From Trade Name to Generic: The Case of *Coke*

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As a shortened form of *Coca-Cola*, *Coke* has been used since at least 1909 to describe a particular carbonated beverage; it has been a registered trade name of The Coca-Cola Company since 1945. At about the same time that *Coke* became the legal property of The Coca-Cola Company, it also began to be used by a few people as a generic term to describe other kinds of carbonated soft drinks. The responses of nearly 9,000 U.S. informants chart the geographic spread of generic *coke* from the 1940s to the 1990s. While it is still not as common as *soda* or *pop*, *coke* is used generically by thousands of people, especially in the southern half of the country.

> [The courts have widely recognized] that 'Coke' is the familiar abbreviation of the trade-mark 'Coca-Cola'. Consequently, 'Coke' means only 'Coca-Cola'.
>
> (From the Foreword to *Opinions and Decrees Involving "Coke"*...)

The fact that the English language has spawned many trade names which have subsequently been adopted into generic usage has been widely documented.[1] *Band-Aid*, *Jell-O*, and *Kleenex*, for example, though once associated exclusively with specific products, are now in general use as the most common names of all adhesive bandages, fruit-flavored gelatins, and facial tissues, respectively. In this essay I will document the history and ongoing usage of *Coke* in the same regard. Once used only as the trademarked name of Coca-Cola, the word has, over the past five or six decades (at least), increasingly come to be used to name all carbonated soft drinks by a significant portion of the American population.

Names 43.3 (September 1995):165-186
ISSN:0027-7738
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I

According to Mencken (1977, 217), Flexner (1976, 317), and Mathews (1951), the American public has used *Coke* to describe the carbonated, non-alcoholic drink having the trade name *Coca-Cola*[2] since at least 1909, though not always with the blessing of The Coca-Cola Company. Indeed, the company

> once discouraged the use of *Coke*, for the term was [and in the 1990s still is] also a name for cocaine, then present in Coca-Cola in microscopic amounts, and uplifters had convinced the country that cocaine was an extremely dangerous drug. (Mencken 1977, 217)[3]

Once cocaine was removed from the drink's formula, however, the company must have realized that it had in *Coke* a convenient, one-syllable way of representing its product — a way which, moreover, was quickly claiming the public fancy.

By the 1920s, *Coke* had become so popular that other companies began to copy it, setting off a spate of legal wars that continues to the present day.[4] But in 1930 the Supreme Court declared *Coke* to be the exclusive property of The Coca-Cola Company (see The Coca-Cola Company v. The Koke Company of America, et al., 5), and in 1945 the name was registered as an official trademark.[5] Two years later, *Coke* made its first official appearance in an advertising slogan ("Happy hour — have a Coke"), and has been a mainstay for Coca-Cola's marketers ever since (e.g., "Where There's Coke There's Hospitality" [1948]; "What You Want Is a Coke" [1952]; "The Cold, Crisp Taste of Coke" [1958]; "Things go better with Coke" [1963]; "Face Uncle Sam with a Coke in your hand" [1969]; "I'd Like to Buy the World a Coke" [1971]; "Coke adds life" [1976]; "Have a Coke and a smile" [1979]; and "Coke is it!" [1982]).[6] Indeed, *Coke* is no longer just a nickname for Coca-Cola; it also now serves as part of the registered trade name of Diet Coke, Coke Light, Cherry Coke, and Diet Cherry Coke.

II

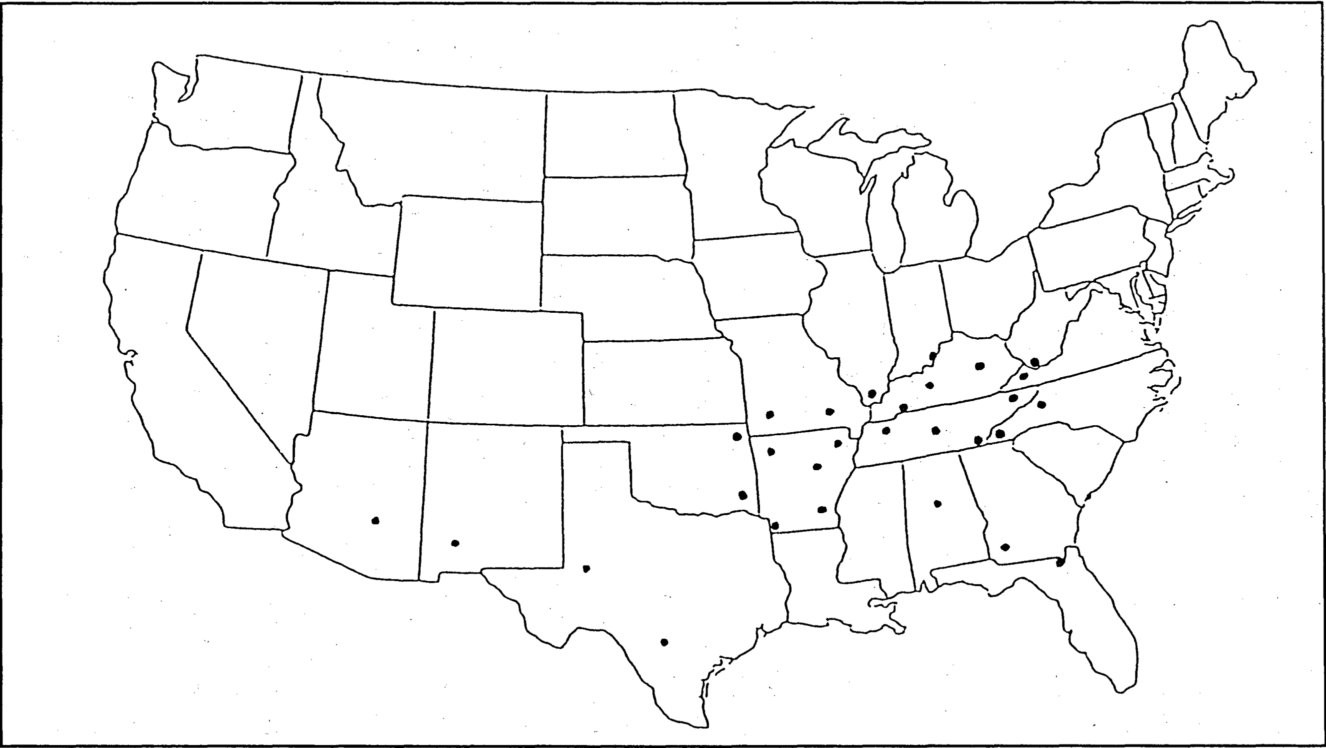
In 1983, during a class devoted to regional dialects, I queried a group of undergraduates at Ohio State University (Columbus) regarding their preferred generic terms for "any carbonated soft drink." Following the usual responses — *pop*, *soda*, and *soda pop* — one student, who had recently moved to Ohio from eastern Okla-

homa, offered *coke*. Thinking she had misunderstood the question, I told her that I was not interested in specific brand names, only in generic terms that could be used to describe all carbonated soft drinks. As she quickly pointed out, however, the misunderstanding had been all mine: she did, in fact, use *coke* generically, as did many of her friends in Oklahoma. Other students in that class, too, who had traveled through or visited Oklahoma — or Texas, Arkansas, Tennessee, Kentucky, or West Virginia — confirmed that they had heard (mostly young) speakers use *coke* to refer to some carbonated soft drink other than Coca-Cola.[7]

The same scenario played itself out so frequently in subsequent classes — almost always with students who had traveled through or lived in one of the aforementioned states — that I began to systematically collect data on the phenomenon. Between March 1985 and March 1995, nearly 9,000 informants responded to the following questions: "Are there any beverages other than Coca-Cola that you habitually call 'coke'? If so, please list them and try to recall when you began to use the word *coke* to refer to them."[8] From this data-gathering, and from the few references scattered throughout the scholarly and popular literature, I have been able to piece together an approximate temporal and geographic evolution for the trade name *Coke* being used as a generic.[9]

The earliest evidence that I have been able to find for the existence of generic *coke* is in Partridge's *A Dictionary of Slang and Unconventional English* (1951), which cites "*The Evening News*, Jan. 9, 1940" as a written source and "since ca. 1930" for the earliest date of oral use (in subsequent editions, the latter date was amended to "since ca. 1935").[10] These dates coincide remarkably well with the memories of some of my older informants, who recall using *coke* in the generic sense during or just following World War II. Map 1 shows the approximate geographic distribution of those informants.[11] Note that the vast majority appear in the south midland part of the United States — all of Arkansas, Kentucky, Tennessee, as well as the southern portions of Missouri, Illinois, Indiana, and West Virginia, the western portions of Virginia and North Carolina, and eastern Oklahoma. There is no pattern among these people regarding gender, socioeconomic class, or location of residence (urban/rural), though most, during the 1940s, were between the ages of 15 and 25.[12]

Map 1. Approximate Locations of Informants Using Generic *coke* in the 1940s

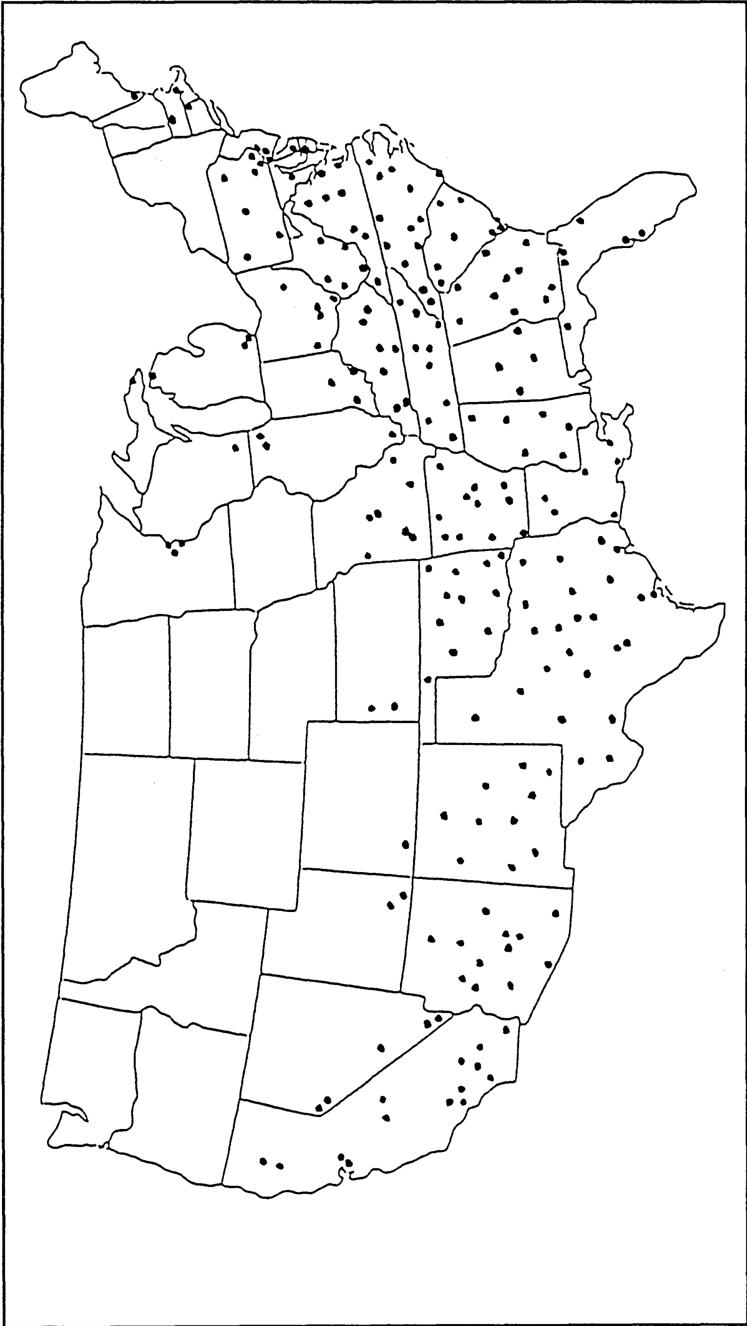


Map 2. Approximate Locations of Informants Using Generic *coke* in the 1940s and 1950s

Now consider map 2, which combines map 1 with the locations of additional informants who recall first using generic *coke* at any time during the 1950s. Here we again see the south midland portion of the country especially well represented. In addition, however, we note a rather generous sprinkling of occurrences throughout the South, and to a lesser degree the Southwest, and further that the usage has apparently begun to migrate to the Northeast: it occurs, though sparsely, in Pennsylvania, Delaware, and Massachusetts. Again, the pattern of usage for the new informants depicted on map 2 cuts across all the various demographic boundaries for which I have data, though again, about three-fourths of those informants were under the age of 25 in the 1950s.

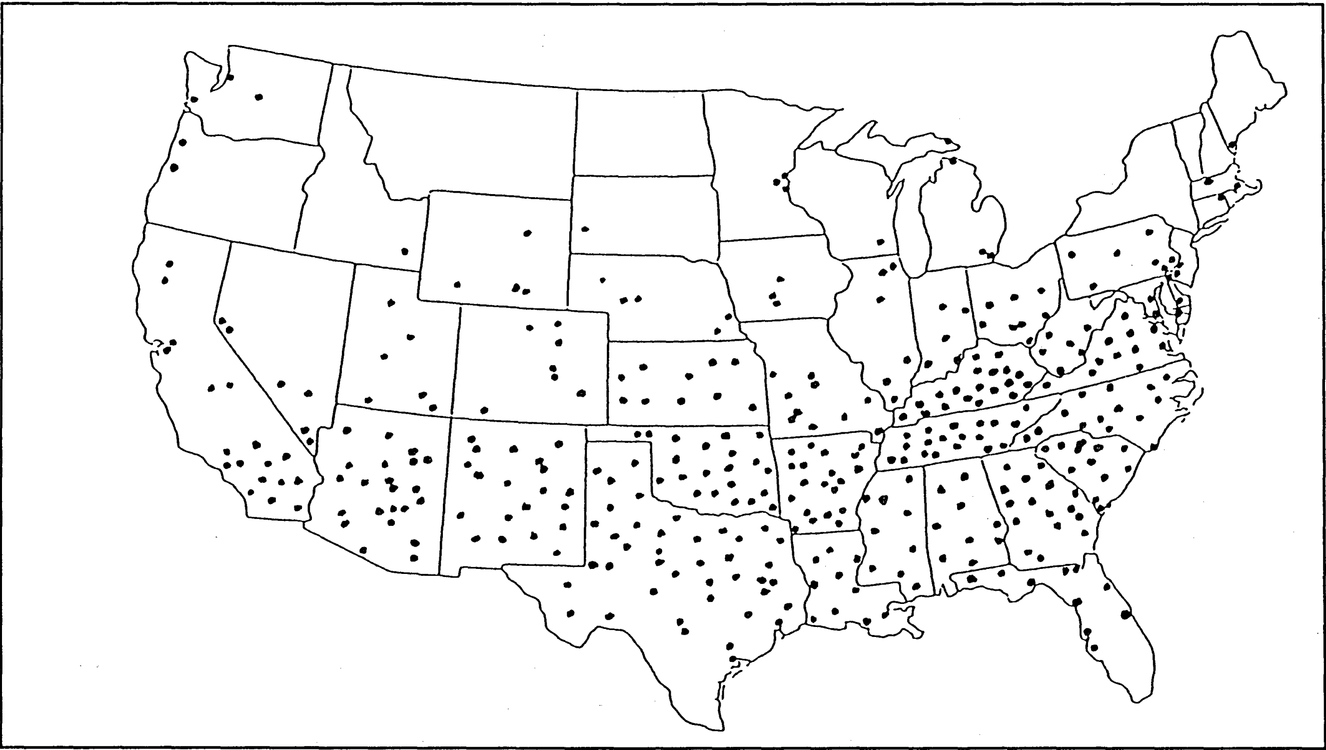
Map 3 combines map 2 with the locations of additional informants who remember using *coke* generically beginning in the 1960s; included on this map are 23 informants queried by *DARE* during the second half of that decade.[13] As indicated in the *DARE* entry for *coca-cola*, generic *coke* is now firmly entrenched throughout the South, Southwest, and South Midland; note, too, however, that its migration to the Northeast has continued (all the way up to southern Maine), and that it has also moved up the West Coast to northern California and inland to western Nevada. It now also occurs in southern Utah and Colorado, throughout Oklahoma and up into west-central Kansas, in central Missouri, and has even skipped north to east-central Minnesota, southeastern Wisconsin and northeastern Illinois, and both southeastern and northern Michigan. Again, the only distinctive demographic pattern for the informants newly shown on map 3 is that about two-thirds of them are under the age of 25.

Map 4 depicts all the locations from map 3 combined with the locations of additional informants who recall using generic *coke* during the 1970s.[14] Here we are struck both by the additional diffusion of the term — it now appears in the Pacific Northwest[15] and throughout the central Rocky Mountains and Plains — as well as by its further concentration in the South, South Midland, and Southwest. Especially noteworthy, perhaps, is its heavy use in Oklahoma, northern Texas, Arkansas, Tennessee, and Kentucky. And again, curiously, about two-thirds of the new informants represented on map 4 are under the age of 30: generic *coke* continues to be a new phenomenon primarily among younger speakers, but one that recurs each generation.



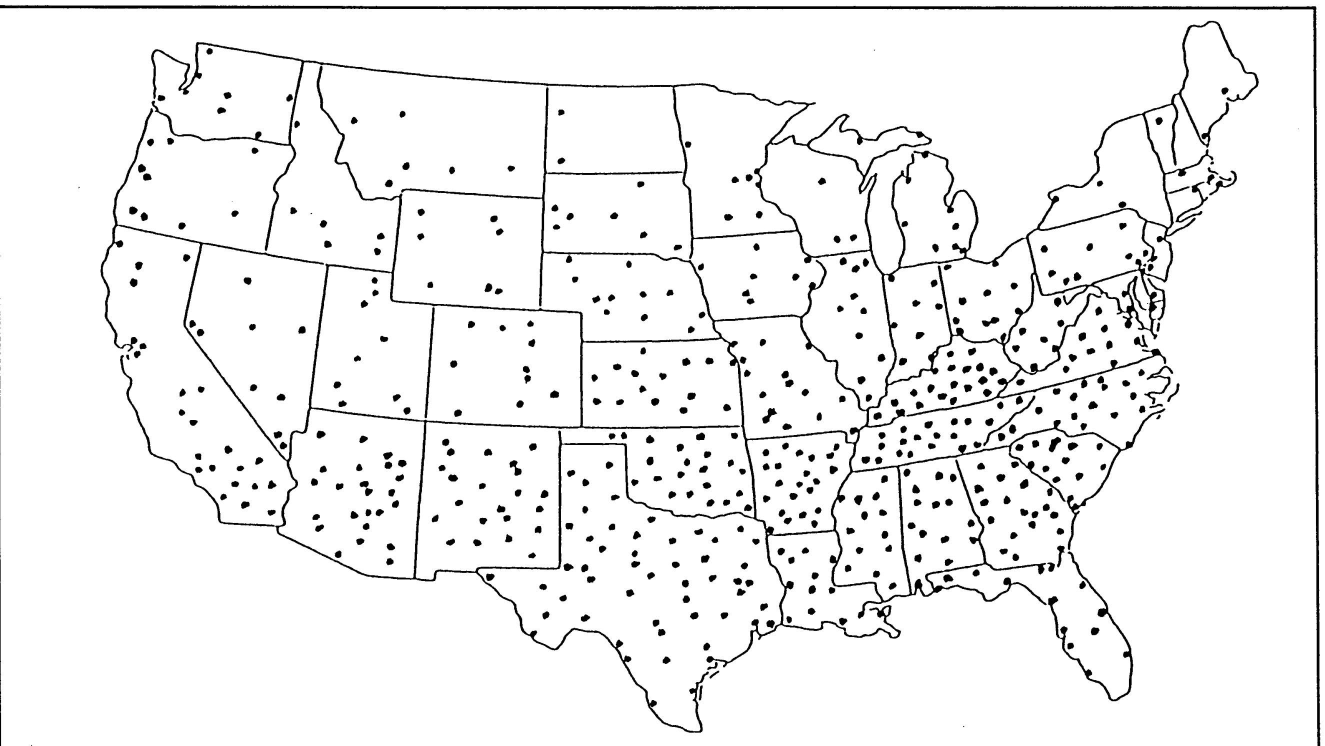
Map 3. Approximate Locations of Informants Using Generic *coke* in the 1940s, 1950s and 1960s

Map 4. Approximate Locations of Informants Using Generic *coke* in the 1940s, 1950s, 1960s and 1970s



Map 5. Approximate Locations of Informants Using Generic *coke* in the 1940s, 1950s, 1960s, 1970s and 1980s

Map 6. Approximate Locations of Informants Using Generic *coke* in the 1940s, 1950s, 1960s, 1970s, 1980s and 1990s



The locations given on map 4, combined with the locations of additional informants who remember using *coke* generically since only the 1980s, appear on map 5. It is now almost easier to describe where the usage does not occur than where it does, for it appears at least once in every state except Rhode Island and New Hampshire. Notable pockets of non-use still occur throughout a good portion of the country, including the West Coast, the Pacific Northwest, the central and northern Rocky Mountain states, the Midwest, New England, and Florida, but the geographic spread depicted here is remarkable. Not surprisingly, perhaps, 65% of the new informants shown on map 4 are again under the age of 30.

Finally, consider map 6, which combines map 5 with the locations of additional informants who remember using generic *coke* at some time since the beginning of the 1990s. Though still occurring most often in the South, Southwest, and South Midland, the usage is now found throughout virtually the entire country. It would be a mistake, however, to conclude that speakers in all these locations use *coke* exclusively, or even primarily, to refer to carbonated soft drinks that are not *Coca-Cola*; in fact, that is not the case. *Soda* and *pop* are still the overwhelming favorites throughout the country in terms of numbers of users; *tonic* remains popular in eastern New England; *cold drink* and *drink* occur frequently in the Southeast; and *dope* is used along the southeast Atlantic coast. Generic *coke* merely has widespread geographic acceptance, and, in many places, that acceptance is almost certainly restricted to relatively small numbers of speakers.[16]

One quantitative aspect of generic *coke* usage not shown adequately on maps 1 through 6 is depicted in figure 1, which shows the relative speed with which generic *coke* has spread throughout the United States over approximately the last five decades with regard to specific numbers of users. Note that after a steady but gradual increase in usage in the 1950s and 1960s, the term grew in popularity by leaps and bounds throughout the 1970s and 1980s. The slower rate of increase apparent in the 1990s is actually a function of my data-collection ceasing only halfway through the decade; the unshaded area projects a more realistic approximation of usage were my data to extend to the beginning of the twenty-first century.

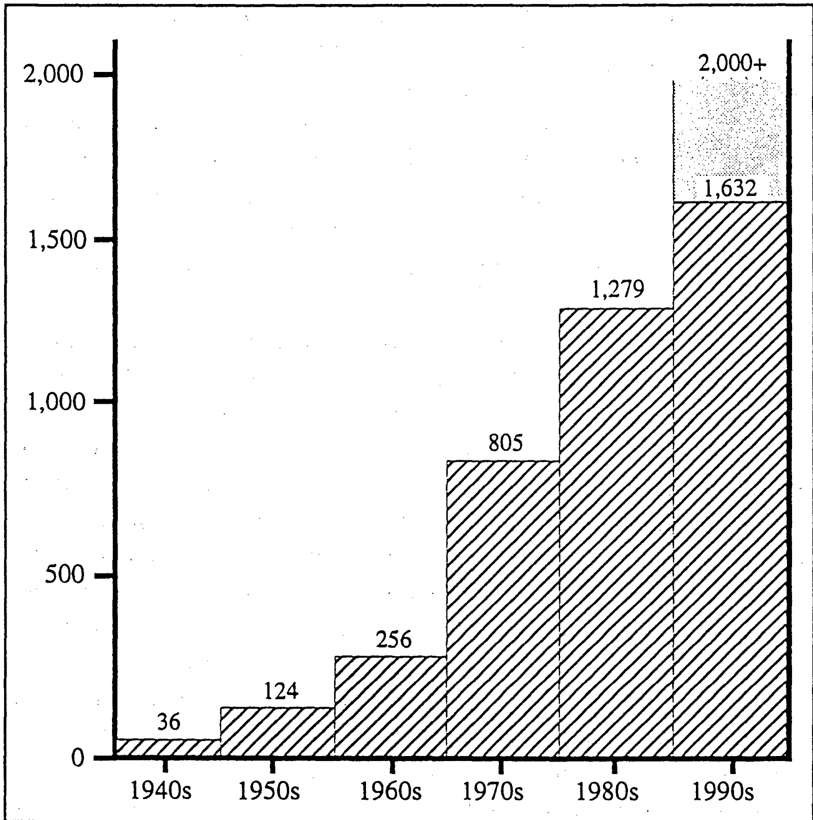


Figure 1.
Quantitative Increase in the use of Generic *coke*

III

Considering that generic *coke* is at least several decades old and is being used by an increasingly large percentage of the American population, one might wonder whether the term has been recorded by any lexicographers besides Cassidy and Partridge. The answer, with only one exception that I know of, is that it has not; it does not appear, for example, in the second edition of the *Oxford English Dictionary* (1989) or in any of the numerous desktop dictionaries that

I was able to check.[17] The word *Coke* — spelled consistently with a capital *C* — appears in several places, always with a definition such as "a trademark for Coca-Cola, a soft drink" or "a trademark for a soft drink," but generic *coke* is conspicuously absent.

This is not surprising: dictionaries are, after all, generally regarded as conservative records of the language, and most often the "standard" language at that.[18] More unsettling is that dictionaries of slang and Americanisms, the purpose of which is to record precisely the kind of phenomenon discussed here, seem largely to have followed suit. In 1951, for example, *A Dictionary of Americanisms on Historical Principles* (Mathews) listed *Coke* (with a capital *C*) only as a shortened form of *Coca-Cola*. A decade later, the second edition of *The American Thesaurus of Slang* (Berrey and Van den Bark 1962) spelled *coke* with a lowercase *c*, but defined it the same way. Similarly, the *Dictionary of American Slang* (Wentworth and Flexner 1967, 114) defined *Coke* (capital *C*) merely as "a popular shortened form of *Coca-Cola*, a carbonated beverage," then gave this statement: *"The makers of Coca-Cola have registered as trademarks both the full and shortened name and insist that they be printed with initial capitals"* (italics in original). Even 20 years later, the *New Dictionary of American Slang* (Chapman 1986) defined *Coke* as "Coca-Cola, a trade name" and *coke* as "Coke." And as recently as 1994, the *Random House Historical Dictionary of American Slang* (Lighter) did not list *Coke* or *coke* (in the sense of naming one or several carbonated soft drinks) at all. The sole exception to this otherwise categorical denial that *coke* has, for many people, taken on a generic meaning is *The Random House Thesaurus of Slang*, published in 1988 (Lewin and Lewin). There *coke* is listed as one of several synonyms for *soft drink*.

IV

Strictly speaking, the future of generic *coke* is unpredictable, though given the term's rapid spread since the 1970s, especially, one might reasonably assume that the day is not far off when it will be used as commonly as *kleenex* and *band-aid*, perhaps even supplanting *pop*, *soda*, and *soft drink* in popularity (as it may have already done throughout much of the South, South Midland, and Southwest) — not, however, without a fight from The Coca-Cola Company:

> The [trade name]...Coke, and others owned by The Coca-Cola Company are used by the Company and its bottlers in promoting their businesses. These [trade names] are considered by many to be the most valuable known to commerce. They not only identify the product, but also symbolize the goodwill that our Company's products enjoy in the eyes and hearts of the public. [¶] An alert field staff is constantly on guard against substitution in the marketplace. The Company maintains this staff of trade research specialists to visit retail establishments around the United States and order Coca-Cola products. If what they are served is not a Coca-Cola product, and no verbal explanation is given, then the Company takes steps to notify the owner or management of the establishment that the customer has a right to be served the beverage of his choice or to be told at the time that the selected beverage is not available. In most cases, the retail establishments take the required steps to correct the substitution problem, but in a limited number of cases, legal action must be brought before the situation is corrected. ("A Guide to the Care and Protection of the Trademarks of The Coca-Cola Company," 1-2, 3-4)

So well-known is The Coca-Cola Company's diligence in this latter regard that waiters and waitresses in restaurants throughout the United States are regularly instructed by their supervisors to confirm that Coke is or is not being served. On ordering "a Coke" from a restaurant that does not serve Coca-Cola products, for example, the server will typically reply, "Is Pepsi okay?" Or, in restaurants that *do* serve Coca-Cola products, the server may respond, "Coca-Cola?" And in those instances in which the patron has ordered "a Coke" (rather than "a coke"), genuine confusion can result, with the patron responding to the server's inevitable question with surprise over having to specify the *kind* of "Coke" he or she wants.[19]

History tells us, of course, that The Coca-Cola Company is waging a losing battle: however much the courts rule that *Coke* is a legally viable trade name, and however much The Coca-Cola Company denies the existence of generic *coke*,[20] the general public will not have its use of the language regulated. Campbell (65) noted more than 30 years ago that Coca-Cola "has woven itself to a remarkable degree into the fabric of the lives of the people of America" and this statement now seems to be true of generic *coke* as well. Indeed, if the current popularity of Coke (the product) and *coke* (the generic term) continues, we should all expect our children's grandchildren to be using a great deal of both.

Notes

I would like to thank the many colleagues who polled their classes on the use of generic *coke* and then shared with me the resulting data; the students who conducted interviews with some of my informants; the informants themselves, many of whom displayed the typical skepticism over someone questioning their use of language; Joan Hall, who shared additional information from the files of the *Dictionary of American Regional English* (*DARE*); Marianna Di Paolo, Beth Lee Simon, and Don Lance, each of whom shared with me their earlier research on the same phenomenon; two members of the Editorial Board of *Names*, both of whom made useful suggestions for improving an earlier draft of this essay; and Tom Clark, who made me aware of the article by Peter Tamony.

1. The earliest scholarly treatment of the subject appears to be that of Louise Pound (1913); for a more recent discussion, see Mencken (1977) and the many references therein.

2. *Coca-Cola* was officially registered as a trade name on 31 January 1893 by The Coca-Cola Company (Mencken 1977, 217), though it had been used *un*officially to refer to the beverage since 1886, when it was invented. The often-told story (see, e.g., Campbell 1964, 63-64) is that the alliterative compound *Coca-Cola* was chosen because it named two of the many ingredients in the drink, coca leaves and cola nuts (also known as *koka* or *goora* nuts). According to a brochure published by The Coca-Cola Company in 1993 ("A Guide to the Care and Protection of the Trademarks of The Coca-Cola Company," 1), *Coca-Cola* is currently "the best-known and most admired [trade name] in the history of commerce, recognized by more than 90% of the world's population."

3. The official advertising campaign urged consumers to "[a]sk for Coca-Cola by its full name [because] nicknames encourage substitution" ("Coca-Cola Trademark Origins," n.p.).

4. "The Coca-Cola Company has been most diligent and vigilant in protecting its trademarks against those who would violate or misuse them" ("A Guide to the Care and Protection of the Trademarks of The Coca-Cola Company," 3). Indeed, The Coca-Cola Company has been the plaintiff in numerous onomastic lawsuits, the majority of them involving *Coke*. Few if any companies can have litigated more often or at such great expense in the interest of preserving their trade names (see, for example, *Opinions and Decrees Involving "Coke," the Abbreviation of the Trade-mark Coca-Cola*, which lists a dozen major cases filed prior to 1943 — two years before *Coke* was registered as a legal trade name). *Coca-Cola*, too, has been the focus of a number of lawsuits: the Supreme Court ruled in 1938, for example, that *Cola*, because it is descriptive, cannot be trademarked, but that *Coca* is a trade name that belongs to The Coca-Cola Company. (For a discussion of this and other interesting lawsuits involving The

Coca-Cola Company, see Springarn 1941, and especially Tamony 1969). Mencken (1977, 214; see also Brock 1949) summarizes the relevant legal statutes thus:

> [b]y law a trade name must be a word that does not really name or describe the article to which it is affixed, and must be sufficiently unlike the trade names of other articles of the same general type to prevent the buyer from mistaking one for the other. If it is applied to an entirely new article, having no other name, it may become that article's common name, and so lose its validity in law by becoming descriptive [as has happened, for example, with *Cellophane*, *Aspirin*, *Linoleum*, *Kerosene*, *Dry Ice*, *Nylon*, *Escalator*, and *Thermos*]. The inventor of a new article, to be sure, may patent it, and so acquire a monopoly of its manufacture and sale under whatever name, but a patent is good for but seventeen years, whereas a trademark may go on so long as the article is offered for general sale.

Other current restrictions on trade names, according to the legal staff of The Coca-Cola Company, are that they cannot be surnames, must be in use before registration (The Coca-Cola Company began calling its product *Coke* in 1941; [see "Coca-Cola Trademark Origins," n.p.]), and cannot in any way be deceptive ("A Guide to the Care and Protection of the Trademarks of The Coca-Cola Company," 2).

5. Campbell (1964, 64) mistakenly lists the date of the Supreme Court decision as 1920. Notice, in any case, that the Court was more interested in *Coke* and *Koke* being homophones than in their being orthographically distinct.

6. According to Flexner (1976, 317), *Coke* has been used in advertising only since 1955. In 1987, however, The Coca-Cola Company produced a large plastic cup chronicling the slogans that had been used to sell Coca-Cola throughout the product's history (including "The ideal brain tonic" [1893], "The favorite drink for ladies when thirsty & wearing despondence" [1905] and "The drink that cheers but does not inebriate" [1908]), and listed for 1947 was "Happy hour — have a Coke."

7. Limited evidence exists that *Coca-Cola* is used generically as well: one *DARE* informant from New Mexico reported the usage in 1966, and Tarpley (1970, cited in *DARE*) found it used frequently by younger speakers in northeast Texas in 1970. *Co'cola*, too, was recorded by *DARE* fieldworkers as a generic term used in Alabama in the late 1960s.

8. All the data were collected through a series of questionnaires that were distributed to students, colleagues, and thousands of other informants throughout the United States (the latter largely via mass mailings in 1985, 1987, and 1988). Each of the informants, who supplied standard biographical information, was born in or very near the community that he or she represented for the purposes of this study, and had done little travelling outside that area. As a

result of my own principal geographic locations between 1985 and 1995, I have gathered a disproportionately large amount of data from Ohio and Kansas, though each of the 48 contiguous United States is represented at least 14 times in the sample. (I have been able to gather no data from Alaska or Hawaii.)

9. In the discussion that follows, I must emphasize that the evolution presented is indeed approximate since it is based heavily on the imperfect memories of informants. The general trend that I will demonstrate, in other words, is certainly more reliable than its many details. I should also make it clear that while it would be interesting to know which of my generic *coke*-using informants use the term to refer to *all* carbonated soft drinks and which use it to refer only to all carbonated *cola* soft drinks, I make no such division in my data; that is, all generic *coke*-users are counted the same, regardless of the semantic breadth of their usage. A reviewer of an earlier version of this article commented that "*coke* as an all-purpose generic is totally unfamiliar to me...but I have heard *coke* used as a generic for cola drinks...for at least 30-35 years, perhaps longer." I suspect the same is true for the majority of my informants not living in the southern half of the United States.

10. Somewhat paradoxically, Partridge — even in the later editions of his dictionary — never linked generic *coke* to the trade name; indeed, his speculative derivation is "Ex '*coca* cola'?" More problematic is that he consistently labels generic *coke* "Canadian," which is not what my data indicate at all. I cannot explain the discrepancy between his findings and mine, but it may be worth noting that when Richard Spears reviewed the eighth edition of Partridge's work in 1987, he wrote that

> Partridge generally followed the practice of indicating where *he* found a particular word. In no edition of the *DSUE* did he make the general claim that the listed registers or national origins were necessarily the original or sole registers or sources for an entry. Since users of the *DSUE* may well consider the listed registers and national origins to be more important than other possibilities, they should be warned against doing so. For instance, the expression *Boot Hill* is said to be "Canadian Miners': C. 20. Ex one of the most famous cemeteries of the US Frontier West." The reader should not consider that this expression is unique to Canadian miners. In fact, Canadian miners may comprise the smallest and most insignificant group of users of this term.... Indeed, some of the registers and national origins listed *may be* sole and original, but it is impossible to tell the ones that are from the ones that are not. As with datings, indications of register and national origin should be dealt with cautiously. (363-64, emphasis in original)

I would guess that Partridge listed the origin of generic *coke* as Canadian merely because he was given a Canadian citation for it. It is impossible to discover how

extensive Partridge's evidence was, but, given my own data, I assume that it was quite limited. John W. Bottoms (personal communication, 26 January 1995), wonders whether generic *coke* might have derived from the longstanding Central American slang use of *coca* to refer to any carbonated soft drink. Considering the geographic patterning of the data I am about to present, it is certainly possible that such a slang usage, if it actually exists, might have *influenced* the spread of generic *coke*, especially throughout Texas and the Southwest, but I cannot believe that it is entirely responsible for the origin of the term. The orthographic, phonological, and semantic correspondences between *coke* and *Coke* are simply too regular to explain by coincidence.

11. On each map dots represent locations, not numbers of informants; that is, many of the dots actually show locations where more than one informant uses generic *coke*.

12. The distribution of all my informants, though unplanned, was remarkably good for such independent variables as age, gender, socioeconomic class, and urban/rural; regarding ethnicity, however, more than 95% of my informants are non-hispanic whites.

13. *DARE* fieldworkers did not query informants regarding their earliest memory of usage of any item, as I did; thus it is probable that as many as 23 of the people (aged between 44 and 83) represented on map 3 should actually appear on map 1 or map 2. On the other hand, though 19 of those 23 people come from cities or towns for which I have no data, all come from general areas that my surveys indicate have other generic *coke*-using speakers. Joan Hall (personal communication, 2 February 1995) also reports that

> [t]he reason [that the editors of *DARE*] didn't include a map [representing the usage of generic *coke*] in Vol. I is that many informants gave *Coke* or *Coca-Cola* as a response to the question ["Ordinary soft drinks, usually carbonated — what are they called?"]; but we included in this generic sense only those who, according to the fieldworkers, added comments to indicate that they did indeed consider it a generic. Probably many others did too, but the fieldworkers either didn't probe or didn't write down everything they heard. So the entry is a bit unsatisfactory; we erred on the side of conservatism.

14. Di Paolo and McClenon (1979) found a Texas distribution similar to the one presented here when they and their students investigated the occurrence of generic *coke* in the late 1970s:

> *Coke* is fast becoming the generic term to include not only Coca-Cola and Pepsi-Cola, but also Dr. Pepper, root beer, and Seven-Up. Among respondents 25 years and younger, 291 of 420, over two-thirds, used *coke* in this way. This term is more fixed in Dallas and West Texas than it is along the Gulf Coast. (169-70)

Furthermore, Don Lance reports that his investigations in Missouri (done regularly since 1970) have yielded results almost identical to those depicted on map 5 (personal communication, 25 January 1995).

15. Beth Lee Simon reports (personal communication, 24 January 1995) that in 1984 she found seven informants in Seattle, Washington who used generic *coke*. Judging from the ages of those informants, however (all were between 26 and 34), it is possible that most if not all of them had been using the term at least since the 1970s.

16. In response to a general call for information on generic *coke* that I sent out over the electronic bulletin boards of the American Name Society and the American Dialect Society in January 1995, for example, various people reported never having heard the term in Cincinnati, Ohio, or Reno, Nevada, or anywhere in Iowa, North Dakota, Minnesota, Nebraska, or Louisiana — all places where at least a few generic *coke*-using respondents to my surveys live.

17. I looked in *The American Heritage Dictionary of the English Language* (1969, 1982, 1993), the *American Heritage College Dictionary* (1993), *The Doubleday Dictionary* (1975), *The New York Times Everyday Dictionary* (1982), the *Oxford American Dictionary* (1980), the *Random House Dictionary of the English Language* (1966, 1987), *The Random House College Dictionary* (1968, 1979), *Random House Webster's College Dictionary* (1991), *The Scribner-Bantam English Dictionary* (1977), the *Standard College Dictionary* (1963), *Webster's Third New International Dictionary* (1961), *Webster's Seventh New Collegiate Dictionary* (1963), *Webster's New Collegiate Dictionary* (1973), *Webster's Ninth New Collegiate Dictionary* (1983), *Merriam-Webster's Collegiate Dictionary* (1993), *Webster's Dictionary of English Usage* (1989), *Webster's II New Riverside University Dictionary* (1984), and *Webster's New World Dictionary* (1953, 1972, 1988).

18. Moreover, apparently the keepers of "standard" English occasionally bow to various kinds of pressure to maintain the *status quo*: according to an anonymous reviewer, The Coca-Cola Company coerces dictionary publishers to list the definition of *coke* as a trade name by threatening to sue if any other meaning is recorded.

19. Violations against a registered trade name can assume a number of forms. The ones just discussed are "substitution" (e.g., a non-Coca-Cola product is substituted for the "Coke" ordered by the patron) and "infringement" (e.g., a non-Coca-Cola product is identified by a particular restaurant as "Coke"), but The Coca-Cola Company also guards against "disparagement" (which is sometimes inherent in cases of infringement, but also entails any action that may result in the likelihood of injury to the business reputation of The Coca-Cola Company), and "misuse," which includes misspelling the trade name or using it in plural or possessive form. Onomasticians must guard especially against misuse when discussing trade names. Notice, for example, that throughout this essay I have referred to "The Coca-Cola Company" rather than to "the Coca-Cola

Company" (i.e., I have capitalized the definite article), and that I have avoided possessive constructions involving a trade name (the first sentence in Section I was originally drafted as "...though not always with The Coca-Cola Company's blessing").

As an anonymous reviewer pointed out, it would be interesting to know whether the dramatic increase in the use of generic *coke* has had any effect on the sales of Coca-Cola. Regrettably, I have no specific data on such a correlation, though the public relations staff at The Coca-Cola Company assures me that the soft drink is in no danger of losing its position as the best-selling carbonated beverage in the world (personal communication, 7 April 1995).

20. Though it is impossible to anticipate the courts' future rulings, it is interesting to note that when the DuPont Company lost control of *Cellophane* as a trade name, the United States Supreme Court defined the issue leading to that loss as follows: "The real problem is what is meant to the buying public [by the term *Cellophane*]...." The Court then concluded that

> [i]t therefore makes no difference what efforts or money the DuPont Company expended in order to persuade the public that cellophane means an article of DuPont manufacture. So far as it did not succeed in actually converting the world to its gospel, it can have no relief. (cited in Brock 1949, 21)

And again in the judgment that led to The Bayer Company's losing *Aspirin* as a trade name, the Court based its opinion on the answer to just one question: "What do buyers understand by the word for whose use the parties are contending?" (cited in Brock 1949, 21). In 1949, a representative of The Coca-Cola Company noted that

> *Coke* is a trade-mark for a soft drink manufactured by The Coca-Cola Company by virtue of the ultimate fact that the people who buy soft drinks in this country say so. On this point, the verdict of the crowd is controlling. The voice of the people has become the voice of the law.... Everywhere and at all times *Coca-Cola* and *Coke* must be so used and only so used as to point so straight to the product of The Coca-Cola Company that a wayfarer, though a fool, can't be confused.... There is a simple, safe rule which The Coca-Cola Company is obliged to follow. *Coca-Cola* and *Coke* must be used only as the brand names for the product of The Coca-Cola Company. Never can their use be condoned to convey any other idea and never can they be displayed in a way that would permit the public to read into them any other meaning. (Brock 1949, 24)

The Coca-Cola Company, then, is perhaps justified in denying the existence of generic *coke*, though after a point such denial becomes senseless: following the

publication of their essay in 1979 (see n. 14), Di Paolo and McClenon received a letter from an attorney representing The Coca-Cola Company which stated, in effect, that the use of *Coke* as a generic term simply *could not be happening* because *Coke* was, after all, a legal trade name (Di Paolo, personal communication, 8 February 1995).

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