

LANGUAGE IN INDIA

Strength for Today and Bright Hope for Tomorrow

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Importance of Linguistic Processes in Forming Patents and Trademarks

Students of Indian languages and linguistics have not devoted their attention in any significant manner or quantity to the role language plays in forming patents and trademarks. India has a long history of patent and trademarks registration, but most of this is devoted to the use of English labels. The Act of 1856 was the earliest codification of Indian patent system. This has been modified in several ways, but the core has remained intact.

The Need for Linguistic Precision in the Description of Products – Developing Conventions

Of great significance to the students of Indian languages and linguistics is the provision and requirement in these Acts for a stringent description of the invention, process, etc. As most of our legal and administrative activities were carried through the use of English, descriptions generally followed the model set in Britain and other European nations. When something is specifically very Indian, words from Indian languages were used – a practice well set even during the Mughal and East India Company rule. Paraphrasing was resorted to, and conventions on how to describe a specifically *deshi* or native process were developed, and once these conventions were in place, there were hardly any effort to refine them.

Precision Through Indian Languages and the Role of Code Mixing

Precise descriptions are possible through Indian languages even for modern items and processes. What is hampering the development of precision is our inability to see the process in Indian language terms. We have become a cultural nation where looking at

religion, ritual, specific cultural events, and even native sciences would be done through the use of Indian language terms. For other things we use a mixed language and a mixed worldview. This is not a weakness in itself. Modern corporations for the commercial success of their products are turning this feature into great advantage. Code mixing has been an important part of our linguistic processes in the Indian subcontinent for many centuries. Mughal and East India Company rule cannot be held responsible for this. However, the spread of this phenomenon is now accelerated with the advent of our desire to pursue education primarily using only English.

Some Indian Trademarks – Characteristics and Problems



While most of the trademarks of the past were either borrowed labels from foreign companies or created within India modeled after western expressions, there have also been great successes of Indian trademarks. The trademark *Tata* stands tall among all Indian trademarks. But then the choice of the term *Tata* is almost like using a caste title; and certainly choice of family surnames for businesses is a universal practice. The process of choosing a family surname for business is both rural and urban, and so its acceptance was quite easy. Moreover, apart from the dedication of the corporation to everything Indian, and the quality of the products it represented, the label itself is easy to pronounce with just two syllables, almost onomatopoeic in its pronunciation. *Mittal* is yet another Indian word that has acquired global recognition. Once again, in its origin, it is a family surname, and is quite prevalent both in the rural and urban areas of India. Now both *Tata* and *Mittal* have almost lost their surname and caste-like qualities, and have become trademarks. *Reliance* is a common word, and yet over the years it has acquired a typical Indian overtone in India and abroad as the name of the greatest of all recent origins. On the other hand, *Bharti* is a typical Indian name, which seeks to become a global brand, is used mostly with another word *Airtel*. For how long a trademark with two words will survive the vagaries of human pronunciation needs to be seen. With typical north Indian spelling and pronunciation, *Bharti Airtel* is bound to change sooner or later. Pressure may come from its telephone service providers! One is reminded of the long name British Overseas Airways Corporation, which was abbreviated into BOAC, now simply British Airways, BA.

Margo has managed to stay in the market for more than 80 years and is actually selling bath soaps more than ever in its history. Margo has created for itself a special niche with the resurgence of interest in alternative hygiene products. The term *margo* is from a botanical name, however. *Neem* is another typical Indian word that has come to play a very prominent role in the toothpaste category. It is no more a trademark of a single company; several corporations use it. Since *neem* is a common language term, holding on to it as a trademark on its own is difficult. *Dabur* (Doctor Burman) is a trademark that is generated from within India and is internationally known. *Dr. Reddy's Laboratories* or

Dr. Reddy's Lab is a distinct trademark from India that has captured the imagination of the generic medicines industry.

Segmentation of Fields

Rich and colorful, and even easy to pronounce words and phrases are available in all Indian languages. However, industrialists and advertisement creators look for labels and trademarks mostly in English. **Bisleri** is a shining example of a foreign label becoming a *deshi* product. It has become synonymous with bottled water, similar to the use of the trademark **zerox**, rather **jeerox** as pronounced, to refer to photocopying. Long before **WIPRO** became famous and powerful as a major IT company, **Wipro** is known for its **vajradanti** and many other ayurvedic products.



Special items such as **ayurvedic** preparations and ethnic goods seem to dominate the trademarks in Indian languages. Smaller companies with operations within a specified region, and sellers and distributors of these regional products are the major users of trademarks in Indian languages. The Government of India has succeeded in popularizing trademarks (names of corporations, etc.) in Hindi, but the abbreviations of these names (naturally these are long names) are in the roman script, like for example, BSNL. This is a good pragmatic process, however.



Nirma – Catching the Imagination with Sound and Dance

A basic feature of a trademark is that it should be distinct from existing ones in the market place. Whether a particular word or phrase chosen for a business is distinct from others is a major question that is debated when it comes to getting approval for trademarks. Since Indian languages are not yet popular in the choice of trademarks, there

is great opportunity for businessmen to choose terms that are easy to pronounce and remember. *Nirma* is a great example. When the product catches the attention of the customers, they start feeling a sense of belonging to the product when an easy and colorful Indian term is used.

Loss of Regional Brands and Trademarks

With the advent of globalization and the entry of multinational corporations the companies and individuals, who manufactured popular brands of Indian beverages, lost to the “new taste,” so to say. Regional brands were many a few decades ago, and their flavors were also many. Trademarks such as Kali Mark, Vincent Soda, etc. were household names in the southern districts of Tamilnadu. Each town had its own favorite. Now, new international trademarks have captured the local market. Along with this change in taste, trademarks in Indian languages have also disappeared.

A Turn Around is Sure to Come!

People will certainly come around enjoying local brands and will use local trademarks, once the focus is on something native and natural. Our craze for clothes made of chemical fibers is giving way to the preference of cotton. Chicken masalas with hundreds of flavors and range of hotness are now getting popular.

Branding Processes in Rural Town Businesses

Branding in rural towns is yet to be studied in depth. There are many interesting linguistic features in the process of branding adopted in rural towns and villages. Family names, street names, names of street corners, particular value addition to the local product, and deity names, etc. help develop branding and trademarks.



Mangalore Halwa

Place names are associated with certain goods known to be prepared with great delicacy in such towns. For example, *Biryani* or *halwa* prepared and sold in certain towns are more popular than products from other towns. Communal trademarks are the result of this process. This traditional practice gave a cover term, a cover trademark for the products of a town in the past. Corporations and enterprising individual businessmen and businesswomen are no more satisfied with such cover branding. They seek specific and exclusive recognition for their products. And the legal processes, which recognize individual freedom more than the communal effort, help them!

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