



Chocolate Bars and Law Firms

Brand strategy consultant, Keith Lucas of Lucasbrand, discusses the rising importance of branding for the legal services industry:

"We are proud of our professional reputation..."



***...but we're a law firm not a chocolate bar,
we don't have a brand"***

Does the above line of defence sound familiar? Such sentiments have often been used by lawyers against so-called 'branding experts'. To be honest, it is entirely understandable given that lawyers are trained to distrust things that seem to be emotional, superficial and unquantifiable. Which is what brands are isn't it?

Well, that really depends on who is defining them. In essence, a brand is simply 'a promise of what to expect'. In most respects, we process them intellectually much as we do personalities (which is why, when a brand is personified, such as in the Apple versus PC commercials or with real life characters like Richard Branson or Paul Smith, they snap into focus much more easily). The way they present themselves to the world, via their appearance, their verbal communications and behavioural characteristics, promises certain expectations. When people pay little or no attention to the impressions they make on those around them they risk being misunderstood, overlooked, disliked or avoided. So it is with a brand whose impressions on its audiences are not being adequately managed.

"When was the last time you systematically reviewed your firm's corporate personality?"

cringing at the frayed cuffs on his stripy shirt or his worn-out shoes or wincing at his bushy sideburns and bouffant 90's hairstyle. His speech is peppered with hackneyed industry clichés and legalese, occasionally interspersed with contemporary comments, self-consciously delivered in an affected manner. Worse still, he has, unwittingly, developed a distracting tick which has become so familiar to those around him that only new acquaintances really notice it any more.

Ridiculous maybe, but how will you know whether your brand, or 'corporate personality' was creating a similarly out-of-touch impression if you are not managing it carefully? When was the last time you systematically reviewed your firm's corporate personality, considered how well your firm communicates with its audiences, assessed how it is positioned in clients' minds or evaluated the relevance of its

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Imagine, if you dare, the senior partner turning-up for a client meeting in the same suit he wore shortly after he became a partner in 1998 (the last time he thought seriously about his image), he fails to spot the client

tone of voice? Does it say 'new' things just for effect or do they sound natural and genuine? Has your brand developed some annoyed little habits? (mailings, events, perhaps even vernacular?) Is it possible that your brand might be lodged in a fading 1998 time warp? Remember, also, that your corporate personality lives, not in your business development department, but in the minds of your audiences.

The legal profession is characterised by a high level of personal interaction and every individual in the firm has a part to play in living the firm's values and reinforcing the 'promise of what to expect'.

Just as brands are like people, so people are like brands; their reputation goes before them, setting expectations which will, ideally, be born-out by first impressions and fulfilled as relationships grow.

Most successful lawyers tend to be conspicuously good at managing their own 'personal' brand, playing to their strengths to build client relationships. But, however conscious they are of their own personal values and characteristics, they tend to leave their firm's values to evolve passively with little serious consideration. These values, good or bad, become embodied into the firm's culture and, so, shape its de facto brand personality. For example, if you were told

that, in the next room were three IP lawyers all offering predominantly similar services, one from Slaughter and May, one from Farrers and one from Olswang, how many seconds do you think it might take you to correctly identify who was from which firm? You might also hazard a guess as to which was likely to be the most and least expensive, the fastest turnaround, the nicest people to work with? The point being that each of these three firms has a distinctive corporate personality, or brand, which lives in the mind and defines our expectations of it and, by association, those who represent it.



Recalling that imaginary partner for a moment, few would deny that his demeanour would compromise the reputation of just about any firm, even without any specific, quantifiable measures to prove it. Most would agree that he would fall short of the threshold for acceptable professional behaviour and still further short of the standards expected from a 'prestigious and trusted law firm. It is an instinctive response to human behaviour, it just feels 'wrong'. But what if the roles were reversed and the brand was the guilty party,

compromising the professional reputation of the individuals representing it? Moreover, what if the discrepancy were less marked and needed to be studied more carefully to be appreciated?

Unfortunately, however compelling the case may be, the legal sector has been one of the least receptive to the notion of brand management (unless, of course, it relates to the IP of a client organisation - whose chocolate bar brand, for example, requires legal protection).

Perhaps it is because law firms have become used to working in a conservative, risk-averse, personality-led world that so many law firms still remain sceptical. And yet, it could be argued that there has never been a time when law firms have been in such acute need of clear branding to signify a clear, differentiated promise in the mind of a potential client. The legal marketplace has become uncomfortably competitive, winning business has become tougher and it is harder than ever to stand-out from other, similarly-eligible (and equally hungry), firms jostling for attention. Mergers and acquisitions are accelerating and clients are increasingly calling the shots. How do they choose from the dizzying array of seemingly-identical offerings? Increasingly, by reputation, corporate personality, or, for want of a better

word, brand. And the case for developing a more sophisticated approach to brand management is growing ever stronger. First, because quick, easy access to knowledge and legal databases are commoditising some legal services, making it easier for certain routine legal tasks to be simplified, eroding the competitive advantage traditionally held by the more reputable firms; this leaves price and brand as the key differentiators. Second, and more importantly, the introduction of the Legal Services Act has set the stage for non-legal brands to leverage their well-managed reputations and goodwill to offer legal services in direct competition with traditional law firms. Now, a client who currently uses, say, UBS, HSBC or Goldman Sachs, could, theoretically, buy legal and financial services from the same trusted brand. Similarly, brands like McKinsey, Coutts, Sotheby's, Savills, and a host of other well-known brands acting in adjacent sectors, could start to steal the attention of future clients who might be tempted to trust their promises more those of a traditional law firm.



How to compete? Develop a great brand for your firm. Great brands depend on three factors: distinctiveness, relevance and consistency.

- (i) If your brand is not distinctive it will not stand-out and be heard above the noise in an increasingly crowded marketplace. This is not easy in an environment where your intellectual product is relatively similar to your competitors'. It is the strength of the promise that you offer and the credibility with you say it that will enable you to stand out (for want of a better cliché: 'it's not what you do, but the way that you do it, that gets results'. Just as Virgin and BA will both fly you from London to New York, in Boeing 747 aircraft, at similar times and in similar comfort, for similar amounts of money, each has a distinctive appeal which engages with a different type of customer)
- (ii) It goes without saying that if your brand is not genuinely relevant to the needs of your market it will fade into oblivion. Remember that being relevant means reflecting the changing needs of clients, what seems relevant today may not be tomorrow. For example, are you expected to be in tune with the latest technology (VoIP conferencing, cloud-based file sharing, presentations on tablets, etc.),

do clients expect a more global perspective? (affiliates in global locations, familiarity with international legal practices) are you offering the right remuneration options? (fixed project fees, success-related contracts, or traditional hourly rates, etc.).

(iii) Consistency is vital. Could you trust someone who kept contradicting themselves or regularly behaved out of character in certain environments? How then can a client be expected to remain loyal and committed if your firm's communications speak with a different voice in different places? Might it not seem a little disconcerting if the look and feel of your website was at odds with your annual report and practice brochures, your receptionist sounded like she belonged with neither and the impression gained when arriving for a meeting at your offices was different again; meanwhile, your staff remain oblivious.

A great brand stands for something compelling and memorable and offers clear, differentiated reasons for choosing your firm. It generates loyalty, raises expectations and adds goodwill and intangible asset value to your firm.

However weak or strong, distinctive or diffused, every law firm, like every chocolate bar, has a brand.

The question is not whether it exists, but what are you doing to manage it? And if you are not managing it who is? Could your competitors by stealing your place in the client's mind?

Finally, remember that brand reputations are relative; market leaders of today can look anachronistic when the rules change (remember how insuperable the Sony Walkman looked before the arrival of the iPod?). The rules for the legal market have changed.

The stage is set. May the best brands win.



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That Friday feeling

Blame it on a bunch of students if you don't like your firm's branding. [Today's story](#) about a comparison between law firms and chocolate bars says as much about the lack of individuality of most firms as it does about the all-encompassing knowledge of law students.

Brand valuation consultancy Intangible Business asked a focus group of business executives, law graduates and students to compare law firm brands to chocolate brands. Ince & Co is, apparently, a Mars Fun Size bar because it is "not too demanding but big enough to have fun".

Pretty much any law firm in the world could say the same.

There are a few gems though. CMS Cameron McKenna is a Toblerone because it has "global recognition, universal appeal, premium positioning but accessibly priced". And its lawyers, strangely, are triangular.

Baker & McKenzie's Hershey's comparison was on the basis of being "an American favourite", a tag that is unlikely to go down too well at a firm that hates being tagged as "US".

BLP on the other hand will be chuffed that all of its top dollar laterals and expansion has turned it into posh Hotel Chocolat on the basis of it being, "top of the range, twist on the traditional, creative and all about the visual".

Our favourite however isn't in the survey. Within seconds of the story going up on *The Lawyer*'s website the following message from Addleshaws popped into our inbox: "I think we'd be a packet of Rolos - we love our clients so much we'd always give them our last one."

Bless. What would your firm be? [Comment here](#).

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A column based on this article was published in *The Lawyer*, 14 September 2012



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An experienced marketer-turned agency planner and strategy consultant, I am a creative thinker and articulate communicator.

I wrote a feature in Campaign to break into advertising, successfully persuaded McKinsey it had a brand and was handed an assignment by Rolex without a pitch. A father of four and a music-loving Francophile, I sing in New College, Oxford and lecture at a French university.

Brands that I have worked with directly include: BBC, Rolex, BAA, Discovery Channel, Deloitte, Firmenich, Farrer & Company, Reed Elsevier, BP, Ford, Jaguar, Citroën, McKinsey & Company, Goldman Sachs, Towers Watson, BT Global Services, Thales, Hitachi, Samsung and Motorola.

Lucasbrand has created, developed and repositioned brands across numerous sectors including broadcast, publishing, airlines, airports, luxury goods, perfumery, telecoms, cars, energy, consumer electronics, professional services and banking.

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