Brian Clegg trod on the sensitive toes of big business and learnt not to take a trademark in vain.

What's in a name?

If there's one thing that businesses guard even more jealously than their secret formulas, it's their trademarks. It sometimes seems crazy. A while ago I wrote a review of some fax software, which I called the R**** R**** (think big, expensive cars that aren't quite Bentleys) of fax software. The proud software vendor quoted me in their advertising, and were promptly jumped on by R**** R****. I gather from no less an authority than Bill Bryson in his excellent *Mother Tongue: The English Language* that the said car company has about 500 trademark infringement cases a year.

When you think why people use the name, it seems strange that R**** R**** complains. After all, the implication is that its trademark is synonymous with the best of the breed. The trouble is that trademarks are delicate things. If a trademark is used as a common word, it can lose protection. Aspirin, cellophane, escalator, thermos and yo-yo were all trademarks that have become so much part of the language that anyone can use them. Others, like Coke, are used in common speech as if they weren't trademarks. (Coca-Cola found this out to its cost when it employed a well-known Italian actress to advertise their product. Her glowing testimonial went along the lines 'we always drink Coke back home, only there we call it Pepsi-Cola').

I don't think R**** R**** should really worry, because two different processes are at work. A trademark is worthless when it becomes a generic term for a product. You can see this with the examples I already mentioned. Sometimes trademarks even become verbs (the Shorter Oxford Dictionary includes 'hoover', though strangely, Hoover is still a trademark). But you wouldn't call all cars R**** R****; instead, the term is used to indicate quality and acts as an advertisement. As yet, this phenomenon hasn't crept into the IT world, but it is interesting to speculate what would happen.

It's up to you to interpret exactly what they would mean, but I think the English language would benefit considerably from an influx of computing names. A few phrases spring to mind. 'I've been absolutely microsofted.' Or perhaps 'they're the dell of greengrocers'. You might say 'help me out here, I'm in an absolute ibm', or 'he's doomed to lotus'. Just make sure you don't make a netscape of yourself. Somehow, though, I don't think these companies are in much danger of having their trademarks devalued in this way. I've commented before on the immaturity in this business, and it seems that such popular usage only comes with brand maturity.

As the web becomes more and more important to business, it's nice to see that even the pros can slip up occasionally. A certain very large online bookshop which will remain anonymous (think of a long river and strong women) decided it would be a good idea to set up a list server for the publishers it deals with. This is one of those handy email addresses which redistributes mail to lots of recipients. So far so good, but a hapless Amazon (oops) employee sent a test mail to the list server. You could tell it was a test mail, because the subject was that favourite word of random keyboard hitters, 'sdfs'. Also it said 'sfsd — test' in the body text.

Not surprisingly, quite a few of the recipients were puzzled and replied asking what was going on. Unfortunately, being publishers, some were not too sure

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about technology and many of them hit the 'reply to all' button, rather than just 'reply'. Even so, all should have been well. After all, a professional outfit like A****n wouldn't have set up a list server that anyone could mail to, would it? You begin to understand the mechanics of a chain reaction when people who are complaining about receiving unsolicited messages mail a server which then generates more unsolicited messages. After over 40 irritated emails had hit the inbox of everyone on the mailing list, they pulled the plug. But it just shows, you have to be careful.

[All brand names and product names used in this article are trade names or trademarks of their respective owners.]

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