

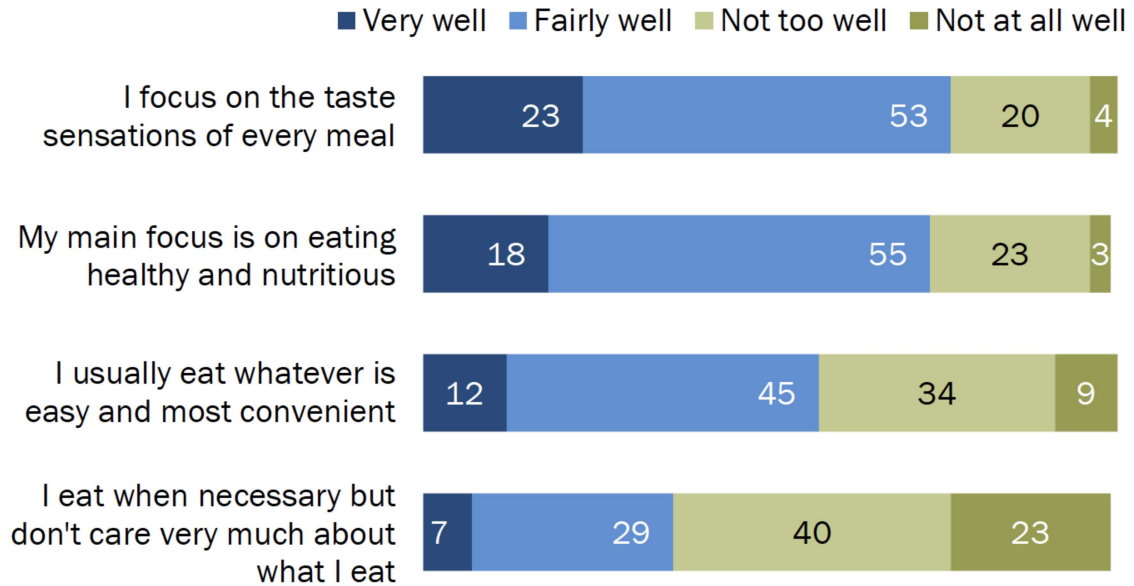
**Exhibit 4**  
*Menu at Burger King and McDonald's in 2015<sup>6</sup>*

McDonald's			Burger King			
	Sandwich	Meal		Sandwich	Meal	
<b>BURGERS</b>			<b>FIRE GRILLED</b>			
1. Big Mac	\$ 3.79	\$ 5.99	1. Whopper	\$ 3.99	\$ 6.29	
2. 2 Cheeseburgers	\$ 2.18	\$ 4.99	2. Double Whopper	\$ 4.99	\$ 6.99	
3. Quarter Pounder with Cheese	\$ 3.89	\$ 5.99	3. Bacon & Cheese Whopper	\$ 4.99	\$ 7.29	
4. Double Quarter Pounder with Cheese	\$ 4.79	\$ 6.99	4. A1 Ultimate Bacon Cheeseburger	\$ 5.99	\$ 7.99	
5. Quarter Pounder Deluxe	\$ 4.29	\$ 6.39	5. Big King	\$ 3.79	\$ 5.99	
6. Bacon Clubhouse Burger	\$ 4.99	\$ 7.19	6. Extra Long Cheeseburger	\$ 3.79	\$ 5.99	
6. Bacon Clubhouse Chicken (Grilled/Crispy)	\$ 5.19	\$ 7.39	7. Whopper Jr.	\$ 1.99	\$ 4.99	
7. Artisan Grilled Chicken	\$ 4.79	\$ 6.79	8. Original Chicken Sandwich	\$ 3.99	\$ 6.29	
8. Crispy Chicken Deluxe	\$ 4.79	\$ 6.79	9. Bacon Cheddar Tendercrisp	\$ 5.99	\$ 7.99	
9. Premium McWrap (Grilled/Crispy)			10. Tendercrisp Chicken Sandwich	\$ 4.99	\$ 6.99	
> Chicken & Bacon	\$ 4.99	\$ 7.19	11. Tendergrill Chicken Sandwich	\$ 4.99	\$ 6.99	
> Chicken & Ranch	\$ 4.99	\$ 7.19	12. Chicken Nuggets (10pc)		\$ 6.29	
> Sweet Chili Chicken	\$ 4.99	\$ 7.19	13. Chicken Fries	\$ 2.99	\$ 5.79	
10. 10 pc Chicken Nuggets	\$ 4.49	\$ 6.69	14. Big Fish Sandwich	\$ 3.79	\$ 5.99	
11. Filet-o-Fish	\$ 3.79	\$ 5.99	15. Veggie Burger	\$ 2.99	\$ 5.49	
<b>SIRLOIN THIRD POUND BURGERS</b>			<b>BEVERAGES</b>	Small	Medium	Large
Lettuce & Tomato	\$ 4.99	\$ 6.99	Fountain Drinks	\$ 1.99	\$ 2.19	\$ 2.39
Bacon & Cheese	\$ 5.25	\$ 7.25	Iced Tea	\$ 1.99	\$ 2.19	\$ 2.39
Steakhouse	\$ 4.99	\$ 6.99	Iced Coffee	\$ 1.99	\$ 2.19	\$ 2.39
<b>SALADS &amp; MORE</b>			Icee	\$ 1.29	\$ 1.49	\$ 1.99
Southwest Salad (Grilled/Crispy)	\$ 5.49		Smoothies	\$ 2.99	\$ 3.49	\$ 3.99
Bacon Ranch Salad	\$ 5.49		Coffee Frappes	\$ 2.99	\$ 3.49	\$ 3.99
Chicken Snack Wrap	\$ 1.79		<b>SHAKES</b>	Small	Medium	Large
<b>DOLLAR MENU &amp; MORE</b>			Chocolate/Vanilla/Strawberry	\$ 2.49	\$ 2.99	\$ 3.29
Cone	\$ 1.00		Oreo Classic	\$ 2.99	\$ 3.49	\$ 3.99
Cookies	\$ 1.00		Oreo Red Velvet	\$ 2.99	\$ 3.49	\$ 3.99
Parfait	\$ 1.19		<b>SIDES</b>	10 pcs	20 pcs	
Sweet Tea	\$ 1.00		Chicken Nuggets	\$ 2.99	\$ 5.00	
Hot n' Spicy McChicken	\$ 1.00			Small	Medium	Large
Grilled Onion Cheddar Double	\$ 1.00		Classic Fries	\$ 1.99	\$ 2.39	\$ 2.59
Cheeseburger	\$ 1.09		Onion Rings	\$ 1.99	\$ 2.39	\$ 2.59
McDouble	\$ 1.59		<b>SALADS &amp; MORE</b>			
Double Cheeseburger	\$ 1.89		Chicken, Apple & Cranberry	\$ 5.99		
20 Pc. Chicken McNuggets	\$ 5.00		Chicken Caesar	\$ 5.49		
Bacon McDouble	\$ 2.00		Side Salad	\$ 1.49		
Jalapeno Double	\$ 2.00		<b>KING DEALS VALUE MENU</b>			
Daily Double	\$ 2.00		Bacon Double Cheeseburger	\$ 2.19		
Triple Cheeseburger	\$ 2.79		Double Cheeseburger	\$ 1.49		
<b>FRIES &amp; SIDES</b>	Small	Medium	Large	Bacon Cheeseburger Deluxe	\$ 1.59	
Small Fries	\$ 1.59	\$ 2.29	\$ 2.49	Bacon Cheeseburger	\$ 1.39	
Side Salad	\$ 1.49			12 oz. Icee	\$ 1.00	
<b>MCCAFE</b>	Small	Medium		Hershey's Sundae Pie	\$ 1.29	
Smoothies	\$ 2.89	\$ 3.49		Dutch Apple Pie	\$ 1.49	
Frappe (Mocha/Caramel)	\$ 2.89	\$ 3.49		Hamburger	\$ 0.99	
Frappe (Chocolate Chip)	\$ 2.99	\$ 3.69		Cheeseburger	\$ 1.00	
Espresso & Chocolate:				Crispy Chicken Jr.	\$ 1.00	
Mocha	\$ 2.89	\$ 3.49		Spicy Crispy Chicken Jr.	\$ 1.00	
Caramel Mocha	\$ 2.89	\$ 3.49		Rodeo Crispy Chicken	\$ 1.00	
Iced Mocha	\$ 2.89	\$ 3.49		Rodeo Burger	\$ 1.00	
Iced Caramel Mocha	\$ 2.89	\$ 3.49		Value Classic Fries or Onion Rings	\$ 1.49	
Latte	\$ 2.59	\$ 2.99		Chicken Nuggets (4 pcs)	\$ 1.29	
Hot Chocolate	\$ 2.29	\$ 2.69		Soft Serve (Cone/Cup)	\$ 1.00	
Hot Coffee	\$ 1.00	\$ 1.59		2 Cookies	\$ 1.00	
Iced Coffee	\$ 1.49			Rodeo Cheeseburger	\$ 1.29	
Any sized soft drink or iced tea	\$ 1.00			<b>DESSERTS</b>		
Minute Maid Orange Juice	\$ 1.89	\$ 2.19		Soft Serve (Cone/Cup)	\$ 1.00	
McCafe Shakes (Chocolate/Strawberry/Vanilla)	\$ 2.79	\$ 3.19		Sundaes	\$ 1.49	
McFlurry (M&M's/Oreo)	\$ 1.99	\$ 2.59		Cookies	\$ 1.00	\$ 2.00
Sundae (Hot Fudge/Strawberry/Caramel)	\$ 1.59			Cinnamon Roll	\$ 1.99	\$ 3.99
Soft Baked Cookies	\$ 0.50			Hershey's Sundae Pie	\$ 1.29	
Pies	\$ 1.00			Reese's Peanut Butter Cup Pie	\$ 1.29	
Cone	\$ 0.59	\$ 0.99		Apple Pie	\$ 1.49	
Dipped Cone	\$ 1.29			<b>KIDS DEAL</b>		
Chocolate Shake	\$ 3.19			Hamburger Meal	\$ 2.99	
Strawberry & Crème Pie	\$ 0.89			Cheeseburger Meal	\$ 3.29	
Oreo McFlurry	\$ 1.99			Chicken Nuggets Meal	\$ 3.49	
<b>BREAKFAST</b>				<b>BREAKFAST</b>		
Sausage Burrito	\$ 1.00			Sausage, Egg & Cheese Butty	1.99	3.49
Sausage McMuffin	\$ 1.29			Breakfast in Bread	2.99	4.49
Sausage Biscuit	\$ 1.19			Sausage Butty	1.49	2.99
Coffee	\$ 1.00			Big Beefy	3.99	5.49
1 Hash Browns	\$ 1.19			Bacon, Egg & Cheese Butty	1.99	3.49
Big Breakfast with Hot Cakes	\$ 5.39			Bacon Butty	1.49	2.99
Big Breakfast	\$ 4.39			Egg & Cheese Butty	1.49	2.99
Hot Cakes with Sausage	\$ 3.49				Regular	Large
3 Hot Cakes	\$ 2.49			Hash Browns	0.99	1.09
	Sandwich	Meal		Mini Pancakes & Syrup	1.19	1.49
1. Egg McMuffin	\$ 2.99	\$ 4.29				
2. Sausage McMuffin with egg	\$ 2.79	\$ 3.99				
3. Egg White Delight McMuffin	\$ 2.99	\$ 4.29				
4. Bacon, Egg & Cheese Biscuit	\$ 3.29	\$ 4.59				
5. Sausage Biscuit with Egg	\$ 3.29	\$ 4.59				
6. Sausage Biscuit	\$ 1.00	\$ 2.99				
7. Bacon, Egg & Cheese McGriddles	\$ 3.79	\$ 4.99				
8. Sausage, Egg & Cheese McGriddles	\$ 3.79	\$ 4.99				
9. Sausage McGriddles	\$ 2.89	\$ 4.09				
10. 2 Sausage Burritos	\$ 1.00	\$ 3.99				

6 <http://burgerlad.com>

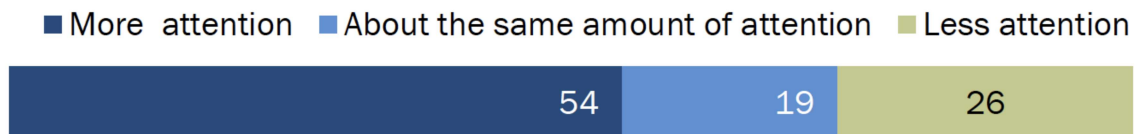
**Exhibit 5**  
*Healthy Eating Trends in America*

*% of U.S. adults who say each of these statements describes them ...*

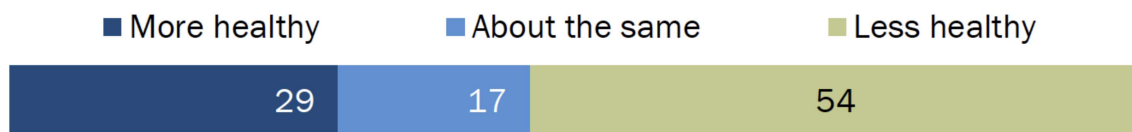


*% of U.S. adults who say that compared with twenty years ago ...*

**People in the U.S. pay \_\_\_\_ to eating healthy foods today**



**The eating habits of people in the U.S. are \_\_\_\_ today**



Note: Respondents who did not give an answer are not shown.

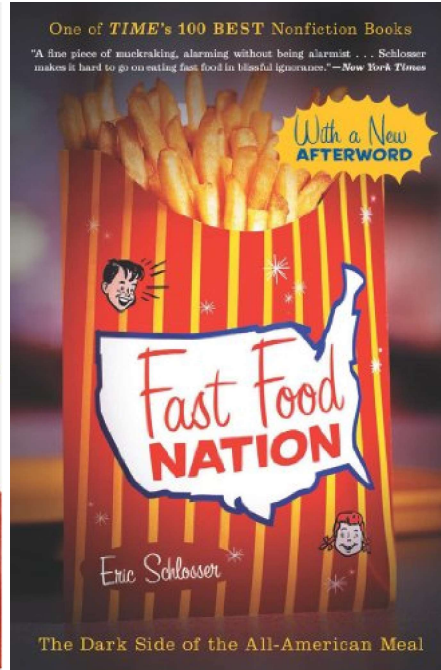
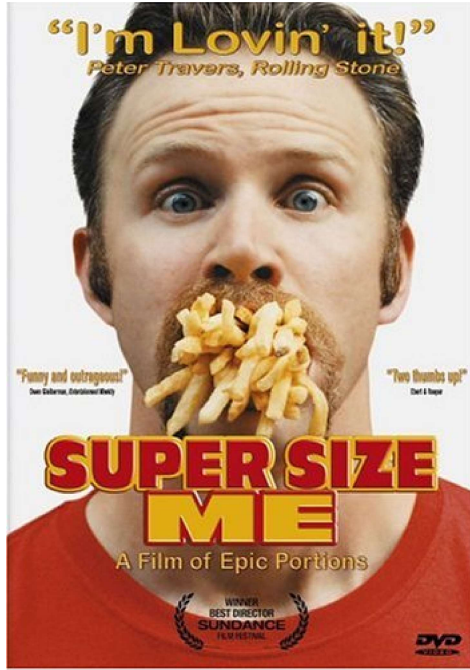
Source: Survey conducted May 10-June 6, 2016.

“The New Food Fights: U.S. Public Divides Over Food Science”

**PEW RESEARCH CENTER**

**Exhibit 6**

*Critiques of QSR Industry (top) and Burger King's Unsuccessful Satisfries (bottom)*



**BIG TASTE, LESS FAT\***

Introducing SATISFRIES™, a new great tasting crinkle-cut french fries with 40% less fat and 30% fewer calories. Satisfries are cut from real, whole potatoes and fried to tasty perfection – so they're always crispy on the outside, and hot and fluffy on the inside. You heard it here, incredible things are happening to French Fries.

**40% LESS FAT\***    **30% LESS CALORIES\*\***    **BIG TASTE**

 **GET SATISFRIED!**  
Post your Instagram pic using  
#Satisfied and @BurgerKing



Bk.com

**Exhibit 7**

*Iconic Burger King Campaigns 1974-2008 (click on image to watch on YouTube)*



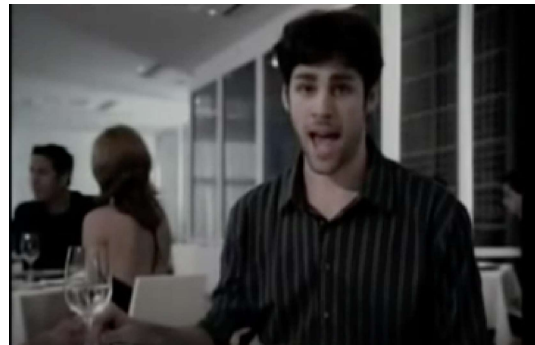
"Have it your way", 1974



"Aren't you hungry for Burger King Now?"  
1981 (featuring Sarah Michelle Gellar)



"Subservient Chicken" 2004



"I Am Man" 2007 (inspired by the "I am Woman" 70's song by Helen Reddy)



"Whopper Freak out" 2007



Whopper Sacrifice, 2008

**Exhibit 8**

*Controversial Campaigns 2006-2010 (click on image to watch on YouTube)*



“Whopper virgins” 2008. Watch video about controversy.



“Square Butts” 2009. Watch video about controversy.



“Texican Whopper” 2010 (Spain). Watch video about controversy.



“Wake Up with the King” 2009 and controversy.



“Eat like a Snake” 2006 and controversy.



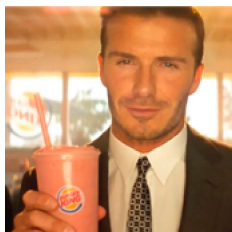
“Gone Crazy” 2010 and controversy.

**Exhibit 9**

*“Exciting things are happening at Burger King” 2012*  
(click on image to watch the TVC on YouTube)



**“Chicken Wrap” 2012**  
(watch [unaired ad](#) and [controversy](#) featuring Omarosa Manigault)



David Beckham



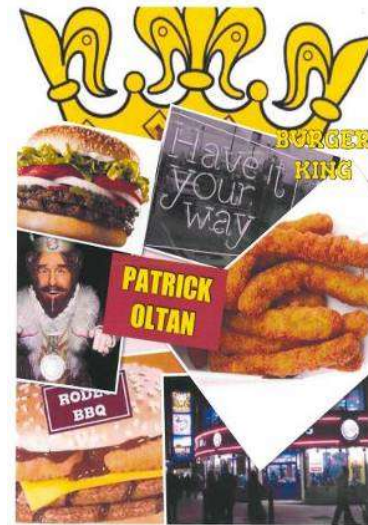
Salma Hayek



Jay Leno

**Exhibit 10**

*2013 Qualitative Brand Audit: Collage of Brand Associations and Typical Customer*



For some, **Burger King is personified as an ordinary, blue-collar, working man** resembling Jack Black. He is mid-30s to middle-aged, working in construction or as plumber. He is overweight and poorly dressed. Leisure activities he enjoys include sitting around watching football on TV, fishing, and camping. At best, he is reliable, laid-back, and easy to get along with. At worst, he is dull, boring, and a bit of a loner.



**Exhibit 11**

*2013 Qualitative Brand Audit: Obituaries (top) and Ideas for a Future (bottom)*

**Obituaries**

- “Frank was a hefty and cheerful man who was loved by many people in his community. He could often be found scavenging in the junkyard, one of his favorite pastimes, or hand fishing down by the river. He loved spending time with his wife Martha and he would take their trailer out once a month up to the mountains for their own private beer festival. He also was a great father to his kids Frank the second and Frank Junior.” – Boston
- “Mr. Burger King sadly passed away of cardiac arrest. He lived a full life in his 55 years. Married high school sweetheart, had 2 kids and a dog. Loved his home, which he bought in 1972 – still looks the same. He cherished his 1975 Chevy Impala. He will be sorely missed at Smith’s Contracting. He was a great manager.” – Boston
- “Our friend Burger King passed away, but he is not forgotten. He lived life his own way even when others didn’t understand. He was a man’s man, whose heart unfortunately gave out in the prime of his life. His family will miss the many cookouts at his farm/ranch. He was unconcerned with too much success.” – Dallas
- “Burger King was a simple man, who appreciated small things in life. His BBQs were legendary, his meat smoking skills were a thing of beauty. He could be counted on for a funny story and he was always there for his friends. Maybe the best thing I can say is that he died doing what he loved – procuring meat, hunting.” – Dallas
- “He was a man that will not be forgotten. As persistent as he could be, he never changed his way of life even when everyone else did.” – L.A.
- “He was always around. Maybe you didn’t notice Burger King for a long time – life can be distracting – but he never went away. He was low-key, stolid, friendly but hard to know. You never had the feeling that you knew him well.” – L.A.

**Focus groups surveyed describe the ideal future Burger King:**

**More...**

- + modern, trendy, hip, edgy
- + sophisticated
- + friendly, inviting, approachable
- + healthy
- + vivacious, passionate
- + confident, strong, assertive
- + family-friendly
- + clean, bright, contemporary
- + innovative
- + forward-looking
- + creative, progressive
- + socially conscious

**Less...**

- unhealthy
- greasy
- heavy
- dark, gloomy
- stale
- outdated
- stuck in the past
- distant
- corporate
- run-down
- ordinary
- boring



**Exhibit 12**

*The McDonald's Brand*

Since McDonald's was founded in 1940 by brothers Richard and Maurice McDonald, (and franchised by Ray Kroc in 1954), the brand has grown into one of the most well-known and loved brands globally. By 2015, McDonald's was ranked #9 global brand according to Interbrand, worth an estimated \$39,809M. The brand has come to stand for inexpensive, tasty meals for the whole family. Kroc's focus on efficiency and precision in food preparation have made uniformity a hallmark of the brand.

Quick national expansion helped brand symbols such as the golden arches (introduced in 1952), and mascot Ronald McDonald (introduced on TV in 1963) cultural icons. The 1960's and 1970's saw a distinct focus on children, with an expanded group of friends for Ronald McDonald, the introduction of the Happy Meal in 1979. The bright package contained small portions and a toy, branded as "food and fun in a box". 1987, the brand partnered with Hasbro to introduce Monopoly Sweepstakes game, still running today.

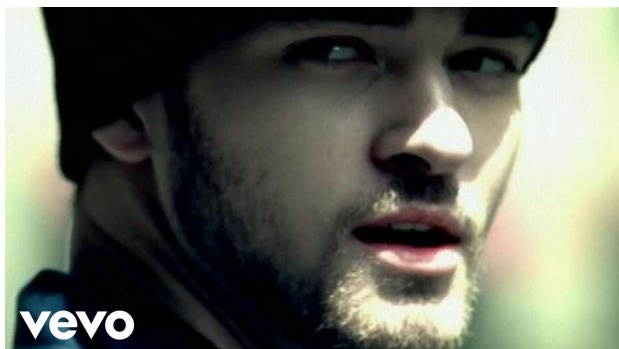
Damning press like the 2004 documentary Super Size Me and the 2012 pink slime scandal forced McDonald's to react. The brand launched a series of campaigns focused on transparency, aiming to introduce authenticity into the brand. Responding to a steep decline in sales in 2014 (the first in a decade), McDonald's has begun a complete brand transformation, opening a dialogue with customers with the "Our Food. Your Questions" YouTube campaign, reigniting its decade-old tagline, "I'm lovin' it", and introducing healthier food items with ingredients like kale. U.S. CMO Deborah Wahl is telling customers, "We hear you"—and pivoting the brand's mantra from "billions served" to "billions heard".



"The Showdown" (1993)



You Deserve a Break Today (1982)



"I'm Lovin' It" Justin Timberlake (2003)



"What We're Made Of" (2009)

**Exhibit 13**

*2013 Brand Audit: McDonald's*



**McDonald's perceived strengths relative to Burger King include:**

- clean, bright, cheerful (not gloomy, stale) environment
- better service
- healthy options
- constant promotions
- up-to-date, evolving with the times:

*"It used to be that you would walk into a McDonald's and it was all about the kids, and now I find it hard to go into McDonald's and see it not renovated... you see tons of senior citizens, sitting there having a coffee, enjoying something from the Dollar Menu. I also see a lot of business people come in, 'cause they've got free Wi-Fi."*

**Exhibit 14**  
*The Wendy's Brand*

Wendy's was founded by Dave Thomas in 1969 to sell fresh, high-quality "old-fashioned" hamburgers. Thomas named the restaurant after his daughter, depicted as the wholesome, red-haired mascot of the brand. Wendy's, the second-largest hamburger chain globally in 2015, is known for square hamburgers, sea salt fries, and the Frosty (a thick malt shake). Although Wendy's experienced rapid early growth of the chain (reaching 500 restaurants in seven years), it struggled with brand differentiation in the highly competitive QSR market.

Wendy's popularity exploded in 1984, following a highly successful "Where's the Beef?" campaign featuring elderly actress Clara Peller. Menu innovations such as the introduction of a skinless chicken breast sandwich, an expanded salad bar, and a 2-ounce burger, attracted wider demographics. Young adults were drawn to Wendy's seven discounted items, and sales rose 25%. Dave Thomas soon after replaced Peller, ultimately appearing in more than 800 commercials. Simple, honest messaging helped differentiate the company from the promotional frenzy dominant in QSR. After Thomas's death in 2002, Wendy's struggled to find a new campaign. A series of unsuccessful advertisements ("Mr. Wendy", "That's Right") were followed by a millennial-focused social media campaign featuring Nick Lachey.

In 2012, Wendy's began a brand transformation, starting with a new logo and new packaging design. In 2013, the brand launched the "Claim Your Taste" digital experiential campaign, receiving more than 150,000 site visits in under two weeks. Since then, Wendy's has amplified their social media presence, especially on Twitter.



"Where's the Beef?" (1984)

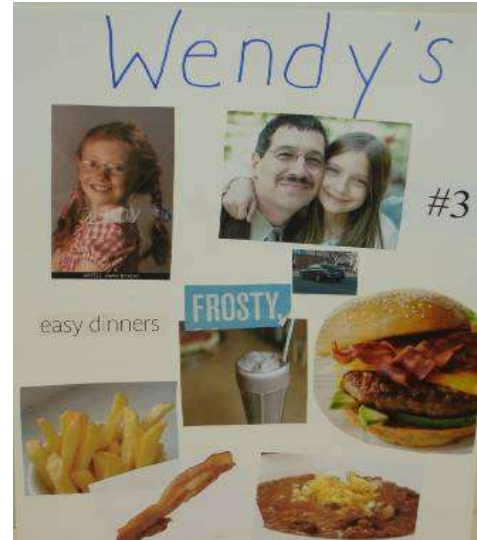


"Mozzarella Chicken Supreme"



"Satisfaction" (2005)

**Exhibit 15**  
*2013 Brand Audit: Wendy's*



Wendy's image has improved since 2011 across markets, moving away from the image of a young girl or grandmother who is sweet, innocent, and a little 'hillbilly' toward a more contemporary young adult image, while still retaining the previous values of honesty, tradition, warmth, generosity and wholesomeness.

In personality terms Wendy's is clearly the most attractive of Burger King, McDonald's and Wendy's: not as aspirational as Subway, not as much fun as Taco Bell, not as cool as Chipotle or 5 Guys, but very comfortable to be with:

*"Say you were at your high school reunion. McDonald's guy will tell you how great he is and be arrogant. Wendy's will be sitting in the corner being granola, and Burger King will be over at the bar having one too many."*

*"I think Wendy's might be the nicest. You might feel like chatting with Burger King, but he can't even get his eyes open. But McDonald's would be a jerk."*

**Exhibit 16**

*Pre- and Post-Redesign Layouts for Burger King*

**Burger King restaurants (old)**



**Burger King restaurants: 2020 Design**



**Burger King restaurants: 2020 Light (re-design)**



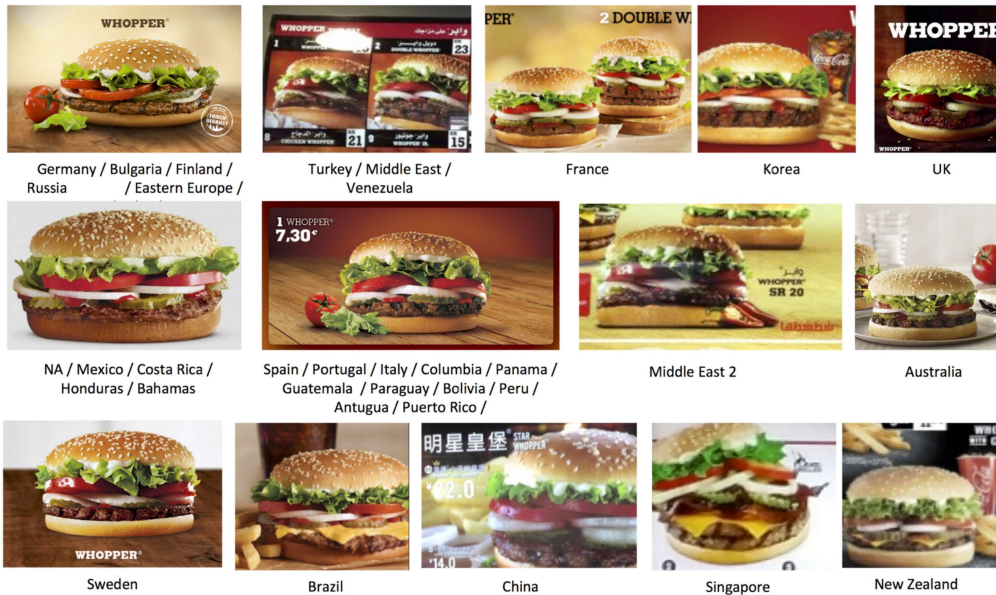
**Pack design (US)**



Cup design (Global)



Whopper Photography (Global)



Merchandising (Global)

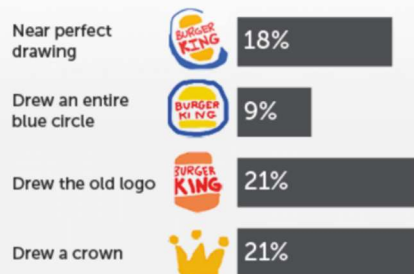


Exhibit 17

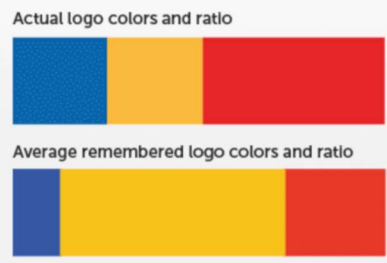
Burger King Logo History (top) and Drawn from Memory by 160 People (bottom)<sup>7</sup>



Features



Colors



7 <https://www.signs.com/branded-in-memory/#burger-king>





**Exhibit 18 (cont'd)**  
*Creative Ideas Suggested by DAVID*



**Exhibit 18 (cont'd)**


*Creative Ideas Suggested by DAVID*

## THE WHOPPER VENDING MACHINE

**Even the most convenient Whopper should be just how you want it.**

People love Whoppers because they're flame-broiled, by hand, to order, every time. And Burger King is dedicated to making that true no matter where they serve them.

To reinforce this, let's build Whopper vending machines installations to put in public. But, unlike ordinary vending machines which use robotic parts to immediately serve you the premade/prepackaged item you want, these will have a man with a grill inside, flame-broiling Whoppers to order. When unsuspecting patrons push the button for their Whopper, they'll hear a real person from inside ask them what they want on it as the burger sizzles on the flattop and smoke billows out of the machine. Then their fresh Whopper is handed out the slot to out to them proving once again that no matter where you Whopper, it's always your way.







## WHOPPER CAMOUFLAGE

### WHOPPER'S SIGNATURE IN YOUR CLOTHES

Our Food. The Perfect Imperfect handcraftetd food. Our Flame-Grilled patties are juicy and full of flavour, our delicious tomatoes are sliced in our kitchen throughout the day, our crispy lettuces are... crispy and fresh and our souce creamy and tasty. The whopper is the perfect result of this commitment we have to great tasting food. And as you open your mouth wide open to take a bite, juiciness run down your fingers. That's why we'll create the WHOPPER CAMOUFLAGE - Partnering with a camouflage designer, we're gonna spread this juiciness all over a new set of clothes. The WHOPPER, like a true maverick has its own signature, and now everyone can wear it.

