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Trademarks and Denomination of Origin in Portuguese Wine Sector (1918-1924)

By Carla Sequeira*

In the Portuguese wine sector there was a strong adhesion of companies, producers and traders to the registration of trade marks since the modern commercial brands emerged after the creation of the legal framework for their protection, at the end of the 19th century. We also must consider the existence of different regions of production, from north to south of the country, and the historical process of recognition of the different denomination of origin, which occurred since the beginning of the 20th century, in a context of post-phylloxera reconversion, market instability and the proliferation of imitations and counterfeits. Because wine sector was strategic in the Portuguese economy, in this article we will analyze the marks of different companies, traders and producers representative of various Portuguese wine regions, between 1918 and 1924 from the Trademark Registration in the Boletim de Propriedade Industrial (Industrial Property Bulletin). The aim is to understand the relationship between trademarks and appellations of origin, to understand if there was the growth of the different terroirs and their types of wines, and to identify, on a semiotic basis, representative and identifying elements of the indication of provenance, used in countless brands.

Keywords: Portuguese wine regions, brands, trademarks, labels, semiotics

Introduction

We begin the article with an overview of the different Portuguese wine regions between the 18th and 20th centuries, as well as the discussion on the legal recognition of regional brands and appellations of origin, which we consider important to contextualise the main research question of the study: the quantification of the types of Portuguese regional wines, from the applications for registration of trademarks and respective labels between 1918 and 1924, an inter-war period marked by the growth of wine markets.

Portugal has a great wine tradition since immemorial time, from North to South and the islands (Azores and Madeira). In the second half of the 18th Century the Demarcated Region of the Douro was established. On the same date, and with the argument of guaranteeing the authenticity of Douro wines, it was also decreed that the vines were to be grubbed up in the national territory considered unfit for growing vines.

Phylloxera, in the second half of the 19th Century, brought about a change in the “wine geography” in Portugal. There was a real “wine fever” (Pereira 1983, p.

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143), particularly in the South, following the trend that started in the 1860s and was now accelerated by commercial freedom and the end of the regulation of the demarcated Douro region, instituted in 1865. With the growth of production in the Centre and South of the country, the press would defend specialisation by regional types of wine, in articulation with the specificity of regional characteristics and the “taste of consumer markets” (Pereira 1996, p. 185). At the same time, various initiatives supported the creation of regional brands and export regulations. Thus, since the mid-19th Century, there were various initiatives towards the creation and regulation of the various Portuguese wine regions, corresponding to differentiated brands and appellations.

At the beginning of the 20th Century, Cincinato da Costa (1999) identified 13 regions in his “Portugal Vinícola”. For this author, Portugal was already known not only for its fortified wines but also for its common wines, in greater numbers and of high quality. Cincinato da Costa (1999) begins by establishing five main classes: fortified wines (Porto, Madeira, Carcavelos, Moscatéis and Bastardinhos); common or direct consumption wines (Colares, Bucelas, term of Lisbon, Azeitão, Santarém, Tomar, Torres Vedras, Dão, Bairrada); blended wines (wines exported to France to be mixed with the low-grade French wines); sparkling wines (still incipient in Portugal, but already of considerable importance and highly rated in the Brazilian markets and in the colonies); distillation wines (used to prepare fine brandies used in shipping and fortified wines). The division presented by Cincinato de Costa (1999) proves the growth in wine production in the Centre and South of the country, which would reinforce the defence of specialisation by regional types of wine.

Some personalities from the Douro region would precisely defended the creation of the regional brand for wines produced solely from Douro grapes, defending the specialisation of other regions in their own types of wine which would then be sold or exported with the region’s brand. In the mid-1880s, the Alto Douro was in crisis due to the devastation caused by phylloxera and the growing use of wines from outside the region by the commercial sector, as a result not only of the decline in production caused by the plague of the vines, but also the institution of a free trade regime in 1865, which facilitated the proliferation of fraud and forgery. The Region claimed the guarantee of the regional brand, that is, the use of the denomination of origin “Port” exclusively for wines produced in the Alto Douro. In the midst of a crisis, the regional brand was seen as a means of economic recovery by guaranteeing the genuineness of the product and preventing fraud, forgery and mystification.

At first, the central power responded to the demands by approving the Trade Marks Act of 4 June 1883, whose aim was to guarantee fair competition in commercial transactions. The trade marks were created in the context of industrial property law and following the signing of the Paris Convention on 20 March 1883. The Trade Marks Act established that it was illicit to indicate, in the brand of a product, a country or region where it had not been produced. In the specific case of wines, it also required the indication of the producing country or region, along with the name of the farm or parish where it was located. On 14th April 1891 the Madrid Agreement was signed, constituting the first important step towards the

recognition of Appellations of Origin as an autonomous entity from a legal point of view (Almeida 1999). Article 4 of the Madrid Agreement enshrined the indication of provenance of wine products, establishing that the indication of origin given by the geographical name of the country or region of production could never become the generic name of a type of wine. Ratified on 11th October 1893, it was transposed into Decree-Law n° 6 of 15th December 1894 and the respective regulation of 28th March 1895. In 1901, the Decree-Law of 1 March was published, which adjusted the way in which the registration of trademarks would be carried out (Rocha 2022). This decree, which remained in force until 1940, presents a more systematized organization for product categories, which became 9, divided into 80 classes.

The debate about the regional brand would intensify and the representatives of the several Portuguese winegrowing regions would claim the creation of regional brands, invoking article 4 of the Madrid Agreement. But only in 1907 would some of the claims prevail, through the publication of the decree of 10 May 1907, which demarcated the regions of regional type fortified wines (Porto, Madeira, Carcavelos and Moscatel) and the regions of regional type consumption wine (Colares, Bucelas, Dão, Bairrada, Minho and Monção, among others).

Since modern commercial brands emerged at the end of the 19th century, the Portuguese wine sector (companies, producers, and traders) adhered firmly to the registration of trade marks. However, the existence of diverse production regions and the historical recognition of the different appellations of origin, which occurred during the 20th century in a context of post-phylloxera reconversion, market instability, and the proliferation of imitations and counterfeits, also influenced the registration process. It is, therefore, necessary to ascertain how the recognition of new appellations of origin was reflected in the registration of trade marks in the Portuguese wine sector, the sector with the greatest weight in the Portuguese trade balance during the period under study. To achieve these purpose, in this paper we will analyze the trademarks of different companies, traders and producers representative of some Portuguese wine regions, between 1918 and 1924 from the Trademark Registration in the *Boletim de Propriedade Industrial* (Industrial Property Bulletin).

We will analyse the brands of different traders since the aim is also, through the number of trade marks applications and the analysis of labels, to understand the growth, or otherwise, of the different Portuguese wine-producing regions and the respective specialisation in different types of wine. Through the labels present in the requests we aim to understand the relationship between trademarks and appellations of origin, the importance of the different *terroirs*, their types of wines, and the use of semiotic representative and identifying elements of the indication of provenance, used in countless brands. As François Guichard says, “it is worth paying a little attention, not only to what the label says, but how it says it, because it is in a way a faithful mirror of the society to which it is addressed” (Guichard 2001, p. 33).

The article is structured in the following way: after the introduction (where we made a brief historical background and present the scope and research question), we will review the literature on the subject; next, we will present the

methodology used and the results obtained; finally, the conclusions that the research allows to be obtained at this stage of the study.

Literature Review

As we aim to ascertain the relationship between the creation of trademarks and the designations of origin of Portuguese wines between 1918 and 1924 and how they are made visible and merged in the trademarks applications and their labels, we will now address some of the authors who have been investigating on the legal evolution of trademark registration and the image and authenticity of trademarks. In this way, we present the state of the art that supports the study we developed.

Most studies on trademarks and brands have focused on legal, economic and business aspects (Sáiz and Castro 2018) in the contemporary era, in conjunction with the development of international trade, large companies and consumer society from the late 19th century onwards (Wilkins 1992).

According to Belfanti (2018), it will have been in the 18th century that the need to represent the business through the adoption of a “company brand” that could be recognised by consumers became evident. It would have been at that time that the “trademark”, in which works of art, mottos and other graphic elements were incorporated, began to be adopted, although still before its legal protection.

Paul Duguid’s studies point in the same direction, stating that in order to understand the birth and development of trademarks, it is necessary to take into account the background of the legislation of the late 19th century, focusing on the court cases that preceded and immediately followed it. On the other hand, Duguid emphasizes the role of consumption in the development of brands. According to this historian, distribution chains composed of small firms played a significant and pre-nineteenth century role in the genesis of modern brands, since these firms used the brand not only as a competitive strategy, but also to discipline other elements of the distribution chain over which they had no direct control (Duguid 2003).

According to Patricio Sáiz and Rafael Castro, trademarks are the visible, measurable and documented face of brands (Sáiz and Castro 2018). From a historical point of view, trademarks emerged before modern brands as a way to establish origin, quality and differentiation between similar products. Trademarks were registered and authorised at a local level at first, and later at a national/international level. According to these authors, the study of legal and ownership issues constituted one of the first guiding topics in trademark studies. However, in trademark studies within the framework of business history, trademark management has transcended the initial objective: the legal aspect of trademarks. Trademarks are a more complex phenomenon, resulting from registered trademarks or company names, but also from unregistered symbols or from a process in which marketing and advertising play a crucial role, of “emotional” connection between the values and reputation of the producer and the sensations/feelings of the consumer, creating symbiotic, long-lasting and transnational relationships.

On the other hand, there has been a concern in several countries to quantify trademark registrations, referring to the development of the history of trademarks. New lines of research have been established and investment has been made in building databases of trademarks from various countries (Spain, France, England and the USA). For example, Paul Duguid, Teresa da Silva Lopes and John Mercer emphasize the importance and potential of this methodology (analysis of trademark registration patterns) for understanding modern business activity, as well as the evolution of modern trademarks and their management (Duguid et al. 2007).

In the wine sector, the pioneering spirit of the demarcation of the region of origin of Port wine is recognised, associated with the basic principles of modern controlled appellations of origin (Unwin 1991). In this context, we highlight the context in which it emerged, in the 18th century, with the expansion of international trade, increased competition and the adoption of imitation and counterfeiting processes of wines with greater notoriety in the markets (Pereira and Barros 2013). Other studies have looked into the evolution of this denomination of origin from the pombaline model to the corporative regime of the Estado Novo (Pereira 1996), including the free trade phase (1865-1907), when the regulation mechanisms were abolished, raising a strong regional and sectorial conflict (Sequeira 2011) and the mobilisation of Douro winegrowers for the recovery of the Porto regional brand in a context of wine crisis and great competition in international markets, along with the proliferation of industrial processes of imitation and counterfeiting (Lopes et al. 2019).

For a different chronological period than the present study, the article by Gaspar Martins Pereira and Marlene Cruz sought, through the registration of brands between 1883 and 1900, to understand how commercial agents in the Port wine sector used rural images associated with regions of origin as elements of distinction and enhancement of their brands (Pereira and Cruz 2017).

Regarding the analysis of the labels that we present in forward pages, we took into consideration the studies of Guichard (2001) and Lobo (2014). As Helena Lobo tells us, “the paper label is probably one of the most abundant art forms, and, given the number of people it reaches, one of the most influential. They are the link between production and consumption, and since they began to be used frequently in the mid-19th century, and particularly after the Second World War (1939-1945), they have been of crucial importance to the wine market” (Lobo 2014, pp. 169–170).

In the post-phylloxera period, national and international markets were flooded with fraudulent wines bearing misleading labels. At the beginning of the 20th Century, fraud was even considered “legitimate” by most of the sector’s agents. In this context, two fundamental concepts gain strength and shape to ensure the perennity of the wine industry: the definition of the product and delimitation of the producer’s space and its control guaranteed by law. “Demarcated regions with their statutes and laws are born, and labels acquire their first legal attributes. At the beginning of the 20th century, in addition to informing about the bottled wine, the label also began to guarantee its authenticity. The act of bottling is accompanied by the act of labelling, identifying the producer and the origin, going beyond its

elitist beginnings towards the defence of authenticity and quality” (Lobo 2014, p. 172). In this context, one must bear in mind that “different label cultures exist in Portugal” and “in a label there are many things to read, which means that it is not limited to being a mere language support. It is a complete cultural message, in which symbols, shapes, objects, colours, an arrangement, a graphic” (Guichard 2001, p. 95).

Materials and Methods

We will examine the trademark applications filed between January 1st, 1918 and December 31st, 1924, published in the *Industrial Property Bulletin*, a periodical publication of the Industry Department of the Ministry of Public Works, Commerce and Industry. It is our intention to understand, in a period of growing wine markets (Martins 1990), the growth of the different Portuguese wine regions taking into account the claims of regional specialisation by types of wine and the efforts made, both by the state and by representatives of the different regions, in this direction. To achieve this goal, we performed both a quantitative and qualitative analysis. In the quantitative analysis, we proceeded to an accounting of the total trademark application, which includes several categories of products, such as health products, metallurgical products or pharmaceutical products. We then selected alcoholic products and made a second selection of wine products. We also carried out a statistical analysis of the number of trademark applications per wine-growing region.

The analysis of this documentation was complemented with the research in several legal diplomas related to the implementation of trademark registration (Trade Marks Act of June 4, 1883, the Law-Decree no. 6 of December 15, 1894, the Regulations for the implementation of Decree No. 6 of 15 December 1894, the Regulation for the execution of Decree-Law No. 6 of 28 March 1895, the Law-Letter of 21 May 1896, the Law-Decree of 1 March 1901), as well as the Decrees of 10 May 1907 and the Law-Letter of 1 October 1908, by which the demarcation of several wine-producing regions in Portugal was carried out. The questions under analysis were framed using specialised bibliography, as described in the Literature Review.

The qualitative analysis was made through the labels from a semiotic perspective, besides taking into account the studies of François Guichard and Helena Lobo, as already mentioned. The label is a communication piece which, as a rule, contains indication of the brand, information and promotional communications which may contribute to promote the product. In addition to functional referencing, it has an aesthetic function and contains appealing elements. In alcoholic beverages, the label assumes greater importance than other mass consumption products, becoming, in recent history, the main, if not the only, form of communication with consumers. The observation of the constituent elements (visual, textual/graphical, and symbolic signs) of wine labels operationalises the interrelation of the three dimensions of semiological analysis based on the trichotomy of signs: syntactic, pragmatic, semantic, and a)

qualitative-iconic, b) singular-indicative, c) conventional-symbolic. The theoretical and methodological approach followed is inspired in classic authors of semiotics (Peirce 2010, Sebeok 2001, Eco 2014). The functional and aesthetic, or semiotic, analysis applied to the selection of labels presented in next pages is based on the modern semiotic studies of Santaella (1983), according to the epistemological model of Charles Sanders Peirce, whose theoretical understanding of the matrixes of thought language is based on sound, visual and verbal content. The essential dimensions of signs are mobilized in the interpretation of product communication: the syntax, which implies the technical mode of operation of the object in the interrelationship of its physical structural, visual and aesthetic formal constitutive elements; the semantics, which designates the will to say and denotes the meanings and significance of the textual and visual object; and the pragmatics, which expresses to consumers the internal logic of the object and choices that users/interpreters are led to make.

Discussion – Portuguese Wine-Growing Regions through Trademark Applications

Between 1918 and 1924, 10,329 trade mark applications were published in the *Industrial Property Bulletin* for all the product categories listed in the 1901 Decree. In category 68, which encompasses alcoholic beverages, there was a total of 1,431 applications, which is equivalent to 13.85% of the total referred to. Of these 1,431 we took into account only 1,167 for the present study because they relate directly to wine products. Let us now see which regions and types of wine were included in these requests. The aim is to assess the number of applications per producing region concerning the total number of applications between 1918 and 1924 and to identify, through the labels included in the applications, the relationship between trademarks and producing regions identifiable through figurative or non-verbal elements. Reference is made to the territorial configuration of the current demarcated regions (Figure 1), some of which were not yet regulated during the period covered by this study.

Figure 1. Portuguese Wine Regions Today



Source: <https://www.ivv.gov.pt/np4/regioes/>.

Vinho Verde (Green Wine)

Vinho Verde, with 51 trade mark applications, corresponds to 4.37% of all applications submitted. Some of the labels feature symbology and language that easily allows the wine’s production area to be identified. This is the case of Figure 2 (label “Vinho Verde de Braga”), which represents the high vineyard, in a branch or grapevine, a method of conducting the vine characteristic of the Vinho Verde region, and the Minho costume worn by the female figure. The identifying element of the city is also added, with the Bom Jesus de Braga staircase. Also the Figure 3 (label “Vinho Verde de Vianna”) shows the toponym Viana in the brand name, and a female figure in the centre, wearing the typical costume of the municipality.

Figure 2. Label “Vinho Verde de Braga”



Source: Industrial Property Bulletin.

Figure 3. Label “Vinho Verde de Vianna”



Source: Industrial Property Bulletin.

Bairrada

At the end of the 19th Century, Bairrada specialised in the production of

sparkling wines. Despite its recognition in legislation from 1907/1908, the Bairrada region was only demarcated in 1979 (Portaria 709-A/79, de 28-12). In that year, it was given the Denomination of Controlled Origin for white and red wines and in 1991 for sparkling wines. The Wine-growing School of Bairrada (Escola Prática de Viticultura da Bairrada), created by the Government in 1887 and run by the agronomist José Maria Tavares da Silva, who came from the Anti-Phyloxera Station at Régua, played an important role in the establishment of this industry.

In relation to the territory of the present Bairrada region, 27 trademark applications were filed, corresponding to 2.31% of the total. Of this total, 16 applications were filed by the same company: Lucien Beisecker, Limitada, a French company and one of the first sparkling wine producers¹. Besides Lucien Beisecker, there are also applications submitted by Justino Sampaio Alegre, also one of the first sparkling wine producers in Bairrada². The identification with the producing region is made through the toponym and the town's coat of arms, as it's shown in Figure 4 (label "Bairradino"). Accompanying the mention to the producing region Bairrada, the Figure 5 (label "Bairrada Vinho Espumante do Douro") indicates the type of wine produced – Sparkling Wine from the Douro – confirming that the sparkling wine production technique was imported from the Douro region.

Figure 4. Label "Bairradino"



Source: Industrial Property Bulletin.

¹Lucien Beisecker was cellar master of Caves Monte Crasto and in the mid-1890s he created his own company, Caves Lucien Beisecker, Lda.

²Justino Sampaio Alegre was a member of the Bairrada Wine Association and, when it ceased its activity, he founded the company Caves Monte Crasto, with its own facilities.

Figure 5. Label “Bairrada Vinho Espumante do Douro”

Source: Industrial Property Bulletin.

Região do Tejo (Tagus Region)

The applications submitted for wines from the Tejo region represent 1.88% of the total (21 applications). Liqueur wines were also produced in the Tagus region. For example, “Bastardinho” and others only called liqueurs. It is curious how this type of wine is identified in the trademark register. The Figure 6 (label “Americano”) contains the mention “Indication of fortified wine from southern Portugal” (Vinho Licoroso do Sul de Portugal). The brand name is a clear reference to grape variety Americano. It also includes the indication of guarantee of the genuineness of the product and of exported wines by the firm.

Figure 6. Label “Americano”

Source: Industrial Property Bulletin.

Região de Lisboa (Lisbon Region)

The Lisbon region includes the three historic regions of Colares, Carcavelos and Bucelas, all of them demarcated in 1908. Wines from the current Lisbon region account for 6.43% of trademark applications between 1918 and 1924. It includes requests for fortified and table wines, such as “palhete” and “clarete” (claret). The largest number of applications concerns wines from Colares regional type wine. In Figure 7 we see a brand with toponymic and grape variety references. The Figure 8 has also some graphic elements allusive to the brand “S. João” (Saint John), represented by the figure of S. John, the Baptist (qualitative-
iconic dimension).

Figure 7. Label “Collares Ramisco”



Source: Industrial Property Bulletin.

Figure 8. Label “S. João Vinho Regional de Cintra”



Source: Industrial Property Bulletin.

In the label of Carcavelos wine (Figure 9) we can see that the author of the request included a toponymic reference and to the noble and ancient character of the wine (vinho velho: “old wine”).

Figure 9. Label “Vinho Velho Carcavelos”

Source: Industrial Property Bulletin.

The Bucelas label (Figure 10) also includes a toponymic reference, complemented with the identification of the company and its activity (export and consumption).

Figure 10. Label “Bucellas Flock”

Source: Industrial Property Bulletin.

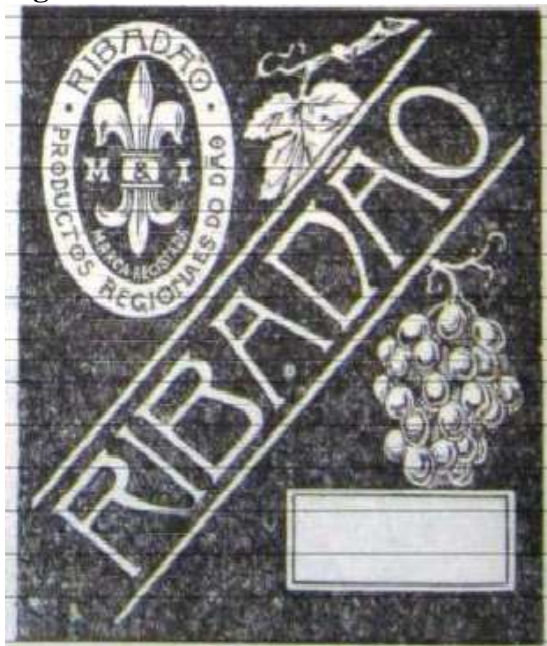
Dão

In the second half of the 19th Century, Ferreira Lapa classified the “Dão River basin” as a very productive centre in generally good wines, some of which were distinctive and fortified wines (Lapa 1975). The Dão region was demarcated in 1908 as a regional table wine region. Currently, it is called “Terras do Dão” and includes two delimited areas for the production of wines with Denomination of Origin (DO): DO “Dão” and DO “Lafões”.

Dão it's the region with the lowest number of trademark applications: only nine, equivalent to 0.77%. The labels and names of these brands have similar characteristics to those already mentioned for other winegrowing areas of

Portugal. For example, in the label “Ribadão” (Figure 11), there is a direct toponymic identification in the brand name. The Figure 12 (label “Vinho de Lafões” – Lafões Wine) corresponds to an area that is now recognised as DO Lafões. In this case the identification is made by the toponymy – wine of Lafões, adding the municipality of S. Pedro do Sul. The label is also completed with bunches of grapes and the image of a manor house.

Figure 11. Label “Ribadão”



Source: Industrial Property Bulletin.

Figure 12. Label “Vinho de Lafões”



Source: Industrial Property Bulletin.

Região de Setúbal (Setúbal Region)

Setúbal became famous for Azeitão muscatel, Palmela and Calhariz wines (Lapa 1975). The demarcation of the muscatel region of Setúbal took place in 1908. Nowadays, it also produces DOC Palmela (white and red wine, and semi-

sparkling wine) and Setúbal (fortified wine).

Applications submitted for the Setúbal region account for 1.46%. The labels selected highlight the mention of the region, plus the type and category of wine. The location of the company's head office is also added. In some cases, the labels also present medals as a sign of nobility and character (qualitative-iconic dimension). This is the case of Figure 13, a label from José Maria da Fonseca, one of the main wine producers in the region.

Figure 13. Label “*Fine Moscatel*”



Source: Industrial Property Bulletin.

Madeira

With 45 trademark applications, Madeira accounts for 3.86% of the total number of applications. The labels show a greater concern with the graphic representation of elements clearly identifying the producing region. Thus, we have a label with an image corresponding to the name of the wine, which derives from the vineyard where it is produced - S. John vineyard (Figure 14). It is presented entirely in English, as it is intended for export wines. As a label with an advertising function, it also expresses a guarantee of genuineness and antiquity, not only by indicating 1760 as the date of foundation of the company but also by stating that the vines have belonged to the family for over 100 years. Likewise, the Figure 15 is intended for export. It is written in French and contains a careful indication of authenticity through the brand name (singular-indicative dimension). It's illustrated with a picture of the bay of the island, with a caption.

Figure 14. Label “*Saint John Madeira*”



Source: Industrial Property Bulletin.

Figure 15. Label “*Véritable Madère d’Origine*”



Source: Industrial Property Bulletin.

Port Wine/ Douro Demarcated Region

With 330 applications, this is the Portuguese wine-growing region with the greatest weight in the group of trademark applications, corresponding to 28.28% of applications. The applications are for various types of wine produced in the Douro Demarcated Region: liqueur wine, table wine, sparkling wine and muscatel.

Figure 16 refers to Caves dos Vinhos Espumosos V. N. Gaia (sparkling wines), a request made by Gaston Mennesson, a French industrialist and oenologist who also worked for companies in Bairrada. This label is very simple and only contains a toponymic reference and the emblem of the company. The label “Vinho Velho do Porto Moscatel” (Figure 17) by a distribution company that has submitted applications for registration of numerous products in Class 68 from various Portuguese wine-growing regions has the particular feature of indicating that it is a wine produced in the Douro, identifying it as an old Portwine, at the same time as mentioning the sub-region in which it was made (Alto Corgo, in which Favaios, a municipality which produces Moscatel do Douro, is situated).

Figure 16. Label “*Vinho Espumoso do Alto Douro*”



Source: Industrial Property Bulletin.

Figure 17. Label “*Vinho Velho do Porto Moscatel*”

Source: Industrial Property Bulletin.

The following label (Figure 18), from a well-known and old company in the sector (Kopke), accurately indicates the origin of the wine: the estate where it was produced (Quinta de S. Luiz, where the company’s wines are still produced today), the locality (Ferrão – parish of Adorigo and municipality of Tabuaço) and the region (Alto Douro). The female figure holding a bottle and at the same time the vineyard seems to want to indicate the provenance of the wine, guaranteeing its genuineness (conventional symbolic dimension).

Figure 18. Label “*Quinta de S. Luiz*”

Source: Industrial Property Bulletin.

The Real Vinícola label emphasises the company itself (Figure 19). Thus, it includes, in a central place in the upper part, the emblem of the firm; in the lower part, the indication that it is a private label; in the centre, several medals alluding to

participation in wine exhibitions (qualitative-iconic dimension). The brand (Audaz) is presented in a smaller font.

Figure 19. Label “Vinho do Porto Audaz”



Source: Industrial Property Bulletin.

The label “Vinhos Velhos do Porto” (Figure 20 – Old Portwine) was illustrated with the Douro landscape (the river and the riverbanks with their terraces). The information shows that it is a wine from a producer (João Eduardo dos Santos, indicated by the respective insignias at the top) bottled for another company (J. Rebello, Lda, from Lisbon). Like the previous label, this one also includes several medals from wine exhibitions because, as Helena Lobo says, “producers soon realised that their products sold better if they had an element of prestige attached to them. The presence of a royal coat of arms, a string of medals at exhibitions or the testimony of a respected analyst attesting to the quality of the product gave the consumer the necessary confidence” (Lobo 2014, p. 168).

Figure 20. Label “Vinhos Velhos do Porto”



Source: Industrial Property Bulletin.

Figure 21 shows an advertising label, intended to demonstrate that this is a wine sold internationally, reflected by the brand “Porto Monte Carlo” and the presentation of its casino image (conventional symbolic dimension).

Figure 21. Label “Porto Monte Carlo”



Source: Industrial Property Bulletin.

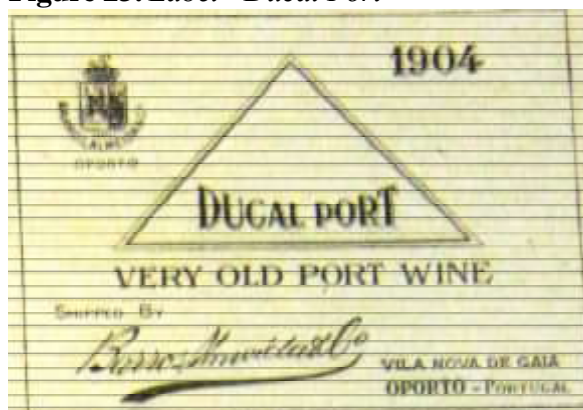
The next two figures represent the labels of the wine from a vintage year. The first one (Figure 22) has, besides the year, the type of the wine (Reserve), reinforcing the quality of the product. The next one (Figure 23), from an exceptional vintage year (Pereira and Almeida 1999), is more elaborated and it also bears the mention of Very Old Portwine, together with the name of the company and the place of the headquarters. The brand appears inscribed inside a triangle, also characteristic of many Port wine labels.

Figure 22. Label “Reserva 1870”



Source: Industrial Property Bulletin.

Figure 23. Label “Ducal Port”



Source: Industrial Property Bulletin.

Finally, the last brand we selected has a label with an advertising function, with a lot of symbolism and several references to the Douro region, the quality of the product and the grapes used to produce it (Figure 24). It is complemented by a female figure with a Phrygian barette and the flag in her right hand, representing the Portuguese Republic already referred to in the brand name (Portugalia).

Figure 24. Label “Portugalia Vinho Velho do Porto 1864”



Source: Industrial Property Bulletin.

Conclusion

The data obtained from the research undertaken allow the initial research questions to be answered. The number of trademark applications seems to confirm a gradual specialisation and identity affirmation of the different Portuguese wine

regions. However, future studies will need to confirm this conclusion by cross-referencing this data with quantitative export data.

From the analysis of the data collected, it can be concluded that the wines with the greatest representation are the Douro wines, far away from the wines from the other regions. This fact confirms the predominance that Douro wine had acquired in the national economy. On the other hand, we found that other historical regions, such as Vinho Verde, Madeira and Lisbon, have a relative importance and were subsequently targeted by state policies with a view to their development and affirmation. The trademark applications submitted between 1918 and 1924 allow us to conclude that the much-demanded regional specialisation would eventually materialise. In a period marked by the growth of wine markets (Martins 1990), each winegrowing region managed to develop and sustainably affirm its identity and its own types of wine.

With regard to the legal recognition of the different appellations of origin, whose historical overview we dealt with very briefly in the Introduction, it can be seen that the current legislation has consecrated legal concepts that have been discussed since the end of the 19th century and throughout the 20th century and which have been reflected in applications to register trademarks and the respective labels, such as, for example, “regional wine” (which currently corresponds to protected geographical indications).

We also found that most of the trademark applications were filed by traders or exporters and, to a lesser extent, by wine growers. Many companies apply for the registration of wine brands of different types and origins and appellations of origin. This is related to the economic activity performed: they are distribution companies, a kind of wholesalers, which buy to sell or export stock of wines from all over the country. This conclusion is reinforced by the fact that these companies filed trademark applications for other product categories. In these cases, the brands tend to be generic, often corresponding to the name of the company itself, and the labels may not have specific identifying signs of the wine's region of origin.

As far as labels are concerned there is a concern to identify the production region by means of graphic and visual elements in all the regions analysed. However, it should be noted that labels tend to be more sophisticated when they correspond to regions with established tradition and consolidated foreign trade, such as Douro Demarcated Region or Madeira, and when they are related to producers rather than traders. What confirms the claims of François Guichard: “instead of simply advertising a generic Port wine, for example, the consumer could be given detailed notions, such as the exact provenance, age, grape variety, the names of the producer, bottler and importer, elements that the final distributor was not always careful to provide” (Guichard 2001, p. 35).

In future studies, we intend to confront the data obtained from other sources, such as export statistics and production reports from the regional viticultural commissions, to allow for a comprehensive characterisation of the wine sector in Portugal during the inter-war period.

References

- Almeida AR (1999) Denominação de origem e marca. (Designation of origin and trademark). *Studia Juridica – Boletim da Faculdade de Direito da Universidade de Coimbra* 39: 141–175.
- Belfanti CM (2018) Branding before the brand: marks, imitations and counterfeits in pre-modern Europe. *Business History* 60(8): 1127–1146.
- Costa BC Cincinnato da (1999) *O Portugal Vinícola*. (Portugal winegrowing). Lisboa: Chaves Ferreira, Edição facsimilada.
- Duguid P (2003) Developing the Brand: the case of alcohol, 1800-1880. *Enterprise & Society* 4(3): 405–441.
- Duguid P, Lopes TS, Mercer J (2007) *Shifting patterns in marks and registration. France, the United States and United Kingdom, 1870-1970*. CGR Working Paper.
- Eco U (2014) *Tratado Geral de Semiótica*. (General treatise on semiotics). 5th Edition. São Paulo: Perspectiva.
- Guichard F (2001) *Rótulos e cartazes no vinho do Porto*. (Port wine labels and posters). Lisboa: Edições Inapa.
- Lapa JIF (1975) A vinicultura portuguesa [I a VIII]. (The Portuguese wine industry 1 to 8). *Jornal de Horticultura Prática* 6: 1875.
- Lobo H (2014) *Identidade Visual e Tipologia Gráfica do Vinho do Porto: Wiese & Krohn (1865-2010)*. (Visual identity and graphic typology of port wine: Wiese & Krohn (1865-2010).) Tesis Doctoral. Universitat Politècnica de València - Departamento de Dibujo, Facultad de Bellas Artes.
- Lopes TS, Lluch A, Pereira GM (2019) *Imitation and Global Business*. In TS Lopes, C Lubinski, HJS Tworek (eds.), *The Routledge Companion to the Makers of Global Business*, 502–515. Londres: Routledge.
- Martins CA (1990) *Memória do vinho do Porto*. (Memory of port wine). Lisboa: ICS.
- Peirce CS (2010) *Semiótica*. (Semiotics). 4th Edition. São Paulo: Perspectiva.
- Pereira GM (1996) A região do vinho do Porto – origens e evolução de uma demarcação pioneira. (The Port wine region - origins and evolution of a pioneer demarcation). *Douro – Estudos e Documentos* 1: 177–194.
- Pereira MH (1983) *Livre-câmbio e desenvolvimento económico*. (Free trade and economic development). 2nd Edition. Lisboa: Sá da Costa Editora.
- Pereira GM, Almeida JN (1999) *Porto vintage*. Porto: IVP/ Campo das Letras.
- Pereira GM, Barros A (2013) *Wine trade in the Early Modern Period: a comparative perspective from Porto*. In S Celestino Pérez, J Blázquez Pérez (ed.), *Patrimonio Cultural de la Vid y el Vino / Vine and Wine Cultural Heritage*, 195–209. Madrid: UAM.
- Pereira GM, Cruz M (2017) Origem e distinção: as marcas de vinhos no final do séc. XIX. (Origin and distinction: wine brands at the end of the 19th century). *CEM/ Cultura Espaço & Memória* 8: 409–425.
- Rocha J (2022) Marcas e denominações de origem de vinhos no início da República. (Wine brands and appellations of origin at the beginning of the Republic). *Omni Tempore. Atas dos Encontros da Primavera 2021* 7: 255–286.
- Sáiz P, Castro R (2018) Trademarks in branding: legal issues and commercial practices. *Business History* 60(8): 1105–1126.
- Santaella L (1983) *O que é semiótica*. (What is semiotics). São Paulo: Brasiliense.
- Sebeok TA (2001) *Signs: an introduction to semiotics*. Second Edition. Toronto: University of Toronto Press.
- Sequeira C (2011) *O Alto Douro entre o livre-cambismo e o proteccionismo*. (The Alto

- Douro between free trade and protectionism). Porto: CITCEM/Edições Afrontamento.
- Unwin T (1991) *Wine and the vine. An historical geography of viticulture and the wine trade*. Londres/Nova Iorque: Routledge.
- Wilkins M (1992) The neglected intangible asset: the influence of the Trade Mark on the rise of the modern corporation. *Business History* 34(1): 66–95.

