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What is in a bottle? Thirty design strategies for luxurious packaging, transcending intellectual property to embrace intellectual capital

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Abstract

This study explores the nuanced role of intellectual property (IP) and intellectual capital (IC) in the premium beverage industry, focusing on bottle design as a strategic asset. By analyzing the ways brands like Maker's Mark, Veuve Clicquot, and Glenfiddich differentiate themselves through unique bottle features, our study highlights how companies are building brand identity and consumer loyalty outside conventional IP protections. This approach emphasizes the importance of design strategy in the beverage industry and reflects broader trends in leveraging IC to create a competitive advantage. This study examines the strategic role of bottle design within premium and luxury beverage brands, aiming to uncover how companies use IC—such as design, brand equity, and consumer perception—to create value in areas not covered in traditional IP rights. The study examines how design elements shape consumer expectations and enhance brand prestige, illuminating the intersection of IP and brand identity. The study provides a novel perspective on the role of design strategy in the premium beverage industry, contributing to both academic and practical discourse on how brands build value outside traditional IP frameworks. It highlights how bottle design serves as an IC, shaping brand identity and consumer loyalty in ways that redefine value creation in competitive markets.

Keywords: Design; Strategies; Design Strategies; Intellectual property; Intellectual capital; Bottle design

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1. Introduction

This study is grounded in a qualitative, exploratory research paradigm, appropriate for examining symbolic and intangible brand strategies across design, marketing, and legal scholarship. Rather than testing formal hypotheses, the research adopts an interpretive approach to explore how bottle label design functions as both an intellectual property (IP) asset and a form of intellectual capital (IC). Such desk-based qualitative research emphasizes rich contextual understanding, using document analysis of existing sources instead of primary fieldwork. This paradigm is well-suited to uncover how packaging design operates beyond its aesthetic role—for example, as "a declaration of brand identity, a competitive edge, and a silent contract with consumers."[1] The exploratory nature of the

inquiry allows the study to tease out nuanced interactions between legal protections (i.e., IP) and brand intangibles (i.e., IC) that might be overlooked by more quantitative or positivist approaches.

2. Data sources

This study relies on secondary sources, primarily the World Intellectual Property Organization (WIPO) Global Brand Database, which consolidates *inter alia* international trademarks (Madrid System), appellations of origin and geographical indications (Lisbon System), and national and regional trademark records. The database was used to identify trademark filings, three-dimensional (3D) marks, and brand-related registrations linked to iconic beverage packaging. To complement these legal data, scholarly literature, case studies, and industry analyses were accessed through the Deakin University online and campus libraries. This combined approach provided a comprehensive foundation for examining how packaging design operates as both a legal and communicative asset in the premium beverage sector.

In addition to the above, the study incorporated complementary sources to enrich the qualitative analysis. Commercial press and industry publications were surveyed for news, interviews, and commentary regarding packaging initiatives or disputes in the luxury beverage sector. These sources help illustrate market perceptions and brand narratives surrounding the bottle designs. Triangulating across legal documents, scholarly work, media sources, and brand communications enabled a nuanced understanding of each case—from the formal IP protection strategy to the design's informal cultural and brand significance.

3. Case selection criteria

A purposive case study selection was employed to choose examples that best illuminate the convergence of IP and IC in label and bottle design. Each case was deliberately selected against three key criteria to ensure relevance and diversity in the sample:

(i) Iconic or emblematic design status: The bottle design needed to be widely recognized or heralded within the beverage industry as an exemplar of premium branding. Selected cases include designs that have attained iconic status (e.g., distinctive shapes or labels immediately associated with a particular luxury brand), thus providing a rich context for analysis of design as brand symbolism.

(ii) Diverse representation of IP mechanisms: The cases collectively reflect a range of IP protection tools, including design patents (or registered designs), trademarks (such as logos and word marks), and trade dress or 3D trademarks protecting shape or packaging appearance. This criterion ensured the study examines how different legal mechanisms are used in tandem. For instance, an iconic bottle might initially be covered by a design patent and later by trade dress, as seen in the classic Coca-Cola contour bottle. By including cases with varying IP portfolios, the research can compare how design-centric brands leverage multiple forms of IP protection.

(iii) Demonstrable contribution to brand prestige or consumer perception: Each chosen case exhibits a clear link between its design elements and the brand's IC—that is, the design tangibly enhances brand equity, premium image, or consumer experience. The selection favored brands where the packaging is integral to consumer perceptions of luxury or quality, serving as a source of intangible value. This focus aligns with evidence that packaging designs that emotionally resonate with consumers can "foster trust and preference for a brand," elevating its prestige in the marketplace.[2] In other words, the cases illustrate designs that do more than signify origin legally; they actively contribute to the brand's prestige, storytelling, and customer loyalty.

Using these criteria, the study identified a set of high-profile premium beverage brands (spanning fine wines, champagnes, and spirits) whose bottle label designs meet all three conditions. This purposive sampling maximizes the likelihood of observing the nuanced interplay between formal IP protection and the informal, experiential brand value derived from design.

4. Data synthesis and analysis

Once the case data were gathered, the study conducted a comparative, thematic analysis to synthesize findings across the examples. Each case was first examined individually, documenting how its bottle design is protected (via IP registrations) and how it functions as part of the brand's identity and value proposition. The analysis then proceeded iteratively and comparatively, extracting common themes and patterns on how packaging design contributes to brand value beyond conventional IP protection. In practice, this meant looking for recurring strategies or effects—for example, design features that consistently enhance consumer perceptions of exclusivity, authenticity, or quality across different brands. By comparing cases side by side, the research identified thematic insights into the synergistic role of design as both a legal asset and a marketing asset.

Importantly, the synthesis emphasizes how design-driven IC extends beyond the scope of formal IP rights. A trademark or patent secures legal exclusivity, but

the brand value derived from iconic design—such as heightened consumer loyalty or premium brand equity—often exceeds what law alone can confer. The thematic analysis highlights these facets, showing, for instance, how a unique bottle shape or signature label can act as a "brand ambassador" that builds equity and emotional connection with consumers. A study published by the National Yunlin University of Science and Technology found that "packaging design can significantly affect brand equity."[3] These qualitative findings illustrate the study's central argument: that effective design strategies in premium packaging leverage IC (creative design, brand heritage, consumer sentiment) in concert with IP, thereby creating competitive advantage beyond what legal protection alone captures.

5. Scope and boundaries

The scope of this study is focused on major luxury and premium beverage brands, which inherently shapes the generalizability of the findings. The cases analyzed are primarily drawn from well-established European and North American brands—for example, renowned Champagne houses, historic wineries, and premium spirit distillers with global recognition. This focus reflects the study's interest in heritage brands and mature markets, where iconic packaging designs have long been used in brand-building. However, it also introduces a geographic and market concentration: insights are derived mostly from Western contexts and high-end market segments, which may not directly translate to emerging markets or mass-market brands. The cultural and legal context (Europe/North America) is a boundary of the study, as packaging design norms and IP regimes can vary in other regions.

Another scope delimitation is the emphasis on top-tier brands and flagship products, meaning that niche or lower-end beverage products are outside the purview of this study. The rationale is to observe design at the pinnacle of brand strategy (where investment in design and brand image is highest), but it does not mean mid-range brands or newer market entrants are not represented.

6. Bottle design at the intersection of intellectual property and intellectual capital. analytical framework

This study conceptualizes packaging design in the premium beverage sector as a dual-domain value system, operating simultaneously within the legal logic of IP and the market-driven logic of IC. While these domains are analytically distinct, their interaction is central to understanding how design generates and sustains competitive advantage. At its core, IP and IC represent two different mechanisms of value creation:

Intellectual property is grounded in a logic of exclusion and control. Through legal instruments, such as trademarks, design rights, trade dress, and, in some cases, patents, IP confers exclusive rights over identifiable elements of packaging. Its primary function is to prevent imitation and to secure the economic returns of innovation by establishing legally enforceable boundaries.

Intellectual capital, in contrast, operates through a logic of perception and meaning. It encompasses the intangible assets that shape how a product is understood and valued in the market, including brand positioning, sensory experience, heritage narratives, craftsmanship, and consumer trust. These elements are not protected through formal legal mechanisms but derive their value from consumer recognition, emotional engagement, and cultural association.

While IP defines what can be legally controlled, IC determines what is economically and symbolically valued. Packaging design serves as a critical interface between IP and IC, translating legally protected features into perceptible and meaningful signals. A bottle shape, for instance, may be protected as a 3D trademark, but its economic significance depends on its ability to communicate distinctiveness, quality, or heritage to consumers. In this sense, design operates across three interrelated layers:

(i) Legal layer, where specific elements may be protected through IP rights;
(ii) Material and sensory layer, where design engages sight, touch, and other perceptual cues;
(iii) Symbolic layer, where design contributes to brand narratives and positioning.

The effectiveness of a design strategy depends not only on its legal protectability but on its capacity to activate these layers simultaneously.

The relationship between IP and IC is not uniform. This study identifies three recurring modes of interaction:

(i) Intellectual property-dominant strategies, where value is closely tied to legally protected features (e.g., distinctive bottle shapes or registered color marks). In these cases, IC reinforces and amplifies legally secured exclusivity.
(ii) Intellectual capital-dominant strategies, where value arises primarily from perception, sensory engagement, or brand meaning (e.g., weight, texture, or storytelling elements) with limited or no direct IP protection. These strategies rely on consumer interpretation rather than legal control.
(iii) Hybrid strategies, where legally protected elements and intangible value creation are deeply intertwined.

Here, IP provides a structural foundation, while IC generates the majority of market differentiation and consumer attachment.

This typology highlights that not all valuable design elements are protectable, and not all protected elements are equally valuable.

To operationalize this framework, each design strategy in this study is analyzed along four dimensions:

(i) Legal protection (IP dimension): The extent and form of formal IP rights associated with the design element;

(ii) Sensory and experiential impact (IC dimension): How the design engages perception and contributes to product experience;

(iii) Brand positioning: The role of the design element in signaling luxury, exclusivity, heritage, or innovation;

(iv) Consumer interpretation: How the design shapes expectations, trust, and willingness to pay.

These dimensions enable a structured comparison across cases and facilitate the transition from descriptive observation to analytical generalization.

By integrating these elements, the framework advances a broader understanding of design as a hybrid asset—one that is partly governed by legal regimes and partly by market-based perception. It challenges the implicit assumption in traditional IP scholarship that protection equates to value, and conversely, the assumption in IC literature that value creation operates independently of legal structures.

Instead, the framework suggests that sustainable competitive advantage in design-intensive industries emerges from the alignment, rather than the separation, of IP and IC. Packaging design becomes most effective when legal distinctiveness and perceptual differentiation reinforce each other, creating both enforceable exclusivity and durable consumer meaning.

This perspective provides a basis for reinterpreting packaging not merely as an object of protection or a tool of marketing, but as a strategic site where law, design, and consumer perception converge.

7. Shaping identity through packaging design

The iconic Coca-Cola contour bottle serves as a quintessential example of how IP and IC intersect in premium packaging design (Figures 1 and 2). This bottle is not merely a vessel for a beverage; it embodies the brand's identity, heritage, and the strategic creativity that sets it apart in a competitive market.

In 1915, the Coca-Cola Company sought to create a bottle so distinctive that it could be recognized even in the dark or shattered on the ground. This challenge was met by the Root Glass Company, whose designer, Earl R. Dean, crafted the now-famous contour shape.[4,5] The innovation behind this design reflects the company's IC—the collective expertise, creativity, and strategic vision of its people. Their deep understanding of brand differentiation and consumer perception led to a design that resonates emotionally with customers and enhances brand loyalty.

To protect this valuable asset, Coca-Cola secured IP rights for the bottle's unique design. The original contour bottle design was granted a U.S. Design Patent (No. D48,160) on November 16, 1915.[6] This patent protected the ornamental design of the bottle, preventing others from making, using, or selling bottles with a similar appearance.[7]

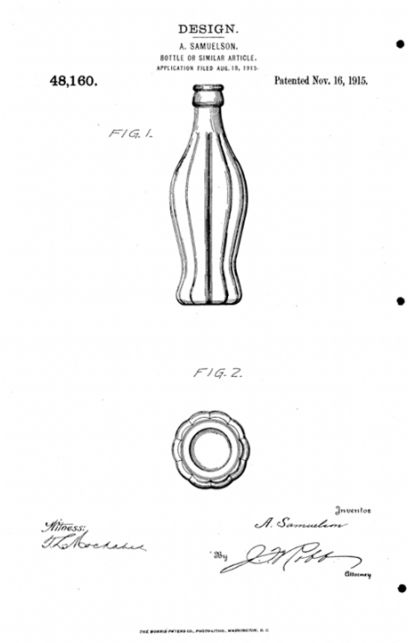


Figure 1. Coca-Cola design patent. U.S. Design Patent No. USD48160, retrieved via Wikimedia Commons (https://patents.google.com/patent/USD48160S/en). The material is in the public domain and is reproduced for non-commercial scholarly and illustrative purposes.

As the patent approached expiration, Coca-Cola sought to maintain exclusive rights to the bottle's design through trademark law. In 1960, the company obtained a U.S. Trademark Registration (No. 0696147) for the bottle's 3D shape.[8] This trademark protection solidified the bottle's status as a symbol uniquely associated with Coca-Cola, offering indefinite protection as long as the mark remains in use and maintains its distinctiveness.[9]

The synergy between IC and IP in this example is

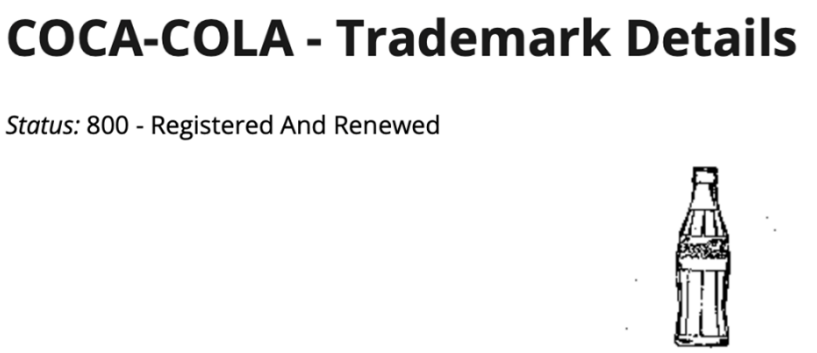


Figure 2. Trademark (trademark record of "COCA-COLA" [U.S. Reg. No. 72069873], reproduced from a publicly accessible database [Justia; https://trademarks.justia.com/720/69/coca-cola-72069873.html]. Used for non-commercial scholarly and illustrative purposes. All rights to the trademark remain with the respective owner).

profound. The IC invested in designing the bottle—encompassing the designers' creativity, the company's marketing acumen, and strategic brand positioning—resulting in a distinctive product that could be legally protected.[10–12] The IP rights then safeguarded this asset, ensuring that the benefits of the company's investment in IC could be fully realized without unauthorized exploitation by competitors.[13]

Moreover, the bottle's design has transcended its functional purpose, becoming an integral part of Coca-Cola's marketing and cultural presence. The company's ongoing innovation in materials and sustainability practices reflects continued investment in IC, while its vigilant enforcement of IP rights preserves the bottle's iconic status.

This intersection of IP and IC demonstrates not only how strategic design and legal protection work hand in hand to sustain a premium product, but also how they differ in nature. IP is a strictly legal concept, codified in international treaties and national legislation, and encompasses a defined set of rights: copyright, industrial property (including inventions, utility models, industrial designs, trademarks, geographical indications), and even specialized regimes such as semiconductor topographies. These rights confer exclusive legal protection and enable enforcement against unauthorized use. In contrast, IC is not a legal category but a managerial and economic construct, referring to the intangible assets that generate value within and around the brand—such as creativity, design know-how, organizational knowledge, consumer trust, and brand prestige. Whereas IP secures formal rights, IC reflects the broader, often unprotected resources that enhance competitiveness and shape long-term brand equity. Not every value-generating aspect of IC can be neatly aligned with the established categories of IP goods. In response, this article provides examples of design strategies to address this problem.

The Coca-Cola contour bottle not only holds a beverage but also encapsulates a century of brand heritage, consumer goodwill, and competitive advantage, all rooted in the effective management of intellectual assets.[14]

8. Synergy of intellectual property and intellectual capital

In the realm of premium packaging, a high-end bottle becomes much more than a container—it is a brand's ambassador, visually embodying its essence. Take, for example, a luxury whiskey bottle with a distinctive shape and intricate design elements. This bottle is not merely functional; it is crafted to resonate with the brand's values, target audience, and market position. The intersection of IP and IC becomes crucial here, protecting and enhancing its unique design.

IP offers formal protection for this bottle's distinct characteristics. Through design patents, the brand secures exclusive rights to its iconic shape, preventing imitators from reproducing it. Suppose the bottle shape is registered under a specific design patent number; this registration prevents others from using the specific contours and embellishments that make it distinctive. Trademarks add further protection, safeguarding any logos, signature colors, or even unique bottle textures that signify the brand at a glance. A trademark registration, for instance, could protect a distinctive brand insignia embossed on a bottle neck, thereby reinforcing brand recognition and loyalty. Additionally, trade dress registration ensures that the entire packaging experience—the look, feel, and arrangement—

cannot be easily replicated, thereby preserving the brand's identity and market positioning.

While IP offers a legal shield, the IC behind this bottle's design strategy represents the brand's innovative approach and market insight. Skilled designers and product developers, equipped with a deep understanding of luxury consumer preferences, decide on every element, from the premium glass used to the tactile sensations that the bottle provides. This IC, born of expertise and creativity, drives the strategic choices that make the bottle more than a container. Decisions about the bottle's weight, the precision of the glass craftsmanship, and even the sensory feel of the bottle's contours are informed by a sophisticated blend of human expertise, cultural understanding, and market insight that resonates with consumers on a deeper level.

This intersection between IP and IC creates a powerful symbiosis. The IC fuels the creativity and depth of the bottle's design, while IP protections safeguard these innovations and keep them exclusive to the brand. Together, they transform the bottle from a functional item into a distinctive brand artifact.[15–17] This fusion not only elevates the brand's market value but also strengthens its narrative, creating a lasting impact on consumers who perceive the bottle as an extension of the brand's identity[18], a unique blend of innovation and exclusivity.

8.1. Power of weight

The weight of a glass bottle serves as a powerful signal of luxury, durability, and high craftsmanship, particularly in the premium market.[19] Heavier bottles give consumers a physical sensation of value, implying that the product is made with superior materials and designed to last. For example, Moët and Chandon's champagne bottles are intentionally heavier than standard wine bottles, creating a clear distinction from everyday products.[20] This weight difference begins to convey quality[21] before the bottle is even opened, as consumers equate heft with exclusivity and consider it a mark of careful craftsmanship.

A search at WIPO and the European Union Intellectual Property Office reveals no industrial designs or design patents for Moët and Chandon, but predominantly trademarks, suggesting that the brand prioritizes trademark protection to safeguard its name, logo, and brand identity rather than focusing on protecting specific design elements (Figure 3). This strategy aligns with their focus on brand recognition and market differentiation, as their product's value is more tied to its branding and reputation than to its design.

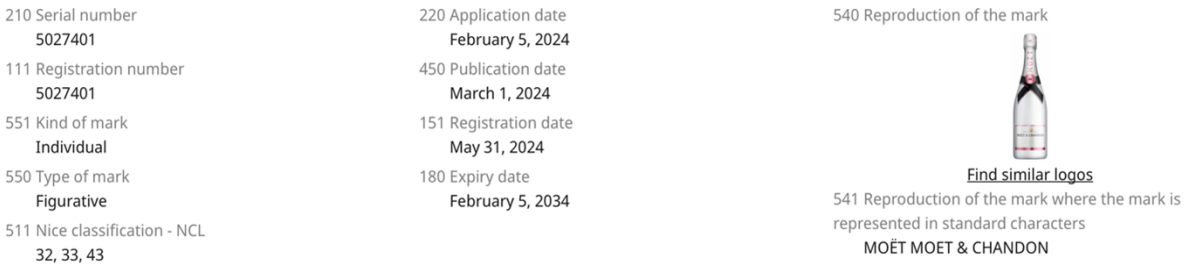


Figure 3. Moët and Chandon, registered trademark, National Institute of Industrial Property (France), World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/FR502024005027401). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[22]

For Moët and Chandon, the choice to use a weightier bottle[23] is not arbitrary but part of a broader brand strategy.[24] The heavy glass not only protects the delicate champagne from light and temperature fluctuations but also signifies that the bottle itself, much like the champagne inside, has been crafted to the highest standards. When a consumer lifts the bottle, they experience an immediate sense of significance and durability, perceiving the product as something timeless and built to be enjoyed on special occasions. This tangible experience of weight reinforces Moët and Chandon's premium positioning, hinting at the brand's attention to detail and commitment to quality, turning a simple product interaction into a subtle yet effective luxury experience.

8.2. Art of embossing

Embossing on glass bottles adds a premium feel through a combination of tactile engagement, perceived quality, brand differentiation, and durability. The texture of an embossed design encourages people to run their fingers over it, creating a physical connection with the brand that a flat label or printed logo cannot achieve. This tactile

interaction signals craftsmanship and quality, engaging more senses and inviting consumers to linger with the product, which enhances its appeal.[25]

The association between embossing and luxury is no accident. This method requires additional time, effort, and care during manufacturing, which contributes to the perception of higher quality. Embossed designs create physical depth, which allows the bottle to catch and reflect light in unique ways, making it more visually striking. This play of light adds a distinct, sophisticated allure, reinforcing the idea of a premium, well-crafted product.

Moreover, embossing serves as a strong point of brand differentiation. Embossed designs are harder to replicate, setting the product apart on shelves and subtly conveying exclusivity. For high-end brands such as Johnnie Walker, this differentiation is crucial as it strengthens brand recognition and aligns with consumers' perceptions of a high-status product.

Durability is another key advantage of embossing. Unlike traditional labels, which can peel, tear, or fade over time, an embossed design is a permanent fixture on the bottle. This durability reinforces the idea of lasting value, helping premium brands maintain a consistent sense of quality even as the product ages. Embossing, therefore, does more than enhance appearance; it builds a sensory and psychological connection that elevates the product's overall experience.

8.3. Shape of prestige

The shape of a bottle is a subtle yet impactful element in building brand identity and suggesting exclusivity.[26] Uniquely shaped bottles immediately draw the eye, helping products stand out on crowded shelves while creating a strong first impression of quality. For instance, Stolichnaya Elit Vodka's bottle is tall and sleek, with refined, clean lines that communicate sophistication and modern luxury (Figure 4). Its distinct silhouette sets it apart from more traditional vodka bottles, leading consumers to associate the product with high-end, premium quality.

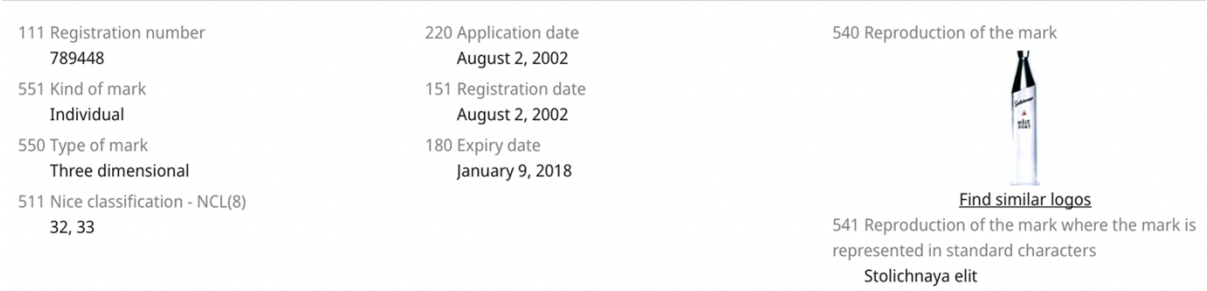


Figure 4. Stolichnaya Elit Vodka's three-dimensional trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/BT50000M00M789448). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[27]

Stolichnaya Elit Vodka's registration of a 3D trademark reflects its intent to protect the distinctive shape or packaging of its bottle as a source identifier. By registering this as a trademark rather than an industrial design, the brand secures long-term protection (potentially indefinite with renewals), emphasizing its focus on branding and market recognition rather than the finite protection offered by industrial design rights.

In the wine industry, bottle shape often signals heritage and status, as seen in Château Margaux's use of the classic Bordeaux-style bottle with its iconic high shoulders. This shape not only aligns with traditional expectations but also reinforces the wine's established reputation for excellence. The familiar silhouette resonates with wine enthusiasts, evoking a sense of history and reliability associated with Bordeaux wines. Unique bottle shapes, therefore, are more than aesthetic choices—they are powerful branding tools that create a memorable presence, reinforce product identity, and elevate perceived value.

The combined trademark for Château Margaux includes both word and design elements, such as its iconic name paired with distinctive visual features, including fonts, logos, and imagery (Figure 5). This type of trademark provides comprehensive protection of the brand's identity, safeguarding it against imitation not only of its name but also of its unique aesthetic elements, which are crucial to maintaining its luxury and heritage appeal.

There is a strong psychological component to bottle shapes, especially in the wine industry, where bottle design is closely tied to consumer perception of heritage, quality,

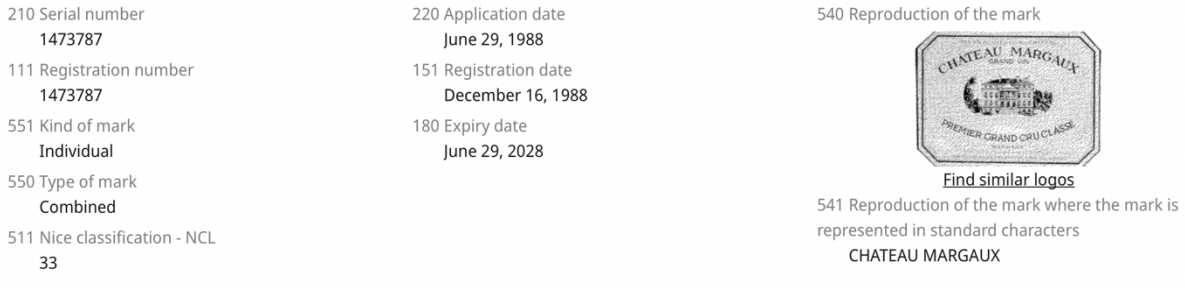


Figure 5. Château Margaux combined trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/FR501988001473787). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[28]

and reliability.[29] A classic bottle shape, like the Bordeaux-style with its high shoulders, taps into cultural memory and visual associations formed over time. When wine enthusiasts see this shape, they subconsciously connect it with traditional winemaking, consistency, and high quality—qualities they expect from a region like Bordeaux, known for its rich winemaking history. This psychological trigger instills trust and confidence in the product even before tasting it.[30]

Louis Roederer Cristal Champagne is renowned for its distinctive, clear, flat-bottomed bottle, a design that dates back to 1876 when it was created for Tsar Alexander II of Russia. This unique bottle design was chosen to showcase the champagne's clarity and prevent the concealment of foreign objects, balancing aesthetic and security considerations.

Champagne Louis Roederer uses both word and figurative trademarks to protect its brand name and distinctive visual elements, such as its logo, emblem, and specific stylized fonts (Figure 6). This dual approach ensures robust protection, securing both the textual and graphical aspects of the brand's identity, which are integral to its prestige and market differentiation. Such trademarks are especially valuable in the luxury industry, where visual recognition plays a key role in brand loyalty and exclusivity.

The bottle's shape also serves as a cue for product differentiation. Unique bottle shapes break the mold of familiar designs, making them memorable and prompting consumers to pay attention. Studies in consumer psychology show that when a product stands out visually, people are more likely to perceive it as premium or exclusive. This is why high-end wines or limited-edition spirits often opt for distinctive shapes; the unconventional forms heighten perceived rarity and value. Additionally, tactile engagement with these shapes reinforces these impressions. People naturally interact with a distinct shape more consciously, which further solidifies the product in memory, linking the physical uniqueness with the brand's identity.

In essence, the psychology behind bottle shape relies on a mix of familiarity (for classic wines) and novelty (for premium or unique offerings), both of which influence consumers' perceptions of quality, exclusivity, and value.



Figure 6. Champagne Louis Roederer's figurative trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/WO500000000475854). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[31]

8.4. Sophistication of simplicity

Minimalist labels are a powerful design choice that conveys sophistication, elegance, and exclusivity. By focusing on clean lines, subtle colors, and restrained text, brands communicate a sense of confidence that speaks to high quality without elaborate designs.[32] Opus One, a renowned Californian winery, embraces this approach with a simple black-and-white label featuring only the brand name and logo. This uncluttered look signals refinement, allowing the wine itself to become the focal point and subtly implying that the quality speaks for itself.

Louis Roederer Cristal Champagne takes a similar approach with a clear, minimalist label that embodies timeless elegance. The label's simplicity allows the iconic amber bottle to shine, presenting the product as a luxury item without overwhelming visual elements. This understated design speaks to discerning consumers who value exclusivity and prefer brands that do not rely on flashy graphics to capture attention.

Minimalist labels also play on the "less is more" psychology, appealing to those who associate simplicity with sophistication and class.[33] By stripping away superfluous elements, these brands create a sense of mystery and allure, inviting consumers to explore the product for its inherent quality rather than for what's on the label. Minimalism, therefore, is more than an aesthetic choice; it is a strategic branding tool that builds an image of timeless luxury and high status.[34]

8.5. Metallic foil

Metallic foil labels are a classic way to convey luxury, exclusivity, and high quality in premium beverages.[35] The use of gold, silver, or other metallic accents instantly attracts attention[36], suggesting that the product inside is exceptional and crafted with care.[37] These reflective elements catch the light, creating a shimmering effect that emphasizes the bottle on a crowded shelf or in a dimly lit setting, making it ideal for products that want to stand out as prestigious choices.[38]

Dom Pérignon is a prime example of this approach, with its iconic gold foil label that has become synonymous with luxury. The gold not only accentuates the brand's name but also evokes images of wealth, celebration, and high status. The tactile aspect of foil adds a rich texture, enhancing the bottle's feel and reinforcing the idea of a premium product meant for significant occasions.

Dom Pérignon holds numerous trademarks for its bottles, emphasizing the unique shape, design, and labeling that distinguish its products in the luxury champagne market. These trademarks protect the iconic silhouette and intricate details of the bottles, ensuring that the brand's exclusivity and heritage remain intact while preventing imitation (Figures 7 and 8). This strategic focus on bottle trademarks highlights Dom Pérignon's commitment to maintaining its visual identity as an integral part of its premium brand recognition.

Metallic accents also have a psychological impact. Gold and silver are historically associated with wealth and rarity, so their presence on a label taps into deep-seated associations with quality and desirability. By incorporating these accents, sparkling wines and champagnes position themselves as exclusive choices, appealing to consumers who seek a sense of indulgence and sophistication. Metallic foil labels, therefore, are not just decorative—they are a strategic choice that elevates brand image and aligns the product with the luxury market.

8.6. Allure of darkness and heaviness

Dark, thick glass is a strategic choice that goes beyond aesthetics, playing a crucial role in conveying a product's quality, exclusivity, and age-worthiness. By using dark, heavy bottles, brands create a visual and tactile impression

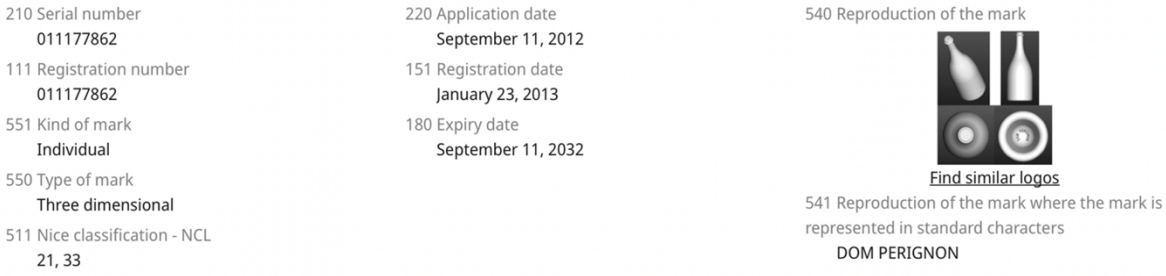


Figure 7. Dom Pérignon's three-dimensional trademark. World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/EM500000011177862). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[39]

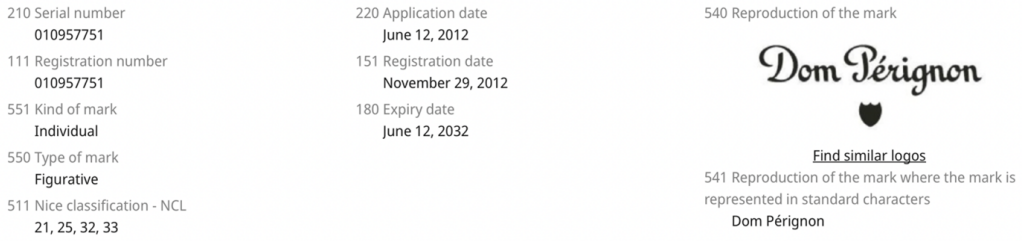


Figure 8. Dom Pérignon's figurative trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/EM500000010957751). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[40]

of a product designed to last, both physically and symbolically. The dark glass protects the contents from harmful light exposure, which is particularly important for wine and craft beverages that benefit from aging or require careful preservation of flavor. This practical feature subtly reinforces the idea that the product inside deserves special care and consideration.[41]

Penfolds Grange, a highly regarded Australian wine, exemplifies this approach. The brand's choice of dark, substantial glass suggests the wine is crafted for longevity and aging, reinforcing its position as a high-end, collectible wine. This impression is further amplified by the bottle's weight, which adds a sense of gravitas and importance, making consumers feel as though they are holding a piece of something rare and valuable.[42]

Penfolds Grange is trademarked in both stylized and plain word mark forms to ensure comprehensive brand protection. The stylized character trademark secures the brand's unique visual identity, which is crucial for recognition on labels and marketing materials. The plain word mark provides broader protection, covering the use of the name in any font, style, or context (Figures 9 and 10). This dual approach safeguards the brand name and its distinctive design across various applications, maintaining its identity and preventing unauthorized use.

Similarly, in the craft beer sector, The Alchemist's Heady Topper uses dark, heavy glass to convey a sense of exclusivity and quality. The bottle's thick glass and dark tint not only protect the beer's flavor but also signal to consumers[45] that this is not a typical beer—it is a premium product crafted[46] with precision and care.[47]



Figure 9. Penfolds Grange's plain word trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/AU502005001056903). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[43]

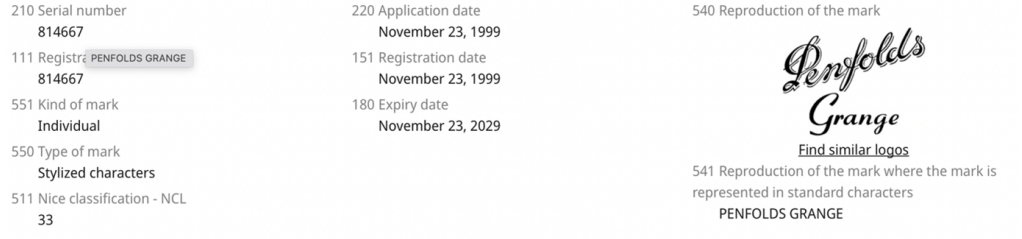


Figure 10. Penfolds Grange's stylized characters trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/AU501999000814667). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[44]

By employing dark, heavy glass, brands communicate more than just practical durability. They create a sensory experience that suggests depth, craftsmanship, and premium quality, positioning these beverages as something to be savored, collected, and appreciated. This choice of packaging thus becomes a powerful tool for reinforcing brand identity and building consumer trust in the product's long-term value.[48]

8.7. Cork vs. screw caps

The choice between corks and screw caps is more than a practical decision; it shapes consumer perceptions and influences the perceived prestige of a wine. Natural corks have long been associated with high-quality, traditional winemaking, reinforcing the idea that wines sealed with them are crafted with heritage and intended for a refined experience. Although screw caps have gained acceptance for everyday wines due to their convenience and reliability, they often lack the same cultural and sensory associations as natural corks.[49]

Château Lafite Rothschild, a legendary Bordeaux wine producer, exemplifies this dedication to tradition by continuing to use natural corks. This choice signals to consumers that the wine is crafted with care and a respect for time-honored practices. The experience of opening a bottle with a cork—complete with the satisfying "pop" sound—adds a ceremonial quality to wine drinking that many enthusiasts associate with premium quality and exclusivity.

Château Lafite Rothschild holds word and figurative trademarks to protect its name and visual identity (Figures 11 and 12). This ensures exclusive rights to its name and distinctive design elements, preserving its prestige in the luxury wine market.

On the other hand, screw caps, though practical and effective at preserving wine, are more commonly found on entry-level or everyday wines. They lack the sensory engagement of corks and can sometimes be perceived as less sophisticated. However, as consumer awareness of the advantages of screw caps for preserving freshness and reducing spoilage grows, these closures are increasingly accepted, especially for wines meant to be enjoyed young.

In this way, the choice between corks and screw caps becomes part of a brand's identity. While screw caps appeal to modern convenience, natural corks continue to uphold an image of tradition, craftsmanship, and status, making them an enduring choice for prestigious wines.[52]

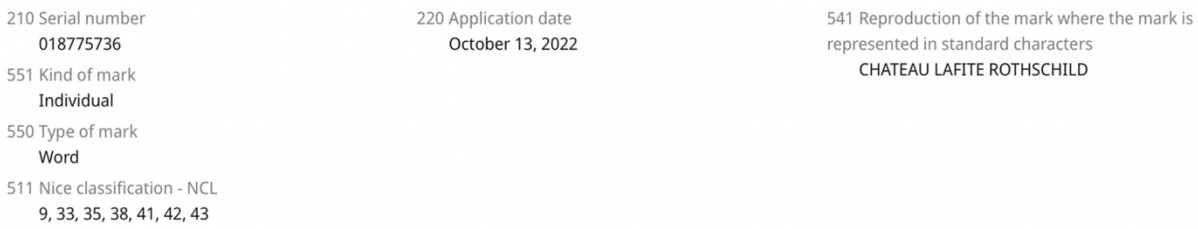


Figure 11. Château Lafite Rothschild plain word trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/EM500000018775736). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[50]

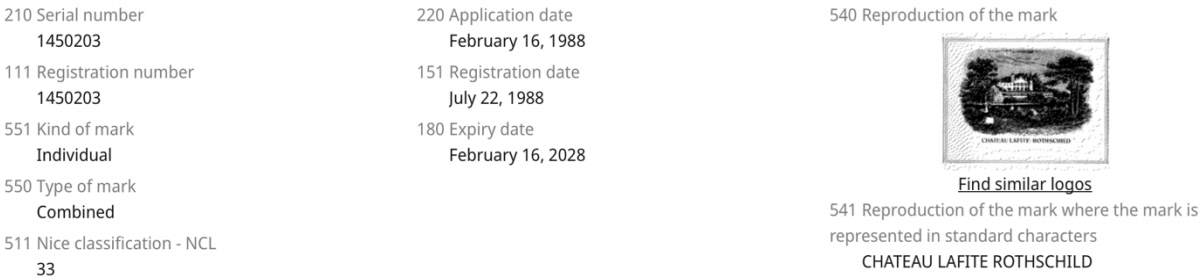


Figure 12. Château Lafite Rothschild figurative trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/FR501988001450203). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[51]

8.8. Elevating perception

Bottle height is a subtle yet powerful design choice that can instantly elevate a product's perceived quality and elegance. Taller bottles naturally draw the eye, giving an impression of refinement and sophistication. This design trick is especially effective in luxury markets, where visual cues play a significant role in setting products apart and signaling premium quality.

For example, Veuve Clicquot Champagne uses taller bottles for its vintage and limited-edition lines, creating a sense of exclusivity and distinction. The added height not only makes these bottles stand out on a crowded shelf but also enhances the product's presence, making it appear grand and elevated. This design element subtly suggests that the contents are special and worthy of attention, aligning with the brand's image as a high-end champagne producer.

The psychological impact of a taller bottle taps into the idea that more refined products are often associated with elegance and distinction. This height difference, while seemingly small, affects how consumers perceive the product's value, contributing to a stronger impression of luxury and sophistication. In essence, bottle height becomes an effective tool for reinforcing a product's premium status in a visually competitive space.

8.9. Art of special closures

Special closures, such as wax seals or metal caps, add an artisanal touch to premium bottles, enhancing perceptions of tradition, craftsmanship, and exclusivity. These closures are more than functional; they serve as a visual signature of authenticity and care. The distinct appearance of a hand-applied wax seal, for instance, makes each bottle feel unique, giving consumers the sense that they are purchasing a product created with meticulous attention to detail.

Maker's Mark Bourbon exemplifies this approach with its iconic red wax seal, hand-dipped on every bottle. The vibrant wax drips down the neck, creating a one-of-a-kind effect that reinforces the brand's commitment to quality and tradition. The wax not only sets the bottle apart visually on the shelf but also invites consumers into the story of Maker's Mark's heritage and handcrafted production process.

The use of special closures taps into the psychology of exclusivity and individuality. Consumers associate these premium closures with products made in small batches by skilled hands and dedicated to tradition. The sensory experience of breaking a wax seal or unfastening a metal cap adds ceremony to the moment, making the product feel like something to be savored. Special closures, therefore, do more than secure a bottle; they amplify the brand's story, enriching the consumer's experience and deepening the connection to the product's artisanal roots.

8.10. Gifting grandeur

Special packaging designed for gifting can transform a product into an experience, enhancing its perceived value and making it feel more precious. Luxurious packaging often makes a first impression, creating a sense of anticipation and exclusivity that elevates the product. By investing in high-quality, detailed presentations, brands make their offerings feel not just like purchases but like indulgent, memorable gifts.[53]

Louis XIII Cognac sets a high standard in luxury packaging with its exquisite decanter, housed in a leather-bound box adorned with intricate detailing. The presentation alone exudes opulence, often captivating consumers before they even experience the cognac. The packaging's craftsmanship and attention to detail reflect the quality within, positioning it as a statement gift and a symbol of refinement.

Similarly, Patrón Tequila's special holiday gift sets feature elaborate boxes that turn each bottle into a collector's item. These sets make an impression, especially during the holiday season when consumers are seeking unique, elevated gifts. The custom packaging not only boosts the tequila's perceived worth but also makes it a desirable keepsake.

Luxurious packaging for gifting aligns with the psychology of exclusivity and generosity, appealing to consumers who seek to impress or indulge. By delivering a product wrapped in an opulent presentation, brands create a tactile and visual experience that reinforces the product's quality and adds a ceremonial element to gift-giving.

8.11. Personal touch

Engraved bottles provide a level of customization that enhances a product's exclusivity and desirability, especially for gifting or commemorative occasions. Adding custom engravings turns a standard bottle into a keepsake, making it feel unique and personal. This extra touch aligns with consumer desires for meaningful, memorable items that go beyond a typical purchase.

Belvedere Vodka, for example, offers custom-engraved bottles for special events, allowing consumers to personalize the product with names, dates, or messages. This customization elevates the bottle to a premium status, transforming it into a one-of-a-kind gift or collector's item that feels both luxurious and intimate.

Belvedere Vodka employs both word and 3D trademarks to safeguard its brand identity. The word trademark protects the brand name "Belvedere," ensuring exclusive rights to its use in any textual format (Figures 13 and 14). The 3D trademark secures the distinctive shape and design of the Belvedere Vodka bottle, which features an illustration of the Belweder Palace in Warsaw, Poland. This dual approach not only protects the brand's name but also its unique packaging, reinforcing its premium market position and preventing imitation.

Engraving taps into the psychology of exclusivity, giving consumers a sense that they own something uniquely theirs. It also adds emotional value, particularly when gifted, as the engraving can reflect a personal connection or a significant moment. By incorporating this level of detail, brands like Belvedere create products that resonate more deeply, enhancing both their appeal and perceived value.

8.12. Wooden crates of prestige

Wooden boxes for high-end wines are more than just packaging—they are a symbol of quality, exclusivity, and age-worthiness. These sturdy, carefully crafted crates extend the wine's premium nature, creating an experience that elevates the act of opening a bottle into a moment of anticipation and reverence. By encasing fine wines in wooden boxes, brands signal to consumers that the contents are meant to be cherished, stored, and savored over time.

Screaming Eagle, a revered Napa Valley winery, uses luxurious wooden crates for its wines, reinforcing the brand's exclusive image. These crates not only protect the bottles but also add an air of sophistication and rarity. The presentation alone conveys that the wine inside is exceptional, enhancing its perceived value and making it ideal for collectors and connoisseurs.

The use of wooden boxes taps into the psychology of craftsmanship and durability, appealing to consumers who value tradition and high-quality materials.[33] The tactile experience of handling a well-crafted wooden crate enriches the experience, turning a bottle of wine into a prized possession. Through this thoughtful packaging,

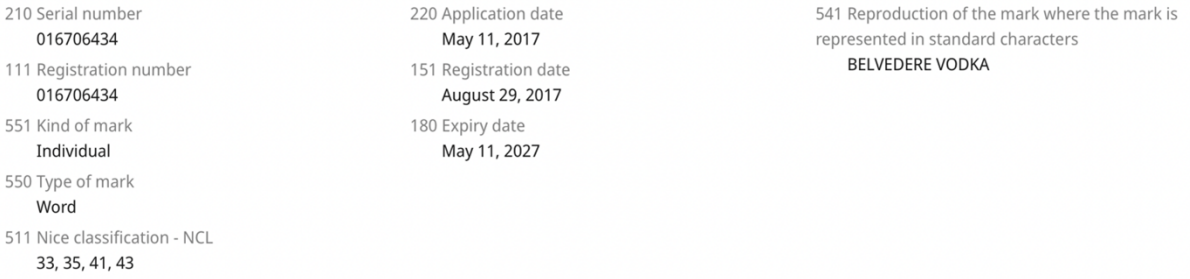


Figure 13. Belvedere Vodka's plain word trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/EM500000016706434). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[54]



Figure 14. Belvedere Vodka's three-dimensional trademark, World Intellectual Property Organization Global Brand Database (https://branddb.wipo.int/en/similarname/brand/CA501994000771923). The reproduced image forms part of a publicly accessible trademark record and is used solely for non-commercial scholarly and illustrative purposes. All rights to the respective trademark remain with their owners.[55]

high-end wine brands create a lasting impression, adding value that resonates with consumers long after the purchase.

8.13. Grandeur of large formats

Larger bottle formats, such as magnums and jeroboams, are powerful symbols of prestige, luxury, and festivity. These oversized bottles are often associated with high-status events, adding a sense of grandeur to any occasion. Their impressive size not only captures attention but also reinforces the idea that the contents are of exceptional quality, meant to be enjoyed in a memorable, shared experience.

Champagne houses like Moët and Chandon and Perrier-Jouët frequently offer magnums and jeroboams for special events and celebrations, underscoring the bottles' luxurious appeal. These larger formats evoke the exclusivity and indulgence of upscale gatherings, making them popular choices for toasts and milestones. The visual impact of a large bottle standing amid standard-sized bottles on a table or at an event underscores the occasion's significance, amplifying the sense of festivity.

From a psychological standpoint, larger formats also imply scarcity and status, as they are often produced in limited quantities and demand special handling. For consumers, the grandeur of these bottles creates an elevated experience, marking the moment as one of luxury and significance. In this way, large-format bottles are more than just packaging; they are symbols of opulence, crafted to heighten the prestige of both the brand and the event.

8.14. Quality through color

Color-coded labels offer an intuitive way to communicate quality, age, and exclusivity within a product range. By assigning specific colors to different variants, brands can create a visual hierarchy that helps consumers instantly recognize differences in quality or maturity. This method is especially effective in luxury markets, where subtle cues, such as color, can enhance the perception of premium value.[56]

Glenfiddich Whisky, for example, uses color-coded labels to signify different aging processes and blends. The 12-year-old whisky features a green label, while the 18-year-old is marked by a rich brown label, with darker colors reserved for older and rarer variants. This gradual darkening of labels as the age increases serves as a visual shorthand for quality and refinement, guiding consumers' expectations about the whisky's complexity and premium status.

This approach taps into color psychology, where darker, richer colors are often associated with depth, quality, and luxury. For consumers, the color-coded labels offer an immediate understanding of the product's place in the brand's lineup[57], creating a satisfying selection experience. Color-coded labels thus function not only as a practical tool but as a sophisticated branding strategy, giving consumers an effortless way to connect with a product's value and positioning.

8.15. Limited-edition packaging

Limited-edition packaging adds a powerful layer of exclusivity to a product, creating a sense of urgency and desirability that goes beyond its usual appeal. These special editions often feature unique designs, collaborations with artists, or custom packaging elements that set them apart from standard offerings, turning them into coveted collector's items. This approach not only elevates the brand's prestige but also appeals to consumers' desire for rare, one-of-a-kind items, often leading to higher perceived value and willingness to pay a premium.

Hennessy exemplifies this strategy through its regular release of limited-edition bottles in collaboration with renowned artists. These bottles showcase original artwork and unique designs that celebrate the brand's artistry. For consumers and collectors alike, these limited releases become prized items, sought after not only for their contents but for their status as pieces of art or memorabilia. The exclusivity is further heightened by the knowledge that these designs are fleeting, available only in limited quantities.

The psychology behind limited-edition packaging taps into the concept of scarcity. Knowing that an item is available for a limited time or in limited numbers creates an urgency to purchase, making it feel more valuable and collectible. Brands that employ this strategy benefit from increased consumer engagement, as these items become part of a cultural moment or collection. Limited-edition packaging, therefore, does more than enhance a product's appearance; it transforms it into a desirable artifact, amplifying both its market appeal and its role as a symbol of prestige.

8.16. Signature of authenticity

Handwritten labels lend a personal, authentic touch to products, creating a sense of uniqueness and craftsmanship that resonates with consumers. By incorporating elements such as batch numbers, signatures, or handwritten notes, brands signal that each bottle is individually attended to, enhancing perceptions of quality and care. This added layer of detail often evokes a sense of exclusivity, making the product feel more like a handcrafted item than a mass-

produced one.

Buffalo Trace Bourbon, for instance, includes hand-signed labels on its limited releases. This small but meaningful detail transforms each bottle into a one-of-a-kind experience, giving consumers the impression that their bottle is special and carefully crafted. The presence of a handwritten label suggests a commitment to quality, reinforcing the idea that the product is made with a high level of dedication and precision.

The psychological appeal of handwritten labels taps into the desire for authenticity amid mass production. Consumers are drawn to items that feel personal and unique, as they carry an emotional resonance[58] that standardized products lack. Handwritten elements, therefore, elevate the brand experience, adding a touch of artistry and intimacy that strengthens consumer loyalty and perceived product value.

8.17. Vintage and rustic designs evoke heritage and tradition

Vintage or rustic design elements evoke nostalgia, suggesting a product steeped in tradition and artisanal quality. Brands use these designs to evoke the heritage and tradition, as well as the imagery of time-honored craftsmanship, appealing to consumers who value authenticity and history. Psychologically, the association with vintage or rustic aesthetics fosters a sense of comfort and familiarity, connecting people to a perceived "simpler time" when quality and authenticity were paramount.[59]

Bulleit Bourbon, for example, adopts an old-fashioned bottle shape and classic font that reflect its heritage and legacy. The rustic appearance connects the product to an earlier era, reinforcing the impression of a carefully crafted, quality spirit. The choice of vintage design elements helps create an impression of reliability and reinforces the notion of quality passed down through generations. This approach appeals to consumers' desire for authentic experiences, offering reassurance in a world where mass production is common and enhancing the product's perceived excellence and credibility.

8.18. Frosted and textured glass

Frosted or textured glass bottles create an impression of elegance and refinement, helping products stand out on the shelf among standard, smooth bottles. This design choice not only enhances visual appeal but also aligns with premium positioning by adding a tactile element to the experience.[60]

Grey Goose Vodka, for example, uses frosted glass to convey purity and refinement, subtly suggesting that the vodka is crafted with exceptional care and quality. The frosted finish creates a semi-translucent effect that invites curiosity and engages consumers through visual intrigue. Textured packaging also plays on the psychology of touch, encouraging consumers to pick up the bottle and explore its surface. Studies in consumer psychology show that tactile engagement with a product can increase emotional attachment and perceived value. By offering a distinctive tactile experience, frosted and textured glass appeals to consumers who value products with a crafted, sophisticated feel, reinforcing the brand's premium image and enhancing the overall quality perception.[61]

8.19. Sneak peek

Packaging with a transparent window offers consumers a tantalizing glimpse of the bottle inside, adding intrigue and enhancing the product's perceived value. A clear window builds anticipation by inviting consumers to appreciate the bottle's design even before unboxing.[62]

Tanqueray Gin, for instance, uses a transparent window to showcase its iconic bottle shape, inviting consumers to appreciate its aesthetic before purchase. The window's peek inside the packaging creates a sense of transparency and openness, which can increase consumer trust by revealing the product rather than hiding it. Additionally, research in consumer psychology indicates that the ability to see a product before purchase helps establish an emotional connection, reducing uncertainty and creating a preview experience that feels like a "discovery moment." Transparent windows, therefore, serve as a powerful branding tool, transforming the initial encounter with the product into a mini-reveal that enhances both excitement and the perceived value of the item inside.

8.20. Branded neck tags

Branded neck tags are a powerful tool for sharing a product's story and conveying elements such as origin, production methods, and accolades. These tags build credibility by offering insights into the craftsmanship and quality behind the product, transforming a simple bottle into a narrative experience. Psychologically, neck tags foster a sense of connection and authenticity, appealing to consumers who are drawn to brands with transparent stories and unique backgrounds.

For example, Don Julio Tequila uses neck tags to describe its artisanal production process, reinforcing the brand's commitment to tradition and quality. By providing this context, the tags tap into the psychology of storytelling, thereby increasing consumer engagement and emotional attachment. Research shows that consumers are more likely to perceive a product as premium when they understand

the journey or craft behind it, as this knowledge creates an emotional investment. The tactile aspect of the neck tag further encourages interaction, inviting consumers to touch and read, which enhances the overall experience and connection with the brand. Through branded neck tags, companies add layers of meaning that transform the product into a narrative, building appreciation for its value and craftsmanship.

A study in Italy using eye-tracking with 24 participants found that wine-bottle design and label placement, especially on the shoulder, significantly influence visual attention (Figure 15), offering insights for optimizing label placement to enhance consumer engagement.

8.21. Personalized monograms and family crests

Personalized monograms or family crests imbue a product with an aura of history and exclusivity, emphasizing its deep-rooted heritage. These design elements resonate with consumers who value tradition and seek a sense of connection to the product's legacy. Rémy Martin XO Cognac, for example, uses its family crest prominently on the bottle, reinforcing the brand's historical legacy. This crest functions as a symbol of trust, reassuring consumers that they are purchasing from a brand with a longstanding reputation and established quality. The psychology behind this appeal lies in what is known as "symbolic value"—consumers often perceive products with heritage symbols as higher quality, associating them with a sense of timelessness and expertise. These marks also tap into exclusivity, evoking the feeling that the product comes from a unique lineage, accessible only to those who appreciate and understand its history.

Through personalized monograms and family crests, brands create a psychological bridge to a storied past, enhancing the product's allure and giving consumers a feeling of belonging to a tradition. This symbolic connection to heritage elevates the product's appeal, making it a desirable choice for those who seek not just quality but a sense of identity rooted in sophistication and legacy.

8.22. Opaqueness

Opaque bottles introduce a powerful sense of mystery by concealing their contents, heightening intrigue and suggesting exclusivity. This design approach implies that what lies within is special, rare, and worth discovering. Psychologically, opaque bottles leverage the "curiosity gap"—a phenomenon in which consumers are drawn to uncover hidden details, making the product more enticing and memorable.[64]

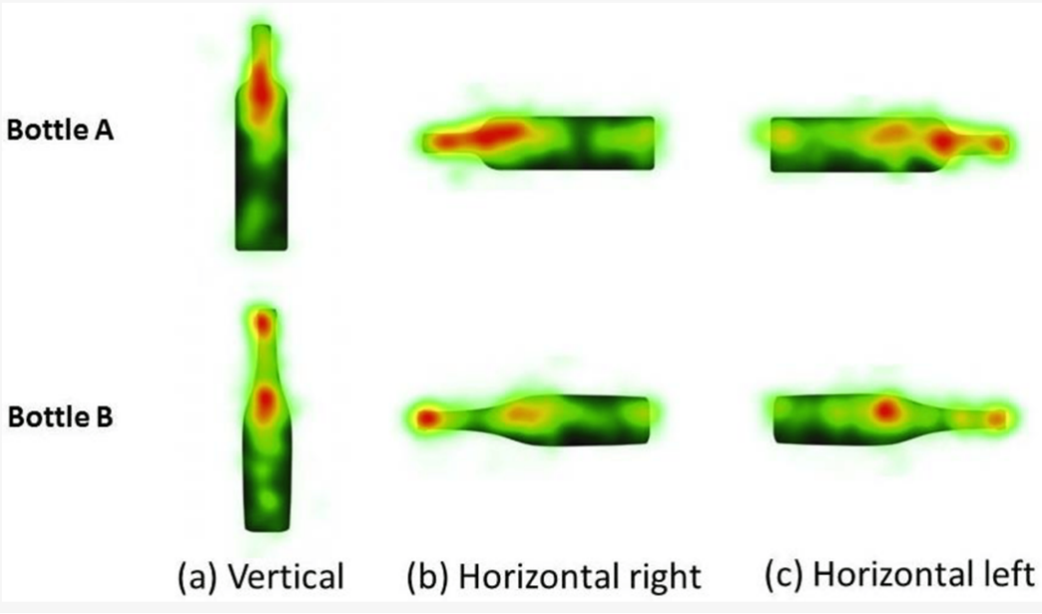


Figure 15. Heat maps of each bottle in three orientations, showing the combined fixation areas for all participants (red: high; yellow: medium; green: low). Reprinted from Ref.[63]

Absolut Elyx, for example, uses an opaque copper-colored bottle that not only exudes luxury but also conceals the vodka inside. This opaque design plays on the psychology of scarcity and the allure of the unknown, appealing to consumers who seek products with a sense of mystique. Research shows that when consumers cannot fully see a product, they often perceive it as more exclusive or unique, as if it holds a secret that only they can uncover.

Opaque packaging also enhances perceived quality, as consumers are more likely to associate it with high-end, limited-edition items. This mystery element invites them to engage more deeply with the product, sparking curiosity and a desire to own something out of the ordinary. Through opaque designs, brands create a psychological allure that enriches the luxury experience, positioning the product as a rare treasure waiting to be revealed.[65]

8.23. Multi-texture labeling

Multi-texture labeling adds depth and richness to a bottle, elevating it from standard packaging to an artisanal experience. By layering materials or incorporating textured elements, brands create a sensory journey that engages more than just the senses of sight. Psychologically, tactile interactions with a product enhance emotional attachment and perceived value, as consumers associate these textures with craftsmanship and attention to detail.

Clase Azul Tequila, for instance, uses ceramic labels with intricate designs, offering a tactile experience that reinforces the brand's artisanal identity. This multi-textured approach appeals to consumers' sense of touch, making the product feel crafted and unique. Studies in consumer psychology reveal that tactile engagement can increase perceived product quality and exclusivity. When consumers physically interact with textured labels, they subconsciously attribute higher value to the product, as the textures suggest a meticulous production process.

The layered textures also encourage a sense of curiosity and exploration, as consumers are drawn to feel and examine the details, deepening their connection to the brand. Through multi-texture labeling, brands create a memorable, luxurious impression that appeals to consumers seeking artisanal craftsmanship, ultimately enhancing both the sensory experience and the product's perceived exclusivity.

8.24. Decorative metal elements

Decorative metal elements, like brass or silver accents, add a sense of weight and visual richness to packaging, creating an immediate impression of premium quality and luxury. These metallic additions not only enhance the bottle's aesthetic but also shape consumer perception, making the product feel substantial and refined. Psychologically, the heft and shine of metal accents trigger associations with durability, craftsmanship, and exclusivity.

For instance, Courvoisier XO Cognac incorporates metal neck bands and medallions, imbuing the bottle with a stately, opulent appearance. This visual and tactile weight signals high value, reinforcing the product's status as a luxury item. Studies in consumer psychology show that heavier, more substantial packaging tends to increase perceived quality, as consumers often associate weight with robust, well-crafted goods. The luster of metal, meanwhile, reflects light in a way that catches attention, subtly suggesting a level of care and artistry that aligns with premium craftsmanship.

Metal elements also appeal to consumers' desire for products that feel exclusive and sophisticated. The combination of visual impact and physical substance taps into the psychology of prestige, making consumers feel that they are purchasing something truly special. By using decorative metals, brands enhance the sensory experience, adding a level of grandeur and refinement that elevates the product's perceived luxury and value.

8.25. Integrated illumination

Integrated lighting in display cases or packaging offers a striking way to highlight a product's design, creating an eye-catching effect that immediately conveys a sense of premium exclusivity. By incorporating light-emitting diode (LED) lighting or similar effects, brands can draw attention to the bottle's unique details, ensuring it stands out in a retail or event setting. Psychologically, lighting is a powerful tool that directs focus and adds drama, making the product feel like a centerpiece worthy of admiration.[66]

For instance, Armand de Brignac Champagne uses LED-lit displays for some of its limited-edition bottles, emphasizing their exclusivity and enhancing their visual impact. The lighting creates a sense of allure and sophistication, appealing to consumers who are drawn to high-end, distinctive presentations. The psychology behind illuminated displays taps into the "halo effect," where well-lit objects are often perceived as more valuable and desirable. Light is also associated with celebration and festivity, reinforcing the product's role in luxurious experiences.

By integrating lighting into the display, brands transform their products into illuminated works of art, capturing consumer attention and enhancing the overall perception of value. This sensory element enriches the product experience, making it feel even more exclusive and memorable, while reinforcing the brand's premium image.

8.26. Decorative dust jackets

Decorative dust jackets or outer covers add an extra layer of sophistication to packaging, not only protecting the bottle but also transforming the unboxing into a ceremonial experience. This design choice creates an initial moment of intrigue, as the outer cover invites consumers to engage more deeply with the product by revealing it in stages. Psychologically, this layered presentation heightens anticipation, making the product feel more exclusive and enhancing its perceived value.[67]

Laphroaig Scotch Whisky, for example, often features a refined dust jacket around the bottle, which adds elegance and importance to the unveiling. Removing the cover becomes a small ritual, giving consumers a moment of connection with the product before they even open the bottle. This approach taps into the psychology of suspense and discovery, as consumers feel a heightened appreciation for items revealed with care and intention.

Dust jackets also imply that the product within is precious, worth protecting, and made to be enjoyed thoughtfully. This added layer encourages a slower, more mindful interaction, elevating the overall experience. Through decorative dust jackets, brands enhance the unboxing process, reinforcing the product's luxury status and creating a memorable, tactile connection that resonates with consumers long after the initial reveal.

8.27. Eco-friendly packaging

Eco-friendly packaging has become a powerful tool for brands to appeal to environmentally conscious consumers, enhancing brand image while reinforcing a modern sense of premium quality.[68] By using sustainable materials[69] such as recyclable or biodegradable packaging, brands position themselves as forward-thinking and responsible, which resonates strongly with today's consumers.[70] Psychologically, eco-conscious packaging taps into a consumer's values and ethical concerns, making them feel that purchasing the product aligns with their desire to support environmentally sustainable practices.[71]

Bruichladdich Distillery exemplifies this approach by using recyclable materials in its packaging, signaling a commitment to environmental responsibility without compromising on quality or luxury. This sustainable approach appeals to consumers who prioritize ethical consumption and view sustainability as part of a premium experience. Research shows that consumers often perceive eco-friendly packaging as a sign of higher quality, associating brands that invest in sustainability with integrity, care, and modernity.

This green approach also cultivates loyalty among consumers who feel good about supporting brands with shared values. Through eco-friendly packaging, companies create a meaningful connection with their audience, blending environmental consciousness with sophistication and establishing a strong, positive impression that goes beyond the product itself.

8.28. Signature pouring spouts and rim designs

A signature pouring spout or uniquely designed bottle rim adds both functionality and sophistication, elevating the product's usability while enhancing its luxurious feel. Thoughtfully designed rims or spouts improve the ease and precision of pouring, transforming a simple act into a refined experience. Psychologically, such design details appeal to consumers' appreciation for quality and convenience, signaling that the brand values not only the product itself but also the way it is served and enjoyed.[72]

Grand Marnier Cordon Rouge, for example, features a specialized rim that facilitates smooth, controlled pouring, adding a touch of elegance to each pour. This design choice creates a sensory experience that goes beyond taste, as the graceful flow of the liquid aligns with the product's premium image. In consumer psychology, functional design elements such as unique spouts or rims are often associated with high quality and attention to detail, leading consumers to feel they are using a product crafted with care and expertise.

The act of pouring becomes a moment of connection, where the user feels the brand's commitment to excellence in every aspect. By incorporating these signature design elements, brands not only improve practicality but also deepen the consumer's appreciation of the product, reinforcing its status as a sophisticated, thoughtful choice.

8.29. Intricate caps and stoppers

Intricate caps or custom-crafted stoppers add a layer of elegance and craftsmanship to a bottle, enhancing its presentation and increasing its perceived value. These detailed elements transform a simple cap into an artful feature, creating a premium feel that resonates with consumers even before the bottle is opened. Psychologically, unique caps or stoppers suggest that the brand invests in quality down to the smallest detail, fostering a sense of luxury and exclusivity.

Patrón Tequila exemplifies this with its artisan-crafted stoppers, which provide a distinctive, refined finish that elevates each pour. The handcrafted nature of these stoppers adds a tactile and visual richness to the bottle, reinforcing the brand's commitment to quality and attention to detail. In consumer psychology, decorative caps and stoppers enhance perceived value by signaling that the product is

special and carefully made, encouraging consumers to savor the experience.

Such caps also create a sense of ritual around opening and closing the bottle, making it feel more like an occasion. By incorporating intricate caps and stoppers, brands not only enhance aesthetic appeal but also create a memorable experience, positioning the product as a luxurious choice that embodies artistry and sophistication.

8.30. Hidden authenticity: Invisible ink and ultraviolet features

Invisible ink and ultraviolet (UV) authentication features add a layer of security and exclusivity to premium products, ensuring authenticity while giving a modern, high-tech edge. These hidden details are often only visible under UV light, making them a discreet but powerful statement of legitimacy. Psychologically, the use of invisible or UV ink taps into the consumer's desire for exclusivity and reassurance that they are investing in a genuine product, particularly in a market where counterfeits are prevalent.

Several high-end spirits incorporate UV markings that can only be revealed with a black light, allowing consumers or distributors to verify the product's authenticity. This hidden feature adds an air of sophistication and intrigue, appealing to consumers who enjoy unique, almost "secret" elements that elevate the overall experience. In consumer psychology, such security features increase perceived value, as they signal that the brand goes to great lengths to protect its quality and reputation.

This subtle verification process also creates a sense of belonging to an exclusive group of consumers who are "in the know." By incorporating invisible or UV authentication, brands enhance the mystique and luxury of their products, while building consumer confidence and loyalty through an elevated sense of authenticity and security.

9. Intellectual property vs. intellectual capital interaction

In the luxury beverage sector, brands invest heavily in both IP protections and IC to build a prestigious, unique identity that resonates with consumers. While IP offers legal safeguards for specific design elements, IC encompasses broader, often intangible assets that add long-term value, including brand reputation, consumer perceptions of exclusivity, and strategic packaging and design choices that differentiate products. Here, we examine how IP protections and IC strategies interact in this industry, highlighting which elements are part of IC but not necessarily protected by IP.

10. Intellectual property in luxury packaging and design

Many premium brands use IP protections, such as design patents, trademarks, trade dress, and even copyrights, to secure their iconic bottle designs and branding. For example, Johnnie Walker has been proactive in obtaining design patents for innovative packaging, including the 2024 release of its Johnnie Walker Blue Label Ultra—a 70 cL Scotch whisky bottle weighing just 180 g, the lightest in its category. This design resulted from a five-year research and development effort and involved four UK patents, all released royalty-free to encourage sustainable packaging across the industry.[73] Until 2025, collectors can reserve one of only 888 limited-edition teardrop bottles, priced at £ 1,000 (1,185.8 EUR). Each handcrafted bottle is filled with a specially curated blend by Johnnie Walker's master blender, Dr. Emma Walker, showcasing whiskies from renowned distilleries such as Oban, Brora, Royal Lochnagar, along with rare "ghost whiskies."

By holding design patents on the structural elements of its bottle, Johnnie Walker legally fortifies its exclusive rights to the bottle's configuration and structural integrity, deterring direct imitation. This example demonstrates the company's commitment to utilizing IP protections to secure its position as a pioneer in sustainable luxury packaging.

Similarly, Moët and Chandon leverages IP protections across its product line, including design patents and trademarks, to maintain its luxury branding. One example is U.S. Design Patent USD474648S1, granted on May 20, 2003, for a uniquely styled champagne glass.[74] This patent encapsulates the visual aspects of the glass, securing Moët's ownership over its specific form and preventing unauthorized replication by competitors. Moët and Chandon's dedication to brand identity protection extends to its active trademark management and enforcement. In a recent 2024 case, the Japan Patent Office canceled a trademark for "Club Moet," ruling that it could confuse consumers with Moët and Chandon's established brand, underscoring the brand's rigorous efforts to protect its image and prevent dilution of its trademarked elements.[75]

Dom Pérignon, another prominent figure in the luxury champagne market, focuses on preserving the distinctiveness of its signature bottle design, characterized by its shield-shaped label and slender neck (Figure 16). Although specific design patents for the bottle are not publicly available, Dom Pérignon uses trademark protections to maintain its exclusive use of these unique features. For instance, the U.S. Patent and Trademark Office has registered a trademark for the "3D configuration of a bottle" associated with Dom Pérignon, allowing the brand to maintain legal recourse against entities that attempt to

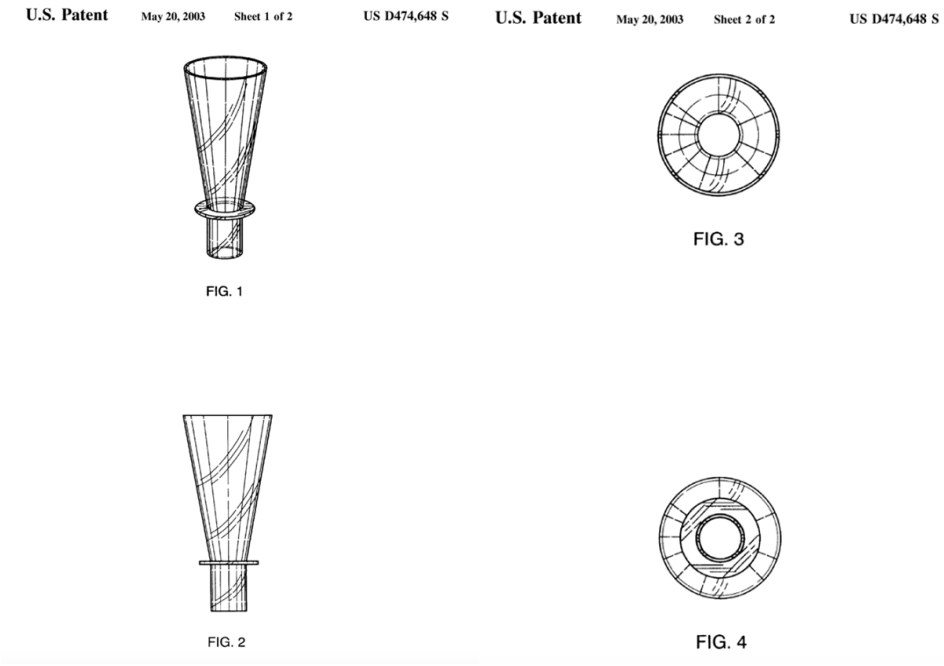


Figure 16. U.S. Design Patent USD474648S1, granted on May 20, 2003, for a uniquely styled Moët champagne glass. Retrieved from Google Patents (https://patents.google.com/patent/USD474648S1/en). The material is part of a publicly accessible patent document and is reproduced for non-commercial scholarly and illustrative purposes.[74]

market similar bottle configurations. Through these IP rights, Dom Pérignon can effectively defend its unique branding elements, which are integral to its identity and consumer recognition, from unauthorized replication in the market.

In the realm of wine, Château Lafite Rothschild stands out not only for its highly coveted wines but also for its proactive protection of brand identity through trademark enforcement. In 2020, the estate was awarded 5 million CNY (approximately USD 720,000) in a trademark infringement case heard by the Beijing Intellectual Property Court. This case arose when Huailai Lishihongya Company and two additional defendants used the "Chateau Lafite" trademark, as well as its Chinese equivalent "拉斐" (*La Fei*), on a real estate complex without permission. The court acknowledged the well-known status of the "Lafite" and "拉菲" trademarks in China and found that the defendants' use of these marks misled consumers, infringed Château Lafite Rothschild's IP, and damaged its reputation. While the estate primarily focuses on trademark protection, this case highlights the brand's commitment to protecting its identity and reputation in international markets, underscoring the significant role of IP in preserving luxury brands.

Veuve Clicquot has similarly fortified its brand's identity through distinctive trademarking efforts. One of its most notable IP achievements is the registration of its signature orange color, which has become iconic and closely associated with the brand. Filed in 1998, this trademark application culminated in 2007, when Veuve Clicquot successfully demonstrated acquired distinctiveness through extensive consumer recognition, resulting in legal protection of this specific color. This trademark for the shade of orange prevents competitors from using similar hues that could cause consumer confusion, thereby reinforcing Veuve Clicquot's unique brand identity in a visually competitive market. Additionally, Veuve Clicquot has secured trademarks for the "3D configuration of a bottle" with the U.S. Patent and Trademark Office, further illustrating the company's strategic use of IP to legally shield its bottle designs from imitation. Through these IP measures, Veuve Clicquot ensures the exclusivity of its brand and protects the visual elements that distinguish its products from competitors'.

These legal mechanisms not only secure the exclusivity of their designs and packaging but also reinforce brand loyalty and market positioning, elements of IC. The implementation and enforcement of IP rights are critical strategies for luxury brands to maintain their competitive edge and ensure the intangible qualities associated with their brand identities remain untarnished in an increasingly

globalized market.

In Waiwera Water New Zealand vs. Waiwera LLC (2020), the High Court of New Zealand addressed copyright infringement concerning Waiwera Water's mineral water bottle design and logo. Waiwera LLC was found to have unlawfully copied the original design, thereby infringing the designer's IP rights. The court issued strict orders, including injunctions to stop further sales of infringing goods, mandated delivery of remaining infringing products, and issued formal declarations of copyright and Fair Trading Act breaches, upholding the Copyright Act 1994 and Fair Trading Act 1986. This ruling underscored the judicial support for protecting distinctive product design and branding in New Zealand.

In Jack Daniel's Properties, Inc. vs. VIP Products LLC, the U.S. Supreme Court considered a parody issue involving a dog toy that mimics Jack Daniel's iconic whiskey bottle, using its shape and style while altering the text for humor. The toy's likeness was close enough to provoke claims of trademark infringement and dilution, given Jack Daniel's strong brand identity. The court ultimately favored Jack Daniel's, ruling that VIP's imitation, though parody, exceeded permissible limits under trademark law, violating Jack Daniel's trade dress and trademark protections. This decision reasserted brand rights against parody when it could cause consumer confusion or dilute a brand's identity.

11. Strategic leverage of intellectual capital

The strategic use of IC in premium beverage brands operates as an intricate system of intangible assets that foster brand equity and consumer loyalty, surpassing conventional IP protections. By examining nine critical aspects—brand positioning, sensory appeal, historical legacy, consumer loyalty, craftsmanship and organizational knowledge, consumer insights, market relationships, sustainable values, and customer experience—one can appreciate how these brands cultivate a unique value proposition. Each element, while intangible and unprotected by IP law, leverages nuanced associations that elevate the brand's presence in a competitive market. These assets not only enhance a product's perceived value but also foster emotional resonance with consumers, a connection that often justifies a premium price.

"Brand positioning" plays a foundational role in distinguishing luxury beverage brands. Positioning involves strategic alignment with consumer values and associations, placing a brand in specific social and cultural contexts. Dom Pérignon, for instance, does not merely market itself as champagne but as a symbol of elevated celebration. Through meticulously curated campaigns and collaborations with artists and high-profile events, Dom Pérignon associates itself with refinement, rarity, and exclusivity. Its presence at elite venues and in prestigious partnerships reinforces this image, positioning the brand as more than a beverage but an experience embedded in a luxury lifestyle. This positioning is not a legally protected asset but remains essential in shaping the consumer's perception and fostering a sense of status linked to the brand.

"Sensory appeal" is equally integral to the luxury experience. This appeal relies on tactile, visual, and even psychological cues that signal value. A Moët and Chandon bottle's heft, for instance, does more than contain the product; it communicates a sense of robustness and quality that lighter bottles cannot replicate. Similarly, Grey Goose's frosted glass suggests purity and sophistication, subtly encouraging consumers to perceive it as an elite product. These design decisions are informed by psychological insights into consumer behavior, which show that heavier, textured, or uniquely shaped bottles evoke subconscious perceptions of high quality. The sensory experience thus becomes an unspoken dialogue between the brand and the consumer, turning every interaction into a reaffirmation of the product's premium status.

"Historical legacy and brand storytelling" extend beyond simple heritage claims to cultivate authenticity and tradition, elements highly prized by consumers in the luxury market. Château Margaux exemplifies this through its centuries-old narrative of viticultural excellence. The brand's history is woven into its identity, presenting Château Margaux not merely as wine but as a product steeped in legacy. By maintaining traditional winemaking methods and carefully conveying its heritage in marketing, Château Margaux creates a sense of continuity, positioning itself as a guardian of timeless quality. This narrative cannot be patented, yet it is a critical part of the brand's IC, fostering consumer trust, loyalty, and an emotional connection to its heritage.

"Consumer loyalty and relationship-building" are cultivated through exclusive interactions and tailored experiences that deepen the consumer's bond with the brand. Brands like Louis Roederer Cristal or Maker's Mark nurture loyalty through limited-edition releases, personalized options, and exclusive events that foster a sense of belonging among consumers. These interactions create a community around the brand, making loyal customers feel they are part of a selective, refined group. For instance, Hennessy's collaborations with artists and special releases encourage consumers to see themselves as patrons of a cultural icon. This loyalty, developed through direct consumer engagement, remains a potent form of IC

that drives repeat purchases and brand advocacy.

"Craftsmanship and organizational knowledge" are invaluable to luxury beverage brands, particularly those that rely on specialized techniques passed down through generations. For instance, Rémy Martin's use of unique distillation methods and aging processes refined over centuries is essential to its identity and quality perception. At Maker's Mark, the hand-dipped wax seal has become a recognizable brand signature, embodying artisanal craftsmanship that goes beyond mechanized production. This organizational knowledge, which comprises a set of skills and methods unique to each brand, is unpatentable but provides a major competitive advantage. These specialized skills enhance the brand's authenticity and exclusivity, adding layers of perceived value that make the product distinct.

"Consumer insights and market research" inform brand strategies by uncovering the psychological and emotional factors that drive purchasing behavior. High-end brands invest significantly in understanding these dynamics, allowing them to tailor products to consumer expectations of luxury. For instance, insights into the luxury buyer's preference for cork over screw caps—even when the latter might be more practical—drive brands like Château Lafite Rothschild to maintain traditional cork closures. Similarly, research revealing that taller bottles are perceived as more elegant informs decisions at brands like Veuve Clicquot. By aligning with these insights, brands craft an experience that fulfills the consumer's subconscious expectations, reinforcing the perception of premium quality without explicit IP protections.

"Market and distribution relationships" further enhance a brand's exclusivity by ensuring that products are placed in environments aligned with their luxury positioning. Brands like Château Lafite Rothschild work closely with select distributors and elite venues to build associations with high-status locations, such as Michelin-starred restaurants or private clubs. This distribution exclusivity not only limits accessibility, making the brand appear rarer, but also positions it in spaces associated with affluence and sophistication. These relationships, though intangible, elevate the brand's stature, effectively adding layers of social value that enhance its desirability.

"Sustainable and ethical brand values" have become increasingly valuable as an intangible asset, particularly for consumers who are conscientious about environmental and ethical issues. Bruichladdich's use of recyclable and eco-friendly packaging materials, for example, appeals to consumers who see sustainability as a marker of modern luxury. This alignment with consumer values reflects the brand's commitment to social responsibility, which, while not protected by IP, creates a unique competitive advantage. Such values attract a broader, more loyal audience and add to the brand's perceived integrity, appealing to the modern luxury consumer who values ethics alongside quality.

"Customer experience" in luxury brands is meticulously designed to evoke exclusivity and value, transforming each interaction into a memorable event. Louis XIII Cognac exemplifies this by offering in-store experiences with premium, ceremonial packaging that immerses buyers in a sense of opulence. Hennessy, similarly, hosts invite-only tastings where loyal customers engage deeply with the brand's heritage, building an emotional bond.

Collectively, these eight aspects of IC—brand positioning, sensory appeal, historical legacy, consumer loyalty, craftsmanship, consumer insights, market relationships, and sustainable values—synergistically form a complex, multifaceted brand identity. Each component enriches the brand's story, creating an experience that transcends the product itself. While none of these elements are protected under IP laws, they are essential to the brand's market positioning, fostering an emotional connection that resonates deeply with consumers. This resonance transforms luxury beverages into cultural icons and symbols of status, achieving a level of brand loyalty and consumer trust that remains robust in the competitive landscape of premium products.

Table 1 synthesizes the identified design strategies across the IP–IC framework, illustrating their varying modes of interaction and value-creation mechanisms.

This typology demonstrates the diversity of packaging design strategies, showing how IP protection levels and IC mechanisms shape consumer perceptions and reinforce brand positioning. Strategies range from those that evoke tactile or visual luxury, to those that signify heritage, exclusivity, or ethical values, and are executed through a spectrum of interaction modes—IC-dominant, hybrid, or, in rare cases, purely IP-driven.

12. Discussion

The analysis demonstrates that packaging design in the premium beverage sector cannot be adequately understood within the boundaries of IP alone. While IP provides mechanisms for protecting identifiable design elements, it captures only a portion of the value generated by packaging. A substantial part of that value arises from IC, which operates through perception, meaning, and consumer interpretation.

The framework developed in this study highlights that packaging design functions as a hybrid asset, simultaneously embedded in legal and market-based

Table 1. Typology of packaging design strategies

Strategy	IP protection level	IC role (primary mechanism)	Brand positioning effect	Mode of interaction
Weight	Low	Tactile perception of quality	Luxury, durability	IC-dominant
Embossing	Medium	Tactile + visual craftsmanship	Artisanal, premium	Hybrid
Shape	High	Visual distinctiveness	Heritage/exclusivity	Hybrid
Minimalism	Low–medium	Symbolic sophistication	High-end refinement	IC-dominant
Metallic foil	Medium	Visual salience, luxury cues	Celebration, prestige	Hybrid
Dark glass	Low	Protection + perceived aging value	Collectibility, depth	IC-dominant
Cork vs. screw cap	None	Cultural-symbolic meaning	Tradition vs. modernity	IC-dominant
Bottle height	Low	Visual hierarchy	Elegance, distinction	IC-dominant
Special closures	Low–medium	Ritual, craftsmanship	Artisanal luxury	Hybrid
Gift packaging	Low	Experiential value	Prestige gifting	IC-dominant
Engraving	Medium	Personalisation	Exclusivity	Hybrid
Wooden crates	Low	Material symbolism	Heritage, collectibility	IC-dominant
Large formats	Low	Visual impact, scarcity	Celebration, status	IC-dominant
Colour coding	Medium	Visual categorisation	Product hierarchy	Hybrid
Limited editions	Medium–high	Scarcity perception	Exclusivity	Hybrid
Handwritten labels	Low	Authenticity signal	Craftsmanship	IC-dominant
Vintage design	Low	Nostalgia, heritage	Tradition	IC-dominant
Frosted glass	Low	Visual + tactile purity cues	Refinement	IC-dominant
Transparency	Low	Trust, visibility	Openness	IC-dominant
Neck tags	Low	Storytelling	Authenticity	IC-dominant
Monograms/crests	Medium	Heritage symbolism	Legacy prestige	Hybrid
Opaque bottles	Low	Mystery effect	Exclusivity	IC-dominant
Multi-texture labels	Medium	Tactile engagement	Artisanal value	Hybrid
Metal elements	Medium	Weight + visual richness	Luxury	Hybrid
Illumination	Low	Attention, spectacle	Ultra-premium	IC-dominant
Dust jackets	Low	Ritual, anticipation	Prestige	IC-dominant
Eco packaging	Low	Ethical value	Modern luxury	IC-dominant
Pouring design	Low	Functional refinement	Sophistication	IC-dominant
Caps/stoppers	Medium	Ritual + craftsmanship	Premium detail	Hybrid
UV/hidden features	High	Authenticity verification	Exclusivity	Hybrid

Abbreviations: IC: Intellectual capital; IP: Intellectual property; UV: Ultraviolet.

systems of value creation. Across the cases and strategies analyzed, three recurring patterns emerge.

First, the findings confirm that legal protection and economic value are only partially aligned. Certain highly valuable design elements—such as weight, texture, or sensory cues—operate almost entirely outside formal IP regimes, yet play a decisive role in shaping consumer perception and willingness to pay. Conversely, some legally protected elements may have limited impact on brand differentiation if they are not perceptually salient or meaningfully integrated into brand narratives.

Second, the analysis shows that IC systematically amplifies the effectiveness of IP. Protected elements such as bottle shape, color, or labeling acquire their full economic significance only when embedded within broader systems of brand positioning, storytelling, and sensory engagement. In this sense, IP establishes a legal foundation, but IC determines the extent to which that foundation translates into market value.

Third, the study identifies distinct modes of interaction between IP and IC, ranging from IP-dominant to IC-dominant and hybrid strategies. This typology demonstrates that competitive advantage in design-intensive industries does not depend solely on the strength of legal protection, but on the strategic alignment between what is legally protected and what is perceptually meaningful to consumers.

These findings allow for a more general theoretical interpretation of packaging design as a site where legal exclusivity and symbolic value intersect. Building on this, the study advances the following propositions:

(i) Proposition 1: The economic value of packaging design in premium markets is not determined by the existence of IP protection alone, but by the extent to which protected elements are translated into consumer-perceived value through IC.
(ii) Proposition 2: Design strategies that operate primarily within the domain of IC (e.g., sensory cues, experiential features) can generate substantial competitive advantage despite lacking formal IP protection.
(iii) Proposition 3: Sustainable differentiation in premium packaging emerges from hybrid strategies that align legally protected distinctiveness with strong perceptual and symbolic positioning.

From a practical perspective, these insights suggest that firms should not treat IP and branding as separate domains. Instead, an effective design strategy requires integrating legal protection with sensory design, storytelling, and market positioning. For policymakers, the findings also highlight the limits of IP regimes in capturing the full spectrum of value creation in design-driven industries, underscoring the need for broader conceptual frameworks when assessing innovation and competitiveness.

Overall, the study shifts the analytical focus from protection alone to the interaction between protection and perception, offering a more comprehensive understanding of how design generates value in premium markets.

13. Conclusion

This paper examines how packaging design in the premium beverage sector operates at the intersection of IP and IC. By developing a conceptual framework and applying it to illustrative cases and design strategies, the study demonstrates that design functions as a hybrid asset, combining legal protection with perceptual and symbolic value creation.

The findings show that while IP plays an important role in securing exclusivity, it does not fully account for the economic significance of packaging design. Much of this value arises from IC, including sensory experience, brand positioning, and consumer perception. The interaction between these domains, rather than their isolation, is what ultimately shapes competitive advantage.

By identifying recurring modes of interaction between IP and IC, the study contributes to a more integrated understanding of design in both legal and management scholarship. It highlights the need to move beyond a purely doctrinal view of IP and to recognize the broader systems of value in which protected designs operate.

At the same time, the study is subject to certain limitations. The analysis is based on a purposive and illustrative selection of cases focused on premium segments of the beverage market, which may limit generalizability to other industries or price segments. In addition, the conceptual nature of the framework calls for further empirical testing, particularly regarding consumer perceptions and market performance.

Future research could extend this framework to other design-intensive industries, compare different regulatory environments, or incorporate quantitative and experimental methods to examine how specific design features influence consumer behavior.

Despite these limitations, the study provides a structured foundation for analyzing packaging design as a multidimensional phenomenon in which legal protection and intangible value creation are closely intertwined.

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Ethics approval and consent to participate

Not applicable.

Consent for publication

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Availability of data

Data are publicly available from the World Intellectual Property Organization (WIPO) Brand Database (https://branddb.wipo.int) and Google Patents (https://patents.google.com).

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