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The Semiotics of Brand

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Abstract

Approaches to the semiotics of brand are troubled by the lack of any accepted analytic definition of the phenomenon, as well as capacious, almost metaphysical, extensions in which brand becomes identified with semiosis as such, and thus everything is a brand. In addition, studies of brand tend to focus on highly visible or successful brands, as often as not as a proxy for a real object of analytic interest that lies elsewhere. Brand discourse defines brand in opposition to the material properties of the product, leading to a dematerialization of brand, which erases the messy materialities, contingencies, and hybrids that continually arise in the material semiosis of brand. Rather than attempt a definition of brand, the recent literature on brand semiotics is explored along several material and semiotic dimensions of the variousness of its relationship to its universes of circulation and in different professional discourses and historical and cultural contexts.

INTRODUCTION

Any discussion of the semiotics of brand confronts the basic problem that there is virtually no agreement on what brand is or means (Davis 2008). Brand stands at the intersection of the interested discourses of brand owners, producers, and consumers, as well as diverse groups of professionals, each of whom has a stake both in the specific definition of brand as well as in promoting the concept as a whole. In addition, brand is often deployed as an unexamined transparent proxy for the real object of analytical interest that lies elsewhere. For example, Ritzer's (1993) famous "McDonaldization thesis" uses a global brand, McDonalds, to capture not primarily the specificity of the "symbolic universe constructed by branding" but rather the extension of corporate "control mechanisms"—such as efficiency, calculability, predictability, and control typical of the capitalist labor process (what is sometimes called Taylorism)—to the consumer (Askegaard 2006, p. 95; also Heilbrunn 2006, pp. 109–10). Brand becomes virtually synonymous with global capitalism. Therefore, much analytic attention is given to specific highly salient western brands (Coca-Cola, Nike) that serve as what Miller (1998) calls "meta-symbols" of aspects of this global culture of circulation: "So Coca-Cola is not merely material culture, it is a symbol that stands for a debate about material culture" (p. 170). Furthermore, as a privileged semiotic object that is felt to epitomize the contemporary period of capitalism (Lury 2004, Arvidsson 2006), brand is frequently extended to a whole new range of experiences, services, and quasi-commodities that are not in themselves conventional economic objects (including experiences, selves, nations, political programs, and revolutions) (Moore 2003, p. 332; for specific examples, see Lury 2004, Arvidsson 2006, Hearn 2008, Jansen 2008, Manning 2009). Such claims for the ubiquity and importance of brand discourse can be treated as being themselves interested product claims of brand producers, "puffery" (on the semiotics of which generally, see Parmentier 1994, Hoffman 2006), in which the properties of the most successful iconic brands are treated as being characteristic of the phenomenon as a whole: "The stories that get told about brands in the professional and other literature are almost always success stories, not least because failed brands by definition are the ones that nobody knows, that do not, in fact, exist (anymore)" (Moore 2003, p. 334). Indeed, the most enthusiastic pronouncements about brand are often akin to a new-age wisdom literature, what Arvidsson calls the "metaphysical line of managerial literature" (Arvidsson 2006, p. 126), where "brands take on religious dimensions" (Askegaard 2006, p. 96) and key thinkers are often called gurus, and their pronouncements often called mantras (Askegaard 2006, Wang 2007). Thus, the semiotic language of brand has undergone a curious form of genericide (on which see below) in which a specific kind of semiosis (brand) becomes coextensive with semiosis as such: "Everything is a brand . . . . A brand is any label that carries meaning and associations" (Kotler 2003, p. 8).

Recent ethnographic approaches to the semiotics of brand appear to fall into a few major (and not exclusive) tendencies, which can be roughly characterized as consumption-centered, production-centered, and product-centered. Of these, the consumption-centered approach is certainly most dominant, following the mid-1990s turn to privileging consumer agency and resistance (e.g., Miller 1995), "producing a discourse that had uncanny similarities with contemporary Thatcherite enthusiasm about the sovereign consumer" (Arvidsson 2006, p.18). Here, a virtual identification of the equally capaciously and vaguely defined concepts of consumption and brand under contemporary capitalism (Arvidsson 2006, Johanssen & Holm 2006) makes brand a privileged point of entry into such diverse subjects as the mediatization of everyday life worlds in consumption (Arvidsson 2006, pp. 35–40), subcultural styles (Elliot & Davies 2006, Wang 2007), the sundry antinomies of contemporary global capitalism itself (Lury 2004; Foster 2005, 2007, 2008; Arvidsson 2006; Wang 2007), or a "mere psychoanalytic shorthand for a 'discourse of desire'" (Wang 2007, p. xiiii).

An alternate approach is represented by more recent production-centered methodologies (Moore 2003; Mazzarella 2003; Meneley 2004, 2007; Manning & Uplisashvili 2007; Wang 2007), which, while not ignoring the consumer, show the production of brand and definitions of brand to be a privileged site for the production of professional self-definition within a "system of professions" (Abbott 1988). As Moore (2003) shows, "the procedures used to get at the 'brand personality' reveal much about the 'semiotic ideology' of branding in the corporate culture of the 'New Economy', as does the division of branding labor at the Firm, where brand strategists coordinated their efforts with anthropologists and graphic designers" (p. 336). The "division of branding labor" within a single firm reproduces asymmetric professional jurisdictions over brand within a system of professions so that brand becomes a composite semiotic object where designers take care of the qualitative dimensions of brand, anthropologists address the indexical associative dimensions of brand, and brand strategists manage the assembly of these iconic and indexical moments into a coherent typification, a "brand personality" (Moore 2003). In addition, the specific procedures and semiotic "technologies of the imagination" (Ito 2007) used to produce brand, a list including free association, personalization, and collages, reveal "the strongly associationist character of . . . assumptions about consumers' thought processes" (Moore 2003, p. 343). However, the roles of these different professionals involved in the production of brand is asymmetric: Brand managers' control over the unifying "brand personality" (which represents a financial asset as "brand equity") gives them a central position compared with designers and creatives, whose closer relation to the product makes them peripheral to and subordinate within the brand production process (Johanssen & Holm 2006; Wang 2007, pp. 24–25).

Last, many recent product-centered approaches seek to embed the phenomenon within the context of global product networks and commodity biographies, shifting the focus from persons (consumers, producers) to "worldly things," worldly because they are both physically present here and now and yet "bear traces of their simultaneous existence elsewhere, over and beyond one's immediate horizons" (Foster 2008, p. xvii), allowing the often incommensurable perspectives of diverse agents (brand producers and consumers) to be treated within a single framework. Such approaches (Miller 1998; Foster 2005, 2007, 2008; also Meneley 2004, 2007, 2008; Heath & Meneley 2007) promise to move beyond ontologies of producers and consumers (and even hybrids such as prosumers), treating exchange as a continuous series of qualitative "transformations" (Munn 1986) or processes of "qualification and requalification" (Callon et al. 2002).

THE DEMATERIALIZATION OF BRAND

Because brand is thus everywhere, and yet nowhere, the phenomenon comes to be represented as an essentially immaterial form of mediation, a kind of globalized interdiscursivity, an indexical icon of the virtual nature of the global capitalist economy itself, which is often compared with virtual worlds on the Internet (Lury 2004, Arvidsson 2006). This virtualized brand starkly contrasts the messy materiality of "messages on bottles" as they are often encountered on the individual token level, illustrating a tendency toward what Robert Moore has dubbed the "dematerialization of brand" (R. Moore, personal communication). This tendency erases the "semiotic vulnerabilities" of brand, Moore argues, that come into view when the semiotic ideology of brand is confronted with the contingent world of its materializations (Moore 2003, p. 336). Because of the metaphysical expansiveness of brand discourse and its tendency toward dematerialization, it becomes difficult to decide where brand lives as a semiotic phenomenon:

> How should a semiotic analysis of branding take account of the seemingly quite different

ontological statuses of brands as such, versus branded products (as types), versus individual instances (tokens) of branded products, these last being what actual people engage with in activities of consumption, use, enjoyment, display, and so on? How can the concrete sensuous reality (e.g., color) of such tokens in use act as a relay for the more abstract associations (Young! Fresh! Edgy!) that branding professionals try to "encode" in consumer experience. (Moore 2003, p. 332)

The tendency for brand to be conceived as an immaterial form of mediation essentially identical to semiosis as such is partially due to the way that brand is defined in opposition to the product. "The product and the brand" (Gardner & Levy 1955) form a privileged doublet, expressed in popular marketing mantras such as "a product is made in a factory: a brand is bought by a consumer" (Wang 2007, p. 23; Lury 2004, pp. 31, 72). As mantras such as this show, the definition of brand develops over time by a kind of mystical *via negativa*, defining itself not so much by saying what brand is as what it is not: the product. By degrees, brand moves from being a "symbolic extension" of a product (Arvidsson 2006, p. 95; Askegard 2006, p. 100), as brand guru David Ogilvy put it in 1955 the "intangible sum of a product's attributes, its name, packaging, and price, its history, reputation, and the way it is advertised" (cited in Wang 2007, pp. 23–24), to leaving behind the dull, passive, generic, inert utility and materiality of the product entirely, taking on an "enchanting, sometimes religious character," adding a "spiritual dimension to what used to be 'merely a product'" (Askegard 2006, p. 96). The opposition brand/product condenses a folk-ontological opposition between immaterial/material, form/function, distinctive/descriptive, decorative/functional, symbolic/technical, properties of subjects/properties of objects; the pervasive dematerialization of brand recapitulating in broad outlines the dematerialization of meaning itself in western secular and religious discourse (Irvine 1989, Pfaffenberger 1992, Masuzawa 2000, Keane 2003, Manning & Meneley 2008).

In addition to the complementary schizmogenesis in which brand drifts away from the product, leading to a dematerialization of brand, brand undergoes several other parallel semiotic shifts. Earlier, primarily legal, discourses tend to treat brand as an arbitrary and distinctive trademark indexing a producer, whereas more recent marketing discourses tend to treat the essence of brand as a set of associations held in the minds of consumers (Hanby 1999, Moore 2003). This treatment is sometimes linked to an opposition between an earlier "positivistic," "mechanistic" view of brands as "lifeless manipulable artefacts," "inert physical objects," which serve primarily as differentiating marks for products and which are "owner-oriented, reductionistic and grounded in economics" (Hanby 1999, p. 9; Csaba & Bengsston 2006, p. 121), and more recent quasi-animistic discourses that treat brand as a "person" (Lury 2004, p. 75) in which the pervasive associations based on the role brands play in consumers' lives are transformed into actual anthropomorphic characteristics imputed to brands understood as holistic, organic, living, growing entities with which consumers can form actual social relationships directly (Hanby 1999, Csaba & Bengsston 2006). We also see historical changes in which trademarks and brands move from being a category of communication to objects of property (Lury 2004, Bently 2008a). The discourse of brand is much addicted to epochalism so that in the 1960s we move from the "product era" to the "image era," and in the 1980s the "brand image" gives way to a financially quantifiable "brand equity" (Arvidsson 2006, pp. 41–65; Wang 2007, pp. 23–25). All these shifts broadly recapitulate moves away from earlier Saussurean structuralist semiotic theories privileging the arbitrariness and distinctiveness of the sign to later poststructuralist accounts in which the omnivorous associationism of brand (for homologies between semiotic theories and trademark law, see Beebe 2004), not to mention rampant anthropomorphism, comes to approximate the fetish (Beebe 2004, p. 681;

2008, p. 52; Hearn 2008). However, the brand fetish is not easily assimilated to the Marxian "commodity fetish" to which it is frequently compared (Manning 2009, p. 926n6). Rather, I am taking the fetish here as a general semiotic figure "standing for an amorphous collection of 'hybrid' semiotic phenomena united only in their inability to be assimilated to the Saussurean 'purification' of the sign" (Manning & Meneley 2008, p. 292; on the semiotic polysemy of the fetish, see also Pietz 1985, Masuzawa 2000).

Whereas these different views of brand are often presented in epochal shifts globally affecting the imagination of brand, mechanistic views of brands as lifeless signs and organic views of brands as living persons are often mixed in contemporary marketing discourse (Hanby 1999, Csaba & Bengtsson 2006). As with other dichotomies such as nature/culture (Latour 1993 [1991]), if brand discourse seems preoccupied with ontological purification of brand from its connection, *inter alia*, to products, brand practice confronts us with a phenomenal proliferation of semiotic hybrids. Given these difficulties of analytic specification, I follow Moore (2003) by presenting the various semiotic moments of brand on the model of the communicative act itself, replacing speakers with producers, consumers with addressees, referents with products, and messages with the brand itself.

TRADEMARKS: INDEXES OF THE PRODUCER OR SOURCE

Because brand is often defined as a "conceptual extension of trademark" (Mazzarella 2003, p. 185; Beebe 2008, p. 47; Davis 2008, p. 81), the simplest way to begin would be to explore those functions of brand that approximate the functions of the trademark in legal discourse, where the "primary and proper function of a trademark" is "to identify the origin or ownership of the goods to which it is affixed" (Schechter 1927, pp. 183–84). As Schechter notes, this original definition collapses two different sorts of marks, proprietary marks optionally affixed to goods by merchants and regulatory production marks affixed by statute to identify the work of a single craftsman (Schechter 1927, p. 184). However, the producer or source indexed is, in fact, usually a fictive person such as a corporation and therefore does not correspond precisely to either of these earlier figures of mercantile capitalism, although as imagined figures they both continue to haunt the modern imaginary of brand, as discussed below. In addition, the referent indexed is often not the source itself but the goodwill associated with that source, in essence, functioning as a guarantee of quality, even if the source is unknown (Coombe 1996, Dinwoodie 1997, Beebe 2004), so that trademark names and logos become "visible or materialized goodwill" (Foster 2008, pp. 79–80). In addition to indexing such personalistic sources, trademark-like protections have long been conferred on geographical places (Bently 2008b), including separately evolved sets of protections such as geographical indications and *terroir* (Meneley 2004, 2007; Parry 2008). Moreover, as trademarks move from a communicative understanding—as inalienable, nontransferrable, and rigid source indicators [where personal or geographic names become the archetypal trademark (Bently 2008b)] related to notions of fraud and confusion, to alienable, transferrable forms of property (Lury 2004; Bently 2008a, 2008b), which can operate entirely through licensing without any involvement or regulation of product quality (Lury 2004, Beebe 2008)—it becomes debatable whether trademarks indicate any specific source at all or whether they even act as guarantees of quality relative to, for example, the actual locus of production (Vann 2005): "The modern trademark does not function to identify the true origin of goods. It functions to obscure that origin, to cover it with a *myth* of origin" (Beebe 2008, p. 52).

If, following Moore, we broaden this semiotic aspect of brand to any "source-identifying indexical" (Moore 2003, p. 339), it remains that different kinds of indexical relation may be involved. As Coombe (1996) points out, type-mediated indexes such as logos act as "a signature of authenticity, indicating that the good that bears it is true to its origins—that is, that the good is a true or accurate copy" and token-mediated indexes which mark "a real contact, a making, a moment of imprinting by one for whom it acts as a kind of fingerprint" (p. 205). As Meneley (2004, 2007) and Manning & Uplisashvili (2007) make clear, these two different kinds of indexes become enregistered as distinctions among different kinds of production [which are also adumbrated, for example, in styles of trade dress (Meneley 2004, pp. 167–69; Meneley 2007, p. 682)]: the authenticity of the distinctive variability of artisanal craft production versus the guarantee of absolutely identical quality of industrial production, respectively (also Kapferer 2006). Although authenticity serves as a constitutive element of western brand discourse, Vann (2006) shows the various ways that production-centered Vietnamese market models treat branded goods in different ways depending on whether they are "model" goods (brand source-identifying goods), "mimic" goods (inferior goods that emulate the brand model in product qualities), or "fake" goods (useless nongoods that imitate the brand, but not the product qualities), thereby showing alternate vernacular models for reckoning source-identifying indexicality outside of the hegemonic framework of authenticity.

These two kinds of indexes not only differentiate kinds of production, but also index different, but equally imaginary, kinds of producer: the traditional craftsman using traditional forms of production within a circumscribed *terroir*, whose identity is indexed in the product, and the industrial modernist abstraction of a corporation where the indexes serve more to guarantee consistent product quality (goodwill), but at the same time erase the real producers (Meneley 2004). In addition, goods that are actually produced using mass production can be associated with traditional producers and production with varying effects (Manning & Uplisashvili 2007, Meneley 2007, Renne 2007). Thus, the source-indexing function of trademark does not connect physically distant producers and consumers but serves to create, consolidate, and unify these as substitute "figures" (Manning & Uplisashvili 2007, p. 631), "surrogate identities" (Coombe 1996, p. 210), or "prosthetic personalities" (Mazzarella 2003, pp. 187–92). As prosthetic personas, brands also mediate a complex distribution context, allowing producers to extend a prosthetic persona into a retail context, "to reach over the shoulder of the retailer straight to the consumer" (H.G. Wells, cited in Lury 2004, p. 46). But because the unitary producer indexed by trademark is, of course, typically itself a prosthetic quasi-persona (a legal entity, "the undertaking" or corporation) whose "very existence is a legal formality," (Foster 2008, p. 80), and which may have no actual role in production, some scholars have suggested that rather than index the modern corporation as a unitary source, trademarks actually create it (Griffiths 2008, p. 248), even as these prosthetic producers effectively erase the actual producers from sight (Foster 2005, 2007, 2008; Beebe 2008; for vernacular production-centered market models that privilege locus of production or product quality over brand identity, see Vann 2005, 2006). Similarly, independently evolved geographical source-identifying indexicals such as *terroir*—cognate with trademarks because they act as guarantors of quality—must construct localities as sharply bounded, naturalized, essentialized "hermetically sealed" containers, each attribute of which [whether natural (soil, climate, varietal), cultural (traditional techniques of production), or "spiritual"] must be made to sit still in order to be included (Parry 2008).

BRAND WORLDS: BRANDS AS CONDENSED SPACE TIMES

Brands index the dimensions, contours, and horizons of their own circulatory space times (for space times, see Munn 1986, pp. 8–16). Brands can align themselves with respect to social imaginaries such as the nation by situating themselves within local or global trajectories of circulation (Iwabuchi 2002, 2004; Mazzarella 2003; Özkan & Foster 2005; Vann 2005; Wang

2007; Foster 2008), or they can gesture to diasporic, aspirational, or exotic elsewheres on the horizons of imaginative geographies of alterity (Mazzarella 2003; Meneley 2004, 2007; Manning & Uplisashvili 2007; Renne 2007). Brand as a semiotic feature of an individual circulatory object can act as what Munn calls "condensed spacetime, and may be analyzed to give a fuller account of the wider intersubjective spacetime in which it operates" (Munn 1986, p. 10). For example, with respect to the global traffic in purified bottled water, Wilk (2006) has recently shown how the branding strategies of bottled water marketers condense a social ontology shot through with antinomies—contradictory attitudes about nature and technology, the state and the market, the public and the private—and provides ample illustrations of the very obvious material differences between first- and third-world economies. Similarly, Meneley (2004, 2007) shows how the positive imaginings of the Mediterranean and the healthful Mediterranean diet makes Tuscan Extra Virgin Olive Oil an object of desire that partakes of the other imagined properties associated with Tuscany as the picturesque center of this regional imagining. But she also shows how this imagining, which places Tuscany at the center of the imaginary Mediterranean, is mirrored by negative Orientalist imaginings of place that lower the value of other Mediterranean olive oils produced in Palestine, Tunisia, Libya, or Turkey (Meneley 2004, p. 167). But the problems of the latter producers do not end there. In other work, Meneley shows how Palestinian fair trade olive oil serves as an index and an icon of the time-space distortion of the Israeli occupation: "[O]live oil is an icon of arrested circulation, as the movement of bottles of oil, bottled Palestinian labor time, is itself bottled up within the occupation time of the Israeli state" (Meneley 2008, p. 23).

Many recent studies show how strategies of localization locate brands within the imagined cultural specificities of cities, regions, and nations, even as they, at the same time, ambivalently position themselves as world-class aspirational brands with strategies of globalization (Mazzarella 2003, Özkan & Foster 2005, Vann 2005, Manning & Uplisashvili 2007, Wang 2007, Foster 2008). By contrast, Iwabuchi (2002, 2004) shows how some Japanese products (consumer technologies, comics and cartoons, and computer games) are marketed with a self-consciously cosmopolitan global strategy (*mukokuseki* "no nationality"), which specifically erases such distinctive cultural characteristics to produce "culturally odorless commodities" such as the Sony Walkman (Iwabuchi 2002, p. 28; 2004, p. 58). Thus, although Japaneseness does indeed become the object of a certain "techno-orientalism" by its association with technology (Iwabuchi 2004, p. 59), Iwabuchi (2002, pp. 32–33) argues that it is fallacious to treat this cosmopolitan *mukokuseki* strategy as being a mirror-image of the equally self-consciously global strategies of Americanization (in which the culturally specific characteristics of America are universalized as expressing global desires and aspirations; e.g., Foster 2008, pp. 40–47).

The semiotic material out of which trademarks and brands are fashioned, too, can index the dimensions of alterity of a culture of circulation. Coombe (1996) shows how early American trademarks draw on "symbolic fields of social alterity" drawn from embodied images of racial and ethnic others of the imagined space of the frontier against which American consumers define themselves, but they could also be drawn from the colonial field of alterity of empire in the British imperial context (McClintock 1995), nostalgic diasporic or folkloric images of traditional production (Renne 2007, Manning & Uplisashvili 2007), and even the entirely fanciful characters of folklore and mythology (Olivier 2007).

Such metaphoric consumption of alterity, the use of images and figures of elsewhere, is matched by metonymic alterity, the desire for actual objects from elsewhere, exemplified in the way that labels and containers of western goods, often detached from the use value, came to be self-valuable mediums of "contact" with the "Imaginary West" in the USSR (Yurchak 2006, Fehervary 2009, Manning

2009) or the way that socialist products index a particular apperception of temporal alterity in East German (*N*)*Ostalgie* (Berdahl 1999, Bach 2002). Invidious essentialized distinctions between elsewheres of orientalist and occidentalist imaginary geographies pervade the discourse of brand (Mazzarella 2003; Meneley 2004, 2007; Vann 2005, 2006; Pelkmans 2006; Manning & Uplisashvili 2007; Wang 2007; Manning 2009), sometimes becoming enregistered in distinct or hybrid brand strategies. Mazzarella argues that whereas some Indian brands involve a kind of "auto-orientalism" which he defines as "the use of globally recognized signifiers of Indian 'tradition' to facilitate the aspirational consumption, by Indians, of a culturally marked self" (Mazzarella 2003, p. 138), by contrast, western goods mark a kind of aspirational occidentalist consumption comparable to that observed by Lemon (1998) or Yurchak (2006): "Much of the mystique associated with these [western] goods depended on their capacity to serve as physical embodiments of a source of value that was understood to reside *elsewhere*" (Mazzarella 2003, p. 256, original emphasis). As Mazzarella notes for Indian brands, this invidious Orientalist distinction produces unique problems for brands that seek to locate themselves simultaneously as Indian (oriental) and world-class (occidental) (Mazzarella 2003, p. 98; compare Özkan & Foster 2005; Vann 2005, 2006; Manning & Uplisashvili 2007).

INDEXING THE PRODUCT: THE PRODUCT AND THE BRAND

Even if the brand is defined partly in opposition to both trademarks and products, brands usually include the names and logos of trademarks as their sign vehicles (Beebe 2004, p. 47); therefore, like trademarks, they must be affixed to the products, wherever else they may be found. Brands function as token-level indexicals (each instance of brand is existentially associated with one instance of a product). Insofar as these tokens are identical replicas of a type, they guarantee that each product will be of the same quality as every other (Lury 2004). The realization of brand thus depends on the materiality of the product (producing Latourian hybrids), but the brand and the product must also be kept separate (purification). The difficulties of separating the two modalities occur on the linguistic plane [the difference between distinctive (brand/trademark) versus descriptive (product) predicates] and on the plane of trade dress (between distinctive and functional aspects of product design and packaging), but they become especially pronounced when the product indexed is itself a new kind of object, a place, an experience, a service, or a sociality itself (for the problems presented by "ingredient branding" and "viral marketing," see Moore 2003, pp. 347–51).

Logos and Names: Linguistic Distinctiveness

The ability of linguistic trademarks to act as signifiers is partially evaluated on the basis of legal doctrines such as distinctiveness, dilution, and genericide (Moore 2003, pp. 344–46; Beebe 2004, 2008). All these categories define the distinctive semiotic properties of trademark or brand in opposition to the generic product. The traditional doctrine of inherent distinctiveness relates to a specifically linguistic aspect of brand, namely that "suggestive, arbitrary, or fanciful words" are more singular and distinctive than terms generically descriptive or referential or in common usage. Thus trademarks are protected to the extent that they lack a descriptive or referential relationship to properties or qualities of the product. Note that the legal category of puffery, which protects optimistic or exaggerated, but not referentially falsifiable, product claims, is defined by a referential ideology of commercial speech involving distinctions of referentiality homologous to those that separate brand distinctiveness from descriptive product claims. As a result, optimistic product claims are protected as noninformational puffs (indexical signs of seller bias), even though evidence shows that consumers are likely to regard them as informational (Parmentier 1994, Hoffman 2006). This particular formulation of the doctrine inherent distinctiveness is generally referred to as the Abercrombie spectrum of trademarks because its formulation derives from the decision in Abercrombie & Fitch v. Hunting World (1976; Dinwoodie 1997, pp. 485–888; Beebe 2004, pp. 670–74; Beebe 2008, pp. 54–56). However, earlier trademark taxonomies are also based on similar oppositions between "original, arbitrary and fanciful" words and generic, descriptive, or semidescriptive words (Schechter 1927, pp. 826–27), and similar distinctions found in early American and British trademark law (Coombe 1996, Bently 2008b) show these categories to be revelatory of remarkably durable linguistic ideologies. The early protection afforded by arbitrary or fanciful names explicitly favored exoticism so that "foreign words, words in dead languages" as well as the exotic images of alterity discussed above figure prominently as trademarks (Coombe 1996, p. 211), alongside the vaguely suggestive Esperanto-like neologisms common today.

The highly contentious category of dilution, instead, "occurs when, because two signifiers are similar, they lessen each other's differential distinctiveness" (Beebe 2008, p. 58). The definition of dilution crucially involves the properties of not only the distinctive signifiers used by two different undertakings, but also the products themselves. Schechter originally defined dilution as the "gradual whittling away or dispersion of the identity and hold upon the public mind of the mark or name by its use upon noncompeting goods" (Schechter 1927, p. 825). The distance between the qualities of the products designated by the mark is at issue here: The name Kodak applied to cameras and bicycles, Aunt Jemima to pancake flour and syrup; there is no competition between the products, but there is a loss of differential distinctiveness. Genericide relates to a loss of differential distinctiveness when a brand name has become "a term identifying not a single producer's products but the product class to which they belong (hence, generic)" (Moore 2003, p. 336). To avoid genericide, the brand must also be separated from the product on the syntactic plane as well. Thus advertisers are reminded by lawyers never to use the brand name as a noun, but always as an attributive adjective modifying a noun that denotes the product class (not Legos but Lego blocks), often inserting the word "brand" (Lego brand blocks") (Moore 2003, p. 345).

Design and Trade Dress: Nonlinguistic Dimensions of Brand

The inherent distinctiveness of brand may be realized through a variety of markings, including linguistic and nonlinguistic signs, trademarks (words or pictorial symbols) versus trade dress (packaging and product design) (Dinwoodie 1997, p. 477), signs that can be graphically represented and those that cannot (Davis 2008, p. 68). As the indexical relationship between the mark and the product moves from separable to inseparable, contiguous to coextensive, the manner of realization of the different material exponents of brand increasingly will vary according to the variable form of the product, leading to what one might call the morphology of brand.

In the prototypical case recognized in older trademark laws, the trademark is arbitrarily related to the product referentially, but it is also separable, affixed to the product as a segmentable material sign, like a morphological affix, which is potentially distinct, even removable, from the product. However, some of those exponents of brand may be materially continuous with, or only formally abstractable from, the product itself, which is where we find some of the most recondite exercises in legal semiosis (Denicola 1983; Dinwoodie 1997, 1999). Trade dress represents one of the greatest challenges to primarily linguistic models of trademark distinctiveness, where the deployment of linguistic categories such as "suggestive" and "arbitrary" of the Abercrombie spectrum to product shapes produces only immense confusion (Dinwoodie 1997, pp. 485–520). In addition, here we see legal semiotic ideologies seeking to distinguish between form (brand) and function (product), aesthetic notions of styling, ornamentation, or decoration as opposed to technical function or utility (compare Pfaffenberger 1992). Often these legal semiotic ideologies emphasizing physical or conceptual separability of trademark and product are in conflict with modernist aesthetic ideologies among designers, who seek to blur those same boundaries between form and function (Denicola 1983; Dinwoodie 1997, pp. 561–62). The problem is that just as legal regimes of inherent distinctiveness tend to prefer linguistic signs of trademark that are fanciful and arbitrary, but not referential or descriptive, so too legal regimes tend to prefer nonlinguistic aspects of brand that are clearly nonfunctional, decorative, and physically or conceptually separable from the technical or utility dimension of the use value or product. Particular problems arise with attempts to register colors, odors, shapes, and other qualities that have no independent existence (Davis 2008, pp. 70–71) regardless of whether they are distinctive exponents of trademark or brand or product. The limiting case of convergence is represented by (failed) attempts to register distinctive shapes not of packages, but of food commodities [such as distinctively shaped cheese or "impressions upon a piece of gingerbread" (Bently 2008b, p. 27)] themselves, rejected because "[c]onsumers do not expect to eat trade marks or part of them" (Davis 2008, p. 79).

Here Jain (2003, 2007) presents an interesting case in her study of the use of Indian sacred Puranic images in packaging as part of different registers of commodity aesthetics. For western companies, such Puranic imagery rendered in secularizing western naturalistic representational mode was "adopted as an instant cipher of Indianness . . . to tap into the 'native' market," but also to establish a "thematic relationship between the product and the image used to promote it, creating an allegorical, if not playfully ironic, correspondence between gods and mortals" (Jain 2003, p. 50). On the other hand, indigenous deployment of such sacred images was more arbitrarily connected to the product, instead associating the product with a divinity "in an indexical register to seek the deity's blessings and impart auspiciousness" to both the product and the transactions in which it is involved (pp. 51–52). Puranic imagery in product packaging is thus appropriated through two distinct (secular/western and sacred/Indian) registers of signification existing side by side or even sometimes juxtaposed, "a representational mode which uses perspectival naturalism to narrative and allegorical ends, and an indexical mode whose frontal address acknowledges the viewer and institutes an iconic (that is, divine) presence" (p. 49). But using a sacred image in profane product packaging is sometimes avoided "because a package is meant to be thrown away—a disrespectful and inauspicious act" (p. 51).

As Fehervary (2009) argues, modernist product design both in the west and particularly under state socialism also has brandlike qualities; the modernist design of late socialist production serves as a kind of "brand of socialism" consolidating a whole range of products in relation to a single producer, the socialist state (pp. 452–53). Because socialism also produced "branded goods," Fehervary argues that the socialist state was unable to capitalize on the goodwill of some of its own named brands, even as other named state brands suffered by comparison with capitalist brands of which they were understood to be imitations (p. 442). Fehervary (2009) particularly notes that the modernist design of state socialist goods was often paired with an ideology of product presentation that emphasized a technocratic socialist transparency in contrast with the deceitful dualistic opposition between product and brand characteristic of capitalism (which is reflected in western legal ideologies that emphasize strict separability of brand and product in a manner antithetical to principles of modernist design) (pp. 438–40).

Floating Brands: Self-Referential Brands and Counterfeit Brands

In contemporary discourses of brand, brands are often represented as self-valuable objects separate from products, "floating signifiers" or "self-referential signs" (Beebe 2004, p. 626). However, this abstract postmodern commonplace of the referential separability of brand from product can be mobilized to illustrate other more concrete semiotic possibilities and contingencies for brand when brand is considered as a material object that can be physically separated from the product and take on a circulatory life of its own (Foster 2008, pp. 8–17). As Yurchak (2006) argues, under late socialism the material semiotic apparatus of western brand was treated by late socialist youth as being entirely separable from products so that brands encountered in the form of empty packages and labels did not index any specific product but provided contact with the imaginary place of origin, "The Imaginary West": "Most of these packages and bottles [displayed by Soviet youth] were empty—they could not be purchased in regular Soviet stores and often circulated as pure packaging free of original products. However, this empty status did not matter because their original meaning as consumable commodities (the actual liquor, beer, or cigarettes) was largely irrelevant. They were not commodities but shells of commodities whose role was to link the here and now to an 'elsewhere'" (Yurchak 2006, pp. 194–95; see also Lemon 1998, Fehervary 2009, Manning 2009).

However, after socialism, this very separability of the material apparatus of brand, labels and packaging, from products becomes a problem, creating intense fears regarding counterfeiting often blamed on nefarious invisible forces such as "the Mafia" (Pelkmans 2006, pp. 171–94; also Lemon 1998), as well as the obvious absence of the state under postsocialism as an ultimator guarantor of goodwill. As a result, "Georgian concepts of brand remain strongly rooted in a generally productivist model of the economy, particularly because there is no sense that a 'generalized goodwill' exists in the economy: because of brandlessness, falsification of brands, and unreliability of producers, all branded products are to some extent suspect" (Manning & Uplisashvili 2007, p. 631; compare Vann 2006 for a very different set of possibilities for the reception of counterfeit goods in equally productivist market models in postsocialist Vietnam).

Branding Experience: Services and Sociality

In the case of the branding of services and sociality, because the product is typically an autonomous activity (often a linguistic one, say, talk), the categories of quality associated with branding by definition must be realized in tandem with that activity. This notion raises questions similar to those raised by design and trade dress, blurs the lines between producer and consumer as coproducers or coperformers of the brand, and shows the extension of branding concepts not only to services, but also to everyday consumption in general.

With respect to branding services, Cameron (2000) has shown the consequences for an autonomous activity such as conversation when it becomes a marketed, branded service. She shows how real subsumption of an autonomous activity as a service within a specifically capitalist labor process produces not only changes related to labor discipline (scripting, efficiency, surveillance) typical of any labor process subsumed under capitalism, but also "styling," changes of verbal behavior and physical self-presentation that act to produce a uniform brand image of an activity presented to a customer. Under such circumstances, due to extensive top-down scripting and styling of speech and other behavior, the style agent is in a very real sense not the person who performs the branded service style: "Service styles are designed by one set of people (managers on site or at head office, or not uncommonly outside consultants) to be enacted in speech by a different set of people (frontline customer-service workers)" (Cameron 2000, p. 326).

With corporate branding, the concept of brand is extended to branding service work and also extended to include "[aspects of] the context of use and wider environment," including practices of "brandscaping" (Lury 2004, pp. 32–44; Arvidsson 2006, pp. 77–80), which can include "lights, design, music and the demeanour of personnel to encourage consumers to coperform a particular ambience" (Arvidsson 2006, p. 80). Here the concept of brand is extended to include service work, and even includes the customers themselves who coperform the brand. For example, multiple-player online games represent what Arvidsson calls "branding sociality" in which much of the commodified content is produced by consumers (prosumers) themselves (Arvidsson 2006, pp. 104–14; Herman et al. 2006). In the case of Starbucks, brandscaping includes branding store ambience and consumer sociality (Gaudio 2003; Arvidsson 2006, p. 80) and extends even to the scripting and styling of the service interaction with the customer, who is expected to confabulate in the coperformance of the Starbucks brand in the process of formulating orders, which generates its own peculiar interactional dilemmas for the baristas and often recalcitrant customers (Manning 2008).

Lovemarks: Indexing Consumer Desire

Through brands, products are also attached to figures of consumption: idealized consumers. This attention to the figure of the consumer is often treated again as an epochal shift from a social ontology of productivism to one of consumerism: a semiotic transition from trademarks of production to what Foster (borrowing from brand guru Kevin Roberts) calls "lovemarks" of consumer loyalty (Foster 2005, 2008). Understood as brands, the legally protected semiotic apparatus of trademark (e.g., logos and names) serves as a sign vehicle not only for legally protected source-identifying indexicals and the goodwill associated with that source (traditional trademarks), but also for a cloud of regimented consumer associations that have monetized value as intangible assets and clamor for legal recognition through doctrines such as "dilution" (Moore 2003, p. 339; Bently 2008a, p. 34; Beebe 2008, pp. 45–47; Davis 2008, pp. 66–68). Thus, branded objects attract to themselves properties of the subjects ("person-alities") that produce them and also, by association, the subjects that consume them. Foster describes this as the

> reattachment of the alienated product to another personality, that is, to the consumer. It is this reattachment that is achieved through branding. I hasten to add that branding involves more than the labor of special workers who design logos and devise advertising campaigns . . . .Branding also involves the work of consumers, whose meaningful use of the purchased products invests these products with the consumer's identity . . . .Put differently, the persons of consumers enhance the value of brands. (Foster 2005, p. 11)

As this quote shows, perspectives such as these seek to see the value of brands as being a product of the joint labor of both producers and consumers (Lury 2004; Foster 2005, 2007, 2008; Arvidsson 2006). These commentators are careful to point out, however, that this consumer labor is policed and ultimately appropriated by the brand proprietor, what Mazzarella calls "keeping-while-giving the brand" (Mazzarella 2003, pp. 192–95). As Arvidsson (2006) puts it pithily, "For consumers, brands are means of production . . . .For Capital, brands are a means of appropriation" (pp. 93–94). Thus, regulating, regimenting, and appropriating this two-way flow of associations between brand and consumer becomes a crucial component of brand management (Moore 2003, p. 343; Lury 2004, pp. 80–92; Arvidsson 2006, pp. 66–94).

The western discourse of brands tends to imagine brand as an almost universal articulation of the infinite particularity of consumer desire, which interpellates consumers in terms of "cool," "aspirational" lifestyles (Arvidsson 2006, pp. 68–73). But there are certainly other models for how brands interpellate consumers: For example, Japanese "cute" character brands interpellate generalized consumer identity on the model of the idealized girl consumer (Allison 2000, 2004; see Iwabuchi 2004, pp. 70–72, on the opposition between American/global "coolness" and Japanese/Asian "cuteness"), but brands can also interpellate consumers as citizens within socialist, developmentalist, or neo-liberal models of consumption and govermentality, as well as locate the brands and their consumers as being coeval with those elsewhere (Kelly & Volkov 1998, Gronow 2003, Mazzarella 2003, Özkan & Foster 2005). Because the model of aspirational consumption associated with brand becomes a sign of participation in universal normative models of desire, not responding to it becomes a diagnostic of uncivilized backwardness (Foster 2008, pp. 39–47). Socialist branded production is linked to an attempt to civilize the socialist citizen as a cultured consumer coeval with the western consumer by generalizing presocialist aristocratic models of consumption by making available branded goods that are competitive with those produced in capitalist societies (Kelly & Volkov 1998, Gronow 2003, Manning & Uplisashvili 2007, Fehervary 2009, Manning 2009). With respect to India, Mazzarella shows how the new western consumerist dispensation of "aspiration" mediated by "aspirational brands" parallels the developmentalism of earlier models of the consumer citizen, showing how it "equates the generality of consumer desire with the particular norms and forms of the nascent middle-class imaginary" and mimics developmental discourse by producing an "alternative temporality with its own language of progress and evolution" (Mazzarella 2003, p. 101). As Wang (2007) argues, the universalization of culturally particular models of consumer desire can lead to problems, for example, for transnational agencies in China who "mistake Chinese consumers for their Western counterparts by overselling them lifestyle aspirations while underrating the importance of safety appeal" (p. 309). These different models that emphasize consumer desires and consumer fears, respectively, lead to different branding strategies: In western "house of brands" strategies, brands identify specific product lines addressed to specific aspirational lifestyle market segments, but the parent company itself is anonymous; by contrast, in Asian "branded house" strategies, brands identify a single well-known and trusted producer whose goodwill is distributed across completely unrelated and potentially unlimited product lines (Wang 2007).

FIGURES AND FETISHES: LIFESTYLE AND CHARACTER BRANDING

As brands as objects attract more properties of consumers as subjects, and vice versa, these associations become the attributes of brands as subjects. Brands move from being lifeless symbols of these complex associations (figures) to living "persons" who embody them as personal attributes (fetishes) (Hanby 1999, Lury 2004). As brands move from being prosthetic figures mediating relations between subjects (producers and consumers) to becoming autonomous subjects in their own right, it becomes possible for consumers to form affective relationships with these figures directly. But brands as persons can be imagined in rather different ways, and the kinds of personalistic relationships they mediate also vary. Lury (2004) distinguishes between indexical and iconic modes of personalization: The former are source-identifying indexicals that are often figural, that is, they sometimes present "the organization as if it were an individual" (e.g., Betty Crocker) (p. 80), whereas the latter are really little more than unordered lists or bundles of abstract personalistic signs of qualitative possibility (Peircean qualisigns) [e.g., the brand Orange is "refreshing, honest, straightforward, dynamic, friendly" (p. 84)]. The nonfigural iconic mode of personalization characteristic of lifestyle branding shows very little integration into a coherent character or narrative development. In this way, they are much like the graphic collages often used in marketing to model or discover these unordered complexes of "unspoken emotional and symbolic" associations (Foster 2007, p. 707; see also Moore 2003, p. 243, Wang 2007, p. 86). Such techniques of representation permit "the decomposition of individual consumers into 'data clouds' and their recomposition into representations of the context of consumption" (Arvidsson 2006, p. 65).

By contrast, figural fictional or fantastic characters such as Betty Crocker (Lury 2004, pp. 79–80) or especially the eponymous Brownies of the Eastman Kodak "Brownie Camera" (Olivier 2007) are perhaps more comparable to the kind of personalization shown in Japanese character branding. Japanese character branding involves specific forms of cute figuration to produce, for example, corporate mascots, but these figures are also developed as characters of narratives in *manga* and *anime*, producing an interdiscursive narrative framework that helps these figures to be continually redeployed across diverse product lines. However, here too there are key differences: Character branding personas often embody affectively engaging attributes of cuteness [*chara-moe* (Azuma 2009 [2001], pp. 39–47)] that afford kinds of affective bonds and relationships between consumer and product quite different from desires enabled by western-brand personas that embody abstract aspirational cool lifestyles, or even the animated Disney characters to which they might otherwise be compared (Allison 2000, 2004; Iwabuchi 2002, 2004; Ito 2007; Wang 2007). Furthermore, as Azuma (2009 [2001]) shows, what begins as character branding can develop into autonomous forms of consumption of derivative (fan) works whose value derives only from their consistency with the narrative or character and certainly not from their connection to the original product or producer.

Brands serve as semiotic figures for the characters on the stage of the global economy; however, they are frequently taken to figure the logic of the global economy itself: Lury (2004) deploys the punning opposition between brands as logos ("the signs or slogans that mark brands") and brand as *logos* ["the kind of thought or rationality that organizes the economy" (Lury 2004, p. 5)]. Thus both Lury (2004, pp. 5–6) and Arvidsson (2006, p. 124) argue that brand not only functions as a semiotic object that figures specific relations between producers and consumers, but also serves as a focal metasemiotic object that figures the indigenous categories (the *logos*) of the culture of circulation itself. However, as Mazzarella persuasively argues, the consumer of brand in the first sense (the consumers who buy the branded goods) may be quite distinct from the consumer of brand in the second sense ("the corporate client who 'buys into' the categories of marketing discourse") (Mazzarella 2003, pp. 186–87). Determining who the customer of brand is raises the question of what is the purpose or object of the semiotics of brand: Brands and their definitions thus reveal very different things depending on whether they are approached at work as semiotic objects within the economy or as metasemiotic objects that can be interrogated to reveal the folk ontologies and semiotic ideologies latent in economic categories. *Caveat emptor*.

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