

Brand building

How to protect your brand

The legal rights underpinning a brand can take various forms, such as trademarks, patents, copyrights, and trade secrets. This intellectual property will contribute in different ways to the building of a brand, but its most important attribute is that it enables business to be carried out under the brand. Furthermore, these legal rights can be exercised to prevent others from infringing although they may vary in different legal jurisdictions.

Legal protection can and should extend further than the brand name and logo. Good examples of this are Cadbury, who trademarked the colour

purple for exclusive use on its chocolate, and Coca-Cola, with its especially shaped glass bottle.

It is therefore worth having a good understanding of the intellectual property rights underpinning a brand and how best they can be deployed in order to maximise brand value. Apart from intellectual property rights, commercial exploitation or usage of a brand is the real 'value creator'; trade customers and consumers regularly working with and encountering your brand in practice. It is also where your brand's values are endorsed through the communications mix, advertising, PR etc., and should be supported through strong contracts and relationships.

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