

HOOTERS OF AMERICA: FIGHTING THE BREASTAURANT WARS

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Hooters President and CEO Terry Marks had a decision to make. Thirty years ago, Hooters of America had advanced a successful chain restaurant concept that combined “good food, cold beer and pretty girls.” After a period of rapid growth and a gauntlet of legal and community challenges, Hooters began losing ground to competitors in the expanding “breastaurant” sector in the 2000s. When Terry Marks took charge of the company, Hooters was faced with a choice: (1) it could emphasize a wholesome, neighborhood environment that would welcome men, women and families; (2) it could move in a more risqué direction and compete head-to-head with racier rivals; or (3) it could find some third way to position the brand in the highly competitive restaurant industry.

History

Known as the “Hooters Six,” friends Lynn D. Stewart, Gil DiGiannantonio, Ed Droste, Billy Ranieri, Ken Wimmer and Dennis Johnson established Hooters, Inc. in 1983 in Clearwater, Florida, and opened their first restaurant. As Hooters’ promotional materials described:

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“The restaurant would combine their favorite manly finger foods with the 50’s and 60’s music they felt best exemplified a happy, nostalgic time in most Americans’ memories.”¹ The Hooters Girl, recognizable by her uniform of form-fitting logo tank top, tight orange hot pants, and sneakers, emerged immediately as a crucial component of the brand:

*Hooters Girls were the very essence of Hooters. Trained to excel in customer service, they provide the energy, charisma and engaging conversation that keep guests coming back. Much more than just a pretty face, Hooters girls have game. They’re intelligent and attentive – using their energy, experience and personalities to help guests everywhere to live in the moment and take a break from the outside world.*²

In 1984, Robert H. Brooks purchased franchising rights from the founders and established Hooters of America.³ Brooks ran Hooters of America as Chairman from 2001 until his death in 2006, at which point his son, Coby Brooks, took the helm. The sale of Hooters of America to Chanticleer Holdings, a Georgia-based investment group, led by Hooters franchisee Mike Pruitt, was finalized in 2011. The sale value was estimated at approximately \$200 million.⁴ Coby Brooks initially stayed on as CEO, writing to Hooters employees “I am today as I have always been, completely dedicated to this brand and to what my father built alongside all of you. I am not leaving.”⁵ However, Coby Brooks left the company shortly thereafter to engage in franchising opportunities with a competitor.⁶ He was replaced in August 2011 by Terry Marks. A former USC Trojan and Minor League Baseball pitcher, Marks’ managerial career began at Minolta where he stayed for four years.⁷ Marks later served in several positions during his 21-year tenure at Coca-Cola enterprises before being named President of Coca-Cola Enterprises North America, directing 55,000 employees in 400 locations. Immediately before moving to Hooters, Marks served as the President and CEO of convenience store chain The Pantry, Inc., which operated 1,650 stores in 13 states.⁸

In a press release announcing his appointment to Hooters, Marks said:

*Hooters has become known around the world for great American food, a fun environment and of course the iconic Hooters Girls. This record of success is a credit to all those who have contributed to the development of the brand, and I look forward to working with the Hooters team as we lead the Company into its next phase of growth.*⁹

Competition

The restaurant industry was highly competitive. In the U.S., growth in the industry had outpaced overall economic growth for the past 15 consecutive years.¹⁰ In 2016, the U.S. restaurant industry reached \$782.6 billion.¹¹ The industry was characterized by fierce competition over customers, high reliance on consumer spending, and volatile food ingredient commodity costs¹². Though growth in the restaurant industry was modest at 3.6%,¹³ the casual-dining segment, to which Hooters and competitors like Buffalo Wild Wings and Applebee's belonged, was growing at three times the rate of the industry overall.¹⁴

Hooters was classified as a casual dining restaurant.¹⁵ Establishments in this sector "provide food services in causal atmospheres to seated patrons who are served by wait staff and pay after eating."¹⁶ Of the top 100 U.S. restaurant chains in 2015, 27 were classified as casual dining. These 27 chains represented \$38 billion in sales, accounting for 16.4% of the total sales by all 100 chains¹⁷.

In the casual dining sector, Hooters competed directly with other casual dining restaurants like Applebee's International, Buffalo Wild Wings and Ruby Tuesday, and with multiple-chain developers like Brinker (Chili's, Maggiano's Macaroni Grill) Carlson Restaurants (T.G.I. Fridays), and Darden (Olive Garden, Longhorn Steakhouse).¹⁸ Nation's Restaurant News placed Hooters in the 55th position out of 100 top restaurant chains in 2015. Among the 27 casual dining establishments on the list, Hooters ranked 15th with sales of \$837 million in fiscal year 2014 (see Appendix A).¹⁹

Later competitors to the market included casual dining restaurants which “take inspiration from Hooters” and have embraced versions of the Hooters concept.²⁰ Termed “breastaurants”²¹ by the press, these establishments also capitalized on attractive female wait staff, revealing uniforms, and sexual innuendo.²² Perhaps unsurprisingly, more than 80% of their customers were male.²³ Each of the competitors listed in Appendix B represented a variation on the “good food, cold beer and pretty girls” formula: Mugs ‘n Juggs featured karaoke, Twisted Kilt sported a Celtic theme, and Cowgirls Espresso made a shift into the café sector of casual dining.²⁴ The breastaurant niche grew quickly, reaching \$2 billion in annual sales by 2013, and outpacing the rest of the industry. In 2015, Technomic reported that sales at breastaurants were up between 3.15% (Hooters) and 30% (Brick House).²⁵ Doug Guller, CEO of Bikinis Bar and Grill, noted that he was

*Very optimistic about the segment. There’s a lot of competition as the breastaurant industry has seen success over the last 5 to 10 years. It’s a somewhat recession-proof industry. I don’t think food, booze, sports or sex are going to die anytime soon*²⁶

While they share Hooters’ basic formula, these new entrants pushed the envelope beyond the cheeky-but-wholesome Hooters Girl motif. As Mackey noted:

*Many say it’s high time someone challenged the “old man” of the industry: Hooters. It launched more than 3 decades ago, in 1983 – when Ronald Reagan was still President, big hair ruled, and the brat pack was on the prowl.*²⁷

A *Daily Finance* story referred to Hooters as a “PG-13 version of Applebee’s” and references across trade publications alluded to Hooters’ “middle age.”²⁸ A 2012 statement by food industry consultants at Technomic asserted that “[Hooters] definitely needs an overhaul. It’s considerably outdated.”²⁹ Randy DeWitt, founder of Twin Peaks, proclaimed, “Hooters just wasn’t racy enough.”³⁰ According to DeWitt, “The idea of Twin Peaks is to take an outdated idea and make it fresh and innovative.”³¹

In addition to the sense that Hooters had not kept pace with the times, the restaurant also had difficulty making the case that its theme should be shielded from breasted restaurant competitors under trademark protection.

The first of these challenges came from a struggling Florida restaurant modeled after Hooters called Knockers, owned by retired NFL player Crawford Ker. In 1997 Hooters challenged Knockers on the basis of trademark infringement. The two parties reached an out-of-court settlement and Knockers reopened under the name Ker's WingHouse. In addition to the name change, WingHouse toned down its bawdy theme, and made increased efforts to appeal to families. As one profile noted: "Crawford nailed the pictures to the WingHouse's plywood walls himself, careful to put the bikini photos in the corners and the sports pictures at table level, so families would feel comfortable."³² By 2004, WingHouse was making \$33 million in sales, and had opened 15 locations. Hooters again brought suit claiming trademark infringement. As reported in the St. Petersburg Times:

Hooters' attorney, Steven Hill, argued that his client's success was based on a unique combination of elements that the chain's founders "bled and sweat for." Among those elements: parchment paper menus, rustic interiors and Hooters' Girls in tight-cut tank tops and shorts. 'Hooters blazed a trail that was a different trail from other sports bars and it paved that road with a substantial investment in marketing and promotion,' Hill said in opening arguments. 'Now that it's been a success, Crawford Ker wants to walk on that road, but he doesn't realize it's a toll road,'³³

The results of the three-week trial concluded that WingHouse did not infringe on Hooters' trademark, and further that Hooters would be required to pay \$1.2 million to satisfy a counterclaim by WingHouse for breach of the 1997 settlement which included an agreement not to reopen the trademark case.³⁴

This was just one example of the many cases Hooters brought against competitors for infringement, and against non-restaurant businesses for dilution of a trademark. For example,

2015 litigation by Hooters claimed that the use of a modified Hooters costume by an escort service tarnished the reputation of the brand,

*because it portrays Hooters in an unwholesome and unsavory context. Especially, if the consuming public associates the Hooters brand to an escort service, the majority of people would be less likely to frequent the restaurant.*³⁵

In 2012, Hooters entered into legal action against its own former CEO Coby Brooks and other former Hooters executives alleging that in their move to competitor restaurant chain Twin Peaks, they took “sensitive business information” with them. Hooters alleged that “in the weeks leading up to his departure to Twin Peaks’ development partner La Cima Restaurants, former Hooters executive Joseph Hummel downloaded and emailed to his private account a substantial volume of Hooters documents, including plans related to management, recruitment, distribution and sales.”³⁶ The case was settled in 2012 under undisclosed terms.³⁷

It should be noted that these legal disputes were not unique to Hooters. In 2011, Hooters’ competitor Twin Peaks filed suit against rival “breastaurant” Grand Tetons, LLC, claiming that its restaurant, Northern Exposure, infringed on Twin Peaks’ “trade dress: namely their double-entendre-laden name and slogan, their wilderness lodge-themed décor, and of course, their scantily-clad female servers in low-cut plaid tops and short shorts.”³⁸

A combination of increased competition, failed trademark litigation, reduced revenues, and changing consumer preferences for healthier options and more sophisticated fare³⁹ had been hard on Hooters: after consecutive billion-dollar years through the early 2000s, Hooters’ U.S. sales between 2007 and 2010 dropped from 960 million to 880 million, a decrease of 7.5%. While this was better than the 8.6% drop across the sector at large, CEO Terry Marks noted “the decline that Hooters experienced was not as deep, but we went into decline a bit earlier and have been slower to pull out of it.”⁴⁰ However, Hooters’ fortunes continued to suffer: by 2015, Hooters sales had fallen to \$837 million, a further decline of 4.9%.⁴¹

Challenges: Human Resources and Hiring Practices

Starting with the very first restaurant in Clearwater, Florida, Hooters sought to hire attractive, buxom young women for the jobs of server, hostess and bartender. The Hooters brand was said to include wholesome, all-American sex appeal and an environment of fun that differentiated the restaurant from its competitors.⁴² However, others argued that these elements of the Hooters brand created a discriminatory and hostile work environment. Over its 30-year tenure, Hooters faced many legal challenges regarding its hiring practices and human resources policies.

Hooters vs. The EEOC

The Equal Employment Opportunity Commission (EEOC) was the federal agency charged with ensuring companies' adherence to federal equal employment opportunity laws. The EEOC was required to investigate all complaints, and could itself bring charges. When the Commission determined that there was evidence of unlawful discrimination, it filed a complaint against offenders and informed individuals of their rights to pursue legal action.⁴³ In 1991, using its power to initiate investigations, the EEOC opened an investigation of Hooters to determine whether the company was violating the civil rights of its workers.⁴⁴

In September 1994, EEOC investigators concluded that Hooters' employment practices violated Title VII of the Civil Rights Act, which prohibited discrimination in employment on the basis of sex. The EEOC reasoned that Hooters' business was serving food, and that "no physical trait unique to women is required to serve food and drink to customers in a restaurant."⁴⁵ The EEOC then proceeded toward settlement on behalf of 1,423 males who unsuccessfully sought jobs at Hooters as waiters, hosts, or bartenders.⁴⁶

In 1996 Hooters engaged the services of a prominent public relations firm based in Washington, D.C. and launched a \$750,000 media campaign aimed at influencing public opinion.⁴⁷ At the same time, Hooters also strengthened its legal team, hiring Washington litigator Patricia Casey and a former EEOC General Counsel, Don Livingston.⁴⁸

Hooters implemented a sequence of carefully planned actions. First, selected portions of the EEOC's report were leaked to the press.⁴⁹ Second, Hooters customers and employees were provided with postage-paid postcards and Frisbee-like discs which they could send to the EEOC, their members of Congress, and members of the executive branch of government. The message: Get a grip, Washington! Both the volume - about 1,000 orange Frisbee-like discs per day at the height of the campaign - and the unusual shape of the "letters" overwhelmed the normal process of dealing with mail.⁵⁰

Staff members in Congressional offices found that some of their normal procedures were inadequate. For example, lacking space for storing the bulky disks, they put them in boxes, sacks, hallways, attics, and any other areas they could find. This stimulated talk within (and between) Congressional offices, attracting attention and publicity.⁵¹ The public's attention was redirected not to Hooters' employment practices but rather to the actions of regulatory agencies that Hooters argued represented neither common sense nor the voting public. One member of the public expressed his outrage in a letter to his newspaper's editor:

*Thank God for the EEOC controversy. Now, within the space of only two or three days, every American citizen will know what business people have known for a decade: the regulatory agencies are completely out of control.*⁵²

As part of its campaign on Washington, Hooters even went so far as to dress one of its mustachioed male managers in a Hooters Girl outfit to make the point that a "Hooters Guy" would not work. While Vice President of Marketing Mike McNeil accompanied the Hooters Girls march on the White House, Cheryl Tyler, in her Hooters uniform, appeared on the steps of Congress. Tyler, then Hooters' Vice President of Human Resources and a former Hooters Girl,

protested the EEOC's demands because they threatened the job security of 10,000 female employees.⁵³

After several months of silence, in May 1996, the EEOC quietly dropped its four-year investigation of sex discrimination at Hooters. In a letter to Congressional Representative Harris Fawell, the EEOC wrote that it would be "wiser" to focus on other cases.⁵⁴ However, the Commission left the door open for individuals to pursue action independently.

Civil and Class Action Suits

In 1993, while the EEOC case against Hooters was unfolding, four male job applicants who were not hired by a Hooters restaurant filed a lawsuit against Hooters alleging unlawful discrimination.⁵⁵ They claimed that although qualified for the positions for which they applied, they were not hired because of their gender. A class action suit soon followed to include a larger number of unsuccessful male job applicants.⁵⁶ In its defense, Hooters pointed to its application for employment, which included language about the decision of a 1993 Illinois district court that upheld the company's gender requirement for certain positions including "Hooters Girls on the Floor, Host, Staff and Service Bartender."

Hooters also invoked the Bona Fide Occupation Qualification and insisted that being female was a legitimate requirement for the job of Hooters Girl. The law recognized that hiring practices usually classed as discriminatory (such as hiring based on gender or age) could be allowed where the "qualification is reasonably necessary to the normal operation or essence of an employer's business."⁵⁷ The results of the class action suit, however, declared that Hooters' discrimination against males for the jobs of waiters, hosts, and bartenders was unlawful.⁵⁸ In 1997, Hooters agreed to an out-of-court settlement with the 1,423 men who were denied employment, amounting to approximately \$3.7 million.⁵⁹ According to one of Hooters' lawyers, Brenda Feis, the agreement was "mutually satisfactory."⁶⁰ An important consequence of the

out-of-court settlement was that the terms did not require Hooters to hire men in certain jobs. Hooters interpreted the terms of the settlement to permit it to continue to restrict hiring for Hooters Girls to women. However, the company opened up positions of service bartender, host and general staff (bussing) to men.

Sexual Harassment

In addition to claims of unfair hiring practices, Hooters had also been charged with creating a sexually charged environment that led to, or failed to protect workers from, harassment. In 1995, a sexual harassment suit was filed by Melissa Huston, a former Hooters Girl who alleged that her former general manager asked her to display her breasts, requested sex with her, exposed himself in her presence, and fired her in retaliation for complaining about the harassment.⁶¹

In January 1997, Annette Philips, another former Hooters Girl, led a class action lawsuit against Hooters, alleging that her restaurant's atmosphere subjected her and fellow female employees to a torrent of sexual harassment.⁶² Philips, who worked as a server and bartender at the Hooters in Myrtle Beach, South Carolina from May 1989 to June 1996, claimed that she was sexually harassed verbally and physically by both a manager and a relative of a former Hooters executive. Phillips' case hinged on the claim that Hooters' uniform and marketing practices put its employees at increased risk of sexual harassment.

Hooters conceded that jokes and sexual innuendo occurred in the workplace, yet claimed they neither constituted sexual harassment nor came as a surprise to any employee. In fact, before they begin working, Hooters Girls were required to sign the following statement:

"I hereby acknowledge and affirm that the Hooters Concept is based on female sex appeal and that the work environment is one in which joking and innuendo based on female sex appeal is commonplace."⁶³

Phillips' attorney claimed that requiring employees to sign this statement meant that Hooters not only failed to provide employees with proper protection from sexual harassment, but that it forced its employees to give up their civil right to be free from harassment as a condition of employment.⁶⁴ Vigorously denying that Hooters permitted, encouraged, or engaged in sexual harassment, Hooters quietly settled these claims out of court, on the condition that Huston, Phillips, and as many as 15 other former Hooters Girls signed non-disclosure agreements.

Other cases made it all the way to a trial decision. In 2000, former Hooters Girl Sarah Steinhoff alleged that she had been the target of unwanted sexual advances and demeaning behavior. During trial, other former employees testified that they were subject to similar behavior, such as being punished for challenging unwanted advances by being required to participate in weekly bikini contests.⁶⁵ This kind of behavior was presented as common in the Hooters work environment. A federal jury ordered the Hooters franchise to pay \$275,000 for emotional distress and \$250,000 in punitive damages but an appeals court later reversed the punitive damages, finding that the restaurant made good-faith efforts to prevent sexual harassment, for example by posting a toll-free number that employees could use to report complaints anonymously.⁶⁶

In 2003 and 2004, suits were brought which claimed that management did not prevent male employees from invading female employees' rights to privacy. In the 2003 suit, male employees at a Chicago, Illinois restaurant were alleged to have spied on Hooters Girls as they changed in and out of their uniforms. The suit claimed that when peepholes were found in the walls, employees complained to management, who took no immediate action. The lawsuit stated that the peepholes were finally closed, but new holes appeared some months later. Again, complaints were made and four months later the holes were closed, only to re-appear after a few months. The complainant claimed that Hooters management "was aware of the peephole incidents and did nothing to change policy." A similar 2004 suit was brought by five female job applicants in West Covina, California. These employees claimed that they were secretly

videotaped while changing into Hooters uniforms during their interviews. Investigation of the complaint revealed a digital camera and computer with 180 video files of at least 82 women. Hooters dismissed the manager of that location, and no further charges were brought against the company. Mike McNeil, then CMO, asserted that that the behavior was expressly against company policy, and stated, “We’re outraged and sickened by this whole matter.”⁶⁷

Hooters’ Changing Strategy

Hooters’ Strategy under Robert and Coby Brooks (2001-2011):

Under the Brooks’ leadership, Hooters moved into a period of rapid expansion, opening Hooters -owned restaurants as well as franchising restaurants in the U.S. and abroad. In the U.S., the restaurant chain focused expansion efforts in high traffic suburban areas such as malls, military bases, shopping areas, and airport venues while internationally Hooters entered into franchise agreements targeting highly populated cities and vacation destinations. At the peak of expansion, Hooters had 430 restaurants open in 43 U.S. states as well as 27 international locations in Canada, South America, China and Australia.⁶⁸ Following Brooks’ acquisition of the majority stake in 2001, the company further expanded to more than 400 locations and became a \$1 billion dollar-per-year business.⁶⁹

Hooters expanded its brand beyond the restaurant through merchandising, sports sponsorships, and events.⁷⁰ A particularly grandiose example of expansion was Hooters Air, a 2003 partnership with Pace Air (a recent Brooks acquisition) in which Hooters-branded planes staffed by Hooters Girls transported passengers between 13 U.S. destinations as well as Nassau, Bahamas.⁷¹ Hooters Air folded in 2006 at a reported cost of \$40 million to Hooters.

Publicity was generated when “Hooters Girls” assisted at golf tournaments, walk-a-thons, football and baseball games, auto races and other events. A multitude of available Hooters

merchandise, often emblazoned with the Hooters Owl logo, promulgated the restaurant's image at these events. In addition to an annual swimsuit pageant,⁷² Hooters sponsored numerous promotional events for veterans and service members, such as sending Hooters Calendar Girls to visit American troops abroad⁷³ and offering discounts to veterans.⁷⁴

Not all members of the communities Hooters sought to serve were impressed with the brand. Particularly under Brooks' tenure, the opening of new Hooters restaurants often prompted demonstrations and protests from community and women's groups. One city council member in Santa Monica, California summed up the general sentiment saying, "We do not need gangs of frustrated fraternity boys and dirty old men coming downtown to drink and ogle women."⁷⁵

According to Hooters, approximately 10% of new Hooters restaurants met with protests in the early years.⁷⁶ In St. Louis in 1995, a judge had to order the city to issue a business permit to Hooters after City Hall was bombarded by calls and letters opposing the opening. In New Jersey the same year, members of the National Organization for Women carried signs in protest of a new store opening. In Boston in 1998, a restaurant opening was delayed leaving customers waiting in the cold because of a "longer-than-expected" fire inspection by the city. In Syracuse, New York, the opening of a Hooters in a shopping mall met with a protest. A resident of Fairfax, Virginia, near a Hooters restaurant, described Hooters as a "bad role model for kids," with an offensive name and uniforms that were demeaning to women.

Nor was opposition restricted to women: after four years of living near a Hooters restaurant, a male resident remarked:

I see no reason to change my view. I continue to think that it demeans women. I object to the name of the restaurant, and I object to the name being in such large letters, and I really object to it being in my back yard.⁷⁷

Mike McNeil, then-CMO, found that most of these community conflicts actually helped in the promotion of new restaurants. They increased interest in the restaurant and generated highly

visible, free media coverage. According to McNeil, the typical effects of community opposition were as follows:

There is often a petition when a Hooters is about to open, followed by the same news article that always includes the phrase: 'the highly controversial chain featuring scantily clad waitresses' Then somebody from NOW [the National Organization for Women], usually [saying] something like 'we don't like this concept because it objectifies females,' followed by the restaurant opening on time and the customers flocking in.⁷⁸

Acknowledging opposition from sources in the community, which found the Hooters brand distasteful or sexist, Hooters engaged in a number of endeavors designed to improve community relations.

Hooters garnered unlikely allies through its community service campaigns and the Hooters Community Endowment Fund. For example, Hooters engaged in a promotional event at three Chicago-area restaurants in which half of the revenue from spicy chicken wings, the most popular menu item, was donated to the Holy Family Church's school for underprivileged children. Pressed to explain the partnership, Church Pastor Infelt commented: "Some people don't know about Hooters. Anybody who has been there knows it's legitimate. I checked it out."⁷⁹ The organization also raised money for community and youth sports programs, particularly in promotion of young female athletes.⁸⁰

Hooters' Strategy under Chanticleer (2006 -):

A publicly traded company, Chanticleer was established in 2005 as a business development company by Mike Pruitt, a South Carolina Businessman who had close ties to Brooks and was a Hooters franchisee in South Africa. The two negotiated a deal for right of first refusal in the event of a Hooters sale in early 2006. Pruitt staked a \$5 million loan to Brooks, which helped keep Hooters Air afloat for a short while.⁸¹ When sale of the company was court-mandated as part of the settlement of Brooks' estate, Chanticleer, with the backing of independent

investors, was able to match competitors' terms and secure the purchase. Also acquired in the deal was the largest Hooters franchise holder, Texas Wings, which contributed 161 wholly-owned and more than 300 franchised Hooters properties.

Settlement of the Brooks' estate and sale to Chanticleer Holdings in 2011 represented a time of transition for the organization. At the time of the sale, questions flew about what Chanticleer would do next. According to mergers and acquisitions expert Dave Schweiger:

*Chanticleer could bring in new discipline and close down some less profitable locations. Hooters might need to improve its cash flow so that the new owners see more of a return on their investment. It's hard to know what will be done since the deals were mostly struck behind closed doors. It's yet to be seen under the new ownership what they can really do with this brand and whether they can leverage the business to grow it.*⁸²

In August 2011, Chanticleer appointed Terry Marks President and CEO of Hooters. Whether Marks would take the company in a racier or a more family-friendly direction was unclear. In a press release at the time of his appointment, Marks held his cards close, saying, "I look forward to working with the Hooters team as we lead the company into its next phase of growth."⁸³

What that next stage of growth would look like was not yet evident. After 2011, the new leadership took stock by engaging in extensive market analysis.

Analytics

A 2014 interview by Loyalty 360 included the remark by Hooters CIO Chris Duncan that:

*We have a very loyal customer base and want to reward them. The challenge we had was learning more about our customers and learning if what we were doing in the loyalty scope was working. We're in a day and age where we want to think we know what our customers want. I want to know what the customer likes and get that for them.*⁸⁴

Terry Marks described Hooters' market analyses as "the most comprehensive body of work in trying to understand how users and lapsed users feel about the brand."⁸⁵ In late 2011, Hooters began an extensive online and in-store survey campaign to determine what consumers thought about where the company should go next. Other efforts to gather data and reward customer loyalty included a multichannel customer loyalty program and app called the Hooters HootClub.⁸⁶ CIO Duncan described the program as promoting opportunities to customize the Hooters experience for different demographics. For example, he said if customer data showed that a particular Hooters location trended toward customers in their late 40s, company officials could alter the music played in those locations that would be more of the classic rock genre. "That kind of customization is what we're seeking," Duncan said.

Another way Hooters capitalized on data analysis was revealed in its partnership with Forum Analytics, a "data and intelligence provider" which helped Hooters identify the best locations for national and international expansion. As Hooters' Senior Vice President of Global Development said:

Instead of spending our time looking all over the country, we can focus in on the highest potential area for sales. That helps us prioritize on a market-by-market standpoint. If we see ... that there are three or four strong trade areas in one market, and only one in another market, we know to focus on the market with higher potential for not only sales, but units, as well.... So it's not just me saying, 'Yup, that looks like a good site.' Our system is also validating that; I think that gives [franchisees] an added comfort.⁸⁷

Repositioning the Brand

The results of Hooters' analytics were not made publicly available. However, public statements and strategic moves revealed that Hooters was attentive to the need to reenergize the brand without alienating loyal customers.⁸⁸ A "brand refresh" which began in 2012 emphasized changes to the food and clientele.

In a 2012 report on the results of the consumer surveys, Marks noted, “It’s all about the food.”⁸⁹ Attention to revitalizing the menu was consistent with trends across the restaurant sector, which showed that more consumers sought healthier, more varied options.⁹⁰ At Hooters, additions included salads, light sandwiches and seafood dishes.⁹¹ Hooters also experimented with expanding beverage offerings to include full liquor bars in addition to beer and wine.⁹²

Hooters had long struggled with the tensions between its sexy image and its efforts to be a neighborhood favorite. For example, in explaining its hiring practices to the EEOC, the company argued that the business concept relied on female sex appeal, but when Hooters applied for business licenses in town halls across the country, it presented itself as a “neighborhood” restaurant, exemplified by the lack of hard liquor and the presence of a children’s menu. The presentation of Hooters and its female staff as “naughty, but not too naughty” had been problematic since the company’s inception, but became even more challenging in the face of new “breastaurant” competitors which offered racier and more provocative alternatives.

Conclusion

Terry Marks needed to steer Hooters in the right direction: how the company should evolve and how it should position its brand were open questions. On the one hand, Marks could push Hooters to persevere in its “naughty but not too naughty” brand image by emphasizing the wholesome nature of its sexy appeal and reaching out to women and families. On the other, Marks could embrace the challenge of competing head-to-head with racier rivals like Twin Peaks, which appealed to a younger male demographic by being more provocative and sexually suggestive. Or perhaps Marks would find a different approach to differentiating the brand in the very crowded, competitive casual dining industry segment.



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Appendix A
Sales by U.S. Casual Dining Restaurant Chains⁹³ (in millions of U.S. dollars)

Top 100 Ranking	Restaurant	2014	2013	2012
10	Applebee's	\$4,577.40	\$4,517.00	\$4,503.50
16	Olive Garden	\$3,763.00	\$3,625.00	\$3,662.00
17	Chili's Grill & Bar	\$3,634.00	\$3,537.00	\$3,559.00
19	Buffalo Wild Wings	\$3,238.20	\$2,784.10	\$2,463.70
26	Outback Steakhouse	\$2,487.00	\$2,455.00	\$2,392.00
28	Red Lobster	\$2,373.00	\$2,397.00	\$2,553.00
33	Texas Roadhouse	\$1,876.60	\$1,721.00	\$1,533.00
35	The Cheesecake Factory	\$1,782.40	\$1,684.50	\$1,604.80
36	TGI Fridays	\$1,775.00	\$1,772.50	\$1,816.60
39	Longhorn Steakhouse	\$1,548.00	\$1,384.00	\$1,231.20
41	Red Robin	\$1,438.30	\$1,331.70	\$1,289.50
45	Ruby Tuesday	\$1,182.40	\$1,222.40	\$1,309.10
51	P.F. Chang's	\$881.40	\$906.00	\$927.30
53	BJ's	\$845.60	\$775.10	\$708.30
55	Hooters	\$837.00	\$845.60	\$838.60
60	Carrabba's Italian Grill	\$714.00	\$710.00	\$697.00
61	Logan's Roadhouse	\$711.40	\$718.80	\$701.70
63	Cheddar's	\$668.00	\$613.20	\$545.80
69	California Pizza Kitchen	\$634.00	\$648.00	\$657.50
71	Bonefish Grill	\$622.00	\$573.00	\$512.00
76	Ruth's Chris Steak House	\$559.80	\$531.50	\$512.30
82	O 'Charley's	\$521.50	\$506.70	\$531.10
88	Famous Dave's	\$496.20	\$497.40	\$496.00
91	Yard House	\$478.00	\$395.00	\$338.00
94	Joe's Crab Shack	\$433.00	\$447.80	\$418.90
97	Maggiano's Little Italy	\$407.70	\$379.10	\$373.70
98	The Capital Grille	\$405.00	\$372.00	\$332.00
Total Casual Dining		\$38,889.90	\$37,350.40	\$36,507.60
Total Top 100		\$232,191.20	\$222,053.00	\$214,909.80

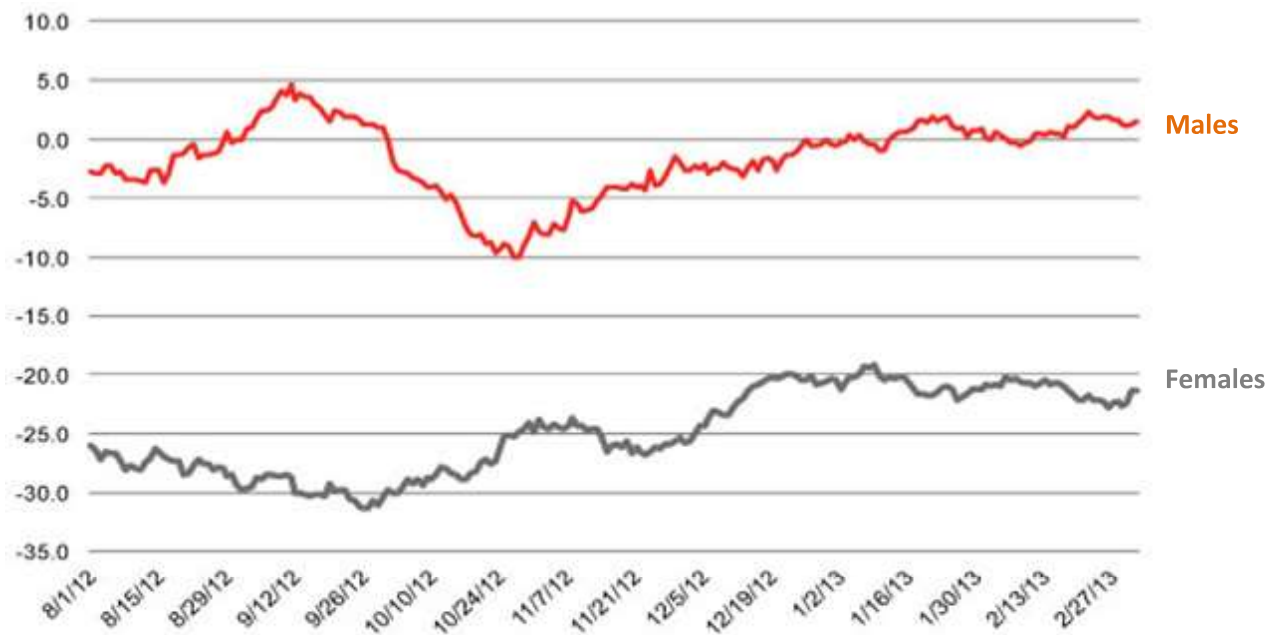
Appendix B
Selected Competitors in the Breastaurant Niche

Name	Year Founded	Locations	Website
Ker's Wing House (formerly Knockers)	1994	24	www.winghouse.com
Mugs 'n Jugs	1998	2	www.mugstogo.com
Bone Daddy's House of Smoke	2000	7	www.bonedaddys.com
Cowgirls Espresso	2002	12	www.cowgirlsespresso.com
Tilted Kilt	2003	100	www.tiltedkilt.com
Twin Peaks	2005	71	www.twinpeaksrestaurant.com
Bikinis	2006	8	www.bikinissportsbarandgrill.com
Canz-a-Citi Roadhouse Restaurant	2009	1	www.canzaciti.com

Appendix C Male and Female Impression Scores for Hooters from YouGov⁹⁴

YouGov Brand Index measured Hooters using its Impression Score, which was determined by asking respondents: "Do you have a general positive feeling about the brand?" All results for this research are for adults 18 years of age or older.

In August 2015, the women’s impression score for Hooters stood at negative 26. For men, it was negative 3. In January 2015, the women’s impression score had moved to negative 21; the men’s score was positive 2.



Appendix D
 Examples of Changes to the Brand following Chanticleer Purchase in 2011

The Uniform: Under Brooks⁹⁵



The Uniform: Under Chanticleer⁹⁶



The Logo: Under Brooks⁹⁷



The Logo: under Chanticleer⁹⁸



Restaurant Exterior: Under Brooks⁹⁹



Restaurant Exterior: Under Chanticleer¹⁰⁰



Restaurant Interior: Under Brooks¹⁰¹



Restaurant Interior: Under Chanticleer¹⁰²



Menu: Under Brooks¹⁰³



**LOOK
DEEPLY INTO
MY EYES
AND CONSIDER
THIS**

NEW ENGLAND STYLE CLAM CHOWDER (Bowl) 1.45
MANHATTAN STYLE CLAM CHOWDER (Bowl) 1.45
RAW OYSTERS (12 on the Half Shell) 2.95
RAW CLAMS (Likewise) 3.95

STEAMED SHRIMP with Drawn Butter or Hooters Marinade
EXTRA-LARGE SHRIMP SERVED HOT & READY TO PEEL - FIELD TESTED IN RURAL IOWA - SO YOU KNOW THEY'RE GOOD. 1/2 DOZ 2.65
 10 LBS 4.95 (BY OUR SCALE)

CAROLINA STYLE OYSTER ROAST - IN THE SHELL - A ROASTERFULL
 A TASTE LIKE YOU'VE NEVER HAD - YOU'LL LOVE 'EM SERVED WITH DRAWN BUTTER - OR HOOTERS MARINADE ... 5.95

STEAMED CLAMS - HOOTERS STYLE - Served with Drawn Butter or Marinade
MADE SEMI-FAMOUS RIGHT HERE AT HOOTERS... 3.95

The Obligatory **STEAK SANDWICH**
 4 oz. Tenderloin marinated to within a hair of Perfection served on a Sesame Seed Bun 4.95

HOOTERS NEARLY WORLD FAMOUS
CHICKEN WINGS
 OFTEN IMITATED - HARDLY EVER DUPLICATED

(SERVED - MILD, MEDIUM OR HOT) THE HOT ONES WILL DEFINITELY GET YOUR ATTENTION	10	2.95
	20	5.50
	50	9.95

A MEAL OR A SNACK!!!

CURLY FRENCH FRIES95
 PEELLED AND SQUARED ENTIRELY BY HAND BY AN IDAHO REFUGEE WHOM WE HAVE CHAINED TO THE WALL IN THE BACK ROOM - TOURS ON REQUEST - PLEASE DO NOT FEED THE EMPLOYEES.

COLE SLAW49
GOURMET HOT DOGS95
 A UNIQUE LITTLE ITEM - CATCHING ON AROUND THE COUNTRY.

BEFORE, DURING, OR AFTER YOUR FEEDING FRENZY WASH IT DOWN WITH ONE OF THESE BEVERAGES. GO AHEAD, BE DARING, YOUR MOM'S NOT WATCHING.

MILK50
PEPSI, 7UP, FROSTY ROOT BEER, DIET PEPSI, SUNKIST ORANGE80
COFFEE, ICED TEA50

BEER GLASS .85 PITCHER 3.75
 DRAFT - BUDWEISER, MICHELOB, MILLER LIGHT
 12 oz. DRAFT BEER IN "YOUR VERY OWN" HOOTERS CUP (GOOD TO GO & COLLECTORS ITEM IN SEVERAL SOUTHERN FLORIDA COUNTRIES) 1.25

DRAFT HEINEKEN GLASS 1.25 PITCHER 4.50
 IN "YOUR VERY OWN" HOOTERS 10 OZ CUP 4.50 EXTRA

BOTTLE BEER 1.25
IMPORTED BOTTLED BEER 1.75

WINE GLASS 1.25
 WE PROUDLY POUR CELLA HOUSE WINES 10 CANS 2.95
 HOSATO AND BUNDOO 20 CANS 4.95
 HOMEMADE SANGRIA (IMPORTED FROM TAMPA) 3.95
CHAMPAGNE (BRUT) FOR THE LADIES 3.95

WTSP.COM

Menu: Under Chanticleer¹⁰⁴

SOUPS

A BOWL OF ONE OF OUR DELICIOUS SOUPS

NEW ENGLAND STYLE CLAM CHOWDER
BAKED POTATO SOUP
VEGETABLE SOUP
HOOTERS CHILI (BOWL)
ASK FOR CHEESE & ONIONS

SALADS

Bleu Cheese, Honey Mustard, Lite Ranch, Honey French, Thousand Island, Golden Italian, Oil & Vinegar, Fat Free Rasperry, Creamy Cilantro, Balsamic Vinaigrette

HOOTERS COBB SALAD
BACON, CHEESE, CRUNCHY FRIED CHICKEN, TOMATOES, EGGS AND MORE. SORRY, THERE'S NO CORN ON THIS COBB

SOUTHWEST FIESTA SALAD
ROMAINE LETTUCE TOPPED WITH GRILLED CHICKEN AND CRISPY FRIED TORTILLA STRIPS. SERVED WITH CREAMY CILANTRO DRESSING.

GRILLED CHICKEN or STEAK CAESAR SALAD
FRESH ROMAINE LETTUCE WITH SHREDDED PARMESAN CHEESE, HOME STYLE CROUTONS AND CREAMY CAESAR DRESSING. TOPPED WITH CHUNKS OF GRILLED CHICKEN OR STEAK.

CAESAR SALAD
SIDE CAESAR SALAD

GRILLED CHICKEN or STEAK GARDEN SALAD
LETTUCE, TOMATOES, CUCUMBER, CARROTS AND CROUTONS TOPPED WITH CHUNKS OF GRILLED CHICKEN OR STEAK. ONLY THE RABBIT HIMSELF IS MISSING.

GARDEN SALAD
SIDE GARDEN SALAD

Hooters has the "Coldest Beer in Town"
 Try Our Fresh Made Sangria

SEAFOOD

***OYSTERS (Raw On The Half Shell)**
There is a risk associated with consuming raw oysters or any raw animal protein. If you have a chronic illness of the liver, stomach or blood or have immune disorders, you are at greater risk of serious illness from raw oysters, and should eat oysters fully cooked. If unsure of your risk, consult a physician.

OYSTER ROAST CAROLINA STYLE - IN THE SHELL
A TASTE LIKE YOU'VE NEVER HAD, YOU'LL LOVE 'EM. SHUCK AT YOUR OWN RISK. Served with Drawn Butter

FISH AND CHIPS
BEER BATTERED FISH. COMES WITH COLE SLAW AND CURLY FRIES, BUT NO CHIPS. GO FIGURE.

WILD SALMON FILLET
AN 8 OZ. SALMON FILLET GRILLED IN A TERYAKI SAUCE.

STEAMED CLAMS HOOTERS STYLE
EVERYBODY'S CLAM-ORING FOR THESE BABIES! SERVED WITH DRAWN BUTTER OR COCKTAIL SAUCE MADE SEMI-FAMOUS RIGHT HERE AT HOOTERS.

SNOW CRAB LEGS

NEW ORLEANS SHRIMP
PEELED & TASTY SHRIMP - TALK ABOUT BIG EASY. SIMMERED IN A SPICY ROUX SAUCE. WITH TOASTED FRENCH BREAD FOR DIPPING.

TRADITIONAL STEAMED SHRIMP
ACTUALLY, JUST A LITTLE JEALOUS OF THE NEW ORLEANS SHRIMP.

***MORE THAN A MOUTHFUL BURGER**

THE OBLIGATORY BURGER. ONLY BETTER.

CREATE YOUR OWN
Cheese: American, Cheddar, Swiss, Pepper Jack, Provolone, Bacon, Grilled Mushrooms, Onions, Chili.

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