

## The Role of Trademarks in Promoting Sustainability

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### Sustainability

Sustainability is shaped around the obvious fact that the resources on Earth are finite. If we care about and strive to provide a thriving life for the coming generations without compromising our own needs, we should consume these resources conservatively. Consumers have recently demonstrated a rising interest in purchasing environmentally friendly products by their willingness to pay more for goods bearing eco-labels. Companies are also trying to do their fair share by heeding how they should craft their trademarks to reflect consumers' rising interest in sustainability.

### Green Trademarks

Trademarks can play a crucial role in promoting sustainability by assuring the consumers that a company's products are environmentally friendly. The first step for achieving such a goal is taken by trademark applicants when describing their goods and services.

Research by the European Union Intellectual Property Office (EUIPO) reveals that in over 2 million EUTM applications since 1996, there has been a steady increase in the use of words associated with environment and sustainability in the description of goods and services. Such trademarks are commonly known as *Green Trademarks*. Those words can find their way to the packaging of products or advertisements to reflect the importance a company attaches to the impact of their products on the environment. This way, the company tries to build a reputation as one whose goods or services mirror the consumers' concerns about the conservation of the environment.

An unfortunate by-product of the increasing demand for environmentally friendly products is *Greenwashing*. This, regardless of its deceptive nature, proves the influence of consumers' purchasing preferences stemming from their interest in sustainability on business practices of companies.

### Certification Marks and Collective Marks

As pointed out, verifying the environmental claims that a trademark holder/brand makes about their products and/or services could be challenging for consumers, who may not have the expertise to distinguish right from wrong. One way to reduce consumer uncertainty and assure them of the veracity of those claims is *certification marks*. These types of trademarks indicate that goods or services presented in the marketplace comply with given standards in terms of their "material, mode of manufacture or goods or performance of services, quality, accuracy or other characteristics." This is a sphere where the reach of a traditional trademark is limited.

A traditional trademark conveys a whole host of information to the consumer about a product by signalling *the origin or commercial source* of that product. A customer could be loyal to a brand for their own personal

reasons, with quality as a major factor. In contrast, these marks de-personalise the relationship between the product and the customer. The quality that is the target of these marks is less subjective and more definite. An example of this sub-set of trademarks is ENERGY STAR, which is a certification mark in the US. It is used as a label on products that meet the energy requirements set forth by the US Environmental Protection Agency and US Department of Energy.

## Conclusion

There is no doubt that brand preference is one way for the consumers to express their identity and building a brand that establishes a meaningful relationship with its customers and bolsters that identity is extremely vital in business. Green trademarks as well as certification and collective marks are used by companies to convey the message to consumers that they care about the environment and do their best to deliver on their promises of protecting it.

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