

I. Introduction

This dissertation is dedicated to the subject of socialistic brands, a specific group of vintage brands which share certain unique characteristics.

As the name of this group suggests, these brands were widely used within the territories of countries which belonged to the Eastern Bloc. Such brands were often used by many separate actors within one country and one industry, the legal basis of their use being various and inconsistent. This shared historical pedigree greatly influences the attractiveness of these brands within territories of post-socialist countries. This attractiveness was shaped by particularities which nations east of the iron curtain were subjected to, the socialist culture and the socialist market rules. Due to these circumstances, even years after the re-introduction of the forces of free market in these once socialist countries, socialistic brands hold a particular place in the collective memories of their societies. It could be argued that these unique cultural and commercial characteristics translate to unique attractiveness of these brands, which in turn might justify a call for an additional degree of protection of these signs from unfair appropriation. This thesis aims to determine whether that is the case.

The first section of this thesis sets forth a definition of socialistic brands and provides a justification for the choice of the scope of the consideration here presented. It also offers a selection of case studies of Polish socialistic brands in order to shed light on the specific characteristics of this group of signs.

The second part focuses on the consideration of whether socialistic brands possess characteristics affecting their attractiveness in the minds of consumers in such a far going manner that they should be treated differently than other signs. The author attempts to answer this question by employing in his considerations findings from various branches of social sciences, including semiotics, social psychology and anthropology.

The third section highlights legal problems at the core of which are the socialistic brands and aims to identify legal provisions which might be evoked against a specific type of behaviour which might constitute unfair appropriation of these signs. This part focuses on an analysis of the existing European and Polish law and case law in the area of trademarks whilst

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also briefly addressing other areas of law. Additionally, potential alternative legal means of protecting socialistic brands are outlined.