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**ANALYSIS OF FOREIGN EXPERIENCE OF EFFECTIVE MANAGEMENT
OF COMPANY BRANDS: MODERN REGULATORY AND LEGAL MODELS
OF BRAND MANAGEMENT**

The article presents the results of a study of the foreign experience of brand formation, provides an analysis of models of effective management and protection of intellectual property rights to it. The analysis of foreign experience of effective management of company brands and modern brand management models was carried out. Thus, the foreign experience of successful brand management is presented in terms of two models: Anglo-American or Western and Japanese or Eastern. Distinguishing these two models are logical differences in macroeconomic development and traditions of management – American and Japanese. It has been proven that, despite a rather variable number of international legal acts, international law lacks uniform conditions-criteria for the use of a brand for the purpose of preserving exclusive rights to it; lack of unified methods for evaluating the similarity of brands. The overall brand strategy, group, product, price, brand identification strategy and brand communication strategy were analyzed and the leading innovative branding strategies were substantiated accordingly. It has been established that in order to counteract the aggressive and oversaturated market environment with various goods and services, under the modern conditions of their development, managers and lawyers of various companies are actively looking for new ways, methods, methods, technologies and develop innovative competitive models based on them, constantly adapting to changes and even , stimulating such changes. Therefore, the presence of unique assets and advantages of the company helps to consolidate its positions on the market. In order to win the struggle of manufacturing enterprises for the consumer, to draw his attention to the product of a particular business, more and more efforts are being made in the field of development and effective application of one of these assets – the brand. It was found that according to the latest concept of innovative branding – brand leadership – the main goal of brand management models is the development and growth of the value of the main intangible asset of the organization – brand capital, which is determined by the value of the brand.

Keywords: brand; brand management; intellectual property; brand regulatory support; brand management models; innovative management.

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**АНАЛІЗ ЗАРУБІЖНОГО ДОСВІДУ ЕФЕКТИВНОГО УПРАВЛІННЯ
БРЕНДАМИ КОМПАНІЙ: СУЧАСНІ НОРМАТИВНО-ПРАВОВІ МОДЕЛІ
УПРАВЛІННЯ БРЕНДАМИ**

В статті представлено результати дослідження зарубіжного досвіду формування бренду, наведено аналізування моделей ефективного управління та захисту прав інтелектуальної власності на нього. Проведено аналіз зарубіжного досвіду ефективного управління брендами компаній та сучасні моделі бренд-менеджменту. Так, іноземний досвід успішного бренд-менеджменту представлений у розрізі двох моделей: англо-американської або західної та японської або східної. Виокремлення цих двох моделей є логічними відмінностями у макроекономічному розвитку та традиціями управління – американської і японської. Доведено, що не зважаючи на досить варіативний ряд міжнародних нормативно-правових актів, в міжнародному праві відсутні єдині умови-критеріїв використання бренда з метою збереження на нього виключних прав; відсутність уніфікованих методів

оцінки схожості брендів. Проаналізовано загальну стратегію бренду, групову, товарну, цінову, стратегію ідентифікації бренду та стратегію комунікацій бренду та відповідно обґрунтовано провідні інноваційні стратегії брендингу. Встановлено, що на протидію агресивного та перенасиченого різноманітними товарами й послугами ринкового середовища за сучасних умов свого розвитку управлінці та правники різноманітних компаній активно шукають нові шляхи, методи, способи, технології та розробляють на їх основі інноваційні конкурентні моделі, постійно адаптуючись до змін і, навіть, стимулюючи такі зміни. Відтак наявність унікальних активів і переваг компанії сприяє закріпленню її позицій на ринку. Аби виграти боротьбу підприємств-виробників за споживача, повернути його увагу саме до продукту конкретного бізнесу все більше зусиль докладається у сфері розробки та ефективного застосування одного з таких активів – бренду. Виявлено, що відповідно до новітньої концепції інноваційного брендингу – бренд-лідерства – головною метою моделей бренд-менеджменту виступає розвиток та зростання вартості основного нематеріального активу організації – капіталу бренда, який визначається вартістю бренда.

Ключові слова: бренд; бренд-менеджмент; інтелектуальна власність; нормативно-правове забезпечення бренду; моделі управління брендами; інноваційне управління.

Statement of the problem. Foreign experience of effective brand management is significantly ahead of Ukrainian experience. Most of the successful companies in the world will direct considerable effort and money to the development and promotion of their own brands, because the brand brings much more profits than the usual noname product. Currently, there are two generally accepted models of brand management: American (Western) and Japanese (Eastern). Both models have their advantages and disadvantages, but in today's globalized world, the boundaries between these two models are becoming increasingly blurred due to the influence of one model on the other.

Analysis of the latest research and publications Many scientists, including L. Keller [1], D. Aaker [2], T. Hedning [3], P. Kotler [4], were engaged in the study of the theoretical and methodological foundations of brand management at enterprises. O.A. Kovalchuk [6], A.O. Shevchenko [7], L.I. Stadnik [8], R.P. Zadorozhna [8], S.F. Smerichevskiy [8], S.Ye. Petropavlovska [9], O.A. Radchenko [9] and others.

The purpose of the article is analysis of foreign experience of effective management of company brands: modern regulatory and legal models of brand management

Presentation of the main material The concept of brand management was born in the 30s of the last century, when Proctor&Gamble employee Neil McElroy introduced the position called "brand man". Since then and to this day, the foreign experience of successful brand management is presented in terms of two models:

1. Anglo-American or Western.
2. Japanese or Eastern.

Distinguishing these two models are logical differences in macroeconomic development and traditions of management – American and Japanese. Usually, the Western BM model is mainly used (taking into account the specifics of one or another country) in the countries of North America and Western Europe, and the Japanese model is used in the countries of Southeast Asia [7].

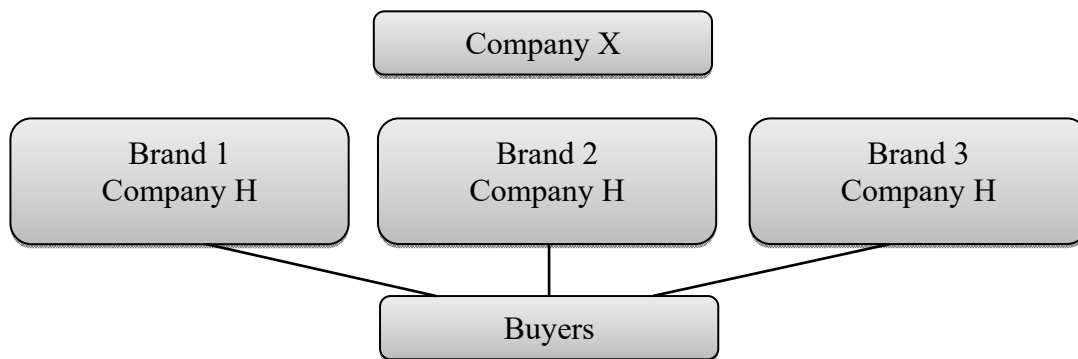
The application of these models, among other things, explains the success or, on the contrary, the collapse of the brand in the context of its promotion on the territory and in the socio-cultural space of a certain region or individual country.

Therefore, we will consider the features of these models in more detail.

The Western model of BM is most often characterized by the prevalence of the theory of free standing brands or the House of Brands architecture. Brand architecture should be understood

as the hierarchy of enterprise brands, which reflects its marketing strategy, as well as the consistency and verbal-visual ordering of all brand components. Thus, the concept of stand-alone brands consists in the creation of different brands or a line of brands of different applications and in different areas, which are positioned not only separately from each other, but also separately from the parent company to which they belong [11].

Creating a new brand for a Western company is a long-term investment. During the first years, this requires significant investment in both production and advertising, but this does not mean that the launch of a new brand will be successful. Only a few years after attracting customers to a new product, the brand begins to make significant profits and allows the company to launch new brands. The Western model for building branding is presented in fig. 1.



Source: built by the author on the basis of [4].

Fig. 1. Western model (approach) to brand management

It can be argued that from the point of view of the Western model, the brand is considered as an independent "combat unit" with its existing positive qualities and customer base. Therefore, an advertising company can be based on the exploitation of one topic for years.

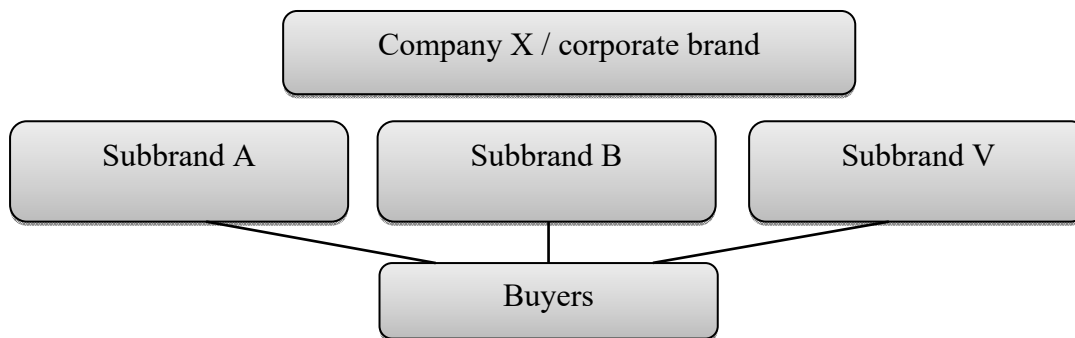
Some companies call certain product lines brands. For example, Johnson & Johnson Health Care Products sells a line of baby hygiene products under the Johnson's Baby brand, and a hair and skin care line for adults under the pH 5.5 brand. Sometimes this is also done so that manufacturers can distinguish similar products from among different price categories. An example can be the company L'Oreal. She sells cosmetics under the brand of the same name for women who pay a lot of attention to their image and achieving success in life. But cosmetics under the Maybelline brand (which also belongs to L'Oreal) are positioned in a cheaper price category and are designed for young girls.

The choice of a different innovative model at a certain historical moment than was used before can be traced on the example of Henry Ford's loss of a monopoly position in the market as a result of progressive brand management at General Motors (GM).

When creating and promoting a brand, the key task of a company that adheres to the Anglo-American model is to create its image. The name of Tide powder (English: "cleanliness") is not much different from the name of another washing powder - "Losk". Therefore, the main thing is to build the image of these names so that one image of the product (brand) is completely different from the other. The most significant differences between the Anglo-American and Japanese models are hidden in the methods of image creation [12].

The Japanese (Eastern) model of brand management is built, first of all, on the concept of Branded House (Branded House) or on the system of sub-brands ("umbrellas"). This type of brand architecture includes a master brand that is then transferred and extended to other products using the master brand name.

Such brand management developed in Japan due to historical conditions, since after a period of active development of the Japanese market in the 1950s and 1960s. Japanese consumers began to pay attention to the quality of products, which could be guaranteed only by large manufacturing companies investing in scientific developments. Therefore, the Western system of brands (when the buyer often does not know at all which company produced this product) was absolutely not suitable for Japan, because quality for most Japanese people was associated with the size of the company. Therefore, Japanese companies and advertising agencies abandoned the creation of separate brands and introduced their own system of sub-brands, which is shown in Fig. 2.



Source: built by the author on the basis of [10].

Fig. 2. The Japanese approach to brand management

So, for example, the name of the Sony or Panasonic companies, which are already well known to buyers on the market and guarantee the quality of their products, is a kind of "umbrella" for sub-brands in the product lines of Sony Walkman players, Sony Trinitron televisions. In other words, in Japan, brands carry much less meaning than the company name itself, so Japanese entrepreneurs very often place the corporate logo in television commercials and print ads. The main value for them is a high corporate image, not the image of individual brands [13].

Since the corporate brand guarantees quality, launching a sub-brand is not that expensive. As soon as the product, and with it the sub-brand "get old" or start to lose in the competition, it is replaced by a new one. At the same time, the source of income in Japanese companies is the image of all corporations, which allows to launch new and new sub-brands quite quickly.

It should be noted that in modern conditions of globalization of almost all trade processes and economies, both models are no longer preserved in a "frozen" form. They inevitably influence each other, and the features of each of them gradually "flow" from one to the other. A clear example of infiltration into the Japanese system of values and management of the Western model of branding is the introduction of the free standing brand system by powerful Japanese companies KAO (such as Procter & Gamble) and Shiseido. Even the Toyota automobile concern places the Toyota and Lexus car brands separately. On the other hand, the Japanese model also influences Western countries. For example, the Philips or Rowenta companies conduct advertising campaigns for their brands under the slogans with the corporate brand – "Philips – let's change life for the better" or "Rowenta – joy in your home" [14].

Each of the described models of brand management has its own advantages and disadvantages, a comparison of which is shown in Table 1.

If we compare foreign companies with Ukrainian ones, it should be said that we have both models of brand management, that is, a typical mixed type of branding. A successful example of the application of the Japanese model is "Nova Poshta" LLC, which under its parent brand launched such sub-brands as "Nova Pay", "Nova Post". An example of the application of the American

branding model is the group of companies Fozzy Group, which is represented by separate Premiya, Premiya Select, "Full Bowl", "Green Country", Protex.

Table 1

Advantages and disadvantages of Western and Eastern branding models

Brand management	Model Advantages	Disadvantages
American (emphasis on free-standing brands)	<ul style="list-style-type: none"> - if a particular brand is experiencing a crisis, it is not "contagious" to other brands; - complete freedom in creating an identity: freedom to create different brand strategies, name, logo, design and creative campaigns; - presence in different market niches, targeting different audiences 	<ul style="list-style-type: none"> - the fact that each brand needs its own strategy, identification and marketing activities is a financial disadvantage; - increase in time and resources spent on planning and implementation of brand activities; - success will not be directly related to the parent brand
Japanese (emphasis on sub-brand or "umbrellas")	<ul style="list-style-type: none"> - companies can target many different customers, as sub-brands have different names, logos, different promises, positions and personality traits, that is, you can appeal even to conflicting audiences 	<ul style="list-style-type: none"> - the main drawback is legal and creative/marketing costs for creating new sub-brands; - if the parent company's brand fails, all other sub-brands will be affected

Source: compiled by the author on the basis of [13, 14].

One of the reasons for the success and sustainability of Western brands is a well-defined, clear mission shared by most of the firm's clients. It helps to find and build a strong argument that reflects the requirements of the market, that demonstrates the market novelty of the brand, the presence of special properties that meet some unsatisfied needs and at the same time meet consumer expectations. Such a situation allows us to assert the presence of a unique sales offer (USP).

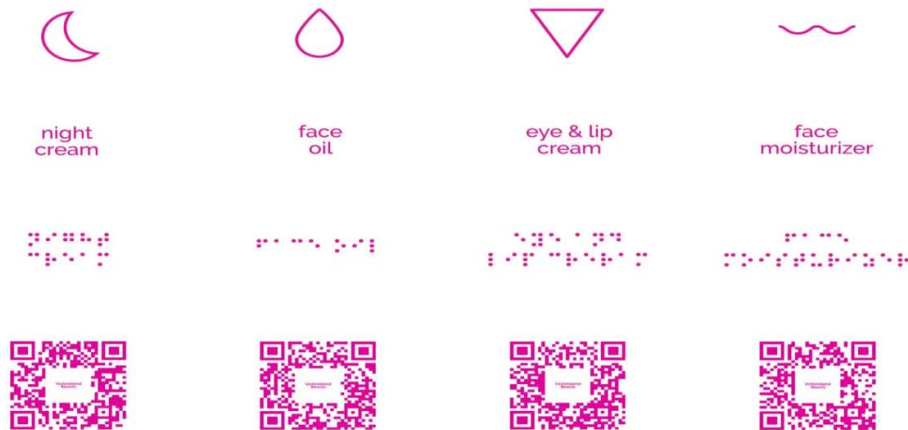
The unique selling proposition can be traced in the description of Apple brand computers – "modern and affordable, changing activity, understanding, thinking, communication." UTP is contained in the values that are declared when presenting to the consumer the environment of mobile phones, "which use the latest scientific and technical achievements, have many functions and modern design, are convenient and easy to use, which give great opportunities and freedom to their owner" [15].

If we talk about the successful experience of innovative cases of the packaging industry and the use of packaging as part of the brand, we can cite several excellent examples of how brand managers effectively work to promote and support their own brands.

The currently patented technology is still on track to be cheaper than most glass bottles. It is planned that the bottle will be able to accommodate both carbonated and hot products. What's more, Pulpex can still offer customizable shapes, stable color pigments, embossing and labeling on products, so the brand looks not only green (don't forget that in today's environment, green consumption continues to grow and influence many purchasing decisions), but and very stylish. Moreover, when such a world-famous brand as Johnny Walker started using paper bottles, the impact on awareness and purchase commitment will definitely be reflected in the company's profits in the direction of growth [16].

Victorialand Beauty brand. The American company Victorialand Beauty, engaged in natural skin care, recently presented an innovative solution in the field of product packaging - packaging for people with visual impairments.

It uses the system of relief universal symbols TM CyR.U.S. It is a tactile recognition system consisting of a set of embossed brand symbols that make the packaging more accessible by simply touching it. The company has created 11 symbols that customers can use, but only four of them have been released so far



Maybelline brand. FitMe Matte foundation from Maybelline became a record packaging innovation. It has completely transformed its traditional glass bottle into a flexible 36 gram container – a pouch with a special “spout” suitable for e-commerce retailers. The design itself features one of the first applications of digital printing for a high-barrier transparent bag. In turn, this type of packaging does not require additional packaging before transportation, is completely protected from spillage during travel and is ideal for professional use. In addition, the package is 41% lighter than a glass bottle, which helps to reduce the use of packaging materials [17].

Analyzing successful cases of foreign brand management experience of companies with an innovative development vector, it should be noted that all of them rely on understanding human behavior, trends and expectations during brand development and its further promotion. As they innovate and learn about consumer preferences, businesses are constantly looking for smart tools that save time and resources for action. Therefore, in the future, it is predicted that emotional connections will determine the future of business and brand equity.

One of the innovative foreign approaches in brand management is neurobranding technology, which determines the holistic development of a brand from a neuroeconomic point of view. With the help of neurobranding, brands are developed using neurocognitive methods to create more emotional brands – especially in the B2B sphere – that are perceived as more attractive, and therefore more desirable, than similar brands [18].

The experience of consuming a product or service becomes one with the brand. This experience acts as a "transaction product". Therefore, every contact with the client through the brand should be a memorable event.

Neurobranding is an advanced discipline that studies the combination of brand management with neuroscientific methods to understand consumer behavior towards brands and their markets. The goal of neurobranding is to understand consumer behavior in the context of decision-making during the full cycle from the desire to buy a brand to the actual purchase itself, in which the human phenomenon is reflected in the interaction between the consumer and the brand.

Brands that create emotional connections and stay in the memory create a digital "vessel" to store brands. The ability to develop an effective brand "activation" will be a critical success factor for any company. We believe that, taking into account digitalization and the transition to the

knowledge economy, the use of neurobranding can become very effective, since brands compete not so much in markets, but as much in people's heads.

Conclusions Therefore, the analysis of foreign experience of effective brand management showed that modern companies use American, Japanese or mixed approaches (models) to branding in their activities. Most companies are trying to implement eco-technologies in order to position themselves as ecologically responsible and eco-caring companies. The application of neurobranding technology is also seen as a promising direction for the development of brand technologies.

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