

### Question 3

(Suggested time-40 minutes. This question counts one-third of the total essay section score.)

The following letters constitute the complete correspondence between an executive of the Coca-Cola company and a representative of Grove Press. Read the letters carefully. Then write an essay analyzing the rhetorical strategies each writer uses to achieve his purpose and explaining which letter offers the more persuasive case.

March 25, 1970

Mr. R. W. Seaver  
Executive Vice President  
Grove Press, Inc.  
214 Mercer Street  
New York, New York 10012

Dear Mr. Seaver:

Several people have called to our attention your advertisement for *Diary of a Harlem Schoolteacher* by Jim Haskins, which appeared in the *New York Times* March 3, 1970. The theme of the ad is ""This book is like a weapon . . . it's the real thing."

Since our company has made use of "It's the Real Thing" to advertise Coca-Cola long prior to the publication of the book, we are writing to ask you to stop using this theme or slogan in connection with the book.

We believe you will agree that it is undesirable for our companies to make simultaneous use of "the real thing" in connection with our respective products. There will always be likelihood of confusion as to the source or sponsorship of the goods, and the use by such prominent companies would dilute the distinctiveness of the trade slogan and diminish its effectiveness and value as an advertising and merchandising tool.

"It's the Real thing" was first used in advertising for Coca-Cola over twenty-seven years ago to refer to our product. We first used it in print advertising in 1942 and extended it to outdoor advertising, including painted walls---some of which are still displayed throughout the country. The line has appeared in advertising for Coca-Cola during succeeding years. For example, in 1954 we used "There's this about Coke---You Can't Beat the Real Thing" in national advertising. We resumed national use of "It's the Real Thing" in the summer of 1969 and it is our main thrust for 1970.

Please excuse my writing so fully, but I wanted to explain why we feel it necessary to ask you and your associates to use another line to advertise Mr. Haskins' book.

We appreciate your cooperation and your assurance that you will discontinue the use of "It's the real thing."

Sincerely,  
Ira C. Herbert

GO ON TO THE NEXT PAGE

March 3, 1970

Mr. Ira C. Herbert  
Coca-Cola USA  
P.O. Drawer 1734  
Atlanta, Georgia 30301

Dear Mr. Herbert:

Thank you for your letter of March 25<sup>th</sup>, which has just reached me, doubtless because of the mail strike.

We note with sympathy your feeling that you have a proprietary interest in the phrase "It's the real thing," and I can fully understand that the public might be confused by our use of the expression, and mistake a book by a Harlem schoolteacher for a six-pack of Coca-Cola. Accordingly, we have instructed all our salesmen to notify bookstores that whenever a customer comes in and asks for a copy of *Diary of a Harlem Schoolteacher* they should request the sales personnel to make sure that what the customer wants is the book, rather than a Coke. This, we think, should protect your interest and in no way harm ours.

We would certainly not want to dilute the distinctiveness of your trade slogan nor diminish its effectiveness as an advertising and merchandising tool, but it did occur to us that since the slogan is so closely identified with your product, those who read our ad may well lead to go out and buy a Coke rather than our book. We have discussed this problem in an executive committee meeting, and by a vote of seven to six decided that, even if this were the case, we would be happy to give Coke the residual benefit of our advertising.

Problems not unlike the ones you raise in your letter have occurred to us in the past. You may recall that we published *Games People Play* which became one of the biggest nonfiction best-sellers of all time, and spawned conscious imitations (*Games Children Play*, *Games Psychiatrists Play*, *Games Ministers Play*, etc.). I am sure you will agree that this posed a far more direct and deadly threat to both the author and ourselves than our use of "It's the real thing." Further, *Games People Play* has become part of our language, and one sees it constantly in advertising, as a newspaper headline, etc. The same is true of another book which we published six or seven years ago, *One Hundred Dollar Misunderstanding*.

Given our strong sentiments concerning the First Amendment, we will defend to the death your right to use "It's the real thing" in any advertising you care to. We would hope you would do the same for us, especially when no one here or in our advertising agency, I am sorry to say, realized that you owned the phrase. We were merely quoting in our ads Peter S. Prescott's review of *Diary of a Harlem Schoolteacher* in *Look* which begins "*Diary of a Harlem Schoolteacher* is the real thing, a short, spare, honest book which will, I suspect, be read a generation hence as a classic. . . ."

With all best wishes,

Sincerely yours,  
Richard Seaver