

What is a Trademark?



A learning resource for Grades K-4 from the
California State Archives



INTRODUCTION

This resource asks students to examine the visual and textual sections of a trademark from the California State Archives' California Old Series Trademarks collection. The activity provides practice performing visual analysis and reading primary source documents guided by California state curriculum standards for the visual arts and history.

GRADE LEVEL

Kindergarten – 4th Grade

STANDARDS

Visual Arts Content Standards

Anchor Standard 7: Perceive and Analyze an Artistic Work

7.2 Visual imagery influences understanding of and responses to the world

K-6 Determine messages communicated by images

Anchor Standard 8: Interpret Intent and Meaning in Artistic Work

K-4 Interpret art by identifying subject matter and describing relevant details

Anchor Standard 11: Relate artistic ideas and works with society, cultural, and historical content to deepen understanding

K-4 Identify information from and purpose of an artwork

History-Social Sciences Content Standards

Historical and Social Science Analysis Skills

Research, Evidence, and Point of View

K-5 2. Students pose relevant questions about events they encounter in historical documents, eyewitness accounts, oral histories, letters, diaries, artifacts, photographs, maps, artworks, maps, artworks, and architecture.



BACKGROUND

Directions: Read to or ask students to read the following sections.

What is a trademark?

A trademark is a specific image, phrase, logo, or design that is only allowed to be used by the individual or company that owns it. Having a trademark is useful for a company because others are not allowed to copy it, so buyers only think of that company when they see their trademark on a product.

California's First Trademark Law

The Gold Rush brought many people to California in the mid-1800's. Although most journeyed to the state to strike it rich from gold mining, several instead found fortune by selling goods and starting their own businesses. As California businesses thrived, the state created the nation's first trademark law in 1861. Under the new law, companies had to apply to trademark their brands through the California Secretary of State's Office. The California State Archives is home to the Old Series Trademark Collection, which contains over three thousand of these trademarks dated from 1861 to the early 1900s.

Butterfly Brand Trademark from the Old Series Trademark Collection

The trademark for the fruit can label below was filed in 1889 by the Garden City Fruit Packing Company of San Francisco. In the paperwork filed for the trademark, the company representative wrote, "Take note that the undersigned claims the name *Garden City Fruit Packing Company* as its sole and exclusive property, and also claims the label attached hereto and the device, words, letters and names therein as its trademark." This label would have been attached to a can of fruit produced by Garden City Fruit Packing Company.



Directions: Take a minute to look closely at the Butterfly Brand label, noticing as many details as you can. Then answer the following questions.



Old Series Trademark No. 1737, Old Series Trademark Collection, California State Archives, California Secretary of State's Office, Sacramento, California.

Questions

- 1) What part of the label caught your eye first?

- 2) What colors, lines, shapes, and objects did you notice?
Describe what you saw.



3) Which words stood out to you? Why?

4) What do you think the blank space is for? Can you think of any other questions you have about this trademark or why companies used trademarks?

5) Why do you think the Garden City Fruit Packing Company chose to depict a butterfly and flowers to sell their fruit?

*This question guide was inspired by the "Close Looking at the H" series from The Huntington Library, Art Museum, and Botanical Gardens, which was in turn inspired by the "Bridging the Gap" series at the Crystal Bridges Museum of American Art.

