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Consumer evaluation of copycat brands: The effect of imitation type[☆]

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ABSTRACT

Copycat brands imitate the trade dress of a leader brand to free ride on the latter's equity. Copycats can imitate the distinctive perceptual *features* of the leader brand, such as the lilac color of the Milka chocolate brand, or they can imitate the underlying meaning or *theme* of the leader brand, such as the “freshness of Alpine milk” theme in Milka. Marketing research and trademark law has focused primarily on the effects of feature imitation. In three studies, the authors demonstrate the success of theme imitation: Consumers consider feature imitation to be unacceptable and unfair, which causes reactance toward the copycat brand. Yet, even though consumers are aware of the use of theme imitation, it is perceived to be more acceptable and less unfair, which helps copycat evaluation.

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1. Introduction

Copycat brands imitate the trade-dress of a leading brand, such as its brand name or its package design, to take advantage of the latter's reputation and marketing efforts. Copycatting is pervasive. For example, Sayman, Hoch, and Raju (2002) observed that blatant package imitation occurred in one-third of the 75 consumer packaged goods categories that they studied. Likewise, in a United States survey, Scott-Morton and Zettelmeyer (2004) found that half of the store brands surveyed were similar to a national brand package in color, size, and shape. Most copycats imitate distinctive perceptual features of the leader brand, such as the color, depicted objects, and/or shape of the package or the letters and sounds of the brand name (Planet Retail, 2007). Thus, copycats imitate the lilac color of the Milka chocolate brand, the bull of the Red Bull energy drink, the spike-shaped bottle of Scope mouthwash,[2] the specific letters of the Godiva chocolate brand name, as in “Dogiva”,[3] or the Wal-Mart sound, as in Wumart.[4]

Feature imitation is a strategy that is often used to copy successful leader brands. This type of imitation has received most attention in the marketing and trademark literature (Finch, 1996; Howard, Kerin, & Gengler, 2000; Kapferer, 1995; Loken, Ross, & Hinkle, 1986; Miaoulis & d'Amato, 1978; Zaichkowsky, 2006). Extant research has examined the confusion of copycat brands with leader brands due to various degrees of feature imitation (Howard et al., 2000; Loken et al., 1986) and has investigated the influence of the degree of feature imitation on copycat evaluation (e.g., Van Horen & Pieters, 2012; Warlop & Alba, 2004).

Copycats, however, also use a strategy in which they imitate the underlying meaning or theme of a leader brand, such as the “wildcat” theme of the Puma sports brand, the “freshness of Alpine milk” theme of the Milka brand, or the “traditional, family-produced olive oil” theme of the Bertolli brand. Whereas in feature imitation the focus is on the imitation of one or more of the distinctive perceptual features of the leader brand, in what we term “theme imitation” the focus is on the imitation of the semantic meaning or inferred attribute(s) of the leader brand. To our knowledge, the present research is the first to examine how these different types of imitation influence consumer evaluation of copycat brands.

Theme imitation has received much less attention than feature imitation in the marketing and trademark literature. For example, thirteen of the seventeen cases of copycatting that Zaichkowsky (2006, Chapter 4) documents in her analysis of trademark infringement address feature imitation, while only four cases address theme imitation. One reason for the emphasis on feature imitation might be that feature imitation is easier to detect and prosecute in a court of law; this, of course, does not imply that theme imitation is less effective. The present studies test the hypothesis that imitating the underlying meaning or theme of a

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[2] See http://www.cosmeticsdesign.com/Business-Financial/P-G-accuses-Vi-Jon-of-copycat-tactics-again: ViJon vs. P&G.

[3] See http://ca.findacase.com/research/wfrmDocViewer.aspx/xq/fac.19860912_0000038.CCA.htm/qx: Cynthia Grey vs. Campbell Soup Co.

[4] See http://www.brandchannel.com/forum.asp?bd_id=75.

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leader brand may be a strategy that is more effective than feature imitation. This hypothesis incorporates the idea that when an underlying meaning or theme is imitated, it is likely to be perceived as more acceptable and less unfair than feature imitation because a meaning or theme activates diffuse associations that are not solely linked to the imitated brand. Feature imitations, on the other hand, imitate distinctive perceptual features that belong uniquely to the leader brand and are directly related to the leader brand. Such an imitation strategy is likely to be perceived as unacceptable and unfair and is in turn likely to cause reactance. The three studies described in this paper, which involve different product categories and different verbal (brand names) and pictorial (brand package) imitations provide support for this idea.

1.1. Imitation types

An important precondition for brand imitation strategies to be effective is similarity to the leader brand. To make the leader brand relevant for the evaluation of the copycat, a connection or relation is required. Only then can transfer of knowledge and affect take place (Fazio, 1986). When knowledge of the leader brand is activated and is transferred to the copycat, similarity in the appearance of the brands is generalized to similarity in product quality, thus improving consumers' evaluation of the copycat (Finch, 1996; Loken et al., 1986).

Copycats most often imitate the distinctive perceptual features of leader brands (visual characteristics, text, sounds), thus showing a type of *literal* similarity to the leader brand (Gentner, 1983). In simple situations, one might gauge literal similarity between two objects by determining the extent to which they have common and unique features (Tversky, 1977). Thus, the hypothetical brands “Orme” and “Omer” are more similar than the brands “Orme” and “Osve” because the former share all four letters, whereas the latter share only two letters. It is this literal similarity on which most court cases dealing with intellectual property are based (e.g., Adidas Salomon AG vs. Scapa Sports, 2007; Mitchell & Kearney, 2002; Unilever N.V. vs. Albert Heijn B.V., 2005).

However, besides being *literally* similar through direct imitation of distinctive perceptual features such as letters, colors, shapes, and sounds, two objects can also be *semantically* similar to each other (Bruce, 1981; Job, Rumiati, & Lotto, 1992). Brands that copy the underlying meaning or theme of other brands aim to make use of the higher-order semantic meanings or inferred attributes of the leader brand. Thus, although the brands “Rome” and “Paris” are semantically similar, they show low literal similarity because they share only one letter, whereas the brand names “Rome” and “Orme” show high literal similarity: they share all four letters but are not semantically similar. In an extreme case, a copycat could even essentially imitate the theme of a leader brand without copying any of the latter's visual features. Thus, in theme copycatting, the copycat and the leader brand show commonalities with each other not through a display of identical features but instead through the higher-order meaning, theme, or relationship derived from these features.

Of course, themes are displayed through various arrangements of perceptual features. In that sense, theme similarity usually entails at least some level of feature similarity. Therefore, some caution is needed in interpreting the difference between theme copycatting and feature copycatting in an absolute sense. The distinction between similarity in distinctive perceptual features and similarity in higher-order meanings or themes is common in the literature (Gentner, 1983; Gourville & Soman, 2005; Markman & Loewenstein, 2010; Zhang & Markman, 2001).

Feature imitation can occur through imitation of the letters of the leader brand's name (e.g., by replacing one or more letters of the name or by rearranging them) or through imitation of the distinctive perceptual features of the leader brand's package design (e.g., the red–white oval logo of Bertolli olive oil or the lilac wrapper of Milka chocolate). Because these distinctive features are exclusively associated with the leader brand, feature imitations are *directly* linked to the leader brand and will immediately activate a clear representation of the leader brand. Theme imitation can be effected by copying the semantic meaning of the brand name, such as “Spring” (water source) for Sourcy bottled water or by copying the global scene of the package of a leader brand (cows grazing in a meadow in the Alps) for Milka chocolate but presenting it in a visually different way. In contrast to feature imitations, theme imitations are not exclusively associated with the leader brand and will only activate associations that are *indirectly* linked with the leader brand via a higher-order semantic meaning or an inferred attribute.

1.2. Effectiveness of imitation strategy

Feature copycats are directly linked to the leader brand and almost immediately activate a (positive) image, whereas theme copycats are only indirectly linked to the leader brand. Therefore, one might expect that feature copycats are better able than theme copycats to free-ride effectively on the leader brand's equity. It is probably this line of reasoning that makes feature imitation a popular copycat strategy. However, based on knowledge accessibility theories (Martin, 1986; Schwarz & Bless, 1992; Wegener & Petty, 1995), we predict differently: we posit that feature imitation will be a *less* effective imitation strategy than theme imitation.

Research on knowledge accessibility has demonstrated that contextually activated information influences people's impressions and evaluations of the target (Higgins, 1996; Sherif & Hovland, 1961). The direction of such context effects on assessments of the target can be assimilative or contrastive. Assimilation occurs when evaluation of the target moves toward the contextually activated knowledge, whereas contrast occurs when evaluation moves away from this knowledge. Thus, when compared with luxurious watches like Rolex or Cartier, a moderately luxurious watch may be judged as more or less luxurious.

Various factors determine whether evaluations become more positive or more negative in the vicinity of contextual information (Mussweiler, 2003). One such factor is the perceived appropriateness of the contextually activated information (Martin, 1986; Wegener & Petty, 1995; Wilson & Brekke, 1994). When people are aware that contextual information influences their judgment, they consult their naïve beliefs or theories about the appropriateness of this influence (Petty, Brinol, Tormala, & Wegener, 2007). Such beliefs influence whether people make corrections to their spontaneous judgments (Wegener & Petty, 1995). In the marketplace, consumers are likely to consult their naïve theories of persuasion knowledge when they become aware of the influence of an imitation strategy (Campbell & Kirmani, 2000; Friestad & Wright, 1994). When consumers perceive an imitation strategy to be unacceptable and inappropriate, they tend to correct for the positive feelings induced through similarity.

We predict that consumers will perceive feature copycats as less acceptable and more unfair than theme copycats. Although both types of imitation operate through similarity associations related to the leader brand and make positive knowledge accessible, displays of literal similarity through imitation of the distinctive features of a leader brand are more likely to activate a distinct and clear representation of this brand (“Hey, this looks exactly like X”) because these features are directly linked to the leader brand. Imitation strategies involving literal similarity are therefore likely to be perceived as inappropriate and unacceptable and to cause reactance in consumers, resulting in negative evaluation of the copycat.

Theme imitations, on the other hand, are more implicit and less tangible than feature imitations because the underlying meaning or theme is only indirectly linked to the leader brand. Furthermore, because themes are not only exclusively associated with the imitated brand but also with other objects, brands, or events, such imitation

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