



## CASE STUDY: WINWARD COMMODITIES

### MONETISING YOUR BRANDS

#### Contact

Barbados Offices: The Grove, 21 Pine Road, Belleville, St. Michael, Barbados  
 UK Offices: Bremhill Grove Farm, Chippenham, Wiltshire SN15 5LX, United Kingdom  
 Website: <http://www.windwardcommodities.com/>  
 Chris Docherty Managing Director & Founder, Windward Commodities  
[contact@windwardcommodities.com](mailto:contact@windwardcommodities.com)

## BACKGROUND

Windward Commodities ('Windward') was established to develop and manage profitable brands and sustainable supply-chains with the result of creating jobs and increasing incomes for producers in various commodity sectors including agriculture and natural resources such as oil and metals. The company has adopted a business model where it creates brands, promotional material, social media campaigns, and building strong relationships with distributors and retailers to launch brands into local, regional and international markets.

As part of its business model, Windward would first launch a new product or brand into local markets where they offer consumers ethical, high-quality alternatives to similar imported products. Once the local market is established, Windward then works with partners in regional and/ or international markets to expand sales and impact for local producers.

This case study focuses on Windward's agricultural commodity portfolio to demonstrate how the company monetises its IP business assets. The company uses the brand building principles of fast-moving consumer goods (FMCG) companies and applies them to commodities. This strategy takes a structured, integrated approach to New Product Development across the product supply chain "from market and supply-side due diligence, investment planning, impact assessment, product development, commercial negotiations and contracts, brand and IP management, operational readiness, launch and on-going support".

## WINDWARD'S APPROACH TO IP MONETIZATION

Windward uses three main approaches to monetizing IP assets.

- **1. REVENUE MAXIMISATION**
- **2. BRAND LICENSING**
- **3. IP SALE**

### 1. REVENUE MAXIMISATION: AN INTEGRATED BRAND APPROACH FOR BARBADOS SUGAR

The strategy behind this approach is based on product differentiation through various market segments including premium and mass market, ingredient product to manufacturers, and premium pricing around a brand with a unique cultural story.

In 2007 Windward and the Barbados Agricultural Management Company Ltd entered a joint venture business arrangement to establish the West Indies Sugar & Trading Company (WISTCO) to enhance the competitiveness of the local sugar industry. The company has created more than US\$ 10.2m in added value for the Barbados sugar industry since 2010 through the effective management of exports, intellectual property and marketing activities.

#### THE BRAND:

One of the earlier brands used by the company was the Plantation Reserve brand. Under this brand the company established a portfolio of products aimed at different market segments from premium to mass market and also as an ingredient to be used by manufacturers. Product packaging is tailored for each market segment identified.

## IP PROTECTION

To protect the brand, a trade mark was initially filed in 2006/2007 for the Plantation Reserve logo in key markets: Barbados, Canada, EU and USA under Class 30 of the NICE Classification. These trade marks were owned by WISTCO.



Source: Barbados Sugar | Windward (windwardcommodities.com)

The Nice Classification (NCL), established by the Nice Agreement (1957), is an international classification of goods and services applied for the registration of marks. A new edition is published every five years and, since 2013, a new version of each edition is published annually. Source: [About the Nice Classification](#) (wipo.int)

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**TM**class

If you want to verify which terms of goods and services are accepted for TM registration across 89 different IP Offices worldwide, you may visit [TMclass](#). Terms are available in 37 different languages.

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Caribbean TMclass was launched in 2021 and is an online multi-lingual consultation tool offering free-of-charge access to the lists of terms accepted as suitable to identify goods and services for the purposes of the registration of marks by participating IP Offices belonging to the CARIFORUM group of states.

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PLANTATION  
RESERVE

Plantation Reserve logo registered in 2007 in Barbados, USA, Canada & the EU

In 2019 the company rebranded, and the name Barbados replaced that of Plantation in the logo, thus providing consumers with an indication as to the source of the product. This trade mark is currently registered in the USA under NICE Classification – Class 30. The Barbados Reserve trade mark is owned by the company Barbados Sugar Inc. and the trademark will also be registered in key markets.



A trade mark is a sign capable of distinguishing the goods and services of one enterprise from those of other enterprises in the market.

Nationally, a trademark can be protected by filing an application for registration with the national IP office and paying the required fees. At the international level, there are two options for registering a trademark (1) by filing a trademark application with the trademark office of each country in which you are seeking protection, or (2) by using WIPO's Madrid System. Source: [Trademarks \(wipo.int\)](https://www.wipo.int)

Before registering a trade mark it is important to make sure that the sign is available and no confusingly similar trade mark is registered already in your export markets. You can search for registered marks of 110 countries by using the [TM View database](#). In many CARIFORUM countries these data are not yet available online and the search has to be done at the respective national IP registry.

## BENEFITS TO PRODUCERS AND CONSUMERS

Because of the business strategy developed to maximise revenues through product differentiation, WISTCO earns enough revenues to pay as much as four times the world market price for the branded sugar it buys from sugar producers in Barbados thus allowing the industry to cover its costs and make a profit on every tonne of sugar sold. The sugar in the company's portfolio is sold through over 1,000 stores across the EU and the Caribbean resulting in US\$10.2m in additional income above the world sugar price going to producers since 2010.

The company is constantly developing new products to market under its brand and in addition to sugar, it now produces value-add products such as caster sugar and icing sugar locally, for the Caribbean and for extra-regional markets.



## 2. BRAND LICENSING



In the case of its chilli sauce brand from Zimbabwe, Windward partnered with Netrade, a Zimbabwe based conglomerate, to establish a value chain and portfolio of branded chilli sauce products. Windward conducted market research and created recipes

for a range of products suitable for local consumers and also created a brand strategy for these products. The result was the Chilli Power™ brand. The impetus behind this approach was to support small chili farmers through local sourcing.



## IP PROTECTION AND BRAND LICENSING

The Chilli Power trade mark was registered in several countries in 2015 through the African Regional IP Office under Class 30 of the NICE Classification. In Zimbabwe the trade mark is owned by Windward Commodities.

The African Regional Intellectual Property Organization (ARIPO) is an intergovernmental Organization that grants and administers Intellectual Property (IP) titles on behalf of its Member States and provides IP information to its clientele in the form of search services, publications and awareness creation. There is currently a total of 21 member states who are members of ARIPO inclusive of Member States of the African Union (AU) or of the [United Nations Economic Commission for Africa \(ECA\)](#).

Windward licenses the brand to its partner Westale who manufactures the chilli flavors based on recipes developed and owned by Windward. The licensing contract requires the manufacturer to manufacture to certain specification to ensure quality and consumer safety to protect the Chilli Power™ brand. Chilli Power™ branded chilli sauces are available in 257 retail and wholesale stores including Pick'n'Pay, one of the largest retailers in southern Africa.

Windward's monetisation strategy in this case relies on the company developing a new product and a branding and promotion strategy to build consumer awareness and brand loyalty in its markets. Its licensing strategy ensures that the company can leverage the established presence of its partner in the African retail market to ensure Chilli Power™ is competitively positioned in the market. By licensing the use of the brand and the manufacturing and distribution aspects of the business out to a partner, Windward is able to benefit financially without having to invest in costly manufacturing and supply chain and distribution logistics.

The added benefit to Windward's business strategy in Zimbabwe is that the local chilli sector was able to benefit, as a 40% social premium is reinvested in supply-side improvements which benefit smallholder farmers.





A licence is an agreement between an IP right owner (licensor) and another party (Licensee). It essentially grants the licensee permission use the subject of the IP rights without infringing those rights. Licensing IP is a mechanism for a company to grow its business in national, regional and international market, launch new products and services. IP licensing starts when both parties enter a contract which details the terms and conditions under which parties to the contract will operate.

### 3. SALE OF IP ASSETS

Another strategy used by Windward to monetise its intangible business assets is to sell those assets. In this business model Windward partnered with Ecom, the largest global coffee merchant, and their subsidiary CAFESCA, the only freeze-dried coffee producer in Mexico, to launch an ethical mass market coffee brand into the Mexican market in December 2015. This partnership was established to address the issue of competing imported coffee brands in the local Mexican market.

After conducting national consumer research to test brand concepts, the company created a brand design, product labelling and sachets designs for the product. They also provided support to CAFESCA to develop and implement a negotiation strategy to engage with regional distributors and retailers of the brand.

### IP PROTECTION

The Amor Café Signature trade mark was registered in Mexico in 2019 under Class 30 of the NICE Classification. The brand was developed and initially owned by Windward who later sold the trade mark to Ecom.

An important aspect in the monetizing of IP assets is being able to ascertain the value of the IP. For further details on these methods check this source: [08\\_en\\_introduction\\_to\\_ip\\_valuationpdf\\_0\\_restyling\\_.pdf \(europa.eu\)](#)

## Benefit to producers

Coffee sold under the Amor Café Signature™ brand is sourced at premium prices from the coffee co-operatives in Chiapas, freeze-dried and packed in Mexico and distributed locally to major national retailers with benefits shared with farmers.

## Brand monetizing strategy

Windward has developed a business model which seeks to monetise their IP assets in varied ways. The company has a deliberate strategy to create and protect IP assets which they eventually own. Once they have secured ownership of IP rights, they can then enter lucrative partnerships where they either license their IP rights as in the case of Chilli Power™ or sell their rights as in the case of Amor Café Signature™.

Product differentiation and market segmentation are also strategies which a business can use to obtain revenue streams from different market segments and having products specifically packaged and marketed to each customer segment. This was the strategy used with Barbados Reserve™ sugar.

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