The Future of Trademarks: Shaping Tomorrow's Brand Identity

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By: Safir Anand, Omesh Puri and Abhishek Paliwal

As the world changes and technology grows fast, the way we think about trademarks is also changing. Trademarks which are used to identify and protect brands, have traditionally included names and logos. However, in the future, they will take on new forms, reflect new consumer behaviour and require new legal rules to stay effective.

This changing landscape will need fresh thinking from law, marketing, technology and psychology. Everyone from businesses to governments to consumers will need to rethink what a trademark means, how it works and how it can be protected in the years to come.

Understanding Consumers: The Role of Behavioural Science

In the future, how people think and feel about trademarks will matter more than ever. Behavioral science which studies how people make decisions, can help us understand how consumers react to brands.

Today, we assume that trademarks simply help people know where a product comes from. However, it is becoming too limited. People often choose products based on emotional connections, familiar sounds or colors, brand image, how a brand makes them feel and the values it represents including its commitment to social responsibility and community impact through CSR activities. Understanding these responses could help companies design better trademarks and help courts judge cases more accurately.

In the coming years, tools like brain scans or eye-tracking might even be used to see how consumers respond to different trademarks. This kind of data could help decide whether a mark is distinctive or misleading.

Moving Beyond Logos: Non-Traditional and Multisensory Marks

Trademarks are no longer just about names and logos. Sounds, smells, textures, shapes, movements and even tastes can now play a part in branding. These types of non-traditional marks can be powerful because they connect with people on a deeper, sensory level. However, they may also be harder to define and protect. In the future, legal systems around the world will need to update their rules to clearly explain what can be registered and how to prove that a unique sound or smell really belongs to a brand.

As new technologies like virtual and augmented reality become more common, we might see brands using moving images, 3D shapes or holograms as trademarks.

Digital Trademarks in a Virtual World

With everything going digital, trademarks are now being used in online-only spaces. In virtual stores, social media and even blockchain-based platforms, brands are creating digital trademarks that may not exist in the real world.

This creates new challenges. For example, what does it mean to "use" a trademark when everything happens online? How can you prove ownership if the platform is decentralized or doesn't follow traditional rules?

Smart contracts and blockchain may help by making brand rights automatic and trackable. However, traditional enforcement methods may face some issue in these new spaces. Future laws may need to allow for trademarks that change or adapt based on how people interact with them online.

Personal Branding: Celebrities and Influencers as Trademarks

Today, individuals especially celebrities and influencer are becoming brands themselves. Their voices, faces and personal styles carry huge commercial value. The celebrities have already been protecting their personality rights and in the future, we may see more of these individuals registering trademarks to protect their identity.

Influencers might trademark their digital characters, catchphrases or even their online avatars. As virtual influencers and AI-created personalities become popular, it will raise questions about who

owns those rights and how to protect them. Laws may need to combine trademark rights with privacy and personality rights to give people better control over their image in both physical and digital worlds.

Trademarks and the Future of Advertising

Trademarks don't work in isolation as they are part of larger marketing and branding strategies. In the future, the power of a trademark will depend not just on legal protection but also on how well it connects with people.

Advertising will become more immersive and personalized. Trademarks may need to be designed for voice assistants, emotional impact or interactive storytelling. Brands will try to create deeper relationships with customers and trademarks will need to support those efforts.

As marketing strategies evolve, legal and branding teams will have to work closely together. Protection strategies will also have to change to deal with new risks like fake brands, deepfakes or misleading ads online.

Dealing with Global Trademark Issues

Trademarks are still mostly protected within national borders, but the internet and global trade have made branding a global issue. Businesses want protection across many countries but laws differ from place to place.

In the future, there may be stronger efforts to create global systems for trademark registration and enforcement. Shared databases, AI-based search tools and common rules could make international trademark protection faster and easier. However, local differences will still matter, different languages, cultural meanings and legal systems can affect how trademarks work in each country. It will be important to find a balance between global consistency and local flexibility.

Organizations and governments may need to work together more through international treaties and legal partnerships to handle digital infringement, cross-border counterfeiting, and other modern challenges.

Adapting Laws for the Future

For all of this to work, trademark laws must keep up. Laws will need to recognize new kinds of trademarks and new ways they are used. The Trademarks Offices in number of the countries have already started using AI tools and big data to improve accuracy and efficiency. However, trust in technology will be important. If AI tools are used in legal systems, they must be fair, clear and open to

scrutiny. At the same time, small businesses, creators and the public need to be educated about how the trademark system is changing.

In the future, trademark law might also focus more on ethical branding, supporting fair business practices, sustainability and honest advertising. It will need to find a balance between protecting brand rights and respecting free speech, innovation and public interest.

KEY CONTACTS



Safir Anand

Senior Partner

View Bio of Safir Anand



Omesh Puri

Partner

View Bio of Omesh Puri

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