TRADE MARKS & SYMBOLS
VOLUME 2: Symbolical Designs

YASABURO KUWAYAMA
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Coca-Cola’s recent changeover from the familiar round trademark to an square one was an event which was widely noticed not only among designers but by the general public as well. Just as the popularity of styles, words, and many other aspects of culture waxes and wanes, there are many instances when a trademark loses its freshness and appeal with the passage of time. Preferences and attitudes gradually change, enterprises change, the media through which the trademark is used also change in keeping with social change and technological progress. Thus, trademarks too, if used over a long period of time, often must change. Some corporations have made a number of minor changes from time to time, while others have drastically revamped their trademarks, thereby necessitating a vigorous publicity campaign.

There are many Japanese enterprises which have changed their trademarks little by little over the years, such as Kao Soap, whose man in the moon has grown younger from the 1890s to the present day, and Morinaga Dairy Products, which has retained its cherub with little change but has cleaned up and modernized the over-all design.

In the United States, Westinghouse and 3M have changed their trademarks about every ten or fifteen years. The tendency to effect a change in corporate image by completely changing the trademark is relatively common among younger corporations such as Kyowa Bank and Yamagawa Electric in Japan. Examples of complete changes made in the United States are represented by the trademark used by Pan American and the service mark used by the National Park Service.
Similarity among trademarks

Problems of similarity of trademarks used by different companies arise fairly often. When a new trademark is announced to the public and is then found to resemble an existing one used by a different company, the public - and the company which may suspect that its own design has been copied - react immediately. Similarities between the Osaka EXPO '72 mark and a design published in an American book were brought to the public eye in 1966 (Asahi newspaper, September 29), and suspicion that the snowflake motif in the Sapporo Olympics mark was taken from a family crest named “First snow” was similarly published in the Japanese press (Asahi newspaper, October 10, 1966). This is one manifestation of the high public interest in marks.

There are many instances when similarity results from the need to keep marks simple, especially when letters of the alphabet are used as the basic motif. If a design which resembles an existing one is placed in use and the designer is accused of plagiarism, it may not be his fault at all, but he may be unable to fully clear his name. If all marks made in all countries were registered at one central place, this, of course, could not happen. Large companies, active in foreign countries, must take special pains to ensure that a new trademark which they plan to use does not resemble one in use abroad.

Similarities in trademarks are looked upon as either of three types, according to Japanese law, those which have a similar appearance, those which have a similar arrangement of letters (including a similar pronunciation of those letters), and those which are similar in concept. In the latter case, one example would be a trademark consisting of the word “Oriental” and a trademark which said, but in Sino-Japanese characters, the equivalent translation of “Oriental.”

Judging whether a trademark is too similar to a previously existing one is extremely difficult, and the practices for legal review of the issues vary from country to country. Here, I would like to present my standards for determining whether two marks are too similar.

First, similarity of overall form even though the concept and motif are different. Second, although the forms are dissimilar, the images presented appear the same, so that confusion is likely to occur when the two are seen separately. Third, when the trademarks appear the same if one is turned upside down, reversed or rotated 45 degrees - because trademarks are not always used or seen directly from the front. If any of these conditions are met, the designs are too similar.

Even though a designer has labored long and hard to create a trademark, if he finds that it resembles another trademark already in use, he should feel obliged as a matter of professional ethics to revise or redo his design.

Examples of Japanese trademarks which resemble foreign trademarks:

![Examples of Japanese trademarks](image)

Kisha Seizo/Kure Mutual Bank/Wirespring Manufacturing (U.K.)

Design competitions

Occasionally a mark is selected from among entries submitted in a content open to design or the general public. Although this has the advantage of bringing the enterprise or organization behind the contest to the attention of the designers or general public, other than in the case of marks intended for a brief period and in situations public in nature, this approach is not likely to lead to submission of designs of sufficient quality.

Walter Diethelm, in his "Signet/Signal/Symbol," gives the following as the basic points for holding a competition to select a mark: (1) The sponsor must make his activity known. (2) The decision must be made as to whether the competition shall be open to all persons, to professional designers at large, or to designers invited to compete. (3) Concerning the purpose of the competition, necessary information to enable designs to be prepared, such as intended use of the mark, must be determined. (4) Demands to be made of the mark must be determined, such as: (a) the types of products on which it will be displayed; (b) whether it is for regional, national, or international use; (c) qualities of being easy to recognize, original, impressive, and easy to remember; (d) the possibility of registering it as a trademark; (e) size, and whether the mark is to be used in positive and reverse modes, and/or in three dimensions. (5) Requirements for entries: (a) dead line; (b) number of entries per person; (c) size; (d) color and number of colors; (e) need for a scale drawing; (f) use; (g) submission procedures mail delivery or hand-carry. (6) Awards: (a) number; (b) cash prizes; (c) rights to use; (d) design modification and payment for such modification; (e) rights to non-winning entries. (7) Judging: (a) method; (b) panel members; (c) record of panel's decision. (8) Legal points: it must be possible to use the winning design as a registered trademark, specification of copyright and rights to use marks. (9) Other points: (a) printing, publishing, publicizing and displaying marks submitted; (b) returnability of non-winning entries; (c) no inquiries from participants addressed to judges will be acknowledged.

Late in 1965 a meeting was held to determine design policy for the World Exposition to be held in Osaka in 1970. It was then decided to invite submissions from a select number of designers rather than have an open competition. The range of invitees was kept as wide as possible: fifteen individual designers and two design offices were invited to participate. In February, 1966, six-man jury composed of Katsu Katsumi, Takao Kono, Hiromu Hara, Kenzo Tange, and Zenichi Shinya selected the design by Isao Nishijima, but Taizo Ishizaka, chairman of the EXPO Organizing Committee, interceded, and all participants agreed to resubmit designs. Ishizaka's reason for his action was that the design was too abstract and lacked popular appeal. This stand was roundly criticized by designers and major newspapers, but as a result of screening of new submissions, a design submitted by Takeshi Otaka was selected. There were some comments to the effect that the cherry blossom design (see illustration, facing page) was plebian, but there was also praise because it was simple enough to be drawn with only a compass, and it symbolized the five continents with a modern sensitivity.

The Winter Olympics held in Sapporo in 1972 similarly was preceded by a design competition, this time limited to eight persons, including Hiromu Hara, Yusaku Kamekura, and Kenichi Awaanezawa. The stipulated conditions were that the design feature the five-ring Olympics symbol and the phrase "Sapporo '72," and symbolize Japan and winter, or Hokkaido. The jury selected as the winner Kazumasa Nagai's design which combined squares in its format. The squares could be combined in horizontal or vertical alignment, or a combination of both, and the design is known to be a reference to the fashion of Japanese family crests, to symbolize winter.


The Sanyu-kai mark, selected from among entries in a competition open to the general public [Asahi newspaper, November 21, 1970].
arrow heads

1294  1298  1302
1306  1310  1314
1306  1309  1313
1317  1311  1315
1301  1305  1309
1308  1312  1316
1299  1303  1304
1307  1311  1315
1297  1301  1305
1308  1312  1316
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1  Category
2  Designer
3  Client
1  Social Service Organization 2) Rolf Harder (Canada)
3) Canadian Association for Retarded Children
2) Life Insurance Company 2) Pham Ngoc Tuan (France)
3) Life Insurance Syndicate
3) Social Service Organization 2) Michel Dettel (USA)
2) Human Relations Bureau of Los Angeles
4) Gymnastic Club 2) Robert Jenks (Canada) 1971
3) York Gymnastic Club
5) Mario Trüb (Switzerland) 3) Jugendhaus
6) Symbol for Periodical 2) Shigeo Fukuda (Japan)
1964 3) Sankei Ad Monthly
7) Children’s Fund 2) J. Caroff Assoc. Inc. (USA)
8) Symbol for Graphic Design 2) Shigeo Fukuda (Japan)
1971 3) Graphic Design
9) Tile products 2) Lello Castellaneta (Italy)
3) Balatun Italians
10) Building Company 2) Robert Pese (USA) 1970
3) Young Hombusbilder Association
11) Social Service Organization 2) Suanne Koefoed (Denmark)
3) Rehabilitation International
2) Peter Beck (Germany) 3) Arbeitsgemeinschaft zur Eingliederung Behinder in die Volkswirtschaft
2) Herbert Leupin (Switzerland) 3) Gymnaestrada Basel
14) Safety Consultants 2) Adolf Pflückger (Switzerland)
15) Rudolph de Harak (USA)
16) World Exhibition 2) Ernst Roh (Canada) 3) Man and His World
17) Symbols for EXPO 70 Competition 2) Shigeo Fukuda (Japan)
1967
18) Pharmaceuticals 2) Ernst Roh (Canada)
3) William G. Merrill Co.
19) Research Center 2) Shigeo Fukuda (Japan) 1971
3) Japan Industrial Location Center
20) Heinrich Stegcl (Germany)
21) Insurance 2) Joseph Binder (Germany)
22) International Festival of Documentary Films
2) Bruno Bovincini (Italy) 3) University of Bologna, Medical School
23) Sports Club (diving) 2) Nino Mian Ferrario
(Venezuela) 3) Los Anig Beach
24) Coffee shop 2) Vittorio Antiorni (Graphitstudio
Italy) 3) La Caffetteria
25) Social Service Organization 2) Michel Dettel (USA)
2) San Francisco Rehabilitation Workshop
26) Help Wanted Sign 3) SONY
27) School 2) Marco Del Corso (Italy) 2) Organizzazione
Sculptor Giulio
28) Kindergarten 2) Tadashi Ohashi (Japan)
29) Babywear maker 2) Morton Goldstahl Design Associates
(USA) 3) Butler Brothers
30) Soy Sauce Maker 2) Manhel Saranuma (Japan)
31) Kikkoman
31) Artist’s Supplies and Gallery 3) Kawachi
32-3) New Year Symbols for Newspapers Company
2) Shigeo Fukuda (Japan) 1971 3) Sanki Shimbun
34) Pharmaceuticals 3) J.R. Gregg (Switzerland)
35) Hans Gaetelen (Germany)
36) Design Studio Symbol 2) Push Pin Studios Inc. (USA)
37) Take-out Food Operation 2) Sandgren & Mortensen (USA)
38) Printing Company 3) Wasserman A.G.
39) Banknote and Deed Printer 2) Milner Gray
39) Thomas de la Rue & Co., Ltd.
40) Paper Manufacturer 3) Takeo Paper Co., Ltd.
40) Publisher 3) S. Fischer Verlag
42) The Boxes Company
43) Deutsch
43) Trade Fair, West Berlin 2) ShermanMutchnick,
Latham Tyler Jensen Inc. (USA) 3) Office of International
tade Fair, US Department of Commerce
44) Bookbinding 2) Shigeo Fukuda (Japan) 3) Makio Seihon
45) Insatsu
46) Life Insurance 2) Keiko Hirohishi (Japan)
47) Meiji Mutual Life Insuranc Co.
48) Accident Prevention Posters 2) Felix Beltran (Cuban)
49) Comision de Orientacion Revolucionario
50) Women’s organization 2) Helmut Kurth (Switzerland)
E) Evangelischer Verband Frauenhilfe
51) Book Symbol 2) Shigeo Fukuda (Japan) 1967
52) For Sale Record Series “National Dances” 2) Klaus
Gröting (Germany) 3) Jugendgruppenleitschule
53) Betscheim Harz
54) Pharmaceuticals 2) Don Shandsky Roger Cook (Cook
USA) 3) Smith, Kline & French Laboratories
55) Steel Manufacturer 2) Wilhelm Defkra (Germany)
3) J.A. Heikel
56) Wrestling Club 2) David Stanfie (Greit Britain)
3) Sparta Amateur Wrestling Club
57) Industrial Culture Exhibition 2) Lars Bramberg
(Sweden) 3) Nordiska Mässor
58) Bandage Manufacturer 2) Gerard Miedinger
(Switzerland)
59) Tourist bureau 2) Fremdenverkehrs-Ministerium
5) Israel 3) Israelisches Rieubieto
60) Bowling Alley 2) Keiko Hirohishi (Japan) 3) Tokyo
Star Lane
61) Piano Manufacturer 2) Keiko Hirohishi (Japan) 3) Yasei Piano Company
62) Sheet Glass Products 2) Max Koenner (Germany)
63) Michel Delvy (Belgium) 1972 3) Books for All
64) Fire-proof Clothing Products 2) Kenneth Bromfield
65) International Congress, Congress for Humanity
2) Arthur Leyden (Australia) 3) Kurt Von
Wolff (Federation Promotions)
66) Asbestos Co.
103) Hospital Kei (USA) 3) Children's Hospital (Denver)
104) Packing Company 2) Morton Goldsholl Design Assoc. (USA) 3) Raph
105) Chernyavsky & Geimars Associates (USA) 3) Indian
106) Paking 2) Dixon & Parcels Assoc. Inc. (USA) 3) Raph Packing Company (Iowa)
107) Electrical Appliances 3) Hitachi, Ltd.
108) Theodore Stamatakis (France)
109) Jim Crouch & Don Young (USA) 3) U.S. Federal
110) Plane-making Company 2) Jupf Ernst (Germany)
113) Russell & Hinrichs
114) A series of TV Programs 2) Michel Dattel (USA)
115) Help Wanted Advertisement 3) Oliveri
116) Theater Poster 2) Leszek Holdanowicz (Poland)
117) Korean
118) Broadcasting 2) Werner Muhlemann (Switzerland)
119) Pro Radio Television
120) Advertising Agency 2) Morton Goldsholl Design Assoc. (USA) 3) Project
121) Stephan Kantschew (Bulgaria)
122) Michel Olyfi (Belgium) 3) Lapas Sigray
123) Prize for Advertisement 2) Makoto Wada (Japan)
124) Mainichi Newspapers
125) Sign for Suspended Traffic Facilities 2) Heini Fischer (Switzer就够)
126) Nestle (Switzerland) 3) Zurich
127) Publisher 2) Walther Bergmann (Germany) 3) Osydeas Angel Publishing Co.
128) Film Production 2) James Robertson Bruce
129) Montgomery (USA) 3) Vista Productions
130) Broadcasting Center 2) Stephan Kantschew (Bulgaria) (Center of Esthetique Industrielle)
131) Broadcasting 2) William Golden (USA) 3) Columbus Broadcasting System Inc.
132) Film Production 2) Stephan Kantschew (Bulgaria)
133) Pavilion 2) Saul Bass (USA) 3) Eastman Kodak Pavilion, New York World's Fair ’64—’65
134) Jupp Ernst (Germany)
135) Astrology 2) Walter Biohsardt (Switzerland)
136) Werner Noll
137) Forwarding Agent 2) Lionelopin and Murguies, Inc. (USA) 3) United Van Lines, Inc.
138) Design Studio 2) Robert R. Overy (USA) 3) PMO & A
139) Film Production 2) Walter Allner (USA) 3) Fortune Films
140) Artist’s Colors 2) Tetsuo Katayama (Japan)
141) Tsuru Gawa
142) Yusuke Komukura (Japan) 1969 3) Global Eye
143) Design Center 2) Hans Schlegel (Great Britain)
144) Great Britain Design Center
145) Film Production 2) Roger-Virgil Geiser (Switzerland) 3) Schwizerische
146-7) Religious Group 2) Kehel Sugura (Japan) 1969 3) NAC
138) 1) Club 
139) 1) Coca-Cola Products 2) Olie Eksell (Sweden) 3) Mazetti
140) 1) Eyeglasses Manufacturer 3) Tokyo Spectacles
141) 1) Dick Krueger (USA) 3) Character Culture Laboratory
142) 1) Printing Company 3) Zuccotti E Capra Popolitio
143) 1) Textile Products 3) Renown (Japan)
144) 2) Erik Bruun 3) Mains Kanerva
145) 1) Federation of Enterprises 2) Anton Starkovsky
146) 2) James Leonard Christopher Potocki (USA) 3) GRS Corp.
147) 1) Computers Consultants 2) Robert R.Overy (USA) 3) CEEMAC
148) 1) Publication Center 3) Der Spiegel
149) 1) Symbol for Vocational Training Competition 2) Shinya Saijo (Japan) 3) Japan Industrial and Vocational Training Assoc.
150) 1) Consumer Products 2) Dickens Design Group (USA)
151) 3) Polaris Enterprises, Inc. (Chicago)
152) 1) Theater 2) Stefan Kantscheff (Bulgaria) 3) Central Puppet Theater Sofia
153) 2) Walther Bergmann (Germany)
154) 1) Life Olyfi (Germany) 3) Lapas Sigray
155) 1) Club 2) Robert R.Overy (USA) 3) Seattle Copy Club
156) 1) Trading Company 2) Ablam Games (Great Britain) 1958
157) 3) Inda Coop Ltd.
158) 1) Steel Building Products 2) F.H.K. Henning (Great Britain) 3) Square Grip Reinforcement Co.
159) 1) Insignia 2) Morton Goldsholl Design Associates (USA) 3) Peace Corps
160) 1) Chernyavsky & Geimars Associates (USA) 3) U.S. Home Office
161) 1) Publishing Association 2) Benno Wissing (Netherlands) 3) Amsterdam Commission for Publicity
162) 1) Manufacturer of Food Automats 2) Pump Fin Studios, Inc. (USA) 3) Automate
163) 1) Design Studio 2) Do Weller (USA) 3) Do Weller
164) 1) Trading Company 2) W. Weiskroening (Switzerland) 3) Eternum Co.
165) 1) Inter-racial Fund Drive 2) Ablam Games (Great Britain)
166) 1) International Organization 2) Jacques Nathan-Garamond (France) 3) OECD
167) 1) Printing Company 2) Glad Hand Press
168) 1) Private Symbol 2) Helen Lott (Germany)
169) 1) Motion Picture 2) <Man with the Golden Arm> (USA) 3) Warner Bass (USA)
169) 1) Publisher 2) Michele Provisio (Italy)
170) 3) Cinquegale Publishing House
171) 1) Local Governing Body 2) Malcolm & Partners
172) 1) Hair Nutrition Product 2) Herbert Leopold (Switzerland) 3) Pantene
173) 1) Port City 2) Hennam Endenam (Germany)
174) 1) Hotel 2) Nahtestu Grand Hotel
175) 1) Cigarettes 2) Emil O.Bieman (USA) 3) United States Tobacco Co.
176) 1) Men’s Clothing 2) Minler Gray & Kaven Lamble
177) 1) Church 2) Austin Reed
178) 1) Cash Register Manufacturer 2) F.Rickard Jenkins (Great Britain) 3) National Cash Register
179) 1) Sight-seeing Bureau 2) Singapore Sight-seeing Bureau
180) 1) Hommer & Levet (Switzerland)
181) 2) Business Supplies 2) Hans Hassert (Switzerland)
182) 1) Bank 2) Honegger-Lavatow (Switzerland)
183) 1) Emblem of a City 2) Hermann Eidenbenz
184) 1) Emblem of a City 2) Hermann Eidenbenz
185) 1) Paper Goods 2) Nihon Pulp
186) 1) Royal Coat of Arms 2) Millner Gray (Great Britain)
187) 1) Council of Industrial Design
188) 1) Zoo 2) Jerry Haworth (USA) 1969 3) Project (Kansas City Zoo
189) 1) Machinery Manufacturer 2) M.Gothen & Yassef (Canada) 3) Monarch Machinery Ltd.
190) 1) Satellite Figures 2) Robert Gesener (Switzerland)
191) 1) Young Women’s Magazine 3) Helen - she Publishers
192) 1) Shoe Manufacturer 2) F.H.K. Henning (Great Britain)
193) 1) Story 2) Minaye, Tattersfield, Provincial Limited
194) 1) Milk Company 2) Gerhard Marx (Germany)
195) 1) Photographic Magazine 2) Martti A.Mykinnen (Finland) 3) Uusikuvatila
196) 1) Department Store 3) OK
197) 1) Symbol for Women’s Magazine 3) Shufu no tomo
198) 1) Hotel 2) Taisjo Nakayama (Japan) 3) Manza Kanko Hotel
199) 1) Recreation Enterprises 2) G.Dean Smith (USA) 3) Omni
200) 1) Leather Company 2) Joseph Binder (Germany)
201) 1) Show Signs 2) Celestino Piatti (Switzerland) 1961
202) 3) Schweizerische Zahnarzte Gesellschaft
203) 1) Export Products 3) Kubota Teko
204) 1) Publisher 2) Yoshiro Terasawa (Japan) 1971 3) Project (Seneshaku)
205) 2) Hermann Viri (Germany)
206) 1) Publisher 2) Keiji Okajima (Japan) 1971 3) Project (Sanzenka)
207) 3) Airways (Australia)
208) 2) Joseph Binder (Germany)
209) 2) A. Stocker
210) 1) Exporters and Importer of Meat 2) Stephan Kantscheff (Bulgaria) 3) Rodopa (Sofia)
211) 1) Mountain Sports 2) Gene Hofman/Fred Colker (USA)
212) 3) Mountain Sports, Inc.
213) 2) Agricultural Machines 2) Henry Dreyfus (USA) 3) Schiess Co
214) 3) Zinal (Switzerland)
215) 11) Zoo 2) Susumu Endo (Japan) 3) Aishikawa City