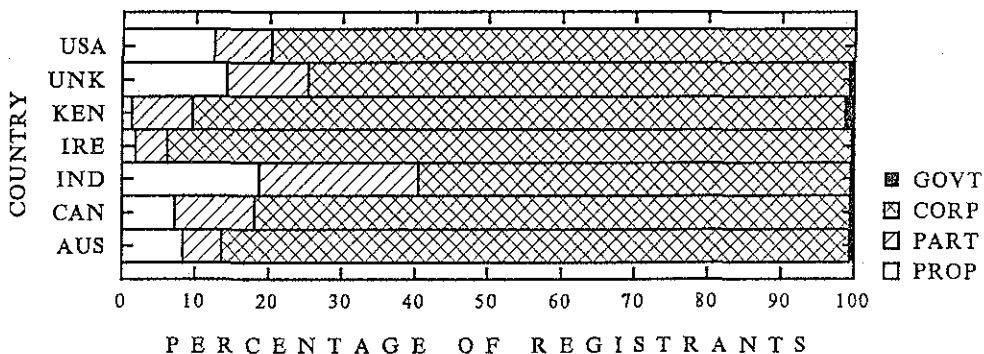
In view of the diversity of views of these respective clienteles or audiences, no single world view seems too likely to be suited to all of them. Nevertheless, the brand name symbol system model suggested here seeks to contribute to that end insofar as possible at this time, recognizing that it is not a *sine qua non* but rather a tentative bridge to better understanding of what we are dealing with when considering brand names.

6.2 Registering/Renewing Entities

The fundamental relationship of a brand name is to its owner, as source of its registration—and renewal, if any.

Registries of brand names customarily indicate whether the registrant is an individual person (here coded PROP) or some other legally recognized entity, such as a partnership (PART), or a corporation (CORP), or a governmental body (GOVT). This study ascertained the relative frequency of those brand-registering entities in each of the seven countries, and the next chart displays the results in percentage of registrants so allocated.

Fig. 6.2-1
Brand Name Registering Entities by Type



6.2 Registering/Renewing Entities

The foregoing chart shows that the corporate form of registrant predominates in those enterprises that register brand names, regardless of country. Governmental entities (thin black segment at the far right) amount to only a percent or so. Ireland is most extreme in this respect with over 90% of the registrants being corporations, whereas India is at the opposite end of the spectrum with only about 60% corporations.

The second most frequent type of registering entity in all countries except the U.K. and the U.S.--where proprietorships have the edge--is the partnership, in which India has a maximum of just over 20%, and Ireland the lowest at less than 5%. India also has the maximum incidence, nearly 20%, of individual registrants (proprietorships).

Each brand name registration is limited in duration to a term of years but may be renewed for another limited term, which may be for the same or a different number of years, depending upon the country and the date (as noted in part in Table 2.2-2). Regardless of numbers of years, however, duration of registrations may be perpetuated indefinitely by repeated renewal, subject to meeting legal requirements of title, continued use, etc. Owing to changes in registration terms and in rates of registration over time, relative renewal rates are hardly comparable between countries or even over time within a given country.

Despite unlimited renewability and regardless of the terms of years of either initial registration or renewal, most brand name registrations are not renewed even once. A higher incidence in India may be an artifact of unavailability of the files of abandoned registrations.

6.2 Registering/Renewing Entities

A prior study (unpublished) conducted by the present investigator concluded that business discontinuation is the main reason for early lapse of U.S. brand name registrations (for lack of an affidavit of continued use six years later). Renewal is due at the end of the term (then twenty years, now ten years, in the U.S.). See Table 2.2-2 for registration and renewal terms in other countries. Random sampling in this study can be expected to have spread the discontinuation risk across the entire spectrum of brand names, rather than to have affected those of any particular characteristics.

Renewal of a brand name registration usually is by the registrant, perhaps after undergoing a change in legal form, or may be by an assignee of the brand from the registrant. A trend away from proprietorships and partnerships toward corporate owners of brand names, as found in this study, mirrors that trend in business generally.

Ireland and the United Kingdom are noteworthy for many instances of often renewed century-old brands. Here is one, for perfumes.

Brand 6.2-1 - IRE004

Reg. 36,614 (1887)

RIMMEL

6.3 Relation to Branded Goods/Services

For a brand name to function as such, it must bear some relationship to the goods or services branded by it. Goods can be marked with the brand--but services cannot, so must be otherwise connected with the brand, as in advertising. Too few branded services are included in the samples in this study to bother distinguishing them from brands for goods.

6.3 Relation to Branded Goods/Services

As noted above (in Table 2.2-2) four major versions of classification for branded goods prevailed at various times in the group of countries in this study. Each one comprised a set of numbers and a corresponding set of goods identified by ordinary generic terms. Amendments to goods classifications change the terminology, such as by accommodating new goods or by reclassifying goods already identified. For any given goods, a once specific term may become more general, as innovation increases the degree of ramification in that part of the classification system.

Appendix II lists the goods classes of the four major brand classification systems: The International (or New British), the Old British, the New United States (still used on U.S. patents along with the International), and the Old United States. No particular effort is made here to distinguish those classification systems themselves. Rather, the main objective is to compare the distribution of brands for diverse types of goods everywhere.

Services—distinct from goods—were added in 1946 to the New U.S. classification, more recently to the International. Only in Canada and in the U.K. and the U.S. were brands for services reported in this study.

Reconciliation of the diversely multifarious systems of classification is essential to a meaningful comparison of brand name registrations by type of goods, but a class-to-class comparison is hardly feasible. The official classification systems had from several times to about a half dozen times as many classes as the investigator considered optimal for analysis. Given these classification and distribution factors, the method adopted was to map the classes of the respective systems into a dozen generalized categories, each denoted by a mnemonic term also useful in computer data processing.

6.3 Relation to Branded Goods/Services

See the resulting table below for the conversion of goods to one of the twelve identified categories from each class of each of the four noted preceding classification schemes.

Table 6.3-1

Dozen Categories Reduction of Goods Classes				
Category	Old Brit	Old USA	New USA	Intl/NewBr.
BUILDING	13,15,17 18,50	10,34,40,51,66	1,4,12,13 16,25,34	2,6,11,19
CHEMICAL	1,2,4	23,53	5,6,10	1
COSMETIC	47,48	12,61,72	51,52	3
ELECTRIC	8,20	49,68,70	21,26,27	9
FLEXIBLE	37,39,40	33,39,52,57,65	11,37,38	16,17,18
FOOD&BEV	42,43, 44,46	2,3,8,13,14,16, 18,25,26,37,42, 62,63,67,77	45,46,47, 48,49	29,30,31, 32,33
HOMEWARE	16,36, 41	6,9,29,32, 36,38,43,45, 47,55,64	2,3,20,24, 29,30,31, 32,33,50	20,21,27
LEISURE	9,14 45,49	11,28,35,46,71	8,17,22, 28,36	13,14,15, 28,34
LOCOMOTE	19,20, 21,22	24,27,48,76	9,15, 19,35	4,12
MECHANIC	5,6,7, 12	1,17,41,50 54,58,73	14,23	7,8
MEDICAL	3,11	19,20,44	18,44	5,10
TEXTILE	23 to 35, 38	4,5,7,15,21,22, 30,31,56,59,60, 69,74,75	7,39,40, 41,42,43	22,23,24, 25,26

6.3 Relation to Branded Goods/Services

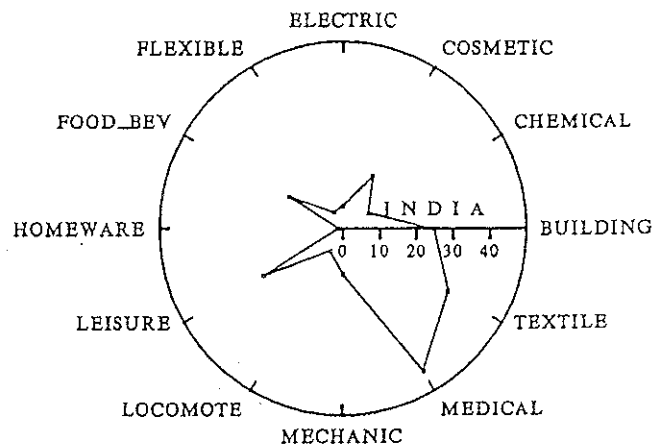
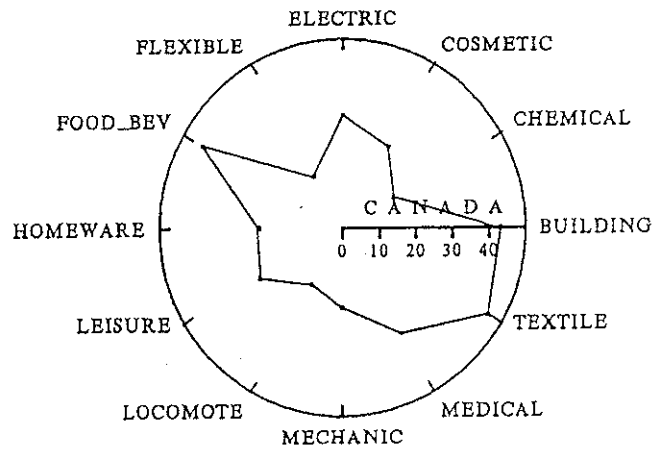
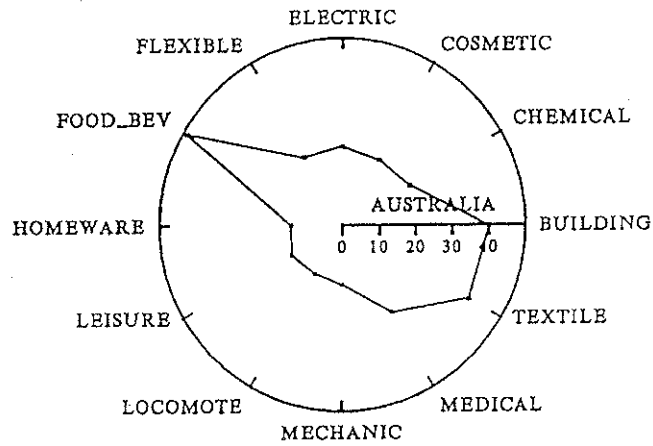
The foregoing table cross-refers the resulting named categories to the classes of each of the four major systems of classification noted above and set forth in Appendix II. Although this reduction is idiosyncratic with this author, justification is readily apparent for essentially all of them. Thus, the biblical necessities of food, clothing, and shelter "naturally" fall into separate categories. The reduced number of categorical boundaries tends to minimize "noise" from any overlapping of a single pre-existing class with more than one category in this re-allocation.

Whereas brand classification systems themselves tell something about their societies, as by the changing detail with which they subdivide categories of subject matter at different times in their industrial development, analysis by branded goods (even with fewer categories) can be even more informative, as shown next.

Application of this new categorization to each sample set results in frequency distributions of the branded goods. Lest it be thought that the incidence of brand occurrence is determined by number of classes per reduced category (as an artifact of the reduction), factors should be recognized: (i) goods of great importance (e.g., Food&Bev) may be more ramified, somewhat as the Eskimo words for "snow" amount to dozens; (ii) rapidly developing categories (e.g., Electric) lag in subdivision into classes despite brand name proliferation; and (iii) a category of goods from relatively few classes (e.g., Medical) may prove to have many more brands than one having more numerous classes, for whatever reasons.

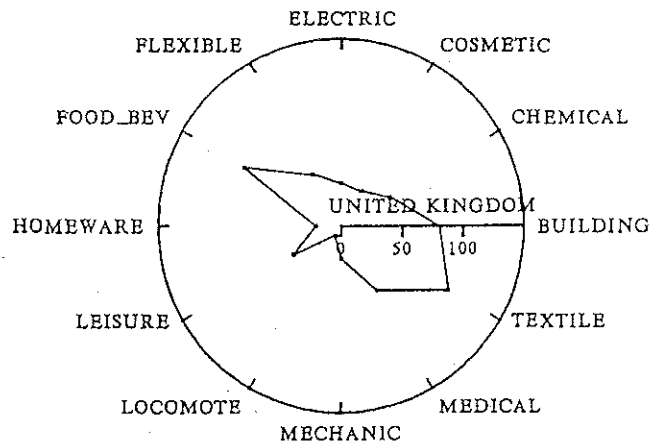
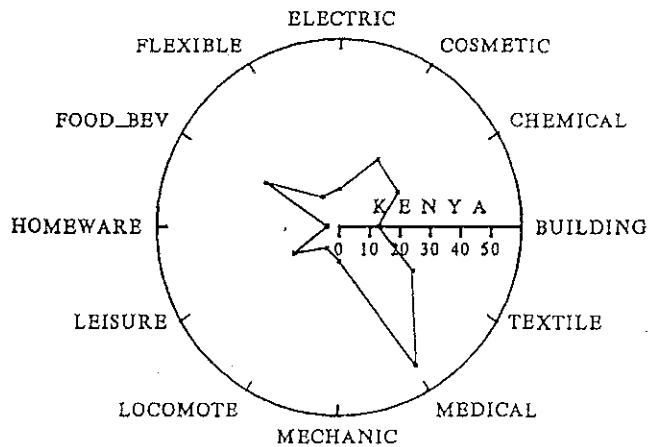
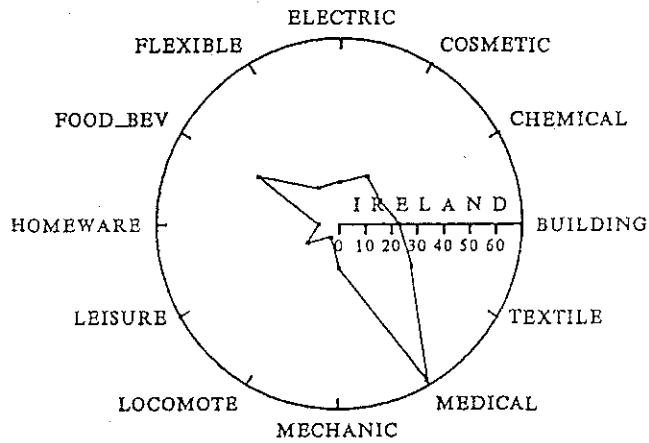
6.3 Relation to Branded Goods/Services

Fig. 6.3-1
Relative Frequencies of Branded Goods



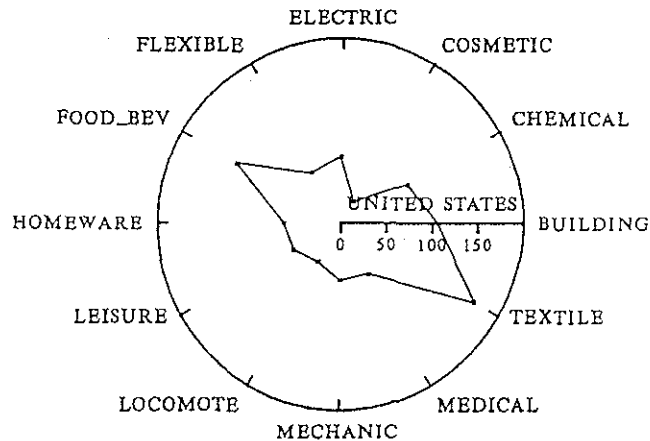
6.3 Relation to Branded Goods/Services

Fig. 6.3-1 (Cont'd)
Relative Frequencies of Branded Goods



6.3 Relation to Branded Goods/Services

Fig. 6.3-1 (Cont'd)
Relative Frequencies of Branded Goods



These polar graphics assist in country-by-country comparison and in grouping of countries according to visible patterns. Regardless of any preconceptions about classifications schemes, the foregoing resulting frequency distributions by country seem likely to impress every viewer, as in these two resulting well defined types: as follows: (i) strong Food&Bev ("Food_Bev" on the graphs), Textile, and to a lesser extent Building (the biblical three of food, clothing & shelter) in Australia, Canada, the U.K., and the U.S. and (ii) very strong Medical plus Cosmetic and Leisure spikes, as well as Food&Bev, in India, Ireland, and Kenya.. Note that the U.S. distribution has a symmetrical batwing shape (angled NNW to ESE) with a notable minimum at the Cosmetic location.

This unexpected contrast distinguishes the highly industrialized from the less industrialized nations in a totally unexpected way, qualifying the ranking of Medical brand name frequency as an inverse indicator of such development of the countries. The prominence of Cosmetic and Leisure brands vs. the biblical three seems to be a secondary such indicator.

6.3 Relation to Branded Goods/Services

Possible explanations of a preference for such a variety of branded Medical—and, to lesser extent, Cosmetic or Leisure goods—may be that poorer economic circumstances may lead to sickness for which numerous medicines are needed, though folk remedies seem unlikely to be branded. Another possibility is that drug companies, because of strict rules about human experimentation in wealthy nations, may conduct clinical programs elsewhere, using a wide variety of drugs under laxer supervision. Yet registering such drugs there would seem unnecessary and even unlikely. Other persons may offer more cogent explanations for such anomalies.

To ascertain whether preferences for Medicines (or even Cosmetics or Leisure) had prevailed in the United States when it was less developed (i.e., at an earlier stage) early subfiles of U.S. source data were compared against the corresponding data for more recent times. This was done by subdividing the USA sample set into three parts: (i) the first quarter (periods -1 and 0) having the first 255 brands; (ii) the middle half (periods 1 and 2) having the next 455 brands; and (iii) the last quarter (periods 3 and 4) having the last 290 brands. The rankings below resulted.

Table 6.3-2
USA Branded Goods Ranking Over Time

<u>Rank</u>	<u>First Quarter</u>	<u>Middle Half</u>	<u>Last Quarter</u>
1	Textile	Textile	Building
2	Food&Bev	Food&Bev	Electric
3	Chemical	Building	Textile
4	Building	Chemical	Food&Bev

As a further precaution, Canada's brand frequencies in the early days were also checked, but with substantially similar results.

6.3 Relation to Branded Goods/Services

Closer clustering of the U.S. categories in the last quarter may be attributable to a "post-industrialization" of the country, where proliferation of brand names proceeds broadly among so many types of additional goods that historical importance of food, clothing, and shelter is outweighed by availability of many other kinds of goods and concurrent capability of much of the populace to afford such goods.

A related explanation might be that the total number of brands is so great in all or most of the categories that the marginal benefit from another one is too low to justify adding to the proliferation--despite marketers' tendency to downplay all but the most successful competition. A net result would be to render the total number of brand names largely irrelevant--or be disregarded as if that were so.

To check further, a comparable period in the U.K. (the last two sub-files) was examined for similar such clustering. A similar trend is barely discernible, but not conclusive.

6.4 Verbal Brand Meaning Relation

Whereas meaning may be quantified as informational content, such content not related to the branded goods is at best irrelevant to this study. Thus, here we shall focus upon the law-recognized brand/goods relational scale of Arbitrary, Suggestive, Descriptive--corresponding to low, intermediate, and high coupling of informational content of a brand name and attributes of the branded goods. Such meaning relation may be found in either the verbal content or the design content--or both when together in a brand name. Verbal meaning is considered first, and design meaning later.

6.4 Verbal Brand Meaning Relation

Brand name meaning (if any) pertinent to the branded goods can aid prospective purchasers or users in recognizing a brand and recalling the branded goods. Such relationship between brand and goods merits considerable scrutiny. Verbal meaning relation is readily examinable.

Three length measures (number of words, number of letters, and number of syllables) were considered in the present investigation and are compared with their branded goods for the three meaning relation values:

- a. Arbitrary - no or low meaning relation to branded goods attributes,
- b. Suggestive - intermediate meaning relation to branded goods attributes,
- c. Descriptive - high meaning relation to branded goods attributes.

Number of letters proved inferior, in large part because the range was very great, whereas distinctions were concentrated in a relatively small part of the range. The data for number of words proved more interesting and is presented here by means of "box" plots, first suggested by Tukey (1977) and elaborated by Emerson and Hoaglin with Tukey (1983).

Each box contains between its ends (as the lower and upper "hinges") the second and third quartiles (totaling the midrange or "Hspread")—flanking a line across the box designating the median (if far enough from each hinge to be visible separately). Given enough range, lines (one each) extend apart from the hinges, each usually (but not necessarily) terminating in a cross hatch or "inner fence" to values a distance of 1.5 Hspreads from the nearest box end or hinge. Asterisks represent values outside such inner fences and within respective otherwise invisible flanking "outer fences" each located 3 Hspreads from its near hinge. If necessary, dotlike circles represent values beyond the outer fences.

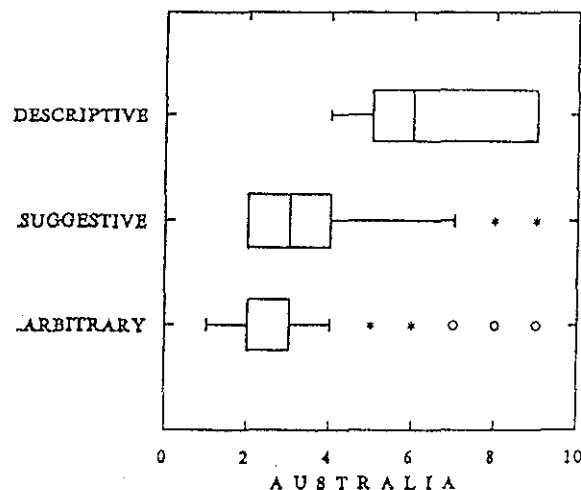
6.4 Verbal Brand Meaning Relation

Box plots can focus attention upon, and highlight differences in, frequency distribution aspects not normally so presented in the usual statistical measures, or at least not in so user-friendly a manner. Consider what one can expect to see in such a plot of number of words per brand name vs. the three types of meaning relation, Arbitrary, Suggestive, and Descriptive, which are presented here in the opposite order, from the top downward.

Descriptive brand names can be expected to be somewhat longer or "wordier" than Arbitrary brands, which may contain only a letter or two, so the longer names almost certainly will exhibit a greater Hspread. Being so close to zero, the word frequencies cannot extend much below an expected low modal value, and infrequent large values are of little concern. Whether and to what extent the word distributions for the Suggestive class resemble the values for either or both the meaningless Arbitrary or the meaningful Descriptive brands will be of considerable interest, however.

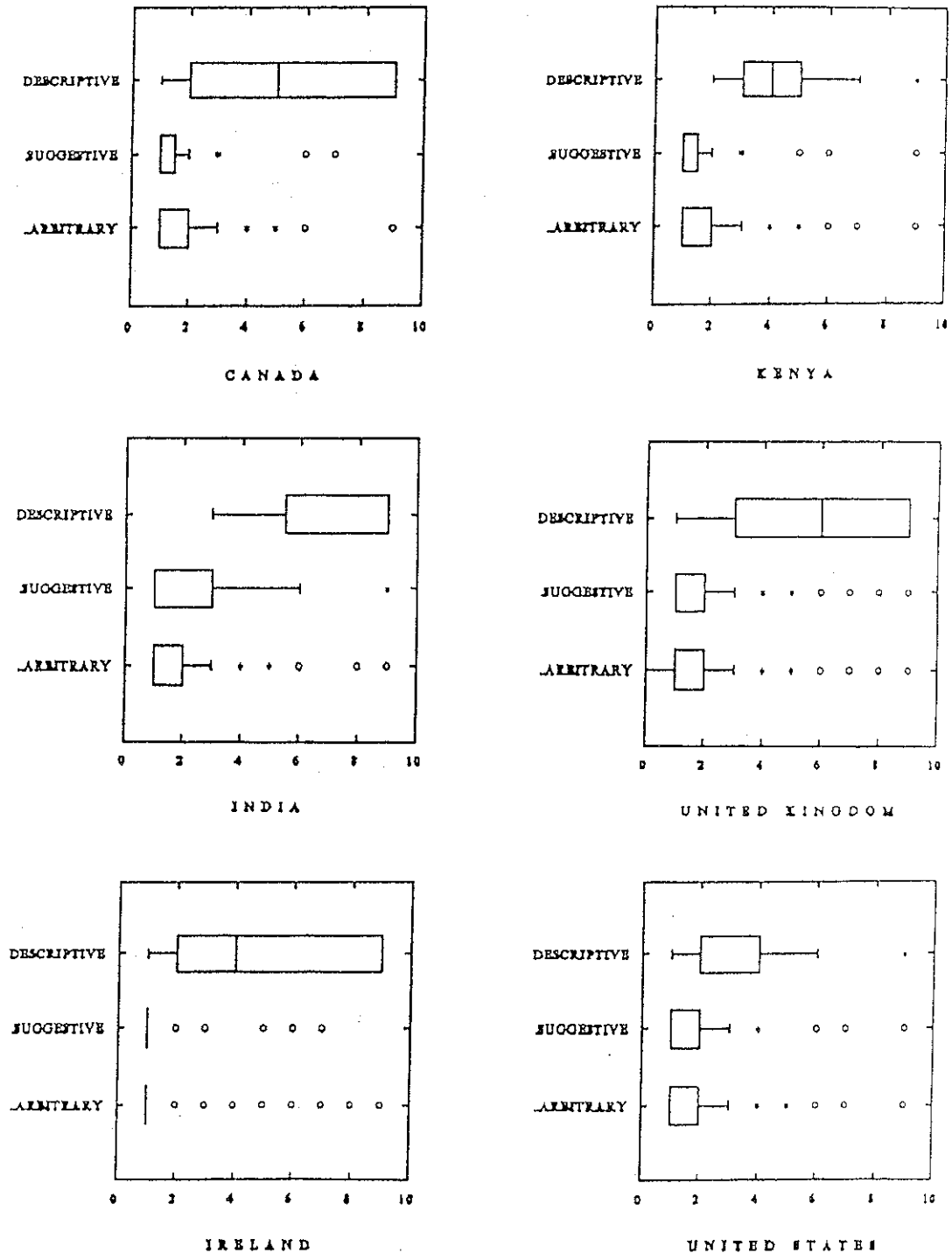
The first box plot is for Australia as alphabetically first in line.

Fig. 6.4-1
Verbal Meaning Relation vs. Number of Words



6.4 Verbal Brand Meaning Relation

Fig. 6.4-1 (Cont'd)
Verbal Meaning Relation vs. Number of Words



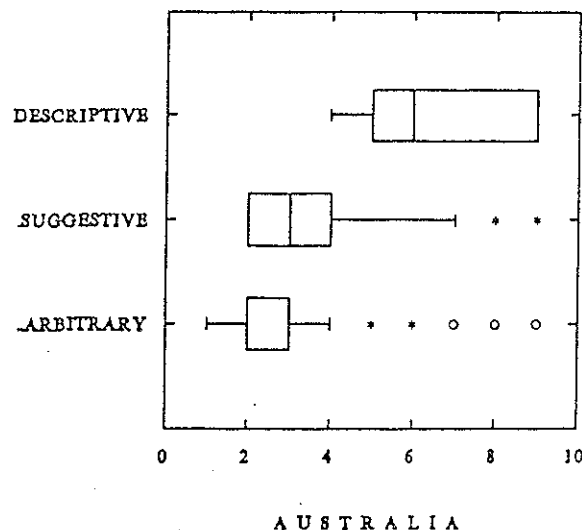
6.4 Verbal Brand Meaning Relation

Fig. 6.4-1 shows general agreement that descriptive brands are extremely likely to contain more than a couple words, whereas arbitrary brands seldom do. In this regard the suggestive brands clearly split from the descriptive ones to align more nearly with the arbitrary brands.

The most extreme distribution occurs in Ireland, where a preponderance of the arbitrary and of the suggestive brands are only one word long, resulting in only a line instead of a box (for each) plus circles at some of the longer values. In general the arbitrary and the suggestive brands tend to be closer in word distribution frequency than either is to the more descriptive ones.

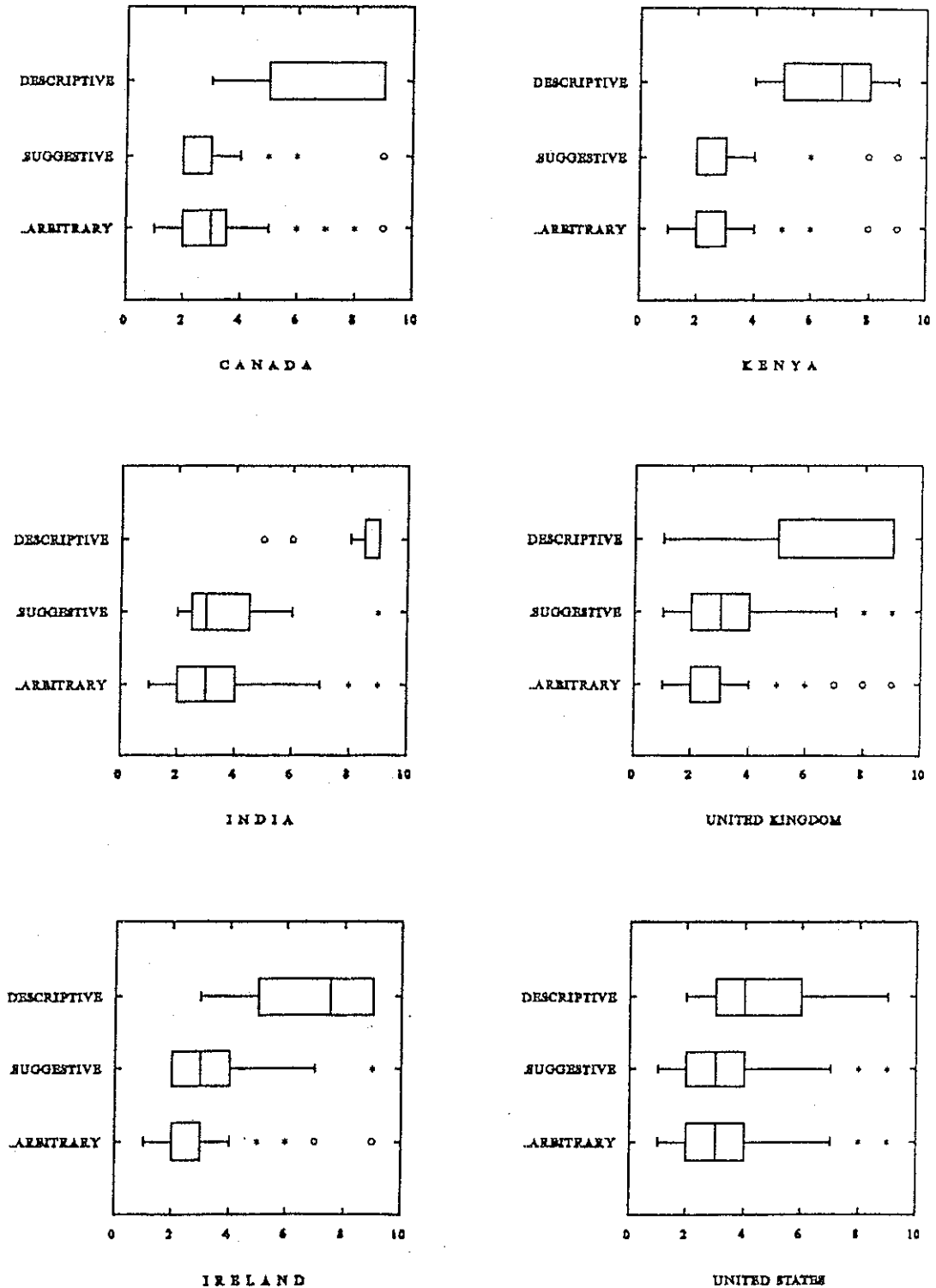
Further emphasis upon oral/aural aspects of brand names suggests that verbal meaning relation to the branded goods be similarly characterized by number of syllables, to identify any significant difference from number of words. Corresponding box plots for all the countries are next.

Fig. 6.4-2
Verbal Meaning Relation vs. Number of Syllables



6.4 Verbal Brand Meaning Relation

Fig. 6.4-2 (Cont'd)
Verbal Meaning Relation vs. Number of Syllables



6.4 Verbal Brand Meaning Relation

As is apparent from Fig. 6.4.2, the box plots of number of syllables per brand name escape the compression extremes of number of words (Fig. 6.4-1) and number of letters.

In particular, previous compression of the midrange or "Hspread" for number of words in Ireland to a single value (1) for both arbitrary and suggestive brands not only is relieved by the shift to number of syllables but also is afforded appreciably different distributions for those two values of verbal meaning relationship to the brands. So when it comes to pronunciation, the Irish, sparing in the number of words per brand, prove more loquacious—and even more so for suggestive than arbitrary brands.

The verbal brevity of descriptive U.S. brands is here reinforced by the lower inner fence at 3 syllables, median at 4, and upper inner fence at 6, much lower than in any other country. So, in speaking their descriptive brand names, Americans do so most briefly, for whatever reason; or they select brands having fewer syllables—with the same result.

That the U.S. has the most heterogeneous population may tend to keep descriptive (and non-descriptive) brands short and simple so as to facilitate recognition and articulation. Neither Australia nor Canada, also considered heterogeneous (though a bit less so), achieves such distinction.

Verbal meaning in relation to some attribute of branded goods is usually more readily apparent than is a design meaning relation, except where the brand illustrates a use attribute of the goods or the goods itself. Whereas verbal meaning is inherent in either the spoken or the written word(s), the meaning of a design must be "paraphrased" to be spoken.

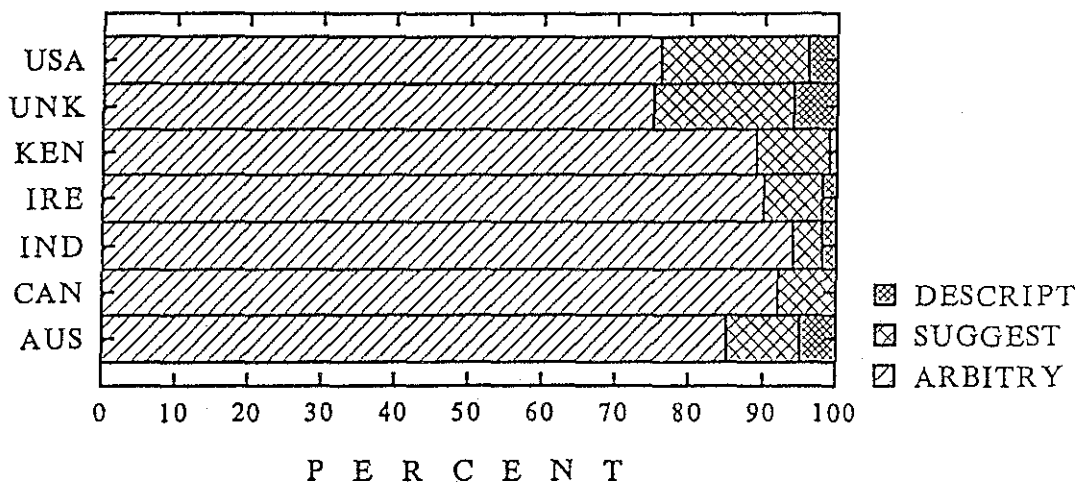
6.5 Design Brand Meaning Relation

Designs have no attribute or characteristic as readily quantifiable as a length measure of a verbal brand name. Hence, there is no counterpart of Fig. 6.2-1 or Fig. 6.2-2 to be inserted here—notwithstanding the suggestion in the literature of "picts" that might conceivably have some other measures. Considering the difficulties already expressed with regard to design classification, the likelihood of measurable picts seems very small.

Brand designs were considered above in subsection 5.5, both as to their frequency of occurrence (e.g., 15 to 20%) and their partition (pictorial, abstract, or mixed). It is clear that, despite relative rarity, brand designs could contain information about the branded goods.

The next graph shows that the great preponderance of brand designs bears little or no meaning relation to the branded goods and that brands with descriptive designs are the least frequent of the three meaning categories: Descriptive, Suggestive, and arbitrary. The legend lists their names in short form to conserve space.

Fig. 6.5-1
Design Meaning Relationship Distribution

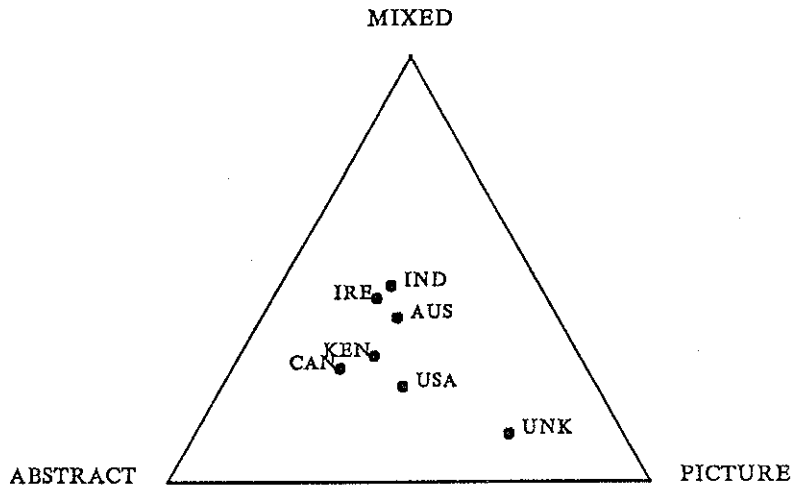


6.5 Design Brand Meaning Relation

It is instructive to locate the countries on a design continuum from abstract or low coupling to pictorial or high coupling. A triangular plot is a convenient way to do this, as the frequencies of occurrence of the three categories total one hundred percent. If the abstract-to-pictorial axis is made horizontal, the mixed abstract/pictorial departure from that axis can be discounted readily by the viewer (as low intercoder reliability of the mixed category may suggest) to retain the more reliable placement of the countries relative to the extremes of the meaning relation distribution.

The next graph takes this approach, as a paraphrasing of Fig. 5.5-1.

Fig. 6.5-2
Country Distribution in Design Meaning Space



No particular reasons suggest themselves to explain the overall quasi-spatial distribution of the various countries. Corresponding distribution of the countries in a triangular meaning-relationship is even less informative, as the preponderance of arbitrary (low meaning relation) brands in all countries squeezes them into the "arbitrary" corner of the graph.

6.5 Design Brand Meaning Relation

Brand/goods meaning relation (if any) seems inherently much less likely to be carried by abstract than by pictorial design components, as there is no generally accepted code by which to interpret an abstract design, whereas pictures constitute or embody such a code.

The next table shows such data for the United Kingdom and the United States, which were the most numerous entries.

Table 6.5-1
Brand/Goods Meaning Relation vs. Design Types

<u>United Kingdom</u>				<u>United States</u>		
Abstract	Mixed	Pictorial		Abstract	Mixed	Pictorial
40	12	82	Arbitrary	113	46	69
2	5	26	Suggestive	8	19	33
0	4	7	Descriptive	0	2	11
			Likelihood			
			Ratio Chi ²	45.88		
			Probability	0.000		

As distinction of the "mixed" from the purely pictorial designs had proved noisy (low intercoder reliability), they may be grouped in a "pictmixt" category, or the mixed ones may be discarded and the purely pictorial and the purely abstract be compared with one another. Similar reductions could be accomplished with the "suggestive" category (noisy relative to "descriptive"). However, they all are similarly unlikely--as can be confirmed reasonably well by inspection.

The other countries were much the same, notwithstanding that their fewer entries introduced greater uncertainty into the likelihood ratio chi-square and probability ratings.

6.6 Interrelationships

It ought to be interesting to see how the countries would interrelate on more diversified attributes. Such a result can be obtained by the dissimilarity analysis technique known as multidimensional scaling, following a fairly early introductory article by Shepard (1972) in a collection edited by him, Romney, and Merlove; recapitulated by Carroll and Arabie (1980) including a bibliography with several hundred entries; and more recently elaborated by Schiffman, Reynolds, and Young (1981).

Coordinates for a set of points in a space of given dimensions are calculated so that "distances" between pairs of points fit as closely as is possible to the dissimilarities. In practice, a set of correlations, such as Shepard's, is calculated and, if relatively smooth, is then inverted to dissimilarities. The resulting points are reiteratively re-located in the space (usually two- or three-dimensional) to minimize the stress of mis-location.

Number of syllables per brand name is obviously numerical and has equal intervals throughout. For each country, distribution of brand names over a range of syllables is selected, up to five because higher values are scarce. A smooth matrix scaled in two dimensions gave the next graph.

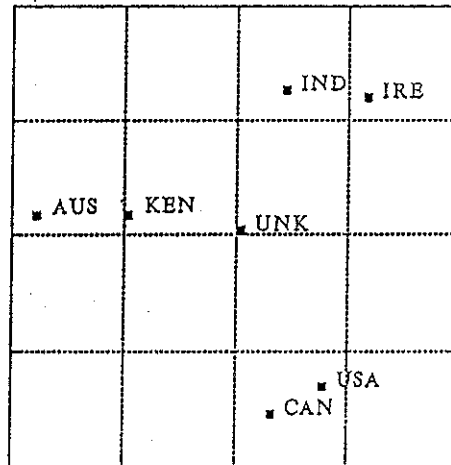
Table 6.6-1
MDS Locations from Number of Syllables

<u>Country</u>	<u>Abscissa</u>	<u>Ordinate</u>
AUS	-1.78	0.05
CAN	0.32	-0.46
IND	0.44	0.38
IRE	1.17	0.36
KEN	-0.97	0.05
UNK	0.04	0.01
USA	0.78	-0.39

6.6 Interrelationships

A partial rotation of axes should be considered as more intelligible, but the above unrotated positioning of countries appears in the next graph.

Fig. 6.6-1
MDS Graph from Number of Syllables



The ordinate may be deemed a Literary Tradition scale, preferably after a readily imagined 45° clockwise rotation of the axes, leaving the U.K. at the origin, with Australia (left) and Canada (right) lowest, and with Kenya (left) and the U.S. (right) closer to the U.K. level. The abscissa is not self-evident, but seems orally related. If Australian and Kenyan accent styles are less readily intelligible to North American ears because more inflected in some way than the British, Indian, or Irish versions, the abscissa scale may well be termed such Inflection Reciprocal.

Adopting multidimensional scaling for branded goods assumes that their distribution spaces are mutually adjacent and spaced alike, so that the likelihood of any given brand name migrating from one space into another is assumed to be substantially uniform.

6.6 Interrelationships

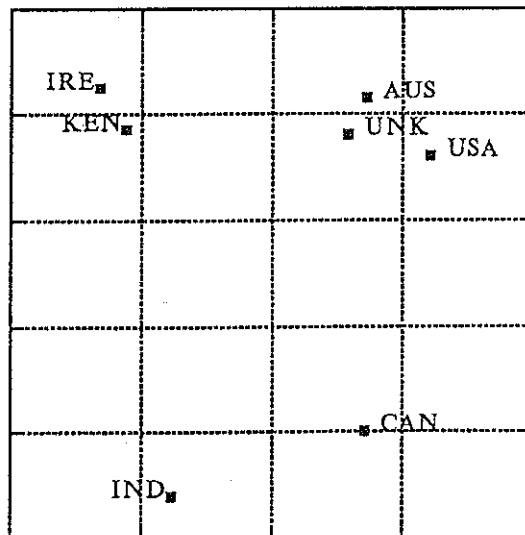
A smooth Shepard correlation matrix of branded goods occurrence frequencies for the respective countries in this study was obtained, transposed, and scaled in two dimensions, giving the following results.

Table 6.6-2
MDS Locations from Goods Distributions

<u>Country</u>	<u>Abscissa</u>	<u>Ordinate</u>
AUS	0.72	0.23
CAN	0.71	-0.40
IND	-0.77	-0.52
IRE	-1.32	0.25
KEN	-1.12	0.17
UNK	0.58	0.16
USA	1.21	0.12

The graph itself appears below (scales suppressed).

Fig. 6.6-2
MDS Graph from Goods Distributions



6.6 Interrelationships

In this multidimensional scaling of goods distributions, the abscissa is deemed to be degree of Industrialization (or Economic Development), and the optimal choice for the ordinate is Commercial Language Uniformity (the opposite of commercial language diversity). India (lower left) and Canada (lower right), which have languages other than English contesting seriously in the marketplace, are low on the vertical scale, whereas all the other countries are moderately high on that scale. Non-English languages in Ireland and Kenya appear not too significant commercially, and the rest are essentially English-only in the commercial world and otherwise.

Ireland and Kenya are close together at the upper left, mirroring India at the lower left. Australia, the United Kingdom, and United States are clustered at the upper right, mirroring Canada at the lower right.

Different interpretations of the locations of the nations in these multidimensionally scaled diagrams may be suggested, of course. Moreover, other possible interpretations are to be welcomed for comparison.

Indeed it seems likely that this technique can be used with better justification—and perhaps resulting enlightenment—upon these random samples than traditional techniques can provide to idiosyncratic samples so often preoccupying advertising, legal, psychological, or otherwise oriented commentators familiar with aspects of this subject matter.

Clearly, the members of the brand name symbol system itself, already interconnected by language and legal constraints as to how closely they can resemble one another, have a connectedness with their respective branded goods expandable to include more goods or contractible to fewer. Multidimensional scaling can suggest the presence of other constraints.

6.6 Interrelationships

This chapter has examined for each country of the study brand name relationships (i) with their audiences, beginning at brand formulation and introduction into the marketplace and continuing through registration and until one or more possible renewals; (ii) the diversity and the prevalence of branded goods, categorized in a dozen all-inclusive groups derived from diverse national classification systems; (iii) meaning relations between the verbal and/or the design parts of brands and the attributes of the branded goods; and (iv) interrelationships of certain of the foregoing among the respective countries--and what additional insights may be so revealed.

The next chapter considers the brand name life cycle, which in practice is limited by the vicissitudes of business but actually may be extended without any definite end. The brand illustrated below, with clever balloon similarity, is suggestive--not only of its branded goods, umbrellas--but of a generalized susceptibility of human endeavor to environmental forces.

Brand 6.6-1 - UNK042

Regn. 79,331 (1888)



7.1 Indefinite Duration

Registration of a brand name constitutes its "birth" in the system, although official notice is usually taken of any prior use by an applicant. Brands typically have a youthful period, either until the end of interim "infancy" (six years in the U.S.) succeeded by an "adolescent" period until due for renewal), or alternatively for an entire (usually short) first registration period (e.g., seven years) until renewal. Near the end of the first registration period a registered brand becomes renewable (if in use and not legally barred) for a first renewal period, which may be the same length as--but sometimes different from (usually longer than)--the first registration period all of which may be taken as corresponding to "adult" life. Successive renewal periods may follow. (See Table 2.2-2.)

The duration of registered brand names is unlimited, despite the necessity for periodic renewal, which incidentally enables updating of brand appearance while maintaining unbroken continuity of registration. Minor updating in appearance meanwhile is usually acceptable.

Just as most new business enterprises die in infancy, so usually do their brand names, for like business reasons. Many exogenous factors also may extinguish a brand name, just as accidents may kill off a living organism. Intentional conflict, whether in the marketplace or in the courtroom, also accounts for discontinuation of brands.

That some century-old brands are in the older sample sets of this study is of only minor interest. Such brands are de-emphasized here to avoid drawing false conclusions from a few extreme individual instances.

7.1 Indefinite Duration

Few successful brands become abandoned—even for obsolescence of the branded goods—as a brand name and at least some of its value may be readily transferable to related goods. However, intentional abandonment does occur, as it did sometime ago with a well known toothpaste brand, IPANA. A legal squabble ensued among new claimants of it.

Failure to renew a registered brand name terminates its "lifetime" of membership in the registered brand symbol system when the existing registration period ends. However, a lapsed brand may be re-registered after a period off the register, upon meeting registration requirements.

Use of such terms as infancy, adolescence, adulthood, and lifetime should not be deemed to anthropomorphize brand names as they are only artifacts of human intelligence and of human trade practices. Boulding (1978) points out (at p. 68) in regard to the dynamics of human artifacts:

"For each such species of artifact we can postulate something like birth and death functions relating, in a given environment, the flow of production and consumption to the total population or the existing stock. These relationships are somewhat different in character and are mediated in ways different from the environment of biological populations, though they are probably of about equal stability. In this case perhaps it is more convenient to think of production (births) and consumption (deaths) flows (units of population per unit of time) rather than of birth and death rates, because there is no particular reason to suppose that the ratio of production to the stock or consumption to the stock, which would be the equivalent of the birth and death rates, has any tendency whatever to be constant.

7.1 Indefinite Duration

Boulding continues as follows about the end of artifacts:

The death rate of human artifacts can be related to the age distribution in much the same way as the death rate of biological species, because artifacts have a life history as do biological individuals. When they reach their particular 'allotted span' they are likely to decay to the point where they will be scrapped or 'die.' The variability of life-history of artifacts may be greater than that of biological individuals because of greater variability in the maintenance function.

Boulding points out that, being "multi-parental" rather than more simply derived, human artifacts are relatively unlikely to be a function of existing stock of the same species. Though Boulding mentions intangible as well as tangible artifacts, his subsequent consideration of equilibrium dynamics is exemplified only by such tangible goods as automobiles, which are consumed or "wear out" with use.

Discontinuation of human organizations or intellectual work products (brand names being an example of the latter) depends more upon complex exogenous factors than on the usual endogenous ones that affect machines or even human beings themselves.

Boulding views an equilibrium population as occupying or even defining a "niche" in an ecosystem. He says: "...Like all niches, it may be constantly expanding and contracting in the light of changes in the total condition of the system." By a population at equilibrium while expanding or contracting, he may be implicitly comparing dissimilar rates of individual additions to (and deletions from) the population, on the one hand, to a condition of net accretion or net attrition on the other hand.

7.1 Indefinite Duration

Unfortunately, distinction between present niche size and change in niche size is indeterminable in an officially recorded brand name system that is too new and is too often "shocked" by such exogenous factors as changes in registration or renewal terms to attain an equilibrium.

Hence, a comparison of brand "birth" and "death" rates is unlikely to prove enlightening. However, survival (or not) is a clearly defined characteristic of brand names and, thus, of their population as a whole. Survival requires an overt act of renewal or equivalent re-registration.

The next subsection considers how the brand population actually has divided into survivors and non-survivors.

7.2 Screening and Survival

Registered brand names have undergone one critical "screening" to eliminate the unqualified or "chaff" in the sense used by McPhee (1963) by being considered and accepted for registration.

Renewal of registration for one or more succeeding periods involves a similar screening each time. Brands that pass multiple screenings may be distinguishable morphologically--from those that undergo only a single such screening--as "wheat" in McPhee's sense.

Of course, registered brand names may undergo millions of individual screenings at market level before undergoing and surviving even one registration or renewal, so this study is at a meta-level relative to customer screening, but brands screened repeatedly at such meta-level may be expected as likely to differ somehow from those screened only once.

7.2 Screening and Survival

As already noted, there is no assurance that a good brand will be coupled with a product that its owner considers successful enough to merit renewal of its registration, but neither can good products be assured of having brand names meriting renewal. Random sampling precludes any selection bias as to relative merits and treats brand/product matching evenly, however it actually occurs in the registered brand name universe.

Where, as here, survival is akin to a quality criterion those brands registered repeatedly may well rank differently in one or another morphological attribute(s) than brands never renewed.

An objective of this study is to ascertain brand name characteristics associated with multiple screening survival. As already noted, one hypothesis (the marketer's) is that the "best" brand names have a very high brand/goods informational content or coupling, whereas a diametrically opposed view (the legalist's) is that low or no meaning relationship is preferable. Their criteria for likelihood of survival obviously differ.

7.3 Design and Verbal Brand Renewal

As already indicated (see Fig. 5.2-1) about three-quarters of all brand names lack any design component, whereas those lacking any verbal component make up a small minority, less than five percent—except half again as much in India, which also has the most hybrid or mixed design/verbal brands (see also Fig. 6.5-2).

For the larger samples (U.S. and U.K.) the following table compares the incidence of brands renewed one or more times against those brands that "died"—as by failing to be renewed after first registration.

7.3 Design and Verbal Brand Renewal

Table 7.3-1

Design and Verbal Brand Renewal (Larger Samples)

<u>Country</u>	<u>Pure Design</u>	<u>Mixed Design/Verbal</u>	<u>Pure Verbal</u>
U.S.	19.5	13.2	20.2
U.K.	26.5	15.4	30.1

Note: Each entry in percentage renewed (100% max per cell).

Each of these two countries has enough pure design brands to make the results comparable, whereas the same cannot be said for the countries with smaller samples overall and, thus, relatively few pure design brands.

While one might expect brands with both verbal and design content to be more likely to be remembered and recognized by customers (despite the customer's possible right-brain/left-brain dominance), the results here suggest that either extreme (purely design or purely verbal) brand is more likely (half again as much) to survive as is a mixed design/verbal brand.

A possible explanation for lesser longevity for mixed verbal/design brands is that the disparate components dilute each other deleteriously for enough of the intended audience, much as noise interferes with many forms of information transfer, to defeat the purpose of aiding recollection and recall on the part of such member of the intended audience.

As registration and renewal terms (of years) differ from country to country and from time to time within countries, renewal rates may differ greatly among them, so the emphasis is not on absolute renewal rates per country but only upon the relative rates within each country. Please see (on the next page) the comparable table for the countries whose samples were appreciably smaller.

7.3 Design and Verbal Brand Renewal

Table 7.3-2

Design and Verbal Brand Renewal (Smaller Samples)

<u>Country</u>	<u>Pure Design</u>	<u>Mixed Design/Verbal</u>	<u>Pure Verbal</u>
AUS	100	40	42
CAN	2	35	34
IND	93	77	85
IRE	63	80	78
KEN	0	13	12

Note: Each entry in percentage renewed (100% max per cell).

Most notable here is the lack of any pattern comparable to the greater renewal likelihood for the unmixed brands exhibited as a U-curve (concave up from the mixed middle to the unmixed edges) by the larger samples of the two countries reported in the last preceding table--except perhaps in India, which also happens to have the highest overall renewals. India's inter-category differences, though rather small, are compatible with the U-shaped pattern found in the large samples of Table 7.3-1.

Australia, Canada, and Kenya show no potentially significant difference between the pure and mixed brand survival rates. As noted, the pure design percentages (ranging from 0 to 100) within any of these smaller samples cannot be depended upon because of the scarcity of entries in the corresponding cells. Ireland, notable for its verbal dominance, is essentially flat across the board--and curiously is the only country other than India with very high survival rates.

These results certainly do not suggest that the mixed design/verbal brands have a survival advantage over pure design or pure verbal brands, as that would require a bell-shaped pattern or inverted-U renewal curve.

7.4 Meaning Distributions and Brand Renewal

Another measure possibly influencing longevity of brand names is the information they contain about branded goods, such as low, intermediate, and high--coded as Arbitrary, Suggestive, and Descriptive.

Only informational content or meaning about some attribute of the branded goods qualified for inclusion in these comparisons. Otherwise directed meanings of verbal or design parts were deemed to be noise.

As the meaning may be embodied in either (or both) the design or (and) verbal component(s) of design/verbal brand names, separate tables are presented, one for meaning in the verbal component, and one for the design meaning component.

Table 7.4-1
Verbal Meaning in Brand Renewal

<u>Country</u>	<u>Arbitrary</u>	<u>Suggestive</u>	<u>Descriptive</u>
AUS	42	38	55
CAN	34	39	42
IND	83	87	94
IRE	80	69	70
KEN	11	9	27
UNK	26	20	13
USA	16	16	13

Note: Each entry in percentage renewed (100% max per cell).

The data for verbal meaning relationship between renewed brand names and their branded goods range across the spectrum from arbitrary to suggestive to descriptive without pattern apparent to this investigator.

Under the circumstances it seems very unlikely that the design data would show any such relationship. Please see the next table for the corresponding design tabulaation for all seven countries.

7.4 Meaning Distributions and Brand Renewal

Table 7.4-2

Design Meaning in Brand Renewal

<u>Country</u>	<u>Arbitrary</u>	<u>Suggestive</u>	<u>Descriptive</u>
AUS	39	38	25
CAN	31	40	--
IND	87	75	100
IRE	77	75	100
KEN	0	0	13
UNK	14	26	27
USA	12	14	17

NOTE: Each entry in percentage renewed (100% max per cell).

Likewise, here the data for design meaning relationship between brand names and their branded goods range broadly across the spectrum from arbitrary to suggestive to descriptive without any apparent pattern.

Accordingly, these measurements of meaning relationship to branded goods, whether conveyed verbally or designwise, fail to confirm or to disconfirm any other preference.

7.5 Goods Distributions and Brand Renewal

Multidimensional scaling was used in an earlier section (6.6) to locate the countries according to the frequency of brand names across a dozen categories of branded goods. Now the same technique is employed to relocate the countries by ranking the goods categories according to renewal percentage of the brands for each type of goods rather than the number of brands registered for each goods category, as before.

7.5 Goods Distributions and Brand Renewal

Multidimensional scaling was used in an earlier section to locate the countries according to occurrence frequency of brand names across a dozen categories of branded goods, shown in Fig. 6.6-1 and Table 6.6-1. Here are the corresponding illustrations for the renewed brands only.

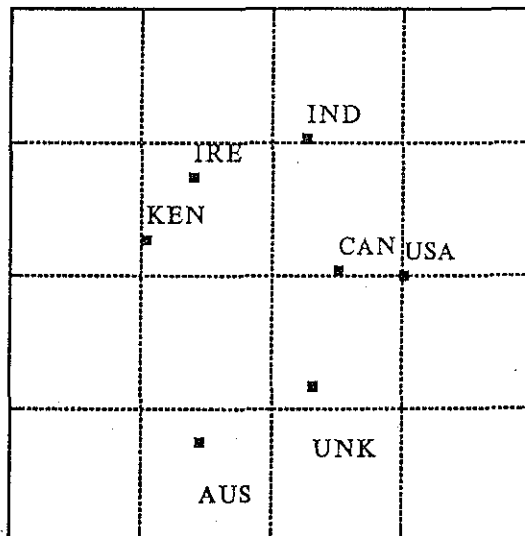
Table 7.5-1

MDS Locations from Goods Distributions (Renewed)

<u>Country</u>	<u>Abscissa</u>	<u>Ordinate</u>
AUS	-1.25	-0.55
CAN	0.04	0.51
IND	1.03	0.27
IRE	0.74	-0.60
KEN	0.27	-0.96
UNK	-0.83	0.32
USA	0.00	1.01

Fig 7.5-1

MDS Graph of Goods Distributions (Renewed)



7.5 Goods Distributions and Brand Renewal

The resulting graphical presentation of the countries appears above, with a grid but with the scales suppressed. There is no necessary relationship between this renewal distribution graph and the original registration goods distribution graph of Fig. 6.6-2. However, until the respective graphs are constructed, one cannot foresee whether there is or is not any comparability, much less predict just what it might be.

Instead of being at the four corners, as in the previous graph, now the entries are in an oval pattern about a long axis rotated clockwise through an arc of about thirty degrees from the vertical. Such orientation suggests making a corresponding 45° clockwise rotation of the axes, whereupon the abscissa would appear to be Economic Development, etc., as before. Here the U.S. is furthest right with the U.K. nearby. Canada and Australia are about halfway as far right of the origin, whereas India, closely followed by Ireland, and Kenya, are left of the origin.

The former ordinate of Commercial Language Uniformity appears to have been replaced by Family/Social Status of Business (or "Trade" in the U.K.) with India in the top position closely followed by the North American countries. Ireland is about at the ordinate zero, whereas Kenya and the U.K. are at minor negative values, and Australia more so, the latter position perhaps a remnant of an anti-business attitude acquired from the U.K. (despite the worldwide prominence of some Australian tycoons).

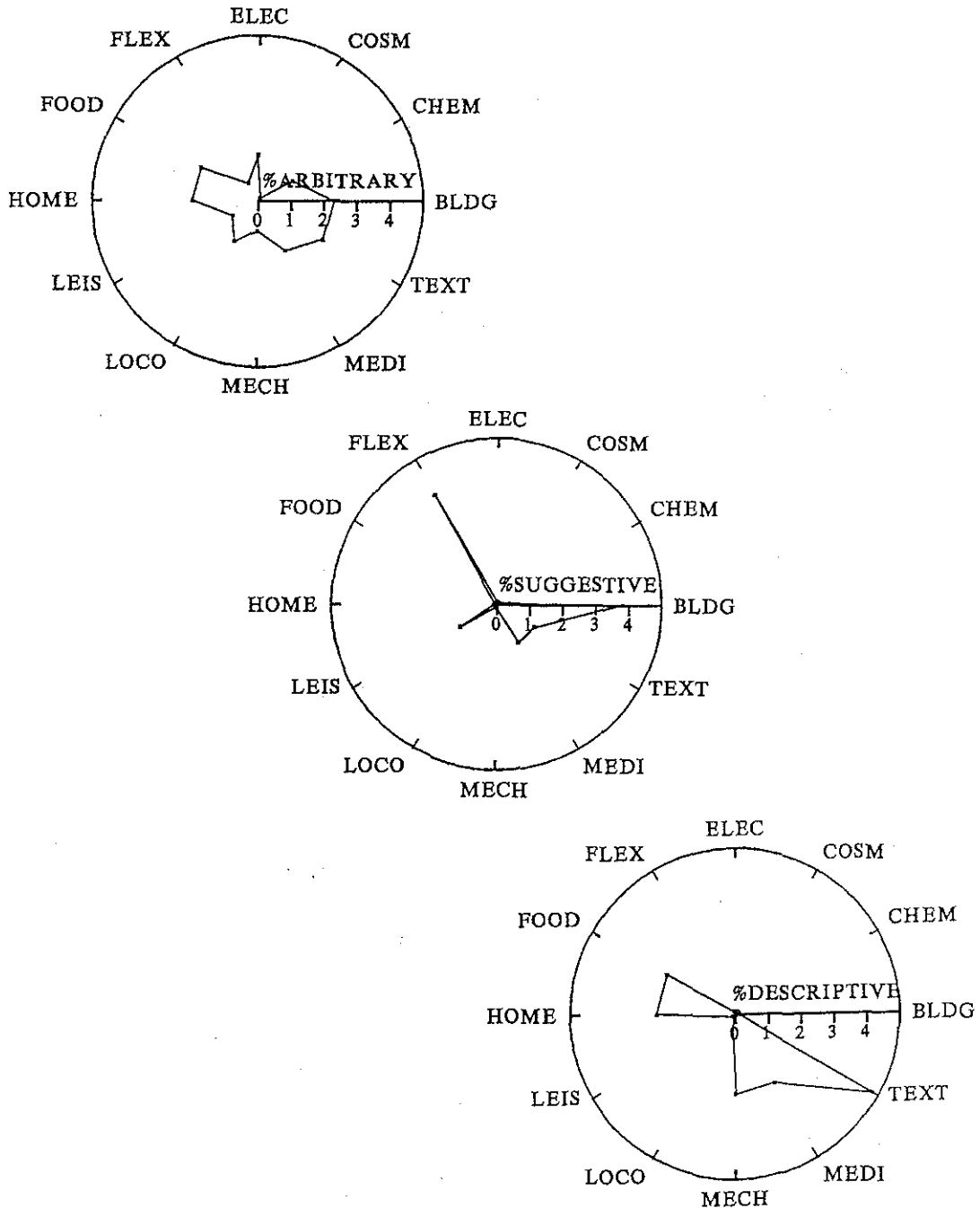
Next it is noteworthy that all countries exhibit substantial attrition rates in brand name repeat registrations, i.e., renewals. Also, if a brand is updated in appearance, a totally new registration may be obtained and the original registration be allowed to expire unrenewed.

7.6 Goods and Meaning in Renewals

Whether the patterns of brand name registration renewal differ in accord with brand meaning relation to the goods was checked for the U.S.

Fig. 7.6-1

USA Renewals by Goods Category and Verbal Meaning



7.6 Goods and Meaning in Renewals

Table 7.3-1 has indicated that about one-third of all brands with a verbal component are renewed in the United States. Despite the uneven distribution (about 7:2:1) of verbal content shown in Fig. 6.5-1, the renewed brands of Arbitrary, Suggestive, and Descriptive brand meaning relation are allocated percentagewise about equally to those respective categories according to the three graphs of Fig. 7.6-1 just presented here.

The Arbitrary values are all under 2.5 % but more dispersed than in the Suggestive category, where Building and Flexible predominate. Textile, well represented in all three categories, dominates Descriptive.

An interesting incidental feature of this breakdown is that no one of the three graphs contains any Cosmetic renewal, further downgrading that goods category in the United States, in view of its prominence elsewhere.

This ends our major consideration of brand survivability, without proceeding to design brand renewals. Below is a renewed design brand from Canada (though originating in the U.S.) of the Bluebonnet girl.

Brand 7.6-1 CAN096
Regn. 34,060 (1949)



8.1 Updating and Borders

The brand name symbol system, though it is an artifact of human devising rather than a living organism or a group of living organisms, is a sociocultural adaptive system in the sense used by Buckley (1968). Here change over time is mediated through actions of the brand originators or owners and actions of users or consumers of the branded goods, as motivated by business, demographic, legal, societal, techno-logical, or other disturbing or perturbing factors.

As Buckley says (at p. 494):

...it would seem essential to keep before us as a basic principle that the persistence and/or development of the complex sociocultural system depends upon structuring, destructuring, and restructuring processes occurring at widely varying rates and degrees as a function of the external social and non-social environment.

Preceding chapters have considered legislative factors a *sine qua non* of brand name registration systems, and have pointed out legal influences upon entrance and exit of brands to and from the registered brand name symbol system. Yet brands are also subject to change.

Individual brand names may become "old-fashioned" as their environment changes around them. Thus, portrayal of humans clothed, coiffed, or bespectacled as was customary at the introduction of many branded goods are susceptible to similar time-binding of fad or fashion.

Depiction of other human artifacts, such as buildings, utensils, and vehicles, tend to age similarly with changing times and technologies. Even verbal components of brand names may become too associated with the past or take on otherwise objectionable meanings as times change.

8.1 Updating and Borders

Nowadays the urge toward unobjectionality is commonly called "political correctness" and is enforced by many special-interest watchdog groups.

The following brand name for polishes was never renewed.

Brand 8.1-1 CAN007

Regn. 10,404 (1905)

POLO



Brand names that have been around for a long time are more likely to require amendatory updating than are younger brands, of course. Such revision may be viewed as analogous to "learning" by a living organism. Successful variants are comparable to viable mutants in living populations. Nash (1954) and Diamond (1975) show good (and bad) examples.

An updating after renewal turned up in this study for an effervescent beverage brand comprising PAB and stylized chemical apparatus.

Brand 8.1-2 USA207

Regn. 209,298 (1925)



Brand 8.1-3 USA207

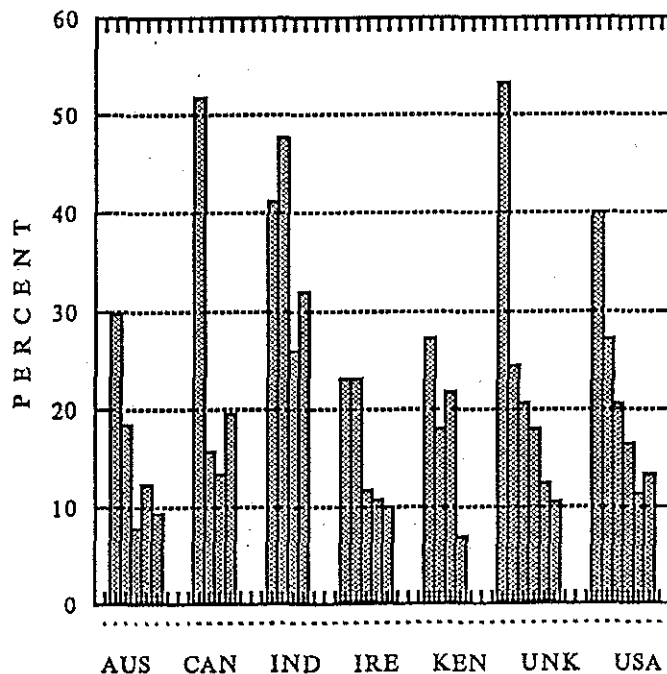
Same as amended (1954)



8.1 Updating and Borders

Observed trends of decline over time in embellishment, growing proliferation of classes of goods, and centralization of brand ownership in corporations have been mentioned above. Borders, formerly a common brand name feature, have undergone drastic attrition in successive subfile periods in the respective countries.

Fig. 8.1-1
Border Usage Over Time - All Countries

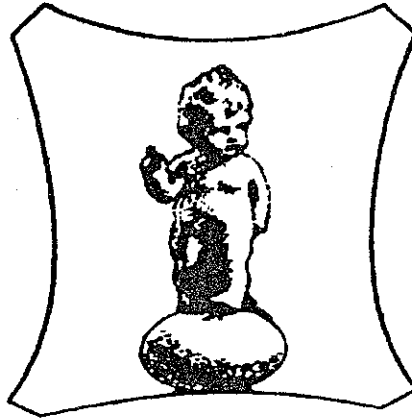


This graph shows that no country in this study increased its usage of borders in brand names after its first subset period. Indeed, now the Average usage began at about forty percent (Canada and U.K. over 50%) and most recently has settled at about ten percent (20% in Canada). Both Canada and the U.S. show a slight upturn in the last period, similar to the slight upturn in designs previously noted. In general India is the highest.

8.1 Updating and Borders

A purely design type of brand name with its own unusual border is displayed next. It was for services, specifically the delivery of flowers.

Brand 8.1-2 - USA555
Regn. 603,408 (1955)



8.2 Morphological Trends

Among morphological features considered in chapter 5 were word length and initial letter of verbal brand names. As noted, a preferred measure of word length is number of syllables. Table 5.3-3 allotted the countries of this study into categories, by the ranking of the most frequent number of syllables. In one country (the U.K.) the top rank was divided equally between 2 and 3 (with 4 tied for third), whereas the other countries divided into a first group (Australia and Kenya) with descending ranking 2, 3, and 4 syllables; and a second group (Canada, India, Ireland, and the U.S.) with descending ranking 3, 2, and 4 syllables.

Those rankings were based on the entire sample sets of the respective countries so were really averages over the respective subfile periods. It is further instructive to examine the syllable rankings over time, as in the next table, limited to the two most frequent syllable counts (2 & 3).

8.2 Morphological Trends

Examination of the corresponding rankings for each sample subset within the respective subset periods enables tracking of the ranking of number of syllables over time. The various countries' respective ranking histories differ, as shown (along with overall rankings from Table 5.3-3) in the following table of the top two ranking numbers of syllables.

Table 8.2-1
Brand Syllable Frequency Rankings Over Time

<u>Period:</u>	<u>-1</u>	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>(ALL)</u>
<u>Country:</u>							
AUS	---	2,3	2,3	2,3	3,2	2,3	(2-3)
CAN	---	2,3	3,2	3,2	2,3	3,2	(3,2)
IND	---	---	3,2	3,2	3,2	2,3	(3,2)
IRE	---	2,3	2-3	3,2	3,2	3,2	(3,2)
KEN	---	---	2,3	2,3	2,3	2,3	(2,3)
UNK	2,3	2,3	3,2	2,3	3,2	2,3	(2-3)
USA	4,2-3	2,3	3,2	3,2	3,2	3,2	(3,2)

Note: A dash or hyphen between two numbers indicates a tie.

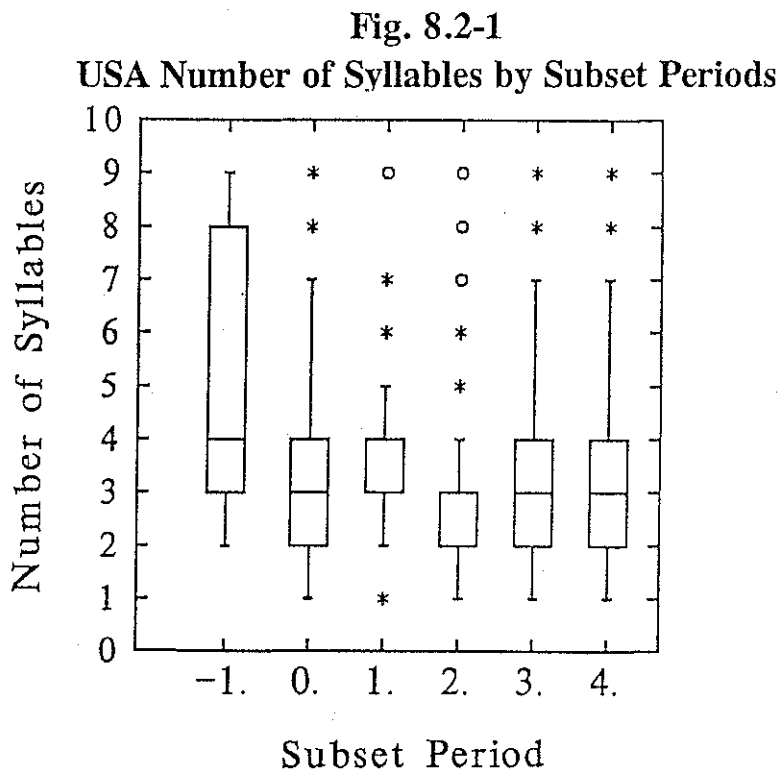
It is apparent from this tabulation that all countries started at an essentially top-ranked two-syllable preference (the brief U.S. preference for 4 syllables notwithstanding). Kenya retained that preferential 2,3 ranking throughout, and Australia flirted with a contrary (3,2) ranking only once.

The United Kingdom split of four periods to two for 2,3 and only two periods for 3,2 does not alter its overall tie (in Table 5.3-3). Whereas each brand had an equal vote in that previous overall ranking, in the present more detailed table each brand has such a vote only within its own period, and the within-period differences vary in size, of course.

8.2 Morphological Trends

The countries preferring a 3,2 syllable ranking were quite consistent, Ireland for four periods out of five, India three out of four, Canada three of five, and the U.S. for an unbroken final four periods out of six.

One might wonder to what extent the interquartile spreads reflect the syllable rankings just tabulated. Accordingly, the next graph shows box plots for each of the half dozen U.S. subset periods, and the showing is quite interesting, especially including as it does the temporary penchant for longer brands in the first period (-1)--on the abscissa, with the number of syllables on the ordinate, scaled up to ten.



Such graphs could be constructed for the other countries as well, but for now this concludes the trend analysis of syllables per brand name. Next for trend analysis are the all important first letters of brand names.

8.2 Morphological Trends

As shown in the next table, frequencies of the first or initial letters within the subset periods of brands with verbal components deviated a bit more in their ranking than in the entire country samples—the latter being included parenthetically from Table 5.3-1 for purpose of comparison).

Table 8.2-2
Brand Initial Letter Frequency Rankings Over Time

<u>Period:</u>	<u>-1</u>	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>(ALL)</u>
<u>Country</u>							
AUS	—	C,L-S	C,S-P	P,A,?	M,K-S	C-D,?	(C,S,P)
CAN	—	K-L-N	S,A-C	C,S,A	S,C,M	C,S,D	(S,C,A)
IND	—	—	C,S,M-P	P,S,K	B,S,P-T	A,M-P-S	(P,S,*)
IRE	—	L,C-O	S,C-G	S,B,H	F,A-M-N	A-D-G	(S,P,C)
KEN	—	—	C,P,A	C-L-S	M,N-S-T	C,B-P	(C-S,M)
UNK	R-S,B	S,C,G	S,M,P	S,C,D	S,A-H	C,S,A-D	(S,C,M)
USA	B,A-S	B,D-P	S,C,M	P,A,C-S	A,B-C	S,T,C-P	(S,C,P)

Note: A dash or hyphen between two letters indicates a tie,
 An elongated dash indicates a tie, letter to letter.
 An asterisk indicates non-verbal design brands.
 A question mark indicates a too long multiple tie.

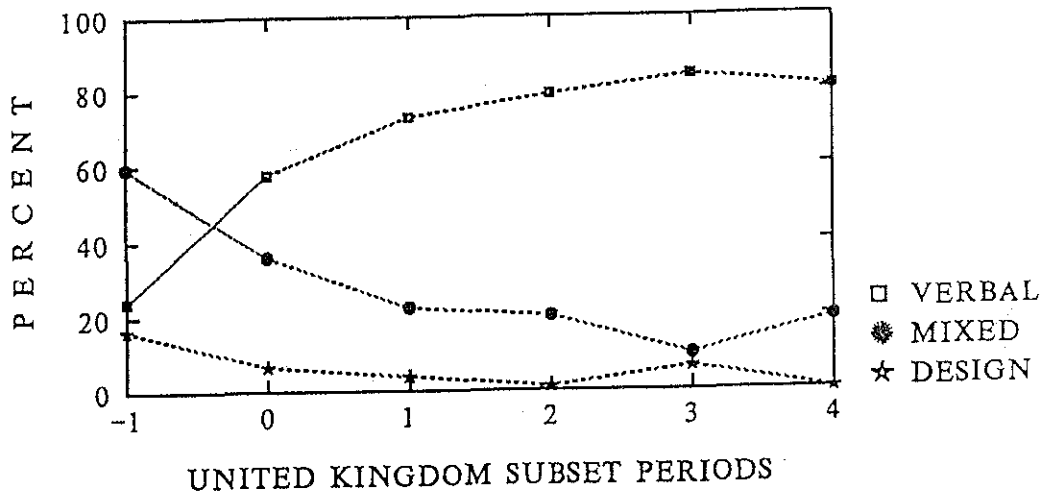
Another evolutionary trend was noted first in three-way division of brand names into purely design, purely verbal, and mixed design/verbal types. See, as typical, Fig. 5.2-2, wherein the U.S. data showed a characteristic pattern above a somewhat irregular underlying surface corresponding to a low frequency of occurrence of pure designs. The intersection near the left edge of the graph (period -1) corresponded to a changeover from early dominance of mixed brands to increasing dominance of verbal brands, rising to a maximum in the vicinity of eighty percent and then diminishing slightly at the right edge of the graph (period 4).

8.2 Morphological Trends

See the corresponding United Kingdom graph below.

Fig. 8.2-2

U.K. Verbal/Design Brand Distribution Over Time



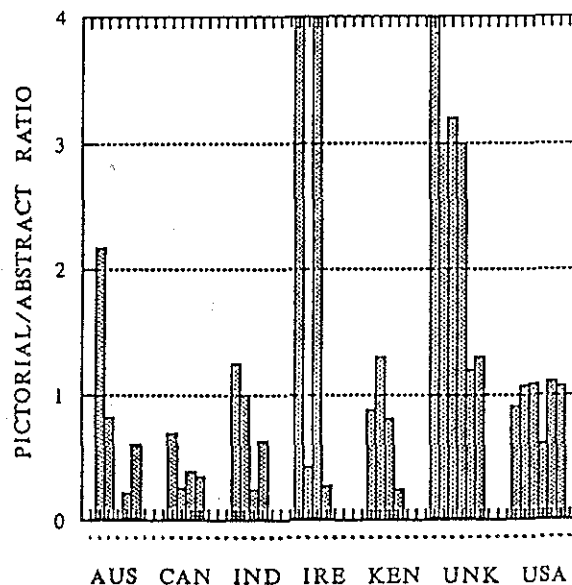
This distribution is very close to the U.S. results in Fig. 5.2-2.

The other countries (not shown) have less smooth similar patterns,

Purely pictorial or abstract designs are analogous. See below.

Fig. 8.2-3

Pictorial/Abstract Design Usage Over Time - All Countries



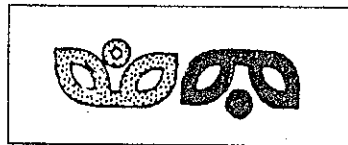
8.2 Morphological Trends

This graphical ratio of pure pictorial to pure abstract designs shows a decline over time in each country except the United States, where the ratio always has been about 1:1. The United Kingdom has consistently had the highest ratio, beginning at 4:1, then dropping to about 3:1 for several periods, and only approaching unity in the last two periods. The other countries appear more erratic, perhaps because of smaller samples, but trending generally lower and ending at less than unity, corresponding to a predominance of abstract designs—even in India—where more brand names have design components than in other nations (Fig. 5.2-1.).

It should be remembered, however, that designs in mixed verbal/design brand names were not included in these ratios. The extent to which pictorial brands predominate when all design-containing brands are included appears in Fig. 5.5-1's all-country comparison of all relative frequencies. Both of these presentations consolidate all sampled periods.

Next below is a notable specimen of an all-design brand which was coded as abstract, though some viewers may interpret it as a pair of masks of harlequin appearance—one upright, one inverted.

Brand 8.2-1 - KEN220
Regn. 23,767 (1977)



Trends in other morphological brand name characteristics, such as length and initial letter, are less definite, though a trend toward fewer words in brand names is general, and initial letters can be expected to change over time as changes in language distribution occur.

8.3 Goods-Related Trends

This study's unexpected finding of predominance in number of Medical (and prominence of Cosmetics and, to less extent, Leisure) brands in less developed countries, as compared with the noted predominance of brands for the biblical necessities of food (Food&Bev), clothing (Textile) and shelter (Building) in the industrialized countries, has been explicated in section 6.3 and graphically shown, country by country, in Fig. 6.3-1.

Also noted there was the fact that an investigation of the early periods in the United States and Canada, when they were less industrialized, showed no prominence of Medical or the other two categories of goods noted in India, Ireland, and Kenya.

Table 6.3-2 showed the extent to which the most frequent branded goods in the United States sample changed ranking, during successive pairs of subfile periods, corresponding closely to the first quarter, the middle half, and the final quarter of the total number of brands (1000) in the sample. The three biblical goods types always ranked in the top four. As noted there, Canada—checked likewise—proved similar, so an initial low level, plus subsequent increasing levels, of industrialization should not account for the distinctions noted in India, Ireland, and Kenya.

The frequency of occurrence of categories of branded goods has been presented already in Fig. 6.3-1. That showing might or might not carry over to renewal of registrations. Brand renewal is a pointer toward the expected future, so the next table lists the top four goods classes in accordance with their brand renewal rates for each country in this study.

8.3 Goods-Related Trends

Table 8.3-1

Ranking of Classes of Renewed Branded Goods

<u>Rank</u>	<u>AUS</u>	<u>CAN</u>	<u>IND</u>	<u>IRE</u>	<u>KEN</u>	<u>UNK</u>	<u>USA</u>
1	Home	Chem*	Loco	Leis	Leis	Mech	Food
2	Mech	Medi*	Food	Chem	Chem	Leis	Text
3	Flex	Flex	Bldg*	Home	Cosm	Elec	Bldg
4	Text	Text	Leis*	Mech	Flex	Medi	Elec

NOTE: * indicates a tie for the two marked ranks.

This chart shows that, whereas brand renewal in the United States follows essentially the same priority as indicated by the frequency of first registrations, namely for food, clothing, and shelter (here 1st, 2nd, 3rd), the less developed countries, which top-ranked Medical in initial registration, no longer feature it, much less at the top. Part of the change may be inherent in the lag between registration and eligibility for renewal.

Top ranking of Leisure goods in Ireland and Kenya and fourth in India seems noteworthy as an extension of the initial registration ranks. It also may be in part a reflection of tourism activities in those nations.

The following is an example of a non-renewed Medical brand, but no particular conclusion is drawn here from the fact of its non-renewal.

Brand 8.3-1 - IND138
Regisn. 186,132 (1960)



8.4 Meaning-Related Trends

Sections 6.4 and 6.5 considered the verbal meaning and design meaning relationships of brand names to attributes of respective branded goods on a three-way spectrum: Arbitrary (little or no meaning), Suggestive (intermediate level of meaning), and Descriptive (high meaning). Now those relationships are investigated for trends occurring in them over the successive subset periods in the respective countries.

Table 6.4-2 graphically portrayed the verbal meaning relationship to number of brand syllables in each country, and Fig. 6.5-1 showed graphically the distribution of design meaning relationship for the respective countries. All brands were averaged over time in those displays.

Values of those or related meaning values in successive subset periods can reveal—as time average values cannot—whether trends are ongoing. Both types (verbal and design) of meaning relations for brands in each of the successive subsets can be classified according to the three-way scheme, as a fraction or percentage of all brands in each subset, to give tabulations, a first one for verbal meaning relation, and a second one for design meaning relation.

The resulting cell values are the percentages per meaning category of the brands in a specific subset period in a specific country, all the brands in that period in that country being one hundred percent thereof.

As the preponderance of brands have verbal components, the total per subset may approach one hundred percent, whereas for design brands the totals will be considerably lower. The rightmost column gives the average of that particular meaning category, for all subset periods in the country, as a percentage of all the brands in that country's sample set.

8.4 Meaning-Related Trends

Table 8.4-1
Brand Verbal Meaning Relation Distribution Over Time (%)

Period:	<u>-1</u>	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	(ALL)
A Arby	---	61.4	54.4	66.7	79.0	65.1	(63.8)
U Sugg	---	17.5	42.4	25.5	21.0	23.3	(27.9)
S Desc	---	10.5	1.1	7.8	0.0	7.0	(4.7)
C Arby	---	62.1	68.6	84.2	85.9	73.2	(75.9)
A Sugg	---	8.6	17.7	13.2	9.9	18.3	(13.3)
N Desc	---	20.7	9.8	0.0	2.2	2.4	(5.8)
I Arby	---	---	60.7	52.4	68.0	62.0	(59.9)
N Sugg	---	---	12.5	31.4	20.0	12.0	(15.8)
D Desc	---	---	17.9	16.7	10.0	18.0	(15.4)
I Arby	---	76.9	75.0	85.6	78.6	90.0	(81.5)
R Sugg	---	11.5	17.3	10.8	8.9	3.3	(10.9)
E Desc	---	7.7	5.8	2.7	3.8	6.7	(4.4)
K Arby	---	---	57.1	84.0	85.0	86.1	(74.4)
E Sugg	---	---	26.0	6.0	8.3	6.9	(13.3)
N Desc	---	---	7.8	10.0	3.3	0.0	(5.6)
U Arby	44.3	56.6	62.6	56.0	50.3	54.4	(54.1)
N Sugg	8.9	25.5	25.9	34.0	40.0	42.1	(30.6)
K Desc	30.3	13.2	2.8	9.0	3.5	3.5	(9.6)
U Arby	50.0	67.7	51.8	47.3	45.2	53.6	(53.1)
S Sugg	20.8	20.5	30.5	41.2	39.5	36.1	(34.8)
A Desc	13.3	7.1	5.1	7.7	12.1	7.2	(7.9)

The most general trend is the reduction in Descriptive brand names, from double-digit figures to low single digits, except from single-digit figures to lower single digits in Ireland and Kenya, and substantially no change in India.

Also noteworthy is the substantial rise in Suggestive brands in Canada, the United Kingdom, and the United States.

See the next page for comparable design meaning data.

8.4 Meaning-Related Trends

Table 8.4-2
Brand Design Meaning Relation Distribution Over Time (%)

Period:	<u>-1</u>	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	(<u>ALL</u>)
A Arb	---	43.9	78.3	7.8	21.0	21.1	(22.3)
U Sugg	---	7.0	16.3	0.0	0.0	0.0	(2.7)
S Descr	---	5.3	4.4	0.0	0.0	0.0	(1.3)
C Arb	---	51.7	15.7	10.4	14.1	28.1	(24.4)
A Sugg	---	6.9	0.0	1.3	0.0	2.4	(1.9)
N Descr	---	0.0	0.0	0.0	0.0	0.0	(0.0)
I Arb	---	---	50.7	50.0	30.0	42.0	(42.1)
N Sugg	---	---	5.4	0.0	0.0	2.0	(2.0)
D Descr	---	---	0.0	4.7	0.0	0.0	(1.0)
I Arb	---	26.9	25.0	11.7	17.9	13.3	(17.0)
R Sugg	---	7.7	1.9	0.9	0.0	0.0	(1.5)
E Descr	---	0.0	0.9	0.0	0.0	0.0	(0.4)
K Arb	---	---	32.5	14.0	30.0	9.3	(23.2)
E Sugg	---	---	2.6	4.0	1.7	2.3	(2.6)
N Descr	---	---	0.0	1.3	0.0	0.0	(0.4)
U Arb	26.6	65.1	73.8	79.0	9.7	15.8	(22.5)
N Sugg	10.1	3.8	4.7	6.0	5.5	3.5	(5.6)
K Descr	6.3	2.8	0.0	2.0	0.7	0.0	(1.9)
U Arb	55.0	35.4	19.5	15.4	13.7	18.7	(22.8)
S Sugg	3.3	7.2	7.2	5.8	4.9	5.4	(6.0)
A Descr	1.7	0.0	3.1	1.2	0.8	1.2	(1.3)

Arbitrary values have fallen in each country from substantial figures in the early periods to much lower figures in later periods. Suggestive values have held fairly steady at higher figures in the United Kingdom and the United States. There are zero occurrences in both Suggestive and Descriptive categories in the first four countries, and only in the Descriptive in the last three countries.

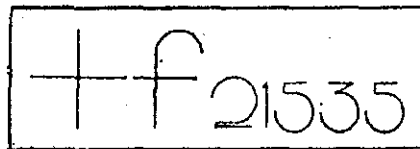
8.4 Meaning-Related Trends

Though noted briefly, country-characteristic trends and other distinctive country attributes are considered further in the next chapter.

The present chapter concludes with several examples of brand names, each having both design and verbal features, featuring Arbitrary, Suggestive, and Descriptive types.

Brand 8.4-1 - IND147

Regn. 210,304 (1962)



This brand name seems so arbitrary as to be ultra-difficult to remember, or to distinguish from similar conglomerations, an undesirable trend.

Brand 8.4-2 - AUS140

Regn. 131,609 (1957)



Deemed not photographic of the branded connectors, and TUBELINKS considered merely suggestive of use.

Brand 8.4-3 - UNK309

Regn. 643,264 (1945)



Verbally descriptive by identifying the goods, whereas female figure only suggests the goods.

9.1 Individually

AUSTRALIA - The Median

The outstanding characteristic of this alphabetically first country--of the seven in this study--is its relative lack of extreme values from among the attributes measured, notwithstanding its geographical distance from all. In nearly all respects it is nearer to the middle than to either end of whatever spectrum of values may be present.

In brand-registering entities, Australia ranks third in proprietorships and corporations, and fifth in partnerships.

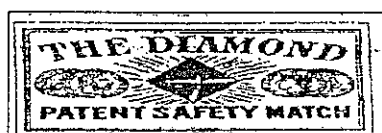
In brand morphological features Australia occupies a three-way tie for second in the incidence of purely verbal brand names; third in mixed verbal/design brands; second low in pure designs. In verbal length measures, it ranks fourth in number of words per brand name, fifth (another three-way tie) in syllables per name, and second in letters per word. Its initial letters rank C, S, and P; the overall mean is S, C, and P.

In brand designs Australia ranks second in pictorial, fifth in abstract, and third in mixed design incidence. Among pictorial designs it ranks fifth in human, first in man-made, and second in other features.

In brand/goods meaning relation Australia has an unusual first ranking in descriptive designs, second in both verbal and design suggestive meaning, otherwise is lower than half. Its location in multidimensional scaling is dealt with in a later section about group characteristics.

Brand 9.1-1 - AUS016

Regn. 14,388 (1915)



9.1 Individually

CANADA—The Durable

Despite some misgivings that it might reflect the U.S. sample set to a large extent, which indeed it does, Canada was included in this study because its lapsed former registrations were scheduled to be destroyed only a few weeks later. Canada usually ranks between Australia and the United States in many of the measured attributes, perhaps as all three of them were the recipients of U.K. emigrés over similar periods.

Canada's most exceptional characteristic is top ranking in duration of brand name registration, attributable to its long term of 15 (formerly 25) years, and to its lack of an earlier housekeeping provision—such as the U.S. sixth-year usage declaration requirement—for weeding unused brands from the register, before expiration of the full term.

Canada often occupies a position close to Australia and to the United States, such as in its distribution pattern of pure verbal, pure design, and mixed verbal/design brands. The Canadian sample set differs from the others in their ranking of initial letters in verbal brand names by dropping "P" from its normal high rank (to sixth) and ranking "A" third.

The brand name shown below is an illustration of the Canadian initial letter preference. It was registered for plastic film, such as nylon, polyethylene, and polypropylene, alone and for packaging material.

Brand 9.1-2 - CAN305

Regn. 199,385 (1974)



9.1 Individually

INDIA - The Pictorial

India is the most easily distinguishable of all the countries in this study, through its highest incidence of brand-registering proprietors and partners, and its high design brand incidence, which outranks its third highest initial letter. Foreign script is a common telltale feature.

India has the lowest rate of purely verbal, and the most verbal/design mixes and is highest in brand/goods meaning. It also has by far the most words per brand name, and the most syllables on average.

The Indian sample, alone among all seven, fails to rank Food&Bev in the top four categories of branded goods. Like other low-GNP countries it ranks Medical brands highest.

The following mostly pictorial brand is for silk goods.

Brand 9.1-3 - IND039

Regn. 92,286 (1944)



9.1 Individually

IRELAND—The Verbal

The Irish have a tradition of court poets and a well deserved reputation for blarney. Those verbal skills carry over into the world of commerce. Ireland ranks first in corporate brand name registrants, and the Irish sample set evidences the highest incidence of purely verbal brands. The overall average exceeds 80%, and the most recent periods are nearer 90%. The downward verbal trend apparent elsewhere is missing here, and mixed verbal/design and pure design brands are minimal in Ireland.

Irish brand names with verbal components rank highest in arbitrary brand/goods meaning relationship, and also contain the longest words, both in terms of letters (6.6) and syllables (3.3), notwithstanding a virtual tie with Australia and Kenya for the fewest words (1.7) per brand name.

Ireland's only significant rival for diversity in the variety of its high-ranking initial letters is Kenya, whereas its overall S, P, C order of the top three is close to that of the U.S. and to the Australian C, S, P.

The following example illustrates the spool of thread label that, in its various modifications became well known almost worldwide, regardless of its specifically featured secondary brand names (here, SHEEN) and regardless of where it started, presumably in the United Kingdom.

Brand 9.1-4 - IRE026

Regn. 32,653 (1913)



9.1 Individually

KENYA—The Diverse

Kenya exhibits the most widespread brand diversity in this study, although in ranking medical brand names as most numerous of the dozen types of branded goods, Kenya is like both India and Ireland.

Kenya's incidence of human pictorials is least. Kenya rivals Ireland in diversity of its high-ranking initial letters, and ranks lowest in incidence of individual brand name registrants (i.e., proprietors). Its pure design incidence was high (third), and Fig. 8.2-1 is a notable example.

Kenya is also exceptional in having the lowest rate of brand name registration, which increased and then leveled off without falling.

The Kenya sample set contained so few renewals as to render renewal data of doubtful significance.

Another surprising occurrence was the presence of well known U.S. originated brand names in the Kenya sample. Two of them are reproduced side-by-side below.

Brand 9.1-5 - KEN022

Regn. 2,977 (1945)

Capehart

Brand 9.1-6 - KEN128

Regn. 12,595 (1967)



CAPEHART was a TV brand name of Farnsworth Television and Radio Corp. JOHN DEERE (less Lanza) is a brand name for tractors, etc.

9.1 Individually

UNITED KINGDOM—The Parent

The United Kingdom—also Canada, Ireland, and the United States—began registering brand names in the 1870's (Fig. 2.2-3). The various countries' similar registration systems reflecting their U.K. colonial ties.

An informative account of the U.K. registration system appears in its *A Century of Trade Marks 1876-1976* [1976], whose director for the first forty years was the most highly paid civil servant in the country.

The first brand name in the U.K. sample appears below.

Brand 9.1-7 - UNK001

Reg. 12,677 (1877)



The U.K. is the only country with equal incidence of two-syllable and three-syllable brand names (Table 5.3-3) as the most numerous, whereas Australia and Kenya favor two, and the others three, syllables.

Though Table 5.5-1 shows the U.K. as in the intermediate five countries in incidence of designs in its brands (Ireland being much lower and India much higher), it ranks second to India in incidence of pictorial brands, as in Table 5.5-2, and highest of all (Fig. 5.5-1) in purely design and mixed pictorial/abstract brands. The colonies have evolved away from the pictorial parent faster than the parent has relinquished designs.

9.1 Individually

UNITED STATES—The Giant

This country's largest sample set yields the smoothest time curves. Often its characteristics are unexceptional, although the U.S. happens to lead in average number of brand name registrations per year (100 years).

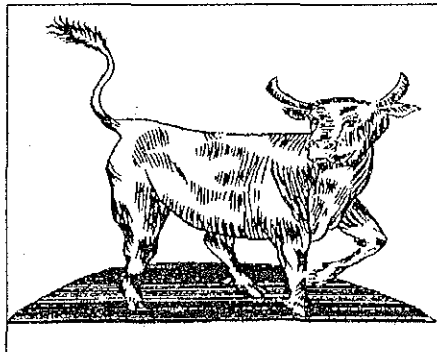
This sample shows the prototypical sharp rise, followed by a slight fall, in purely verbal brand names and the corresponding sharp dip, followed by some recovery, in mixed verbal/design brand incidence, plus a dished but generally diminishing frequency of pure designs (Fig. 5.2-2).

The U.S. allocation of brand names over the dozen goods categories, as shown in Fig. 6.3-1 (on page 87), has a bat-wing outline, with one nearly symmetrical wingtip at Food&Bev and the other at Textile, plus a strong showing at Building.

The U.S. shares with the U.K. a disappointing survival showing, via renewal of mixed design/verbal brands, at only about two-thirds the rate of pure verbal or design brands (Table 7.3-1), and by flat suggestive vs. arbitrary and descriptive goods-related meaning (Tables 7.4-1, 7.4-2).

Brand 9.1-8 - USA067

Regn. 61,020 (1907)



9.2 Groupwise

The foregoing comparison of the countries in this study one by one provides such a miscellany of information that it may obscure rather than illuminate relationships of interest such as diversity in grouping of countries. Visual patterns convey different impressions than statistical measures and tables of numbers are able to do, however well understood. Two or more measures can be indexed to group the countries .

A rudimentary pattern may be constructed in the form of a table, such as the following 3x3 matrix comparison of the incidence of pure design brands vs. incidence of borders, both of which may be deemed types of embellishment. Stylization could be factored in if desired.

Table 9.2-1

Country Grouping by Borders and Pure Designs

Incidence of	<u>I n c i d e n c e o f B o r d e r s</u>		
<u>Pure Designs</u>	<u>Low</u>	<u>Medium</u>	<u>High</u>
High:			INDIA
Medium:		CAN,KEN,UNK,USA	
Low	AUS,IRE		

This coarse table clearly shows India in a class by itself at the high end of embellishment (borders, stylization, and pure designs), Australia and Ireland at the low end, and the other countries ranked intermediately.

Ranking of initial letters, number of syllables, or written length measures can be aggregated similarly to give grouping by verbal features.

Triaxial graphs and polar diagrams, where measures are available, can enable grouping of countries, as in a three-phase space or around a central point, or facilitate grouping by identification of visual patterns.

9.2 Groupwise

As an example of the latter, Fig. 6.3-1, Relative Frequencies of Branded Goods, highlights sharp division between a first country group distributed more or less evenly about a WNW-ESE axis and a second group having a shape resembling the map of India tilted slightly CCW. Countries with the latter pattern happened to be India, Ireland, and Kenya, as already noted, whose greatest brand incidence is for Medical goods, whereas the other pattern signified predominant branding of goods meeting the biblical necessities of food, clothing and shelter.

A multidimensional scaling extension of such inquiry is found in Fig. 6.6-2, MDS Graph from Goods Distributions, where pertinent data dispersed and grouped countries relative to axes of Commercial Language Uniformity vs. Economic Development (or Industrialization). A further MDS example is shown in Fig. 7.5-1, MDS Graph from Goods Distributions (Renewed), which did likewise with axes of Family/Social Status of Business vs. Economic Development. The allocations of MDS axes have been considered above and are not revisited here, though alternative identification of respective axes is quite possible and may well be considered.

Another example of considering the countries groupwise by multidimensional scaling produced Fig. 6.6-1, MDS Graph from Number of Syllables. That effort dispersed and grouped the countries relative to resulting axes of Literary Tradition vs. an oral measure tentatively called there the Inflection Reciprocal.

Grouping and regrouping of countries helps the analyst to view the brand name symbol system broadly and to see attributes of the countries in ways that otherwise might not be revealed or even be conceptualized.

9.3 Timewise

Fig. 2.2-3, Range in Years of Sample Sets and Subsets, suggests, by the general shortening of the successive range bars (in all countries except India) that brand registration rates are increasing almost everywhere, which is about true. The opposite is true in India because of the lateness of its initiation of its brand name registration system, which progressively caught up with the pent-up demand. Of course, the successive periods are not necessarily uniform in number of brands or in number of years—for various reasons, some noted in Table 2.2-2, Sampling Subset Period Determinants. However, they are selected insofar as practicable to represent comparable periods in registered brand name history.

The growth in brand name registration is a reflection of economic activity so can be expected to attain a steady state proportionate to such activity. Hence, India should reverse its downward trend in the near future if it has not already done so since the data collection for this study.

Registrants (and renewers) of brand names are more and more predominantly corporations, but non-corporate entities (proprietorships and partnerships) in India have been about twice as likely in such role(s) as in any of the other countries—a difference that probably will lessen.

General trends include notably decreased embellishment, as noted in the preceding section. As also noted, the trend extends to designs in brand names, especially those brands that have both design and verbal components, subject to a recent modest upcurve, shown by Figs. 5.2-1 and Fig. 8.2-1, Verbal/Design Brand Distribution Over Time—in the U.S. and the U.K., respectively.

9.3 Timewise

Other changes over time can be expected to evidence an increasing similarity in business methods and participation of the developing countries in worldwide trade. As in other branches of intellectual property law (e.g., patents, copyrights, trade secrets) most countries—not only those in this study—are conforming their respective legal practices to facilitate conversion to capitalistic economies and readier interchange.

9.4 Otherwise

As already noted, this rather extensive investigation of brand names in a group of countries was preceded by a pilot study of a couple hundred randomly selected in the U.S., three-way coding of them, plus refinement of the coding instrument after analysis of resulting coding reliability.

Except for assuming that—regardless of country—all brand names exist in an environment in which they have to compete for survival, this investigator lacked conscious preconceptions about what similarities might characterize brand name populations of any or all countries, or groups of countries, or any individual country, or what differences might exist where. He was not predisposed to any particular outcome and was ready to welcome whatever insight he could acquire from whatever kinds of analyses were readily available and seemed suited to the data obtained.

The literature revealed a lack of pertinent prior investigations of brand names that were not famous, but many *post hoc ergo propter hoc* accounts of famous ones. Greenberg (1951) however, actually sampled brand names registered at different times and compared their incidence of pictorial brand content with that of more "famous" brands.

9.4 Otherwise

Werkman (1974) is the most prominent investigator since then, and the first overtly multi-country one found, but even he does not hesitate to characterize countries' brand names according to his views about national characteristics. The present study looks to the brands themselves to define the seven English-speaking countries, whether individually, in various groups, or all together, and at various times.

Werkman notes that design brands are too infrequent in his smaller sample sets to code their characteristics and, as he listed each brand by its verbal content, seems to have excluded all purely design brands from his samples. Yet he comments on such features as borders, line thickness, motion suggestion, symmetry, and "abstract or representational"—a two-valued measure of amount of information (about the branded goods). The present study has undertaken to give both design and verbal components comparable treatment, while noting explicitly the scarcity of some design data, especially as to brand/goods meaning relationship.

The following brand name suggests the effort needed for this study.

Brand 9.4-1 - UNK003
Regn. 75 747 (1888)



10.1 Operational

The source data upon which the findings in this study are based were recorded in the normal course of official duties by governmental agencies charged with the responsibility of receiving, examining, and granting (or denying) brand name registration. Such "social bookkeeping" obviously occurs independently of any academic investigator's own background, interests, or objectives. That recording process and its record constituted a *sine qua non* for this investigation.

Countries were selected for study of their brand name registrations based upon availability of the data records, and upon country size, location, and degree of economic development and related attributes so as to provide a range of countries for each of the pre-selected attributes.

The seven countries that resulted are Australia, Canada, India, Ireland, Kenya, the United Kingdom, and the United States. The period of time covered was from the inception of brand name registration, in about 1870 for the earliest countries, for about their first hundred years. For later countries the time was from their subsequent inception until about 1980. Limited updating of their renewal records also ensued.

Brand names to be included in this study were selected by reference to well known compilations of random numbers. A copy of the registration certificate (or equivalent) for each was obtained from the recording agency. A minimum sampling ratio of one per thousand (0.1%) was exceeded in several countries (about 1.5% in Canada, 3+ % in Ireland, and 9+ % in Kenya) to provide sample sets of desired size). Nearly three thousand individual brand records became source items.

10.1 Operational

The source items included a showing of the brand names, as well as historical data about their ownership, use, etc. Coders recorded for each brand about three dozen data items including such historical data, also morphological (design and verbal) data about the brands themselves, and also relational data about meaning conveyed about the branded goods (or services). Several coders processed each brand name (except U.K.), and their work-products were cross-checked for intercoder reliability. Some data categories were rejected as unable to be reliably coded.

Because of legislative or administrative changes in the individual registration systems at various times, such as by changing the duration of brand registration or of brand renewal or modifying classifications of goods (or services), each country's stratified random sample was divided into consecutive subsamples or subset periods (four to six) to minimize resulting coding disruption, enabling within-country and inter-country comparison by subsample time periods instead of fixed periods of years.

Each brand name's official registration record was identified by number and was checked either directly or in official copy for historical features, for its alphanumeric or verbal content and for its non-verbal or design content, and also for the goods stated as branded by it. Attributes of the individual brand names were designated to be coded.

Main coded verbal attributes included initial letter, length (words, letters, syllables), and verbal meaning relationship to the branded goods, plus whether represented in plain or stylized form, and whether renewed when the registration term ended (for those eligible for renewal).

10.1 Operational

The principal coded design attributes included borders, dominant and secondary types of designs, as well as design meaning relationship to the branded goods, and whether renewed if eligible.

This investigator analyzed the results variously, including making comparisons within country and across countries, and noting resulting similarities and differences. Reasons for those results were advanced, based upon known country attributes and other results of this study.

Various types of analysis and graphical presentation were used to bring out the salient features of the diverse features of the brand names.

10.2 Conclusory

This study reached a general conclusion that registered brand names do brand societies, as by identifying individual countries, and by sorting countries into groups—at least if they are among the English-speaking countries in this study. Broader application of at least some of the findings seems likely, inasmuch as the brand name symbol system is world-wide, and English is becoming the main language of commerce.

More specific conclusions reached in the study are recited in the preceding chapters and are not repeated here. Suffice it to say that they may have merely scratched the surface of the meta-communication that the brand name symbol system occasions at the same time as it functions as a mass communication system whose putative function is to cultivate an acceptance of specific branded goods (or services) by the audience to whom it was addressed—or through them to others in their familial, occupational, or recreational settings.

10.2 Conclutory

The communication focus of this study has emphasized factors or features along the Information axis of the LIT construct of Fig. 3.7-2, but it is conceivable that other brand-related inquiries might focus on features along the Law axis (e.g., brand similarity fostering confusion or deception) or along the Trade axis (e.g., effects upon profitability of business enterprises, or marketplace distribution boundaries for branded goods). Notable similarities or differences could come to light to characterize a particular country, group of countries, or the brand symbol system itself.

If worldwide homogeneity of populations should ever be attained (not a goal here) mass communicational and meta-communicational functions tinged with informational, legal, and trade considerations might merge into one, but until then at least some local non-homogeneities may be discernible in functioning of national brand name symbol subsystems. The techniques of the present study have provided means and methods for analyzing a country's registered brand names for such meta-purposes.

Meanwhile, the various countries and various aggregations of them can be studied via their registered brand names, be so identified and some of their various idiosyncrasies be diagnosed—and be taken into account.

Comparison of past with present brands of the respective countries, or comparison of renewed with non-renewed brands, seems likely to aid, not only in identifying the source country but also in detecting related trends of economic, industrial, linguistic, or social nature there. In similar manner, consideration of observed trends not only could predict changes in brand name characteristics but also aid brand name designing.

10.3 Afterword

This author/investigator welcomes whatever review or extension of his findings other interested investigators may undertake, for whatever academic or related reasons. Identification of the brand names in each country's sample by registration numbers is available to interested students of the brand name symbol system or to trademark professionals who wish to replicate, extend, or update this study or any part of it.

A suggestion has been made that the brand name documentation from the various countries, from which the coders worked, be archived by him for possible future reference, as on a CD-ROM. That would be an ambitious undertaking and is not contemplated under the circumstances of the author's full-time practice of intellectual property law—which he does not expect to curtail at any foreseeable time.

The last brand (shown below) provides a fitting conclusion, from his Florida office, which is a delightful but demanding workplace.

Brand 10.3-1 IND127
Regn. 186,132 (1958)



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APPENDIX I Guide to Coding Registered Brand Names

You may enter a dash, if you wish, where you have no numerical entry to make on the coding sheet. Where only a 'yes' or 'no' entry is required, enter 0 for 'no' and 1 for yes."

PART I - General

Col. Nos. Instructions

- | | | |
|-------|----|--|
| 1,2 | a. | Enter ROW NUMBER on individual sheet. |
| 3,4,5 | b. | SEQUENCE NUMBER of item being coded, as noted at lower right corner of source data item. |
| 6 | c. | CODER NUMBER assigned to you (enter only at top of column on each sheet). |
| 7,8 | d. | REGISTRATION DATE (last two digits of year). |
| 9,10 | e. | EARLIEST DATE (date of first use, or filing date, or effective date of registration). |
| 11 | f. | RENEWAL (1 for first, 2 for second, etc.). |
| 12 | g. | EXPIRED (if shown) |
| 13 | h. | NO ENTRY |
| 14 | i. | EXPUNGED (by authority). |
| 15,16 | j. | LAST YEAR (if registration has normal life). |
| 17 | k. | CANCELED (by adversary). |
| 18 | l. | RESTORED to Register. |
| 19,20 | m. | NO ENTRY |

APPENDIX I Guide to Coding Registered Brand Names

PART I - General (cont'd)

Col. Nos. Instructions

- | | |
|-------|--|
| 21 | n. REGISTERING ENTITY at first registration. |
| | 1. Proprietorship (only one person); |
| | 4. Partnership (so stated, or firm of two or more persons, or joint venture, etc.); |
| | 7. Corporation (name usually includes Co., Corp., Inc., or Ltd., but Co. may be used for a partnership in some jurisdictions); |
| | 9. Political entity--national, state, etc. |
| 22 | o. RENEWING ENTITY at latest renewal of regn.
(same coding as above for registration). |
| 23 | p. SUPPLEMENTAL (Class B) registration. |
| 24 | q. DISCLAIMER of rights in part of brand name. |
| 25,26 | r. CLASS NUMBER of branded goods. |
| 27 | s. NO ENTRY |
| 28 | t. CHARACTER of brand name. |
| | 1. Wholly alphanumeric; |
| | 4. Mostly alphanumeric (with some design); |
| | 7. Mostly design (with some alphanumeric); |
| | 9. Wholly design. |

APPENDIX I Guide to Coding Registered Brand Names

PART II - Alphanumeric

Col. Nos. Instructions

- | | | |
|-------|----|--|
| 31,32 | a. | LETTERS (in two columns, up to max of 99);
if less than 10, insert 0 in first column. |
| 33 | b. | WORDS (individual letters or groups of
letters separated by spaces or hyphens,
etc.); if more than 9, enter 9). |
| 34 | c. | SYLLABLES (if more than 9, enter 9). |
| 35 | d. | NUMERALS (numerical digits; if more than 9,
enter 9). |
| 36 | e. | NUMBERS (individual numerals or groups of
numerals separated by spaces or hyphens;
commas do not count as number separators). |
| 37-45 | f. | NO ENTRY |
| 46 | g. | MEANING RELATION of alphanumeric parts only
(excluding any disclaimed part) to goods or
services for which registered or to any
attribute of the goods or services).

1. Descriptive 5. Suggestive 9. Arbitrary |
| 47-49 | h. | NO ENTRY |
| 50 | i. | STYLIZATION of alphanumeric parts, rather
than plain letter(s) or numeral(s) in
conventional linear sequence. |

APPENDIX I Guide to Coding Registered Brand Names

PART III - Design

Col. Nos. Instructions

- | | | | | |
|-------|----|---|---------------|--------------|
| 52 | a. | BORDER or outline about all or predominant part (of either alphanumeric or design). | | |
| 53 | b. | DESIGN TYPE | | |
| | | 1. Pictorial | 5. Mixed | 9. Abstract |
| 54 | c. | PICTORIAL STYLE | | |
| | | 1. Natural | 5. Mixed | 9. Fanciful |
| 55 | d. | PICTORIAL TYPE (predominant). | | |
| | | 1. Human Being (or part), or (if not) | | |
| | | 5. Man-made Item (or part), or (if not) | | |
| | | 9. Other (animate or inanimate). | | |
| 56,57 | e. | WIPO PICTORIAL Category (1 through 25; if less than 10, enter 0 in first col.). | | |
| 58,59 | f. | WIPO ABSTRACT Category (26 through 29). | | |
| 60 | g. | MEANING RELATION of design parts only (excluding any disclaimed part) to goods or services for which registered or to any attribute of the goods or services. | | |
| | | 1. Descriptive | 5. Suggestive | 9. Arbitrary |
| 61,62 | h. | Color (not black, white, or gray)--Not Used. | | |

APPENDIX II: Goods Classifications

International/New British

Class 1	Chemicals
Class 2	Paints
Class 3	Cosmetics and Cleaning Preparations
Class 4	Lubricants and Fuels
Class 5	Pharmaceuticals
Class 6	Metal Goods
Class 7	Machinery
Class 8	Hand Tools
Class 9	Electrical and Scientific Apparatus
Class 10	Medical Apparatus
Class 11	Environmental Control Apparatus
Class 12	Vehicles
Class 13	Firearms
Class 14	Jewelry
Class 15	Musical Instruments
Class 16	Paper Goods and Printed Matter
Class 17	Rubber Goods
Class 18	Leather Goods
Class 19	Non-metallic Building Materials
Class 20	Furniture and Articles Not Otherwise Classified
Class 21	Housewares and Glass
Class 22	Cordage and Fibers
Class 23	Yarns and Threads
Class 24	Fabrics
Class 25	Clothing
Class 26	Fancy Goods
Class 27	Floor Coverings
Class 28	Toys and Sporting Goods
Class 29	Meats and Processed Foods
Class 30	Staple Foods
Class 31	Natural Agricultural Products
Class 32	Light Beverages
Class 33	Wines and Spirits
Class 34	Smokers, Articles
Higher	Services

APPENDIX II: Goods Classifications (Cont'd)

Old British

- Class 1. Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives.
2. Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes.
3. Chemical substances prepared for use in medicine and pharmacy.
4. Raw or partly prepared vegetable, animal, and mineral substances used in manufactures, not included in other classes.
5. Unwrought and partly wrought metals used in manufactures.
6. Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in Class 7.
7. Agricultural and horticultural machinery, and parts of such machinery.
8. Philosophical instruments, scientific instruments and apparatus for useful purposes. Instruments and apparatus for teaching.
9. Musical instruments.
10. Horological instruments.
11. Instruments, apparatus, and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals.
12. Cutlery and edge tools.
13. Metal goods not included in other classes.
14. Goods of precious metals (including aluminium, nickel, Britannia metal, &c.) and jewellery, and imitations of such goods and jewellery.

APPENDIX II: Goods Classifications (Cont'd)

Old British (Cont'd)

Class 15. Glass.

16. Porcelain and earthenware.

17. Manufactures from mineral and other substances for building or decoration.

18. Engineering, architectural, and building contrivances.

19. Arms, ammunition, and stores not included in Class 20.

20. Explosive substances.

21. Naval architectural contrivances and naval equipments not included in Classes 19 and 20.

22. Carriages.

23. (a) Sewing cotton. (b) Cotton yarn.

24. Cotton piece goods of all kinds.

25. Cotton goods not included in Classes 23, 24, or 38.

26. Linen and hemp yarn and thread.

27. Linen and hemp piece goods.

28. Linen and hemp goods not included in Classes 26, 27, and 50.

29. Jute yarns and tissues, and other articles made of jute, not included in Class 50.

30. Silk--spun, thrown, or sewing.

31. Silk piece goods.

32. Other silk goods not included in Classes 30 and 31.

33. Yarns of wool, worsted, or hair.

APPENDIX II: Goods Classifications (Cont'd)

Old British (Cont'd)

Class 34. Cloths and stuffs of wool, worsted, or hair.

35. Woollen and worsted and hair goods, not included in Classes 33 and 34.

36. Carpets, floor-cloth, and oil-cloth.

37. Leather, skins unwrought and wrought, and articles made of leather, not included in other classes.

38. Articles of clothing.

39. Paper (except paperhangings), stationery, and bookbinding.

40. Goods manufactured from india-rubber and gutta-percha, not included in other classes.

41. Furniture and upholstery.

42. Substances used as food, or as ingredients of food.

43. Fermented liquors and spirits.

44. Mineral and aerated waters, natural and artificial, including ginger beer.

45. Tobacco, whether manufactured or unmanufactured.

46. Seeds for agricultural and horticultural purposes.

47. Candles, common soap, detergents; illuminating, heating, or lubricating oils; matches; and starch, blue, and preparations for laundry purposes.

48. Perfumery, including toilet articles, preparations for the teeth and hair, and perfumed soap.

49. Games of all kinds and sporting articles, not included in other classes.

APPENDIX II: Goods Classifications (Cont'd)

Old British (Cont'd)

Class 50. Miscellaneous, comprising the following sub-classes:--

- Sub-class 1. Goods manufactured from ivory, bone, or wood, not included in other classes or sub-classes.
- 2. Goods manufactured from straw or grass, not included in other classes or sub-classes.
- 3. Goods manufactured from animal or vegetable substances, not included in other classes or sub-classes.
- 4. Tobacco pipes.
- 5. Umbrellas, walking-sticks, brushes and combs.
- 6. Furniture cream, plate-powder.
- 7. Tarpaulins, tents, rick-cloths, rope, twine.
- 8. Buttons of all kinds, other than of precious metal or imitations thereof.
- 9. Packing and hose of all kinds.
- 10. Goods not included in other classes or sub-classes.

Each sub-class of Class 50 shall, for the purposes of the registration of a trade mark, be deemed to be a class.

APPENDIX II: Goods Classifications (Cont'd)

New U.S.

Class 1	Raw or Partly Prepared Materials
Class 2	Receptacles
Class 3	Baggage, Animal Equipments, Portfolios, Pocketbooks
Class 4	Abrasives and Polishing Materials
Class 5	Adhesives
Class 6	Chemicals and Chemical Compositions
Class 7	Cordage
Class 8	Smokers' Articles, not including Tobacco Products ..
Class 9	Explosives, Firearms, Equipments, Projectiles
Class 10	Fertilizers
Class 11	Inks and Inking Materials
Class 12	Construction Materials
Class 13	Hardware, Plumbing, Steam-fitting Supplies
Class 14	Metals, Metal Castings and Forgings
Class 15	Oils and Greases
Class 16	Protective and Decorative Coatings
Class 17	Tobacco Products
Class 18	Medicines and Pharmaceutical Preparations
Class 19	Vehicles
Class 20	Linoleum and Oil Cloth
Class 21	Electrical Apparatus, Machines and Supplies
Class 22	Games, Toys, and Sporting Goods
Class 23	Cutlery, Machines, and Tools, Parts Thereof
Class 24	Laundry Appliances and Machines
Class 25	Locks and Safes
Class 26	Measuring and Scientific Appliances
Class 27	Horological Instruments
Class 28	Jewelry and Precious Metalware
Class 29	Brooms, Brushes, and Dusters
Class 30	Crockery, Earthenware, and Porcelain
Class 31	Filters and Refrigerators
Class 32	Furniture and Upholstery
Class 33	Glassware
Class 34	Heating, Lighting, and Ventilating Apparatus
Class 35	Belting, Hose, Machine Packing, Nonmetallic tires ..
Class 36	Musical Instruments and Supplies
Class 37	Paper and Stationery
Class 38	Prints and Publications
Class 39	Clothing

APPENDIX II: Goods Classifications (Cont'd)

New U.S. (Cont'd)

Class 40	Fancy Goods, Furnishings, and Notions
Class 41	Canes, Parasols, and Umbrellas
Class 42	Knitted, Netted, Textile Fabrics, and Substitutes
Class 43	Thread and Yarn
Class 44	Dental, Medical and Surgical Appliances
Class 45	Soft Drinks, and Carbonated Waters
Class 46	Foods and Ingredients of Foods
Class 47	Wines
Class 48	Malt, Beverages and Liquors
Class 49	Distilled Alcohol Liquors
Class 50	Merchandise Not Otherwise Classified
Class 51	Cosmetics and Toilet Preparations
Class 52	Detergents and Soaps
Higher	Services

APPENDIX II: Goods Classifications (Cont'd)
Old U.S.

- Class 1. Agricultural implements.
 2. Baking powder and yeast.
 3. Beverages.
 4. Blacking and leather dressing.
 5. Boots, shoes, and lasts.
 6. Brooms and brushes.
 7. Buttons.
 8. Canned goods.
 9. Carpets, &c.
 10. Cement, plaster, and bricks.
 11. Cigars and cigarettes.
 12. Cleaning and polishing preparations.
 13. Coffee and tea.
 14. Confectionery.
 15. Corsets.
 16. Cured meats.
 17. Cutlery and edge tools.
 18. Dairy products.
 19. Dentistry.
 20. Drugs and chemicals.
 21. Dry goods.
 22. Fancy goods.
 23. Fertilizers.

APPENDIX II: Goods Classifications (Cont'd)
Old U.S. (Cont'd)

Class 24. Fire-arms, ammunition, and explosives.

25. Flour.

26. Food and relishes.

27. Fuel.

28. Games and toys.

29. Glassware.

30. Gloves.

31. Head-wear.

32. Household articles.

33. Inks.

34. Iron, steel, and manufactures.

35. Jewelry and plated ware.

36. Lamps, lanterns, &c.

37. Lard and tallow.

38. Laundry articles.

39. Leather and saddlery.

40. Locks and hardware.

41. Machines.

42. Malt liquors.

43. Matches.

44. Medical compounds.

45. Miscellaneous.

46. Musical instruments.

APPENDIX II: Goods Classifications (Cont'd)
Old U.S. (Cont'd)

- Class 47. Needles and pins.
48. Oils and lubricants.
49. Optics and measuring instruments.
50. Packing. (Machinery.)
51. Paints and painters' supplies.
52. Paper and envelopes.
53. Poisons for animals.
54. Publications.
55. Receptacles.
56. Rope, cord, and twine.
57. Rubber goods.
58. Sewing machines and attachments.
59. Sewing silk, cotton, and thread.
60. Shirts, collars, and cuffs.
61. Soap.
62. Spices, mustard, and salt.
63. Spirituous liquors.
64. Starch, corn-starch, and products.
65. Stationery miscellany.
66. Stoves and heaters.
67. Sugar, sirup, and molasses.
68. Surgical instruments and appliances.
69. Tailoring and clothing.

APPENDIX II: Goods Classifications (Cont'd)

Old U.S. (Cont'd)

Class 70. Time-keeping instruments.

71. Tobacco and snuff.

72. Toilet articles and preparations.

73. Tools and devices.

74. Umbrellas, parasols, and canes.

75. Underwear and furnishings.

76. Vehicles.

77. Wines.

APPENDIX III: Design Classifications

BUHLER-OPPENHEIM:

1. Information, Solicitation
(e.g., announcements, gestures, graffiti, mourning garb, incitements to riot, posters, traffic signals).
2. Code
(e.g., alchemy signs, aircraft markings, braille, dominos, hobo marks, maps, medical charts, military insignia, musical notation, seismographs).
3. Emblem, Sign
(e.g., corporate logo, guild mark, inn sign, occupational sign, uniform).
4. Credentials, Rank, Status
(e.g., badge, beadle, headgear, necklaces, totems, shepherd's crook).
5. Property, Title
(e.g., boundary marker, livestock brand, earmark).
6. Jogs to the Memory
(e.g., calendar, knotted handkerchief/rope, tally).

APPENDIX III: Design Classifications (Cont'd)

Dreyfuss SYMBOL SOURCEBOOK

Accommodations and Travel ... including Terminals	Geography
Agriculture	Geology
Agronomy, Livestock and Dairy Products, Farm Structure and Lands, Forestry, Implements	Handling of Goods
Architecture	Home Economics
Drafting, Landscaping and Planning	including Appliances
Astronomy	Manufacturing
Biology	including Heavy Duty Machinery
including Botany, Molecular Biology	Mathematics
Business	Medicine
including Computers, Office Equipment, Shops and Services	including Equipment, Hospitals
Chemistry	Meteorology
Communications	Music
including Movement and Dance, Non-graphic Alphabets	Photography
Engineering	Physics
Chemical, Electrical, Mechanical	Recreation
Folklore	including Olympics
Alchemy, Astrology, Hobo Signs	Religion
	Safety
	Traffic
	Road, Air, Marine, Rail
	Vehicle Controls
	including 3-Dimensional Shapes

APPENDIX III: Design Classifications (Cont'd)
WIPO (World Intellectual Property Organization)

1. Celestial bodies, natural phenomena, topographical maps
2. Human beings
3. Animals
4. Supernatural beings, fabulous beings, fantastic beings
or unidentifiable beings
5. Plants
6. Landscapes
7. Dwellings, buildings, works of architecture, structural
works, building materials
8. Foodstuffs
9. Textile articles, clothing, needles, sewing accessories
10. Smokers' requisites, matches, tobacco products, travel
goods, toilet articles
11. Plates and dishes, kitchen and household utensils
12. Furniture, sanitary installations
13. Lighting apparatus, heating, cooking and refrigerating
equipment, washing machines, drying equipment
14. Ironmongery, tools, ladders
15. Machinery
16. Telecommunications, sound reproduction, photography,
cinematography, optics
17. Horological instruments, jewelry, weights and measures
18. Transport
19. Containers and packing, diverse representations of
products
20. Writing, drawing or painting materials, office
requisites, stationery and booksellers' goods
21. Games, toys, sporting articles, roundabouts
22. Music, pictures, sculpture
23. Arms, munitions, armour
24. Heraldry, emblems, symbols
25. Ornamental motifs, surfaces, backgrounds
26. Geometrical figures
27. Forms of writing, numerals
28. Inscriptions in various characters
29. Colours

APPENDIX IV: WERKMAN Title Page

CASPER J. WERKMAN

Trademarks

THEIR CREATION, PSYCHOLOGY AND PERCEPTION

J. H. DE BUSSY · AMSTERDAM

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