Lingue e Linguaggi
Lingue Linguaggi 22 (2017), 65-79
ISSN 2239-0367, e-ISSN 2239-0359
DOI 10.1285/i22390359v22p65
http://siba-ese.unisalento.it, © 2017 Università del Salento
This work is licensed under a Creative Commons Attribution 3.0

CASES OF BRAND NAME *GENERICIZATION* IN NAUTICAL ENGLISH

VIRGINIA FORMISANO[1], AGNESE DANIELA GRIMALDI[2] *
[1]INDEPENDENT RESEARCHER, [2]UNIVERSITY OF NAPLES "PARTHENOPE"

Abstract – The widely disseminated use of a brand name is commonly regarded by marketing specialists as an indicator of brand success in a highly competitive marketplace. From a linguistic perspective, it may result in a type of change called *genericization*, the linguistic process whereby a brand name is gradually turned from a proper noun into a common noun (Kleenex → a kleenex) thus becoming commonly used to identify a whole category of products; in some instances, it may even be converted into a verb (Google → to google, Facebook → to facebook). The analysis of linguistic aspects involved in genericization is also relevant to legal disputes for trademark protection, in which forensic linguists may be consulted to examine the linguistic status of brand names and their usage amongst speakers. Indeed, in legal terms, inappropriate, *genericized* use of brand names may result, especially in some countries, in trademark dilution, or *genericide*. Although the literature on genericization in the English language is quite abundant, previous studies have mainly been concentrated on brand names designating mass-marketed products or services, that is names largely used in everyday general language. This paper is, therefore, aimed at investigating the process of genericization of brand names found in the niche market of marine equipment for anchoring and mooring operations in recreational boating, thus falling within the broader research area of the specialised domain of Nautical English.

Keywords: brand names; genericization; trademark dilution; terminology; Nautical English.

A brand for a company is like a reputation for a person.
(Jeff Bezos, "CEO of Amazon").

* Virginia Formisano is responsible for paragraphs 1, 2, and 3, while Agnese Daniela Grimaldi is responsible for paragraphs 4, 5, 6, and 7.

1. Introduction

The use of symbols or marks to indicate ownership trace back to ancient times (Wherry 2004, p. 9; see also Moor 2007), although it is commonly claimed that the branding industry emerged simultaneously to the packaging and marketing industry in the late nineteenth century (Cowan 2005; Ferrari 2002; Kohli, LaBahn 1995; Wherry 2004). Indeed, according to Cowan, in the late nineties brand names became a "[…] form of marketing communication"[1] (Cowan 2005, p. 130) and this largely explains why branding is still of the utmost importance to companies operating at a global level (Ferrari 2002, p. 12).

The emergence of these new fields of interest has contributed to the spread of varied professional subsidiary activities such as marketing creatives and forensic linguistics consultants; on the academic side, it has opened new research scenarios (Clankie 2013, p. 2) according to different perspectives, in which the focal point ranges from the linguistic approach, through marketing, to that one of brand legal protection. The first stream of research deals with the physical type of marks, represented by the denominative, semi-figurative, and figurative signs (Ferrari, 2002, p. 52), and with the linguistic analysis of brand name features, including, but not limited to, form (simple or multiword, syntagmatic units, initialisms, acronyms (Ferrari, 2002, pp. 53-56)), origin (eponyms, mythological, historical, or common names), grammatical and phonetic forms (use of some type of vowels and consonants,[2] adjectives, adverbs), and their semantics (descriptive, suggestive, arbitrary, fanciful names), being the brand, as observed by Ferrari, "[…] un segno, una parola, una cosa e un concetto"[3] (Ferrari 2002, pp. 64-65). Otherwise, the marketing-oriented approach addresses the techniques of brand name creation and its subsequent appraisal by experts and the public. The latter fieldwork deals with brand legal protection and aims at supporting companies to defend their brand and the correlated intellectual property rights against legal disputes, e.g., dilution litigations (genericization in linguistics) trademark confusions, etc. (Butters 2008a, 2008b, 2012, Shuy 2002, 2008).

[1] Cowan reports that, up to the dawn of the twentieth century, in America most part of business names derived from the family name of an enterprise or a place (Cowan 2005, p. 81).
[2] "[…] a name that has the desirable phonetics symbolism" (Kohli, LaBahn 1995, p. 2).
[3] "[…] a sign, a word, a thing, and a concept" (author's translation).

2. Literature review

With reference to the last-mentioned fieldwork, the existing literature has outlined that major themes develop along two main streams: one focusing on the study of brand genericization and the other based on the taxonomy of trademarks (e.g. descriptive or suggestive), both aimed at supporting forensic or legal linguistics. Forensic linguistics is today a well-established area of activities[4] in some English speaking countries, and has also produced a large corpus of scholarly literature.[5]

Together with Shuy (2008, pp. 233-238), Butters also describes the contribution of linguistics experts to trademark litigations, in judging on "[…] likelihood of confusion, strength of mark and property of the mark" (Butters 2008b, pp. 233-244), mostly in some English speaking Countries (USA, Canada, and Australia).

Despite this practice being relatively uncommon, the newly arising professional field has created a relative interest in the linguistic approach to it, even in languages other than English.[6] The matter has also been discussed by Cowan in a comprehensive study on the language of corporate names where – quoting the then-existing few studies by Pulgram (1954), Aronoff (1981), Hopper (1990), and Kirwin (2001) – he states that name branding researches have not received the right consideration in the past decades. Cowan's words echoes those of Clankie, who maintains that "[…] the study of brand names linguistically has remained an understudied area" (Clankie 2013, p. 28)[7] carried on by a restricted groups of scholars. This same view was supported years later by the work of Hotta, who in his investigation has explored both the legal and linguistic side of the topic, with a special focus on the latter (Hotta 2006).

To conclude this brief state-of-the-art review, it is also worth mentioning two other studies: the first is a seminal volume authored by Adrian Room (1982), an etymological study of brand names in the form of a

[4] "[…] has become an established subdiscipline of applied linguistics" (Tomblin et. al. 2012, p. 6; Butters 2010, p.351).

[5] As Butters maintains on the point: "There is a growing body of scholarly literature (e.g. Adams 2005; Adams and Westerhaus Adams 2005; Baron 1989; Butters 2007a, 2007b, 2008a, 2008c; Butters and Westerhaus 2004; Clankie 2002; Creech 2005, 2007; Dinwoodie 2008; Durant 2008; Lentine and Shuy 1990; Nunberg 2001; Shuy 2008; Tamony 1986). Japanese scholars have written about trademark linguistic theory (Okawara 2006; Hotta 2007a, 2007b; Hotta and Fujita 2007), and there is passing mention in the German context (Kniffka 2007: 29, 139–40)" (Butters 2010, p.351).

[6] Unlike English, Italian brand naming studies are mostly based on linguistics, Caffarelli 2016; Coletti, 2009; Dogana 1967; Riolo 2007; Sergio 2006; Tizer 2015; Zardo, 1996, 1997; 2000) are just some of the remarkably studies on this topic.

[7] See also Clankie (1999) and (2002), Butters (2004), Cowan (2005), and Shuy (2008).

dictionary, whose goal was to set some criteria for an awe-inspiring brand name; the second is a work by Kohli and LaBahn (1995), who drew attention onto another stream of research, which was focused on the strategies adopted by companies for the creation of a successful brand name and conducted on a group of industrial companies based on marketing theories (Kohli, LaBahn 1995).

3. Purpose of the study

Unlike previous studies, which have mainly been concentrated on mass-marketed products or services, this paper is aimed at investigating the process of genericization of brand names operating in the niche market of marine equipment for anchoring and mooring operations in recreational boating, which to the authors' knowledge has not hitherto undergone scientific investigation.

4. Methodology

The data for this analysis were taken from a corpus consisting of a representative sample of e-commerce websites selling recreational boating equipment as well as one of reviews, guides, and experts' tips on how boaters should choose the most suitable marine equipment so as to identify as many brand names of producers in this segment as possible.

After generating a list of navigational equipment e-commerce websites in English through Google web search engine, a sample was built by selecting the top ranked ones. In total, twenty websites were identified as a result of this selection process; each website consists of multiple pages displaying a number of marine equipment items on sale. Given the large number of brand names retrieved, the scope of the analysis was narrowed to the brand names of marine equipment used in anchoring and mooring operations, i.e., anchors, anchor windlasses, mooring ropes and other anchoring accessories.

Having identified the most popular brand names and trademarks in this market segment, their usage in both trade (e.g., e-commerce websites selling navigational equipment) and non-trade specialised literature (e.g., semi-divulgative articles addressed to boaters) was investigated, with the ultimate goal of detecting possible cases of linguistic *genericization*. In order to confirm the findings, the forms retrieved in the ad-hoc compiled corpus were searched in two major corpora of the English language, namely the *British*

National Corpus (BNC) and the *Corpus of Contemporary American English* (COCA),[8] thus extending the examination of brand name usage to a wider range of contexts of the general language.

5. Brand Name Genericization

The term *genericization* refers to the process whereby a brand name gradually becomes generic, that is, it becomes commonly used to identify a whole category of products. Notoriously, the word *escalator* meaning 'moving staircase' was originally a trademark of *Otis Elevator Company*, whereas the verb *to xerox*, derived from the trademarked name Xerox, owned by the Xerox Corporation, is commonly used in some countries as a synonym for 'to photocopy'. Similarly, the words *aspirin* ('acetylsalicylic acid tablets'), *thermos* ('vacuum flask'), *Kleenex* ('facial tissues'), *cellophane* ('a transparent, thin, flexible plastic-like material used for wrapping'), *sellotape* ('transparent adhesive tape'), and many others have turned from specific brand names to generic product names.

Brand name genericization entails linguistic, legal, and marketing-related aspects. From a linguistic perspective, Clankie (2000, p. 1) points out that, in basic terms, genericization can be regarded as "the semantic broadening in brand names from specific in reference to a generic form representative of the entire semantic class to which that product belongs", i.e., a proper noun is gradually transformed into a common noun. In order to identify the factors leading to this linguistic change, Clankie (1999, pp. 79-82) proposes four genericization hypotheses. According to the first two hypotheses, genericization may arise from the combination of linguistic and market-related product features. Hypothesis One takes into consideration cases when a brand launches an innovative product which did not previously exist, as in the case of *rollerblades* ('inline skates'): since the referent was unknown, neither the semantic category nor the term existed. In this case, brand name genericization fills a semantic gap, thus being used to designate both the newly-launched product and the name of the class to which the

[8] These corpora were chosen based on three criteria. First of all, each represents one of the two most dominant variants of the English language, i.e., British English and American English. The BNC is a 100 million-word general English language corpus, built between 1990 and 1994 to represent the range of written and spoken language regarded as current at that time. However, since it has not been amended with regard to content and is, therefore, twenty years old by now, it does not record the considerable linguistic change occurred in such areas as technology, which is relevant to this study. Therefore, it was decided to employ also the most up-dated American English general corpus, the COCA, which includes texts dating from 1990 to 2015.

product belongs.[9] The second hypothesis – which Clankie labels "Length and Predominance" – suggests that genericization arises from the proportion between the length of the brand name and the one of its product, as exemplified by the history of *Velcro hook and loop fasteners*: a brand name is very likely to become generic if the brand is a market leader in that product category and its name is shorter than its corresponding semantic class name (*Velcro* is indeed shorter than *hook and loop fasteners*). These two hypotheses account for the reasons why genericization occurs, but they cannot explain why some predominant brand names do not become generic. As formulated in Clankie's Hypothesis Four, genericization appears to affect such brand names as *Rollerblades* because the brand is only (or mostly) associated to that product: consumers can associate the brand name *Rollerblades* to one single product class (the category of inline skates). Interestingly, Clankie also explains how this linguistic change takes place. In the third hypothesis, he underlines that genericization is a regular diachronic process consisting of three main steps, as in the case of *Jacuzzi* whirpool tub. The brand name *Jacuzzi* was initially used as a proper attribute, a specific pre-modifier of the common noun *whirpool tub*. Subsequently, as a result of the above-mentioned trends, the phrase *Jacuzzi whirpool tub* underwent a process of ellipsis,[10] thus being reduced simply to *Jacuzzi* (at this point used to refer to a 'whirpool tub'). It is worth noting that, at this stage, it was a proper noun (albeit being no longer a pre-modifier), which was still written with initial capital letter. In the final step towards genericization, the original brand name *Jacuzzi* became generic, often written with initial lower-case letter, and used as a common noun or common adjective (referring to any whirlpool tub), and ultimately, as it is also related to an action, even as a verb (to jacuzzi, meaning 'to equip with a jacuzzi' or 'to use a jacuzzi'). The Jacuzzi case also provides an example of the grammatical changes occurring in genericization (Clankie 2002, p. v): the word class is changed from adjective/noun to verb and new words are generated through zero form derivation.

Legally speaking, brand name genericization is regarded as a threat for companies. In the USA, where trademark legal doctrine has a well-

[9] It means that the brand name is used as a synonym for the product type. More precisely, these are cases of "synecdochical uses" of brand names (Butters, Westerhaus 2004, pp. 117-118; Butters 2010, p. 361), or of "antonomasic use of these brand names" (Cova 2014, p. 360).

[10] In line with the principle of economy, the phrases consisting of brand name + common name of product are usually shortened and simplified in common parlance through the use of *ellipsis*, which reduces the amount of time and effort in both encoding and decoding. However, based on the recoverability constraint, ellipsis can only apply if it does not lead to ambiguity. Therefore, the stage when the common noun describing the product is omitted by the public (in this case, *whirlpool tub*) marks attained product recognition as well as the status of "household name" for the brand name.

established tradition, legal specialists have long warned trademark owners against the risks of what they call trademark dilution or genericide.[11] It is the ultimate stage of genericization, where the trademark is legally declared generic so that the company loses its rights over it (Taylor, Walsh 2002, p. 163; Cova 2014, p. 360; Singh 2014, p. 117). Under the American Law, "[w]hen the relevant public ceases to identify a trademark with a particular source of product or service but instead identifies the mark with a class of products or services […], that mark has become generic and is lost as an enforceable trademark" (Taylor, Walsh 2002, p. 163). Such situations do not commonly occur in all world countries, with most trademark lawsuits recorded in the United States.[12] In addition, as Butters and Westerhaus (2004, pp. 119-120) point out, "genericide in itself seems to be something of a dying historical linguistic process" since, they continue, "[t]he last major cases took place in the 1960s, […] when *thermos* and *trampoline* were declared by courts to be generic". Conversely, more recently, several companies, most notably *Teflon*® and *McDonald's*®, have managed to preserve their trademarks. Scholars also indicate suitable measures for brand owners to avoid the threat of genericness, which may jeopardize their trademark rights. Taylor and Walsh (2002, p. 165) underline, first of all, how important it is to choose a non-generic name when the product is launched; furthermore, possible misuses of the brand name should be prevented both on the side of owners and employees (for example, by monitoring the company's own advertising campaigns), by watching competitors' unauthorized uses of the brand name,[13] as well as generic uses in other non-trade publications (e.g. dictionaries). As Kopp and Suter (2000, p. 129) purport,

> [w]ith global expansion and access, and as the technology continues to evolve, it will become more difficult for a company to protect its equity in its brands. Whether intentional or coincidental, and regardless of the language or physical location of the server that houses a Web site, managers must be vigilant for infringement, dilution, and counterfeiting on the Web, as well as cognizant of the recourse available. The courts have been relatively clear that lack of self-policing gives the illusion of acquiescence or other forms of trademark

[11] Apparently, the word is first attested in a law case where the board game Monopoly was declared a generic brand because consumers were found to be use the term to refer to the all the games of the same type (Butters, Westerhaus 2004, p. 121, Note 2; Cova 2014, p. 360).

[12] In the USA, under the 1946 Lanham Act and 1988 Trademark Revision Act, a trademark can be cancelled if the court rules that the brand is used by consumers to refer to a generic category. The company loses all rights to brand name protection, which can result in the loss of a valuable corporate asset (Taylor, Walsh 2002, p. 160)

[13] It is worth noticing that the Internet plays a dichotomous role in trademark protection and marketing: on the one hand, it is a powerful tool for companies to monitor consumers' and competitors' brand name uses and to co-create a strong brand image; on the other, in fostering viral spread of messages, it fuels genericization and trademark infringement.

> abandonment. If this is the case, a firm's intellectual property – specifically its trademarks – are at risk.

That is why *Google Inc.* had the compilers of the Merriam-Webster dictionary to include reference to the trademark under the lemma *google* (verb, and therefore spelt in lowercase, first included in 2006) and in 2014 asked the Court in a lawsuit in the USA to confirm the legal status of *Google* as a protectable trademark.

Finally, brands facing trademark cancellation are strongly recommended to provide consumer survey evidence – of the consuming public's understanding of the term – and to turn to linguistics experts in a lawsuit.[14]

Nevertheless, in marketing, brand genericization is not necessarily viewed negatively any longer. As Cova purports (2014: *passim*), the process is increasingly being interpreted as an indicator of brand success, or rather brand awareness, in a highly competitive marketplace. As a matter of fact, many "top-of-mind" companies seem to take advantage of brand genericization, such as Nescafé – the brand name of instant coffee owned by *Nestlé* – as well as *Google* Internet search engine. Both brands have built on brand content marketing strategy so as to enhance their brand iconicity. Additionally, the former has developed a wide product range, thus avoiding the risk postulated in Clankie's Fourth Hypothesis; the latter has encouraged genericization by promoting the use of the verb *to google*. These successful brands, however, have mingled strong marketing strategies with the pursuit of legal protection. Cova (2014, pp. 367-368) proposes a framework for companies to deal with genericization. Depending on the degree of brand iconicity and market dynamism, highly iconic brands or brands moving fast in a dynamic market should pursue genericization while policing their brand-name rights, whereas "in the case of a functional brands operating in a slow-moving competitive environment […] the best way of managing the risk of genericide remains the legal approach".

[14] Courts can turn to them to determine a brand's genericness relevant to trademark dilution, as well as the likelihood of blurring (which negatively affects product recognition and the selling power of the owner's mark) and tarnishment (which hinders the product and trademark owner's reputation) with respect to the phonological, morphological, and semantic characteristics of the mark (Butters 2008a, 2008b).

6. Genericization amongst nautical equipment brands

Noticeable cases of genericization are found in the terminology of anchors,[15] where the most popular anchor types have both generic names and trademarked names, as outlined in *Everything You Need to Know About Anchors and Anchoring eBook*,[16] a semi-specialised/divulgative publication from which Table 1 has been adapted.

Generic Name	Trademarked Name	Trademark Owner
claw	Bruce	several manufacturers
plow/hinged plow	CQR	Lewmar
fluke	Danforth	Tie Down Engineering
wing	Delta	Lewmar

Table 1
Boat Anchor Names: Trademarked Names and Generic Names.[17]

The authors also include a note on the relationship between generic names and trademarked names, arguing that "[t]his is the same as how Xerox is a trademarked name for photocopier and how aspirin is a trademarked name for pain killer."[18] They further explain a crucial legal issue, i.e., "[t]rademarks effectively never expire whereas design patents expire after approximately 20-25 years. Therefore, manufacturers are free to clone an anchor design that has an expired patent but cannot use the trademarked name."[19]

From a linguistic viewpoint, it is therefore useful to monitor the uses of the trademarked anchor names both in trade texts and non-trade publications. Following Clankie's Hypothesis 3 mentioned above, attention is paid to some crucial aspects in genericization, i.e., a) is the name used as an adjective followed by a common noun, and, if not, b) is it written as a proper noun (with initial capital letter), or a common noun (with lower-case initials)?

The *Bruce/claw anchor* was named after its English designer Peter Bruce in the 1970s and patented in the United States in 1983 and is commonly known

[15] For designation-related aspects, see Formisano 2017, pp. 48-49.

[16] The publication is available at the specialised e-commerce website www.anchoring.com, where boaters can not only buy marine equipment – for anchoring, docking/mooring, and other technical operations – which are imported or manufactured by the company itself, but also find articles, tutorials, and experts' advice on how to choose the most suitable products or how to maintain and preserve their boats.

[17] *Everything You Need to Know About Anchors and Anchoring eBook*. http://www.anchoring.com/ebook (11.10.2016).

[18] *Everything You Need to Know About Anchors and Anchoring eBook*, p. 5.

[19] *Everything You Need to Know About Anchors and Anchoring eBook*, p. 5.

as *claw anchor* due to its shape, similar to an animal claw. The original Bruce Anchor Group has stopped producing anchors for the small boat market since 2007 and has returned to its roots of producing only large scale commercial mooring systems, so that claw-type anchors are now manufactured by several companies in the world. By searching the name *Bruce* in the ad-hoc built corpus, three forms are found: *Bruce anchor* (the most frequent form, where the name is used as an adjective followed by the common noun *anchor*), *Bruce-type anchor* (which shows tendency to fair use), and *a/the Bruce* (where it is used as a proper noun not followed by the generic noun). The last form indicates that ellipsis has already begun, so that, if the company aimed at restarting its production of small anchors, it should enforce the brand and hinder such generic uses. Interestingly, while none of the three forms is retrieved in the BNC, only the phrase *Bruce anchor* is found in the COCA (one occurrence), alongside with the phrase *Lewmar claw anchor* (Lewmar being a major manufacturer of navigational equipment).

The *Danforth/plow anchor* is a lightweight anchor, designed and patented by Richard Danforth in the 1940s. Danforth® anchors are manufactured in the USA by Tie Down Engineering. In an article available at a website providing boating and yachting resources, the compiler argues that "[t]he 'Danforth' name has become synonymous with all lightweight style anchors. So much so, that this entire class of anchors is often referred to as Danforths regardless of the manufacturer."[20] A similar webpage reports that "[T]he most recognised brand is the Danforth, which is sometimes used as a generic name for this type of anchor."[21] The search throughout the e-commerce websites sub-corpus reveals the use of the following forms: *Danforth anchor*, *Danforth-type*, *a/the Danforth*, while a more careful use of the name is found at an e-commerce website: *Lewmar Horizon "Danforth Style" - 8Lbs. Steel Fluke Anchor*. As to the large reference corpora, *Danforth anchor* has seven occurrences in the COCA and one in the BNC, while the phrase *a Danforth* is only found once in the COCA, in a fictional story. However, despite the fact that none of the forms retrieved is followed by the registered trademark sign (®), based on Cova's framework (2014, p. 367-368), Danforth is not very likely to be severely affected by genericization as a result of its iconicity among experts and amateurs in the field.

As to the two remaining trademarks, the CQR anchor was designed in the 1930s and is now manufactured by *Lewmar*, whereas the Delta anchor appeared in the 1980s. The search for the two names through trade and non-trade texts

[20] *The Fluke Anchors*. http://www.offshoreblue.com/safety/anchor-danforth.php (16.10.2016).
[21] *A Boat Owners Guide to Choosing an Anchor*. http://www.safety-marine.co.uk/spages/a%20boat%20owners%20guide%20to%20choosing%20an%20anchor.htm (27.10.2016).

shows results which are similar to the ones reported above for the names *Bruce* and *Danforth*. Unlike them, however, neither the names Delta and CQR nor the corresponding generic names *wing anchor* and *plow/plough anchor* are found in the reference corpora. One final remark on all four names is that, despite the cases when they are used as proper names (rather than adjectival elements) as a result of ellipsis, they do not seem to undergo loss of initial capital letter: this means that genericization, if ever started, is not moving forward at the moment.

The search for possible genericization cases amongst brand names of anchoring and berthing accessories – such as windlasses, ropes, shackles, rollers, etc. – does not reveal any transformations of proper nouns into generic nouns. However, it is worth mentioning the linguistic treatment of a relatively new accessory, which is a string of pearls that protects dock lines against fouling and chafing. The registered trademark is TideMinders®, patented in the USA in 2006. The product is described as "anti-friction rollers in the nature of bumpers or balls for use with mooring lines for boats at pilings or dock posts". The product is found in only few of the sampled e-commerce websites (namely the ones headquartered in the USA, which probably depends on the fact that the owner company is American), as summarized in Table 2.

Occurrences	Source
TideMinders® Self-Adjusting Chafe Protection. Self-adjusting *Tideminder balls* protect boat and lines	https://www.westmarine.com/buy/dr-shrink--tideminders-self-adjusting-chafe-protection--8420671
The *TideMinder ® system* protects boats by controlling dock lines (up to 1" diameter) in tidal waters /storms and is simply amazing. *TideMinders* are a highly durable string of 'pearls' that protect lines against fouling and chafing.	https://www.sailorsams.com/Tideminder_Kit
Tideminder Balls | Protect your Boat *Tideminders* protect your boat. *TideMinders Balls* dissipate energy more naturally by rolling up and down the pilings.	https://www.sailorsams.com/TideMinders_bymfg_12-13-1.html
During tide changes, *Tideminders* allow the mooring line to glide over barnacles, seaweed and divots in the piling, preventing an embarrasing and damaging hangup	http://sailingmagazine.net/article-1265-tideminders.html
Sold by Dr. Shrink (www.dr-shrink.com) , they're called "*TideMinders*" (www.tideminders.com)	http://www.boatus.com/cruising/tomneale/previousarticle.asp?bid=3189

Table 2
Forms of *TideMinders®* retrieved in trade texts and non-trade publications.[22]

[22] The first three examples are taken from e-commerce websites (trade sources); the remaining two from sailing magazines.

The occurrences found show inconsistency both in spelling and in product naming: *TideMinder® system*, *TideMinders® Self-Adjusting Chafe Protection*, *Self-adjusting Tideminder balls*, *TideMinders*, *Tideminder Balls*, and *TideMinders Balls*. In non-trade publications, it is spelt without the symbol signalling that the word is a registered trademark, but is still spelt with initial capital letter, as in the examples, taken from a magazine for recreational boating. Finally, it must be said that none of the forms of the name can be retrieved in the corpora consulted.

In terms of brand name linguistic status, the spelling with initial capital suggests the brand name should not be highly exposed to genericization. In legal terms, the noted variation in form may depend on the fact that the brand is still young and the product is not an essential accessory for mooring, so that the trademark does not seem to be "affected by the risk of genericide, which mainly impacts brands that are very well-known, highly successful, and relatively older" (Cova 2014, p. 359). In addition, the owners have, whether consciously or unconsciously, diversified the brand offer: they now sell two product types, named TideMinder® kit and Tideminder® Balls (see http://www.tideminders.com/tideminders.pdf for descriptions), which market experts view as an effective strategy to protect the mark (Cova 2014, p. 362).

7. Conclusions

This study has focused on possible genericization cases of brand names found in the specialised domain of Nautical English, more precisely those associated with anchoring and mooring equipment for recreational boating. Based on fundamental principles and practices in corpus linguistics, the findings show that, compared to mass brand names (e.g., *Kleenex*, *Xerox*, *Google*), taken into account in the previously existing literature, brand names in this market segment do not generally seem to undergo genericization processes.

Nonetheless, in such trade texts as e-commerce websites there is the tendency to avoid generic uses of brand names and to adopt fair linguistic use of trademarks, whereas in non-trade specialised publications like sailing magazines greater linguistic variation (and deviation from norm of usage that would be respectful of trademark rights) is observed. Indeed, it is in specialised magazines that occurrences are recorded of brand names used as common nouns (e.g., the use of the brand name *Danforth* for *Danforth®* anchors in the plural form, despite being spelt with initial capital letter, or the use of the form *Tideminder balls* instead of *TideMinders®*).

This analysis can be held as an initial step into a still uncovered research field: further studies should be aimed at investigating the language of brand names of other nautical products or services.

Bionotes: Virginia Formisano is Head of the International Office at the University of Naples 'Parthenope', where she also took her PhD in 'Scientific, Technological and Literary European Languages' in 2013. Her main areas of research include terminological and corpus linguistics studies in the field of waste management, sports, and borrowings. She has published several essays and a book on the terminology of waste management, *From waste to energy* (2014). She is also co-editor of the volume *La multimedialità e l'apprendimento delle lingue: Learning Languages by Multimedia Centre Project* (2014), and has been a member of (Ass.I.Term) since 2012.

Agnese Daniela Grimaldi works as a permanent teacher of English for Special Purposes in the Italian state secondary school and is Associate Lecturer in Business English in the Master's Degree Course in 'Quantitative Methods for Business Decisions' at the University of Naples 'Parthenope', Italy. She holds a PhD in specialized languages and terminology from the same university. Her main areas of research include corpus linguistics, Maritime English, Business Translation, and CLIL.

Authors' addresses: formivi@yahoo.it; agnesed.grimaldi@uniparthenope.it

References

Botton M., Cegarra J.J, and Ferrari B. 2002, *Il nome della Marca*, Guerini e Associati, Milano.

Butters R.R 2010, *Trademarks: Language that One Owns*, in Coulthard M. and Johnson A. (eds.), *The Routledge Handbook of Forensic Linguistics*, Abingdon, Routledge, pp. 351-364.

Butters R.R and Westerhaus J. 2004, *Linguistic Changes in Words One Owns: How Trademarks Become Generic*, in Curzon A. and Emmons K. (eds.), *Studies in the History of the English Language II*, Mouton de Gruyter, New York, pp. 111-123.

Butters R.R. 2008a, *A Linguistic Look at Trademark Dilution*, in "Santa Clara High Technology Law Journal", 24 [3], pp. 507-519.

Butters R.R. 2008b, *Trademarks and Other Proprietary Terms*, in Gibbons J. and Turell M.T. (eds.), *Dimensions of Forensic Linguistics*, Benjamins, Amsterdam/Philadelphia, pp. 231-247.

Butters R.R. 2012, *Imaginative Leaps in Trademark Law*, in Tomblin S. *et al*. (eds.), *Proceedings of The International Association of Forensic Linguists' Tenth Biennial Conference*, Centre for Forensic Linguistics Anston University, Anston, pp. 283-289.

Clankie S. 2013, *An Overview of Genericization in Linguistics*, in Felecan O. (ed.), *Proceedings of the Second International Conference on Onomastics 'Name and Naming': Onomastics in Contemporary Public Space*, Editura Mega, Editura Argonaut, Cluj-Napoca, pp.28-34.

Clankie S. 1999, *On Brand Name Change: A Theory of Genericization*, Ph.D. diss., University of Hawai'i at Manoa.

Clankie S. 2000, *Genericization: A Theory of Semantic Broadening in the Marketplace*, in "Northern Review". https://archive.org/stream/ERIC_ED442282#page/n1/mode/2up (4.1.2017).

Clankie S. 2002, *A Theory of Genericization on Brand Name Change*, Edwin Mellen Press, Lewiston.

Cova B. 2014, *Rebranding Brand Genericide*, in "Business Horizons", 57 [3], Elsevier, Amsterdam, pp. 359-369.

Cowan B. 2005, *The Language of Corporate Names. Historical, Social and Linguistic Factors in the Evolution of Technology Corporation Naming Practices*, Ph.D. diss., University of Hawaii, Manoa.

Dogana F. 1967, *Psycholinguistic Contributions to the Problem of Brand Names*, in "Marketing Research Review" 2 [1], pp. 50-58.

Formisano, V. 2017, *'Ship Ahoy!': Mastering Yachting Terminology*, in Antinucci R. and Petrillo M.G (eds.), *Navigating Maritime Languages and Narratives*, Peter Lang, Bern, pp. 41-57.

Hotta S. 2006, *Function of Language in Trademarks*, in "Ritsumeikan Law Review" 23, pp. 1-19.

Kohli C. and La Bahn D.W. 1995, *Creating Effective Brand Names: A Study of the Naming Process*, ISBM REPORT, Fullerton.

Kopp S. and Suter T. 2000, *Trademark Strategies Online: Implications for Intellectual Property Protection*, in "Journal of Public Policy & Marketing", 19 [1], pp. 119-131.

Moor L. 2007, *The Rise of Brands*, Berg, Oxford/New York.

Room A. 1982, *Dictionary of Trade Name Origins*, Routledge & Kegan Paul Book, Abingdon.

Shafiulla B. 2010, *Genericization of Trademarks: Brand Name Becomes Generic Name – A Challenge for Brand Managers*, in "Indian Journal of Marketing", 40, pp. 3-11.

Shuy R. 2002, *Linguistic Battles in Trademark Disputes*, Palgrave Macmillan, Hampshire.

Shuy R. (ed.) 2008, *Fighting over Words: Language and Civil Law Cases*, Oxford University Press, Oxford.

Shuy R. (ed.) 2002, *Linguistic Battles in Trademark Disputes*, Palgrave, Houndmills.

Singh Mitta Rani 2014, *Genericization: A Demon Attacking the Giants*, in Rakholia K. and Vachhani A. (eds.), *Conference Proceedings (NCETMSS'14)* Shri. Patel Kelvani Mandal College of Technology, Junagadh, pp. 112-122. www.researchmatrix.org (8.1.2017).

Taylor C.R. and Walsh M.G. 2002, *Legal strategies for protecting brands from genericide: Recent trends in evidence weighted in court cases* in "Journal of Public Policy and Marketing", 21[1], pp.160-167.

Wherry T.L. 2004, *Trademarks in the Digital Age*, The Scarecrow Press, Maryland/Toronto/Oxford.