## LOOKING AT CHARACTERISTICS OF THE LEADING BRANDS: HOW SHOULD A BRAND'S TRADEMARKS BE DESIGNED IN DIFFERENT INDUSTRIES?

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## A THEMATIC PAPER SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF MASTER OF MANAGEMENT COLLEGE OF MANAGEMENT MAHIDOL UNIVERSITY 2022

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## ABSTRACT

This publication aims to highlight certain consistencies and trends between distinguished brands from various industries through trademark perspectives. The highlighted consistencies and trends are aimed for new business owners and brand designers to refer when designing new trademark or brand assets.

The methodology used for this publication involves observation and analysis from distinguished brands from four different industries with the most number of registered trademarks in Thailand, which are cosmetics, computer hardware, clothing, and snack products respectively.

Findings of this publications demonstrated that different industries have different kinds of consistencies and trends from various assets of the trademark. Mainly involving its usage, as well as how text and logo aspects of the trademark are designed and used. Ultimately, new business owners and brand designers can refer to these consistencies trends as references to follow the distinguished brands' trademark characteristics.

KEY WORDS: Trademark / Brand Assets

34 pages

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# CHAPTER I INTRODUCTION

Trademarks play an important role in protecting brand assets (Krasnikov, 2022). Trademark is meant to be a word, symbol, or other signifier used to distinguish a good or service produced by one firm from the goods or services of other firms (Landes, 2022). However, trademarks could also be considered from the designing perspective with the following questions:

- What kind of trademark designs are the ones that lead the industry?
- What patterns exist consistently between the trademarks of the leading brands?
- Do different industries have different kind of "leading" trademark designs?

These and more questions with similar intentions could be answered by finding out such consistent patterns among the trademarks registered in Thailand. It is possible that the aforementioned consistent patterns could be the starting point or potential logical conclusions to what are the leading brands are doing with their trademarks differently from the rest of the brands within the same industry. It is important to not overlook and see if such relations could mean anything in terms of how such trademarks or registered brand assets could possibly influence the business or the branding of the business itself.

The key objective of this publication is to serve as potential pointers or a guide for trademark designers for new or upstart businesses. Additionally, to also give them awareness on how the trademarks are designed in their industry, which they might also want to follow what the leading brands in their industry are doing in terms of design. For example, leading banks in Thailand (Kasikorn, Siam Commercial, Ayutthaya) all have different colour themes or palettes to their own (green, purple, and yellow respectively). If one wants to start a new banking business, they may want to look for

their own colour palette(s) that is good enough to differentiate themselves in publics' eye, or not to be confused with any other currently established banks in Thailand.

As this publication is not intended to be a fully researched thesis paper. Only a few or several industries with the most registered number of trademarks will be analysed. By doing so, the author aims to give the readers insights on how such analyses could be done. And how they could be implemented to their industry of liking (given if such industry is not analysed in this publication).

The author strongly hopes that this publication will serve as a strong point to establish in terms of creating awareness of the possible relations between the designs of leading brands in different industries. Although this publication may not fully uncover the reasoning of such relations, the author still hopes that this publication will serve as an inspiring starting point for future researchers to investigate and study on to what effect these relations could influence the brands in the sense of marketing and business.



# CHAPTER II LITERATURE REVIEW

## **2.1 Distinctive Brand Assets**

Distinctive brand assets are what considered to differentiate one brand from another. But how those differences are determined are often subjective in trademark matters (Bernabeu, 2022). In general, brand assets are usually recognised based on whether such brand assets are functional, separable, and measurable Unfortunately, the author is unable to find any publications related to what could be considered as distinctive brand assets itself (Tollington, 2008). Hence, this matter could not be clearly researched on how distinctive brand assets could determine such difference. Therefore, the author has decided on looking at multiple sources on what could be considered as distinctive brand assets, as shown below:

Source	Distinctive Brand Assets
HubSpot	Brand name
10 41 7	• Logo
10	Color palette
	Packaging
	Slogans or taglines
	Songs or sounds
	Brand guidelines
	Mascots
	• Typography
	• Design elements
	• Voice and tone
	• Videos

## Table 2.1 List of Distinctive Brand Assets

RockContent	Slogans
NockContent	• Slogans
	Colours
	• Logos
	• Fonts
	• Music
	• Sound effects
	• Visual effects
1 7	• Scents
111 4	• Packaging
	Product shape
	Characters
	• Celebrities
Everyone Hates Marketers	Colour Assets
	Single Colour
	Colour Design
	Colour Combinations
エ	Word Assets
19,	• Taglines
J'an a	• Fonts
018	• Words
	Shape Assets
	• Symbolic Images
	Pack Shapes
	• Logos
	• Logos

Table 2.1 List of Distinctive Brand Assets (cont.)

These sources revealed some pointers on potential criteria to be used for determining trademark differences. Only distinctive brand assets mentioned in more than one source will be included in the below list. The following is the revised list of distinctive brand assets:

- Brand Name / Words / Slogans or taglines
- Colour Palette / Combinations
- Design elements / Packaging / Product Shape
- Fonts / Typography
- Logos / Symbolic Images
- Music / Songs
- Sounds / Voice and Tone

## **2.2 Industry Classification**

The industry of all the brands considered will be divided according to the NICE classification. NICE classification is an international classification of goods and services applied for the registration of trademarks (World Intellectual Property Organization, 2022). There are 45 classes, with 34 product classes and 11 service classes. A registered trademark or the brand itself could belong to one or more classes of these classifications. Further details on which classes have the most trademark registrations will be counted as data collection in the Chapter III: Research Methodology. However, the NICE classifications which are selected for further chapters will have their definition displayed as follows:

#### 2.2.1 Class 3

Class 3 includes mainly non-medicated toiletry preparations, as well as cleaning preparations for use in the home and other environments.

#### 2.2.2 Class 5

Class 5 includes mainly pharmaceuticals and other preparations for medical or veterinary purposes.

#### 2.2.3 Class 9

Class 9 includes mainly apparatus and instruments for scientific or research purposes, audiovisual and information technology equipment, as well as safety and lifesaving equipment.

#### 2.2.4 Class 25

Class 25 includes mainly clothing, footwear and headwear for human beings.

#### 2.2.5 Class 30

Class 30 includes mainly foodstuffs of plant origin, except fruits and vegetables, prepared or preserved for consumption, as well as auxiliaries intended for the improvement of the flavour of food.

## 2.3 Determining Leading Brands

The leading brands (with the same/similar NICE classifications) shall be determined by referring from multiple sites which have surveyed the leading, big or popular businesses either globally or in Thailand, which belong in that particular classification. For a higher likelihood of finding consistency and relation between brands, the author will only focus on only certain types of businesses per NICE classification, which are as follows:

Table 2.2 Class and Business Type Selected	

Class	Business Type Selected
3	Cosmetics
9	Computer Hardware
25	Clothing
30	Snacks

## **2.4 Trademark Analysis**

The trademark analysis will be done less subjectively, but more on basing the analysis on several trademark publications.

#### 2.4.1 Brand Portfolio

When referring to the trademarks of a brand. One brand might not necessarily contain only one trademark. One brand could have several trademarks or more, depending on the owner of the brands. It has been examined that 75% of the brands own one trademark, while 5% of the brands own five or more trademarks (Krasnikov, 2022). And those 5% owned in total of more than 25% of total trademarks (Krasnikov, 2022). From these statements, it could be surmised that number of trademarks may be a factor on how the trademarks should be designed for upcoming business owners. This is because while registering more trademarks offer more in terms of protection, there will be budget concerns to consider.

#### 2.4.2 Vienna Classification

When it comes to different assets of the trademark. Vienna Classification will be based as a source to confirm on what kind of trademark usage could and could not be registered. Vienna Classification is international classification of the figurative elements of the trademarks (World Intellectual Property Organization, 2022). In this publication, the analysis will be focusing on specific "figurative elements", which are categorised into 29 different categories such as symbols, writing, colours, and more.

# CHAPTER III RESEARCH METHODOLOGY

## **3.1 Data Collection Method**

All data collection method will not involve interviews. Instead, all data will be extracted from the Global Brand Database by World Intellectual Property Organization (WIPO). First, the industries to be included in the data analysis will be selectively picked based on NICE classifications with most registered trademarks. Then, the author will select the trademarks of leading brands in such industries based on the market share of those leading brands. And finally, the selected trademarks of the leading brands will be further analysed qualitatively according to the distinctive brand assets from Chapter II: Literature Review, as well as additional questions from the author related to such distinctive brand assets.

## **3.2 Industry Classification (through NICE Classification) Method**

Data of the trademarks registered will be selectively retrieved from the Global Brand Database, based on NICE classifications with most registered trademarks.

## 3.2.1 Number of Registered Trademarks

The following table entails on what type of classes and services have the most registered trademarks in Thailand (World Intellectual Property Organization, 2022).

Class	Number of Registered	Class	Number of Registered
	Trademarks		Trademarks
1	22,659	24	5,425
2	4,888	25	32,408

 Table 3.1 Number of Registered Trademarks (retrieved as of 4 November 2022)

Class	Number of Registered	Class	Number of Registered
	Trademarks		Trademarks
3	34,682	26	1,909
4	3,914	27	1,183
5	43,250	28	7,875
6	7,022	29	20,239
7	12,821	30	31,514
8	4,931	31	6,609
9	28,677	32	13,414
10	5,873	33	4,392
11	9,603	34	2,571
12	11,118	35	21,702
13	1,012	36	7,544
14	6,771	37	4,722
15	588	38	3,824
16	12,828	39	4,002
17	4,796	40	2,355
18	10,671	41	11,022
19	4,202	42	7,851
20	7,339	43	14,624
21	8,257	44	4,277
22	1,366	45	1,879
23	812	N/A	120

Table 3.1 Number of Registered Trademarks (cont.)

## **3.2.2 NICE Class Definition**

As seen from the data collected from Table 3.1, the author would like to highlight four notable NICE Classifications with the most number of registered trademarks for further brand/trademark selection. The aforementioned five NICE classifications are as follows:

Class	Number of Registered	
	Trademarks	
3	34,682	
5	43,250	
9	28,677	
25	32,408	
30	31,514	

Table 3.2 Classes with Highest Number of Registered Trademarks

Despite having the most registered trademarks, class 5 will not be included in further data collection and analysis. This is because class 5 mainly features medicines, which is not meant to be a common industry for new or upstart businesses. As previously explained in Chapter 1: INTRODUCTION, this publication aims to aid those who wish to design trademarks for new or upstart businesses.

## **3.3 Brand or Trademark Selection Method**

The brands or their trademarks are selected through referring from surveys which have focused on the best or most popular brands in that particular business in each NICE classification (as stated previously in Chapter II: Literature Review). If a brand has registered more than one trademark, one trademark will be selected based on the trademark usage (e.g. packaging, social media, websites, etc.). The following brands are selected for each NICE Classification:

Brand Name	Trademark
L'OREAL Paris	L'OREAL PARIS
Estée Lauder	ESTEE LAUDER

Table 3.3 Class 5 (Coshielies	Table 3.	3 Class 3	(Cosmetics)
-------------------------------	----------	-----------	-------------

## Table 3.3 Class 3 (Cosmetics) (cont.)

Brand Name	Trademark		
CHANEL	CHANEL		
Dior	DIOR		
Clinique	G		
	CLINIQUE		

# Table 3.4 Class 9 (Computer Hardware)

Brand Name	Trademark
IBM	
Asus	/SUS
NVIDIA	NVIDIA
Lenovo	lenovo

Brand Name	Trademark
Dell	Derl

# Table 3.4 Class 9 (Computer Hardware) (cont.)

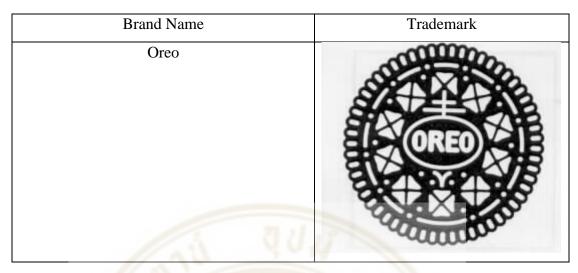
Table 3.5 Class 25 (Clothing)

Brand Name	Trademark
Gucci	GUCCI
Louis Vuitton	LOUIS VUITTON
Prada	PRADA
Levi's	Levis
Wrangler	Wrangler

Table 3.6 Class 30 (Snacks)

Brand Name	Trademark
Tao Kae Noi	100 - LUN 2101
Lay's	<b>I</b> at
Kohkae	RAR
Pocky	Pocky

#### Table 3.6 Class 30 (Snacks) (cont.)



## **3.4 Distinctive Brand Assets**

To reiterate, the following will be the distinctive brand assets used to analyse the selected trademarks:

- Brand Name / Words / Slogans or taglines
- Colour Palette / Combinations
- Design elements / Packaging / Product Shape
- Fonts / Typography
- Logos / Symbolic Images
- Music / Songs
- Sounds / Voice and Tone

## **3.4.1 Additional Questions**

In order to dig deeper into finding the consistencies, relations, or patterns of the selected trademarks, the following questions will be included by the author:

## Table 3.7 Question List

Distinctive Brand Assets	Questions			
Brand Name / Words / Slogans or taglines	<ul> <li>How many syllables?</li> <li>Do the registered trademarks have any word or pronunciation in common?</li> </ul>			
Colour Palette / Combinations	<ul> <li>Do each of the leading brand have different colour palettes to their own?</li> <li>Any similarities in terms of colours between the leading brands?</li> <li>Are there any certain colours which the leading brands seem to be using in that particular industry?</li> </ul>			
Design elements / Packaging / Product Shape	<ul> <li>Do the trademarks actually include actually the shape of the product/packaging? Or just the graphical designs of them?</li> <li>Is the entirety of the design on the packaging registered? Or just partial designs?</li> <li>Are there any similarities in terms of designs for trademarks within the same industry?</li> </ul>			
Fonts / Typography	<ul> <li>Are there any unique types of fonts registered to the Trademark?</li> <li>How common is it in that particular industry to register such trademarks with unique fonts or typography?</li> </ul>			

Distinctive Brand Assets	Questions
Logos / Symbolic Images	• Do logos or symbolic images have
	the brand name in them? Or just the
	logo itself?
	• What colours are included?
	• What kind of backgrounds are used

#### Table 3.7 Question List (cont.)

# What kind of backgrounds are used behind logos or symbolic images, if any? Are there any specific characteristics of such logos or symbolic images in

	that particular industry?					
	Sound-related brand assets will not be					
one	considered for data analysis due to the lack of					
	registered sound-related trademarks in					
	Thailand (World Intellectual Property					
	Organization, 2022).					

## **3.5 Publication Framework**

Music / Songs

Sounds / Voice and To

This publication aims to compare the findings of possible similarities and relations between the trademarks of the leading brands within the same industry. Such similarities and relations are based on the grounds of distinctive brand assets, as well as distinctive brand asset-based questions designed by the author. After analysing such findings, this publication will aim to give practical recommendations on what should be considered when designing trademarks for different industries.

# CHAPTER IV DATA ANALYSIS

Interestingly, some of the brands have more than one trademark registered. Therefore the analysis will take those other trademarks into account in terms of highlighting consistencies or patterns between the trademarks of the brands selected. The analysis will be done separately according to each NICE classification. This is to see if the pattern or consistency is unique to just that particular class, or other classes as well. For convenience purposes, the same tables which were previously displayed in Chapter III: RESEARCH METHODOLOGY.

For further clarification, some trademarks are registered in black/white, but have different colour usages in actual trademark use (Mondaq, 2022). This is because registering the trademark in black/white opens up the possibility of using other colours (of similar or different tones, i.e. wider scope of protection) of the registered trademark design (Mondaq, 2022).

All trademark designs are extracted from the Global Brand Database of World Intellectual Property Organization (WIPO).

Brand Name	Trademark		
L'OREAL Paris	L'OREAL PARIS		
Dior	DIOR		
CHANEL	CHANEL		

Table 4.1 Class 3

4.1 Class 3 (Cosmetics)

 Table 4.1 Class 3 (cont.)

Brand Name	Trademark		
Clinique	CLINIQUE		
Estée Lauder	ESTEE LAUDER		

First of all, cosmetic brands seem to have a big number of trademarks registered. L'OREAL Paris for example, has 735 trademarks registered in Thailand as cosmetic products. With the majority of them being different words in both Thai and English.

	REQUEST NO 478511 drow R APPLICANT WER SOLAR: DOPERTISE YWYN 3	LIP POWER	REQUEST NO 499961 dn'ure R APPLICANT MARK MARK NAME MAYBELINE: UP POWER YNYN 3	8	REQUEST NO 926161 donur R APPLICANT MASSI TRADEMARK NAME TEINT MIRACLE YMYIN 3	UV EXPERT XL-SHIELD	
No.13		No.14		No.15		No.16	
	REQUEST NO 850423 donu:: R APPLICANT	YOUTBARCHITECT	REQUEST NO 833703 donue R APPLICANT	GARNIER BLACK OIL	REQUEST NO 845313 ຢານະ R APPLICANT	KERASTASE K INITIALISTE	REQUEST NO 839088 ຢາກນະ R APPLICANT
	ลอรีอัล		ลอริอัล		ลอร์อัล	INITIALISTE	ลเ <mark>หือ้อ</mark>
	TRADEMARK NAME		TRADEMARK NAME		TRADEMARK NAME		TRADEMARK NAME
	SHINE CARESSE		YOUTH ARCHITECT		GARNIER BLACK OIL		KERASTASE K INITIALISTE
	จำพวก		ข้าพวก		ข้าพวก		จำพวก
No.17	3	No.18	3	No.19	3	No.20	3
	REQUEST NO 941560 สถานะ R	Tréion	REQUEST NO 893293 สถามะ R	LANCOME LAVIE EST BELLE	REQUEST NO 902483 สถานะ R	CITY MIRACLE	REQUEST NO 902707 สถานะ R
ABSOLUE	APPLICANT	L'Eeu de Perfum Lumiteuse	APPLICANT		APPLICANT		APPLICANT
WHEN ALL A	ลอาีอัล		ลอร์อัล		ลอรีอัล		ลอรีอัล
	TRADEMARK NAME		TRADEMARK NAME		TRADEMARK NAME		TRADEMARK NAME
	LANCOME ;ABSOLUE	12	TRESOR ;L'EAU DE PARFUME LUMINEUSE	1.1	LANCOME ; LA VIE EST BELL	11/2	CITY MIRACLE
	จำพวก		จำพวก		จำหวก		จำพวก
No.21	3	No.22	3	No.23	3	No.24	3

Picture 4.1 A glimpse of L'OREAL's registered trademarks

Another interesting finding of L'OREAL Paris is that the trademark only covers the wording aspect of the brand. While the branding we see from Table 4.1 different from the actual packaging seen below.



Picture 4.2 L'OREAL's product packages.

This means that as long as the wording part of the trademark is registered, the wordings can be designed in different types of alignments. This alignment shows the text L'OREAL on top, with the text PARIS written smaller at the bottom. Estée Lauder has also shown certain similarities in this regard, as the text Estee Lauder is registered. However, the actual packaging has a letter similar to É included.



Picture 4.3 Estee Lauder's product packages

Vienna Classification also confirms this hypotheses that the registered text trademarks can be modified or designed differently to some extent, as stated in categories "27.5.7 Letters surmounted by a sign of disproportionate size" and "27.5.11

Letters underlined, overlined, framed or barred by one or more strokes" that they are counted as register-able trademarks (World Intellectual Property Organization, 2022).

To expand further, the author decided to look on the number of registered brands of other brands selected as well. The following table shows the number of registered trademarks in Thailand of the selected brands, extracted from Global Brand Database.

Brand	Number of Registered Trademarks
L'OREAL Paris	735
Dior	125
CHANEL	63
Clinique	32
Estée Lauder	31

 Table 4.1.2 Number of Registered Trademarks for Selected Class 3 Brands

Similar to L'OREAL Paris, the majority of other brands' registered trademarks tend to be in texts. The majority of registered trademarks include specific texts in both Thai and English for specific editions of the products, or the slogans (Department of Intellectual Property, 2022).

However, the most notable highlight among these cosmetics is that the wording tends to be used in mostly black and white colours. This is because the packaging of cosmetics can be varied to correspond to different consumer segments, such as gender (Ritnamkam, 2012).



Picture 4.4 Clinique's product packages in different colours

A hypothesis could be surmised to say that the majority of trademarks registered for cosmetic brands tend to be only the wording aspects and less of logos or the packaging. Clinique is one of the less common examples of the analysed trademarks which has a logo registered as well as its usage on the actual product packaging.

## 4.2 Class 9 (Computer Hardware)

Brand NameTrademarkIBMIIBMASUSXSISSNVIDIAXSISSNVIDIAIIIIALenovoIIIIIA

#### Table 4.2 Class 9

 Table 4.2 Class 9 (cont.)

Brand Name	Trademark
Dell	Derl

The most noticeable consistency between the trademarks selected is the fonts are uniquely designed as follows:

- IBM has the stripes within the letters
- ASUS is likely using their own font style
- Lenovo has italic fonts
- Dell is a logo, but has a uniquely modified E letter.

Only NVIDIA seems to not have any kind of customisation to the fonts themselves. However, NVIDIA is different from others in a sense that the packaging consists of two trademarks combined into one by putting them next to one another. First is the logo of NVIDIA, and the second is the text NVIDIA, as shown from the image below:



Picture 4.5 NVIDIA's packaging with two combined trademarks

This usage of trademark (of registering trademarks separately) could also provide possibilities for each of these two to be used separately, while still being protected (Mar, 2021).

In terms of colour, it seems that most of the brands selected have either cooltone based or dark colour schemes. With red being the only exception. Notable examples of these exceptions include but not limited to Lenovo, LG, Toshiba, and possibly more. Coincidentally, these brands with red colour scheme are all founded by Asians. However, it is important to note that Lenovo has been used in two different colours, namely blue and red.



## Picture 4.6 LG and TOSHIBA's logos

Interestingly, the registered trademark of Lenovo covers both the design of the fonts and the text Lenovo itself, which is legal according to Vienna Classification category "27.5.5 Letters containing written or typographical matter" and "27.5.24

Letters in light-coloured characters on a dark background" Therefore, the logo with red background on the right side is also considered protected. Lenovo is the rare case among the analysed trademarks where more than one colour palette or colour scheme are used on the trademark.





Picture 4.7 Lenovo trademarks with different colour schemes

Another consistency found between some of these brands is the initial syllable. Three of five brands selected have their first syllables on a letter. IBM, ASUS, NVIDIA all started with I, A, and N respectively. Acer, MSI, LG, are also notable examples in the same regard.

## 4.3 Class 25 (Clothing)

## Table 4.3 Class 25

Brand Name	Trademark
Gucci	GUCCI
Louis Vuitton	LOUIS VUITTON
Prada	PRADA

Table 4.3 Class 25 (cont.)

Brand Name	Trademark
Levi's	Levis
Wrangler	Wrangler

The common consistency between all selected brands except Wrangler is that all brands have both their names and logos as registered trademarks (different from Class 3 for example, where most of the trademarks were not logos). But it is unclear whether both text and logo trademarks are used consistently on the products.



Picture 4.8 Brand Logos of selected Class 25 brands

Another consistency found is the number of syllables of the brand name. With four of the five brands containing two syllables. Louis Vuitton is the exception in this regard with 3 syllables. However, it is unclear whether this consistency can be confirmed as a pattern since the sample size of the brands selected could be bigger. At the very least, this consistency provided a good pointer of a perspective which could be researched in a more detailed manner in later occasions.

The most interesting aspect found is that despite having both logo and text trademark registered. Clothing brands generally do not display such trademarks in an obvious manner, meaning that it will be difficult to realise the clothing brand just from seeing someone wearing them. Wrangler for example, included their trademark on the clothing, but the way the trademark was included is not obvious to see from the first glance. The trademark included was small, and included on the back side of the shirt.



Picture 4.9 Example of trademark usage on a clothing product

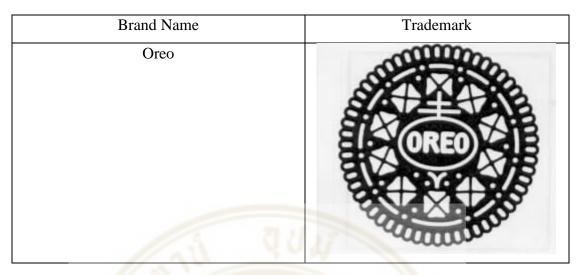
This pattern of trademark inclusion seems to be the same on majority of the clothing products as well. The images above reinforces the fact that clothing businesses generally do not display their trademarks explicitly on their clothing products, while some of the brands might not even have a logo at all (Liu, 2020).

4.4 Class 30 (Snacks)

## Table 4.4 Class 30

Brand Name	Trademark
Tao Kae Noi	e lan
Lay's	
Kohkae	TRAFF
Pocky	Pocky

Table 4.4 Class 30 (cont.)



Although not related to consistency, the author wishes to highlight that Oreo's trademark is "edible" in a literal sense. The registered trademark of Oreo from Table 4.4 is what is included not on the product packaging, but the product itself.



Picture 4.10 A trademark featured directly on an edible product

It is important to note that the packaging for snack products will generally involve various colours. Therefore, a similar conclusion to cosmetic products from Class 3 can be also concluded for snack products as well. The conclusion is that there would be no specific colour schemes to the product overall. This is because snack products tend to use various different colours for their packaging to communicate liveliness and fun aspects of the product (Chen, 2019).



Picture 4.11 Different colours on snack product packages

However, despite having various colours on product packaging, the colour of the logo trademark remains the same.

One thing that highlights snack products from other classes is that two out of five brands selected have the trademarks registered in terms of product packaging.



Picture 4.12 Examples of registered trademarks as packages

This could be inferred that not only trademark designers need to consider getting the protection of the wording and logo design aspects, but also the packaging as a whole. Because packaging aspects can also communicate messages and impressions to consumers as well.

# CHAPTER V RECOMMENDATIONS AND CONCLUSION

## 5.1 Conclusion

In conclusion, different industries (based on NICE Classification) tend to have different "trends" or "consistencies" which sometimes are explainable, sometimes might be difficult to determine the actual relation of these consistencies to logical conclusions. However, it is safe to say that there are indeed consistencies among the same brands within the same industry. Therefore, these consistencies can be taken into consideration for those who wish to start up a new businesses. Especially in terms of how their brand should be named or designed when taking trademark aspects into the consideration. To reiterate the findings of each industry, the consistencies or trends identified are as follows.

## 5.1.1 Class 3 (Cosmetics)

- The majority of trademarks registered for cosmetic products are in texts, both in Thai and English.
- 2. The registered trademarks in texts are used in different variations through typographical designs and arrangements.
- 3. There is less emphasis on logo usage compared to other analysed classes.
- 4. The packaging of products tend to be in different colours. While this is not related to trademark in itself. The logo used on these different packages tend to be one consistent colour among different colours of the packages.

#### **5.1.2 Class 9 (Computer Hardware)**

- 1. Brands involved with this industry tend to have stylised texts in their trademarks.
- 2. Brands mostly have either cool-tone based or dark colour schemes.

- 3. Brands with red colour schemes are generally founded by Asians.
- 4. The initial syllable of the brand is usually read as a single letter.

#### 5.1.3 Class 25 (Clothing)

- Brands in this industry focus their trademarks similarly or equally in both texts and logos.
- 2. The brands generally have two or three syllables in their name.
- 3. Unlike other industries, clothing products tend to have less highlighted display of trademarks on their product. In some occasions, no trademarks aspects are included at all.

#### 5.1.4 Class 30 (Snacks)

- There are no specific or consistent colour schemes for snack products' brands.
- 2. Compared to other industries analysed, snack products have more trademarks registered in packaging, rather than just texts and logos.

Although unrelated to consistency and trends, the author would like to note some of the uncommon trademark usages, but possible for new business owners or brand designers as well.

#### **5.1.5 Alternative Trademark Usages**

- Combining two different parts of the trademark into one by putting them next to each other on the product packaging (e.g. text trademark next to logo trademark)
- Including the product on the actual product itself (not packaging). This might be considered uncommon to some industries, especially industries which their products are edible.

## **5.2 Recommendations**

The recommendations of this publication are mainly targeted towards new business startups, namely new business owners or brand designers. Based on the findings concluded, the following are recommendations for new business owners or brand designers.

- When designing trademark elements or brand assets for their new businesses, one should consider what kind of industry their business is perceived to be into. Different industries will have different trends and consistencies. Especially from this publication, which demonstrated that such consistencies and trends exist among the distinguished brands.
- If possible, find and explore reasons to such consistencies and trends of the distinguished brands in their industry. Without doing so, it cannot be confirmed with certainty that following specific trends or consistencies of such brands will lead to predictable or tangible positives.

## **5.3 Limitations of Publication**

The results of the conducted analysis could be more comprehensive and detailed by further exploring more of different industries. As this publication mainly focuses on those with the most registered trademarks, which might not be to the liking of new business owners or brand designers unrelated to industries selected.

Additionally, although this publication was able to highlight certain consistencies and trends from the distinguished brands in each industry, the reasons for those consistencies and trends are often inconclusive. Therefore, further researches should be taken in order to find out any possible logical conclusions and relate the findings to this publication.

In terms of directions for future research, more trends and consistencies could be further explored and explained by using a larger sample size of registered trademarks or distinguished brands. After such analysis, then the researcher should conduct investigations to possible logical conclusions between the consistencies found. Once the logical conclusions are found, it might be possible to gain some knowledge which could help brand or trademark designers to exploit or take advantage of their competitors in the industry.

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