

Is your trademark aligned for Only One Earth?

Petter Rindforth, Managing Partner at Fenix Legal, evaluates Sweden's efforts for producing environmentally friendly brands and how these brands are received by consumers.

World Environment Day is celebrated worldwide every year on June 5. The campaign was established in 1972, at the first United Nations conference on the Human Environment in Stockholm, Sweden. The purpose of World Environment Day is to raise awareness of, and mobilize action, on pressing environmental issues. The theme day is arranged each year by the UN Environment Programme (UNEP) with a specific theme and a new host country.

June 2/3 this summer, 2022, - 50 years after the establishment - Sweden and Stockholm (the capital of Sweden) hosted World Environment Day again, with the theme: "Stockholm+50: a



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healthy planet for the prosperity of all - our responsibility, our opportunity". The event reflected on the urgent need for action, achieving a sustainable and inclusive recovery from the COVID-19 pandemic and accelerating the implementation of the environmental dimension of Sustainable Development in the context of the Decade of Action. In other words: "Only One Earth - living sustainably in harmony with nature".

So, what has this to do with intellectual property?

Sweden was the first country in the world to pass an environmental protection act in 1967.

Since then, Sweden has been making huge strides in bringing transformative societal changes for living sustainably in harmony with nature. It is a leading country in the fight against climate change, and among the frontrunners for greening its economy. More than half of the national energy supply comes from renewables. Sweden is fast transforming to low-carbon and renewable infrastructures and technologies, from subsidizing solar cells, electric vehicles and charging points to supporting the private sector and municipal investments to reduce climate impact.

This has also resulted in a number of environmentally friendly innovations. Some recent examples are: i) Ecofireprotection (EFP), a fire protection free from toxins, ii) Power paper - cellulose-polymer power paper that stores energy in all weathers (developed by researchers at Linköping University), iii) GreenIron - technology that makes it possible to sustainably, cost-effectively and fossil-free increase the steel industry's recycling of residual products and waste, iv) Swedish Algae Factory, grower of algae for use of their silica frustule as a solar cell efficiency enhancing nanomaterial, v) Ferroamp, developer of a smart grid inverter that integrates PV and storage in a local DC Microgrid, and vi) EXEGER, developer of dye-sensitized solar cells.

Swedish consumers are willing to pay a little extra for environmentally friendly products and, especially, the younger generation actively searches for information about brands that stand for sustainability and recycling.

Goodlist.se is a special site that collects consumer reviews, with the goal to help other consumers to make the right decision when looking for companies that actively work with sustainability, or, as Goodlist explains the goal: "Goodlist wants to help more people take greater

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responsibility for our planet and everyone who lives here". Goodlist gathers consumers' environmental ratings for all kinds of industries, from food, furniture, and construction companies to banks and law firms.

In 2021, Essity, a Swedish leading global hygiene and health company, conducted a consumer survey via the social research company Kantar Sifo, showing that 30% of all Swedes can imagine paying at least 20% more for their hygiene and health products if they are more environmentally friendly. When it came to the question of which environmental criteria Swedes can pay more for, locally produced was No. 1 (29%), followed by products that have recycled or renewable materials in their packaging (25%), and hygiene items that have environmental labels, natural raw materials or that they are recyclable are in demand (24%).

At the same time, the figures differ between the age groups. Almost four out of 10 (38%) in the age group 18-25 answer this - compared to one in five (19%) in the age group 61-80.

Résumé

Petter Rindforth, Managing Partner

Petter Rindforth has a Master of law from the University of Stockholm, Sweden. He is Managing Partner at Fenix Legal. Petter is a European Trademark and Design Attorney, an expert in cyberlaw, arbitrator/panellist for WIPO, Forum, IIS, Czech Arbitration Court, and at the Swedish National Courts Administration list of Mediators, focused on intellectual property. He is representing FICPI in the Intellectual Property Constituency at ICANN, member of the Alternative Dispute Resolution Committee of the International Trademark Association (INTA), and President of the Association of Swedish Patent Attorneys (SPOF).



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Axel Thegerström Edh, sustainability manager for products and services at Essity commented on the survey result: “During the past year, many people have had time to reflect on the impact their actions have on other people and on nature. For Essity, it is important to understand how we can support and enable our customers and consumers to act more sustainably. The results are gratifying and strengthen us in our work for a more sustainable future”.

So which Swedish trademarks are considered to symbolize environmental friendliness?

The Sustainable Brand Index, a large European independent brand study provided by the Swedish company SB Insight, conducted their latest yearly study between December 2021 to February 2022, focused on sustainability. The Swedish part of the study involved 24,300 consumers, that rated 409 trademarks in 35 industries.

IKEA, the well-known furniture and home accessories company, was rated as number one. That may not be so surprising, as IKEA has a long-standing policy for sustainability, with a clear plan to become 100% circular by 2030. IKEA's sustainability strategy can be found at their web site (<https://about.ikea.com/en/sustainability>), summarized as “A sustainable everyday – with home solar panels, veggie hot dogs, and energy-saving solutions, we're paving the way for more sustainable homes for the many”.

Änglamark (“the land of the angels”) is the No. 2 on the list. Änglamark is owned by the co-operative supermarket Coop, and was launched in 1991 on the initiative of Coop members (that are the daily customers) based on a desire for a larger and better range of organic products.

No. 3 is ICA, a Swedish retailer with a focus and other grocery items, however, many stores also include pharmacy, banking, and post office services. ICA has created a special sign, called Miljösmart Butik (“Eco-smart shop”) that can be used only for those local stores that follow the ecological policy for ICA stores. A Miljösmart Butik must have clear goals and ongoing follow-up of ICA's environmental work in areas such as food waste, energy, and plastics. Being an Miljösmart Butik also means that the store staff is continuously trained in environmental issues.

ICA has also a special trademark – I LOVE ECO – that ICA communicates as the trademark for “food and things for your home that we have produced in balance with nature - without skimping on taste or quality”.

Referring to Änglamark above, the owner, The Coop, as such is rated as No. 4.

No. 5 is Apoteket, a state-owned pharma-

ceuticals retailer, that for many years has worked for, what they call, “a healthy planet”. One example is the collection of leftover medicines to reduce the environmental impact of pharmaceuticals. Apoteket has invested in Solvatten, a Swedish social enterprise with the mission to provide people living in developing countries with safe and hot water in a portable, environmentally-friendly way. The sustainable solar-powered water purification solution is especially for people living without clean water, but allows more trees to remain, which provides benefits such as shade, food, water purification, and absorption of carbon dioxide.

Another work is to reduce the climate impact from transport by increasing the proportion of renewable fuels and making Apoteket's transport solutions more efficient. When signing electricity contracts, Apoteket always chooses energy from renewable sources and when the staff travel, they prioritize train journeys over flights.

And it is not just the staff of Apoteket that prefer train over flights. No. 7 on the list is SJ – the Swedish railway company that market themselves as being climate-friendly, and has a special part of their website where travelers can see and calculate (in Swedish only) how climate-friendly their travels have been and how much carbon dioxide they have saved compared with if they had traveled by car or by airplane.

At the bottom of the index is the airline industry (No. 399 British Airways, No. 406: Air France, No. 407: Ryanair), followed by the gaming industry (No. 408 Maria Casino, No. 409 LeoVegas). Both Maria Casino and LeoVegas are online casinos, whose activities do not directly involve anything dangerous to the environment. The fact that they were ranked at the bottom rather shows the importance of - regardless of the type of business - clearly showing an active commitment to a sustainable environment.

We have “Only One Earth”, and the young generation is actively looking for goods and services whose trademarks give a clear signal that they are climate-friendly and thereby ready for the next generation.

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