



ARTICLE

Brand displaced

Trademarking, unmarking, and making the generic

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In this paper, I examine the creation of prop “non-brands” in the United States movie and television industry. In taking up the work of Independent Studio Services, a large prop house located in California, I look to how fictive and generic alternatives to “real” brands replicate brandedness without any brand. As product placement in movies and television becomes increasingly important as a form of brand promotion, the prop-brand cuts out a unique semiotic space in which a particular ideology of the generic is constituted. Such spaces of the generically marked and unmarked are, however, of much broader importance to anthropological and social theory. Reaching far beyond branding, the generic exists as a conceptual space in which we can understand the world of short-hands, blueprints, and proxies, and how they serve as conduits for universal and generalizable forms of knowledge.

Keywords: Generic, branding, trademarks

“Nothing ever had been, was or would be in the universe outside it but was already present as virtual, or actual, or virtual rising into actual, or actual falling into virtual, in the universe inside it.”

—Samuel Beckett, *Murphy*

In this paper, I discuss the concept of the “generic” in relation to the work of a prop-company in Los Angeles, Independent Studio Services (ISS), and its engagement with providing fictive alternatives to branded products in television and movies. These props include fictional brands (“Heisler Beer”) as well as generic replacements (just “Beer”), which might be best described as “prop-” or “non-brands.” These non-brands are used as on-screen proxies for real, trademarked ones. I wish to use the example of ISS non-brands to highlight a specific set of practices that reveal not only the porous boundaries of trademarked images and brands, but a type of space that might allow us to better think through the consequences of the “generic” more broadly as a circulating form, and indeed as a neglected anthropological concept. My goal here is not to provide an ethnographic

portrait of Independent Studio Services or indeed the prop industry in Hollywood. Rather, by highlighting the semiotic spaces in which the non-brand circulates, I ask how we might conceptually engage with the forms of substitution, resemblance, and non-specificity that surround us, and that the generic inhabits. My discussion of the non-brand is set against the well-known upturn in brand-sponsored product placement in television and film (. . . that’s a Coca-Cola your favorite movie star is drinking . . .) (Meyer, Song, and Ha 2016). But as on-screen product placement grows in importance as a mechanism of advertising and movie financing, so too does a more strategic practice of withholding trademark rights for on-screen use by the brands themselves. Thus, movies and TV have become not only an increasingly important space, but a highly contested one in which





the brand circulates. Because of such brand management, product placement has seen the rise of its inverse, or perhaps strange cousins—non-brand, fictive, and generic alternatives.¹

The fictional universes of television and movies offer a unique means of understanding what semiotic spaces and processes branding can and cannot occupy. In particular, the non-brand brand highlights, in Constantine Nakassis's terms, the space between brand identity and the overarching role of the social ontology of brandedness (Nakassis 2012a). I suggest that this separation of brands and their particular mechanics, from the broader concept of "brandedness," is a useful one in thinking through how the semiotic spaces of types can circulate without their tokens. Rather than viewing this separation as an exercise in abstraction, however, the Hollywood prop-brands actually inhabit such a distinction in practice. I describe how these non-brands are engaged in the unique project of constituting ideologies of the brand without the brand itself. Indeed, although commonly understood as mimicking, copying, stealing, and otherwise appropriating brand identities and commodity value, the creation of fictive and generic brands point to a semiotic space that is more concerned with erasing the projects of distinction that are intrinsic to particular brands, rather than imitating them. Thus, instead of framing the generic (and more broadly the counterfeit, the fake, the virtual, and so forth) as existing as semiotically underdetermined, vague, or non-specific, I argue that these prop-brands, these non-brands, show how the concept of the generic is often anything but vague—in fact on-screen generic products are remarkably precise, and indeed distinct, in how they semiotically locate themselves in relation to brands. While on the surface, this play between branding and its fictive and generic offshoots is contained within the space of movie and TV set design, I suggest that not only are the legal spaces of copyright law and ownership implicated, but the role of the concept of the "generic," both in social practice generally as well as in the disciplinary spaces of anthropology, is necessarily foregrounded. Moreover,

such a foregrounding of the generic is important given how it occupies a unique space of evaluation and classification within broader frames of sociality. That is, I want to advocate for a more thorough accounting of the generic in anthropology—how practices of non-specificity and generality allow us to move through the world—how the generic exists at times as blueprints and starting-points for cultural creativity, as proxies and substitutes, as well as the culturally worn-out, derided, and clichéd.

The generic is an important concept. It has its formal designations—for example, in linguistics, finance, copyright law, and computer programming. It has its classificatory uses as a higher-order taxonomic category in the natural sciences, as well as in the likes of cognitive psychology, denoting the unmarked and non-specific. In other spaces, it exists as the collectively shared and basic templates of things. And indeed the generic—in its guise as the underlying form stripped of specificity—has a long and winding history within anthropology, if implicitly so, whether it is the searching out of Ruth Benedict's "patterns," Lévi-Strauss's "structures," Emile Durkheim's "elementary forms," or Radcliffe-Brown's "minimal units." Of course, the generic has a far less classificatory, and more evaluative currency too, related to the culturally discarded, mimetic, as well as simply the ubiquitous. How then do we engage the generic, when it ranges from the subtle eye-roll to a written cliché, and from easy-listening music to copyright law and taxonomies in the natural sciences? Does engaging the concept of the generic allow us to better understand the universality of crucifix regalia across Christian denominations in the Philippines, for example, or the striking similarity of social housing architectural plans across Europe, or the predominance of the Times New Roman type font? I argue that it does. However, to do so, we need to move past viewing the generic as something that is static, and the result of other social forms and processes. And one space in which we see the generic as immensely active and contested is in the practices of contemporary branding—where the mark, and identity of difference, where token and type, brand and product—are necessarily foregrounded.

Coming in the wake of a critical upsurge in political and activist attention paid to brand and corporate practices in the 1990s (epitomized by the likes of the Kathie Lee Gifford and Nike sweatshop scandals, Coca-Cola union busting in Mexico and the *Sinaltrainal v. Coca-Cola Co.* case, and the popularity of Naomi Klein's 2000 book *No logo*), anthropology initially engaged with

1. The "fake" itself has garnered increasing anthropological attention, for example the collection, *Fake: Anthropological Keywords* (Copeman and da Col 2017), in which the fake itself exists as a proxy for a constellation of concerns regarding sincerity, falsity, self-deception, and ultimately how acts of recognition are tethered to assertions and negations of the authenticity.



branding through the wide lens of globalization, as well as in particular subfields such as legal anthropology (Miller 1998; Lury 2004).² Subsequently, over the past two decades, the brand has in many ways become something of a thematic cynosure in anthropology. This makes sense given that the brand intersects with several critical concerns to the discipline, ranging from the nature of the commodity, exchange and consumption, law and corporations, to the circulatory and ideological remits of materiality. It is also unsurprising that a number of anthropologists have taken a semiotic approach to the study of brands and branding, as discourses within corporations on branding are, as Paul Manning has noted, eerily similar to anthropological discourses on semiosis more generally (Manning 2010). That is, talk of signs and interpretation, and of the inferences and connotational value of particular images, words, and gestures are as common in corporate advertising boardrooms as they are in graduate anthropology classes.

More recently, and importantly, anthropological attention to the brand has often looked to the so-called “edges” of brand consumption and production, such as spaces in which the concept of the brand is stretched—materially, socially, and legally. For example, the production of counterfeit brands (Nakassis 2012a), the “death/genericide” of brands (Moore 2003), and the branding of that which is not usually viewed as being brand-able, such as “cuteness” (Allison 2004) have all received attention. In such spaces, we see the brand wrested from the control of official brand managers. Admittedly such edges problematically presuppose a center, the composition of which has likewise come under scrutiny (Wengrow 2008; Crăciun 2012; Luvaas 2013). This focus on the edges of the brand emphasizes that in as much as the branded commodity is indexical of its brand, it is simultaneously indexical of the structures of its own formation (even if that formation is one that seeks to erase forms of labor). Moreover, such indexicality—as is the way with indexicality—is open to appropriation and reinterpretation. In this semiotic coalescing of brand and product that is core to the success of a brand, the relationship between commodity and production is minimized while that between commodity and brand is emphasized, arguably much more

2. Anthropology’s engagement with branding came surprisingly late. For example, in the hugely influential edited collection *The social life of things* (Appadurai 1988), only now has the absence of the topic become notable.

than traditional forms of production and commodity.³ It is within this opening and closing of interpretive space between the brand and the commodity that the fictive and generic can be located.

The fictive branded and generic products produced by ISS can be aligned with such “edges” of brand commodities. The space that these brand (or actively non-brand) formations constitute between the ideologies of brandedness and the commodity is a remarkably useful one in understanding the circulation and the ideological contingencies of brands more broadly. While they initially emerged as a response to the branded world, such non-brands are now clearly engaged, semiotically and economically, with real brands (and real economies). In some ways, they share some similarities with the counterfeit, the fake, and the knock-off—such as fundamentally engaging in projects of verisimilitude and replication—but also differ in that there is no attempt to actually replace or supplant the real. Moreover, the prop-brand originates from an overarching attempt to avoid crossing legal boundaries and trademark infringement, whereas the counterfeit inherently crosses it.

As I show here, ISS and their production teams move past the replication of brands, and are engaging in a new semiotic space of brandedness, in which brandedness is produced without the brand itself. That is, ISS creates generic and fictive forms, not only as a means of avoiding trademark infringement, but because they wish to avoid the over-distinction of branded identities in the shows and movies they service. They wish to constitute a version of the world in which the concept of branding exists but in which the semiotic play of distinction in which brands must compete, does not. If branding

3. For example, the IKEA brand and the IKEA wooden chair are generally much more closely aligned in their meaning than the unbranded chair and its carpenter. For critics of branding, this is of course much more than a semiotic coalescing, and instead a complete erasure of the labor involved in production. Where the unbranded chair might index and exist as an icon of the labor and the carpenter involved in its production (one could imagine its production), arguably the branded aspect of an IKEA chair conceals its production to the extent that it suggests it had no history before its presence in a store. Added to this is the nature of IKEA branding, in that it has pushed past the necessity of an insignia, and instead the brandedness of the IKEA commodity is formed through its design aesthetic.



obscures the relation between the commodity and its production, it reveals the relation between the brand and the nature of brand production (a branded commodity foregrounds the practice of branding in the world). But is it possible to foreground this practice of branding in the world—to highlight that things are branded—without the use of brands? That is the project of ISS's engagement with brands. As a number of authors have argued, while we might read the can of Coca-Cola in our hand as a token of the Coca-Cola type, there is another type/token relation at work, where the Coca-Cola brand is the token, and brandedness itself is the type (the citationality of the brand as per Nakassis 2012b; see also Fehérvári 2013). Through this lens, the fictive and generic stand as attempts to produce type without token (or only token and ontology)—essentially, brandedness without the brand.

In what follows, I take up several cases of props that in some manner stand in relation to the world of branding. In particular, I wish to take up the matter of fictive beers produced by ISS. These are by far the most widely circulated of their fictive brands, and have taken on something of a branded life of their own, themselves counterfeited. As I discuss, this is an odd inversion of the real-to-fake brand, whereby the knock-off is the real and the original fake. Here, the original is a fictive brand that does not exist in any real commodified manner nor circulate in any normal understanding of a market, and the fictive is real merchandise that is “knocking off” the fictive brand. However, my aim in this paper is not to just highlight a simple quirk in the grand schema of contemporary branding practices, in which the fictive and generic brand is appropriated in real and commodified forms, but rather I wish to show how prop-branding reveals the semiotic intricacies of the fictive and generic to be much more complicated, and ultimately implicated in the normative practices of brand management.

The prop house

Independent Studio Services (ISS) is one of the larger prop houses in Hollywood. Located in a nondescript red brick building in Sunland, California, it sits at the foot of the San Gabriel Mountains, at both the literal and economic edge of Los Angeles. Unlike some prop houses which specialize in particular sorts of props, for example 1950s Americana (diner booths, soda fountains, jukeboxes etc.), ISS has a stock of hundreds of

thousands of props, and a factory capable of building almost any prop requested. ISS will make and rent out anything from mummy caskets and treasure chests of golden doubloons, to SWAT team assault rifles and Incredible Hulk hands (Figure 1). Nevertheless, it has built a particular reputation for fictional brands, and is adept at producing both the labels and the packaging for normally branded commodities—milk cartons, soda, bread, candy, and alcoholic drinks. If one is to flick through American TV channels on any given evening, one is bound to find ISS products lurking somewhere on the screen.

The prop industry in Los Angeles is a decentralized one, and for the most part is independent from the entertainment studios. This was not always the case. In the first half of the twentieth century, as Hollywood became a major industry, props (derived from “properties,” as in theater or stage properties) were owned and housed by the major studios themselves. Most often located on the large studio lots themselves, each prop department would cater only to that studio's movies. This was part of the centralized format of the studio system that likewise had full control of production and actors' contracts and movie distribution. As these were integrated conglomerates, controlling every aspect of movie production and circulation was a guiding principle, and for the major studios (notably the “Big Five”: MGM, Warner, RKO, Paramount, and Fox), having internal prop departments made more sense given the prevailing use of sound stages and the backlots for filming (think here of images of actors dressed as hotdogs on a cigarette break with another actor dressed in top hat and



Figure 1: Independent Studio Services, California. Weapons Prop Collection.



black-tie). However, after a string of legal cases, and ultimately a 1948 Supreme Court judgement in *United States v. Paramount Pictures, Inc.*, the major studios in Hollywood were limited in their ownership and monopolies of movie theaters. Such changes initiated the large-scale “vertical disintegration” of the Hollywood studios (Bloch 2005). While such decentralization (or disintegration) of the studio system is now most often associated with the end of studios “owning” actors through stringent contracts and the rise of United Artists and independent production companies, the prop industries were similarly part of these decentralizing changes in movie production.

Having originated as part of the studios themselves, the prop houses began to exist as their own adjacent industry in Los Angeles, and since the 1960s, the vast majority of prop houses have been owned independently of the Hollywood studios and television networks themselves. There are now hundreds of prop houses in Los Angeles, ranging in size and specialty. In addition to building their own sets and reusing basic props, such as characters’ clothes, any network or major cable television show, or major studio movie, will on average use approximately ten prop houses during a production (Bloch 2005). Due in part to this economic and organizational independence from the studios, the same fictive branded props are used across networks and studios. To this end, because of the wide (and widening) scope of particular fictive brands, a verisimilitude of fictive branding has grown independent of and larger than any particular movie, television show, or studio. One can see an ISS “Heisler” branded beer on a Fox sitcom on a Thursday evening, in a political drama on NBC on a Friday evening, and in a Warner Brothers rom-com movie in the cinema on a Saturday night. In semiotic terms, the fictive and generic brands are no longer simply indexical of particular real brands (Heisler to Heineken, for example) but constitute and circulate within an iconic-indexically interrelated universe of fictive brands. That is, the prop-brands are gesturing not only to the brand but replicating the semiotic ideologies of branding in the world (Keane 2003).

Brand displacement

The existence of prop non-brands is deeply connected to trademark law in the United States. Without delving into the intricacies of such law, it is important to note that while trademark law is long-established and expan-

sive,⁴ there is an inherent ambiguity and difficulty in determining what constitutes “fair” and “incidental” use of trademark (and sometimes copyrighted) brands on screen (Seiter and Seiter 2012). Thus, although it is possible to display trademarked brands in limited ways on screen without permission, it is notoriously difficult to get right, especially if the brand company is litigious and particularly controlling of its brand. Added to this difficulty is the nature of filming, whereby the risk of having to re-shoot because of judging the fairness of a trademark use incorrectly, is so costly as to be prohibitive. Rather than tease out the complexities of, and risk infringement of trademark use, the fictive and generic forms of branding offer an easy solution for studios, production teams, and the prop designers themselves.

In general, the prop houses generally shunt the legal work surrounding their brands and the risk of infringement onto the studios. Nevertheless, because of this intersection with real and counterfeit brands, ISS and prop designers and prop managers employed by the movie and television productions are all thoroughly adept at engaging with the world of brands. Most people are now well aware of the increasingly important business of “product placement,” whereby a branded product appears on screen and is embedded within the context of the universe portrayed on screen. Such is the success of product placement as an advertising technique that by many accounts, it has often doubled in value year on year (Al-Kadi 2013). Such a practice makes sense, and is becoming arguably the most viable and important means of advertising available to brands. While television and print advertising are seeing decreasing revenues, and internet advertising arguably fails to live up to its expectations, the placement of brand identities within the fictive universes of television and film is a booming industry. To have a well-loved character/actor engage with a branded product is thought by many to be much more effective than advertisements (La Ferle and Edwards 2006).

There is nothing new, of course, to the relationship between TV/movies and the economics of consumer goods. And such a relationship is not limited to product placement nor traditional forms of advertising. Product placement has not in itself produced the ground upon which it exists. That was in place since at least the 1930s. For example, one famous (although arguably a

4. But also famously inadequate to meet the changes in media and technology.



myth) story is that of Clark Gable and men's undershirts. According to legend, when Clark Gable removed his shirt in front of Claudette Colbert in 1934's *It Happened One Night*, and revealed a bare chest rather than an undershirt, sales for undershirts across the United States plummeted by 75%. Although likely untrue (undershirts did essentially fall dramatically out of fashion at this time, but the trend almost certainly began to occur before 1934), it does highlight the intricate and indeed accepted relationship between on-screen action (consumption) and the indexical relationships (both in terms of influencing and being influenced by) of fictive and real universes of consumption. It was this established ground upon which contemporary product placement is predicated. It comes as no surprise that brand managers would wish to have their brands associated with particular characters and in certain contexts in television and film. Thus, the most prominent examples of product placement are when fictitious characters use real brands, such as Daniel Craig's James Bond using a Sony VAIO laptop to send an email in *Casino Royale* (2007), or having Chris Pratt's character in *Jurassic World* (2015) drink a bottle of Coca-Cola (Figure 2). Indeed, in the case of Sony and James Bond, as is common, the advertising went beyond product placement, and into cross-promotional tie-ins when, for example, Sony released a version of the laptop used with James Bond insignia and the numbers "007." Another James Bond movie, *Tomorrow Never Dies*, is noted for its excessive use of product placement, with estimates between a quarter and its entire budget coming from placement revenue (Kardes, Cronley, and Cline 2014).

Product placement can be motivated by either party. While Coca-Cola, for example, might pay to have their product in a movie, television and movie productions



Figure 2: Coca-Cola product placement in *Jurassic World* (Universal Pictures 2015).

may request the permission and possibly also pay a brand company to have their product on screen. The latter is less common, and usually occurs only if the brand is viewed as central to the narrative or scene. For example, in AMC's television show *Mad Men* (2014), Coca-Cola was deemed a necessary plot device in the famous series finale, and an alternative or fictive brand would not have worked, given the centrality of the brand to the story. Other examples include *Seinfeld*'s common use of real brands (Hershey, Pez, and Junior Mints). Such product placement instigated by the screen productions themselves often give a desired reality (i.e. closer verisimilitude) to the movie or television show. But not only is such a move costly (although sometimes permission is granted without payment, as was often the case with *Seinfeld*, for example), the brands themselves often simply refuse, notably if they have little to no control over their brand's on-screen portrayal, and are unwilling to leave the presentation of their brand to the whim of screen production teams. Such a problematic for prop managers, designers, and directors has led to the inverse of "product placement," perhaps unsurprisingly known as "product displacement."

There are several ways one can displace a product in order to avoid trademark infringement. The most basic displacement of trademarks is known as "greeking." This is simply covering a branded item enough on screen as to not infringe upon a trademark (Figure 3). Simple in theory, but often difficult in practice. There is an art and expertise to greeking, covering just enough and revealing just enough of the branded item so that the viewer can detect (albeit unconsciously at times, or "noticing without noticing" as one person I spoke to described it), and a constant push-back from brand companies themselves, as they try to retain a "firm grip" on their brand circulation (Luvaas 2013). Greeking can take a number of forms, some more subtle than others. For example, a casual viewer of television might well have noticed a sports jersey logo or sponsor's name pixelated on screen, particularly on reality television shows where there is less control over the on-screen appearance of branded items. This is perhaps the crudest version of greeking, and exists outside of the fictive universe, being superimposed in editing. A person wearing a New York Giants or Manchester United jersey on camera in a reality television show will have to be greeked in post-production if the rights cannot be obtained, and the options of subtly greeking are limited as a result. Pixelation also occurs in television shows (much more often than in movies) due





Figure 3: Greeking of the Apple logo with a small globe in *How I Met Your Mother* (20th Century Fox/CBS 2006).

to different international trademark agreements and law. Thus, any viewer of American reality television shows in Europe will find many more pixelated items than if they were viewing the same show (or famously music videos) in the United States. Of course, this form of greeking is generally far from the preferred outcome, as it draws attention to the matter of product, and violates many assumptions of disbelief and the verisimilitude of reality laid claim to by television productions. Much more effective, for example, is the can of Coca-Cola with a sandwich placed in front of the majority of the Coca-Cola trademark on the can, or placing a “99c” sticker atop the majority of the “HERSHEY” on a Hershey branded chocolate bar. Not only is suspension of disbelief retained, but the viewer is judged to be adept enough in the ways of branding to decipher the redness of a can of Coke, or the Hershey-ness of a chocolate wrapper.

Important for our purposes here is that branding on screen, whether product placement or displacement, relies on a certain presupposed expertise⁵ of the viewer in navigating the world of branding itself and acclimated to the slippage between real brands and fictive universes, not only the particularities of specific brands. Such expertise, and indeed such exercises in branding, are, however, not limited to the fictive universes of product

5. Although, as I discuss later in terms of the materiality and its replication in generic products, such expertise is deemed to be limited by the prop makers.

(dis)placement, as witnessed, for example, by the controversy over Michael Phelps wearing Beats headphones at the 2016 Rio Olympics, resulting in Phelps having to “greek” the logo of the headphones with American flags.

The second means through which to achieve product displacement and avoid trademark infringement is to design a generic (or non-branded) form of the branded product for on-screen purposes. These are often of products that might be branded, but where the brand identity is not high. Milk is a good example (Figure 4). While an average consumer is likely to have a preferred brand of milk, and is likely to have a reasonable knowledge of the specificities of the product (full fat, two percent, almond, coconut, price, etc.), they may not know the brand name, or at least not to the extent as compared to their knowledge and loyalty to soda or car brands. While even a person who neither drives nor drinks soda would be able to name three brands of each product, the average milk drinker would likely be hard put to do the same with milk brands. Here, the descriptive/referential component of the product is emphasized over the value of brandedness and brand identity. Milk companies, of course know this, and tend to locate descriptive aspects of their product in much larger type than any logo or brand name. As a result, prop companies tend to produce generic forms of such products, and replicate the semiosis (in particular the indexical to ground sign relation). Where the product carries with it a foregrounded generic form, so too will the prop designers. “Bad” props,



Figure 4: ISS generic/fictive milk cartons.





whereby the viewer identifies the prop *as* a prop, are often found when a generic form is replacing a highly branded product, and calls to mind the role of generic branding in socialist markets (Manning and Uplisashvili 2007). Thus, when the generic form is enacted as a proxy for an intensely/famously branded commodity (a can of “cola” where one would expect “Pepsi” or “Coca-Cola,”) the prop has failed to do its job in constituting a simulacrum of the original. The famous “suspension of disbelief” is broken.

The third form of product displacement is the “fictive brand” (Figure 5). As already noted, the fictive brand, along with the generic, is perhaps the most interesting practice, at least for our purposes here, in revealing a particular set of indexical properties that are deeply implicated in “real” branding. ISS produces a wide array of fictive brands, but all are intricately tethered to real brands. This is perhaps the traditional way of viewing fictive brands, and can be aligned with greeking, for the two appear to be engaged in a similar project: come as close, but do not infringe on the trademark. But as I suggest below, this is not all that is at work in the prop-brand. On the one hand, the fictive brand, for example Heisler Beer, appears to be a straightforward mimic of a real brand, that is “fake” in a straightforward sense, directly tethered to a real brand (namely Heineken). On the other hand, these fictive brands are not so much “fake” nor “virtual” as they are attempts in achieving an instantiation of brand type without any token. They are not copies of brands, but improvisations on them, and importantly, instantiations of categories of objects without any object. As is the generic. That the fictive brand is taking advantage of a generic space is very important, and arguably is what allows the prop-brand to succeed.



Figure 5: Fictive ISS potato chip brands.

Both are denying what might be termed “semiotically leapfrogging,” or otherwise avoiding, brands.

Fictive alcohol brands occupy a notable position within the prop-brand world. There are a number of reasons for this. On-screen consumption of alcohol is of course near ubiquitous, especially in certain genres of television such as the sitcom. Situated on talk rather than action, such genres regularly present consumption of alcohol as a means of indexical framing and context of friendship and sociality, as well as a plot device for enabling character advancement. Compared to food, for example, alcohol consumption is much preferable, as not only does it enable much more control for continuity between shots and re-takes, it does not hamper talking as eating food does. And alcohol consumption is simply a much wider and legible indexicality of sociality than food can be. Easy indexicals of alcohol consumption include those of a character’s declining state, for example after losing a job—show them getting drunk at home on the couch; plot device for a mistaken romantic entanglement—show them drinking in a club and waking up hungover in bed with said entanglement; youthful abandonment—show them binge drinking; post-action solidarity—show characters raising a glass or beer to one another. And so on.

ISS does produce fictive brands of spirits, but the vast majority of their fictive alcohol brands are beer. This makes sense given the general consumption of spirits in nondescript glasses, and thus calling for nothing in the way of brand replication. And aligning with the drink of choice by Americans—at least on-screen Americans—beer is by far the dominant alcoholic beverage on US screens. But given the on-screen representation of beer consumption regularly includes drunkenness, drunken fighting, throwing up, and regretted dalliances, it is unsurprising that alcohol brands are often unwilling to allow their brands to be represented in such an ostensibly negative light.⁶ And when trademark rights are either paid for, or paying themselves for the placement of their

6. I say ostensible here for arguably alcohol brands are massively and knowingly dependent on these generic representations of alcoholic consumption to bolster, if not their brand, then the consumption of alcohol in general, and, moreover, to frame the contexts in which one drinks. Consider, for example, the television show *Cheers*. While undoubtedly influential in how Americans perceive the sociality of alcohol consumption, the show relied wholly on generic forms and non-branded alcohol.



product, alcohol brands are famously controlling in the on-screen management of their products. Thus, if a brand wants to have Brad Pitt drinking its beer in the manner it wishes, a TV commercial is often the preferred choice (e.g. the Heineken 2005 “Beer Run” TV commercial, directed by David Fincher and starring Brad Pitt).

Of course, there exists widespread critique of product placement for numerous reasons, including the growing influence of brand companies in seizing control of plot and narrative from writers and producers. One of the interesting outcomes of such critiques of this form of product placement is that TV shows and movies often include product placement while at the same time critiquing its practice. Examples of this range from *Arrested Development* and *30 Rock* (in which no subtlety or naturalness of placement is attempted, to the extent that in one episode Tina Fey’s character says “Verizon” and then breaks the fourth wall and notes to the camera “Can we have our money now?” to movies and music videos that arguably over-incorporate massive amounts of product placement, and in doing so, calls attention to corporate, branded, and commoditized norms (for example, the music video for Lady Gaga’s song Telephone in 2010).

In order to show how the prop-brand is engaged with trademarks, current branding practices and the concept of the generic, I wish to briefly outline three examples of ISS prop design, in which the semiotic slippage that such prop-brands incur are apparent.

Example 1

In March 2016, during pilot season (in which a multitude of first episodes of shows are produced with the goal of being picked up for a full season), everyone at ISS was very busy. While I was speaking to an assistant designer in her office, the phone rang, and she needed to take it. A television show was on location in Atlanta, and the assistant director called her to ask for a custom-made prop. The script called for a character to be sprayed in the face with an anti-bacterial spray. They informed ISS that they needed the bottle to be larger than a real spray, and were planning to use a small Evian bottle of water. They needed ISS to design an anti-bacterial spray label to fit the bottle. But what label was most suitable? They agreed that the brands Neosporin and Bactine, for example, were neither culturally dominant nor indeed descriptive/linguistically referential enough in their brand names to be open to imitation, or partially

obscured (for example by a \$1.99 price sticker) so as to be greeked. In this way a label with a fictive brand name such as “Newsporin” or “AntiBactea” would be illegible to the viewer as having an indexical and iconic tethering to a real brand. Because of this, ISS and the TV show’s production team decided on a generic and explicitly descriptive title, “Triple Antibiotic Spray” with a similar design and color scheme to Neosporin (Figure 6). In this way, the generic form was chosen as having more connotative value, one that could not be achieved by a fictive brand that aligned itself with and hewed close to a real brand. Thus, in this scenario, the generic non-branded form is viewed not as less meaningful, but more so, than either the real or fictive brand. This is a point I return to, but it is this use of the generic form that shows not only how the fictive brand is both determinedly different from the counterfeit (the counterfeit cannot successfully instantiate the generic), but how the generic itself is not limited to running a semiotic spectrum of specific to non-specific in order to attain indexical and iconic value.

Example 2

ISS had been working with the production teams on the new series of *Twin Peaks* on the Showtime network. I was asking designers the degree of engagement production teams generally had with ISS. Did the production teams co-design the props or was ISS given a wide latitude in its design? As in the previous example, it was often a joint effort, but at other times, I was told, ISS were left to their own devices. David Lynch was mentioned as an example, unsurprisingly, as a director who took particular

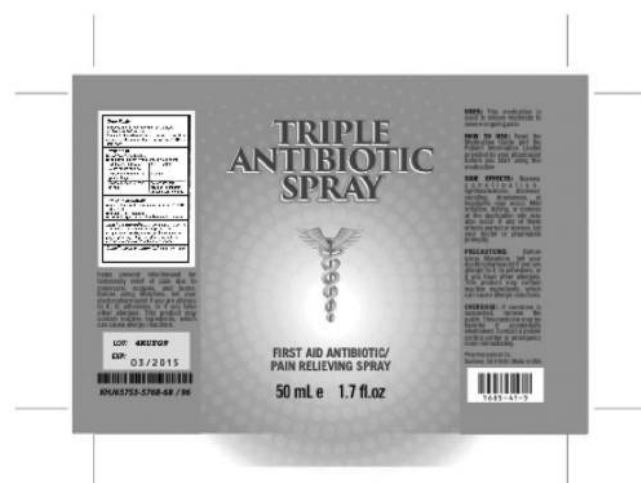


Figure 6: ISS Label design mock-up for an antibiotic spray. March 2016.



pains to involve himself in the process. For *Twin Peaks*, he had wanted exact replicas of the FBI badges and ID cards. He had been unhappy with the ones used in the original series. Because of Lynch's insistence, ISS contacted the FBI, and requested an example on which they could base their prop design. The FBI responded that they could not assert whether FBI agents even had badges or not. After a lengthy conversation, apparently the person at the FBI informed ISS that they should (wink-wink) copy the badges used by *The X-Files* production, as they were by far the best replicas. This attempt to hew as close to the iconicity of the "real" was similar to that of a famous and often repeated story that circulates at ISS and beyond, regarding their printing of fake money. During the filming of a Las Vegas explosion sequence in *Rush Hour 2* in 2000, a truck stacked with fake money printed by ISS was blown up. After a small riot ensued in which the money was grabbed by bystanders and subsequently began to appear in stores across multiple states, a Federal enforcement agency ordered ISS to cease producing any form of fake money. The money was not fake enough.

Example 3

The third example is ISS's fictive beer brand, Heisler. As discussed previously, while ISS produces a multitude of different fictive brands, ranging from tortilla chips to magazine covers, often for one-off scenes, reusable alcoholic drink brands occupy a prominent position at ISS, and Heisler is arguably their most successful (Figure 7). Heisler Beer, with its famous red-colored label, has appeared in numerous television shows, such as *Brooklyn Nine-Nine* and *CSI: Miami*, as well as movies such as *Training Day* and *The Social Network*. So successful has Heisler become in fact that in recent years increasing attention is paid to it within shows, such as a char-

acter explicitly asking for a Heisler in the television show *New Girl* in 2015. Not only this, but Heisler, like many "real" beer brands, has itself been replicated, imitated, and circulated outside of its managers' own intentions, often with a recognizably ironic/cult sensibility. Heisler Beer is now a very famous "fake" brand, with its name and design adorning t-shirts and clocks for sale on Amazon. Moreover, Heisler beer is trademarked.⁷ The popularity of Heisler has supposedly caused a number of movie and TV productions to choose ISS brands other than Heisler due to its popularity. The reasoning, as given by people at ISS, was that Heisler may now draw attention away from the scene. It has been marked. It is not generic enough.

Realities of the fictive brand

These three brief examples hopefully point to some of the tensions and ambiguous spaces through which the prop-brand, and its varying shades of mimicry, fakeness, and genericness, engage with the semiotic mediation of "realness" and trademarked brands. Importantly, as Example 1 shows, the goal of the prop-brand is not simply to avoid trademark infringement (or similar legal infringements on US federal identifications). Many movies and TV shows do not wish to use a real brand, as brands are embedded in semiotic practices of distinction, and distinction risks disrupting the suspension of disbelief in a given scene. Instead, these production teams wish to produce brandedness without doing so through the brand. The generic and fictive brand enables such indexical leapfrogging. In Peircean terms, this might be viewed as an attempt to instantiate the *legisign* of brandedness without really having to account for that instantiation. To produce type without token perhaps, or at the very least to mimic the token to achieve a real *legisign*. Or similarly, while the brand famously excels in achieving all three Peircean categories of *firstness*, *secondness*, and *thirdness* (from initial sensation or qualia, to the highly mediated social fact), the prop-brand is concerned with *firstness* and *thirdness*, but in many ways not *secondness* (in this case the actuality and instance of a brand). That

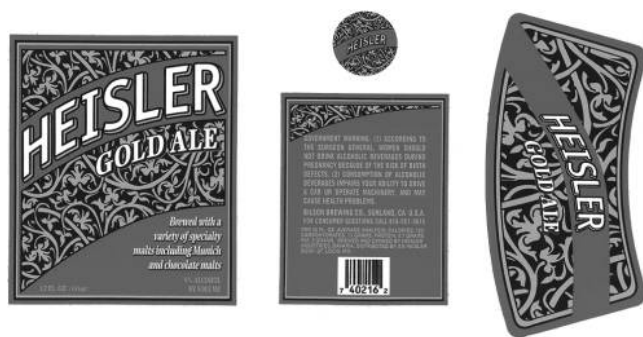


Figure 7: Heisler Beer, a fictive beer brand created by ISS.

7. However, it appears that ISS have no interest in protecting their trademarks, and have never attempted to prohibit anyone from using their brands. While ISS has a legal department, there are no copyright or trademark lawyers employed by the company.

is, the prop-brand tries to draw a straight line between the feeling and sensation of a brand to the world of brandedness (in which there is general agreement that commodities can be branded, and that brands mean certain things) without an actual brand. Moreover, the role of materiality is also at play, given that within the brand-commodity relationship, the brand token is often assumed to take a material form (the *can* of Coca-Cola). Indeed, the materiality of the prop-brand is notable, as it exists and circulates in both material and immaterial forms. Similarly, the double, or mediated market through which it is sold and consumed (first by the screen production or studios, and subsequently by the viewer), the bottle of Heisler has a material form (there is a bottle and label) but also not (there is no beer in Heisler Beer), and its ultimate consumer, the viewer, only consumes it as a visual form. However, this is an oversimplification, not only of what constitutes the material form, but also how it weaves in and out of causation and result, form and content. Much of the work in the anthropology of design, such as that of Keith Murphy, highlights this aspect of material form. For example, in thinking through how concepts such as collaboration and imagination are grounded in material forms, he highlights the fluidity within the interactional modes of talk, gesture, and the organizational materiality of work spaces (Murphy 2005; 2015).

Example 2, concerned with approximating as close as possible a real FBI badge or real dollars, appears to highlight the more expected role of the generic and fictive with regard to branding. That the prop-brand is constituted as a generic form of a brand is noteworthy in that it points to a unique semiotic space which is constituted by a combination of fictiveness, specificity and non-specificity, as well as brand alignment with material form. Indeed, the anti-bacterial label produced by ISS is both more generic and more specific than any real brand. Generic in its replication of branded form without a brand name, the anti-bacterial label is oddly more specific in its linguistic description of the product (and also in its size—more iconically available). It is worth considering this form of the generic in light of more accepted norms of how the term “generic” is used in relation to branding, namely through the marketing of pharmaceuticals. While a number of anthropologists have taken up the relationship between brand identities and their generic counterparts, we often see the generic as more explicitly replicating the brand itself. For example, in Cori Hayden’s work on generic medicines, the ge-

neric is used to imitate (as near as possible) the trademarked product without risking infringement and post-patent (Hayden 2007, 2013). In Fehérváry (2013) and Manning’s work (2012; Manning and Uplishashvili 2007) on generic branding in socialist and post-socialist contexts, we see much more slippage in the indexical scales that are at play, with socialism, capitalistic luxury, and nationalism all marked within the congruence of the im/materiality of the brand and the contexts in which it circulates. But, as each of these authors notes in different ways, the generic is always in some fashion replicating the nature of branding, even if doing so by the negation of the indexicality/iconicity of a particular brand. Through this lens, the generic stands as an attempt to produce type without token—essentially, brandedness without the brand (Figure 8). Thus, I’m arguing here that prop-brands (for example Heisler Beer, produced by Independent Studio Services) are doing much more than “replication without encroachment,” that is, simply a fictive version of Heineken. Instead, they are indexically leapfrogging (rather than piggybacking) an object, independent of cycles of semiosis associated with the brand, albeit ultimately implicated in it. To whatever degree brands are inherently self-distinguishing, as Rosemary Coombe notes, they simultaneously produce the structures of their own existence (Coombe 1996: 202). Likewise, for Nakassis, the brand cites both its own brand identity as well as an ontology, or overarching schema of brandedness. It is at this general and all-inclusive scale of branding outside its particular instantiations, I suggest, that the prop-brand exists.

While a number of authors have thoroughly excavated the complexities of branding practices and commodity value (Mazzarella 2019; 2003; Moore 2003; Manning 2012), there are two particular, and uncontroversial aspects of branding that are useful to highlight here in understanding the prop-brand, and perform the concept of the “generic.” Firstly, that there is some sort of intentional, and non-unidirectional type/token relationship at work, whereby the can of Coca-Cola in your hand is semiotically tethered to the brand of Coca-Cola, and vice-versa. That is, inasmuch as the can in your hand is an instance of the meaning of the Coca-Cola brand, it is likewise constitutive of that very meaning, and thus its circulation in the world affects the social meaning of other cans of Coca-Cola. As Daniel Miller has noted of Coca-Cola specifically, it has emerged as a meta-brand, and meta-commodity, gesturing more explicitly to the very process of branding than would normally be



Figure 8: Animated Generic/Prop-brand, Dan vs. (Starz Media 2011).

the case. As he writes, “the term Coca-Cola comes to stand, not just for a particular soft drink, but also for the problematic nature of commodities in general. It is a meta-commodity” (Miller 1998: 170).⁸ Secondly, that the “meaning” of a brand is always multiple in its indexical orders (Silverstein 2003).⁹ Core to branding is the ability for the brand to simultaneously work at different scales, ranging from formal signs of authentication of source (this is a “real” Apple Inc. iPhone) to claims of product value (the new iPhone is the best phone on the market), to much wider claims of inhabiting and fulfilling moments of modernity, the zeitgeist, and the definition and desires of self (your iPhone enables you to achieve both a better fidelity of online video and a better fidelity of self). Again, there is nothing controversial about such statements, but the ability of brands to simultaneously inhabit scales of indexicality, as well as relying on some form of type/token relationship between commodity and brand, is core to understanding the leap-frogging that the prop-brand attempts. The question is

8. Daniel Miller has also, with Sophie Woodward, deftly explored the ideologies and practices of a close cousin of the generic—the “ordinary” (2012).
9. The ability for prop-brands to scale such indexical orders is part of the replication of the semiotic ideologies of branding overall.

whether an ostensibly fictive brand can not only mimic the real brand, but also such indexical orders, or in Rosemary Coombe’s terms, mimic “the logic of the trademark’s communicative mode” (Coombe 1998: 216). There is little reason to think otherwise given that the brand itself is arguably engaged in projects of mimicry. As the likes of William Mazzarella and Lauren Berlant, as well as Coombe herself have noted, when a brand is successful, it acts as a “surrogate identity” and “prosthetic personality,” substituting, replicating and approximating other non-branded forms of relational and mediated experience (Berlant 1993; Coombe 1998; Mazzarella 2003). If the brand, as Robert Moore suggests, is a means through which producers extend themselves into the domains of their consumers, one might argue that the prop-brand is an extension into the domain of the producers, replicating their own norms of brandedness.

Conclusion: Virtual rising to generic

The multi-directional aspects of branding, in that the branded token and type are mutually constitutive, is, I suggest, what clouds any true distinguishing line between the real and the fictive brand, and enables the prop-brand to engage with both. Inasmuch as we are accustomed to mimicry and appropriation in branding and commodity production, this is by no means the case with the prop-brand. Even in the world of fictive beers, there have been a number of instances in which the real has encroached, and legally infringed the fictive. For example, in 1996, the Federal Courts of Australia heard a “brandjacking” case between 20th Century Fox and The South Australian Brewing Company/Lion Nathan Ltd., in which 20th Century Fox sued the Australian brewers for trademark infringement when they began selling the famous fictive brand “Duff Beer” from *The Simpsons* (Scott and Maull 2012). 20th Century Fox (and Matt Groening Productions) won, but the courts admitted the difficulty in deciphering the world of fictive brands. As the decision in the case noted,

An unusual aspect of this case, is that it concerns not a fictional “character” as such, but a “make-believe” product, namely the fictional “Duff Beer” which is coupled with a character, a background institution, (“Duff Brewery”), and also with the associated advertising signs, posters and images of the beer, which play an important role in the series. These features form part of the fictional “environment” in which the stories are played



out. It plays a background role as part of the fictional world which the characters inhabit. No doubt, the designation of the name “Duff” to the product was designed to achieve a more believable specific fictional effect than to have an anonymous generic “beer” can and it serves to endow the characters with more focused identifiable “human” traits. (*20th Century Fox v. South Australia Brewing Company* 1996)

Here, the judge described well how the prop-brand works, and the situational force of such fictiveness and verisimilitude, in that even the use of “Duff” in *The Simpsons* was less about distinction (as the real brand is) and more about suffusing a broader environment with verisimilitude. It also points to how the fictive universe of the prop is indexically linked to that of the real, and vice-versa. Within the play of fictive and real, the role of the proxy and the generic, distinction and avoidance, are core to how “environments,” as the decision in the Duff beer case framed it, get made.

Similarly, ISS have dabbled in the world of the “real” brand. For example, ISS was contracted to create, or better re-create, among others, vintage Coca-Cola cans for a TV commercial, as well as labels for Subway advertisements. Apparently more agile in their production set-up than Coca-Cola itself, ISS were deemed more adept at fashioning the particular vintage “redness” of the original cans. Thus, once again, we see the porous boundary between the ostensible real and fictive, with a fictive-brand prop company hired by a corporation to create fictive versions of real brands.

As mentioned previously, the popularity of Heisler has apparently caused a number of movie and TV productions to choose other ISS beer brands. The reasoning, as given by designers I met at ISS, was that Heisler has now become non-generic, a little too famous, and draws attention away from the scene. It has been marked. If the original intent of using Heisler in a scene was to replicate not a particular brand, but rather as a proxy for a non-specific brandedness—a generic form of brand identity—Heisler arguably no longer occupies this position. In his discussion of genericide, Robert Moore defines genericide as when “a brand name has lost its source-identifying power and has become just another word in the language, a term identifying not a single producer’s products but the product class to which they belong (hence, ‘generic’)” (Moore 2003: 336). A death knell of a brand, examples of genericide abound, such as Aspirin (in the US, not in Europe), Linoleum (trade-

marked in 1864, declared generic in 1878), or the Flip-Phone (originally trademarked by Motorola). As Moore (and Rosemary Coombe 1998) describe, genericization of a trademarked name highlights the vulnerability of brands to having their intended indexical (and less commonly their iconic¹⁰) properties appropriated and re-defined. And, importantly, genericide points to the centrality of distinction in brand identity. If genericide is the unintentional loss of distinction, Heisler is an example of the inverse—unintended distinction. But given that Heisler’s purpose was to be indistinct, is this then the death knell of the generic? The unwanted branding (. . . “brandicide”)? Where is the boundary of the balance here, between brand and non-brand?

In thinking through, if not the generic, then the appropriation and replication of “real” and fictive, one social theorist whose work would appear to be readily applicable here is that of Jean Baudrillard (Baudrillard [1981] 1994). If the prop non-brand, in inhabiting the mirror spaces of branding, is embedded in duplicating and reduplicating realness, thinking about simulacra and the act of simulation is critical. The play between real and authentic (and their replications) that Baudrillard highlights is hugely useful in understanding how the prop non-brand is enacted and circulates. The importance of Baudrillard here is in his emphasis that the binary of real and fictive is not actually so, but rather a mutually reinforcing act. However, I do not wish to overly bind together the trademarked and the unmarked, as per Baudrillard. Nevertheless, his concern with undoing the solidity of the real is well taken. Similarly, with regard to the work of Deleuze—in particular virtuality and repetition (and indeed novelty) (Deleuze [1966] 1988). The very first step in outlining what might constitute virtuality for Deleuze would arguably be a denaturalization of the “real” and instead a consideration of how the virtual is manifested through material forms. Indeed, much of post-structuralist thought famously emphasizes the need to move past the constricting forms of categorical certainty, and instead seek out other conceptual spaces (arguably such as the generic), both for the original and inventive forms that can emerge from them (as for example the non-brand), but also as reflective and refractory space, enabling us to better understand the ground upon which

10. Although see such cases as the Shepard Fairey’s Obama “Hope” poster for a contrary position regarding the instability of the icon.



concepts such as the real and authentic are constructed. However, there is a something of a teleology to Baudrillard, and arguably to Deleuze too, at least in disassembling the real, that I would resist. In focusing here on the non-brand, I am not seeking to undo the brand itself. Here is not the space to elucidate the complexities of poststructuralist thought on truth and reality, but I would suggest that Peircean semiotic does do much of the work here that Baudrillard was seeking out. For example, his critique of a Saussurean sign system (for example in *Symbolic exchange and death* [1976] 2016)—arguing against any emergence of a settled referent, and closed linguistic/semiotic system—is answered by Peirce in his semiotic, in which signs beget signs, and the rolling stones of meaning only ever gather more moss. Even in terms of virtuality, it is worth recalling that Peirce himself defined the virtual in ways that are useful here in thinking about the non-brand, “a virtual X . . . is something not an X, which has the efficiency of X” (in Baldwin 1902: 763). Put simply, this is how I argue the non-brand stands in relation to the brand.

If, in the end, the generic and fictive non-brand do indeed have such Peircean “efficiency” of the brand, the result is that in their on-screen forms, they inevitably supplant the brand itself. To this end, I would suggest that inasmuch as the brand does not wish to be generic, neither does the generic wish to be the brand. Similarly with the fictive. As the work of ISS shows, in cutting out a space for the unmarked generic brand and finding a balance between the real and the fictive, indexical slippages and the instability of branding are taken advantage of. Replicating such structures and normative practices and overarching social categories of brandedness is semiotically precise work. Constituting the outlines of genre, and of type, and occupying the space of the non-specific, the generic achieves the very specific marking of the nature of the brand without the brand itself. Ultimately, the vulnerability and instability of branding is not to be confused with vagueness and semiotic underdeterminacy. That the brand is open to be sundered, counterfeited, and appropriated, does not suggest its generic versions are less specific in their mediation of the concept of branding.

To finish, as I noted at the beginning of this piece, I want to push here for a greater accounting of the generic, both conceptually and ethnographically. It is undoubtedly an expansive concept, and what exactly constitutes the generic is difficult to pin down. And yet it encompasses a number of critically important social

spaces that are intricately related to forms of replication and meaning. Moreover, it gestures towards intersections of conceptual spaces in anthropology that are in need of rethinking as well as combination, for example, that of genre (which currently demands more ethnographic and theoretical attention), contemporary capitalist market ideologies, and new media formations. Criss-crossing spaces of authenticity and the copy, reproduction and the culturally devalued, the specific and non-specific, as well as that of classification, universalism, and the collectively shared templates of sociality, the generic is thus both conceptually encompassing and hugely important to the anthropological project. Hollywood props allow us to see, even if in a small way, how the generic is not simply the conclusion of the life-cycle of some cultural artifact, the vague, or the stripped down remains of specificity. Instead, existing as neither the original nor the copy, it is something else entirely. Rather it is, in this instance, the semiotic shorthand.

So, what would a concerted anthropological engagement with the generic look like? Within the two roaming definitional spaces of the generic—that of the culturally wasted and that of non-specific type—there emerges the generic as something necessary to the circulation of meaning, something crucial to sociality. When we see the generic enacted in the world as a concept, it most often moves between both definitions, simultaneously neutral and pejorative. It is sort of everywhere, the generic, and so goes unnoticed. It is as if the concept of the generic is itself generic. Perhaps more important than pinning down what is or what is not generic, is understanding why and how things are constituted as generic in the first place. That is, what does it do as a way of understanding. What is its process of becoming—whether the non-specific or the over-reproduced? There is of course the risk in focusing in on the generic—one risks seeing everything thusly—of overloading the concept with all that is similar. If understood as having some aspect of mimesis and similarity, what then is not generic? It is undoubtedly a slippery slope. But I don't wish to do this. Instead, I want to highlight certain spaces in which the generic is a driving factor within the social. Where it moves past just similarity and mimesis, merging them, repeating them, warping them, until it might emerge as its own concept. While ethnography is increasingly drawn to the new, the specific, and the different, it is the projects and practices of repetition, sameness, extrapolation and generalization, abstraction and classification—that are the bread and butter of the social.



The generic exists somewhere in all of this. And it is, I argue, a crucial anthropological project to isolate and understand what exactly constitutes the generic, and what it does in the world.

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