



THE GROWING SCOPE OF TRADEMARKS: FROM LOGOS TO LANDMARKS

Trademarks help to protect the identity and reputation of a brand, and to prevent confusion among consumers about the origin and quality of goods or services. Trademarks can be applied to various elements that distinguish a brand, such as logos, names, slogans, and even sounds. But what about structures? In India, can a physical structure be trademarked? It would be intriguing to know that such unconventional trademarks, especially architectural buildings have been trademarked in India.

It all started in Mumbai, the city of dreams known for its vibrant culture, bustling streets, and iconic landmarks. One such standout landmark is **Taj Hotel**, which achieved trademark registration in 2017 for the first time in India. This landmark case set a precedent for the registration of building designs as trademarks in India. This trademark protection is guaranteed indefinitely as long as the trademark registration is renewed every ten years.



Many such buildings around the world are protected with Trademark registration such as the **Rock & Roll Hall of Fame** in New York's architectural style was registered as a trademark in the United States in 1996. A trademark for a building protects the legacy of the architect and ensures that their work is honoured and respected. It discourages any alterations or unauthorized use that could compromise the architect's original intent. Trademarks for buildings facilitate global recognition. When a building is trademarked, it gains an international standing and is often seen as a symbol of excellence. This recognition can attract international visitors and investments, benefiting the region's economy.



Rock & Roll Hall of Fame in New York

A Trademark provides a legal foundation for pursuing action against any misuse, imitation, or damage to a building's reputation. This legal protection can be a powerful tool in defending the architectural excellence and reputation of a structure.

However, many of these unique architectural masterpieces remain unprotected by trademark registration, leaving them vulnerable to potential misuse and exploitation. One such building is the Eiffel Tower, an iconic symbol of France, is one of the most visited and recognized landmarks globally. Surprisingly, the Eiffel Tower's design, constructed in the late 19th century, has fallen into the public domain. While the lighting display that was added later is trademarked, the overall structure itself can be reproduced without authorization.

As it all adds up, the absence of trademark registration for distinctive architectural structures such as the Eiffel Tower signifies a noteworthy deficiency in safeguarding cultural and historical legacies. In light of the fact that these sites remain inspirational, draw tourists, and benefit their local communities, it is imperative that the legal obstacles preventing them from obtaining the proper trademark protection are addressed. By doing this, we can make sure that these architectural landmarks endure for many generations as pure representations of creativity, culture, and history. Therefore, registering a building as a trademark in India is an unconventional and challenging option, but it can also be rewarding for those who have invested time, money, and creativity in creating unique and memorable structures.