Available Online: 6 August 2026 DOI: 10.54254/2753-7080/2026.35990

Privatization of symbols and publicization of meaning: the communication paradox in brand symbol protection—the case of LV vs. MollyTea

Jiao Lin

School of Humanities and Journalism, Xiamen University Tan Kah Kee College, Zhangzhou, China

31686856@qq.com

Abstract. In July 2026, the trademark case by Louis Vuitton (LV) against MollyTea presented a classic communication paradox: while LV successfully defended its brand symbols legally, it faced collective pressure regarding the "symbolic meaning" of those symbols in the public sphere. The hashtag "MollyTea lost the lawsuit but won the hearts of the people", with a surge in consumer demand, constituted a public re-signifying of brand symbol ownership. This paper analyzes the case from brand symbol capital and co-creation of meaning theories. The study found that turning brand symbols into IP elevates visual symbols from "tools of identification" to "symbolic capital", accompanied by the "privatization" of symbolic meaning; in practice, meaning is never unilaterally determined by the brand but co-created by brand, consumers, culture, and public discourse. In this incident, the public's experiential understanding of the four-leaf clover motif, nationalism as a sacred value, and the brand ethics demonstrated by "MollyTea" during an unforeseen crisis collectively contributed to Louis Vuitton winning legally but losing public opinion, thereby reconstructing the public's understanding of the meaning of the Louis Vuitton brand symbol and the significance of its IP protection. When a brand uses legal means to reinforce the private property rights of a symbol, if that symbol overlaps with public culture, it may trigger a "publicization" backlash from consumers regarding the symbol's meaning. The public redefines ownership through discourse and consumer behavior. This article offers recommendations from a communication perspective for global brands in symbolic rights protection.

Keywords: brand symbols, symbolic capital, meaning co-creation

1. Introduction

In June 2026, the first-instance verdict was handed down in the trademark infringement case filed by international luxury giant Louis Vuitton (LV) against the Chinese tea brand MollyTea. MollyTea lost the case and was ordered to pay 10.3 million yuan in damages. Interestingly, the legal victory did not win LV public support—the trending phrase "MollyTea lost the case but won the hearts of the people" appeared on Chinese social media. Instead, the incident generated a wave of positive public sentiment and a surge in purchases for MollyTea. Similarly, the lawsuit filed by "Yujian Xiaomian" against "Yujian Xiaomian" was ultimately withdrawn due to public pressure. Such incidents raise a core question: Why do brands, having defended their "ownership" of brand symbols at the legal level, lose the "right to meaning" of those symbols at the social and communicative levels?

From the perspective of brand communication studies, this phenomenon and issue hold profound theoretical significance. Within brand equity, the logo—or core symbol—serves as the cornerstone of a brand's visual identity system, shouldering the primary functions of identifying, differentiating, and promoting the brand. When a brand uses legal means to reinforce the exclusivity and uniqueness of its symbol, it is essentially asserting a "monopoly on meaning". However, when this label or symbol conflicts with the public's values, cultural identity, or collective sentiments, the public within a particular cultural sphere may use new media to build public opinion and engage in consumer actions to contest the symbol's meaning. Consequently, the "losing party" in the legal proceedings is redefined by the group and public opinion as "the inheritor and spokesperson of this group's culture", while, conversely, the "proactive rights defender" in the legal proceedings is portrayed as a "cultural plunderer".

This paper adopts the lawsuit filed by Louis Vuitton against MollyTea as a case study. Drawing upon theoretical frameworks including brand semiotics, it seeks to elucidate the underlying communication mechanisms through which brand symbol-based rights protection paradoxically precipitates a public opinion crisis. Specifically, it aims to answer, from a brand communication perspective, why Louis Vuitton became embroiled in such a crisis.

2. Theoretical framework

2.1. Brand symbols and symbolic capital

Brand symbols are a core component of a brand's visual identity system, serving the key functions of identifying, differentiating, and promoting the brand. According to brand equity theory, David A. Aaker categorizes brand equity into four major dimensions: brand awareness, brand associations, perceived quality, and brand loyalty; visual symbols serve as the core vehicles for brand awareness and brand associations [1]. The Customer-Based Brand Equity (CBBE) theory further states that brand knowledge consists of brand cognition and brand image, with brand image manifesting as memory nodes within associations; visual symbols typically constitute key "memory nodes" of a brand [2].

When a brand symbol serves as a "node" for establishing the brand's image in consumers' minds, and gains widespread recognition through continuous brand communication to the point of "self-sustained growth", it enters what is known as the "Intellectual Property (IP)-ization" stage—at this point, the symbol transcends the limitations of specific product categories to become an intangible asset that can be extended across categories, licensed independently, and used to develop derivative products. The brand Louis Vuitton, the focus of this article, exemplifies the IP transformation of brand symbols through its Monogram patterns—such as the LV initials, four-leaf clover, and diamond-shaped stars—each of which, on its own, enables products bearing the symbol to command a premium price. This "breadth of brand recognition" significantly enhances the brand's ability to create derivatives, opening up opportunities for new products and new sources of revenue growth.

From a sociological perspective, Pierre Bourdieu's concept of "symbolic capital" provides an important theoretical framework for understanding the social functions of brand symbols. Symbolic capital is an accumulation of prestige, recognition, or honor that enables its holder to exercise symbolic power within a social field [3]. Applying this concept to brands: the intellectual property protection of brand symbols means, first, that once a visual symbol becomes a form of "identification tool", it can serve as symbolic capital for a particular social group; second, IP-protected visual symbols further signify the product's origin and mark the consumer's social identity, cultural taste, and value stance. The deeper a brand's symbolic capital, the stronger its appeal to consumers on the symbolic level—and this appeal itself constitutes a form of "symbolic power". To protect its symbolic power during operations, a brand's privatization of symbols at the legal level serves as a key strategy.

2.2. The meaning transfer model

Since symbols carry meaning, who determines that meaning? Consumer culture theory offers profound theoretical insights on this matter. Grant McCracken points out that the meaning embodied by commodities is fluid, and this process of fluidity is influenced by various social actors, such as the designers, manufacturers, consumer groups, and individuals. In the Meaning Transfer Model, the starting point is sociocultural context, values, and historical traditions—that is, the cultural aspects of the world in which pepple live. Next, businesses use tools for meaning transfer—primarily advertising and the fashion system—to translate abstract cultural elements and infuse them into specific commodities. Through four rituals—possession, exchange, adornment, and disposal—the meaning is ultimately delivered to consumers [4]. This perspective overturns the traditional unidirectional notion that "brands create meaning", asserting that brands do not hold the final authority over the interpretation of symbolic meaning. It also reveals the socially constructed nature of brand meaning. The Meaning Transfer Model draws our attention to the structural and dynamic characteristics of consumer behavior that have not been sufficiently emphasized in the past.

The reason this model is suitable for analyzing the public controversy sparked by the Louis Vuitton vs. MollyTea case is that the essence of this dispute lies in cultural significance rather than merely a legal battle over the trademark itself. The model reveals how meaning is infused into a brand from the cultural sphere through advertising and the fashion system, and then internalized as meaning and identity through individual rituals; this provides a clear framework for analyzing the public's interpretation of brand meaning in this case.

3. Communication mechanisms that contradict the "privatization of symbols" and the "publicization of meaning"

3.1. Starting point: the use of brand symbols as intellectual property and the institutional maintenance of symbolic power

First, the motivation behind Louis Vuitton's filing of a trademark infringement lawsuit can be examined from the dual perspectives of brand equity and symbolic capital. According to Aaker's brand equity model, visual brand symbols—particularly logos and core patterns—constitute key elements of the brand identity system. They perform the essential functions of differentiating source, conveying associations, and generating premium value. Their cognitive salience (in both depth and breadth) directly affects the brand's extendibility and market competitiveness. Louis Vuitton's iconic motifs, such as the four-petal flower and diamond star, have undergone over a century of market sedimentation and cultural accumulation. They have transcended their mere identificatory role and achieved an "IP-based" status—that is, they have acquired a high degree of independent referentiality and associativity in consumers' minds, thereby endowing the brand with substantial potential for derivative development. In the process of brand identification becoming increasingly public and accessible, MollyTea's subsequent adoption of highly similar four-petal floral symbols directly approaches the most exclusive visual core of Louis Vuitton's brand equity. This may, to a certain extent, dilute the exclusivity of LV's rare symbols and potentially exert competitive pressure on its prospective extension categories. From this perspective, the trademark registration system, as a legal mechanism of procedural justice, functionally assumes the institutional role of ascertaining and confirming the ownership of symbolic property rights.

Furthermore, from the perspective of Bourdieu's theory of symbolic capital, disputes over brand symbols are essentially concerned with the confirmation and maintenance of the legitimate boundaries of symbolic power. Brand logos serve not only as instruments of proprietary privatization but also as carriers of symbolic order within consumer contexts; their legitimacy must be established through legal authorization. Louis Vuitton's litigation against other brands' use of similar symbols is, in essence, a means of reproducing its brand symbolic capital and reinforcing its legitimizing discourse. Accordingly, its legal actions are not merely commercial rights protection, but also an institutional countermeasure in response to potential challenges to its symbolic capital.

3.2. Root causes of the conflict: the overlap between brand symbols and public culture

Following the defeat of the "MollyTea" case, the Chinese public spontaneously began verifying images of four-leaf floral motifs similar to the LV logo, pointing out that patterns such as the persimmon-stalk motif from the Neolithic era and the Baoxiang floral pattern from the Tang Dynasty are all similar floral designs. Such motifs are ubiquitous in the daily lives of the Chinese people—found on the bricks and stones of rural homes, the window lattices of Suzhou gardens, and the wood carvings of traditional architecture, among other places [5]. This well-documented "evidence" has become a key basis for the public's questioning of the legitimacy of Louis Vuitton's attempt to privatize the four-leaf floral emblem. Feng Xiaoqing, a professor at China University of Political Science and Law, pointed out that Louis Vuitton's current public relations crisis reflects the tension and conflict between the brand's protection of private trademark rights and the public's preservation of cultural heritage [6].

From a brand communication perspective, the essence of this issue is that when a brand's core symbols overlap with public cultural symbols, the brand's reinforcement and protection of its symbolic power can be decoded by the public as an excessive monopolisation of public culture. Once such a decoding takes hold, it provides a basis for the public to generate new "meanings" through self-empowerment. In the specific case of Louis Vuitton's lawsuit against MollyTea, the public transcended the meaning originally intended by the brand—namely, "LV's logo is not to be copied"—and instead gave rise to a collective sentiment and meaning centred on the protection of public cultural heritage.

According to the theory of meaning transfer, every culture establishes its own unique classification criteria. The limitations of this worldview mean that interpretations and rules applicable in one cultural context may appear entirely inapplicable in another. A specific culture develops a unique, privileged system of terminology. Within this framework, individuals within that culture rarely encounter anything unfamiliar or difficult to understand [4]. Therefore, when analyzing the collective sentiment of the Chinese public toward MollyTea—an emerging domestic tea beverage brand—from this perspective, the customers must recognize that, against the backdrop of traditional Chinese cultural confidence and pride in domestic products becoming a cultural pursuit among young people, global luxury brands—in order to protect their symbolic power and compete against domestic "national trend" brands in their target markets—need to take consumers' collective sentiment and cultural values into account in advance.

3.3. Core mechanism: agenda resetting in the public sphere

In the preceding section, this study analyzed this case from two perspectives: the starting point of the incident—the institutionalized maintenance of Louis Vuitton's symbolic power—and the root cause of the conflict—the overlap between brand symbols and public symbols. In fact, the authors can see that the original intent behind the construction of Louis Vuitton's symbolic meaning runs counter to the new meaning that has emerged from this incident. So how did this shift occur? First, one of Louis Vuitton's core symbols—the "four-leaf flower"—is centered on the brand's narrative of travel and signifies the scenery encountered along the journey; After more than a century of commercial promotion, the four-leaf flower has become a lifestyle symbol sought after by luxury enthusiasts worldwide and enjoys high public recognition. Second, Louis Vuitton's lawsuit against "MollyTea" serves not only to institutionally safeguard its brand symbol rights at the legal level but also to convey a message through this legal action: the four-leaf flower belongs to Louis Vuitton.

However, as interpreted by the public, the meaning that emerged was that Louis Vuitton's forceful appropriation of public culture was unreasonable. In this process, the authors see that the four forms of meaning transmission included in the meaning transformation model do not fully account for all the pathways through which the public understands a brand's meaning and its behavior in a specific context. First, in terms of brand attributes, MollyTea is an emerging local tea brand, while Louis Vuitton is a century-old luxury brand. Against the backdrop of public and consumer psychology characterized by cultural and brand confidence, the confrontation between a powerful, established brand and a grassroots, youthful brand triggers the public's instinct to defend the underdog; Second, according to the Meaning Transfer Model, the starting point for meaning generation and transformation is sociocultural context, values, and historical traditions—that is, the cultural dimension of the world in which people live [4]. Both Louis Vuitton and MollyTea use four-leaf flower motifs in their trademarks; their prototypes and similar designs are relatively common in everyday life, leading the public to look beyond the logic of trademark law. By tracing the origins and dissemination of the four-leaf flower design through unofficial sources, it becomes clear that what plays a role in this transformation of meaning is precisely the starting point of meaning generation and transformation: the nationalist values aimed at safeguarding the country's cultural intellectual property. From the perspective of corporate public relations crises, following its court defeat, MollyTea faced a flood disaster in Guangxi, the source region of its raw materials. The company's decision to donate 1 million RMB to the disaster-stricken areas evoked positive emotional identification with the brand among the public, thereby significantly boosting brand favorability. During this process, a large number of users emerged on social media to show support for MollyTea and call for the purchase of its products; these users spontaneously gathered, giving rise to a "brand community" phenomenon. The essence of a brand community lies in the structured social network built among brand supporters, whose core characteristics include a shared collective consciousness, rituals and traditions, as well as an internalized sense of moral responsibility among members. It is important to emphasize that brand communities are not limited to existing consumer groups but rather consist of active participants in the brand's broader social construction process [7]. In other words, even individuals who were not originally consumers of MollyTea could instantly integrate into this community and become temporary members simply by identifying with the corporate social responsibility demonstrated by the brand.

In summary, in this incident, the public's experiential understanding of the four-leaf clover motif, nationalism as a sacred value, and the brand ethics demonstrated by MollyTea during an unforeseen crisis all combined to create a situation in which Louis Vuitton won the lawsuit but lost public opinion. This, in turn, reshaped the public's perception of the meaning of Louis Vuitton's brand symbols and the significance of the brand's efforts to protect its intellectual property rights.

3.4. Practical action: consumer support as a statement of meaning

As online public opinion intensified, a consumer craze swept through the real world, with people buying "MollyTea" to support domestic tea beverage brands. By lining up to purchase MollyTea, consumers formed a temporary "consumer tribe", using their consumption behavior as a marker of tribal identity and a statement of their stance. This phenomenon reveals a deeper pattern in brand communication and the generation of brand meaning: once the meaning of a brand symbol is recreated within the social media discourse, the act of purchasing—as a ritual through which meaning reaches consumers—is no longer anchored to the brand's original meaning. Purchasing MollyTea is no longer driven by a preference for the product or brand, nor by purchasing habits; rather, it has evolved into a new ritual for expressing support—specifically, expressing cultural autonomy through the consumption of the national tea beverage, MollyTea. These individuals, whose purchasing behavior stems from a sense of autonomy, exhibit certain characteristics of postmodern tribes: membership is temporary, and connections are forged through shared emotions and (re)appropriated symbols [8].

4. Conclusion

The LV v.s. MollyTea case reveals an emerging, profound pattern in the field of brand communication: in an era of growing cultural confidence and increasing consumer awareness of symbols, the legal protection of brand symbols is no longer merely a legal issue, but also a matter of communication. A brand may win "ownership" of a symbol in court, yet risk losing the "right to its meaning" in the public sphere. By integrating the theory of brand symbolic capital with the theory of co-creation of brand meaning, this paper reveals the inherent tension between the two—even if a brand achieves "symbolic privatization" at the legal level, there remains a risk of "meaning publicization" as a counterforce at the communication level—and explores the mechanisms underlying this communication paradox. Furthermore, this study expands the explanatory scope of the theory of co-creation of brand meaning. Traditionally, the theory of brand meaning co-creation has focused on the interaction of meaning between brands and consumers in "normal marketing contexts". This paper extends this theory to the non-conventional context of global brands competing against local brands, revealing how the public "defends" the meaning of the cultural symbols to which they belong through meaning reconstruction when local brands face crises.

In terms of practical insights, based on the above analysis, this paper offers the following strategic recommendations for transnational brands regarding the protection of their symbols: 1. Conduct a cultural background investigation prior to taking legal action. Before initiating legal proceedings, assess the degree of similarity between the brand's symbols and the public cultural elements of the host country. Develop forecasts and contingency plans for potential public opinion crises related to "public cultural monopoly". 2. Assess the social sensitivity of the timing of enforcement actions. Evaluate the target brand's domestic support base and public opinion influence, and treat existing or potentially triggered sentiments—such as nationalism or empathy for marginalized groups—as key variables to weigh and address in the symbol enforcement campaign. 3. Meaning management during the communication process of the rights protection campaign. Plan in advance and proactively construct a "legitimacy narrative" to shape the symbol's meaning—that is, systematically communicate the symbol's creative origins and historical context, while emphasizing respect for the culture of the country where the targeted brand is based, to avoid having legitimate rights protection efforts misconstrued as symbolic hegemony.

Finally, as a theory-driven case study, this paper focuses on using a theoretical framework to interpret the "privatization of brand symbols" and the counter-mechanism of "publicization of meaning" it triggers at the communication level, without fully incorporating empirical evidence to support these arguments. Future research could be deepened by incorporating empirical approaches, such as using quantitative content analysis to compare differences in the public opinion ecosystems across various social media platforms, or employing qualitative research methods to thoroughly characterize the processes by which stakeholders construct and reproduce meaning during such events.

References

[1] Aaker, D. A. (1991). *Managing brand equity: Capitalizing on the value of a brand name*. Free Press.

[2] Keller, K. L. (1993). Conceptualizing, measuring, and managing customer-based brand equity. *Journal of Marketing, 57*(1), 1–22.

[3] Bourdieu, P. (1984). *Distinction: A social critique of the judgement of taste*. Harvard University Press.

[4] McCracken, G. (1986). Culture and consumption: A theoretical account of the structure and movement of the cultural meaning of consumer goods. *Journal of Consumer Research, 13*(1), 71–84.

[5] Sina Finance. (2026, July 7). *Does Louis Vuitton's monogram design really originate from traditional Chinese patterns*?

[6] Southern Metropolis Daily. (2026, July 18). *Questioning the LV four-petal flower trademark case: Legitimate brand protection or monopolization of traditional motifs*?

[7] Muñiz, A. M., Jr., & O'Guinn, T. C. (2001). Brand community. *Journal of Consumer Research, 27*(4), 412–432.

[8] Cova, B., & Cova, V. (2002). Tribal marketing: The tribalisation of society and its impact on the conduct of marketing. *European Journal of Marketing, 36*(5/6), 595–620.