



**Best Practices In Marketing:
“What Is Branding?”**

By Amanda Duckworth, Chief Marketing Officer, Morrison & Foerster

For as long as I can remember in my marketing career, branding as a means of differentiation has been axiomatic. Who in marketing has not been taught about the power of branding to distinguish Nordstrom as the service retailer, BMW as the ultimate performance car, American Express as the card with privileges? It was, therefore, a humbling experience to come to the legal profession and be forced to reconsider my well-established precepts on branding. What I concluded is that there is an alternative, equally important purpose for branding when it comes to law firms. With scores of full service firms in the marketplace branding for them is more about definition -- underscoring a key attribute or value that you want decision makers to associate with the firm -- and less about staking out unique, wholly owned real estate in the legal landscape. (This holy grail is exclusively reserved for the niche firm where a sole focus on a distinct practice provides differentiation – e.g., Wachtell Lipton, Fish & Richardson.)

In the case of Morrison & Foerster, we wished to remind our existing and prospective client base that the firm was all about service. Bob Raven, a former managing partner (recognized in 2004 by *The American Lawyer* with a Lifetime Achievement Award) had introduced the concept of legendary client service to be the distinguishing hallmark of Morrison & Foerster back in the 1970s. With copious amounts of current secondary research among GCs at our disposal that indicated service was the factor most important to them and yet least available in the marketplace, we had ample ammunition that it was time to reinvigorate this message. Today, you will see on all our marketing materials a clear brand message: One thousand lawyers. Nineteen global offices. One compelling mission: To deliver success for our clients. It defines Morrison & Foerster but could hardly be said to differentiate the firm. It doesn't matter. It achieves an equally important brand goal of unequivocally associating the firm with a critical attribute influencing the buying decision – service. We remind our target market of that message at every opportunity.

All of this is not to say that an element of differentiation cannot be achieved. High quality creative communications, consistently and frequently executed, can bring distinction to a law firm brand. Look at work from Howrey Simon, Heller Ehrman, Kirkpatrick & Lockhart to mention just a few. Strong advertising, web communications and marketing materials have all gone a long way to make these law firm brands highly recognizable and distinguished.