

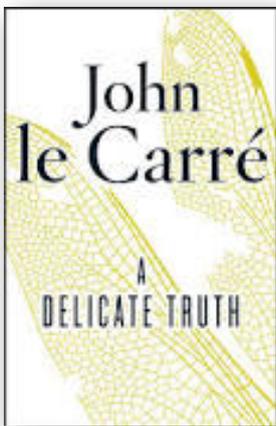
# Branding (part 2 of an article about Branding)

[Home](#)

*In issue 3.3 of The Pewterer, we started talking about 'branding' and promised more on the subject. Here, let me develop the theme of what a brand is, and a bit about the technicalities involved in registering a trade mark.*

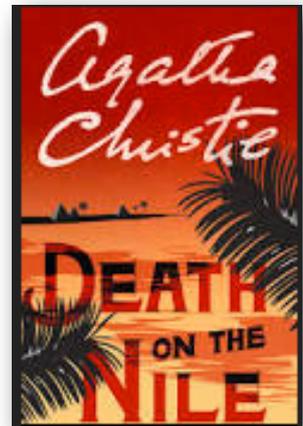
'Brand' used to be a dirty word. But the world has changed. Branding is now a powerful tool.

Take publishing. Do you buy a book because it is branded as, for example, a *Penguin*



book? Probably not. Or because you like the cover? *Possibly*. But more likely, you buy it because you like the author (say, Agatha Christie, John Le Carré). You know what you are going to get. The author here is the brand.

Look at the book covers here - what are you buying - a Penguin book, or stories by Le Carré and Agatha Christie? Of course, if you look hard on the spines and back covers, you will see the publishers' names and logos.



Mills & Boon may be an exception: you know the kind of story you are going to find within the covers, which is not necessarily true of other publishers.

Branding is a promise, an idea, a set of principles or a level of quality. It creates something that is tangible and communicates that to the public. *Pret a Manger* and *Costa* trade on the basis of their goodwill. You know from the name of the shop you enter what you are going to find inside, and how it should taste! At least that is what they all hope!

Branding started rather humbly. In times past, how did you tell two cows apart? You branded them! Nowadays, how do you tell two products apart? You brand them!

Branding identifies your product and communicates your set of values to the public; it builds identity for the future; it is a mark of authority; it identifies a set of skills; consistency of quality, of delivery, and of style. It delivers recognition.

Those of you with children may have heard of *Charley Bear*; certainly of *Paddington Bear*. Now there are lots of bears on the market. How do you distinguish them? Brand essence – is the heart of what the bear is – otherwise called 'goodwill'.

What is the brand? What is the purpose of the brand?



The larger the business, the more difficult it is to brand a product. *Penguin* is fairly meaningless to the consumer, and may be more valuable as a B2B tool; *Ladybird Books*, however, may be more B2C, particularly if it says something more to you, the consumer, and you recognize that *Ladybird Books* means children's books.



'Disney' is an example of the contrary; you might well go to see a *Disney* film because you believe you know the genre of film that you will see. But would you go to see a Fox, a Universal or a Columbia film, just based on these companies' names alone? They are more likely to be B2B brands.

By the way, a trade mark can be a word or words; or an image or a shape.

How does this apply to working pewterers? If you are a craftsman or woman trading under your own name, there may be less of a case to register because there is probably less of a risk that a third party will try to pass their work off as yours. But the larger your business, and the greater number of product lines you produce, the greater the need to consider registration.

Interestingly, I could find no registrations for '*John Le Carré*'; but there were several for '*Agatha Christie*' across a number of Classes.



However, spending money on sales, in this case on branding, can only be justified if it is to protect the income stream. Only if it makes a meaningful difference is it worth doing.

So, you have to start by identifying where the audience is; and what it wants. Once you have decided what you want to say about your product, and designed your brand, then is the time to consider the matter of protection, and whether you should register your mark.

As I said last time, brands can be protected as goodwill (that is the reputation in the marketplace) and defended by a passing off action. They do not have to be *registered* marks. It is more expensive, initially, to register a mark, but then you do obtain much better protection. Without a registered mark, and in the face of some third party trying to 'ride in' on your goodwill, perhaps you might be likened to being on an ice-flow in the tropics!

Registration: you can, and probably should, go to a trade mark agent to register your mark. There are many reasons for this, such as early advice on registrability, on which Classes you should register the mark for; and whether it would be sensible to broaden the territory of registration beyond the UK. But if you want to do it yourself, the online administrative process is reasonably straightforward and, all things considered, not expensive.

A trade mark must contain a list of the goods and/or services it is going to be used on. This is done using a classification system that is made up of 45 categories, called classes. 'Goods' can be found in classes 1 to 35 and 'Services' in 36 to 45.

Log into the Intellectual Property Office site <http://www.ipo.gov.uk/tm.htm> , trying on your way to avoid the plethora of commercial sites offering trade mark services (unless you

want to take that route) for additional guidance on what trade marks are; the IPO's take on the benefits of registration; then how to apply.

For instance, pewter figurines, come under class 6; pewter jewellery, class 14; pewter goblets and tankards, class 21. Registration fees are charged for each class. As you will see from the IPO site, fees start at £170, with another £50 per additional Class. UK registration protects you in the UK; but gives you a window of opportunity subsequently to apply for registration throughout Europe (more fees) and then more internationally.

The IPO site is user-friendly; well, I found it so. And I am going to put my money where my mouth is, and between now and the next issue of *The Pewterer*, apply to register this e-zine's name as a trade mark. Then I can report back to you in future issues on the process!

Happy registering!

## Alan Williams

*Penguin, Costa, Pret a Manger and Agatha Christie* are registered trade marks.

From the IPO website:

**Class 6:** Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores; unwrought and partly wrought common metals; metallic windows and doors; metallic framed conservatories.

**Class 14:** Precious metals and their alloys; jewellery, costume jewellery, precious stones; horological and chronometric instruments, clocks and watches.

**Class 21:** Household or kitchen utensils and containers; combs and sponges; brushes; brush-making materials; articles for cleaning purposes; steel wool; articles made of ceramics, glass, porcelain or earthenware which are not included in other classes; electric and non-electric toothbrushes.

[Home](#)

*The Pewterer*, Volume 4, number 2. May, 2013.

Editor: Alan Williams

Published by Alan Williams, 21 Elder Street, Spitalfields, London E1 6BT and endorsed by the Worshipful Company of Pewterers, Pewterers' Hall, Oat Lane, London EC2V 7DE

Articles: copyright the several authors 2013. Get-up: copyright Alan Williams, 2013.

No reproduction without permission.

All enquiries to the [Editor](#).