It is a highly considered detriment to consumers when a well-known brand name for a company or its product/service loses its legal status as a legitimate Trademark as a result of a court finding of "*Genericide*”. Thus, it confuses the consumers on the distinction between a product and a brand. It also fails to allow the consumers behave which is similar to their previous purchase with the same product.

Trademark law is essential, especially in distinction with regards to different products. Such that, it established a sort of uniqueness because it depicts originality such as a brand name of a certain product. It's a strange paradox that companies with bizarre names that don't exist in everyday language have stronger trademark applications. However, when it comes to defending trademarks from genericization, this power can become a vulnerability (NY Times, 2019). Take for example the brand name of a bag, Gucci, if Gucci losses its trademark due to “Genericide” people will more likely refer Gucci as a bag instead of a brand name. As we all know Gucci also has other merchandise such as shirt, shoes, bags, belt and etc. Furthermore, “Genericide” will have a negative impact to the overall image of the aforementioned brand name. The process is known as genericization, and it can lead to the loss of a company's trademark in some situation. It also requires another budget for the company to improve their marketing strategy and re-educate people about the distinction between their brand name and products of another company. It may also lead to conflict between the two companies if worst case may happen.

Moreover, if a certain product loses its valid Trademark due to a “*Genericide*” finding by the court then, it has a negative impact towards the consumers’ buying behavior. As a result, consumers had a hard time to behave similarly to their previous purchase of the product. An example is a brand of toothpaste which is Colgate, Colgate is the brand and not the product and if this product will be verdict of “*Genericide*” by a court then, its sense of uniqueness has lost. It also fails to let the consumers behave in a similar way that they bought the product. Hence, Colgate is the most well-known brand of toothpaste and the other consumer recognize Colgate as the product. Colgate is just an example to a lot of the well-known product who has the potential to be the verdict of “Genericide” due to publicity. The marketing strategy of the company may be beneficial for the product’s popularity, but it may also harm its overall image and contribute negatively to both consumers and origin. Google, Taser, and Xerox are among the other brands that have succumbed to genericization. Kerosene and escalator, for example, were once trademarked.

Therefore, in order to avoid this kind of incident; the company must enhance their marketing strategy and use social media advertisement to educate people the difference between a brand name and a product. For the reason that, it is essential to protect the trademark of a certain brand name or product for the benefit of the company and the consumers.

Reference:

New York Times. (2019). How a Brand Name Becomes Generic. Retrieved from

https://www.nytimes.com/2019/06/24/smarter-living/how-a-brand-name-becomes-generic.html