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BRAND MANAGEMENT

Guidelines
to practical tasks and independent work
for Master's (second) degree students of all specialities

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The guidelines to practical tasks and independent work of students are given. The tasks and examples of doing the tasks are offered to develop the professional competences that a student should possess after studying the academic discipline.

For Master's (second) degree students of all specialities.

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Introduction

In the context of intensive growth of the number of imitation and mutational innovations, brand plays an increasingly important role in the formation of enterprise strategies, which simultaneously becomes a means of identification, communication and creation of brand capital. The competition for consumer consciousness is between brands rather than individual products. Creation of brands provides an opportunity to promote innovative products on the market, which increases the value of the enterprise, due to owning a successful brand.

Branding is ushering in a new era of marketing, that is why modern managers need to have competences in brand management as a predominant modern enterprise resource. Communicativeness determines the ability of a specialist to fully, clearly and correctly convey ideas to an audience be it consumers, advertising agencies or business owners. The ability of a brand manager to organize all stages of a project is also important – from the choice of an idea to the evaluation of an implemented project, the ability to manage project resources – time, people, third-party partners, etc. Creativity, that is, a creative approach, is necessary for a brand manager to make non-standard decisions on the general brand strategy, as well as final decisions on the development of advertising and creative agencies. The ability of a brand manager to analyze a huge stream of varied information and draw the right conclusions is very important. Typically, for quality brand management it is necessary to process a huge, truly gigantic, amount of information. A brand manager needs to know branding theory and understand the basics of consumer behavior, the theory of marketing research, segmentation and positioning, models for determining the value and attributes of a brand, communications and advertising. The academic discipline "Brand Management" makes it possible to develop such competences.

Practical classes are provided to deepen students' knowledge, develop skills and habits, control students' mastering of the educational material.

Practical training is a form of educational activity where the teacher organizes a detailed review of individual theoretical issues of the academic discipline and forms skills and habits of practical application of these issues through the individual performance of the formulated tasks by a student. Conducting such lessons is based on the previously prepared methodological

material – tests to identify the degree of mastery of the necessary theoretical issues, a set of tasks of varying levels of difficulty to do them in class. The practical training includes conducting preliminary control of students' knowledge, skills, and habits, setting a general problem by the teacher and discussing it with the participation of students, solving and discussing problems, doing the test tasks and evaluating them.

Independent work of students (IWS) is a form of organization of the educational process in which the scheduled tasks are performed by the student independently under the methodical guidance of the teacher. The purpose of the student's independent work within the academic discipline is to master the full curriculum and develop students' general and professional competences which play a significant role in becoming a future specialist. In the course of independent work, the student must become an active participant in the educational process, develop a conscious attitude to mastering the theoretical and practical knowledge, be able to orient themselves in the information space, bear individual responsibility for the quality of their own educational and scientific activities. The IWS within the discipline includes: mastering the lecture material; mastering and studying the recommended literature, basic terms and concepts on the topics of the discipline; in-depth study of individual lecture topics or questions; search (selection) and review of literary sources on the given topics of the discipline; preparation for tests and other forms of current control; systematization of the studied material in order to prepare for the test. In the case where the task is given with an example of a solution, the student should follow the given example to complete the task for the enterprise he selected or according to the selected data.

Practical tasks

Content module 1

The theoretical bases of brand management and the stages of branding

Practical task 1

The essence of brand and the history of its evolution

The competence: the ability to define the concept of brand management and the historical sources of its origin.

The task. Complete the table (Table 1), give one example of a brand from each category and draw conclusions about the impact of brand elements on the perception of the brand by consumers.

Table 1

Brand Elements

Category	Brand name	Logo	Colors	Slogan	Idea
Sport					
Culture					
Food					
Health					
Cars					
Travelling					
Entertainment					
Clothing					
Makeup					

The main elements of a brand are:

1) *brand name* – the name of a product or service randomly assigned by the manufacturer or seller to distinguish it from other products and to be able to use that name as a trademark and for its subsequent legal registration, this name being well known and widely recognized by consumers;

2) *slogan* – a distinctive slogan, phrase or motto of any association, group, manufacturer or person; a keyword phrase or a keyword;

3) *legend* – a non-historical or nonverifiable story that is passed on as a tradition from earlier times and is often seen as true and based on true events;

4) *trademark* – the trademark or brand name, as well as its logo, symbols, colors, signs used by the manufacturer and officially registered as its intellectual property;

5) *logo* – a graphic image or symbol of a company, trademark, abbreviation, etc., which usually has a unique design for better memorization.

6) *color and font* – a unique combination of colors and fonts that are specific to a particular brand;

7) *idea* – the main content of the brand, what it is created for, affects the additional value of the brand, contains the main psychological content;

8) *presentation of the idea* – a way of bringing the idea to consumers.

An example of doing the task. After completing Table 1, students draw a conclusion, depending on which brand elements were mentioned most often, which caused problems, etc. For example: the results of filling in the table determined that the influence of brand elements on its perception by consumers is distributed in the following way:

1) brand name;

2) slogan;

3) legend;

4) trade mark;

5) logo;

6) colors and font;

7) idea;

8) presentation of the idea.

Practical task 2

Brand management strategies and their elements

The competences: the ability to substantiate the basic brand management strategies and their components; the ability to identify the key elements of the brand history that determine the effectiveness of communication policies in the consumer engagement process.

The task. Analyze the brand storytelling for the basic elements of effective storytelling:

The progress of work.

1. Students watch a mini movie that demonstrates examples of effective and ineffective storytelling.

2. Discussions are held in mini groups to identify the key characteristics of effective storytelling.

3. Together with the teacher, the main criteria for a compelling brand story are determined on the basis of the handout.

4. Each student is given an individual assignment – a text of the history of the famous brand development. The student should analyze this text according to the following criteria:

1. The structure

2. The conflict:

- internal;
- interpersonal;
- with the environment.

3. The facts.

4. The emotions.

5. The magic object.

6. The moral.

An example of doing the task. The text of a brand story to analyze for the presence of its basic elements is as follows:

Pandora is a worldwide jewelry brand. It stands out among the competitors by the originality of its design and high craftsmanship of jewelry, their elements in particular.

"Unforgettable Moments" is the brand's slogan which reflects all its philosophy.

Every Pandora piece of jewelry is designed to preserve the memory of the most pleasant moments of life for the ladies who own them. Pandora is a company with a vertically integrated structure, carrying out the whole cycle from designing and manufacturing to global promotion and distribution in the world market. Pandora is sold in more than 100 countries across 6 continents in more than 7,700 stores, including 2,500 concept stores. The mission of Pandora – then and today – is to offer women around the world a unique selection of modern, high-quality handmade jewelry at affordable prices.

The history of Pandora bracelets began in the small monarchical country of Denmark. In 1982, a young couple opens a small jewelry store in the city of Copenhagen. This young couple were the jeweler Per Enevoldsen and his wife Winnie Enevoldsen (Fig. 1).



Fig. 1. The founders of the Pandora brand

The first Pandora jewelry they sold in their store were gems and jewelry that came from Thailand. In 1987, Per and Winnie take on the team of design an enthusiast Lonnie Frandsen, who was tasked with a special designing unique jewelry under the trademark Pandora. At the end of 1999, Pandora modular type bracelets were introduced to the Danish market, based on precious pendants (beads), the so-called Charms.

The charming beauty and always unique design of the Pandora modular bracelets fascinated all women and girls in Denmark. With the help of Pandora jewelry, every girl could stand out, as Pandora pendants Charms were sold in large quantities and in various designs that could be changed to

your taste. Because of this, the demand for the Pandora bracelet was so great that sales increased several times.

By 2005, Pandora bracelets were considered international ornaments, leading to the opening of a 5-storey factory in Bangkok. Today, Pandora jewelry is a joint-stock company with more than four thousand employees. In 2012, Pandora jewelry bracelets were sold at 10,000 sales points in 65 countries. This unique jewelry can be found in Ukraine.

If you analyze the brand history based on the main criteria of effective storytelling, you can distinguish the following: the introduction; the emotions; the key details; the moral.

The conflict, its outcome and the magic hero are not described in the story.

Practical task 3

The stages of branding and the brand management technology

The competence: the ability to distinguish the main stages of branding depending on the brand life cycle and identify the brand management directions that are applied at each stage.

The task. Determine the life cycle stage of a particular brand product and propose brand management technologies for it, depending on the stage of the brand product.

An example of doing the task. Let's take a look at the life cycle stages of Danon's Rastishka product.

The drinking yogurt "Rastishka" with cookies, enriched with calcium is a unique baby yogurt with no analogues on the market. One product combines yogurt and cookies, which makes it useful and nutritious at the same time. Like all products in the "Rastishka" line, the novelty is additionally enriched with calcium, which is necessary for healthy growth of children. In the new product, the cookies seem to be mixed in yogurt to a homogeneous consistency, which makes its taste very soft and tender. The new yogurt with "Rastishka" cookies is perfect for midday meal of children of all ages. They are happy to try a cookie that can be drunk. The recommended price is the

same as for the fruit flavors of the drinking yogurt "Rastishka" – 17 UAH for a packing of four plastic bottles of 90 g.

The drinking Rastishka with cookies appeared in stores in April 2006, and a large-scale advertising campaign began immediately, aimed at both children and adults – to bring the product to the market as soon as possible. An impressive video was shot specially for the release of the new product. In May, the buyers of the Rastishka drinking yogurt with cookies obtained impressive bright albums for drawing – as part of a special promotion.

The product has completely passed through three stages of a life cycle, the stage of development, launch and growth, and is currently coming to market saturation. The development phase for this product took place for over a year, as it was necessary to develop a recipe for the drinking yogurt that would contain cookies, which was technically challenging. This task took time and effort of the company's research center staff. The idea of the drinking yogurt with biscuits was attractive from the marketing point of view because of its uniqueness and high sensitivity of children to such novelties.

The stage of launching was marked by the adjustment of the production process and the release of the first consignments for testing them on the market. The sales strategy was based on the uniqueness of the product, which should be of great interest to the target audience – children. With regard to distribution channels, the company was already able to use the previously established channels, since the trading network where the goods of the trademark "Rastishka" were sold was already stable. Even a small profit could not be obtained at this stage, as the cost of an aggressive advertising campaign needed for such a unique and unexpected product initially exceeded the sales revenue.

The growth phase began the same year as the aggressive advertising campaign was a success and the product was successfully launched. The market quickly began to perceive the new product, although a wide spread of the product could not be achieved and the profit growth was not as rapid as expected. Here, the factor of the product uniqueness also played its role: the uniqueness is not always absolutely welcomed by consumers. Of special importance was the fact that the product is intended for consumption by children, while the buyers are usually parents, who may be more skeptical of any kind of novelties.

However, the product has now reached the maturity stage and is nearing market saturation, albeit at lower sales than expected. Sales are

slowing as a result of filling the target market segment. Now, the product is no longer new, but some part of caution when buying the product still remains.

Profit from the sale of this product is stabilizing. However, there is now a risk of spreading negative product judgments, the strength of which is reinforced by parents' concern for their children's health.

It is recommended to introduce the following brand management directions at this stage:

- support and development of consumer loyalty;
- audit of brand management;
- search for new markets.

Practical task 4

Planning for brand formation and development

The competence: the ability to collect relevant brand information.

The task. Conduct a survey of potential consumers of a particular brand and analyze the results.

An example of doing the task. The New Balance brand was chosen as a brand for studying the attitude of consumers.

The content of the questionnaire that was used to survey respondents about the choice of the New Balance products is presented below.

Dear respondents!

The purpose of this survey is to find out the opinion of the population regarding the choice of the New Balance products. The questions were made on the basis of the most important, in the opinion of the author, points concerning this problem. It is very easy to fill in the questionnaire. First you need to read the question carefully, and then choose the answer that best suits your opinion from the suggested options. Tick the letter opposite this answer. The questionnaire is anonymous. Thank you in advance for your cooperation.

1. What does sportswear mean to you:
 - a) casual clothes;
 - b) clothing for special occasions;
 - c) clothing for leisure and sports;
 - d) work clothes?

2. What kind of sportswear do you wear (all options):
 - a) sports pants;
 - b) a sports jacket;
 - c) a sports baseball cap;
 - d) a sports jersey;
 - e) a sports T-shirt;
 - f) sports shorts (including breeches)?
3. How long ago did you buy anything in sportswear:
 - a) a month and less;
 - b) 2 – 3 months ago;
 - c) 4 – 6 months ago;
 - d) 7 – 12 months ago;
 - e) 12 months ago and more?
4. Where do you usually buy sportswear:
 - a) in a specialized (company) shop;
 - b) in the sports department of a shopping mall or supermarket;
 - c) in a clothing market;
 - d) in cheap clothing stores?
5. Do you pay attention to sportswear advertising?
 - a) Yes.
 - b) No.
 - c) Sometimes.
6. Where do you most often notice your sportswear advertising:
 - a) on TV;
 - b) on the Internet;
 - c) in stores;
 - d) in magazines/newspapers;
 - e) advertising brochures/flyers;
 - f) on billboards outside?
7. Are you aware of the differences between sportswear brands?
 - a) Yes.
 - b) No.
8. Do you pay attention to the country of origin of sportswear?
 - a) Yes.
 - b) No.
9. Do you have any of the New Balance products?
 - a) Yes, I have a lot of clothes/shoes of this brand.
 - b) There are several things.
 - c) Never bought.
10. Are you familiar with the New Balance brand products?
 - a) Yes, I know.
 - b) No, I don't know.

11. What kind of brand products do you use:
- a) sports shoes;
 - b) tracksuits;
 - c) sportswear;
 - d) football clothing (footwear)?
12. Are you satisfied with the New Balance's pricing policy?
- a) Yes, completely satisfied. Price corresponds to quality.
 - b) Products are overpriced, but I still use them.
 - c) No, the price is too high.
13. How satisfied were you with the use of these products:
- a) fully satisfied with the products;
 - b) satisfied with the product, but not in proportion to the price/performance ratio;
 - c) not satisfied with the product at all;
 - d) has not used the products of this company?
14. Where do you most often buy New Balance products?
- a) Directly at New Balance stores.
 - b) In sports stores.
 - c) In online stores.
 - d) I have not purchased this product.
15. What amount of money are you willing to spend to buy sportswear:
- a) up to 1 000 UAH;
 - b) from 1,000 to 2,000 UAH;
 - c) from 2,000 to 5,000 UAH;
 - d) more than 5 000 UAH?
16. Would you recommend the products of this brand to your friends?
- a) Yes.
 - b) No.
 - c) It is difficult to answer.
17. Your gender:
- a) female;
 - b) male.
18. Your age:
- a) less than 20 years;
 - b) 21 – 28 years;
 - c) 29 – 36 years old;
 - d) 37 – 44 years old;
 - e) 45 years and older.
19. For you, as a rule, shopping at a sportswear store is:
- a) spontaneous;
 - b) scheduled.
20. Logistics is:
- a) high;
 - b) average;
 - c) low.
21. Your residence:
- a) city;
 - b) town-type settlement;
 - c) village.

Thank you for participating in the survey!

The results of the survey of respondents regarding the choice of the New Balance product selection were further systematized and grouped. The survey covered 31 respondents. For more detailed analysis, four main questions were selected from all survey questions. These questions and answers are shown in Fig. 2 – 4.

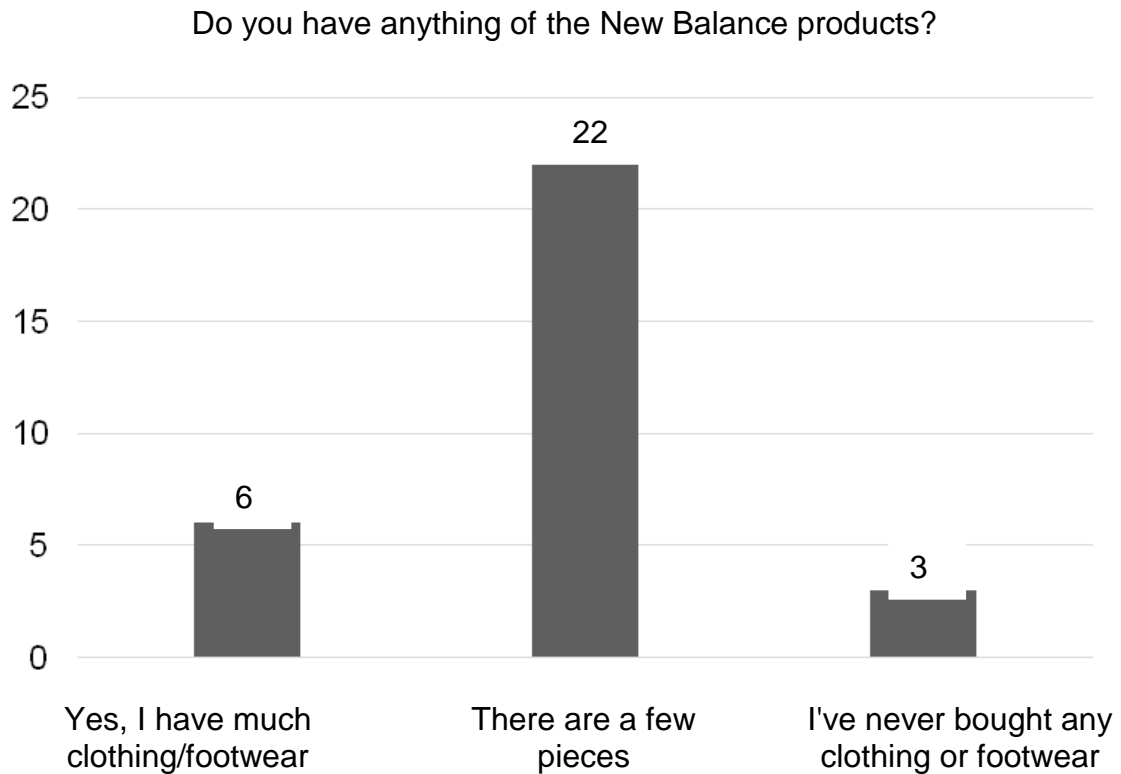


Fig. 2. The structure of the answers to the question "Are you familiar with New Balance products?"

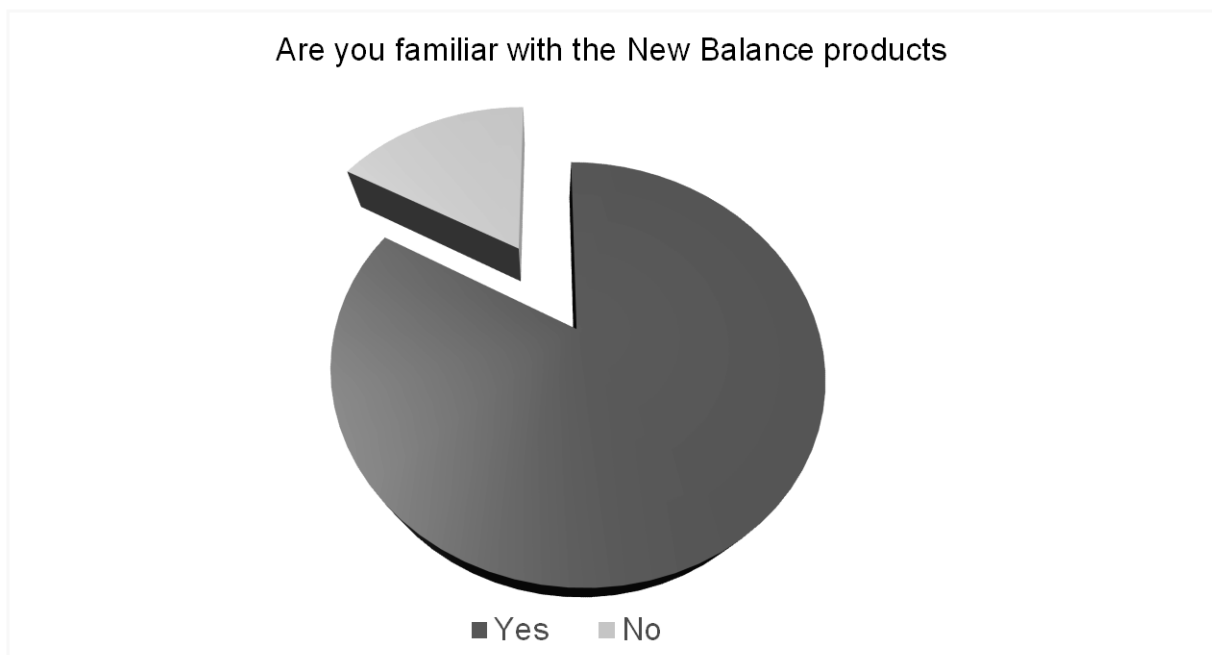
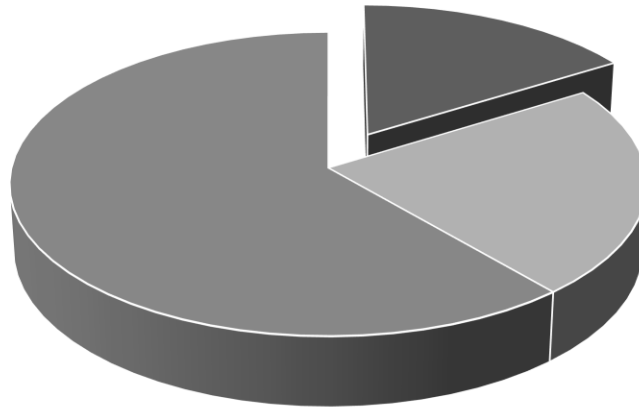


Fig. 3. The structure of the answers to the question "Are you familiar with the New Balance products?", %.

Are you happy with the New Balance pricing policy?



- Yes, I am absolutely happy with it. The price corresponds to quality.
- The products are too expensive but I am still using them.
- No, the price is too high.

Fig. 4. The structure of the answers to the question "Do you feel satisfied with the New Balance's pricing policy?"

Analysis of the answers received. The following information was obtained in accordance with the questions asked: 22 respondents had the New Balance brand's products and only three had no units.

The second special question was "Are you familiar with New Balance products?" The results of the survey showed that 80 % of the respondents were familiar with the brand and 20 % of respondents were unfamiliar. This indicates a high demand for these products among the respondents.

The survey was conducted in the overwhelming majority of women – 16 respondents. The male audience made 14 respondents.

Based on the survey results, New Balance products are used by individuals who have high social and material backgrounds, aspire to high career growth, and to whom the quality of products and their level of competitiveness are an important factor. Price for these respondents is not important, they say that these products' price is too high, but they still agree to buy this product.

After analyzing the answers to all the questions, the student draws conclusions and makes suggestions about the use of branding technologies.

Practical task 5

Analysis of brand formation and development

The competence: the ability to evaluate the attitude of consumers, employees, competitors to the created brand.

The task. Evaluate the position and prospects of the brand using one of the methods of competitive analysis or analysis of the external and internal environment.

An example of doing the task. SWOT analysis is selected as a method of analysis of the brand "Roshen" to conduct a detailed study of the external and internal environment. As a result of a rational SWOT analysis aimed at generating a generalized information potential, effective decisions regarding the response (influence) of the subject (weak, medium, and strong) to the signal (weak, medium, or strong) of the environment should emerge.

The results of the SWOT analysis of the Roshen brand are shown in Table 2.

Table 2

The results of the SWOT analysis of the Roshen brand

Strengths	Weaknesses
Using strong market positions, market analysis, competitive advantages, a significant production capacity, Roshen is able to expand the production, the service of additional consumer groups and penetrate into new segments in both foreign and domestic markets	Based on the ability to break into new market segments, serve new additional consumer groups, expand production in the long run, the company can develop a resource-saving strategy, expand the market for its products with the proper financing of production
Opportunities	Threats
Roshen makes products that meet quality standards which enables the company to hold its position even in the unstable market	The company should forecast the change in consumer tastes in order not to lose its position in the market

Content module 2

The practical aspects of brand management

Practical task 6

Positioning and brand management

The competence: the ability to identify effective approaches to brand positioning.

The task. Consider the use of the Unilever Brand Key for brand positioning.

An example of doing the task. Consider the brand positioning using the Unilever Brand Key model. The main components of this model are shown in Fig. 5.

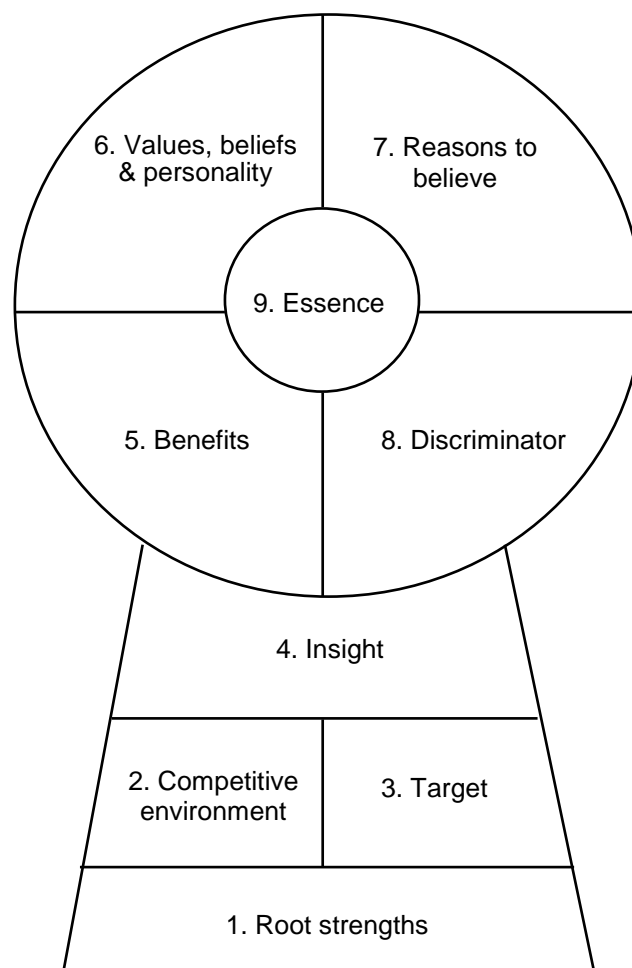


Fig. 5. The Unilever Brand Key positioning model

Consider the positioning of the IKEA brand based on this model:

1. The major competitors of the brand: brands that make low-cost home goods, including furniture, accessories, bathroom and kitchen items. Brands: Walmart, Target, Tesco.

2. The target audience: 18 – 35 year olds, both low- and middle-income men, women living in the suburbs and big cities, renting homes and small apartments.

Customer profile: modern, prefers funky style, appreciates good design, independent, creative, stylish; care for the environment is important to him.

Buying behavior: visits the stores with a bargain price, prefers inexpensive furniture, plans the day before visiting the store, requires more shopping time to gain some experience from studying the market, expects minimal customer service.

3. Consumers' motives that determine their choice: it is important to stay within a tight budget and bring comfort to your home for the purpose of expressing his/her own style.

4. Brand usefulness for the consumer:

functional advantages: good quality, low prices, functional design;

emotional benefits: style and accessibility;

sensory benefits: efficient use of space, creating a new room.

5. Value and personalization: IKEA furniture can be affordable, offers consumers "do it yourself", family friendly, well thought out, functional, innovative.

6. Reasons to trust the brand: for many years, IKEA has been working to keep prices as low as possible while maintaining good quality and providing people with stylish furniture.

7. Brand differences from competitors: good quality and maximum low cost design.

8. The essence of the brand: creating a better daily life for many people.

Practical task 7

Integrated communications in brand management

The competence: the ability to justify and apply a set of communication tools and channels to a specific brand.

The task. Identify a portrait of your target audience, analyze your brand marketing mix, and consider brand-based promotional examples.

An example of doing the task. Let's analyze the marketing complex based on the example of the New Balance brand (Table 3).

Table 3

The 4P analysis of the New Balance marketing complex

No.	Item	Categories	Features
1	Product	Assortment	The New Balance brand assortment is known not only for running shoes, but also for sportswear
		Quality	All brand products are of high quality
		Trademark	New Balance is one of the leading brands of sports and casual footwear, and is well known throughout its existence. It is believed that the brand should be perceived positively by people of all ages, statuses and genders
2	Price	Prices	Trademark products are reasonably priced. The price per unit, for example, of sneakers starts from 1 000 UAH. At each outlet and online store you can check the availability of the product and its current price
		Discounts	In this segment, products always participate in all off-season discounts and have outlet stores
3	Place	Distribution channels	There are 20 New Balance brand stores in Ukraine. Products can also be ordered online
		Sales levels	The brand is suitable for both the younger and older generation
		Transportation	The transportation takes place in all possible ways as the products are sold in more than 90 countries
		Accommodation	Placement is possible in both a separate store and a large multibrand store
		Warehouse	The production of this brand's products is mainly in America or England
4	Promotion	Advertising	Today, stars are not engaged within the advertising company of this brand
		Personal sales	Within the framework of the activity of the shops of this company, there are professionals at every outlet who help to find the best for the buyers
		PR	The company is focused on supporting charity sports. They also try not to use stars in their PR company. No intrusive advertising

Marketing mix or marketing complex is a set of measures that determine the positioning of a product on the market. Usually a marketing mix consists of four P's (Product, Price, Place, Promotion).

1. Product is the main element of the marketing complex. It is revealed through the following categories: shoes, quality, brand, aftersales service, service, return possibility, exchange, etc.

2. Price is considered in terms of approaches to prices: price lists, discounts, mark-ups, payment periods, credit, payment terms, etc.

3. Place or distribution means actions undertaken by an enterprise to ensure that the goods are delivered to the target consumer at the right place and time. It is characterized by the following categories: distribution (sales) channels, intermediaries, sales levels, form of release, transportation, inventory, placement, training of sales personnel, etc.

4. Promotion or marketing communication – creation of information relations of the enterprise with its target market (consumers). The promotion tools for the New Balance brand products can be: public relations, advertising, exhibitions, sales promotion, PR, direct selling methods.

Practical task 8

The models of brand formation and development. Rebranding

The competence: the ability to choose the best model for brand formation and development.

The task. Choose any model of brand formation to your choice and analyze a specific brand following this model.

An example of doing the task. Let's choose the Brand Wheel model for brand analysis. Fig. 6 shows a graphical analysis of the Zara brand in accordance with this model.

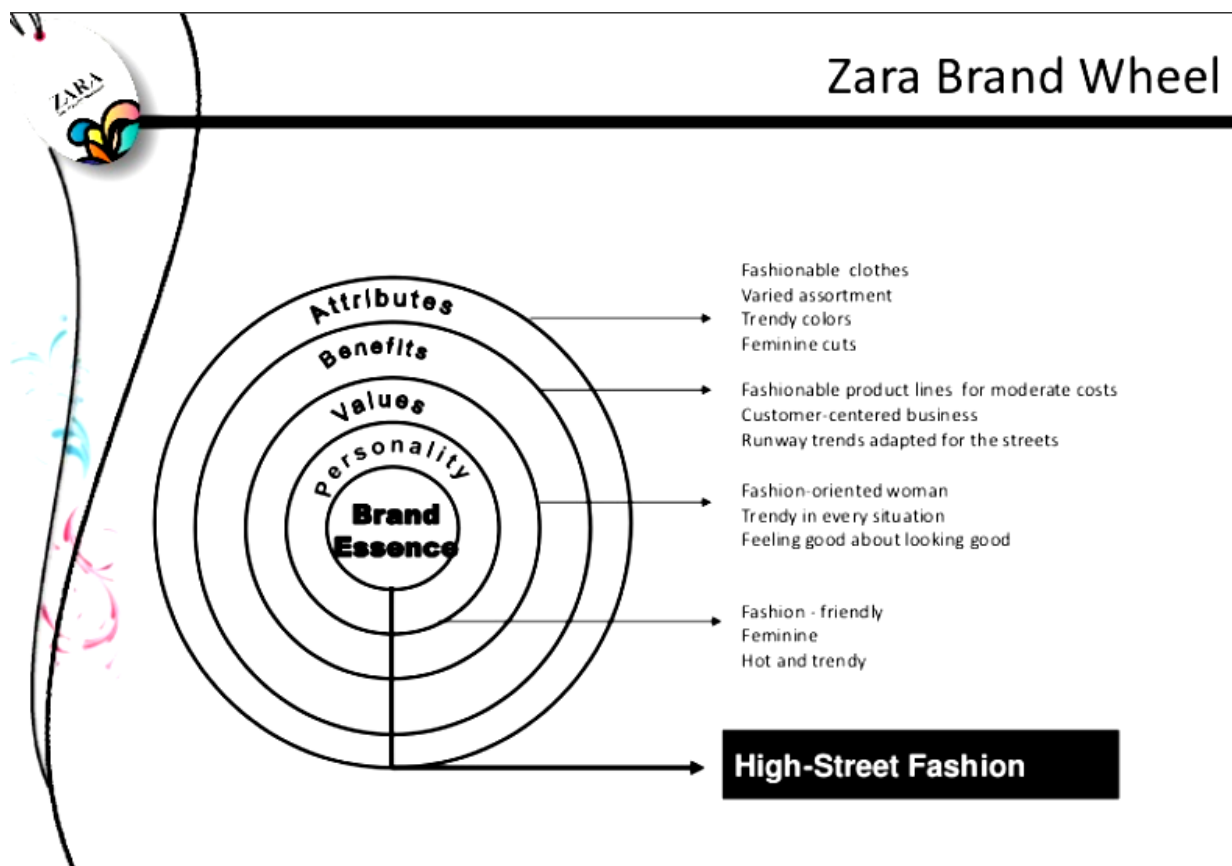


Fig. 6. Analysis of the Zara brand formation using the Brand Wheel model

Similarly, the analysis of brand formation based on this model can be done in the form of a table. An example of such a table is given below (Table 4).

Table 4

The analysis of brand formation

The components of the Brand Wheels	Brand name	
	Ralph Lauren Polo	Lacoste Shirt 12x12
Attributes	From "on occasion" to official, always comfortable	Soft, open air, crocodile icon, multicolored
Benefits	Self-assured	Well balanced, genuine, carefree
Value	Social visibility, exclusivity	Valiant, accessible
Personality	American – Anglo-Saxon and Protestant, Boston elite, American, magnificent	Aristocratic ideals, experience and simplicity, sports and classics, individualism
The essence of the brand	They are young people with good social background, nice and rich	They are men and women dressed in a quiet but cool way

Practical task 9

The legal basis of branding and its peculiarities in different spheres

The competence: the ability to determine the list of regulatory documents that form the basis of brand management.

The task. Identify the major differences between the concepts of the product, the trademark and the brand. Cover the essence and types of the intellectual property rights in Ukraine.

An example of doing the task. When a company is created and starts operating, it produces a specific *product* (or service), but if this product doesn't have a logo, colors characteristic of this logo, approved design and packaging, it does not have any physical attributes of the trademark. Therefore, the product is converted to a trademark, provided that such attributes are available.

Trademark is a marketing term used to refer to the exterior design of goods for the purpose of identifying and differentiating from competitors in the field of product sales. When a trademark receives legal protection, i.e. the definition of intellectual property rights to a registered name, logo, slogan, design or other trademark elements, it already has the trademark name.

A trademark is a part of the corporate identity that identifies and distinguishes a company's products or services from other competing products and confirms the company's intellectual property right to use certain attributes. It is a trademark that is registered in the prescribed manner and is protected by the state.

A registered mark is the mark on which the certificate is issued. The object of the mark may be any designation or any combination of designations (words, including proper names, letters, numbers, pictorial elements, colors and color combinations, and any combination of such designations).

A *brand* is a trademark (or tradename) that is easily recognizable, has a positive response from many customers, and gives popularity to the product or company. Among the criteria for the transformation of a trademark into a brand are the following:

- it is unmistakably recognized by consumers among other trademarks of the same category;

- occurrence of consumer-related emotions and associations that go beyond its primary purpose;
- availability of a loyal consumer group (20 % and more).

Intellectual property law is a set of civil law rules governing the relations connected with creative activity. The main normative acts that regulate intellectual property rights in Ukraine include:

The Law of Ukraine "On Protection of the Right to Marks for Goods and Services";

The law of Ukraine "On Protection of Rights to Inventions and Utility Models";

The law of Ukraine "On Copyright and Related Rights".

Depending on the features of intellectual property objects, there are four types of intellectual property rights:

copyright and related rights;

the right to discovery;

industrial property (the right to an invention, a utility model, an industrial design, also called patent law);

other results of creative activity used in production (the right to a trademark, a service mark, to a rationalization proposal, a company name, protection of selection achievements, topologies of integrated circuits, interests of the owner of "know-how").

The objects of intellectual property rights should be distinguished from the material medium in which the work or other result of intellectual work is expressed. If the right to intellectual property belongs only to the authors and their rightful heirs, then the ownership of the tangible media in which the work is expressed may belong to an unlimited number of people, but based on the ordinary property right rather than the intellectual property right.

The rights arising from the Certificate for the goods and services mark (trademark) are as follows:

the exclusive right to prohibit other people from using the registered mark (trademark) without the owner's consent, unless otherwise provided by law;

the holder of the certificate may transfer to any person the ownership of the mark in whole or in part of the goods and services specified in the certificate on the basis of the contract;

the certificate holder has the right to give permission (to issue a license) to use the mark on the basis of a license agreement.

The ownership of the sign is certified by a certificate. The term of the validity of the certificate is 10 years from the date of application and is continued at the request of the holder of the certificate every 10 years.

The invention (utility model) is the result of human intellectual activity in any field of technology. The object of the invention (utility model) may be:

a product (a device, a substance, a strain of a microorganism, a cell culture of plants and animals, etc.);

a process (method), as well as a new application of a known product or process.

The patent for an invention is valid for 20 years.

Copyright and related rights. The Civil Law Institute of Copyright and Related Rights regulates non-property relations and related property relations in the sphere of creation and use of works of literature, science and art.

The legal regulation of the said institute, along with the property legislation, is carried out directly by the Law of Ukraine "On Copyright and Related Rights", in Article 1 which states that the present Law protects the personal (non-property) and property rights of the authors and their successors related to creation and use of works of science, literature and art (copyright), and the rights of performers, producers of phonograms, broadcasting organizations (related rights). In other words, the Law directly secures the dual content of copyright and related rights as a kind of intellectual property right and a priority in the content of personal (non-property) rights.

Copyright objects are works of literature, arts and sciences that satisfy the following requirements.

First, the work is to be creative. Creativity is an intellectual work aimed at creating something new. The creative nature of the work means that it is new compared to the previously known ones. Novelty can be expressed both in new content and in a new form. For novelty, both novelty of content and novelty of form are essential. A new form of displaying the known content characterizes a work as creative and causes it to be recognized as a copyright. The history of literature and art knows many examples: Shakespeare took topics for a number of his tragedies from the works of ancient Greek authors; Stendal widely used Italian medieval chronicles for his novels; biblical subjects were depicted on the canvases of many great painters, etc.

Another feature of a copyright object is objective expressiveness – the object must exist in some form that is accessible to other people. If the ideas, thoughts, images of the author have not been expressed outside his mind – there is no copyright. Two of these characteristics are sufficient to recognize a work as a copyright object. It doesn't matter whether it is made public or not. The work has been subject to copyright since its creation in some ordinary form. There is no need for official design of these works. The seriousness and purpose of the work don't matter. The external form of its expression does not matter. According to Art. 5 of the Law "On Copyright and Related Rights", the objects of protection are the following works in the field of science, literature and art:

- literary, written works of fiction, scientific, technical or practical nature (books, brochures, articles, computer programs, etc.);

- speeches, lectures, messages, sermons and other oral works;

- musical works with text and without text;

- dramatic, musical and dramatic works, pantomimes, choreographic works and other works created for stage performance;

- audiovisual works;

- sculptures, paintings, drawings, prints, lithographs and other works of fine arts;

- works of architecture;

- photos;

- works of applied arts, unless they are protected by a special law on industrial property;

- illustrations, maps, plans, sketches, plastic works relating to geography, geology, topography, architecture and other fields of science;

- stage performances of the works referred to in subparagraph 1 of this Article and processing of folklore suitable for the stage performance;

- translations, adaptations, arrangements, other processing of works and processing of folklore (derivative works) without causing damage to the protection of the original works on the basis of which the derivative works were created;

- collections of works, collections of studies of folklore, encyclopedias and anthologies, collections of ordinary data, other components of the work, provided that they are the result of creative work of selecting, coordinating or organizing the content without causing damage to the protection of their works.

The following are not the objects of copyright:

official documents (texts of laws and other legal acts, court decisions, etc.);

state symbols (flag, coat of arms, order, etc.);

works of folk art;

reports on events and facts of official informational nature.

Subjects of copyright. The subjects of copyright and related rights are divided into two groups:

entities with initial rights (authors, performers, producers of phonograms, broadcasting organizations);

successors (heirs, successor organizations, state).

The author is the main subject of copyright. It is an individual who creates a work that is the subject of copyright. His legal capacity doesn't matter. The moment when a copyright occurs is the completion of the creation of the work, without official registration of the authorship, regardless of publication. The origin and exercise of copyright does not require the registration of a work or other special design, or compliance with any formalities.

Subjects of copyright may be both citizens of Ukraine and foreigners. Foreign nationals – authors enjoy the protection of copyright law in Ukraine if the works they create are in some objective form in the territory of Ukraine, and if not – in accordance with the international treaties of Ukraine and the common copyright conventions (Geneva, Bern). Subjects of copyright may be co-authors if the work is created by the joint creative work of two or more persons.

There are two types of co-authorship:

the work is one inseparable whole;

the work consists of parts, each of which is made by a specific co-author and can have its own meaning (for example, a textbook written by a team of authors, each of whom wrote separate chapters).

The subjects of copyright are the successors of the author – heirs, counterparties under copyright contracts; some copyrights pass to them.

Personal proprietary rights are the authorship right, the right to a copyright name, the right to protect the work from all distortions and encroachments, the right to publish a work (publication).

Personal non-proprietary rights are the authorship right, the right to a name and the right to protect the work and reputation of the author

indefinitely. These rights are not the subject of inheritance. But heirs can protect these rights, and these heirs' powers are not limited in time.

The author's personal (non-property) rights are enshrined in Art. 13 of the Law on Copyright and Related Rights and are:

- to require recognition of his authorship, reference to his name in connection with the use of the work, if possible;

- to prohibit mentioning of his name if he, as the author of the work, wishes to remain anonymous;

- to choose a nickname (invented name) in connection with the use of the work;

- to counteract any misrepresentation or other alteration of the work or any other encroachment upon the work which may damage the honor and reputation of the author; the right to publish the work.

Proprietary rights are the exclusive rights to use the work, that is, the right to reproduce, distribute, publicly display, publicly perform, report to the public on the air or on the cable network, translate, etc., and receive royalties. The amount of remuneration is set in contracts, and the law sets only the minimum rates.

The property rights of the author are listed in Art. 14 of the said Law, which provides that the author or other copyrighted person shall have exclusive rights to use the work in any form and by any means, including the exclusive right to authorize or prohibit:

- reproduction of works;

- public performance and publicity of works;

- public display;

- any repeated publicity on the air or on the cable network of works already transmitted, if carried out by another organization;

- translations of works;

- alterations, adaptations, arrangements and other similar changes to the works;

- distribution of works by sale, alienation by other means or by lease or rental and other transfer to the first sale of copies of the work; handing over, at least after the first sale, the sale of copies of audiovisual works, musical works, in musical form, as well as works recorded on a phonogram or in a machine-readable form by other means;

- import copies of works.

Authors of works of fine art, in addition to the above, have additional rights (if the work has become the property of another person), namely:

access right – the ability to reproduce their work;

right of passage, which means that when reselling works of fine art, their author is entitled to a remuneration from the seller in the form of a certain percentage of the resale price.

This list is not exhaustive, including the exclusive rights of authors to use works of architecture, urban planning, landscape art and the right to participate in the practical implementation of projects of these works.

The authors' property rights are inherited.

The protection of the rights of the authors is valid within the terms established by Art. 24 of the Law "On Copyright and Related Rights". As a general rule, the protection afforded by the present Law is valid throughout the life of the author and 50 years after his death.

The term of protection of the works created in co-authorship is valid throughout life and 50 years after the death of the last author.

For works published anonymously or under a pseudonym, the term of protection expires 50 years after the work was published. If the nickname taken by the author does not raise doubts as to the identity of the author, or if the author of a work published anonymously or under a pseudonym reveals his identity within 50 years, then the general rules on the terms of protection apply. The term of protection of the works of posthumously rehabilitated authors is valid for 50 years after their rehabilitation. A copyright for a work published 30 years after the death of the author is valid for 50 years from the date of its lawful publication. The term of protection begins on January 1, which follows the year in which the above legal facts occurred. The right of authorship, the right of the name and the right to counteract the misinterpretation, distortion or other alteration of the work or any other encroachment on the work, which may damage the honor and reputation of the author, shall be protected indefinitely.

After the copyright expires, the work becomes a public domain. Such works can be freely used by any person (no permission is required, such as reproduction, production, etc.) without payment of royalties. However, the exclusive indefinite rights of authors – the right of authorship, the right to the author's name, the right to protect the work and the author's reputation (the right to the integrity of the work) must be respected.

Free use of copyright in some cases permitted by law may be possible in the life of the author – when quoted, used for educational purposes as illustrations, when reproduced in the media for general publicity of articles on current economic, political, social, religious issues, the use of publicly spoken political speeches, messages, reports and in other cases. The following conditions must be met:

- this is possible only in the cases specified in the law;
- only with respect to legally published works;
- with obligatory indication of the author's name;
- with indication of the source (edition);
- with respect for the integrity of the work.

Along with the copyright, the named Law regulates in detail the relations in the sphere of related rights. These rights were named in this way because the persons who own them use the works created by other persons creatively, and they are not regarded as authors of performed or recorded and reproduced works. The object for their rights is the very performance or sound and video. Therefore, in comparison with copyright, these rights are to a certain extent limited in nature and are reduced essentially to the permission (consent) for reproduction (use) and the demand for appropriate payment. According to Art. 31 of the Copyright and Related Rights Act, performers exercise their rights, provided that they respect the rights of the authors of the works being performed. Producers of phonograms and broadcasting organizations must adhere to, creatively use works created by others, and are not regarded as authors of works performed or recorded and reproduced by them. The object for their rights is the performance itself, or sound and video. Therefore, in comparison with copyright, these rights are to a certain extent limited in nature and are reduced essentially to the permission (consent) for reproduction (use) and the demand for appropriate payment. According to Art. 31 of the Copyright and Related Rights Act, performers exercise their rights, provided that they respect the rights of the authors of the works being performed. Producers of phonograms and broadcasting organizations must respect the rights of authors and performers. Broadcasting organizations must respect the rights of authors, performers and producers of phonograms.

Related rights are the rights of performers, producers of phonograms and broadcasting organizations. They are related to copyright, that is, adjacent copyright-related rights. Their role is a sort of intermediary between

the authors and the general public. At the same time, they are secondary to copyright because they ensure the use of works of authors. Related rights protect the creative work of individuals who bring the works of authors to a wide audience from the illegal use of the results of their work.

Specificity of related rights:

they are associated with the use of certain technical devices (so they appeared only in the 20th century, with the development of technological progress – the invention of audio and video recording, radio, cinema, television, artificial satellites);

related rights objects are fixed on tangible media (for example, the presence of a recording on magnetic tapes, cassettes, videotapes);

performance is possible repeatedly, endlessly, in front of a virtually unlimited audience and without the live participation of the performer himself.

Practical task 10

Brand equity and its measurement

The competence: the ability to analyze and measure brand capital and evaluate brand advertising campaigns using the AIDA model – Attention, Interest, Desire, Action.

The task. Conduct analysis of the promotional video, using the four criteria of the AIDA model.

An example of doing the task. After watching the video promoting the New Balance brand, students draw a conclusion, for example:

Analysis of the advertising campaign of the sports brand "New Balance" based on the factor "Attention" (Table 5).

Table 5

Analysis of the advertising campaign

No.	Category	Characteristic
1	2	3
1	Color	Bright color gamut, saturation and color composition. It clearly displays the color line of the clothing and shoes released
2	Dynamic elements	The use of dynamic elements that attract attention in both commercials and banners
3	Image brightness	The distinctive face of the advertising campaign. They focus on a different age range. Well-known images and non-standard approaches to advertising the sportswear and footwear are used

Table 5 (the end)

1	2	3
4	Strange location	The use of advertising that is not fixed in space. There is no focus on placement
5	Sound	The use of popular music that attracts young people's attention
6	Odor	This item is not used in the advertising campaign

Analysis of a sportswear advertising campaign based on the factor "Interest". Another fact is the code numbers of all running shoes. Terry Heckler has put a stake on the fact that sports brands give running shoes various incomprehensible names and only the New Balance brand allows you to memorize the number, choose your own pair and give it your own name or not give it at all. Advertising with boxes of running shoes and a bright appeal has been a turning point in the New Balance history and has forced millions of people to look up to the sports brand.

The factor "Desire". The desire to buy products of this brand in most cases stems from the advertising campaign and the quality and attractiveness of the clothes and footwear. This causes considerable consumer confidence in the case of such positive feedback. The wide color gamut that is presented in the products of this brand is another positive impetus to the desire to buy the product. Colors attract a lot of attention to the company, as others cannot compete in this segment.

Analysis of the advertising campaign of the cosmetic brand "New Balance" based on the factor "Action". The action of this campaign is concentrated on the activity of sales representatives, namely that in every official store of the sports company New Balance there are professionals, who in turn provide services as consultants on topical issues of these products. An individual approach to each client is behind it.

The list of questions on the topics of student's independent work

Content module 1

The theoretical bases of brand management and the stages of branding

Topic 1. The essence of brand and the history of its evolution

1. Define the modern brand interpretation. What main differences between the brand and the trademark do you know?

2. What kinds of brands do you know?
3. What are the classification attributes of brands?
4. What is the role and place of brands and products in the market economy?
5. What are the advantages and disadvantages of industrial product brands?
6. Make comparative analysis of manufacturing and distribution brands.
7. What are the main stages in the emergence and development of brands?

Topic 2. Brand management strategies and their elements

1. Name the main participants in the brandbuilding process.
2. What external and internal factors influence the formation and promotion of consumer brands?
3. Define the features of branding in Ukraine.
4. What are the main trends in the use of virtual brands in Ukraine and in the global economy?
5. What are the main types of branding strategies?
6. Name and characterize the types of brands of innovative projects.

Topic 3. The stages of branding and the brand management technology

1. What is the structure of brand management at the enterprise?
2. What functions do brands perform?
3. Name the main functions and powers of the brand manager.
4. What are the differences between marketing and branding?
5. What is the essence of the naming technology?
6. Expand on the content of Customer Relationship Management technology.

Topic 4. Planning for brand formation and development

1. What are the basic principles of brand management?
2. What documents do you need to work on to create a brand concept?
3. What are the environmental factors that influence the promotion of brands in Ukraine?

4. What internal factors determine the success of a brand product and enterprise?
5. What are the main functions of a brand name?
6. Identify the core characteristics of the brand theme.
7. What are the internal and external sources of information for forming and promoting enterprise brands?

Topic 5. Analysis of brand formation and development

1. Discover the key stages of a brand's life cycle.
2. Describe a group of competitive analysis methods: Nine Forces (industry) analysis, competitive positioning, business model analysis, SERVO analysis, supply chain analysis.
3. Expand on the essence of the benchmarking method.
4. What is the McKinsey 7S method of analysis?
5. The main steps of the method of "shadowing".
6. Describe the method of product line analysis.
7. Perform a comparative analysis of the methods of collecting primary and secondary information

Content module 2

The practical aspects of brand management

Topic 6. Positioning and brand management

1. Provide the brand DNA structure.
2. What factors influence the formation of positive consumer image and social image as components of the brand DNA?
3. What role does motivational analysis play in branding? Specify the segmentation criteria used in branding.
4. Describe the process of forming a brand need. Identify its components and evaluate them.
5. Expand on the essence of the brand creation process. Describe the "Brand Wheel" model. Consider the possibility and feasibility of applying it to products of different categories.
6. What qualitative and quantitative research is done in the process of brand development?

7. What is the feature of image formation as a separate component in brand development? What are the ways and principles of image formation used in branding?

8. Justify the role of positioning in branding. What strategies and types of positioning are companies currently using? Does the choice of positioning strategy depend on the product category, on other factors?

9. Give positioning principles.

Topic 7. Integrated communications in brand management

1. Define the concepts of marketing communications, integrated marketing communications and integrated brand communications.

2. What explains the development of the conceptual essence of brand communications?

3. What are the means and methods of implementing modern brand communication campaigns? What is the special feature of ATL and BTL brand communications?

4. What determines the priority of choosing specific mechanisms?

5. Describe the system of principles of integrated brand communications and justify them using examples from the practice of companies.

6. What is a brand image? How is it formed? What tools and methods have priority in creating an image?

7. What role does consumer loyalty play in brand development? What tools does it take?

8. In accordance with what principles are loyalty programs developed and implemented?

9. Describe a system of sales promotion methods for consumers.

Topic 8. The models of brand formation and development. Rebranding

1. What types of brand models are most effective, what factors influence the choice of brand models?

2. Describe the conditions, nature and tasks of rebranding and elimination of brands.

3. What forms of rebranding are most successful? Give examples.

4. Justify the criteria for evaluating the efficiency of using brands of enterprises and products of various groups of participants in corporate relations.

Topic 9. The legal basis of branding and its peculiarities in different spheres

1. What is the specific feature of brand protection?
2. Are there universal ways to protect brands from competitors and unfair business?
3. Name and describe the principles of law enforcement with respect to TM brands.
4. Define the concept of forgery and imitation. What kinds of dishonest business are undertaken against brands?
5. What is brand sabotage analysis? In what directions and what methods is it carried out?
6. What marketing and legal tools are in place to protect brands in today's context? Organize them.
7. Give a general description of the global brand protection system.
8. Give a general description of the procedure for international registration of trademarks.
9. What are the benefits of participants in international intellectual property agreements?
10. What is the peculiarity of regulation of the market of intellectual property rights in Ukraine?

Topic 10. Brand equity and its measurement

1. What are the main rational benefits of a product brand? The financial manager's functional responsibilities.
2. Describe the typical rational benefits of an enterprise brand.
3. What are the typical emotional benefits of an enterprise brand?
4. Based on the example of a brand of any product, describe its emotional benefits.
5. What are the best known rating agencies for determining brand strength and value?
6. What methods of determining the brand power do you know? Characterize them.
7. What methods of determining the brand capital value do you know? Characterize them.

8. What are the methods for measuring the cognitive impact of branding?

9. What are the main methods for determining the value of brand capital that are appropriate for use at industrial enterprises?

10. What is the difference between brand strength and value? Name the relevant indicators and describe their nature and models of calculation.

Recommended literature

Basic

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НАВЧАЛЬНЕ ВИДАННЯ

БРЕНД-МЕНЕДЖМЕНТ

Методичні рекомендації до практичних завдань та самостійної роботи для студентів усіх спеціальностей другого (магістерського) рівня

Самостійне електронне текстове мережеве видання

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Подано методичні рекомендації до практичних завдань та самостійної роботи студентів. Запропоновано завдання та приклади виконання завдань для розвитку професійних компетентностей, якими має володіти студент після вивчення навчальної дисципліни.

Рекомендовано для студентів усіх спеціальностей другого (магістерського) рівня.

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