

## Branding and positioning

### Marketing

- Creating and sustaining meaningful and profitable differentiation in the marketplace

### What are we selling?

- a complex service experience
- procedural knowledge and thinking

### What are the clients buying?

- success?
- protection?
- peace of mind?
- connections?
- something else?

### What is a brand?

- more than a name
- value of emotional equity
- a short-hand way to choose
- about consistency and predictability
- brands value businesses

### Three key elements of a brand

- promise - what's our best argument for how we can improve client's life
- personality - what are the characteristics of how we act?
- proof - what's the explanation? demonstration of truth?

### The promise

- client benefit not product benefit eg. more experts = product, more certainty = client
- how will our product improve the client's life?
- "our way of long business"
- Relevant
  - Unique
  - Sustainable
  - Tangible = RUST principle
- what support?

### The personality

- every successful brand has a definite character or personality
- identity and style
- human element
- visual element

### The proof

- rational support/demonstration for the promise
- proof for prospective clients
- proof for established clients

### Brand + positioning = distinctiveness

- connecting with that which is familiar
- in the client's mind, not yours
- affected by competitive frame
- tired minds - overloaded, overcrowded

### Positioning?

- consumers have limited willingness to try new things
- distinctiveness relative to competition
- the brand ladder
- it's all about perceptions
- which clients don't you want?

### Existing positions?

- Allens Arthur Robinson = "blue bloods"
- Mallesons = "contemporary"
- Arnold Bloch Liebler = "tax"
- Slater & Gordon = "product liability"
- Griffith Hack = "trademarks & patents"
- Gilbert + Tobin = "technology"

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### Relevance of branding solution to increase client confusion

- technical, complex, multi-faceted product
- increasingly crowded market
- increasing cost of client acquisition
- lack of meaningful differentiation

### What will happen?

- big get bigger
- little room at the top
- middle gets squeezed
- boutiques flourish

### Areas of greatest vulnerability

- bottom of tier 1
- tier 2 firms who don't specialize
- all things to all clients firms of all sizes

### Branding and positioning a legal firm

- all about consistency
- easy with a budget
- harder with remote service delivery
- especially challenging with professional services

### Steps to build brand value

- differentiate your product from others
- consistently deliver what you promise
- align what you say with what you actually deliver

### Brand value delivery system

- View the firm as a brand value delivery system
  - identify the value
  - deliver the value
  - communicate the value

### Identifying brand value

- tough in professional services
- key people at core of value proportions
  - - intelligent, independent
  - - generating profit curves
  - - personalities and styles
  - - misguided view of branding and marketing
- "herding cats"
- like branding a conglomerate
- product distinctiveness as a rare jewel
- marketing professionals don't have all the loves
- define value = customer outcomes
- importance of research: clients, prospective clients, former clients, staff
- capabilities audit
- honest SWOT - objective
- drive strategies from weakness

- opportunities lie in how, or to whom, rather than what
- integral as "a way of doing business"

### Building brand and relationships

Increasing brand and client value:

- outcomes - consequences of unique values to client in using our product
- product benefits - direct results for the client of consuming your product vs alternatives
- product features - physical characteristics of your product.

The closer the brand can be positioned directly at OUTCOMES, the greater the brand value to the client.

### Distinctive brand positioning

Preconditions - get you onto shopping list

- products
- pricing
- ease of access and dealings

Differentiation is what will sell.

### Delivering brand value

- blueprint entire client experience
- Finding - choosing - experience - renewing

### Finding

- advertising - good
- independent recommendation - better
- personal recommendation – best

### Choosing

- listen to my unique situation
- show preliminary understanding
- demonstrate value
- show competitive edge
- be easy to do business with/join/change to
- reassurance and induction

### Experience

- listen and respond to my needs
- come to me sometimes
- keep me involved enough to be comfortable
- perform to expectation or better
- be available/willing to respond to new issues
- take responsibility for errors and rectify quickly
- show me the value you have provided overall

### Renewing

- keep performing to my (raised) expectations
- suggest new and better ways

- anticipate needs/treats/opportunities
- acknowledge my custom/value
- remind me why I'm dealing with you
- understanding the markets that make our intentions obvious to clients
- managing the evidence.

### System to deliver brand value

- define expectations/outcomes
- aim to produce consistent outcomes
- focus on ends, not specific means
- delivery process that builds consistency of outcomes/impressions
- carried in tools
- reinforced by training/accreditation

### Relationships and loyalty

- retention is a key objective
- one-off needs to become ongoing
- many firms grant relationship
- only client decides

### Communicating brand value

- least important element
- receives most attention
- most overpromise and underdeliver
- what are current impressions
- what messages
- most effective method of communication

### Positioning opportunities

Maister - experience, expertise, efficiency  
McKinsey - product, process, relationship

- product features
- product benefits/outcomes
- usage occasion
- user category
- direct comparison
- position by product class

### In summary:

- 1 differentiate product from others
- 2 consistently represent
- 3 consistently deliver
- 4 develop strong brand