

## ADVERTISING

### Call It What You Like, But Not a Chain

By ANDREW ADAM NEWMAN

**W**HITE CASTLE claims with pride that it is the first fast-food hamburger chain, and for good reason. It opened in 1921, just 15 years after Upton Sinclair's "The Jungle" exposed horrific conditions in meat-processing plants. With its pure-sounding name, white interiors and fully viewable food preparation areas, White Castle helped restore America's appetite for beef, promising consistency regardless of which location a customer visited.

But today chain ownership is sometimes viewed as a negative by food aficionados seeking one-of-a-kind food trucks and micro-breweries, and locavores celebrating restaurants that use ingredients close to home.

Now Legal Sea Foods, which has about 35 locations, most in the Boston area, is railing against the term. Its chief executive, Roger Berkowitz, argues in a series of new commercials that its seafood restaurants should never be called a chain.

"While Legal Sea Foods has a number of locations, we're not a chain," says Mr. Berkowitz, seated at a restaurant table, in one of the new spots. "Each of our restaurants is unique, not cookie-cutter, so you can call me stupid, an egomaniac, or even an" — the word is bleeped and his mouth pixelized in a scene. "Just don't call me a chain."

In another spot, Mr. Berkowitz is hooked up to a lie detector, and his interrogator asks if he is the owner of Legal Sea Foods, to which he responds "Yes." He is asked if it is a chain, to which he

responds "No" as the needles etch straight lines on the scrolling paper. "Is the person who called Legal Sea Foods a chain a complete moron?" asks the interrogator. Stone-faced, Mr. Berkowitz pauses a moment, then responds "No," sending the needles scribbling wildly up and down.

The spots close with a new tag line for the campaign, "Where chain is a four-letter word." The campaign, which also includes print advertising, is by DeVito/Verdi in New York. The company declined to provide estimated advertising expenditures for the campaign, which will be introduced Friday in the six states, and the District of Columbia, where restaurants are.

Mr. Berkowitz, who since 1992 has run the company that his father started — first as a Cambridge fish market in 1950, then a no-frills fish restaurant in 1968 — has long insisted on using the term "family" or "group" to refer to his restaurants.

"When anyone thinks of a chain, they think of cookie cutter, institutionalized, dummed down, and those aren't the best adjectives," Mr. Berkowitz said in an interview.

"There's sort of a built-in prejudice about it that really doesn't define who we are and what we do."

Unlike many chains, Mr. Berkowitz said, Legal is privately held, and its restaurants are all company-owned rather than franchised. Menus vary among locations, and the company has several iterations, like restaurants called Legal C Bar, which are more bar-focused, Legal Test Kitchen, which are faster and



In new commercials, Roger Berkowitz, chief executive of Legal Sea Foods, stresses the singularity of each of its outlets.

more focused on to-go offerings, and Legal Oysteria, which has a Northern Italian menu.

"People never associate chains with the kind of passion or quality that we put into our food," Mr. Berkowitz said. "So if we're referred to in a review on something like that and 'chain' is used, whether inadvertent or not, there's almost just a dismissive aspect to it that I find objectionable."

The term can even give compliments a backhanded flavor, like a New Jersey food blogger who put this headline on a glowing review: "Legal Sea Foods is a chain, it's in a mall: and it does not suck."

In the industry, however, others disagree on how to define "chain."

Technomic, a restaurant consulting and market research firm, considers a company with 10 or more restaurants to be a chain, said Darren Tristano, its executive vice president. He had no recollection of any of the top 500 restaurant brands that Technomic tracks proclaiming in advertising that they were not chains. (Legal, based on estimated revenue of \$186.2 million in 2013, is ranked at 167 on that list).

Mr. Tristano lauded Legal as "a brand that's been around a while and knows its customer." He added that he could understand why Mr. Berkowitz might feel "pigeonholed" by some of the negative connotations. But he found something particularly ironic about the mere existence of the new advertising campaign.

"The single mom-and-pop type of restaurant does not have an advertising budget," Mr. Tristano said. "And it doesn't have the economies of scale for purchasing that a 30-plus unit chain has," he continued, "so if you're in the industry and you run a restaurant group that's large, you're a chain whether you like it or not."

DeVito/Verdi has taken a provocative approach in much of its Legal work over the last seven years. For its first campaign, it promoted freshness in print ads with copy like: "If our fisherman comes back with fish we don't like, we throw the fisherman back," and, "Fish so fresh one time the main course took a bite out of the appetizer."

In 2013, promoting the notion that omega-3 fatty acids found in

fish promote brain function, the brand introduced a series of commercials and print ads that featured people doing stupid things. The ads included a man sawing off a branch as he sat on it, another man stopping a ceiling fan with his head, and a woman shutting herself in a Laundromat dryer. The tag line: "Fish is brain food. We have a fish."

Ellis Verdi, president of DeVito/Verdi, said that the campaign about chains was unlikely to cause a drastic change — for now.

"My expectation is not to change the vocabulary necessarily, because that takes a while," Mr. Verdi said. "But we want to at least put it in their minds that this isn't something that we like to be called or it makes sense to call us."