



Aesthetics of Trademarks with an Asian Flavour

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Abstract

Trademarks should be considered not only as an intellectual property right but also as aesthetic creations influenced by various philosophies. A trademark can thus be understood as a word, a phrase, a symbol, a shape, a configuration or any other device introduced to distinguish the products of individual traders or manufacturers. Trademarks also have an aesthetic dimension. This means that aesthetics of trademarks can be revealed through the letters and morphemes as well as their literary, mythological, and religious associations. Trademarks play a crucial role in some commercial sectors. The aim of this article is therefore to present the aesthetics of trademarks through the lens of East Asian philosophies such as Confucianism and Daoism, as well as Japanese Zen. This analysis brings us to considerations of traditional aesthetic functionality. This means that the brand is the main decorative feature of the product or is the product itself. It can therefore be influenced by different philosophies, and the above cases even confirm this theory.

Keywords Aesthetics · Trademarks · Asia · China · Japan

1 Introduction

Trademarks should be considered not only as an intellectual property right but also as aesthetic creations influenced by various philosophies. A trademark can thus be understood as a word, a phrase, a symbol, a shape, a configuration or any other device introduced to distinguish the products of individual traders or manufacturers. Trademarks also have an aesthetic dimension. This means that the aesthetics of trademarks can be revealed through the letters and morphemes as well as their literary, mythological, and religious associations. Trademarks play a crucial role in some commercial sectors. They have become more than just symbols that guarantee the quality of a product, above all they are iconic objects of desire. As a result,

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the design and shape of trademarks attract consumers and distinguish them more often than words. The aim of this article is therefore to present the aesthetics of trademarks through the lens of East Asian philosophies such as Confucianism and Daoism, as well as Japanese Zen. The article begins with a brief introduction to the aesthetics of law and outlines the relationship between trademarks and aesthetics. It then outlines the significance of both philosophies and their impact on trademark law. Finally, the article analyses two approaches. The first refers to Chinese philosophies such as Confucianism and Daoism and their influence on the aesthetics of brands. This approach therefore relates to the yin and yang symbols. The second approach concerns the case of Apple. It is worth adding that Steve Jobs was significantly influenced by the Japanese Zen philosophy when designing his Apple products. Thus, Zen inspired Steve Jobs in terms of aesthetics. Apple's design is associated with the Buddhist ideas of purity and simplicity. The above cases bring us to considerations of traditional aesthetic functionality. This means that the brand is the main decorative feature of the product or is the product itself. It can therefore be influenced by different philosophies, and the above cases even confirm this theory.

2 Significance of the Aesthetics of Law

The word “aesthetics”, although of Greek origin, does not reflect the same understanding as before. In classical times, aesthetics was linked to a general philosophical consideration of beauty and its phenomena. Today, the term cannot be reduced to a philosophy of beauty alone. It is rather a philosophy of art. Following Bohdan Dziemidok, it should be emphasised that “at present, aesthetics is most often understood as a philosophical discipline, the philosophy of aesthetic phenomena (objects, qualities, experiences and values), or the philosophy of art (creation, the work of art and its reception), or even the philosophy of what can be broadly understood as artistic criticism (metacriticism), or, finally, it is a discipline which, from a philosophical point of view, deals in a combined way with these three related fields” ([1], p. 17; cf. [2], p. 16).

The relationship between law and aesthetics is not only broad but also complex. In light of this, Jerzy Zajadło outlines several approaches to aesthetics, which can be summarised as follows: “law and aesthetics (a kind of intervention of law in aesthetics); law as aesthetics (law as a reflection of aesthetic values) and law in aesthetics (understood as the subjection of law to aesthetics)” ([3], p. 42). Before embarking on a more detailed analysis, it is necessary to make some methodological assumptions. These assumptions are based on the research paradigm established within the philosophy of law, which necessitates distinguishing between the external perspective (that of ordinary people as observers) and the internal perspective (that of legal professionals as participants) in order to gain an understanding of the law. Accordingly, this analytical model differentiates between the various subjects involved ([3], p. 42).

From an external perspective, the law should be regarded as an instrument of intervention (either positive or negative) in the legal process. There are numerous

examples of such intervention in the history of law and in the very nature of law itself, namely binding law ([3], p. 42).

In contrast, the internal perspective posits that law is not merely an instrument for indicating, promoting, and preserving aesthetic standards in public spheres. Rather, it asserts that law reflects aesthetic values and can be regarded as a source of related experiences and evaluations. This prompts the question of whether law, as an artefact, can be considered art. This “depends on the definition of art that we adopt, but then again, this is actually of relatively little importance, since pragmatic aesthetics not only expands the whole concept of art but even suggests a way out of aesthetics that leads to a realm beyond its traditional boundaries. Seen in this way, the law does not have to be art as the bearer of aesthetic values and all the experiences and evaluations that go with it” ([3], p. 44). Throughout history, there have been many proponents of the aesthetics of law in jurisprudence. They were convinced that law was easily recognisable as art (*ars*). For this reason, they recalled examples of Roman jurisprudence and the classical ruling of Ulpiana: *nam, ut eleganter Celsus definit, ius et ars boni et aequi* (“As Celsus elegantly defined it, the law is the art of the good and the just”) ([3], p. 44).

Kamil Zeidler proposes a different classification than Zajadło, namely as the aesthetics of law in its external and internal framework, and law as a tool of aestheticisation. This debate is based solely on the nomenclature of categories and the arrangement of materials. In essence, Zajadło’s concept of law within an external framework is contrasted with Zeidler’s view that law is a tool of aestheticisation. Another distinction pertains to the external and internal framework, which is the consequence of a terminological dispute rather than a key aspect of the matter ([1], p. 41). The following study draws attention to the trademarks that should belong to the classification “law as aesthetics”. Due to their characteristics, trademarks reflect certain aesthetic values.

3 Brief Introduction to Trademarks

Trademarks are intertwined with organised trade. One could even say that the Mediterranean and the Middle East are widely regarded as the centre of civilisation, and thus ancient civilisations such as Etruria, Greece and Rome introduced the first trademarks. Interestingly, there are still many remains of manufactured goods that were part of a ‘mass’ production in the region, i.e. clay pots. These objects bear the potter’s mark, which testifies to the use of marks at that time. As time went on, these marks changed and became more sophisticated. They consisted of names and signs such as the cross or the star. Even in ancient Rome, despite the development of principles of commercial law confirming the origin and ownership of potters’ marks, some manufacturers counterfeited the products of well-known manufacturers ([4], p. 5). Overall, the use of marks, including symbols or words, to distinguish the source of goods has been a widespread practice since the beginning of trade and sale of goods, including pottery and weapons, among others. However, it should be emphasised that the purpose of using trademarks has not changed until today. Indeed, their purpose is to indicate the origin and authenticity of a product ([5], p. 159).

Currently, according to the World Intellectual Property Organization (WIPO), “a trademark is a sign that is capable of distinguishing the goods or services of one enterprise from those of other enterprises. Trademarks are protected by intellectual property rights” [6].

A trademark is widely understood as a word, symbol or emblem that distinguishes a company or its products from other competitors in the marketplace. There are many types of trademarks, including names of products (e.g. Coke or Blackberry) as well as symbols or emblems (e.g. Nike) [7]. Trademarks have a certain value in terms of facilitating the identification of both the products themselves and the services provided by particular companies ([8], pp. 1764–1765). Trademarks should therefore be considered not only as an intellectual property right but also as aesthetic creations influenced by various philosophies. A trademark can thus be understood as a word, a phrase, a symbol, a shape, a configuration or any other device introduced to distinguish the products of different traders or manufacturers. Trademarks also have an aesthetic dimension. This means that the aesthetics of trademarks can be revealed through the letters and morphemes as well as their literary, mythological, and religious associations. Apparently, trademarks play a crucial role in some commercial sectors. They have become more than just symbols that guarantee the quality of a product, above all they are iconic objects of desire. As a result, the designs and shapes of trademarks attract consumers and distinguish them more often than words.

4 Between Aesthetics and Trademarks: Different Approaches

Brands cannot be reduced to mere property. They are, in turn, a kind of aesthetic creation that permeates people’s everyday experiences. It is interesting to note that, according to available data, each person is exposed to more than 1000 trademarks per day. In addition, many brands influence these people to buy products. This means that trademarks have some aesthetic values [9]. A trademark may be a word, a phrase, a symbol, a shape, a configuration or any other device which is capable of distinguishing a product from others.

There are many functions of trademarks which can be summarised as follows: distinctive, informative, aesthetic and persuasive. The first function is considered to be one of the most important. It means that a good trademark helps the consumer to distinguish the goods belonging to the same kind. Therefore, “the names of the same goods in fierce competition are like the faces of people” ([10], p. 163). This means that the first impression created by seeing the mark is to distinguish one product from another. Distinctiveness is also protected by law, as any imitation or copying of a trademark is considered a crime and will result in legal liability. In addition, the same type of goods not only have distinctive features, but also quality.

The informative function implies that the mark should provide some information to the consumer. In fact, an advertisement plays an important role in the whole selling process and the trademark itself is one of the key issues within this advertising process. If there is no information associated with the brand, the brand has no meaning and no value. It is certainly important to the consumer. In this way, a good

trademark can easily represent certain functions, characteristics together with the value of goods.

Aesthetic function refers to a certain aesthetic feeling when looking at a mark. This means that a good trademark has a distinguishing feature and aims to attract the attention of consumers. For this reason, the mark should be exceptional and beautiful in order to be remembered by consumers. In addition to the beauty function of trademarks, it seems crucial to combine the meaning of the word itself with semantic beauty.

Finally, the persuasive function, also known as the ultimate purpose, is achieved when the previous functions coexist. A good brand can persuade consumers to buy certain products based on their values. It therefore also influences the psychology of the consumer ([10], p. 163).

When designing a product, it seems necessary to consider not only the functional but also the aesthetic features of the product. Therefore, such a design is based on the marketability of the product and the cost of manufacture. In some jurisdictions, a distinction is made between an aesthetic design and a functional design. By way of illustration, South African law has introduced such a concept. According to the South African Designs Act 195 of 1993, an aesthetic design is to be understood as “any design applied to an article, whether for the pattern or the shape or the configuration or the ornamentation thereof, or for any two or more of these purposes, and by whatever means it is applied, having features which appeal to and are judged solely by the eye, irrespective of the aesthetic quality of the design” ([11], p. 7).

A functional design in turn refers to “any design applied to an article, whether for the pattern or the shape or the configuration thereof, or for any two or more of these purposes, and by whatever means it is applied, having features which are necessitated by the function which the article to which the design is applied, is to perform, and includes the topography of integrated circuits, a mask work and a series of mask works” ([11], p. 7). This means that the former focuses on the aesthetic nature of the product itself and does not pay too much attention to a technical or functional aspect. Generally speaking, an aesthetic design is based on three specific features, including ornaments/patterns, lines or colours of a product. The latter refers to some features of the design that are necessary in view of the function to be performed ([11], p. 7).

It should be emphasised that aesthetics play a crucial role in design. Moreover, design itself influences and shapes culture and thus affects people’s lives. As a result, designers are aware of the emotional power of design and the aesthetic quality itself. Moreover, such aesthetic quality also has a pervasive power and is taken into account in the design process for the sake of user satisfaction. Along with maximising product functions and ergonomics, aesthetic quality has become synonymous with a pleasurable design attribute linked to users’ *kansei* (i.e. affective sensitivity). In fact, *kansei* is widely regarded as “an advanced function of the brain that can be a source of emotion, inspiration, intuition, pleasure/displeasure, taste, curiosity, aesthetics and creation” ([12], p. 83–84). This means that the design of a brand, based on sensory experience or interaction, has the power to promote the value of products within global culture. Aesthetic perception should be considered as one of the parts of the user’s *kansei*. It results from the perception of sensorial-emotional values

arising from interactions between people and artefacts. Therefore, these values can be achieved through direct sensory perception or physical interaction ([12], p. 84).

5 Traditional Chinese Aesthetics and Contemporary Trademarks

First of all, it should be stressed that traditional Chinese aesthetics is a specific set of aesthetic vocabulary. Indeed, it can be problematic to understand it from a Western point of view. Interestingly, in traditional Chinese thought, “the category of ‘beauty’ did not play a significant role” ([13], p. 251). In addition, the traditional Western aesthetic vocabulary refers to the following concepts: beauty, form, symmetry, order, disinterest, and pleasure, among others. The traditional Chinese aesthetics, in turn, refers to the following categories: “balance or harmony (*he* 和), emotional mood (*qing* 情), detachment (*xu* 虚), resonance (*ying* 應), blandness (*dan* 淡), purity (*qing* 清), spiritedness (*shen* 神), vital energy (*qi* 氣), fusion of scene and emotion (*qingjing jiaorong* 情景交融), identification between oneself and the object (*chaoran wubiao* 超然物標), and naturalness (*ziran* 自然)” ([13], p. 251).

Given traditional Chinese aesthetics, there are fourfold features such as suggestiveness, “vital quality” (*qi*), cosmological ideas, and naturalness linked to regularity. The first refers to a poetic value reflected in a work of art. This means that such a quality is achieved through metaphorical language. In addition, the language itself is determined by images derived from nature. Therefore, this concept pays attention to “meaning beyond words” (*yan wai zhi yi* 言外之意) or “images beyond images” (*xiang wai zhi xiang* 像外之像). The aforementioned suggestive quality is also reflected in the painting. Interestingly, a painting should express not only a poetic image but also some hidden values beyond the actually painted scene (namely *miao zai hua wai* meaning that “the intriguing quality is beyond the painting”).

The second feature refers to the “vital quality” which has the aim to reflect the sense of liveliness in a work of art. Such a concept is generally represented in both painting and calligraphy. In addition, this “vital quality” is coherent with the first principle of Chinese painting, that is *qiyun shengdong* 气韵生动 (“vital resonance and live movement”) and includes some cosmological ideas linked to natural creativity. This entails that “a work of art should—ideally—come into existence like a work of nature, but the workings of the inexplicable *dao*—the “Way” of the universe (of which the said force *qi* is only an agent)” (p. 89).

The third characteristic takes into account the cosmological ideas mentioned above. It therefore advocates a balance between binary opposites in a work of art. This approach, based on the harmony of mutually conditioned forces, is rooted in *yin-yang* thinking.

Finally, the fourth feature is related to naturalness (*ziran* 自然) and regularity (*fa*) which have been represented in poetics and paintings as well ([14], p. 90).

Given a famous Chinese scholar (Wang Guowei), the basic concepts of Chinese aesthetics in the twentieth century were referred to *jingjie* 境界 (“aesthetic state or consciousness”) or *yijing* 意境 (“aesthetic idea”). They had the aim to combine aesthetics with artistic ideas (or feelings) and a concrete scene. At the outset, the term *jingjie* was used merely considering the poetry. Nowadays, it is also understood

in terms of aesthetic ideas and a sublime state of mind. Interestingly, according to Wang Guowei, this concept comes from the Chinese tradition and is also infused with Kant's "aesthetic idea". Therefore, it should be regarded as an intercultural exchange between the West and China ([14], p. 91).

Aside from the aforementioned aspects, it is noteworthy to mention the concept of *xuwu* 虚无 (nothingness) within Chinese aesthetics. Nothingness is one of the fundamental concepts under the Daoist philosophy which has multifarious meanings. Firstly, it can be understood as a reaction against unaesthetic psychical activity. Therefore, it is widely seen as a precondition pertaining to aesthetic and artistic activity. Secondly, nothingness refers to the void or intangible "stuff" juxtaposed with "substance". Lastly, it is also considered as a reaction against the unaesthetic world existing in our daily lives ([15], p. 560).

Given that nothingness is a prerequisite for aesthetic appreciation, it is remarkable that there are numerous references to this concept in Chinese aesthetics. To illustrate, according to Wen Fu: "Thus it begins, the withdrawal of seeing, the withdrawal of hearing. Absorbed in thought, searching everywhere. His essence gallops to the eight borders of the world. His mind wanders ten thousand yards, up and down... He empties the clear mind, fixes his thoughts, fuses all his concerns and makes words" ([15], pp. 563–564).

Nowadays, even the word "artistic conception" is based upon the Chinese ancient poetry, aka "realm" or "ambit", threefold approaches refer to object conception, feeling conception and artistic conception. The latter takes into account the so-called "thing" and "feeling" ([16], p. 627). While translating the names of trademarks, it seems necessary to create an artistic conception. Therefore, many translated Chinese trademarks refer to Chinese ancient poetry. To illustrate, Revlon was translated as "*Lu Hua Nong*" 露华浓 which refers to Li Bai's poetry: "Her robe is a cloud, her face is a flower. Her balcony, glimmering with the bright spring dew" ([16], p. 628). As such, Lady Yang is depicted as a flower, which is reflected in the blossom with dew drops and the Chinese pronunciation as *Lu Hua Nong*.

In fact, there are five steps in the process of translating a trademark into Chinese that are consistent with the Chinese philosophy of trademarks. First, a translated trademark (which is a source name) is based on the original trademark (which is a target name) and thus exists in multiple cultural contexts. This means that either the reproduction or the creation of an artistic concept is intertwined with a cultural context that refers to both experience and memory. As such, a trademark corresponds to the artistic concept and in a way represents a situationalised image in art.

Secondly, a trademark should also bring a certain beauty of artistic conception to the readers. Such beauty comes from people's experiences or memories in a cultural context. Therefore, this characteristic is related to the individualised experience of art. Accordingly, "the realm is the same, while the hearts feel it could be different" ([16], p. 628). The aforementioned artistic conceptions have not only unique aesthetic characteristics but also aesthetic experience.

Thirdly, the translation of a trademark is linked to the process of understanding and expression. In the process of translation, it seems necessary to carry out a transformation of the designatory meaning based on the semiotic background. This concept refers to linguistic transformation. Moreover, such a transformation

should take into account not only words and expressions but also a certain cultural context that expresses a specific relationship between these two languages. There are different approaches to translation used in trademarks, which can be summarised as follows: substitution, duplication, addition, paraphrase and modulation ([16], p. 628).

The first term referring to replacement means that the vocabulary should be substituted in the source language with a term of the target language. To illustrate, based on a simple pronunciation approach, “Maybelline” should be equivalent to “*Mei Bai Ao Lan*” in Chinese. However, “Maybelline” has been translated as “*Mei Bao Lian*” 美宝莲, which means “beautiful as a lotus flower and as rare as a treasure”. The translation pays attention to the specific Chinese cultural context and fits the habits of Chinese people. Therefore, it is truly a cosmetic brand in the Chinese context ([16], p. 628; cf. [17], pp. 2322–2326; [22]).

Considering duplication, this concept means that all or part of the lexical morphology should be moved from the source language into the target language. Interestingly, “Head & Shoulders” was once translated as “*Hai Xian Du Fei Si*”, but it was relatively difficult to remember and even pronounce. In addition, such a translation did not have anything in common with artistic beauty and thus was not been widely popular within Chinese society. Afterwards, “Head & Shoulders” was translated into “*Hai Fei Si*” 海飞丝 (“*Hai*” meaning sea, “*fei*” being a synonym of flying and “*si*” being a term used to describe hair in ancient China). Therefore, the new translation created a certain scene for the Chinese people describing “a young lady who is standing facing to the sea with her long and beautiful hair blown and caressed by the sea wind” ([16], p. 628).

The term “supplement” refers to additional content beyond the meaning of the source language. The trademark “Impress” was originally translated into Chinese as “*Yin Xiang*” 印象. In fact, it did not express either the artistic concept or the relevant product identification. Therefore, it was further translated as “*Yin Xiang Zhi Mei*” 印象之美, namely “the beauty of the impression, which focuses on the position of the cosmetic itself”. In addition, the term “*zhi mei*” greatly influences the psychology of Chinese women because it leaves a nice impression on others, thus reflecting a beautiful artistic concept of a brand ([16], p. 628).

In the case of paraphrasing, morph or word order is considered based on the grammar of the target language or pragmatic principles. The example of “*Orchidée Impériale*”, a trademark originating from France, illustrates this approach. The aforementioned trademark was translated as “*Yu Ting Lan Hua*” 御庭兰花 and thus it reflects the word inversion in Chinese. Hence, it fits the reading habits in Chinese. Both used words, that is “*Yu*” and “*Ting*” (meaning imperial and palace respectively) imply positive connotations for the readers. In addition, they also represent a high-end position of dignity, elegance, and power. The aforementioned translation fits perfectly the Chinese women’s psychology, namely, it refers to the ambition of success and fame. Accordingly to this concept, it also complies with the artistic conception of beauty itself ([16], p. 629).

Finally, the term “modulation” refers to any change of opinion, perspective or insight. To illustrate, the trademark “Clinique” was translated as “*Qian Bi*” 倩碧, which means not only pretty, and beautiful, but also “jade” in Chinese. Despite

the transliteration, this trademark reflects the function of a cosmetic to make someone's appearance more beautiful and clean ([16], p. 629).

Overall, when translating English trademarks into Chinese, it is necessary to follow the principle of brevity, also known as the “KISS” principle (“Keep It Short and Sweet”). This means that trademarks should not only be relatively easy for consumers to remember but also easy to pronounce. In addition, a good trademark should be unique and easy to identify. For this reason, a trademark is used to represent both the product and the image of a particular company ([10], p. 162).

One could even say that brand translation involves a certain connection between the artistic concept of the original culture and the target culture itself. To achieve such a goal, it seems necessary to understand not only the cultural context but also a certain social history, to have a similar feeling for the beauty of the artistic conception.

The translation is thus widely seen as an aesthetic process. This means that it evolves from a linguistic transformation to a connection between various artistic conceptions. Furthermore, “the translator, through his judgement and experience, creatively realises the aesthetic reproduction and sublimation of trademarks, so that the artistic concept applies to both trademarks and translated trademarks, born in two different cultural contexts, and achieves the effects of advertising products and stimulating the inclination to buy. It corresponds to the third characteristic of artistic conception—the synthetic presentation of artistic effect. Artistic conception is not a kind of art with a single level, a single dimension and a single element. On the contrary, it is a synthetic presentation of the artistic effect” ([16], p. 629).

In addition to the above, it is worth noting cultural differences and their impact on trademarks. In the case of foreign trademarks, they tend to represent Western culture, with references to Greek and Roman mythology, the Bible, modern literature and historical names of people and places. China, on the other hand, as an ancient country with a long history of more than five thousand years, has a specific Asian character. Because of these characteristics, Chinese trademarks are very different from Western ones. For example, in the Han culture, both modesty and a calm, steady character are of great value. To illustrate, the cosmetics brand “Kiss Me” is synonymous with the charm and sex appeal of women in Western culture. However, such an open attitude was not accepted by Chinese women and stems from Confucian philosophy. As a result, even today many Chinese people have conservative ideas and personalities ([18], pp. 505–506).

Another example refers to the differences existing between social customs which are defined as cultural norms linked to a lifestyle. The Chinese people love such terms as *li* 利, *jiu* 九, *fu* 福, *bao* 宝 and *hao* 好. Many foreign trademarks also include these words to fit perfectly Chinese culture, for instance, Carrefour (*jialefu* 家乐福) ([18], p. 506).

Finally, the translation of trademarks requires an understanding of differences in religious beliefs. For example, lions have a positive connotation in English and are considered the king of animals in Western fairy tales. In China, on the other hand, lions are synonymous with power ([18], p. 506).

6 Zen Aesthetics and Contemporary Trademarks: Apple Case Study

Firstly, there are many different types of Zen in Japan, including Rinzai, Soto and Obaku. With the transmission from India to China and on to Japan, Zen has developed and denotes its unique forms. Japanese culture itself represents a kind of “love of nature”, which is simply a synonym for accepting, embracing and appreciating what nature reveals. For this reason, the Japanese aesthetic is linked to the acceptance of the transience that unfolds in the here and now. This concept refers to the Dharma of impermanence, which means that “all things are constantly changing” ([19], p. 30, 40). For this reason, a Japanese aesthetic is based on a blending and relational experience of a person, which includes not only nature but also some formal characteristics of art, namely simplicity, harmony, space and subtlety ([19], p. 40). Furthermore, “for the Japanese, aesthetics is subjective and deeply felt and is experienced as transient. Japanese aesthetics are considered relational because the experience of transience is said to unfold in the relationship between the perceiver (e.g., the self as an observer) and the perceived (e.g., cherry blossoms)” ([19], p. 40).

The Apple case illustrates the relationship between Zen aesthetics and contemporary branding. Steve Jobs is the creator of the Apple brand of computers and consumer products, which combine a friendly interface with aesthetic design. As an aesthete, Jobs knew how to intertwine art and technology ([20], p. 917). While at Reed College in India, he came across the best calligraphy instruction. Each of the posters displayed on campus was a hand-made calligraphy. Throughout the special calligraphy course, Jobs got knowledge about serif and sans-serif fonts. He also learned about different types of letter combinations and typography. Together with the design of the Macintosh computer, this knowledge seemed useful. It was repeated in the Mac computers with beautiful typography ([20], p. 920). The first project to build a relatively inexpensive machine with good graphics started in 1979. It was called McIntosh, after Jobs’ favourite type of apple, but was changed to Macintosh for commercial reasons ([20], p. 925).

Furthermore, Jobs focused on Zen. For this reason, “his guiding principle was simplicity—not just the superficial simplicity that comes from a product’s uncluttered look and feel and surface, but the deep simplicity that comes from knowing the essence of each product, the complexity of its engineering, and the function of each component” [21]. Jobs emphasised that it is relatively difficult to make something simple enough to really understand what the challenges are and how to solve them with elegant solutions. Furthermore, Apple’s first advertising slogan in 1977 stated that “simplicity is the ultimate sophistication” [21]. Inspired by Japanese Zen Buddhism, Jobs developed a minimalist aesthetic with an intense focus. He believed that the primary goal of Apple’s design was to make things intuitively obvious.

7 Conclusions

Trademarks are not only an intellectual property right, but also a specific aesthetic creation designed to attract the attention of consumers. Therefore, trademarks should be classified as “law as aesthetics”. Given certain characteristics of trademarks, they

reflect aesthetic values and are influenced by many philosophies. In this study, trademarks and their meanings were examined through the lens of East Asian philosophies, including Confucianism and Daoism, as well as Japanese Zen.

Considering the Chinese philosophy, the artistic conception is of the highest value. When introducing a brand to the Chinese market, it seems necessary to take into account the cultural context and social history. Simply translating brands does not guarantee success in China, and the above examples confirm such a theory.

In terms of Japanese Zen, purity and simplicity have an impact on the aesthetics of brands. The case of the Apple brand even confirms such a statement. Steve Jobs, inspired by Zen, paid attention to simplicity when designing his brand. In addition, he was convinced that the distinctive design, which is clean and friendly, would be a symbol of his products.

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