

# Chapter 25

## Exploitation of Trademarks by Churches:

### Case Study on Sustainable Marketing, Branding, and Reputation Management

**Lionel Washington Nobiri**

*Nobz Intellectual Property Consultancy and Firm (NIPCF), Zimbabwe*

#### **ABSTRACT**

*The study assessed the exploitation of trademarks by churches, looking at this as a case study on sustainable marketing, branding, and reputation management. It made use of a mixed approach. The qualitative method involved in-depth interviews with church leaders to identify the trademarks used by their respective churches, and how they have been used to enhance their marketing, branding, and reputation management strategies. The quantitative method involved a survey of churchgoers to evaluate the effectiveness of the identified trademarks on their perception of the churches' marketing, branding, and reputation. The study revealed seven types of trademarks exploited by churches, categorized in two namely: conventional trademarks and non-conventional trademarks. The study also showed the various factors influencing the form of exploitation trademarks exploited by churches, on their marketing and branding strategies, and their impact on the reputation management of the churches.*

#### **INTRODUCTION**

This chapter will focus on Sustainable Marketing, Branding and Reputation Management by examining the exploitation of trademarks amongst churches in Zimbabwe. It will consider how churches can effectively utilize trademarks to enhance their marketing, branding, and reputation strategies.

Trademarks in the world of business cannot be overstated. Trademarks entails a number of aspects which include but not limited to, symbols, words, colors and other forms of identification that sets apart products, businesses, and churches from another or its competitor. They play a critical role in marketing, branding, and reputation management strategies of churches (Mulyanegara, 2019). Churches have

DOI: 10.4018/979-8-3693-0019-0.ch025

been always IP owners (Ngangwa, 2017). For instance, In the Roman Catholic Church, bread and wine for communion are protected by patents. Moreover, hymn books show that various church songs are protected by copyrights and churches have other distinctive marks such as the cross, the rosary for Roman Catholics, logos, and sounds.

Trademark exploitation by churches include direct-use such as putting stickers on vehicles, calendars, wearing of bracelets, printing pictures of church leaders such as the Pope, pastors, prophets and apostles on t-shirts, caps, masks billboards and selling apparels with the distinguishing signs of the church. Moreover, in Zimbabwe, the issue of trademarks in church has become so sensitive to the extent that disputes has often degenerated into battles and court cases. In the African Faith Ministries (AFM) churches for instance, two warring factions fought over ownership of the church's trademark. The battle between Amon Madawo of AFM in Zimbabwe and Cossan Chiangwa of AFM of Zimbabwe is over ownership of church logo and name. this battle degenerated into a long court case of Chiangwa And 7 Others vs AFM in Zimbabwe and 7 Others in which AFM in Zimbabwe claims that AFM "Of" Zimbabwe and the use of a similar logo though with a cross leaning to the opposite direction as AFM in Zimbabwe's 2 constitutes infringement and confuses followers (Chingarande, 2021, Zimbabwe Legal Information Institute, 2021), proving that trademarks are a sustainable marketing strategy to churches. In the United States of America, the use of The Catechism of the Catholic Church (which was released in 1992), for internet projects on deeper understanding of the Christian Faith requires obtaining a license from the US Conference of Catholic Bishops (Jones, 2022). In the United States of America, a founder of FlockNote (church-based communications company in Texas) Mathew Warner was once served with a cease-and-desist letter from the USCCB lawyers for infringement through sending daily free emails on excerpts from the Catechism to his channel's subscribers (Jones 2022). Songs and Hymn in Churches like United Methodist Church are copyright protected, for instance, The United Methodist Publishing House advised that on Hymns and tunes from the Methodist Hymnal and other hymnals and songbooks, a license from One license is required before use (United Methodist Publishing House, 2020). According to The United Methodist Church Book of Discipline (2016, p.807.10), the insignia may be used by official UMC (United Methodist Church) agencies, this includes churches to identify UMC work, programs and related materials. The book instructively does not provide for personal use of the Cross & Flame by individual United Methodists.

Church organizations frequently wage battles in court over ownership, the use and exploitation of church trademarks (Samson, 2009). For instance, the recent Trademarks exploitation according to WIPO (2021), takes the form of: direct-use, selling, licensing; franchising and merchandising, assignment and strategic partnerships or joint ventures. Direct exploitation is core to an institution's attractiveness in services or products (ARIPO, 2021). It entails that the proprietor directly commercializes IP assets alone (WIPO, 2021). On the other hand, sale entails assigning or transferring ownership rights to the assignee. Whilst Licensing: can also be termed Registered Users. It a form of indirect use, whereby the licensor grants a sub-license to the licensee in return for royalties or a fee for a contracted period of time (ARIPO, 2021). Franchising: is regarded as a distinct license granted by the franchisor to the franchisee in return for a fee of using a business model along with a number of IP rights attached to it (McGuire, 2015). Joint Ventures/Strategic Alliances: are cooperative business relationships forming interdependence between two or more different companies. Whilst assignment, is when an assignor assigns proprietorship of his or her IP rights to an assignee (ARIPO, 2021) and ownership of IPR is given to the assignee.

19 more pages are available in the full version of this document, which may be purchased using the "Add to Cart" button on the publisher's webpage:  
[www.igi-global.com/chapter/exploitation-of-trademarks-by-churches/330814](http://www.igi-global.com/chapter/exploitation-of-trademarks-by-churches/330814)

## Related Content

---

### Educated Young Consumer Purchase Behavior towards Green Products: An Empirical Study in India

Gyaneshwar Singh Kushwaha and Nagendra Kumar Sharma (2015). *International Journal of Green Computing* (pp. 48-63).

[www.irma-international.org/article/educated-young-consumer-purchase-behavior-towards-green-products/149457](http://www.irma-international.org/article/educated-young-consumer-purchase-behavior-towards-green-products/149457)

### Sustainable Development in Agriculture: Past and Present Scenario of Indian Agriculture

Vaibhav Bhatnagar and Ramesh C. Poonia (2022). *Research Anthology on Strategies for Achieving Agricultural Sustainability* (pp. 1342-1364).

[www.irma-international.org/chapter/sustainable-development-in-agriculture/299317](http://www.irma-international.org/chapter/sustainable-development-in-agriculture/299317)

### Culinary Narratives and Community Revitalization: The Role of Media in Promoting Sustainable Gastronomy Tourism

Vishal Jain and Archan Mitra (2024). *Promoting Sustainable Gastronomy Tourism and Community Development* (pp. 67-80).

[www.irma-international.org/chapter/culinary-narratives-and-community-revitalization/342696](http://www.irma-international.org/chapter/culinary-narratives-and-community-revitalization/342696)

### When Low-Carbon means Low-Cost: Putting Lessons from Nature to work in our Cities

Stephen J. Salter (2013). *Creating a Sustainable Ecology Using Technology-Driven Solutions* (pp. 282-295).

[www.irma-international.org/chapter/when-low-carbon-means-low/75389](http://www.irma-international.org/chapter/when-low-carbon-means-low/75389)

### Environmental Vulnerability to Climate Change in Mediterranean Basin: Socio-Ecological Interactions between North and South

Ahmed Karmaoui (2016). *Handbook of Research on Climate Change Impact on Health and Environmental Sustainability* (pp. 105-138).

[www.irma-international.org/chapter/environmental-vulnerability-to-climate-change-in-mediterranean-basin/140565](http://www.irma-international.org/chapter/environmental-vulnerability-to-climate-change-in-mediterranean-basin/140565)