

Brands and Patents

Brand

Throughout the units, the issue of the company and aspects that compose it or that in some way are closely linked to it have been touched, such as trademarks and patents, so common in our days, and at the same time necessary for the proper functioning of the company. We will start by defining what a brand is in order to break down the requirements and characteristics that make it up. The brand are signs that give us the ease of identifying a product in relation to another, they can also be services, industries or commerce. The factor that predominates as the most important in a brand is the power it has to provide distinction to a certain product, service, industry or commerce.

The main purpose of the brand is to distinguish one product from another despite being identical. Then we can define the brand as the name of the product, service and others that we already specified above. The existence of a trademark is essential for there to be a commercial action.

The importance of the brand is not only the fact that consumers recognize the product, but also the recognition and value it gives to the company by being recognized first by consumers, customers and suppliers. The moment many people know, consume, and recommend the brand, the value of the company automatically increases.

Trademarks are classified as follows:

- Unique brand, is when the company gives all its products the same name, for example DOVE, there are soaps, lotions, shampoo, among other products. These all have the same brand name and are identified very well by consumers.
- Individual brand, occurs when the company has several products and each of these has a name, the problem that may arise in this case is that the consumer perceives the company as not globalized, and may not associate some products with others even though they are part of the same company.

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- Mixed brands, it is a set of the unique brand and the individual. For example, Ford Explorer, Ford KA, among many other examples.
- Brand of the distribution, this classification is relatively new, it is called brand of the distribution to products that were sold in bulk and that the companies have adopted the idea of putting a packaging and providing them with a brand, in the large supermarket chains it is common to see this practice, it is also important to mention that these brands are usually competitive because they really come to be cheaper. An example is the brand that Walmart manages, maybe we have seen the Great Value brand, and like this there is also the brand that manages HEB, Soriana, among many other supermarket chains.

There are requirements to register a trademark, such as:

- Fill out a form provided by the Mexican Institute of Industrial Property (IMPI).
- Submit documentation that is required and that is specified on the back of the format.
- Make a payment, which will depend on whether it is a brand or renewal, the amounts vary, but are also specified on the IMPI page.
- The cost of registering a trademark is \$2,303.33 plus VAT. The payment can be made electronically, all the information regarding the banks where payments can be made are contained in the IMPI page.

Brands must have certain characteristics so that they can have optimal performance, then we will see precisely each of these characteristics.

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- ✓ Name: that can be pronounced.
- ✓ Logo: is the graphic way of representing the name and the visual image towards the consumer.
- ✓ Graphics: refers to shapes, colors and all these aspects that complement in a visual way.
- ✓ Brevity. No more than two words, even one or two syllables is ideal as this helps the consumer remember it more easily.
- ✓ Easy to read and pronounce. The shorter the name, the easier the brand is supposed to read and pronounce, this is not always the case, even more so when it is a compound word and is not common or familiar.
- ✓ Euphony. It refers to making it pleasant to hear the word, avoiding that it contains letters that can be confused with others.
- ✓ Memorize. Make it easy to retain in the mind.
- ✓ Association. The consumer at the time of seeing the brand must associate it with the product.
- ✓ Distinction. The brand name must differentiate the product from another equal from the competition.
- ✓ Adaptation. The name must be adaptable to packaging, packaging, or advertising material.
- ✓ Don't confuse. The name should be easy to enter foreign markets and not be confused with words that have another meaning.
- ✓ Brand image. It's the way consumers perceive it.

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PATENT

We will start by defining what is a patent, to be able to enter and describe the characteristics that make it up. A patent is a certification granted by the government to both natural and legal persons, where it is reflected in said certificate that a person or company has created an invention that can be a product or a process, to be used by people to meet needs.

The period of validity of the patent in Mexico is 20 years.

The owner of a patent can grant a license for third parties to make use of his patent, benefiting financially. The procedure to register a patent is done before the Mexican Institute of Industrial Property (IMPI), it is necessary to fill out an application that contains a descriptive memory of the invention that is intended to be patented, where it is specified how to carry it out. This application will describe the invention itself, in some cases drawings are requested for better understanding.

As we mentioned before, all patent applications are made before the IMPI, it can be processed by the interested party or a legal representative, said application is examined and the process can take between 3 and 5 years from the time the application is entered until it is ruled whether or not the patent is granted.

It is worth mentioning that the rights of the patent only come in the country that was requested, if protection is desired or required for the patent in another country, the corresponding procedures and payments will have to be made.

The cost of the patent application in Mexico is \$7,577.39 plus VAT.

Reference:

Instituto mexicano de la propiedad industrial. (2015). Trademarks. Retrieved from <http://www.impi.gob.mx/marcas/paginas/default.aspx>

Instituto mexicano de la propiedad industrial. (2015) patent faqs. Retrieved from <http://www.impi.gob.mx/temasinteres/paginas/preguntasfrecuentespatentes.aspx>