

The Brand as Value Production. From the Trademark to the Designation of Origin of Wines from the Douro Demarcated Region

La marca como producción de valor. De la marca comercial a la Denominación de Origen de los vinos de la Región Demarcada del Duero

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Abstract

At the end of the 19th century, modern commercial brands emerged after the creation of the legal framework for their protection and the birth of large commercial companies. In the Portuguese wine sector, there was a strong adhesion of companies to the registration of trademarks as a defense against practices of “abusive use of false or misleading indications of provenance”, in a context of post-phylloxera re-conversion, market instability and the proliferation of imitations and counterfeits. The commercial sector took ownership of the brand in its identification with the designation of origin, leading to the emergence at the beginning of the 20th century of a movement led by prominent personalities from the Douro Region in the sense of creation of legal mechanisms to defend the regional brand of Portwine. We will analyze three historical *quintas* (estates) — Senhora da Ribeira, Bomfim and Zimbro — and the marks (brands, labels and fire marks) of Silva & Cosens, the “most respectable” company in the Douro wine trade in the early 20th century. We aim to understand how this company created trademarks with a strongly identifying character with the Douro Demarcated Region, the producing region of its wines.

Keywords: Portwine, trademarks, designations of origin, Douro Demarcated Region.

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Resumen

A fines del siglo XIX surgen las marcas comerciales modernas, después de la creación del marco legal para su protección y el nacimiento de grandes empresas comerciales. En el sector vitivinícola portugués hubo una fuerte adhesión de las empresas al registro de marcas como defensa contra las prácticas de “uso indebido de indicaciones de procedencia falsas”, en un contexto de conversión postfiloxérica, de un mercado inestable y la proliferación de imitaciones y falsificaciones. El sector comercial se apropiaría de la marca en su identificación con la Denominación de Origen, lo que llevó a la aparición, a principios del siglo XX, de un movimiento liderado por las élites de la Región Demarcada del Duero en el sentido del reconocimiento y defensa legal de la marca regional Porto. En este artículo nos centraremos en tres fincas históricas —Senhora da Ribeira, Bomfim y Zimbro— y en las marcas comerciales, etiquetas y marcas de fuego de Silva & Cosens, una de las compañías de comercio de vino del Duero más respetadas a principios del siglo XX. Intentaremos comprender cómo la compañía creó marcas comerciales con una fuerte identificación con la Región Duriense, la región que produce sus vinos.

Palabras clave: vino de Oporto, marca comercial, Denominación de Origen, Región Demarcada del Duero.

Introduction

In the Alto Douro region, the oldest demarcated and regulated region in the world, with shale soils, vineyard cultivation dates to Roman times, having developed progressively in the following centuries. From the 11th to 13th centuries there was an expansion of the vineyard. And as soon as the 17th century, English, Flemish and Dutch traders settled in Oporto, dedicating themselves to the export of Douro wines.

While the export of wines to England increases, the first conflicts between producers and merchants erupt, leading to the Constitution of the *Companhia Geral da Agricultura das Vinhas do Alto Douro* by Royal Charter, in 1756, accompanied by the demarcation of the producing region (see Pereira, 1996: 180-188; Pereira, 2010b: 10-16).

The law of 7th December 1865, the result of an intense and prolonged debate between free traders and protectionists on the wine sector issue, established a regime of freedom of trade that would end only in 1907. During this period, all regulatory mechanisms were abolished: the demarcation was eliminated, as well as the restriction of the port bar of Porto for the export of Douro wines and the supervision and certification of wines.

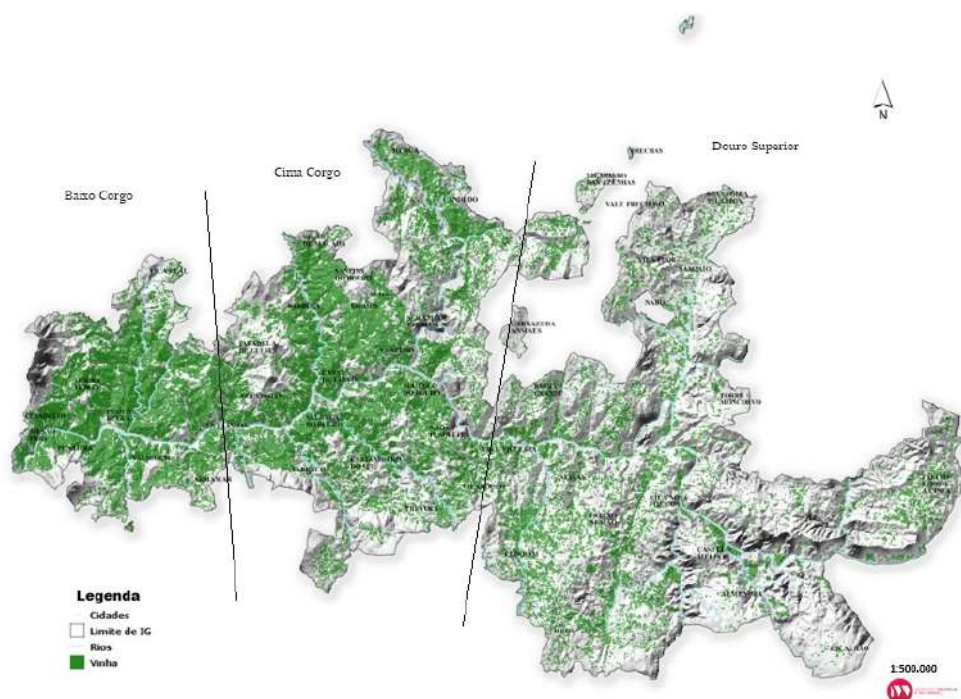
At the end of the 19th century, modern commercial brands emerged after the creation of the legal framework for their protection and the birth of large commercial companies.

On the other hand, the commercial sector would eventually take ownership of the brand, namely in its identification with the designation of origin, leading to the emergence at the beginning of the 20th century of a movement led by prominent landowners and personalities from the Douro Region aiming to recognition and creation of legal mechanisms to defend the regional brand of *Porto*.

In this paper, we will analyze three historical quintas (estates) — Senhora da Ribeira, Bomfim and Zimbó, owned by Silva & Cosens. From these archives, along with specialized bibliography, we will try to understand, in a conjunctural way, the history of the company.

Considering the brand as a production of value, we will try to understand how this company, in counterpoint with the commercial sector, created trademarks with a strongly identifying character with the Douro Demarcated Region (Figure 1), in parallel with the movement that, after the Paris Convention and the Madrid Agreement in the late 19th century, led to the creation of the regional brand of Douro wines.

Figure 1. Map of the Douro Demarcated Region
Figura 1. Mapa de la Región Demarcada del Duero



Source/fuente: adapted from <<https://www.ivv.gov.pt/np4/77/>>

Trademark versus regional brand. The birth of legal framework for trademarks and designations of origin in the wine-growing sector

The invasion of phylloxera in the second half of the 19th century, led to a change in the “viticulural geography” of Portugal. With the growth of production in the southern part of the country, there would be echoes in the press defending the specialization by regional types of wine. At the same time, several initiatives would support the creation of regional brands, along with export regulations.

In the case of the Alto Douro, the death of the vineyards on the Cima Corgo led to the increment of production in the Baixo Corgo and the progression of the vineyard to the Douro Superior, due to external demand and assisted by the construction of the railroad.

In 1872, in a free-trade policy framework for the Portwine sector, the phylloxera had already spread throughout the Douro region. The central government tried to take action, namely by nominating a study committee. The first solutions to combat the plague in the Alto Douro date back to 1876, using carbon sulfide and the plantation of vineyards with American rooted cuttings. By this time, many *quintas* (estates) were on sale, and the crisis had settled in the sector, motivated by the abrupt decline in production quantities and by the traders growing use of wines from outside the Douro Demarcated Region as a consequence of the establishment of the freedom of trade regime in 1865, which facilitated the proliferation of fraud and falsifications.

The opposition of interests between the Douro wine growers and the Port traders as well as wine growers from other Portuguese wine-growing regions, in the short term led to successive claims for the restoration of the protectionist regime in the wine sector, particularly concerning the Douro Region.

Through the press, several personalities demanded, in presentations to the *Cortes* or in rallies, the legal recognition of the regional brand, i.e., the use of the designation of origin Port exclusively for wines produced in the Alto Douro. During the crisis, by guaranteeing the genuineness of the product, the regional brand was perceived as a way of economic recovery.

At first, the central government responded to the claims by approving the commerce and industry Trade Marks Act of 4 June 1883, which aimed to ensure fair competition in commercial transactions.

The factory and trademarks emerged in the context of industrial property law and following the signing of the Paris Convention on 20 March 1883, where the conflict of interest and the weight of the commercial and exporting sector lobby were also felt, obviously opposing to any provision contrary to commercial practices.²

The said Law of 4 June 1883 established that it was unlawful to indicate on the mark of a product, the name of a country or a region where it had not been produced. And, in the specific case of wines, it was required, in addition to the name of the producing country or region, the name of the estate or the parish where it was located.

In 1885, at a time of crisis in the sector, the *Comissão de Defesa do Douro* (the Committee for Douro Defense) would initiate a movement in favour of the historical brand of Douro wines, placing it as the order of the day in parliamentary debates. Various institutional initiatives would be by then developed, also involving the municipalities. The Douro elites would demand the

2 The Paris Convention does not directly protect the designations of origin, considering them as generic designations and equating them with the indications of provenance. Article 10 simply prohibits false indications of provenance, if they are accompanied by a fictitious tradename.

regulation of the Law of 4 June 1883 in such a way that the guarantee “to the producing localities” provided for in that provision, would have practical implementation. There was an emphasis in the need to prevent the usurpation of the designation of origin by applying regional brands to all wines and the demarcation of the respective producing regions.

At the time when “the question of the brand became the center of the discussions” (Sequeira, 2011: 152), the Madrid agreement was emerging.

Signed on 14 April 1891, this agreement was the first important step towards the recognition of the designations of origin as an autonomous entity from a legal standpoint, proposing the suppression of false or fallacious indications of provenance (Almeida, 1999: 155). Article 4 referred to the provenance of wine products, establishing that the Indication of Origin given by the geographical name of the country or region of production could never be transformed into a generic denomination of a type of wine. In the Douro Wine Region, the Madrid agreement was regarded as an instrument for defending the regional brand, because it was understood that the application of the geographical name to agricultural products would designate a product that could not be obtained except in that place, requiring the transposition of this interpretation to the Portuguese legislation.

This issue would become increasingly urgent, with a clear duality of criteria and concepts. The core was the difference between agricultural product and industrial product, between regional brand and trademark.

On one hand, the export sector, represented by the *Associação Comercial do Porto* (Porto Trade Association), appropriating the mark in its identification with the designation of origin, argued that they owned it, denying any right to the production sector. According to the *Associação Comercial do Porto*, brand was not only the label, the name of the manufacturer, and the insignia, but also the practice of producing wine by blending stocks from various provenances, “a practice long followed in winemaking by Port traders” (Sequeira, 2011: 138). On the other hand, the Douro wine makers who defended the Port brand was not the designation of a type of wine but a regional brand, as established in the Madrid agreement.

At the beginning of the 20th century, the Douro elites created a commission for the study of the law of regional brands, pointing towards diversification: Port wine brand for liqueur wines, and Douro virgin wine brand for consumption wines. However, only in 1907 some of the regional claims would prevail, through the publication of the decree of 10 May, which would allow the “final legislative identification of the name Port wine with the fortified wines produced in Douro, thus becoming their protected designation of origin” (Moreira, 1998: 244).

The quintas of Bomfim, Zimbó and Senhora da Ribeira

Between 1865 and 1907, the regime of freedom of trade and the grape vine pests brought social crisis to the Douro region. The decrease of production and investment in the post-phylloxera reconversion resulted in indebtedness and misery. The properties devalued and the transfer of ownership accelerated.

It would be around this time that Silva & Cosens, a company established in 1798 by Bruno Evaristo Ferreira da Silva (a merchant from Porto who settled in London), would buy three emblematic *quintas* in the region. After several business and family partnerships, the company would become part of Symington in 1961, being considered as one of the most important and prestigious companies in the group.

Quinta do Zimbro (Figure 2), located in the Cima Corgo region, was the first to be acquired, in 1887 (Mayson, 1999: 33),³ followed by Quinta da Senhora da Ribeira (Figure 3), located in the Douro Superior region, in 1890 (Mayson, 1998). Located in the heart of Cima Corgo and considered to be “the origin of the best Portwines” (Pereira and Almeida, 1999: 148), Quinta do Bomfim (Figure 4) would be bought in 1896. Originally known as Quinta do Vale Bem Feito, according to Manuel Monteiro “the wine product obtained in it is, undoubtedly, superfine” (Monteiro, 1998: 80). Confirming this assertion, Quinta do Bomfim was recently distinguished as one of the best vineyards in the world, under the World’s Best Vineyards 2019 award.⁴

Figure 2. Quinta do Zimbro. Photo by Emilio Biel, c. 1910

Figura 2. Quinta do Zimbro. Foto de Emilio Biel, c. 1910



Source/fuente: Monteiro, 1998: 79.

3 In 1954, Symington family was forced to sell Quinta do Zimbro and Quinta da Senhora da Ribeira in order to ensure economic survival in those very difficult years that followed Second World War. In 1998, Senhora da Ribeira would return to the family’s possession.

4 “Quinta do Bomfim is the birthplace of two of the 21st century most famous Ports: Dow’s 2007 Vintage Port, the only Vintage Port made this century to have been awarded a perfect 100 Points by the *Wine Spectator*, as well as Dow’s 2011 Vintage Port which was nominated the nº 1 Wine in the World by the same publication”. In <<https://www.worldsbestvineyards.com/quinta-do-bomfim/>> (accessed on 16/06/2020).

Figure 3. Quinta da Senhora da Ribeira. Photo by Emilio Biel, c. 1910*Figura 3. Quinta da Senhora da Ribeira. Foto de Emilio Biel, c. 1910*

Source/fuente: Monteiro, 1998: 78.

Figure 4. Quinta do Bomfim, early 20th century*Figura 4. Quinta do Bomfim, inicios del siglo XX*

Source/fuente: Symington Family Archives.

These three estates had been affected by phylloxera and, after the purchase, they were replanted with the use of American vine grafting in the “most prestigious Douro grape varieties” (Monteiro, 1998: 80).

At the end of the 18th century, 67 grape varieties were identified in the Lamego area (38 red and 29 white). In view of such a large number of varieties “and traditionally not making any distinction between them in the vineyards, only little by little those that experience proved having better quality were valued” (Pereira, 1991: 85) as well as “those best adapted to the production of Portwine” (Pereira, 1991: 83 and 85), “according to the types of land and wines” (Pereira, 1991: 85) to be produced.

The prohibition of mixing white and red grapes, imposed by the Companhia, and the “growing commercial dependence of fortified Douro wines on the English market”, with a preference for strong wines with a “loaded color”, led to the conversion of vineyards by Douro wine growers, “selecting the grape varieties that best guaranteed wines with those characteristics”. Until the

beginning of the 19th century, there would be a “progressive devaluation of white wines, which occupied a prominent place in traditional Douro viticulture” (Pereira, 2010a: 145-146).

In the middle of the third quarter of the 19th century, there were about twenty main grape varieties in each blend of Alto Douro wines, such as the varieties *alvarelhão tinta*, *bastardo*, *casculho*, *cornifesto* (one of the good grape varieties of the Douro, quite common in the Cima Corgo and Douro Superior, and resistant to powdery mildew), the *mourisco tinta*, the *moreto* (predominant in the Alentejo but also much appreciated in the Alto Douro), the *sousão*, the *tinta amarela*, *tinta carvalha*, and *tinta Francisca* or *francesa*, the *tinta lameira*, the *rufete*, the *tinto cão* (one of the most ancient varieties in the Alto Douro; although having low yields, it’s appreciated for giving body and colour to wines) and the *touriga*; among the whites, the *codega* or *malvasia grossa*, the *diagonalves*, the *gouveio* or *verdelho*, the *malvasia*, and the *moscatel*.

The most reputed was the *touriga*, “considered very similar to the ‘cabernet’, the great variety of the Haut Médoc”, followed by the *mourisco tinta* “named *uva-rei* (king-grape) by the Trás-os-Montes inhabitants”. The *tinta Francisca*, cultivated in the main estates of Cima Corgo, was equally appreciated and “considered to be similar to ‘pinot noir’ from the Côte d’Or”. The *sousão*, “the only remaining grape variety from Alto Douro that deserves a special reference”, was introduced in the early 18th century. Forgotten by many wine growers of Douro, this variety has been planted in several *quintas* owned by Symington in recent years, like Senhora da Ribeira and Bomfim (Pereira, 1947: 60-63).

According to the archives of Silva & Cosens, the three *quintas* were replanted using *vitis* from North America that was especially suitable for the development of resistant rootstocks, highlighting the varieties *aramon rupestris*, *rupestris monticola*, *riparia rupestris*, and *riparia gloria*.

In 1910, the *tinta Francisca*, *tinta amarela*, *casculho*, *cornifesto* and *moreto* varieties were planted in the *quintas* of Senhora da Ribeira, Bomfim and Zimbro. At the beginning of the 1920’s, the varieties were the same, apart from *casculho* that was replaced by *rufete* (a red variety, also known as *tinta pinheira*), and the addition of *codega* (widely cultivated in the Cima Corgo).

Nowadays, the predominant grape varieties in the Symington *quintas* are *sousão*, *touriga nacional*, *touriga franca*, *tinta barroca*, *tinta roriz*, *Alicante bouschet*, *tinta amarela*, and *tinto cão*.

The marks of Silva & Cosens: brands, labels and firemarks

In the early 20th century, Silva & Cosens was considered the “most respectable and strong” company in the Douro wine trade (Monteiro, 1998: 77-78). In addition to its own production from the *quintas* of Bomfim, Senhora da Ribeira and Zimbro, it would also buy grapes “in all areas of the Douro Wine country to complete and readily be able to satisfy any and all orders” (Monteiro, 1998: 77-78).

In 1877, Silva & Cosens merged with Dow, a company established in 1798 by Samuel Weaver, a British subject. In the 19th century, Dow goes by the name of Weaver, Dow & Co., after the marriage of James Dow with Phoebe Carrier, niece of Samuel Weaver; after his death, the firm went on as Dow & Co.

Dow & Co. was highly considered due to the quality of its *Ports* and, after the merger of the two companies, Silva & Cosens kept the Dow's trademark due to its strategic importance. At that time, the Dow's brand wines were already produced with grapes from the three *quintas* (Senhora da Ribeira, Bomfim and Zimbrow).

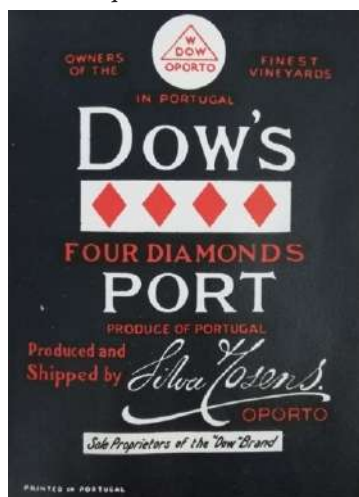
The brand, as a distinctive mark for goods placed on the market, is an asset of the company, "is something that provides an entity to the product and adds value to it, making it differentiated" (Aguiar and Lopes, 2000: 125); therefore, it is natural to invest in its valuation and empowerment.

Between 1883 and 1900, no brands were registered by Silva & Cosens (Pereira and Cruz, 2017: 417). The first known registration dates from 1912, being related to the "Zimbrow" brand (nowadays owned by a third party).

Labels

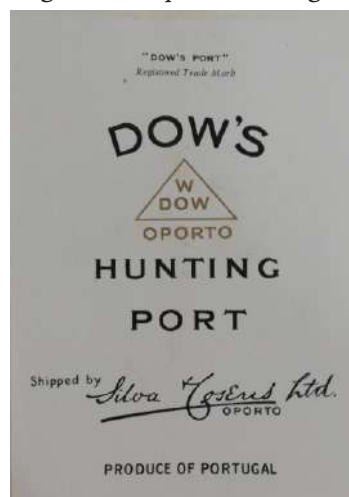
In the wine sector, one of the visible faces of the trademark is the label, with characteristic symbols and expressions (Guichard, 1997: 151-152) "that will identify it in the consumer's memory. The label is therefore of paramount importance in the identification and communication of wine" (Borges, 2014: 135). The first concern is to associate the brand with the name of the company, as it is noticeable in the Dow's Four Diamonds label (Figure 5). On the other hand, there is also a clear concern in the prevention of fraud, by indicating that it is a registered trademark (e.g. Hunting Port label), and the fact that the company is the sole owner of the brand (e.g. Four Diamonds label) (Figure 6) proving the distinctive and guaranteed function of a single and constant source of origin of the products, conferred to the brand by the first laws of the 19th century.

Figure 5. Four Diamonds Port label
Figura 5. Etiqueta Four Diamonds Port



Source/fuente: Symington
Family Archives.

Figure 6. Hunting Port label
Figura 6. Etiqueta Hunting Port



Source/fuente: Symington
Family Archives.

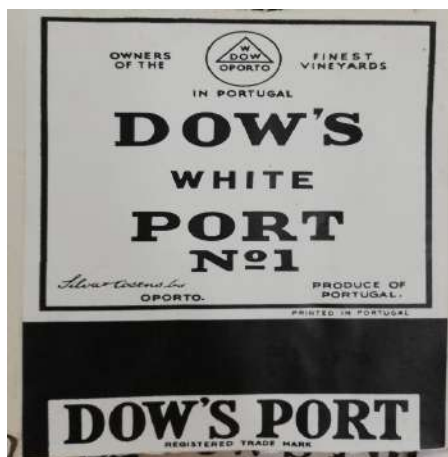
Silva & Cosens labels show the symbol of the company in the foreground, which has evolved over time: the motto “owners of the finest vineyards in Portugal” or the reference to King George V, the emblem “W Dow Oporto” alternating with the mention “Silva & Cosens”, in full or in initials (e.g: the labels Silva & Cosens Specially Selected Old Port Wine and Dow’s White Port nº 1; also Dow’s 1940 Vintage Port) (Figure 7).

Figure 7. Silva & Cosens Specially Selected Old Port Wine label
Figura 7. Etiqueta Silva & Cosens Specially Selected Old Port Wine



Source/fuente: Symington Family Archives.

Figure 8. Dow’s White Port nº 1 label
Figura 8. Etiqueta Dow’s White Port nº 1



Source/fuente: Symington Family Archives.

Along side the designation of the type of wine (Port, tawny, etc.), some labels also present elements of distinction such as commemorative medals of exhibitions (for instance, from the Universal Exhibition of Paris of 1878) (Figure 9).

Figure 9. Medal label
Figura 9. Etiqueta con medallas



Source/fuente: Symington Family Archives.

Other labels, some of simple composition, qualify the type of wine (“royal dry” or “extra dry”, for instance), adding the “indication of the harvest date, highlighting the years of exceptional quality and others, which have consecrated vintages or famous novelty wines” (Pereira and Cruz, 2018: 423). For instance, Dow’s Extra Dry White, Dow’s 1935 Vintage Port Matured in Cask, or even the Dow’s 1940 Vintage Port (Figure 10), with reference to King George V.

Figure 10. Dow’s 1940 Vintage Port label
Figura 10. Etiqueta Dow’s 1940 Vintage Port

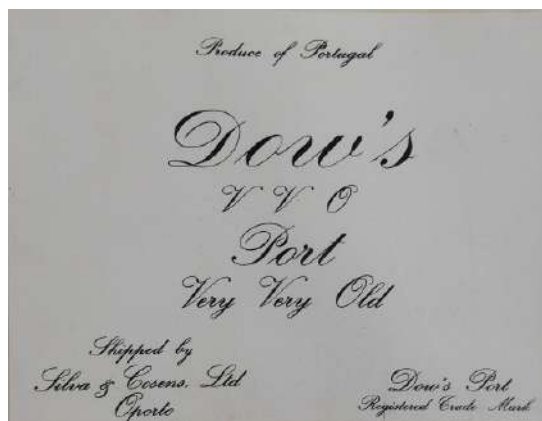


Source/fuente: Symington Family Archives.

Sometimes, in addition to the harvest date, the label also indicates the bottling year (e.g. the labels Dow's Port 1929 Bottled 1932 and Dow's 1945 Vintage Port Late Bottled 1949).

Finally, quality expressions and seniority are also used, such as "old tawny" (Dow's label) Dow's Very Very Old (label with initials V.V.O.) (Figure 11), or Fine old Port (Figure 12) with subtypes tawny, white and ruby (S&C Rio Douro label).

Figure 11. Dow's Very Very Old Port label
Figura 11. Etiqueta Dow's Very Very Old Port



Source/fuente: Symington Family Archives.

Figure 12. Fine Old Port label, with subtypes
Figura 12. Etiqueta Fine Old Port, con categorías especiales



Source/fuente: Symington Family Archives.

Some labels may also present a simple mention or images related to the region of origin of the wines. In the first case, we have the Medal label, with the mention “Alto Douro” (Figure 9).

In the second case, the association with the producing region is done through the photographic representation of the Douro river (Figure 13), from the design of a typical *rabelo* boat inside a chalice (Figure 14) or the photograph of a *rabelo* boat loaded with wine barrels, accompanied by the caption “boat loading”.

Figure 13. River Douro brand label
Figura 13. Etiqueta de la marca River Douro

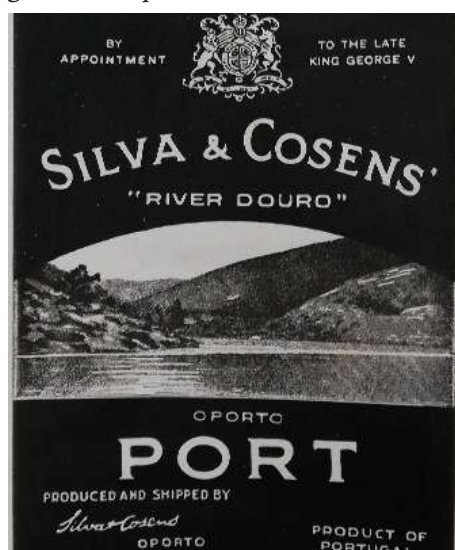
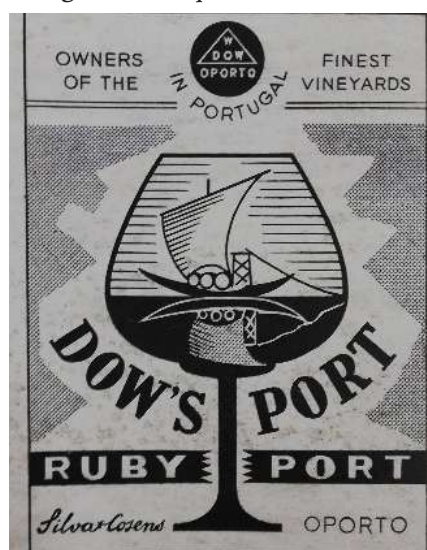


Figure 14. Dow's Port label
Figura 14. Etiqueta de Dow's Port

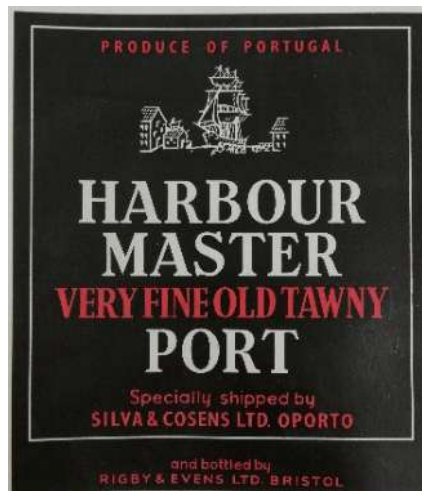


Source/fuente: Symington Family Archives.

When the wine was destined for foreign markets, the labels could present other types of images. Thus, the wine sent to the firm Rigby & Evens Ltd. (an importer of wines and distilled beverages located in Bristol), was labelled with the brand Harbour Master Very Fine Old Tawny Port, surmounted by the image of a port featuring a vessel (Figure 15).

Figura 15. Etiqueta de marca Harbour Master

Figure 15. Harbour Master brand label



Source/fuente: Symington Family Archives.

On the other hand, on labels intended for resellers there is a concern to highlight the identity between the company name and the trademark; the name of Silva & Cosens emerges prominently, like, for example, for the Marvel Père et Fils Vins Fins, from Belgium, on the labels intended for the company James Deuchar Ltd. (beer and wine and spirits merchants, based in Newcastle), or for the Wine Shop Bristol (Copenhagen).

Figure 16. Label intended for the company James Deuchar Ltd.

Figura 16. Etiqueta destinada a la empresa James Deuchar Ltd.



Source/fuente: Symington Family Archives.

Fire marks

In addition to the trademark, or the factory and trade marks, consideration must be given to fire marks (also called quality or batch marks), prior to the first but perpetuating over time.

The *Companhia Geral da Agricultura das Vinhas do Alto Douro*, a corporation created with the demarcation of 1756 for approval and control of the type, quality, transport and trade of Douro wine, imposed the generalization of the use of fire marks. These marks identify the “lot” or “number”, the quality (type/graduation of the wine), the year of production (Figure 17), the producer and sometimes the grape variety. So, these marks include elements of the designation of origin, such as the geographical indication of the production of wine, expressed in the mention to the *quinta*, as established in the trademark legislation of the last quarter of the 19th century. The reference to the name of the producer/*quinta* was made in several ways: by initials (Z, SR, BF) or by place (Tua 1907, when referring to Quinta do Zimbros) (Figure 18).

Figure 17. Fire marks of Silva & Cosens
Figura 17. Marcas de fogo de Silva & Cosens

VINHOS PRODUZIDOS NO ZIMBROS, 1906-1909

1906-1909

111

Quinta	Lotes	Anos	Graus	Litros	Preço	Total
Richm	357	101	2
Richm	359	101	2
Zimbros	331	101	2
Zimbros	333	101	2
Zimbros	335	101	2
Zimbros	337	101	2
Zimbros	339	101	2
Zimbros	341	101	2
Zimbros	343	101	2
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Zimbros	493	101	2
Zimbros	495	101	2
Zimbros	497	101	2
Zimbros	499	101	2
Zimbros	501	101	2
Zimbros	503	101	2
Zimbros	505	101	2
Zimbros	507	101	2
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Zimbros	511	101	2
Zimbros	513	101	2
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Zimbros	517	101	2
Zimbros	519	101	2
Zimbros	521	101	2
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Zimbros	527	101	2
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Zimbros	535	101	2
Zimbros	537	101	2
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Zimbros	547	101	2
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Zimbros	555	101	2
Zimbros	557	101	2
Zimbros	559	101	2
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Zimbros	563	101	2
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Zimbros	567	101	2
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Zimbros	571	101	2
Zimbros	573	101	2
Zimbros	575	101	2
Zimbros	577	101	2
Zimbros	579	101	2
Zimbros	581	101	2
Zimbros	583	101	2
Zimbros	585	101	2
Zimbros	587	101	2
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Zimbros	593	101	2
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Zimbros	597	101	2
Zimbros	599	101	2
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Zimbros	617	101	2
Zimbros	619	101	2
Zimbros	621	101	2
Zimbros	623	101	2
Zimbros	625	101	2
Zimbros	627	101	2
Zimbros	629	101	2
Zimbros	631	101	2
Zimbros	633	101	2
Zimbros	635	101	2
Zimbros	637	101	2
Zimbros	639	101	2
Zimbros	641	101	2
Zimbros	643	101	2
Zimbros	645	101	2
Zimbros	647	101	2
Zimbros	649	101	2
Zimbros	651	101	2
Zimbros	653	101	2
Zimbros	655	101	2
Zimbros	657	101	2
Zimbros	659	101	2
Zimbros	661	101	2
Zimbros	663	101	2
Zimbros	665	101	2
Zimbros	667	101	2
Zimbros	669	101	2
Zimbros	671	101	2
Zimbros	673	101	2
Zimbros	675	101	2
Zimbros	677	101	2
Zimbros	679	101	2
Zimbros	681	101	2
Zimbros	683	101	2
Zimbros	685	101	2
Zimbros	687	101	2
Zimbros	689	101	2
Zimbros	691	101	2
Zimbros	693	101	2
Zimbros	695	101	2
Zimbros	697	101	2
Zimbros	699	101	2
Zimbros	701	101	2
Zimbros	703	101	2
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Zimbros	709	101	2
Zimbros	711	101	2
Zimbros	713	101	2
Zimbros	715	101	2
Zimbros	717	101	2
Zimbros	719	101	2
Zimbros	721	101	2
Zimbros	723	101	2
Zimbros	725	101	2
Zimbros	727	101	2
Zimbros	729	101	2
Zimbros	731	101	2
Zimbros	733	101	2
Zimbros	735	101	2
Zimbros	737	101	2
Zimbros	739	101	2
Zimbros	741	101	2
Zimbros	743	101	2
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Zimbros	751	101	2
Zimbros	753	101	2
Zimbros	755	101	2
Zimbros	757	101	2
Zimbros	759	101	2
Zimbros	761	101	2
Zimbros	763	101	2
Zimbros	765	101	2
Zimbros	767	101	2
Zimbros	769	101	2
Zimbros	771	101	2
Zimbros	773	101	2
Zimbros	775	101	2
Zimbros	777	101	2
Zimbros	779	101	2
Zimbros	781	101	2
Zimbros	783	101	2
Zimbros	785	101	2
Zimbros	787	101	2
Zimbros	789	101	2
Zimbros	791	101	2
Zimbros	793	101	2
Zimbros	795	101	2
Zimbros	797	101	2
Zimbros	799	101	2
Zimbros	801	101	2
Zimbros	803	101	2
Zimbros	805	101	2
Zimbros	807	101	2
Zimbros	809	101	2
Zimbros	811	101	2
Zimbros	813	101	2
Zimbros	815	101	2
Zimbros	817	101	2
Zimbros	819	101	2
Zimbros	821	101	2
Zimbros	823	101	2
Zimbros	825	101	2
Zimbros	827	101	2
Zimbros	829	101	2
Zimbros	831	101	2
Zimbros	833	101	2			

Figure 18. Fire marks of Silva & Cosens

Figura 18. Marcas de fuego de Silva & Cosens

[illegible]

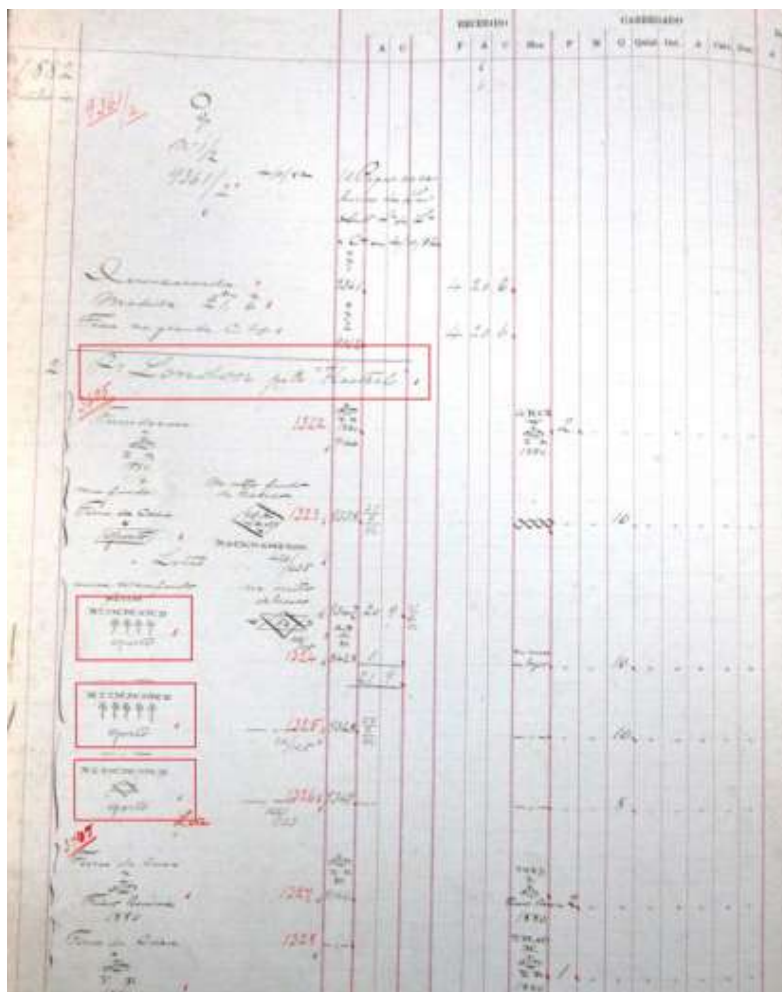
Source/fuente: Symington Family Archives. Copiador de correspondência da firma Silva & Cosens (1906-1909), fl. 369.

Figure 19. Fire marks of Silva & Cosens

Figura 19. Marcas de fuego de Silva & Cosens

Lotes no Ouro (24. Abril de 1911)									
Proven	Alta	Marca	Enche	Prova	Enche	Prova	Enche	Prova	Enche
Simão	579	14568	2.6	C	31	4			
"	580	15745	2.5	A	0.3	2			
"	581	6278	1.8	B	0.3	2			
"	582	5379	1.0	A	1.5	4			
"	583	11252	0.0	F	1.5	4			
"	585	31240	6.0	L	1	6			
"	594	37474	7.0	AC	19.8	4			
"	597	41470	11.0	B	15.0	4			
"	598	26400	0.8	F	1	6			
"	600	15130	2.0	B	0.0	6			
Juiz de	600	15130	2.0	B	0.0	6			
"	605	33287	4.0	F	19	6			
"	584	15311	5.0	A	0.6	5			
"	599	30429	7.0	F	19.5	6			
Lauro	181	9569	1.7	C	0.3	4			
"	599	88976	3.0	B	0.2	4			
"	595	18910	4.5	D	0.2	5			
"	598	7618	1.0	B	0.0	3			
"	593	19956	3.6	F	0.6	5			
"	574	15100	2.6	A	0.0	4			
Paulo	560	15172	0.5	B	0.0	3			
"	567	18675	2.5	B	0.4	5			
Juiz de	594	11014	2.1	B	0.6	4			
Henrique		70381	7.0						
Costa		680							

Source/Fuente: Symington Family Archives. Copiador de correspondência da firma Silva & Cosens (1908-1919), fl. 421.

Figure 20. Fire marks of Silva & Cosens*Figura 20. Marcas de fogo de Silva & Cosens*

Source/fuente: Symington Family Archives. Livro de lotes 1882, fl. 59.

The demarcation of 1756 enabled the consolidation of a regional brand of national importance that influenced trademarks. So, fire marks already present some of the signs and elements that later will be visible on labels. For example, the year of wine production, “its ageing in cask” (Pereira and Cruz, 2017: 423), through the mention *Reserva* (Figure 21), and the type, indicated by initials — CMO,⁵ TB,⁶ P Cognac,⁷ Z RSD⁸ (Figure 17), VT Dry 1929 (Figure 21) — or by symbols (Grant & Carlos) (Figure 22).

5 Meaning “consumption”.

6 Meaning “brandy”.

7 In the book margin, handwritten, the note “spirit of wine” (Symington Family Archives. Copiador de correspondência da firma Silva & Cosens (1906-1909), fl. 111).

8 Meaning *Reserva Doce* (Sweet Reserve).

In the decade of 1930, the marks in the *livros de lotações* (lot books) also mention the grape variety (Figure 23). As an example, SR VT Mourisco 1929, in this case indicating the production of a monovarietal wine.

Figure 21. Fire marks of Silva & Cosens
Figura 21. Marcas de fogo de Silva & Cosens

Rebato 34 de Março de 1930
Lista de vinhos existentes no Douro

Idioma	Id	Marcas de Lotes	Lotes	Observações
Bomfim	1119	37	550	vinho de 1929
"	1119	37	550	"
"	1119	37	550	"
Kuadro	1120	37	550	"
do da Ribeira	1121	37	550	"
Kuadro	1122	37	550	"
Bomfim	1123	37	550	"
"	1124	37	550	"
"	1125	37	550	"
"	1126	37	550	"
"	1127	37	550	"
"	1128	37	550	"
"	1129	37	550	"
"	1130	37	550	"
"	1131	37	550	"
"	1132	37	550	"
"	1133	37	550	"
"	1134	37	550	"
"	1135	37	550	"
"	1136	37	550	"
"	1137	37	550	"
"	1138	37	550	"
"	1139	37	550	"
"	1140	37	550	"
"	1141	37	550	"
"	1142	37	550	"
"	1143	37	550	"
"	1144	37	550	"
"	1145	37	550	"
"	1146	37	550	"
"	1147	37	550	"
"	1148	37	550	"
"	1149	37	550	"
"	1150	37	550	"
"	1151	37	550	"
"	1152	37	550	"
"	1153	37	550	"
"	1154	37	550	"
"	1155	37	550	"
"	1156	37	550	"
"	1157	37	550	"
"	1158	37	550	"
"	1159	37	550	"
"	1160	37	550	"
"	1161	37	550	"
"	1162	37	550	"
"	1163	37	550	"
"	1164	37	550	"
"	1165	37	550	"
"	1166	37	550	"
"	1167	37	550	"
"	1168	37	550	"
"	1169	37	550	"
"	1170	37	550	"
"	1171	37	550	"
"	1172	37	550	"
"	1173	37	550	"
"	1174	37	550	"
"	1175	37	550	"
"	1176	37	550	"
"	1177	37	550	"
"	1178	37	550	"
"	1179	37	550	"
"	1180	37	550	"
"	1181	37	550	"
"	1182	37	550	"
"	1183	37	550	"
"	1184	37	550	"
"	1185	37	550	"
"	1186	37	550	"
"	1187	37	550	"
"	1188	37	550	"
"	1189	37	550	"
"	1190	37	550	"
"	1191	37	550	"
"	1192	37	550	"
"	1193	37	550	"
"	1194	37	550	"
"	1195	37	550	"
"	1196	37	550	"
"	1197	37	550	"
"	1198	37	550	"
"	1199	37	550	"
"	1200	37	550	"

Source/fuente: Symington Family
Archives, Quinta da Senhora da
Ribeira (1886-1914).

Figure 22. Fire marks of Silva & Cosens
Figura 22. Marcas de fogo de Silva & Cosens

Idioma	Id	Marcas de Lotes	Lotes	Observações
Bomfim	1119	37	550	vinho de 1929
"	1119	37	550	"
"	1119	37	550	"
Kuadro	1120	37	550	"
do da Ribeira	1121	37	550	"
Kuadro	1122	37	550	"
Bomfim	1123	37	550	"
"	1124	37	550	"
"	1125	37	550	"
"	1126	37	550	"
"	1127	37	550	"
"	1128	37	550	"
"	1129	37	550	"
"	1130	37	550	"
"	1131	37	550	"
"	1132	37	550	"
"	1133	37	550	"
"	1134	37	550	"
"	1135	37	550	"
"	1136	37	550	"
"	1137	37	550	"
"	1138	37	550	"
"	1139	37	550	"
"	1140	37	550	"
"	1141	37	550	"
"	1142	37	550	"
"	1143	37	550	"
"	1144	37	550	"
"	1145	37	550	"
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"	1155	37	550	"
"	1156	37	550	"
"	1157	37	550	"
"	1158	37	550	"
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"	1163	37	550	"
"	1164	37	550	"
"	1165	37	550	"
"	1166	37	550	"
"	1167	37	550	"
"	1168	37	550	"
"	1169	37	550	"
"	1170	37	550	"
"	1171	37	550	"
"	1172	37	550	"
"	1173	37	550	"
"	1174	37	550	"
"	1175	37	550	"
"	1176	37	550	"
"	1177	37	550	"
"	1178	37	550	"
"	1179	37	550	"
"	1180	37	550	"
"	1181	37	550	"
"	1182	37	550	"
"	1183	37	550	"
"	1184	37	550	"
"	1185	37	550	"
"	1186	37	550	"
"	1187	37	550	"
"	1188	37	550	"
"	1189	37	550	"
"	1190	37	550	"
"	1191	37	550	"
"	1192	37	550	"
"	1193	37	550	"
"	1194	37	550	"
"	1195	37	550	"
"	1196	37	550	"
"	1197	37	550	"
"	1198	37	550	"
"	1199	37	550	"
"	1200	37	550	"

Source/fuente: Symington Family
Archives. Livro de lotes 1882, fl. 60.

Figure 23. Fire Marks of Silva & Cosens with indication of grape variety
Figura 23. Marcas de fogo de Silva & Cosens con indicación de variedad de uva

Vinha	Fazenda	Custos	Vendas	Saldo
<i>Quinta da Senhora da Ribeira</i>				
		<i>Transporte</i>		
1190	5.3	3.75	2.450	5.4
1191	5.3	3.75	2.450	5.4
1192	5.3	3.75	2.450	5.4
1193	5.3	3.75	2.450	5.4
1194	5.3	3.75	2.450	5.4
1204	5.3	3.75	2.450	5.4
1209	5.3	3.75	2.450	5.4
1210	5.3	3.75	2.450	5.4

Source/fuente: Symington Family Archives. Quinta da Senhora da Ribeira (1886-1914).

Conclusions

At the end of the 19th century, modern trademarks emerge after the creation of the legal framework for their protection and the birth of major commercial companies (Pereira and Cruz, 2017: 409-410).

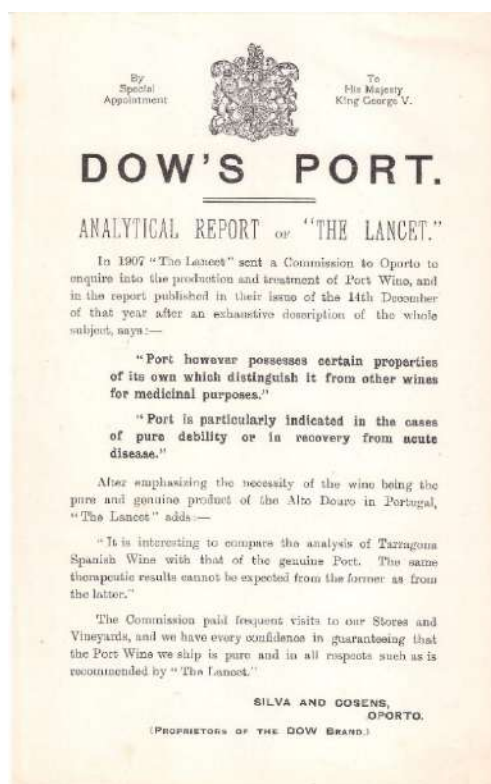
In the wine sector in Portugal, there was a strong adherence of companies to the registration of trademarks as a protection against the practices of “unfair competition and misuse of indications of false or fallacious provenance”, in a context of post-phylloxera reconversion, market instability and proliferation of imitations and falsifications (Pereira and Cruz, 2017: 411).

Moreover, “the prestige of the regional brand Porto was associated with the creation of trademarks by traders long before the brand laws”.⁹ Indeed, “Port wine is a remarkable example of the

⁹ “As marcas na história”. PPT presentation by Gaspar Martins Pereira at the CITCEM Research Workshop dedicated to the theme “Marks and Designations of Origin II”, in 03/05/2019.

international projection of a designation of origin, but always associated with a set of private brands, at least since the 17th century” (Dias, 2019: 155). In the context of the debate between the trademark and the regional brand, Silva & Cosens has shown a peculiar attitude, by identifying itself with the regional brand, that is, with the regional identity of Port wine, advertising, in an early stage, the production and sale of genuine Douro wines and their international recognition, as stated in the “analytical report” to the article published in December 1907 in *The Lancet Magazine*.

Figure 24. Analytical report to *The Lancet Magazine*
Figura 24. Informe analítico a The Lancet Magazine



Source/fuente: Symington Family Archives. Dossier sobre a Silva & Cosens e Porto Dow's (1864-1957).

It is therefore an exemplary case in the Port wine sector of the use of the brand as value production and the enhancement of the designation of origin in the context of the development of trademarks.

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RECIBIDO: 19/06/2020

VERSIÓN FINAL RECIBIDA: 07/07/2020

APROBADO: 25/07/2020