

# Research on the Recognition of "Acquired Distinctiveness" In Advertising Slogans as Trademarks

Zixin Liu

*School of Law, University of International Business and Economics, Beijing, 100029, China*

**Keywords:** Advertising Slogans, Trademark, Trademark Recognition, Acquired Distinctiveness, Identification Function.

**Abstract:** With the rapid development of internet information technology, advertising creativity has flourished, increasing the demand for trademark protection of original and distinctive slogans. This study addresses the challenges of recognizing "acquired distinctiveness" in trademark applications for text-based advertising slogans and explores how such slogans can fulfill the identification requirements of trademark law through actual use. By examining domestic and international legislative frameworks and judicial practices, the research evaluates the feasibility of registering slogans lacking inherent distinctiveness via the acquired distinctiveness pathway regulation. The findings reveal that legislative refinement of recognition standards and categorized processing is essential, while judicial practices should emphasize the reasonableness of the slogans' practical effects and creative value. Balancing public interest with healthy market competition is equally crucial. The study concludes optimizing legal frameworks and recognition criteria not only protects the intellectual efforts behind high-quality advertising slogans, but also promotes intellectual property rights and drives market development.

## 1 INTRODUCTION

In the digital information age, advertising has evolved as a medium to communicate product and service information to consumers with personalized and aesthetic formats. Particularly on internet platforms, innovative advertising concepts are thriving, with a growing emphasis on the artistic and individualistic expression of language (Wu et al., 2019). Text-based advertisements, characterized by unique phrases or catchy taglines, exemplify this trend. However, when creators of distinctive advertising slogans attempt to register them as trademarks, they are often rejected due to a lack of inherent distinctiveness. As a result, many turn to the "acquired distinctiveness" route, aiming to demonstrate that the slogan has achieved distinctiveness through actual use and public recognition.

The question of whether text-based advertisements can gain distinctiveness through use remains contentious in theory and practice. While laws such as the Chinese Trademark Law, the U.S. Trademark Act, and the EU Trademark Regulation provide for the "acquired distinctiveness" pathway, discrepancies persist in judicial interpretation regarding elements like distinctiveness and identification functions (Xie, 2022; Adarsh et al,

2024; Basire, 2020).

This paper addresses these issues by focusing on text-based advertisements. It combines academic analysis and practical cases to propose legislative and judicial recommendations for refining the standards of "acquired distinctiveness". The objective is to explore viable methods for proving acquired distinctiveness, aiding judicial determinations, and promoting legal protection for slogans that fulfill the essence of trademarks, ultimately encouraging creativity and development in advertising.

## 2 CHALLENGES IN RECOGNIZING DISTINCTIVENESS FOR ADVERTISING SLOGANS

### 2.1 Lack of Inherent Distinctiveness in Advertising Slogans

#### 2.1.1 Negative Attitudes in Existing Legal and Regulatory Frameworks

According to Article 9 of the Chinese Trademark Law, a trademark must possess distinct characteristics that facilitate recognition. In administrative litigation

concerning trademark applications, the Beijing High People's Court has clarified that a mark must first exhibit recognizability, thereby linking it to the source of goods or services, to be considered distinctive (Beijing High People's Court, 2012). For text-based advertising slogans, whether a mark consisting of words, phrases, or sentences has recognizability depends on its context of use concerning specific goods or services. If the text represents common descriptions within its product or service category, consumers are likely to perceive it as promotional rather than as a source identifier, rendering it ineligible for inherent distinctiveness (Beijing High People's Court, 2012).

The Trademark Examination and Adjudication Guidelines issued by the China National Intellectual Property Administration in 2021 further reinforce this principle. Chapter 4, Section 2.3 (2) classifies "other marks lacking distinctiveness" as those containing descriptive phrases, sentences, or ordinary promotional language (China National Intellectual Property Administration, 2021). This societal perception views advertising slogans predominantly as promotional tools rather than identifiers of goods or services' specific origins (China National Intellectual Property Administration, 2021).

Similarly, U.S. trademark law emphasizes inherent distinctiveness as a critical requirement, defined as the immediate association by consumers of a mark with the source of goods or services due to its semantic or qualitative attributes. Under the Abercrombie spectrum, a mark such as "Apple" for computers demonstrates inherent distinctiveness due to its arbitrary nature. Conversely, a descriptive slogan like "Afraid of Heat? Drink Tea" for herbal teas lacks inherent distinctiveness unless supplemented by evidence of acquired uniqueness through actual use. Establishing such proof is often complex and resource-intensive (Adarsh et al., 2024).

It is evident that, both domestically and internationally, current legislative perspectives generally treat text-based advertising slogans as inherently lacking distinctiveness (Xie, 2022). Determining whether such slogans have acquired distinctiveness through actual use depends on their ability to establish a unique function of distinguishing goods or services within their category. This approach parallels the "becoming distinctive" doctrine in EU trademark legislation, to explain whether the advertisement applying for trademark registration has significant characteristics (Basire, 2020).

### **2.1.2 Cognitive Barriers Among Consumers regarding The Source-Identifying Function of Advertisements**

The formulation of trademark laws responds to social realities and contemporary needs. The perception of advertising slogans as trademarks contradicts traditional consumer habits. Commonly, slogans are used alongside established product trademarks (e.g. unique product names or logos), emphasizing their promotional function (Wu, 2017). This creates a fixed impression, overshadowing their potential as unique source identifiers.

Therefore, such preconceived notions represent a cognitive barrier for consumers regarding the source-identifying role of advertising slogans. Overcoming these barriers requires focusing on the psychology and cognition of average consumers during practical use. Both creators seeking trademark registration through "acquired distinctiveness" and legislators formulating standards must account for these societal realities. Currently, public perception largely undermines the recognition of advertising slogans as inherently distinctive, often viewing them as lacking the necessary qualities of a trademark.

## **2.2 Challenges in Recognizing Acquired Distinctiveness for Advertising Slogans**

The negative attitude towards the identification of the distinctive characteristics of advertising trademarks indicates that advertising is a fait accompli under the existing legal framework. Advertising creators and relevant practitioners begin to think about the possibility of "significance", but this path also has difficulties in identification. For example, in the EU Trademark Regulations, the connotation of trademark "gaining significance" is that the trademark is through actual use, which has a clear connection with the source of goods or services, so that consumers can identify and distinguish the trademark from any other goods or services under the same category. The key to identifying "gaining significance" is whether a factual application has gained a unique recognition and irreplaceable position in the market (Basire, 2020).

### **2.2.1 Difficulty in Demonstrating Source-Identifying Function the Actual Use**

In 2012, Gengsheng Huang appealed the State Trademark People's Court of the Beijing Higher

People's Court for rejecting the objection to trademark application. In the administrative review case, although the evidence submitted by the plaintiff Gengsheng Huang proves that in fact, he applied for the trademark "Beautiful Open", an invest in clothing sales, more than five years in more than 10 cities, over 300 branches in the medium and long term, a large number of actual use. But as the public has been using the slogan as a publicity, the actual use is still not effective for "identifying the source of goods", the court decision still pointed out that it "is not enough to prove that the trademark application has been long and large use can play a role in identifying the source of goods (Beijing High People's Court, 2012)." Therefore, the advertising slogan trademark application ultimately did not pass.

It can be seen from the above classic cases that under the current system of "significant characteristics" in article 11 of the Trademark Law of the People's Republic of China, the logical path of judicial recognition can be summarized as: first judge whether it is "recognizable", and then judge whether its actual use is associated with the "recognition effect". At the same time, this also reflects from the side: if the meaning of text advertising words is too general, the description is too descriptive, it generally can not play the role of recognition. Even in fact, if there is a long amount of actual use, it can not guarantee it to obtain recognition, and it is more difficult to prove its significance.

### **2.2.2 The Practical Challenge of Acquiring Distinctiveness then Differentiation Beforehand**

It happens that there is a similar case. In the Wanglaoji application "afraid of fire then drink" trademark registration case, related analysis literature points out that if one wants to apply an advertisement slogan for registration as a trademark, the users from the start need to use it alone, and to gain a perception treating it "as a unique mark able to be independently used", rather than combined with existing commodity trademark use (Wu, 2017). That is to say, the further key to "distinctiveness" is "differentiation", that is, the identification effect that can distinguish the advertising itself from other goods and services, which is the direction that the application of advertising trademark rights should consider how to use advertising to achieve significance. Certainly, there is also a practical threshold for the function transformation of advertising language and "obtaining differentiation"—how to prove that it has been transformed from a publicity tool to the source

identification function is also the difficulty in the application process of text advertising trademark.

## **3 FEASIBILITY ANALYSIS OF ACQUIRING DISTINCTIVENESS FOR ADVERTISING SLOGANS**

### **3.1 Theoretical Foundations Supporting Acquired Distinctiveness the Practical Use**

#### **3.1.1 Recognition Theory in The Trademark Semiotic Model**

Although difficulties in recognition exist, judicial practice does not exclude the possibility of slogans with weak inherent distinctiveness acquiring recognition through practical use (Xie, 2022).

For example, the landmark case involving the slogan "Beauty Never Closes" demonstrates the importance of assessing a trademark's source-identifying capability first before applying the Five Kinds of Distinctiveness standard of American Trademark Law (Adarsh et al., 2024). Generic phrases or sentences are easily perceived by the public as promotional rather than as distinctive trademarks. However, this perception can change with practical use. Based on the semiotic model of trademarks—comprising the sign, the source, and the goodwill associated with goods—acquired recognition occurs when the slogan aligns and integrates with these elements while maintaining the potential to exist independently (Peng, 2007).

Similar to the principles underpinning "acquired distinctiveness," trademarks may "acquire recognition" by overcoming inherent weaknesses through prolonged and consistent use. The core challenge for text-based advertising slogans lies in breaking societal norms of conventional meanings and fostering a new understanding of the expressions they embody (Xie, 2022).

#### **3.1.2 Anti-Dilution Theory in the Consumer Investment Model**

Practical use can enhance the likelihood of recognition, but it may also lead to potential misuse. Some advertisers attempt to exploit catchy and repetitive slogans to embed habitual associations between their slogans and specific goods or services

in the minds of consumers, thereby suppressing competitors (Tian, 2024). This strategy aligns with the anti-dilution theory.

Combined with the study of new theories such as the "consumer investment model" and "imagination cost", it is not difficult to understand that in theory, advertising can always forcibly create the associative memory of advertising slogans or slogans and specific goods and services through repeated practical use, so as to realize the function of exclusive recognition (Tian, 2024). Its underlying logic is manifested as a return on investment for consumers' memory, which builds a bridge to prove the existence of recognition association for advertising use and the new meaning of content.

### 3.1.3 Recognition Transfer Logic in The Communication Memory Model

The communication memory model, proposed by Professor Jicun Fu of China University of Political Science and Law, provides further theoretical support. This model views advertising as a means of transferring product or service information between trademark owners and consumers. Over time, consistent exposure to an advertising slogan within a given market fosters a distinct memory link, akin to a shared identifier, between the producer and consumer (Fu, 2021).

According to this theory, the use of the same advertising slogan over time within social consumer groups serves as a specific output, creating a form of communication that is not directly targeted but still effective. Advertising acts like a specific identification number, guiding consumers to trace back through memory recall and identify the original source of the goods or services itself. This process plays a substantive role in establishing recognition, accumulating consistent "inherent significant features," and creating a unique mark effect. This accumulation of recognition makes it possible for the slogan to meet the conditions for "significance" required for trademark protection.

## 3.2 Judicial Recognition of Acquired Distinctiveness in Practice

In judicial practice, determining whether a text-based advertising slogan has achieved sufficient recognition (rather than merely serving as propaganda) to qualify as a trademark is a complex issue. For example, well-known slogans like "Crazy Thursday" or "Today's Youtiao" have had both successful and unsuccessful trademark registration outcomes. When a slogan fails

to register as a trademark, it opens the door for competitors to repeatedly imitate it, potentially leading to malicious attempts to capitalize on the brand's established recognition and market presence. Paying attention to the judicial judgment of related cases can bring more judicial thinking to the identification of "acquired distinctiveness" of written advertising trademarks.

### 3.2.1 The Relationship Between Advertising Efforts and Acquired Distinctiveness

Previously discussed the anti-desalination theory based on the development of consumer investment model, which shows that the repeated use of advertising can theoretically form the identification of the source of advertising. However, in real examples, high-intensity advertising does not necessarily bring significant acquisition, and may even produce negative effects that run counter to the intention. The following will analyze the relationship between the use of advertising and the significance of the use of the case of "Today's Youtiao (Fried bread stick, a kind of Chinese snack)" and several examples of advertising marketing.

"What you care about is the headline" and "What care about you is a good youtiao" are the "Toutiao" news App and a breakfast shop called "Today's Youtiao". The former is known to be a successful experience to acquire distinctiveness, can we infer that the latter must also be significant?

Combined with the case of "Toutiao", people first need to affirm that its advertising slogan "What you care about is Toutiao" has high popularity among the public. It has broken through the general description of the news industry, so that people can clearly judge that this sentence belongs to the "Toutiao" platform. This shows that the significance of the "Toutiao" trademark is related to the intensity and scope of its advertising. In view of the analysis of whether there is a possibility of confusion between it and the advertising slogan of "Today's Youtiao", some scholars believe that the judicial judgment also pointed out that the advertising slogan does not constitute the similarity of the logo content, but it has the possibility of confusion in the actual use (Ning & Ye, 2021). Since "Today's Youtiao" is the external expression of the parody "Toutiao" trademark, "Toutiao" is based on its powerful logo influence, which will lead to the logo of "Today's Youtiao", which essentially makes consumers more easily think of the cited "Toutiao" and deepen the information memory of it. This is just like the slogan use of "Today's Youtiao" is imitated by "Toutiao", and the



final use effect is also stolen by "Toutiao". This is a reminder of the intensity of advertising use and significance in practice: the higher intensity of advertising does not necessarily improve the possibility of significance, and practitioners should pay attention to the descriptive meaning of advertising to avoid the risk of parody.

In addition, no matter what kind of advertising use must be built on the basis of the market quality inspection, those with high intensity of implement should be more so (Tian, 2024). There exists a market of advertising failure examples, more to consumers of inferior marketing, such advertising use even for significant for a negative impact: such as advertisers of "Bojue Photo" and "Boss Zhipin" with repeated slogans of the relevant public output goods and services information, they take up excessive public attention resources. Although this move does not violate the rules and regulations, it sends too much wasted and wasted information to the market. Instead, it will impress consumers and eventually be forgotten in the public eye under the influence of the survival of the fittest in the free market.

From the above marketing, the recognition effect of advertising is not simply achieved by parody and repetition. Simple repeated and lack of creative advertising not only fails to bring positive brand publicity effect for the goods or services pointed to, let alone itself can obtain a powerful identification association to achieve significance, and finally can only be eliminated under the action of the market mechanism. Therefore, if one wants to judge whether an advertising trademark can be significant through actual use, he must consider the quality of the advertising itself and the market performance of (Tian, 2024).

### 3.2.2 Recognition in Keyword Advertising and Search Engines

In the field of search engine keyword advertising use, there are often infringement disputes over advertising retrieval tools to set other people's trademarks as advertising keywords. In the case that the behavior of keyword promotion customers constitutes direct trademark infringement, the opinions of existing scholars are mainly divided into two types of infringement: joint infringement and indirect infringement.

Support for using the theory of indirect infringement is grounded in the idea that, compared to direct infringement, advertising search behavior itself falls outside the immediate scope of control. However, the law still qualifies such behavior as

infringement. This is based on considerations of expanding trademark protection reasonably and holding parties liable for actions that contribute to infringement, even if they don't directly infringe on the trademark themselves (Du, 2015).

This analysis method may be transferred to the reflection on whether the advertisement slogan is significant. On the one hand, the framework of indirect infringement and common infringement can be used for attempts to prove the relationship between the slogan and goods or services. To be more detailed, when the keyword inputted for search is the context of referring slogan, applying indirect infringement means the slogan itself has not achieved the standard of significance, while applying common infringement means that the source identification and advertisement could be viewed as a whole, reflecting their unit as one and the function of identification as one. On the other hand, there exists part of an advertising slogan widely used by consumers considering it as a direct reference for commodity and service. When this occurred, the long-term practice of search and index can realize the effect of the advertisement directly pointing to the source of commodity and service, which illustrates that the corresponding advertising slogan has achieved "acquired distinctiveness". Of course, this paper is only an idea to discuss whether the trademark has "significant acquisition" by the infringement framework. It does not mean that the infringement phenomenon in the keyword advertising engine service is rationalized, but regards it as an objective use fact.

## 4 LEGISLATIVE IMPROVEMENTS FOR FAIR AND EFFICIENT RECOGNITION OF "ACQUIRED DISTINCTIVENESS"

### 4.1 Refining Standards and Categorization for Recognition of "Acquired Distinctiveness"

#### 4.1.1 Typological Classification of "Other Non-Distinctive Marks"

Combined with the current "trademark law" involving "features" 8, nine, 11 of the law, can comb and refine the article content, based on the American

trademark law Abercrombie spectrum classification standard, according to the mark of the semantic differentiation will mark "other non-distinctive features mark" for classification ownership and give the corresponding method.

Moreover, some scholars put forward the principle of reverse inference that can be further refined by identification requirements (Xie, 2022). In view of the situation the first two items of Article 11 of the Trademark Law, combined with the social background needs can stipulate exceptions in specific industries and fields, and give a certain degree of grace, etc. For example, when advertising slogans are proved to have a "second meaning" in the service industry, it can break through the restriction that general daily meaning terms are prohibited from applying for registration as trademark. In legislative revision, authorities can focus on the exception definition of "second meaning" and "special context" for reverse inference.

#### **4.1.2 Drawing Lessons from Judging The "Distinctiveness" of Advertising Slogans in Foreign Legislation**

The EU Trademark Regulation provides that "marks composed solely of customary signs in the relevant field" may achieve recognition through actual use, demonstrating a flexible approach to acquired distinctiveness (European Union, 2017). Similarly, Chinese law could address the unique meanings that certain slogans acquire in specific contexts, allowing them to meet distinctiveness requirements.

Another approach would directly recognize slogans with inherent distinctiveness under certain conditions. For example, in the Italian Supreme Court case *A.M. v. FCA Italy S.p.A.*, the court emphasized that advertising slogans eligible for trademark protection must exhibit substantial originality and creativity. This suggests a shift in focus from the inseparability of the slogan and its goods to the slogan's intellectual merit, enabling direct acknowledgment of inherent distinctiveness in exceptional cases (Currey et al., 2023).

#### **4.2 Formulate the Legal Basis for Regulating Inferior Advertising Such as False Publicity and Malicious Competition**

For the waste of market resources, malicious competition, imitation and other inferior advertisements in society, the most effective and commonly used regulatory means still rely on the

formulation and implementation of supporting laws and regulations (Tian, 2024). It is necessary to formulate more specific legal rules to prevent inferior advertising trademarks from blindly imitating and occupying social attention and market resources. The reason why emphasizing the regulation and regulation of the phenomenon of pure imitation is to maintain the public interest of safeguarding the unique protection of trademarks and the public's free use of words. Specific legislative Suggestions can increase from the increase of advertising long-term use standard of proof, the competent authority of trademark acceptable forms of evidence, setting analysis of advertising quality and market impact evaluation indicators, such as the frequency, sales correlation, network discussion heat, combining the judicial practice has social influence and demonstration of classic cases, make more clear judicial interpretation or relevant applicable basis.

From this Angle, one can learn foreign legislation, in the advertising slogan application review content is reasonable, according to the quality of the advertising quality trial application: as a diversified law national Ghana, its legal system by the British and American traditional common law heritage, its legislation in the field of law for unfair competition is relatively mature. For example, the laws of the Prevention of Unfair Compensation Act (UCA) and the Public Health Law (PHA) provide some protection from unfair competition in the use of labels and advertisements. PHA integrates the connotation of Article 102 (3) of the Paris Convention, prohibiting false or misleading statements through means such as advertising and causing confusion to competition, emphasizing that advertising should pay attention to the impact on goodwill and reputation, and do not compare or hype (Kunko, 2024). From the perspective of trademark application, in addition to judging the significance of the communication influence of advertising (such as reputation), its content should also be substantially reviewed, and trademark protection should be granted within the scope of "good faith" significance.

#### **4.3 Build a Legal System Balancing Public Interest and Trademark Rights**

Based on the value direction of law, the public freedom of expression as a public interest should take precedence over the exclusive use of trademark. The public expressive use of the content referred to a trademark is not prohibited, even if the owner possesses the monopoly on a certain kind. Especially

the frequently involving descriptive meaning, the meaning of the specific indication signs must give way to commercial freedom of expression (Fu, 2021). Even if the competitors put forward similar expressions, those are not definitely considered as infringement, and must be combined with usage context, competitive nature, reasonable limitation to expression and other specific aspects, under the perspective of the public interest.

In the process of judicial recognition, the balance between the exclusive right of trademark and the freedom of public expression should be balanced, and the principle of public interest priority should be implemented through judicial practice. When judging whether the advertising slogan has gained significance through actual use, consider public interest factors—for example, analyze whether the use of an advertising slogan as a trademark only causes healthy competition. If so, it tends to support trademark protection, and the legal protection should aim to protect the commodity and service information delivered by advertisements from being confused by malicious use; if not, it is necessary to carefully judge the social effect caused by malicious competition and monopoly use, focusing on the public interest (Bhatia, 2022). In this way, it not only avoids the abuse of rights and the waste of social resources caused by the malignant advertising trademark application, but also better protects the free growth of unique advertising creativity in the public view, encourages the creation of high-quality advertising, and promotes the good operation of the economic market.

## 5 CONCLUSION

This study identifies the primary challenges in registering text-based advertising slogans as trademarks, particularly in demonstrating "acquired distinctiveness". Public perceptions often emphasize slogans' promotional nature over their ability to identify sources, requiring evidence of a functional shift through practical use. Legislative refinements are needed to clarify the standards for achieving distinctiveness, drawing on international models to better address the complexities of advertising slogans. Concurrently, judicial practices must evaluate the quality and impact of slogans, considering creativity, competition, and public interest.

By exploring the theoretical and practical aspects of acquired distinctiveness, this research offers judicial recommendations for assessing whether advertising slogans have achieved distinctiveness through use. Future studies should delve deeper into

balancing industry competition and public interest, addressing conflicts between trademark rights and freedom of expression to ensure fair and efficient trademark recognition.

## REFERENCES

- Adarsh, S. et al. 2024. Automating Abercrombie: Machine-learning trademark Distinctiveness. *Journal of Empirical Legal Studies* 21(4): 826-860.
- Basire, Y. 2020. Acquiring Distinctiveness then Use of The EU Trade Mark. *Journal of Intellectual Property Law & Practice* 15(11): 904-912.
- Beijing High People's Court. 2012. Gengsheng Huang V. National Trademark Review and Adjudication Board Application Rejected Opposition Review Case. No.1509 Administrative Judgment.
- Bhatia, P. 2022. Role of Public Interest in Trademark Law. *The Journal of World Intellectual Property* 25: 238-246.
- China National Intellectual Property Administration. 2021. Guidelines for Trademark Examination and Trial, Chapter 4, Section 2, Subsection 3, Item (2). "a Phrase or Sentence That Characterizes a Good or Service, or a Common Advertising Phrase. Such Sentences or Phrases Are Not Usually Regarded by The Consumers Concerned as Indications of The Origin of The Goods or Services, and Thus Do Not Have The Distinctive Characteristics of a Trademark"
- Currey, R. et Al. 2023. round-until of National Copyright Decisions 2022. *Journal of Intellectual Property Law & Practice* 18(2): 80-121.
- Du, Y. 2015. Identification of Keyword Trademark Tort Liability of Search Engine Service Providers. *Law* 6: 34-43.
- European Union. 2017. The European Union Trademark Regulation, Chapter 2, Article 7, Subsection 3. "Paragraph 1(B), (C) and (D) Shall Not Apply if The Trade Mark Has Become Distinctive in Relation times The Goods or Services for Which Registration Is Requested as a Consequence of The Use Which Has Been Made of It."
- Fu, J.C. 2021. "Unchanged Significant Features" in The Use of Registered Trademarks. *Legal Research* 43(6): 186-206.
- Kunko, I.K. 2024. Unfair Competition Law in Ghana: Unravelling The Scope, Evolving Jurisprudence, Challenges and Future Directions. *Journal of Intellectual Property Law & Practice* 0(0): 1-7.
- Ning, L.Z. & Ye, Z.W. 2021. Trademark Infringement Recognition Standards and Their Value Orientation — Take The "Today's Youtiao" Case as an Example. *Journal of Central China Normal University (Humanities and Social Sciences Edition)* 60(6): 36-44.
- Peng, X. L. 2007. Symbol Analysis of The Basic Category of Trademark Law. *Legal Studies* 1:17-31.

- Tian, X.Y. 2024. Symbols, Expression and Attention Competition—from The Trademark Parody. *China Law Review* 3: 144-158.
- Wu, Y.Y. et Al. 2019. "a Highbrow Song" or "Popular Literature or Art"—Consumers' Attitude toward Elegant and Popular Advertising Style. *Nankai Management Review* 22(1): 213-224.
- Wu, Y.Z. 2017. Taking The Trademark Registration Case of "Fear of Fire" as an Example of The Salience of Advertising Language Trademark. *China Trademark* 10: 31-34.
- Xie, Q.C. 2022. The Interpretation of The Connotation of The "Remarkable Features" of The Trademark. *Legal Research* 44(4): 93-111.

