

ARABIC BRAND NAMES: TO TRANSLATE OR TRANSLITERATE?

By

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Abstract

The thesis examines the process of brand naming and brand translation, focusing on three models: Dubai, Sharjah and Saudi Arabia. In terms of brand naming and translation method, these three places illustrate different systems. Translation and transliteration are the two main methods used when transferring a brand from a source into a target language. Due to reasons that the thesis will highlight, the process of transliteration has become popular nowadays. The thesis investigates the efficiency of the two methods of translation and transliteration within the brand naming and marketing frame, and looks into the decision of whether to translate or transliterate, as well as the reasons behind why transliteration has become popular. The data were collected from different sources, mainly from yellow pages, telephone directories, on-the-ground business surveys and interviews. It is concluded that while transliteration seems to be the most applicable method due to its flexibility, time and effort saving, legal stipulation and translation difficulty, the impact of semantic loss for non-Arabic brand receivers is inevitable and will as a consequence affect the brand image.

Search Terms: translation studies, transliteration, Arabic brands, equivalence, eponymy.

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DEDICATION

To my father, Saud and Mohanad, may their souls rest in peace; to my beloved mother; to my one and only Mohammed; and to my soul sisters, Shaikha and Maitha. Thank you for being there.

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Chapter One: Introduction

No doubt, business activity has a big influence on what becomes the focus of the world. A country with large establishments and booming business enterprises exerts a powerful influence and is a focus of world attention. From ancient times, the Middle East has been a center of business activity due to its geographical location between East and West. Nowadays, the Middle East continues to exert this influence and is a major generator of new businesses. This chapter will initiate the discussion of the main issues of the thesis and sum up the main points tackled within the thesis.

A business, however, does not simply consist of a name and a way of trading goods. Business has evolved into a hierarchy of different sections, with each performing an important function, and with all sectors working together in order to establish one strong entity. Marketing can be viewed as the big umbrella that holds subdivisions together as in advertising, news releases, social networking etc. Language plays a big role in this chain. The ability to sell something is the ability to convince and persuade. Language is therefore a major factor in creating the much sought-after relationship between a consumer and a brand. A brand can be defined in its simplest forms as a type of product, made under a particular name. Brands exist everywhere around us; *Sony, Microsoft, Virgin, Honda, Dunkin Donuts...*etc. However, a brand is not just a logo, symbol, characters, spokespeople, jingles, slogan, packaging, concept, and selling points. It is much more than that. It represents a promise from a producer to his or her customers. A brand is a positive memorable association in the consumers' mind. The name of the brand is a business identity that distinguishes one business from another.

In the Arab world, many countries speak English as a second language. Therefore it is essential to create bilingual brand names for use in documentation, reference, signboards...etc. Therefore the translation of the brand name is inescapable. In this thesis, the models of Dubai, Sharjah and Saudi Arabia are examined in terms of how brand names are dealt with in the transfer from a source language into a target language.

Here, it becomes imperative to identify and define important methods of dealing with brand names and currently in use in the three areas under consideration. *Translation:*

the process of transferring texts (or words) from one language to another language. *Transliteration*: the transcription from one alphabet to another.

Although translation is usually the ultimate solution of transferring a text from one language to another, it is worth noting that a specific method of translation has recently been introduced to the Arabic market scene, namely transliteration.

As far as has been possible to determine, the criteria used in assessing transliterated brand names quality have never been previously studied. This thesis examines the standards and methods of transliterating brand names used in Dubai, Sharjah and Saudi Arabia to see how brands have been dealt with linguistically and as an attempt to initiate a trigger to more research into this crucial area of business translation. The main research questions are: When to transliterate and when to translate a brand name? Which procedure is more adequate? Is transliteration effective (why is “*Nakheel*” used as a brand name, and not “the palm trees”, for example?). The loss of semantic equivalence is unavoidable. Yet it is imperative that we address how this loss is affecting the brands transliterated. The thesis analyzes actual examples that show the effect of translation and transliteration on the brand receivers.

The thesis consists of four chapters. Chapter One is an introduction. Chapter Two reviews the research that has been done on the issue of transliteration, translation and brand names within Translation Studies. Chapter Three discusses the data collected, and explains the methodology employed in the analysis of a number of examples of translated and transliterated brand names. Chapter Four concludes the thesis by summing up the various arguments and by providing the findings of the study, along with a number of recommendations.

Chapter Two: Literature Review

2.1 Introduction

The notion of globalization is a reflection of the development in the world's communication (Jamseson & Miyoshi, 1998). From the dawn of history, people have been open to new cultures, countries, races...etc. through their travels for selling and buying goods and developing business. The Arab world has always been a center to the world and for the exchange goods and knowledge from other parts of the world. This chapter reviews the literature dealing with branding and marketing as a set, and with translation and transliteration as another set, in order to draw some sensible conclusions on their relationship, and to determine the effect of each set on the other and eventually on consumers.

Business organizations have evolved now into something far more complex than just the routines of selling and buying goods. Nowadays, having a good business requires having good and well-organized sub-divisions that are subsumed by the business: marketing, advertising, public relations, and branding. Each of these divisions has the power to influence a business and together they have a major influence on industrial and financial growth.

The Middle East has witnessed significant growth on the level of brand creation and marketing. If we take Dubai as an example, the city has become a major attraction to the world's businessmen, international firms and multinational organizations. This encouraged small to large-scale businesses to be established in the city. Dubai was founded essentially to be the international hub for all different kinds of business. This concept, as a result, changes everything an Arabic brand could aim for. It means a diverse audience, different types of marketing ideas, different campaigns for advertising and a wider range of business targets.

As language in general plays a big role in the daily processes of marketing and business, it comes as no surprise that the English language is the most common second language used in the Middle East. English is taught in schools as a compulsory subject around the Gulf peninsula. Therefore the coexistence of Arabic and English is a fact of life in the Gulf, exercising a considerable influence on all aspects of business.

2.2 Brands: definition and purpose

In the past, the term '*brand*' had a simple meaning and did not include many of the brand elements that are used today. Anything could be a brand. *Pepsi*, *American University of Sharjah*, *Obama*, *MBC*, *United Arab Emirates* can all be brands. But what the term 'brand' stands for is far more complex than just a name. In the simplest definition, a brand is "the name, associated with one or more items in the product line, which is used to identify the source of character of the item(s)." (Kotler, 2003, p. 396)

Nowadays, it is not only the name that makes up a brand but also the logo, symbol, characters, spokespeople, jingles, slogan, packaging, concept, selling points...etc. Likewise, the purpose of a brand has changed. In the past, a brand was simply needed for identification purposes. Nowadays, a brand is a symbol of "promise". Through branding, firms assure customers that the product they are delivering has a particular level of quality for the price consumers are paying (Farhana, 2012, p. 223). Creating a brand using the customary brand elements - logos, symbols, name etc. - alone does not make a brand successful. Creating positive, unique and memorable associations in the consumer's mind any time well-designed brands are seen is what makes a brand successful and generates repeat customers, creating brand loyalty.

Creating a brand is never simple or routine. Branding is a strategic point of view that builds up a relation between a customer and an organization (Holt, 2010). It aims to create customer value, not just an image or a logo. As David Ogilvy, also known as the "father of advertising", describes the building of a brand: "Any damn fool can put on a deal, but it takes genius, faith and perseverance to create a brand." (cited in Kotler, 2003). A good brand could be tested through the loyalty of customers to their products. *Apple*, the famous American multinational corporation that designs, develops, and sells consumer electronics, computer software and personal computers can be said to be successful because a customer of *Mac* is probably not willing to change to *Microsoft* (Kotler, 2003). Niall Fitzgerald, Chairman of Unilever, the Anglo-Dutch multinational consumer goods company that produce foods, beverages, cleaning agents and personal care products, describes a brand as: "... a storehouse of trust that matters more and more as choices multiply. People want to simplify their lives." (Kotler, 2003).

Branding should not be confused with advertising. Advertising is calling attention to the established brand. Branding is the impression in the customer's mind. In order to create a brand three elements have to be involved (Tribe Design, n.d.):

1. **The brand itself:** It could be a company, person, city...etc. A brand stands FOR what it is selling and what IT represents. For example, a famous figure like *Tiger Woods* is a brand in his own right. A brand is defined as: "The intangible sum of a product's attributes: its name, packaging, and price, its history, its reputation, and the way it's advertised."
2. **Brand Strategy:** This is the positioning of the brand. A brand name is associated with the specialty a brand is offering. Customers cannot trust *Rolex* for selling cars as they trust it for selling watches.
3. **Brand Identity:** Identity is what people recognize a brand with. Colors like yellow and red make you directly think of brands like *McDonalds* and *Lipton*, while blue and white might remind you of *Samsung*. These visual elements are what deliver part of a brand message to the customers. These elements should reflect the brand and its guidelines. For example, a brand like *Rolls Royce* doesn't have bubbly visuals and colors similar to the ones *Tide* has.

A brand is established not only through a name or a logo, but through people, organizations, governments...etc. A brand is built as a promise to the consumers, based on a need for that promise and promoted through logos, slogans, colors, adverts, and social networking. let us therefore say that a brand is a result of a set of associations and perceptions in consumes' minds, and as a result branding is an attempt to connect, generate, influence and control these associations to help the business execute better results. Organizations strive to create a brand that presents the company's unique, trustworthy, thrilling, reliable assets. (Design Council, n.d.) A business identity is the overall image that consumers have for a certain brand. A business can make itself distinct through the image that it presents to the world. Customers' loyalty is an indication of how a good brand is delivering its promises. (Trout, 2006, pp. 152-153). According to Trout, customers should realize four things in order to believe in a brand: the product, the places of the product, the prices, and the promotions as an attraction to them. It is no exaggeration to say that evolution in the entire human race has happened through the

improvement of communication skills (Cobos, 2013). No one could deny the power of the word. The ability to sell is an ability of persuasion. In other words, a word has the power of either building or destroying a relationship between a brand and a customer. In the branding and marketing discourse, however, words tend to have certain features. A name of a brand, slogan or advert should move in the direction of consumers' benefit. Brands or slogans should tell a consumer what to expect to see. For example a brand like *Coca Cola* conveys this through its slogan "open happiness". This is a selling point for the brand since it wants to sell itself though conveying that it is a fun joyful brand. The brand should also have a voice. For example, a brand like *CNN*, the American-based news channel, sells itself through its general messages: being trusted, reliable, fast and direct in delivering info. Therefore we always hear slogans: "The world's News Leader", or "This is CNN". The power of choosing the right brand name immensely enhances the power of products. Trusting a brand name means trusting its products. People go to *McDonalds* not to buy sandwiches of beef and chicken. It is more than that: they go to buy McDonalds (Cobos, 2013). A name of a brand could immensely affect consumers' feelings. In a consumer panel, two pictures of two different beautiful women were shown. People were asked to vote on which woman they think looks more beautiful. The result was 50 / 50, meaning that both pictures had an equal impact. Later, the experimenter named woman number one "Jennifer" while the other was named "Gertrude". The picture with the woman named "Jennifer" subsequently received 80% of the consumers' votes. (Kotler, 2003). Therefore, a good brand name is not to be considered only on a rational level. A brand name also represents an emotional benefit to the customer. As much as a name of a person is important, the name of a company is also important. The business owner should look through what his or her work stands for. A brand name and the brand itself should thrive on some traits and the traits must percolate through all of the company's marketing activities (Kotler, 2003).

It is often said, "You never get a second chance to make a first impression". The same is true of the business world, where a brand name is that first impression. With globalization fusing countries and cultures together, brands started travelling overseas. Expanding work to other countries became a step that many organizations take. As a consequence, global branding became inevitable.

But expanding beyond cultural and linguistic boundaries is undeniably a tricky task (McGowan, 2013) and must therefore be trodden with utmost care.

2.3 Brands and translation *skopos*

It is relevant in this regard to raise the issue of translation ‘purpose’ of what has come to be known in Translation Studies as Skopos theory. This theory holds that the basic principle which determines the process of translation is the purpose of the translation (*skopos*) and the function of the product pragmatic features stand out prominently in this view (Nord, 1997), and the target user of the product takes on a great deal of importance (Vermeer, 1989).

The function of a translation or transliteration and the purpose for which the process is used (which is examined in detail in this thesis) become important. Function and purpose are related to the knowledge, expectations, values and norms of target readers, who are in turn influenced by the situation in which they find themselves, and by the culture within which they operate. That is to say, translation is produced for a particular audience with specific purpose(s) in a given situation. In all of this, the translator becomes the ‘authority’ or the ‘expert’ whose advice is sought and who is consulted regarding what might or might not work in a given setting. The translation product is thus ‘functional’ in the sense that it should fulfil the expectations and needs a target audience.

The Middle East has seen considerable growth in brand creation. In a country like the United Arab Emirates, where English language is the second spoken language, creating English and Arabic versions of the name is necessary. Translation converts a lexical unit from one language to another. But “translation” is a constant risk. Translating a brand name can mean changing the whole name from the original. As a result, simple translation creates difficulties with brand recognition. Brands like *Fanta* are universally understood and when they are uttered what comes to the minds of many is the refreshing drink in the contour shaped bottle. Fanta has definitely worked hard to establish this brand recognition and, had they chosen to translate the brand name from English to Arabic, it would have been impossible, simply because the word ‘Fanta’ is not even listed in the dictionary, let alone recognized as a word with a lexical reference.

Awareness of skopos highlights the practical side of the translation method that should be used in reflecting the best image of a brand. A brand stands for the various dimensions of an image before becoming a brand. Translation can thus affect the receiver's perceptions about a brand. Shaping the decision into whether to translate or transliterate is the essence of this process which is examined in detail in this thesis. Consequently, a new method has been introduced and used comprehensively in the Arabic brand name market for Arabic-generated brand names - Transliteration. Here, the name of the brand is created in Arabic and then transformed with the same pronunciation into Latin alphabets. The term 'transliteration', then, refers to the process in which words in one alphabet are represented in other alphabets. In our case, we could rephrase slightly and say that transliteration is a process whereby the words of one language are represented in the alphabet of another. A type of transliteration that is going to be mentioned later in the thesis is arabicization, where the text is transformed to strictly Arabic alphabets.

Transliteration should not be confused with translation; they are not the same thing. Transliteration involves a transcription of a word from language 1 (L1) to language 2 (L2) occurs. Strictly speaking, it means a letter-by-letter transformation from an SL to a TL, with the purpose of capitalizing on the correspondent phonological match. This highlights the importance placed in the process on utterance and pronunciation rather than meaning. Catford discusses transliteration as a way of "transference" or as a method of translation where a conversion of different letters of a different language occurs: e.g. Russian, Greek, Arabic, Chinese etc. - into English/Latin alphabets, so the word then becomes hypothetically a *loan word* (Newmark, 1987, p. 81). Similarly, Hatim and Munday (2004) see transliteration as the letter-by-letter rendering of a SL name or word in the TL when the two languages have distinct scripts (e.g. Russian and English)" (p. 353). Transliteration is widely used when creating brand names in MENA (Middle East and North Africa) region. This is especially true in the United Arab Emirates and the GCC region. Below are some examples of some Arabic brands being transliterated.

Figure 1: Takreer



Figure 2: Emaar



Figure 3: Tadawul



Figure 4: Masdar



2.4 Equivalence and equivalent effect

Translation as a term may have various meanings. It can refer to the field of translation as a subject or translation or translating as a process (Munday, 2008, pp. 6-7). But, however we define the term, which has had a long history, it is the ‘transfer’ of a message from one language to another that essentially defines the process or the product. The very first step in the process of translating a source language text is to ultimately find

suitable correspondent meaningful units in the target language (Selvan, 2010). In other words, translating means achieving “equivalence” between a ST and a TT.

Identifying equivalence, then, is the ultimate goal in translation. Equivalence, regardless of its various types, can be the measurement on the basis of which we decide whether the translation is or is not effective. Therefore, we cannot skip the part that deals with achieving equivalence in transliteration; the notion is at the heart of translation. However, equivalence has been a controversial term that is widely debated. Different theorists have conceptualized equivalence differently and have developed their own theories of what ‘equivalent effect’ might involve. Eugene Nida, who was most famous for his translation of the Bible and for proposing the concept of ‘dynamic equivalence’, argued against the concept of “fixed meaning” and introduced the concept of ‘context-dependent translation’ where the emphasis is on the idea of the “context of communication” rather than on word-for-word translation (Munday, 2008, p.42). Nida breaks equivalence into two types as follows:

- **Dynamic equivalence:** where the main focus is on the effect of the ‘message’ rather than word meaning. Consequently, it is the essence or the feeling that gets translated rather than the meanings of this or that word seen in isolation. The main target of the translation here is the impact on the receptor. The message has to be tailored to correspond to the reader’s cultural expectations, linguistic needs and naturalness of expression.
- **Formal equivalence:** this mainly depends on word-by-word meanings rather than the context of relations between words. It is more oriented towards the structure of the source language, which can cause problems in accuracy and correctness. Formal equivalence is to do with the literal meaning of the lexical units in a text, so it is the opposite of dynamic equivalence.

Along similar lines, Newmark had his own views on equivalence. Newmark distinguished ‘communicative translation’, which focuses on the effect on the TL reader, from ‘semantic equivalence’. The latter has to do with the semantic reference (relating to meaning) of the word (Munday, 2008, p.44)

In a more comprehensive treatment of equivalence, Werner Koller (cited in Munday, 2008) extended the range of equivalence relations and suggested that equivalence comes in five types:

- **Denotative equivalence:** This relates to the extralinguistic content in the text.
- **Connotative equivalence:** This refers to the choice of the words when a word has multiple synonyms.
- **Text-normative equivalence:** This relies on the text type and text user “behaviour”.
- **Pragmatic equivalence:** This is similar to Nida’s dynamic equivalence where the focus is on the message and its effect rather than on semantics.
- **Formal equivalence:** This refers to the aesthetic and artistic meaning of the text.

According to Vinay and Darbelnet (Munday, 2008, p.56-57), who have also had their own view of equivalence, when a translator attempts to achieve a good translation by moving away from literal translation (direct) the alternative would be “oblique” translation. Oblique translation is another term for free or dynamic translation. Not unlike free vs. literal translation, *Direct* and *Oblique* translation can be differentiated along the following lines:

- **Borrowing:** when the SL word as it is gets transferred directly to the TL. Vinay and Darbelnet tackled the idea of transliteration as one of the main methods of translation and referred to it as borrowing.
- **Calque:** where the word in SL is transferred into TL in a fairly literal way. It is a special type of borrowing made to fill in the gaps of TL semantics.
- **Literal translation:** This is word-for-word translation. Vinay and Darblnet see this as occurring extensively between languages that share the same culture and family.

In a departure from the literal vs free debate outlined above, some translation theorists found it impossible for the translated text to be the exact replica of the source. Function came to be seen as the main focus of translation equivalence. First suggested by Reiss, the functional approach to translation focused mainly on texts’ functions and their translations instead of equivalence between source and translated texts. It is emphasized that translations are created for reasons different from those of creating the source text.

According to Nord (1991), function, in addition to loyalty, is necessary for good translation. Function refers to “the factors which make the text work in the intended way in the target situation”, while loyalty refers to “the interpersonal relationship between the translator, the source-text sender, the target text addresses and the initiator” (Al Agha, 2006, p. 30).

Regarding brand names in particular, Peter Newmark (1988) identified what he called “*unfindable words*”. (Newmark, 1998, pp. 176-177). Newmark emphasizes the importance of understanding the target culture when translating, and to do so, a translator must be able to understand the meaning of a word. He explores the issue of “*neologisms*” which are basically new words that have been extended into a foreign new language. Brand names, names of inventions, trademarks, Imported objects, processes, inventions...etc. can be new words that got a meaning probably only in their native culture.

Newmark discusses an important issue under what he terms “*eponymy*”. Eponymy is “a word formed from a proper name”. (p. 180). Eponymies, in the case of translation and branding, are usually brand names that create a connection between a product and its usage. *Pif-Paf* for example is a brand of a pest control that can be used in homes. The word “Pif Paf” became a term that people commonly used to refer to any pest control that comes in the form of a spray.

Brand names are notoriously turned into eponyms by the people’s voice and clever advertisers, who soon will spell them in small letters. In some contexts, a translator may have to guess a brand name because no linguistic term is current (sellotape). How to translate “she swathed her legs in Tubigrips? (Tube-shaped bandages) is a poor substitute. A brand name is usually transferred in translation, but there may be a case for adding or replacing it with its TL equivalent if it exists. (Newmark, 1998, p. 180)

We can see that dynamic translation is one main aspect that most translators would focus on when transferring a brand name. An example of dynamic brand translation is the French widely-known retailer, *Carrefour*, when established in China. Carrefour means a ‘crossroad’ in English (Dictionary, 2009) but when transformed into Chinese, it wasn’t

transliterated nor literally translated. Instead, it was transformed into: “家乐福”| jiālèfú | “which means: home/family-happy-fortunate” (Lab Brand, 2009). This method of translation focused on the essence and main messages that this brand wants to convey to among consumers. In the same country, another example may be cited in relation to the famous automobile brand “BMW” which in most countries was kept as is and transliterated. In China, however, it was translated into 宝马 (bǎomǎ), which means “treasure horse” which gives the consumers the feeling of a luxurious, strong, fast and authentic vehicle. (Lab Brand, 2009).

Translation of brand names is a complex process. A name of a brand does not carry a name only. It stands for values, product, and essence that the brand is promising consumers with. Customers relate to the name of a brand through their mental lexicon or “the human word-store” (Aitchison, 1994, pp. 34-35). A brand name therefore cannot be considered just a word. A meaning of a word can be arguably found in a dictionary but dictionaries are quite different from the mental lexicon. (Aitchison, 1994). A brand name evokes feelings and works on levels of being personal in someone’s life.

A brand name, as any other name, is closely bound up with semantic reference in a language. Semantics simply refers to the study of word meaning. It centres on signifiers (words, phrases, signs, symbols etc.) and what they stand for (signifieds). Words connect with each other through mental maps serving meaningful language functions (orders, statements, questions etc.). This ‘pragmatic’ component is always there because a word corresponds to the lexical glossary we store in our cognition. However, how could a foreign word gain that connection? A transliterated word may be written in the TL alphabets but that does not guarantee that it is understood by the foreign language speaker. Therefore the question whether semantic affect is an important one and is relevant and applicable in transliteration. Additionally, Michael Corin emphasizes the importance of making a product popular not by giving it a linguistic “facelift”, but simply through making it “look and feel” like a product from the target culture. (Corin, 2003. p. 16)

Chapter Three: Data Analysis and Discussion

3.1. Introduction

This chapter discusses first set of data collected for this thesis, as well as the methodology of the data collection. The chapter reviews standards of brand naming in the region and the trends of translating them. Practices in Dubai, Sharjah and the Kingdom of Saudi Arabia are examined and discussed. The chapter elaborates on the methods used in transliterating brand names. It then moves on to highlight the essential differences between transliteration and translation and their efficiency when used in translating a brand name from a source language to a target language. Then the chapter ends with an analysis of a number of brand names found in the region, assesses how they were formulated and debates whether they serve the purpose of translation or not.

The brands are analysed on the basis of their business profiles, which are likely indicate the marketing plan/scheme of the company, as well as their linguistic formulation and branding policy in the relevant state.

3.2 Data

The data was collected from different sources, but mainly from yellow pages, telephone directories, as well as through conducting on-the-ground surveys of businesses. Also, interviews were conducted to collect further data. I also interviewed the trade registration and trade names department officials in Dubai and Sharjah. The interviews were done with the person in charge of the department overseeing the whole process. I interviewed Mr. Ahmed Ibrahim Mohammed, Director of the Business Registration Department at Dubai Department of Economic Development, and Hamad Al-Zaabi, an official at Sharjah Economic Development Department (see Appendix A for the questions that were asked for the purpose of this study). I have also examined the official list of rules and regulations stating the guidelines of naming a brand in Saudi Arabia. This was available at the website of the Saudi Ministry of Commerce and Industry.

3.3 The practices of brand naming in the region

The Middle East region has always been a center for trading and business exchange. The Geographical advantages of being in the center of the world's map played a

massive role in establishing the region at the heart for trading and at an ideal location for merchants to buy and sell products coming from the Far East and heading for the West.

United Arab Emirates in particular has recently witnessed a substantial growth in its business development. Arab businessmen continue to consider the UAE as an ideal center for their businesses, and local Emirati businesses are equally engaged. Foreign companies are also deciding to expand their businesses in the UAE or are starting new businesses on a daily basis in the country. Dubai city was specifically built and formed as an international business hub, open for many business opportunities and many global firms are seizing the many opportunities offered for the advancement of their businesses.

Research has shown that there are over 100 languages spoken in the UAE and more than 150 ethnic groups (Samimi, 2010). In everyday life, work settings are multilingual. It is almost impossible to see a place filled with only Arabic speakers. Nationalities like Indian, British, Russian, are examples of the many nationalities in the daily business interactions in the country. Many organizations founded in UAE are usually extensions of bigger foreign organizations that speak English as a first language. Thus, since 83.5% of the UAE population is made up OF expats,; a medium language such as English is absolutely essential for communication and interaction in the country.

Before moving forward, it is necessary to start by defining terms that will be used in this chapter. As suggested earlier, *transliteration* is the representation in a target language (B) in language (B) alphabet of a text written in language (A). For example of a general brand name in Arabic, شروق, an Arabic word that means “sunrise”, can be presented with the potential and possible transliteration forms: *shrooq*, *shorouk*, *shorook*, *shorooq*, *shorouq*.

3.4 Dubai scheme of translation and transliteration

When creating a brand, it is mandatory by UAE law to document everything on forms issued by Dubai Economic Development Department. The Department controls the process starting from administering the documents, reviewing the brand, assessing logistics, approvals ...etc. to the last point which is name evaluation. The name of every business has to comply with the rules of the Dubai Government which stipulate that the name should first avoid including the name of God from any religion (Allah, Buddha, Jesus, Apollo), as this may touch on sensitive areas and evoke unnecessary problems.

Other names that should be avoided, according to the rules, is the names of countries and of the United Arab Emirates in particular. This precludes affiliating any person-owned business to a country. The rules also reserve the use of the name of the country to government entities so as to minimize political sensitivities.

Around the United Arab Emirates for example there are many businesses that use the name of UAE as part of their brand name: (بحر الإمارات، قصر الإمارات). In the English equivalents of those names, the word *Emirates* may vary from being translated to transliterated. Examples are in the pictures below.

Figure 5. The word *Emirates* in the brand name of Emirates Airways translated



Figure 6. The brand name *Emirates Palace* given in both languages.



Figure 7. The word امارات transliterated



In the process followed by Dubai Economic Department, the name can first be created either in Arabic or English. Then after filtering the name and checking its availability (i.e. that it is not used by another business) comes the part of the other language whereby the translation process is set in motion and the name is either translated transliterated or arabicized.

Despite the fact that not so many studies can be found to deal with Arabic transliteration of brands in details, it is noticeable that the concept of transliteration is the preferred option in the business industry and brand names. Looking around the city of Dubai, one can easily spot a number the variations of methods used when transferring brand names from the source language (Arabic) into the target language (English):Dubai uses different types of translation method when a brand name is transferred into another language. The name must be in two languages Arabic and English. Whether the source language is Arabic or English the name has to be in both languages. Various types of translation method are used: translation, transliteration, and arabicization. Below is a list of brand names that use the ‘translation’ method. Listed are various brands that sell or stand for various goods and services and exist in Dubai city.

Table 3.1 *Translation Method in Dubai Brands*

The Palm	النخلة
Knowledge Village	قرية المعرفة
Arabian Ranches	المرايع العربية
Global Village	القرية العالمية
Dubai Silicon Oasis	واحة دبي للسيليكون
Waves	الأمواج
Dubai Culture	دبي للثقافة
Dubai Cares	دبي للعطاء

3.4.1 Dubai-based brands Arabicized

The list below shows a number of brand names owned by Arab nationals first originated in English and then arabicized in order to create their Arabic version. Arabicization is considered transliteration but as the name may suggest, the target text is strict to Arabic language only.

Table 3.2: *Arabicization Method of Dubai Brands*

Wild Peeta	وايلد بيتا
Gulf Oasis	جلف أوييس
Tecom	تيكوم
Fly Dubai	فلاي دبي

3.4.2 Dubai-based brand names transliterated

Here are examples of transliterated brand names transferred into English text. This method has been introduced lately to the market and is used fairly widely for reasons that will be discussed later in the thesis.

Table 3.3: Transliteration Method in Dubai Brands

مراس	Meras
نخيل	Nakheel
إعمار	Emmar
أساطير	Asateer
الأمين	Al Ameen
موارد	Mawarid
الجزيرة	Aljazeera

According to Dubai Department of Economic Development, the process of translation is not preferred nowadays, which might explain the significant shift to the use of transliteration. In Dubai, it is evident that a large number of trade names are transliterated, whether from or into English. According to Mr. Ahmed Ibrahim:

In the last two years we started moving more towards transliteration instead of translation. Translation caused us a lot of problems over the years. We have had cases where people denied their ownership of a business and they used to maneuver round the fact that they have double names - Arabic ones and English ones. People would deny their knowledge about the Arabic name, for example, because they don't speak the language and they don't understand what the word means. (My translation).

Thus, according to Dubai Economic Department, the use of the transliteration method seems to be the easier solution. The process of translation needs experts of translation, while transliteration does not since it is easier to do and needs nothing more than common sense from whoever is working on the task of label registration.

In the process of brand name transferring, the DED officer first approves the name in its Source Language, and then it can be either transliterated or translated by the same officer. Later the name can be officially used in the trade licenses paper. The name goes later through another last check by another officer and becomes ready to be used legally in the trade license and business practice related to the brand.

3.5 Sharjah approach

We can conclude from the above that Dubai is gradually adapting the approach of transliterating the brand names. Sharjah, Dubai's neighbor city, is one of the very first to implement the transliteration system. The ruler of Sharjah, Sheikh Sultan Bin Mohammed Al-Qasimi, is well known for his role in advocating and promoting the Arabic Language, heritage and culture. The concept of making the Arabic language prevail, and to give it the status and prestige it deserves, has always been an important goal for the city and was applied in both government entities and private organizations, as can be seen in many aspects of the administrative process from the issuing of permits, to documentation processing.

The process of naming a brand in Sharjah is carried out according to the following procedure (Hamad Al-Zaabi, personal communication). The brand that is established in Sharjah city has to be originated in the Arabic language. This means that the name cannot be initially in English (or any other language). That is, it is mandatory that the source name of the brand is Arabic. However, translation of the name is not compulsory. The brand owner has the right to choose whether he or she wants to translate the brand name or transliterate it. The trend is now moving more towards transliteration. According to Mr. Hamad, transliteration does not confuse people. He then adds that the transliteration helps (Arabs) to enhance the use of the Arabic language: "At least by doing this we are teaching the foreign business owners a word or two in Arabic".

Just like Dubai, any officer at the registration department in Sharjah Economic Development Department can do the transliteration. Mr. Hamad says this is because they

think it doesn't take time and that the process is not that difficult and the need for an expert at this point is not yet seen as essential:

“For us, Arabic is the main concern, Yes English transliteration may be important and should be accurate, but we have got to have the Arabic right first. English has been given far too much attention that our own language has lost a great deal. However, Sharjah is always open for new initiatives that could make us excel and exceed others, especially as far as the use of the Arabic language is concerned. Language has always been a significant target that Sheikh Sultan has always pursued.” (My translation).

3.6 The Saudi approach

The Saudi approach can be described as Arabic-oriented or Arabic-centered in methodology when dealing with Arabic brand names. In general, the rules state that the name must originate from an Arabic name or Arabicized. The name of the brand should be neither misleading, nor inconsistent with Islamic Shari 'ah. It is preferred that the name has a meaning that indicates the type of business the brand is offering. The translation or transliteration process is optional in the decision of the business owner. However, no mention of the translation of the brand name was made in the decree issued by the Ministry of Commerce with regard to the brand naming procedure (See Appendices B and C for the Saudi Arabia's Law of Trade Names).

Unlike Dubai, It is clear that the Arabic language is the dominant language in Saudi Arabia in terms of business documentations. Documents in Saudi Arabia are all issued in the Arabic language and the options of having a signboard in Arabic is mandatory but English is optional and up to the owner to decide. If the owner decides to have the name in English as well, he or she should refer the matter to a certified translation office in the country. The name later could be either translated or transliterated in accordance to the owner's wish.

The brand names in Saudi, however, do not seem to have consistent or clear rules. For example, below is a list of some brands. Some have Arabic names, some use hybrid names (transliteration applied to one word and translation to the other), some use Arabic and English names combined, with transliteration and/or Arabic names only.

Table 3.4: Saudi Brands with Arabic Names And Hybrid Names

عجلات	Wheels
الزامل	No English name produced/adopted
سيتي جاردن	No English name produced/adopted
شركة التقدم	Alttaqadam company
بيت القهوة	Coffee house
توربو للكمبيوترات	Turbo للكمبيوتر

3.7 Transliteration of brand names

The examples from Dubai, Sharjah and KSA permit us to draw a primary conclusion regarding how the transliteration trend is evolving. We must then ask: Why is transliteration becoming a part of the translation method when it comes to brand names? Is transliteration more efficient? What are the gaps that transliteration is filling that translation cannot?

According to entrepreneurship experts, there are a number of factors that a brand name for a business should accomplish.

1. The name of a brand should be easy and short. The name should not be complicated in meaning which only highbrow intellectuals can understand.

To achieve the factor of simplicity, the brand should use letters that are easy to pronounce. Moreover, short names tend to stick better in people's memory. An example of that is سالك (salik), the road toll service in selected Dubai roads. Both Arabic and non-Arabic speakers can easily pronounce the word "Salik". This is due to the fact that the constant letters in "Salik" (S, A, L and K) exist in probably in most languages and the "kasrah" is compensated through the letter "i" which is a common and easily pronounced letter in all languages. On the other hand, the word "salik" accomplished the "ease" factor by not having special vowels so it is easy to pronounce and it is also short which adds to the ease of this word.

2. A business name should be memorable. The “catchiness” aspect plays a role in making a brand not easily forgotten. The name should grab the targeted customers’ attention.
3. A business name should have a positive connotation.

Many words have both denotation (literal meaning) and connotation (emotional meaning). A word’s connotation can be positive, neutral or negative, depending on the emotional associations that people generally make. The classic example is the difference between “Mom” (which has a very positive connotation) and “Mother” (which has a neutral connotation). Now you know why they called them “Dad’s” cookies, rather than “Father’s! (Dad’s cookie is a famous cookies brand that sells in Canada and North America region). (Savior Fair Media, 2011)

This quote explains a major aspect in target customer’s attraction. The name of the brand should relate to a positive feature and it should mean something to the customers. An example of that is the initiative that comes from the leading telecommunication company in the UAE, Etisalat. The initiative is called “أيادي”. The word أيادي is transliterated into “*ayaadi*”. The word “ayaadi” in Arabic gives a feeling of help, a sense of someone being there to lend a hand and it indicates social unity and cohesion in support of those who need help. It carries a philanthropic meaning that makes the reader sense a hand extended in support. In Arabic, the word “ayaadi” means “hands” in its literal form. But when the word is put in plural it conjures up images usually associated with the phrase “الأيادي البيضاء” which has a meaning of good-will and people who are always there to help.

4. A business name should be related to the business practiced. The name of the brand is the first contact that the customer comes across. It should be a clue that tells a target audience ‘yes we are here we could offer you this service’. This also makes the business more accessible through books, Internet resources and yellow pages.

The business name should be the first gesture a client of a customer gets from a brand. Choosing a name for a brand should not deviate too far from the services a business is offering. “Emmar”, إعمار gives a clear indication about the service which this company is offering.

Therefore the word إعمار indicates the meaning of “reviving” something that is ‘dead’. It is related to building and constructing things that add beauty to the world. This strong connotation between the name and the meaning is a smart marketing gesture that saves a business millions in educating people about the company’s services.

Another example is, “Barq” “برق”, a service for news broadcasting that is famous on twitter and phone message in UAE.

When something is called “barq” in the Arabic language, it usually has connotation to do with the meaning of something “super-fast” so when they say:

سرى النبأ في المدينة كالبرق
والخيل تسير كالبرق الخاطف
انطلق سالم كالبرق نحو البيت

The idea of giving consumers the news the moment they happen is barq’s selling point. To be as fast as “barq” in delivering news means they are promising consumers to get the news very fast before anyone else.

3.8 Semantic equivalence

Achieving the set of criteria mentioned above requires a basic ability on the part of consumers. This ability is through understanding the language in which the brand is introduced. But a speaker of English may be able to read the letter and the word but not necessarily understand it. How could a business owner accomplish the factors of simplicity, catchiness, and relating the business and the name if the consumer does not speak the language itself?

Human beings are not born with a built-in ability of understanding language. Language acquisition is a process that takes time to be developed. Children learn the language their parents and the community around them speaks. Being able to comprehend the language and understand its lexical units is a simple form of defining language acquisition. Therefore we cannot say that being able to read the letters of a word makes someone necessarily a speaker of that language.

A transliterated morpheme/word/term can be understood as part of the lexical reference of the source language for the source language speakers. Hence, appreciating the “semantic equivalent” is not easily attainable for the target speakers of the target language in the case of transliteration.

For many years the issue of equivalence between a source and a target language has been the bone of contention among terminologists, lexicographers, translators and linguists. Over the years, many methods, theories and approaches have been developed and used in attempting to transfer texts properly from one language into another. Regardless of whether the method of translation is literal or dynamic, the aim is eventually serving one purpose, namely the adequate transfer of meaning. Semantics in its simplest forms could be explained as the study of the meaning of words and sentences. The basic task in communication in general is for people to understand each other. Richard Ambacher describes semantics as:

Perhaps the most important branch of linguistics.... is semantics. In general, semantics is concerned with problems of meaning, the maps that language draws. This concern can be traced back at least to the Greeks in Western civilization, and it is from the Greek word *semantikos*.....(which) means “significant meaning”. Semantics probably originated at the time when man became aware that he was using language as his primary mode of codifying and communicating meaning. (Ambacher, 1993, p. 22)

For non-Arabic speaker, a word like “Emaar” or “Barq” means nothing at all. It represents a meaningless string of Latin letters structured in a word. Ideally, a word is considered part of someone’s semantic knowledge when it corresponds with the lexical reference a human being possesses. Transliteration is a phonetic representation of a word from a foreign language into another. Hence, we can say that transliterated word is a meaningless lexical unit in any target language. If we are supposed to fulfill brand name guidelines mentioned earlier, a brand name should hint at the services a business is offering. This leaves us with the important question: Since the reader of the target text does not speak the source text language, how could he or she understand the services “Emaar” offer?

The other case that we should discuss is to do with the problems created by semantic equivalence with regard to the transliterated words. To put this more specifically, a transliterated word may have a phonological equivalence that could mean something completely different than what intended.

There is large number of examples of brand transliteration failures because of what they mean in another language. In countries like China for instance, a business which is opening in the country, whether local or international, must abide by the rule of having the name of the brand in Chinese. This rule is mandatory and applies to all business owners in China. Whether translated or transliterated, a business name should always be in Chinese. There are a lot of examples of brand names that went very wrong when transliterated into Chinese. The famous American brand “*Coca Cola*” was transliterated into Chinese as “ko-ka-ken-la”. Coincidentally, each morpheme in the transliterated word had a meaning so it created a sentence that makes no sense. The sentence meant, in order, “Bite the wax tadpole”. A tadpole is the baby frog that lives usually in swarms. The sentence altogether makes no sense but it surely affected the name of the brand when it was first introduced to China. (Greenspan, 2011)

China may not be the only example. In Mexico, *Colgate*, the internationally famous toothpaste brand decided to keep the name as is, and, although Spanish and English use, more or less, the same Latin alphabets, their lexical references are completely different and they are therefore completely different languages. It was reported that “*Colgate*” couldn't sell well in Mexico because the word “*Colgate*”. In Central and South American Spanish dialects,, this literally means “Hang yourself”. From a similar perspective, there was an infamous story that happened to one of the most prestigious automobile production companies. *Chevrolet*, the American car, had a trouble selling one of their brands in Spain. The car model was named “*Chevrolet Nova*”, and “nova” in Spanish means “it doesn't go”. This meaning makes it hard for any brand to sell a product especially if the product should be known for ‘moving efficiently’. Another Example is the brand known to all mothers around the world, “*Gerber*”, an infant formula food that can be fed to babies had an off-putting meaning when transliterated in French. The word in French means “vomit” or “barf”. In a case related to food, a word like “vomit” can be damaging.

Those examples all tell us that transliteration can go badly wrong. The excessive and unstudied usage of it without paying attention to the details in target selling countries could result in tragic consequences and an undeniable failure.

3.9 Translation vs. transliteration

Transliteration has become popular in the Middle East when it comes to the issue of brand naming and translation. However, it is not definite that the usage of one of the two methods will always be effective. When related to brand names, the methods may vary but we need to look closely into the best approach. So which method is more affective, translation or transliteration?

Transliteration popularity could be due to various reasons that can be summed up as follows.

3.9.1 Legal requirements

According to Dubai Economic Department official, Mr. Ahmed Ibrahim, Dubai Courts reported to the Department a number of cases in confusion related to ownership of certain brands. This is because of the double naming of a brand (Arabic and English) where the Arabic name would be different from the English. This causes confusion in paper work and legal documentation. Furthermore, Cases were reported for people who denied their ownership to a brand, claiming that they were not aware of the brand when asked in Arabic for example, which eventually caused a delay and procedure interruption.

Generally, the world paid most attention to the importance of transliteration after the events of September 11. The United States of America claimed a big part of the failure of its airport systems in recognizing attackers due to the various ways an Arabic name was spelled. Thus, transliteration is an all-pervasive phenomenon that has implications for rendering all names, brand or proper.

3.9.2 Translation difficulties

Ideally, translation might be the most sensible solution for the problem of transferring a text from a language into another. Invariably, however, equivalence is one of the most difficult targets to achieve in translation. Saying exactly what you intend to say with the exact number of words and exact meaning is almost impossible when going from one language to another. For example, the word اعمار if translated it could literally mean “construction” or “building” and this is very far from what Arabic speakers understand اعمار to be. In Arabic, the word has a connotation with building something out of nothing. It also carries the meaning of bringing life to a waste land. Conveying such

meanings in English is very difficult, and sticking to the literal meaning would only rip the word off its proper connotations.

By the same token, translation, as a process poses major difficulties. Translating a name in any Economic Department here in the region would require a team of translators who should be knowledgeable about and well-versed in the target culture (Regmi , Naidoo , & Pilkington , 2010, p. 19).

A huge number of mistakes that increased when translating brand names is involved have been brought to the attention of Dubai Economic Department. In a local shopping center in Dubai, Dubai Municipality reported a signboard for a shop that provides party services that looked like this (see Figure 8).

Figure 8: A Shop Name in English Translated Wrongly into Arabic



This underlines how translation can be a complicated business sometimes. A great deal of words could and often do have a pragmatic rather than a direct meaning or could indeed have several meanings, like the example shown above for (Party-Shop-Express). This poor translation happened probably due to the people handling the translation of this particular text who obviously do not speak Arabic or spoke it so imperfectly.

In addition, Arabic has a large number of words that have a cultural profile and are cast from a religious perspective. If they are translated, they will make no sense and

might even be understood negatively. A good example of that is “شركة حور العين”, a Saudi-based business for selling furniture. If this name is translated into its English correspondent or literal equivalent “the Paradise Virgins Company” it can be misleading due to its exclusive attachment to the Muslim culture. The concept of ‘virgins’ in the Arabic/Muslim culture is totally different from that recognized by other cultures. The phrase حور العين means women in paradise to whom men are wedded but only when they are in Paradise. In Western culture, or some other non-Muslim culture, the word “virgin” means a woman who has never had any sexual intercourse.

Culture-specific words also contribute to making translation a hassle sometimes. “شركة عيون المها” will make no sense whatsoever whether it is translated literally or in meaning-centered way. “Oyoun Al Maha” is a culture-bound representation of ‘Arabic beauty’ that needs explanation if it is to come across properly in another culture.

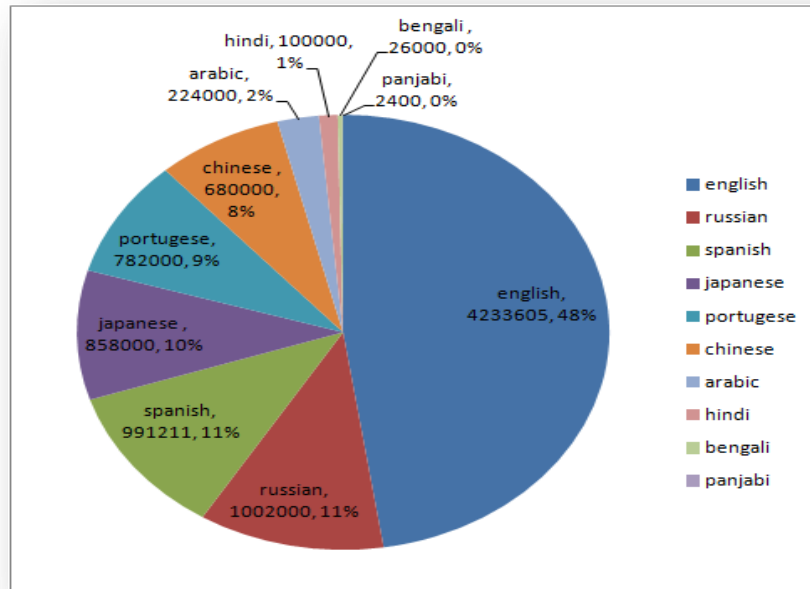
Thus, transliteration can be considered easier and more timesaving than translation. If done efficiently, transliteration certainly requires less time and effort than translation.

According to Mr. Ahmed Ibrahim of Dubai Economic Department: “Translation does not always hit the note when it comes to names because it is difficult to find a proper equivalent for words that carry a certain feel across languages and cultures. Transliteration is an easier process. It takes less than 5 minutes for an officer here in DED but translation may take a longer time to figure out what a businessman or woman wants his or her brand name to be in another language.” (My translation)

3.9.3 Arabic language reinforcement

Transliteration stipulates that words are written in Latin alphabets. But the word (if the transliteration is executed correctly) travels to target audiences carrying a meaning from the source language lexicon. It is now widely accepted that the English language is the most dominant language around the world. The Arab world generally, and the GCC area specifically, all use English as a second language. English language has established itself as the unrivalled means of communication and the medium of intercultural communication. Almost half the world’s population speaks English as a first language, and 49% of the world’s population speak it as a second language (See Figure 9 below).

Figure 9: Languages Use around the World (Mastin, 2011)



Transliteration, then, may be a good step forward in attributing status to the Arabic language. Many initiatives have been made to promote the Arabic language around the Middle East, but we still have a long way to go. In the United Arab Emirates, Sheikh Mohammed Bin Rashid Al-Maktoum, the Prime Minister Vice President of the UAE and Dubai's Ruler, has launched a number of nation-wide initiatives for Arabic language preservation, including prioritizing the Arabic language in government documents and media broadcasting.

Our national identity is integrally linked to the Arabic language, which serves as an effective medium to express our values, culture and heritage. Promoting our mother tongue will enable future generations to connect with our roots, society and values more effectively. (Sambidg, 2012)

Additionally, Sheikh Sultan Bin Mohammed Al Qasimi, the Ruler of Sharjah and a Member of the Supreme Council in the UAE, is known for his support of the Arabic language preservation and enrichment. Sharjah permits using English in a document only when it is a translation of an Arabic document. As a result, brand names must be created

in Arabic first and English second if the company desires to start a business in the Emirate of Sharjah.

Transliteration could be a small step towards achieving what all these initiatives are trying to accomplish. A successful brand makes the customers wonder what their favorite brand name stands for or means. When the successful franchise hypermarkets of “*Carrefour*” insisted on keeping the French brand name, it succeeded in getting the public curious to know what the label meant. I was always curious to know what the word *Carrefour* meant. When I did, and although it had a figurative meaning (crossroads) and did not actually mean anything related to the brand services, I was delighted at least to know one more word in French. Some brands, however, are created to convey what their services involve directly from the names e.g. *Tabreed*, *Bee’ah*, *Takaful*...etc. This is a problem that could be faced in marketing and need to be compensated through something else like the logo or slogan.

3.10 Eponymy

There are cases where brands became an actual name that people refer to a product by. Arabs say “*Kleenex*” for napkins although *Kleenex* is a brand name and the product is a regular napkin. This is known as *eponymy*. It is the derivation of a name (a product) from a person (or a company) (e.g. *Atlas*, *hoover*, *Google*, *Facebook*, etc.). These products are mostly used on a daily basis by almost everyone. “*Atlas*” for example is used instead of “electronic dictionary” so the brand name here replaced the technical word for the product. A good solid brand name, carrying a brand new concept, could make it into a dictionary of a language. Google was a company that started something very new in the booming of the Internet era back in the 90s. It is now normal to hear a person saying “I don’t know where this place is. Let me google it.”

Many famous brand names are actually eponyms (Parhizgar, 2010): *Aspirin*, *Band-Aid*, *Frisbee*, *Jacuzzi*, *Kerosene*, *Lego*, *Thermos*, *Kleenex*, and *Xerox*. Arabic words could travel the world the same way these words did. Eponymy could have a positive impact on the way the Arabic language travels. Valuing the Arabic language and understanding how profound this language is will contribute to enriching other cultures with Arabic lexicon. In this endeavor, transliteration could well be the cross bridge that carry the initial steps towards that.

3.11 Analysis

A number of 9 brands from UAE and Saudi will be analyzed to demonstrate their transliteration potential and the connection with the name of the brand.

a. UAE based brands

1. First is ساعد *Saaed* which is a United Arab Emirates company that basically involves supporting vehicle systems, and is especially targeted towards police and military automobiles. The company is established in order to be the help mainly in traffic accidents management and intelligent security systems. . This brand name can take two possible meanings in Arabic. Both meanings can be strongly related to the services which this company is offering. First the word ساعد in the sense of “help” can hit the target since this company is strongly connected with what Abu Dhabi police are doing. They are a help to the police who are as result a help to people in the country. The other possible meaning of the word is related to the “arm”. This is probably the valid meaning of the word as used here since it is stronger and deeper in meaning. As “Saaed” is the part of the arm that represents the strongest component of a human being’s hand. In Arabic, the word in plural is “سواعد” and “sawaaed” has connotations of strength and being a good help when needed. This means that the word here supports the first possible meaning, conveying a figurative and pragmatic meaning: a strong helping hand. The usage of the word “Saaed” as a brand name is very effective for this particular product. It serves what the brand is all about and it.
2. The second brand name is *Tas’heel* which is an online government system aimed to help with all services related to the Ministry of Labor in the United Arab Emirates. It basically stands for digitizing all services related to documentation related to labor services in the country. The main goal of this initiative is to facilitate and make easier administrative processes that usually take a long routine time to be achieved. The word is intended to carry the meaning of ease and facilitate. The word itself may not be directly related to the work of ministry of labor but it gives a clue to one of the main targets of this initiative that is, “easing procedures”. There was an apostrophe used in

“Tas’heel” in its transliterated form. This is because the letter “S” with the letter “H” forms phonetically the sound “SH”. Therefore there had to be an indication for the English readers in order to separate the two sounds with an apostrophe. Although this may seem odd looking in English, using an apostrophe is a commonly convenient procedure when writing Arabic in roman alphabets. In the case of Tas’heel, the word choice is very effective and conveys the meaning of ‘helping others’. It indicates the main concept which this establishment was founded for. It might not serve this impression to the English readers though, since the word does not exist as an English word.

3. The brand name “*tabreed*” stands for a company that provides cooling solutions to large scale landmarks in the GCC region, especially the ones with heavy duty needs such as world trade center in Dubai, the Pearl project 4eaderived from برد which means, “To cool” in Arabic. This captures exactly what this company provides. This self-explanatory name makes it easy for an Arabic-speaking customer to know that they are being provided with - something that has to do with air conditioners and cooling gadgets. The Arabic reader will not find difficulty determining this meaning. This is part of the marketing strategies in some companies as they want to provide a sense of transparency between the consumers and the brand.
4. The brand “*Masdar*” is part of Abu Dhabi’s sustainable energy city vision. It is a leading community for clean technology using environment and ecofriendly operators. In Arabic “masdar” means literary “source” and although the word might not be directly understood to be connected with clean energy and ecosystems, the company used other marketing elements to implement this instead of the name through colors, logo, slogans, etc. However, the name syndicates with what the company is aiming for. “Masdar” aims to be this unified source for clean energy in the city that provides all kinds of energy resources to various entities within the community. Although the transliterated name will never be understood by non-Arabic speakers, it is relatively easy to pronounce, using specific Arabic

language letters for non-Arabic speakers. Understanding the semantic reference of the name for non-Arabic speakers is not possible.

5. “*Mubadala*” is an Arabic word for ‘*exchange*’. This is a company that was established as a principal agent in the diversification of Abu Dhabi’s economy. What they mainly do is “exchange” people’s expertise in various sectors in order to give-and-take talents and knowledge. The name choice is brilliant as it delivers the main goal of the company. Instead of simply translating the word as they did when describing the company with “exchange”, they used transliteration. Although an English speaker can’t understand what “mubadala” is, the word is easy to pronounce and spell. This makes it easy to remember.
6. The brand “*Ankabut*” is a research project being carried out in the United Arab Emirates to offer academic institutions connectivity to other education networks around the world. Ankabut also operates on a national, GCC, regional and international levels, representing the UAE in conferences, exhibitions and forums. It basically tries to create a network of knowledge services around the Arabic world (Ankabut, 2013). Ankabut is the Arabic word for “*spider*” and a spider’s web is the representation for the concept of networking as it connects little directions and pieces into one loop. For Arabic speakers, the word may give a connotation of a network which is what the company is basically trying to achieve. The English version of the name, in my opinion, is odd looking in terms of spelling and pronunciation. Because of the letter “U”, there might be some confusion in uttering the name. Some might say it as “u” and instead of pronouncing it as long vowel with double “O”.
7. The last example is *Takatof* which stands for a volunteering social project that tries to make a positive impact on various lives in many areas in United Arab Emirates. The program hires volunteers to help out in developing the country. *Takatof* in Arabic is literally “standing shoulder to shoulder” which represents helping others and being there for each other. The word here carries a concept and a metaphoric significance rather than a direct semantic

meaning. Therefore translating this would have been tricky. The choice of going with the transliteration idea is more effective. Although non-Arabic speakers will not be able to understand the brand name significance, the name is easy to pronounce and utter.

b. Saudi Arabia based brands

8. “*Inara*” is a company that provides all services related to lighting and lights installments. The name is self-explanatory and Arabic-speaking readers can determine what the company sells. The name provides the core service this company is offering. However, although the non-Arabic readers will not understand what the word means, they would be able to read it and use it with ease, transliterated with easy letters that can be pronounced correctly.
9. Another example is “*Zajil*” which is a shipping service provided in Saudi. The word “*Zajil*” in Arabic refers to a type of travelling pigeons that used to convey letters from one place to another in the past. The word “*Zajil*” provides a general meaning of moving or transporting things from one place to another and this is what the company is trying to convey through the name. The English version of the name is easy to read and pronounce, but understanding the semantic equivalence of the word for non-Arabic speaker would be impossible.

The conclusion that we can draw through analyzing the above words and the examples mentioned earlier, that there is a trend leaning more towards the concept of transliteration. UAE is more probably starting this due to the legal reasons and complexities of translation that we mentioned earlier. On the other hand, since the business owners are the decision makers in this matter, Saudi might be favoring transliteration due to its simplicity and time or money saving factors. All in all, the semantic content problem is inevitable with the transliterated words. The Arabic words cannot turn into meaningful English words by only writing them in a Roman script. The loss of semantic weight for the English speakers is then inescapable.

Chapter Four: Findings, Conclusion and Recommendations

In this chapter, the findings of this thesis will be summarized and discussed. Conclusions based on the entire thesis will also be drawn and debated. The last part will be recommendations and suggestions for better ways of dealing with the issue of brand names in bilingual settings.

4.1 Findings

The concept of transliteration can be characterized as a type and a method of translation used when transferring a word from one language to another. Throughout the thesis, many interesting findings came to light and are discussed in some detail below.

This thesis started with the aim of addressing an important question: what is more effective, to translate or transliterate brand names? We cannot say that the answer we have is definite or crystal-clear since the answer may vary from one case to another. In some examples included in the thesis the method of 'translation' was effective. The name kept its impact through semantic reference and thus left the consumer with a memorable impression. This is the case with "*Dubai Cares*", which is a Dubai-based non-profitable organization that helps people worldwide. Transliterating this, as "Dubai Lelataa", for example, would not reflect the main reason why this institution was established, since it was built to be known as one of the largest Community Service Responsibility (CSR) organizations in the world. Usually CSRs are part of a marketing plan that evokes publicity and news around the brand. "Cares" conveys fairly deep meanings related to help and being there for someone. In "Dubai Cares" case one of two methods have was used which are using dynamic translating or naming the brand in Arabic then English separately. The bottom line here was the effect of the name on the receivers. Without a doubt, translation was the best approach in transferring this brand name since this was what this brand aimed at internationally: to publicize Dubai as a city of giving and generosity. On the other hand, brands like "*Tabreed*", "*Bee'ah*", and "*Alakhbar*" are named exactly after the services they provide; the transliteration in this case eliminates the instant relation between the name and the audience.

In other cases, translation seems sometimes to be more direct and easier than transliteration. If the direct equivalent between the source and target language exists,

translation becomes the shortest and most effective solution. “*Global Village*” is the literal equivalent for القرية العالمية and they both convey the same effect on the consumer as they mean the same semantically. Nonetheless in cases like “*Emaar*” and “*Alameen*” the meaning of the brand name exceeds the limit of the literal borders. The meaning of these words resides at higher levels of pragmatic and figurative reference. “*Alameen*” for example is a name of an initiative offered by Dubai Police for confidential cases where people can contact the police and confide in them regarding certain ongoing investigations. The name here has connotations of feeling safe which a person might have when he or she is convinced that all secrets and possessions are put in safe hands. Comparably, finding a similar-in-meaning solo word that has the same effect in English is wishful thinking. The lack of agreement between the SL and TL texts at the level of pragmatics and terminological intricacy is usually a bone of contention in translation. Therefore, transliteration is the best solution for such cases.

International brands do not usually change their brand names by translating them. Instead, the name is kept as it is, that is, transliterated. This is due to fact that changing a brand name from one language to another makes the brand identity inconsistent. Macdonald’s sells burger sandwiches, because it is the famous brand known for selling burgers. But if the name were to be changed, it would most certainly affect the brand recognition and the brand reach to the masses. Moreover, transliteration saves time and energy in terms of work load. Finding the dynamic equivalence for a name of a brand does not happen instantly, but transliteration can be done immediately. As stated by Dubai Economic Department, transliteration also saves the brand from the legal hassles that could come with a translated brand name. As stated in chapter 3 there were cases which Dubai Courts reported in relation to the confusion in translated brand names that resulted from the Arabic name being something and the English one something else.

Throughout this thesis, it has been noted that there is a regrettable lack of research into the subject of transliteration. Most commentators deal only and superficially with the general concepts of transliteration and its various standards when transliterating proper names. Research in the field of transliteration in general, seems to have been glossed over and is certainly insufficient; there has been almost no research on branding and transliteration combined. Although it is an issue that is growing in importance in the field

of marketing and linguistics, transliteration is not discussed as an influential part of the marketing process in any of the marketing research surveyed. There is a general perception that the name of a brand plays a significant role in the marketing process. However, transferring the brand name does not seem to be highlighted as an issue for further study, neither in marketing nor in linguistic studies. Many marketers and translators simply comment on brand names and focus on the mistakes of transliteration when a brand name is transferred into another language, but this seems to be the extent of their interest.

Furthermore, culture plays a big and indirect role that affects the translation process in general and transliteration specifically. There are endless numbers of transliterated brand names that were supposed to mean something in the source language but ended up meaning something off-putting, if not repulsive, in the target language. A certain amount of cultural knowledge can substantially affect a marketing plan.

Similarly, brand names play a significant role in the perceptions which customers develop about a brand. It was found that the difficulty of pronouncing brand names could affect the product sales. Children for example prefer names that sound similar to their moms' language and to their native language (Hong, 2002). Brand names that are easy in the source language tend to be easier to transliterate. Arabic culture is one of the most ancient cultures in history, and the Arabic language has its own deep-rooted meanings. Thus the Arabic alphabet contains a number of Arabic-specific letters that can be found only in this language or that cannot be pronounced by someone who does not speak Arabic fluently. Although there could be replacements of the letters (ع as a, ط as t, ق as k), these replacements eventually sound alien to the Arabic language. One cannot just simply say that these letters can be avoided, because they are very much part and parcel of daily usage of language. Dealing with the issue of Arabic-specific letters could be tricky and needs to be studied carefully by the brand creators and the brand translators. Also, compounds do not sound easy and smooth for target language consumers. For example saying "aljibal alshamikhat" الجبال الشامخات can be pretty difficult for a non-Arabic speaker. Brand names as discussed in chapter 3 are usually short and sound easy for a purpose and this applies to the brand name in the target and source text. Marketers

concentrate on the “ease” factor when naming a brand as it plays a huge role in making a brand stick to the mind.

Semantic equivalence seems to be hardly possible when transliterating a brand name. Although a brand name should signify something consumers could relate to and want in a brand, the world of business has witnessed an enormous number of brand names which, while they meant really nothing to the target language consumers, they have nevertheless been a huge success. (E.g. *Microsoft, Nike, Starbucks, Avon, Tefal, Facebook*). The absence of semantic equivalence could be compensated by other marketing attractions such as the logo, catchiness of the name, colors of the look/feel of the branding scheme, etc.

It was observed that vowels tend to be tricky to transliterate, an aspect of transcription that needs to be handled with care. One name could possibly have many ways to transliterate. For example, the name صكوك used as a brand name for a legal instrument, deed, check project that abides by the Islamic rules of finance. Possible transliteration for the word can be: *Sukuk, Suoukoul, Sokoul, Sukok*.

This is probably due to the difficulty in vowels resemblance in pronunciation. Although there are many standards for transliterating words, these standards do not seem to be adhered to officially except within limited number of organizations. There are many calls to standardize the system of transliteration, yet nothing serious is being done about it.

Moreover, although standard Arabic is usually the official language for use in brand naming, there is no law that mandates its usage. Therefore, many brands can be pronounced as uttered in a certain dialect. For example, “*Shu Laziz*” is an Arabic Lebanese restaurant chain. The name is a phrase taken from the Lebanese culture and dialect as an equivalent to “how delicious”.

It was observed throughout the review of practices in Dubai, Sharjah and Saudi that the transliteration process is conducted by the officers of the registration department and not by officials with a linguistic background. This could affect the result and the output of the process.

4.2 Conclusion

This thesis has investigated the relatively neglected topic of the transliteration of brand names. The main issues addressed were transliteration and the efficiency of

transliteration vs. translation. Although the scheme of transliteration can be considered a field in its own right, the subject is still treated on a simplistic level. When transferring proper names from one language script to another, transliteration is the inevitable solution. Brand names, however, are a different case; they are sort of changeable identities that can travel from one market to another, from one culture to another and from one language to another. In an answer to the main question of when to transliterate and when to translate, we must say that we cannot simply determine whether translation is better than transliteration or vice versa. The question can only be answered within a context. This means that each brand has its own individuality. While some brand names convey an effective impression when translated, others might not. There would be those who argue that transliteration would have saved the brand identity and kept it consistent. The brand name transfer does not seem to have received much attention in the Arab world business interchange; therefore the application of and criteria for the method of transliteration is still basic and underdeveloped. Since the concept of transliteration has been used widely in the Arabic business world, a more serious approach to the translation quality should be adopted. This would insure that the process is carried out by professionals who can judge whether the transliteration is adequate or not. It would also enhance the process and the output. Transliteration should be done in the light of number of factors like the target market and the target culture. Consulting language professionals and culture experts is therefore necessary.

The other question addressed in this thesis is related to the adequacy of the transliteration. The thesis has found that the loss of semantic equivalence is a major pitfall for the transliteration method when transferring a brand. Brand names like “tabreed”, “tatweer”, “tas’heel” are based on what they offer the public and their name is a major way of displaying the products offered by the company, but all of this is lost on the English reader. However international brands like *Carrefour*, *Pepsi*, *Pringles*, *Starbucks*, *Samsung*, *Fendi* etc. kept their names, transliterated them into other scripts and this did not affect the brand strength. The method of transliteration ensures consistency of brand identity, which is vital for brand recognition by the consumers and by the market. It also saves time and effort as it avoids the occurrence of legal issues which might arise for double-identity incidents. But, translation can also be effective in certain cases. When the

case is related to specific brands that are aiming specifically to hit a certain emotion in its audience, translation makes sure to convey the emotion needed from the customer. An example of that is دبي للعطاء *Dubai Cares*. This brand was looking precisely to hit the note of help, care and love given by Dubai, highlighting the power of semantic equivalence in both languages. Therefore translation was used. However, in cases like *Emaar*, translation will not convey the exact meaning, and this made transliteration a better solution.

Saudi Arabia and the Emirate of Sharjah focus on enriching the Arabic language and on making all documentation processes Arabic-centric. This, however, should not take away from the attention that must be paid to the documents of the English version of the name. English language has evolved to be the second spoken language in the GCC area; therefore attention must be focused on the equal importance of both languages.

The Arabic market can certainly create brands that are as strong as any in the international markets. Although the concept of the brand name might seem at some level something trivial and can be done easily, a great deal of attention should be paid to this particular aspect of doing business. The name of a brand is the very first impression a consumer can get from a brand. It is just like a personal name. The training of those in charge of transferring brand names can substantially change the quality of the brand names and their transference. Brand names play a big role as a marketing factor, therefore more attention should be paid in this area. The translated/transliterated brand names can significantly be enhanced in terms of their efficiency if we deal with it the right way.

4.3 Recommendations

At this level, the study of transliteration within a brand name frame should turn from superficial into in-depth studies and experiments. The usage of the transliteration method has witnessed a large extension in the field of business. Therefore, it is highly recommended that more serious attention be paid towards the enrichment of the field of transliteration and brand name translation.

Transliteration of brand names in particular has rarely received any attention. Most of the studies were aimed at China and East Asia for all kinds of reasons, mainly to do with international business market expansion. In the Arabic market, the idea of transliteration is relatively new in terms of concept but it is not in terms of usage. The

marketing scholars in the Arab world should pay more attention to the importance of this factor especially when building a brand that is aimed for overseas markets.

Moreover, the establishment of a standard system of transliteration instead of a various random standards of transliteration will probably help in making the transliteration process easier and more applicable to many fields. A standard transliteration system will have a large positive impact on the output of the process, as it will provide a unified reference to all language users. Translators could work closely together to create a one-way system that is standardized and unified. Having different number of standards for transliteration causes confusion and leads to various outcomes throughout the process.

Cross-cultural research is highly recommended when transliterating from one language to another. As shown throughout the thesis, a translator has to be aware of both source and target languages and cultures. A skilled translator can make better decisions in the transliteration process and can make a better contribution to the quest for more effective brand names.

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APPENDIX A

Interview questions

1. What is the process for naming a brand?
2. What are the languages required for name registration?
3. How do you transfer the name from the source language to the target language?
4. Which method of translation is preferred in use? Why?
5. Why is transliteration used more often?

APPENDIX B

The Saudi Arabia's Law of Trade Names

نظام الأسماء التجارية

مادة (١) : على كل تاجر أن يتخذ له اسماً تجارياً يفيد في السجل التجاري ، ويتكون هذا الاسم من اسمه في السجل المدني ، أو من تسمية مبتكرة أو من الاكثنين معاً ، كما يجوز أن يتضمن بياضات تتعلق بنوع التجارة المخصص لها . وفي جميع الأحوال يجب أن يكون الاسم لاغياً ولا يؤدي إلى التضليل ، أو يتعارض مع الشريعة الإسلامية أو يمس المصالح العام .

مادة (٢) : مع مراعاة أحكام نظام الشركات ، يكون اسم الشركة هو الاسم التجاري لها ، ويجوز أن يتضمن هذا الاسم تسمية مبتكرة أو بياضات متعلقة بنوع التجارة التي تمارسها الشركة .

مادة (٣) : يجب أن يتكون الاسم التجاري من ألفاظ عربية ، أو معربة ، وألا يشتمل على كلمات أجنبية ، ويستثنى من هذا الحكم أسماء الشركات الأجنبية المسجلة في الخارج ، والشركات ذات الأسماء العالمية المشهورة ، والشركات ذات رؤس المال المشترك (المختلطة) التي يصدر بتحديد قرار من وزير التجارة .

مادة (٤) : يقدم طلب قيد الاسم التجاري إلى مكتب السجل التجاري . وفي حالة طلب أكثر من تاجر أو شركة قيد الاسم نفسه تكون أولوية القيد لاسيغهم في الاستعمال الظاهر .

مادة (٥) : في حالة قبول طلب قيد الاسم التجاري ، يتم شهره بالكيفية التي تحددها اللائحة التنفيذية . ويجوز لمكتب السجل التجاري أن يرفض الطلب بقرار مسبب خال من تأخيرين يوماً من تاريخ تقديمه .

مادة (٦) : لا يجوز لتاجر آخر ، بعد قيد الاسم في السجل التجاري ، استعمال هذا الاسم في المملكة في نوع التجارة التي يزاولها ، وإذا كان الاسم التجاري المطلوب قيده يشبه اسماً تجارياً سبق قيده في السجل التجاري وجب على التاجر أن يضيف إلى هذا الاسم ما يميزه عن الاسم السابق قيده .

مادة (٧) : على التاجر ، فرداً كان أو شركة ، أن يكتب اسمه التجاري بشكل واضح على واجهة محله التجاري ، وجميع مطبوعاته ، على أن يراعى في حالة اختلاف الاسم التجاري للتاجر الفرد عن الاسم المسجل في السجل المدني ذكر اسمه المسجل في السجل المدني كاملاً في جميع مطبوعاته ، وأن يتم التوقيع به على جميع معاملاته التجارية .

مادة (٨) : لا يجوز التصرف في الاسم التجاري تصرفاً مستقلاً عن التصرف في المحل التجاري ، ولا يشمل التصرف في المحل لاسمه التجاري ما لم يتفق على ذلك كتابة ، وفي هذه الحالة يجب على من آل إليه هذا الاسم أن يضيف إليه بياناً يدل على انتقال الملكية . وإذا وافق السلف على استعمال الاسم التجاري الأصلي دون إضافة ، كان مسؤولاً عن التزامات الخلف المعقودة تحت هذا الاسم إذا عجز الخلف عن الوفاء بها .

مادة (٩) : من آل إليه اسم تجاري تبعاً لمحل تجاري بخلف سلفه في الحقوق والالتزامات التي سبق أن تراكمت تحت هذا الاسم ، ومع ذلك يبقى السلف مسؤولاً بالتضامن مع الخلف عن تنفيذ هذه الالتزامات . ولا يسري أي اتفاق مخالف في حق الغير إلا إذا قيد في السجل التجاري وأخطر به الغير بخطاب مسجل ، ونشر في الجريدة الرسمية وجريدة سعودية أخرى ، ولم يتعرض عليه أحد خال من تأخيرين يوماً من تاريخ تسليم الإخطار ، أو النشر في الجريدة فهما أسبق ، ولا تسمع دعوى مسؤولية الخلف عن التزامات السلف بعد مضي خمس سنوات من تاريخ انتقال ملكية المحل التجاري .

مادة (١٠) : في حالة انتقال ملكية المحل التجاري دون اسمه ، يكون السلف هو المسؤول عن الالتزامات السابقة على انتقال ملكية المحل ، وذلك ما لم يكن هناك اتفاق بغير الإضافة إلى ذلك مسؤولية الخلف

يخطر صاحب الشأن بقرار الوزير كتابياً وله في حالة رفض اعتراضه التظلم من قرار الوزير أمام ديوان المظالم خلال ثلاثين يوماً من تاريخ إبلاغه به .

مادة (9)

عند قبول الطلب يعد مكتب السجل التجاري إعلاناً يتضمن البيانات التالية :

1. اسم طالب القيد طبقاً لما ورد في السجل المدني ومحل إقامته وجنسيته وإذا كان طالب القيد شركة يوضح اسمها وعنوان مقرها الرئيسي .
 2. الاسم التجاري .
 3. نوع التجارة التي يزاولها التاجر تحت الاسم التجاري .
 4. عنوان المحل الذي يزاول فيه التاجر تجارته تحت الاسم التجاري .
- ويقوم طالب القيد بنشر الإعلان في الجريدة الرسمية وجريدة أخرى محلية على نفقته خلال ثلاثين يوماً من تاريخ استلامه والا اعتبر متنازلاً عن طلبه ويجوز تجديد هذه المدة لمدة معادلة إذا قدم الطالب طلباً بذلك قبل انتهاء المدة المذكورة ووافق رئيس مكتب السجل التجاري بالرياض أو مدير فرع الوزارة على الأسباب المبررة للتجديد .

مادة (10)

يقيد الاسم التجاري بعد الشهر في السجل التجاري ويعطى مالكه بمجرد قيده شهادة بذلك تشمل البيانات التالية :

1. رقم القيد .
2. تاريخ القيد.
3. الاسم التجاري.
4. اسم مالك الاسم التجاري طبقاً لما ورد في السجل المدني ومحل إقامته وجنسيته وإذا كان مالك الاسم شركة يوضح اسمها وعنوان مقرها الرئيسي.
5. نوع التجارة التي يزاولها التاجر تحت الاسم التجاري .
6. عنوان المحل الذي يزاول فيه التاجر تجارته تحت الاسم التجاري.

مادة (11)

لا يجوز لتاجر آخر بعد قيد الاسم في السجل التجاري استعمال هذا الاسم في المعركة في نوع التجارة التي يزاولها وإذا كان الاسم التجاري المطلوب قيده يشبه اسماً تجارياً سبق قيده في السجل التجاري وجب على التاجر أن يضيف إلى هذا الاسم ما يميزه عن الاسم السابق قيده.

مادة (12)

على التاجر، فرداً كان أو شركة، أن يكتب اسمه التجاري بشكل واضح على واجهة محله التجاري بجميع مطبوعاته ،على أن يراعى في حالة اختلاف الاسم التجاري للتاجر الفرد عن الاسم المسجل في السجل المدني ذكر اسمه المسجل في السجل المدني كلياً في جميع مطبوعاته ،وان يتم التوقيع به على جميع معاملاته التجارية .

مادة (13)

يؤشر في السجل التجاري بانتقال ملكية الاسم التجاري بذاة على طلب ممن آل إليه الاسم التجاري أو وكيله مرفقاً به المستندات الدالة على انتقال الملكية واتفاقات الطرفین حول مسؤولية السلف والخلف عن الالتزامات المعقودة تحت هذا الاسم قبل وبعد انتقال الملكية وبما لا يتعارض مع النظام واللائحة التنفيذية.

مادة (14):

يعد مكتب السجل التجاري إعلاناً بنقل ملكية الاسم التجاري يتضمن البيانات التالية :

1. رقم وتاريخ قيد الاسم التجاري .
2. اسم مالك الاسم التجاري السابق .
3. اسم من انتقلت إليه ملكية الاسم التجاري كما في السجل المدني ومحل إقامته وجنسيته وإذا كان من انتقلت إليه الملكية شركة ذكر اسمها وعنوان مقرها الرئيسي.
4. الاسم التجاري .
5. البيان الدال على انتقال الملكية إن وجد.

ويقوم مالك الاسم التجاري بنشر الإعلان في الجريدة الرسمية وجريدة أخرى محلية على نفقته .

مادة(15):

يقوم مكتب السجل التجاري بعد النشر بالتأشير في السجل بانتقال ملكية الاسم التجاري مع ذكر اسم المالك الجديد وعنوانه وسبب انتقال الملكية وتاريخ التأشير به في السجل التجاري.

مادة (16):

لا يسري أي اتفاق يخالف حكم المادة التاسعة من النظام في حق الغير إلا إذا قيد في السجل التجاري بناءً على طلب من صاحب الشأن وأخطر به الغير بكتاب مسجل صادر عن مكتب السجل التجاري ونشر في الجريدة الرسمية وجريدة أخرى محلية بإعلان يحدد مكتب السجل التجاري وينشره صاحب الشأن على نفقته .

مادة (17):

لكل ذي مصلحة الاعتراض على الاتفاق المخالف المنصوص عليه في المادة السابقة أمام وزير التجارة خلال ثلاثين يوماً من تاريخ إخطاره به أو نشره في الجريدة أيهما سبق ويبلغ بقرار الوزير كتابياً وله الاعتراض منه أمام ديوان المظالم خلال ثلاثين يوماً من تاريخ إبلاغه به.

مادة (18)

إذا استعمل الاسم التجاري غير صاحبه أو استعمله صاحبه على صورة تخالف النظام جاز لذوي الشأن أن يطلبوا من وزير التجارة منع استعماله أو شطبه إذا كان مقدماً في السجل التجاري، كما يجوز لهم اللجوء إلى ديوان المظالم للمطالبة بالتعويض إن كان له محل .

مادة (19)

مع عدم الإخلال بأي عقوبة أشد ينص عليها نظام آخر ، يعاقب كل من استعمل اسماً تجارياً بالمخالفة لأحكام هذا النظام ، بغرامة مالية لا تزيد على خمسين ألف ريال ، ويجوز مضاعفة العقوبة في حالة تكرار المخالفة.

مادة (20):

يتولى موظفو السجل التجاري كل في دائرة اختصاصه ضبط ما يقع من مخالفات لأحكام نظام الاسماء التجارية والقرارات الصادرة تنفيذاً له بناءً على تكليف يصدر لهم من رئيس مكتب السجل التجاري .

مادة (21):

للموظفين المشار إليهم في المادة السابقة في سبيل أداء وظائفهم وبعد إبراز بطاقتهم الرسمية وبيان الغرض الذي جاؤوا من أجله حق الاطلاع على الدفاتر والسجلات والأوراق ومطلب البيانات اللازمة ولهم دخول المحل التجاري وما يتبعه من مخازن ومستودعات وإجراء التفتيش متى لزم الأمر وعلى المسئول في المحل التجاري أن يقدم لهم جميع التسهيلات لتحقيق هذه الغاية .

مادة (22):

إذا أسفر التفتيش عن وجود مخالفة لأحكام النظام أو القرارات الصادرة تنفيذاً له فلتقوم الموظف المختص بالتدخل على الأوراق وتحرير محضر بالواقعة وإجراء تحقيق فيها ورفع الأمر إلى رئيس مكتب السجل التجاري لإحالة الأوراق إلى ممثل الادعاء العام .

مادة (23):

يلتزم الموظف المختص بضبط المخالفات عند تنفيذ الإجراءات المشار إليها بقواعد السلوك الحسن والأخلاق الحميدة والآداب العامة ولا يجوز له زيارة المحلات التجارية لأغراض الضبط في غير أوقات عملها اليومي.

مادة (24):

يتولى ممثل الادعاء العام بوزارة التجارة وفروعها كل بحسب اختصاصه مباشرة الادعاء في مخالفات أحكام نظام الأسماء التجارية والقرارات الصادرة تنفيذاً له أمام اللجنة المنصوص عليها في المادة (14) من نظام الأسماء التجارية.

مادة (25):

تشكل بقرار من وزير التجارة لجنة أو أكثر طبقاً لنص المادة(14) من نظام الأسماء التجارية تختص بالتحقيق في مخالفات هذا النظام والقرارات الصادرة تنفيذاً له وتوقيع العقوبات ولها الاستعانة بمن تراه من ذوي الخبرة واستدعاء أصحاب الشأن وتكليفهم بتقديم ما تراه من أدلة أو بيانات .

مادة (26) :

يخطر أصحاب الشأن بقرارات اللجنة كتابياً ولكل منهم الاعتراض على القرار أمام وزير التجارة خلال ثلاثين يوماً من تاريخ إعلانه به وله التظلم من قرار الوزير أمام ديوان المظالم خلال ثلاثين يوماً من تاريخ إعلانه به.

مادة (27) :

تقضي الحماية المقررة بموجب أحكام هذا النظام متى تم شطب السجل التجاري للتاجر ، فرداً كان أو شركة، لئلا كان سبب الشطب ، كما تقضي هذه الحماية بشطب الاسم من السجل التجاري بقرار من وزير التجارة، إذا تبين أن قيده تم بالمخالفة لأحكام هذا النظام .

مادة (28) :

يختص ديوان المظالم بالفصل في جميع الدعاوي والمنازعات الناشئة عن تطبيق هذا النظام .

مادة (29):

تصدر هذه اللائحة بقرار من وزير التجارة ينشر في الجريدة الرسمية ويعمل به من تاريخ العمل بنظام الأسماء التجارية .

APPENDIX C

The English version of Saudi Arabia's Law of Trade Names.

The Law Of Trade Names

Royal Decree No. M/15 12 Sha'ban 1420 / 20 November 1999

Article 1:

Every merchant must have a trade name to be recorded in the Commercial Register. This name shall consist of his name as recorded in the Civil Register, a novel appellation or both. It may include data relating to the type of commercial activity. In all cases the name must be suitable, not misleading, nor inconsistent with Islamic Shari 'ah or public interest.

Article 2:

Subject to the provisions of the Companies' Law, the name of the company shall be its trade name and may include a novel appellation or data relating to the type of commerce in which the company is engaged.

Article 3:

The trade name shall consist of Arabic or Arabized words, and may not include foreign words, excepted from this provision are: names of foreign companies registered abroad, companies with well-known international names, and companies of mixed capital, to be specified by a decision issued by the Minister of Commerce.

Article 4:

Application for registration of a trade name shall be submitted to the Commercial Register Office. If more than one merchant or company applies to register the same name, priority shall be given to the first one who used it publicly.

Article 5:

In case the application for registration of the name is approved, it must be published in the manner specified by the implementing regulations. The Commercial Register Office may reject the application pursuant to a reasoned decision within thirty days.

Article 6:

Upon registration of the name in the Commercial Register no other merchant may use it in the Kingdom in connection with the same commercial activity in which the owner of the registered name is engaged. If the commercial name applied for is similar to a commercial name already registered in the Commercial Register, the merchant shall add to that name something to distinguish it from the name already registered.

Article 7:

The merchant, whether an individual or a company must post his trade name clearly on the front of his place of business as well as all his printed materials. Where there is a difference between the trade name of the individual merchant and his name as registered in the Civil Register, the merchant shall record his name as registered in the Civil Register fully in all his printed materials and he shall sign the same in all his commercial transactions.

Article 8:

The trade name shall not be disposed of independently of the place of business, and any disposition of the place of business does not include its trade name unless otherwise agreed to in writing. In this case the person to whom the name is transferred shall add to it a statement signifying the transfer of ownership. If the predecessor agrees to the use of the original trade name without any addition, he shall be responsible for the obligations of the successor entered into under this name if the successor fails to meet them.

Article 9:

Whosoever succeeds to own a trade name incidental to transfer of ownership of a place of business shall also succeed his predecessor's rights and obligations undertaken under this name, Nevertheless the predecessor shall remain responsible jointly with the successor for the performance of these obligations. Any agreement to the contrary is not binding on third parties unless recorded in the Commercial Register and third parties are given notice, by registered mail, and is published in the Official Gazette and another Saudi newspaper, provided that no one objects to it within thirty days after the date of delivery of the notice or the date of publication in the newspaper whichever earlier. A lawsuit for responsibility of the successor for the obligations of the predecessor shall not be heard after the expiration of five years from the date of transfer of ownership of the place of business.

Article 10:

In case of transfer of the place of business without its trade name, the predecessor shall be responsible for the obligations arising prior to the transfer of ownership of the place of business

unless there is an agreement providing, in addition to that, for the joint responsibility of the successor for these obligations.

Article 11:

If the trade name is used by other than its owner or is used by its owner in a way that violates the law, those concerned may request the Minister of Commerce to prevent its use or strike it off the Commercial Register if already registered. They may also resort to the Board of Grievances for compensation if appropriate.

Article 12:

Without prejudice to any more severe penalty provided for under another law, anyone who uses a trade name contrary to the provisions of this Law shall be punished with a fine that may not exceed fifty thousand riyals. The penalty may be doubled in the event the violation is repeated.

Article 13:

The officers of the Commercial Register, each in his area of competence, shall investigate and record violations of this Law and the decisions issued for its implementation.

Article 14:

Investigating violations of this Law and the imposition of penalties shall be vested in a committee formed in pursuant to a decision of the Minister of Commerce composed of three members, at least one of whom is a law specialist.

Article 15:

The representative of the public prosecution in the Ministry of Commerce and its branches, each in accordance with its powers, shall be charged with the responsibility of prosecuting violations of the provisions in this Law before the Committee.

Article 16:

The protection provided pursuant to provisions of this Law expires when the commercial registration of the merchant, whether an individual or a company, is cancelled, and whatever the reason may be. It also expires when the name is stricken off the Commercial Register by a decision of the Minister of Commerce, if it appears that the registration was effected in violation of the provisions of this Law.

Article 17:

Parties concerned may object before the Minister of Commerce decisions of the Commercial Register Office and to the decisions of the Committee empowered to impose penalties within thirty days from the date of notice of the decision.

The refusal of the Commercial Register Office to make a decision which the Office should have made in accordance with the laws and regulations or its failure to act, shall be deemed a decision. Within thirty days from the date of notification of the Minister's decision, the parties concerned may also file a grievance with the Board of Grievances against the decisions of the Minister of Commerce made in connection with their objections or which were made pursuant to Articles 11 or 16 of this Law.

In case no decision is made by the Minister in connection with the objection or the application submitted to him, within a period not exceeding sixty days of the date of filing the objection or the application, the party objecting or the applicant may file a grievance with the Board of Grievances against the decision of the Commercial Register Office or against the decision of the committee empowered to impose penalties, or in connection with his application, within thirty days of the date of expiration of the period specified for the Minister to make his decision.

Article 18:

The Board of Grievances shall have jurisdiction to decide all lawsuits and disputes arising from the implementation of this Law.

Article 19:

The Minister of Commerce shall issue the regulations and decisions necessary for the implementation of the provisions of this Law.

Article 20:

This Law shall be published in the Official Gazette and shall come into force after ninety days of the date of publication.

Vita

Noura Al Awadhi is an Omani national. After finishing her Bachelor degree in English Language and Literature from Sohar College of Applied Sciences in Oman, Noura continued studying linguistics at London Empire Academy in the United Kingdom to gain proficiency certificate in advanced language practice. In 2010 she continued her postgraduate studies to obtain a Master's degree in Translation and Interpreting from the American University in Sharjah, U.A.E. Noura's career path has moved towards marketing and the media. She is currently working as a senior officer in the Media and Marketing department in one of Dubai's government entities.