

A chilled 'coffee to go'

 By [Brendan Seery](#)

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Ices opposition: McDonald's has perfect last-minute nudge; Chicken Licken's legal thuggery continues.



They probably won't be fighting the ads much longer, because we're heading into winter soon and the demand for cold beverages will start to plunge along with the temperatures, but I rather like the McDonald's ad for their iced coffee.

It's the latest in a series the brand has done around the various coffees it offers at its stores.

The theme is that coffee has become such a fad among the urban yuppies that you cannot get a simple, quick coffee these days.

So, we see a young woman, off to work and wanting her morning fix, pulling into a coffee shop after coffee. She finds long lines and a bewildering offering of different 'designer' coffees which seem to be sold as much for their pose value as for their actual taste.

To emphasise the point there is a cool dude, with the requisite "man bun" looking disdainfully at her from the lofty heights of barista-dom.

Next up is another “coffee to go” shoppe, which looks like it is the home of “artisanal” coffee.

The customer waits while a similar cool guy watches as each drop of perfectly-formed coffee drops agonisingly slowly from the percolator.

Who has got time for this? Not her – and not you. So, get along to your closest McDonald’s and get your proper coffee at the drive-thru window. It’s convenient, it’s just as good as the poser brews - or even better. And it’s cheap.

The plug for the iced coffee features excellent photography which showcases the product, with the swirling ice cubes, in such a way that you just want to reach out and grab one. At R24.90, no gal.

It’s simple, but it speaks to a need among those people on the go. And it’s often flighted early in the morning on TV as people are getting ready for work, so it’s a perfect last-minute nudge. Always a treat when clever media planning is used as a marketing ‘force multiplier’.

A chilled Orchid to McDonald’s.

The moral issue of trademarking a word

The opposite of chilled, also in the fast-food category, is the feeling I get when I see yet another heavy-handed attempt at corporate intimidation by Golden Chicken, the group which owns the Chicken Licken brand and which was allowed to register the phrase “soul food” as their exclusive trademark in the food and even accommodation sectors.

What is particularly galling to me is that when the company bought the recipe for the brand fried chicken, from a joint in the American South in the ’70s, the phrase “soul food” was associated with Black Americans – and was well-known around the world.

Yet, they were allowed by our legal system to register the phrase as theirs. A bit like getting trademark protection for words like ‘sky’ and ‘clouds’, in my view.

Chicken Licken has legally threatened many small businesses over the years which have had the temerity to use the word “soul” anywhere in their names.

I remember particularly the case of the restaurant “Soulsa” in Melville in Joburg, which was threatened that it would be sued back to the Stone Age if it didn’t change its name. How on earth a sit-down hippie-type restaurant in a suburb was a competition to fast-food outlets was beyond me. Still is.



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Over the years, Chicken Licken has forced many small businesses to change their names, using the standard brutal capitalist reasoning that a company's "intellectual property" should be protected from those trying to pass off their brands as Chicken Licken or profit illegally from the goodwill in the Chicken Licken brand.

That is a pile of ripe, steaming horse manure as far as I am concerned. But Chicken Licken's thuggery continues and reached silly levels a few weeks ago when papers were served on a guesthouse operating in Durban. The place, which calls itself Soul House and is a 'surf lodge', made the mistake of saying on its website that it had a restaurant, which it does not.

So Chicken Licken's legal stormtroopers went into action.

The guesthouse has agreed to remove the reference to the restaurant but can still be sued because establishments like guesthouses are also covered by Chicken Licken's protected trademark.

The fact that most of the people who have been sued, or threatened, by Chicken Licken could never be considered in the sane world to be possible competitors for them means the brand comes across as a corporate gangster.

The latest incident drew huge flak on social media and spread even more awareness of big-brand intimidation. This is not the first time big companies have threatened the little guys in this country and forced them to change their company or brand names – and it won't be the last.

But that doesn't make it morally right, legally correct though it may be.

Self-inflicted brand damage, such as this done to itself by Chicken Licken, gets an Onion from me.

And that's sad because the company's marketing is sharp, funky and funny and positioned Chicken Licken in such a way that it has no need to do this at all.

And so, Chicken Licken gets my Onion this week. (Hope they haven't trademarked Onion, too...)

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ABOUT BRENDAN SEERY

Brendan Seery has been in the news business for most of his life, covering coups, wars, famines - and some funny stories - across Africa. Brendan Seery's *Orchids and Onions* column ran each week in the *Saturday Star* in Johannesburg and the *Weekend Argus* in Cape Town.

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