

# EmotionTrac Case Insights Debrief Presentation

Thatcher's Cider



# Emotional Analysis Overview

## Angst Profile

Angst activated early and along moral fault lines, with the overall panel peaking at 11 seconds (0.67) on the fairness-and-hard-work framing. Men spiked sharply at the same moment (0.91), reading the opening as a rule violation, while women anchored their response to the family-run identity cue at 14 seconds (0.66). Through the core section, male angst climbed to a peak of 1.01 on the "ripoff/knockoff" framing and women reached 0.93 on marketing investment. These results map directly onto the 84% of panelists who inferred an attempt to benefit from Thatcher's established reputation.

## Persuasion and Curiosity Profile

Persuasion diverged sharply by gender from the first moments. Women showed an early lift at the fairness-and-accountability framing ( $t=14$ ,  $v=0.575$ ), while men registered a credibility dip when claims lacked an anchor exhibit ( $t=43$ ,  $v=-0.806$ ), signaling a procedural threshold. Curiosity tracked similarly: both genders spiked at 17 seconds on family origin and product introduction, but men disengaged quickly when the narrative stayed descriptive without offering a comparative task, dropping at 39 seconds. The shared engagement spikes at 89 seconds (Aldi product introduction) and 274 seconds (generic-category argument) confirm that contestable propositions sustain attention across genders.



# Emotional Impact Findings: Angst

Angst data reveals a panel that is morally primed early and responds to different persuasive triggers by gender throughout the presentation.

## Onboarding Phase

The overall panel peaked at 11 seconds (0.67) as the fairness and earned-reputation frame was introduced. Men spiked strongest at 0.91, treating the norm violation as a rule-enforcement issue. Women added a secondary peak at 14 seconds (0.66) tied specifically to the "family-run independent" identity cue, consistent with a protectiveness response toward a perceived underdog. The 93% net premium baseline established in the survey provided the cognitive scaffolding that made this early moral reaction plausible.

## Core Section

Female angst peaked at 58 seconds (0.93) on marketing investment, framing free-riding as a caregiving and stewardship violation. Women peaked again at 145 seconds (0.83) and 177 seconds (0.76) on mimicry and ingredient contrast language. Male angst reached its highest sustained point at 55 seconds (0.96) on "earned advantage," then hit 1.01 at 137 seconds on the "ripoff/knockoff" framing and 0.91 at 166 seconds on the ingredient contrast. These peaks align with 79% of panelists finding association transfer likely and 84% reading benchmarking as reputation-riding.

## Peak-End Divergence

At the verdict ask, overall angst dipped (-0.65) and women dropped to -0.84 at 200 seconds, consistent with reactance when asked to decide without a clear step-by-step standard. Men, however, peaked at 0.77 at 198 seconds, indicating accountability language can energize rule enforcement. On the defense side, men dropped sharply at -0.98 when Aldi was framed as a transparent discount model, then spiked to 1.21 at 338 seconds on the "monopoly" accusation, a volatility pattern that signals potential for redirected anger if the plaintiff's framing is perceived as overreach.



# Emotional Impact Findings: Persuasion and Curiosity

## Persuasion Patterns

Male persuasion tracked evidentiary confidence throughout. The strongest male lift came at marketing investment ( $t=55$ ,  $v=1.146$ ), followed by micro-detail copying implying intent ( $t=115$ ,  $v=0.971$ ) and the defense's rule-like category principle ( $t=274$ ,  $v=1.001$ ). The pattern reflects a need to reduce ambiguity with verifiable signals before updating belief. Female persuasion responded to moral resolution and accountability, with peaks at internal-document language ( $t=101$ ,  $v=0.760$  and  $t=111$ ,  $v=0.800$ ) and valleys when messaging sounded self-congratulatory ( $t=61$ ,  $v=-0.737$ ). On the core liability question, 68% found Thatcher's more convincing, 69% viewed the conduct as unfair competition, and 75% believed Aldi likely benefited from prior marketing, even as the defense's affordability closing created a notable male spike ( $t=338$ ,  $v=1.215$ ) and a female dip on the "monopoly" framing ( $t=324$ ,  $v=-0.579$ ).

## Curiosity Patterns

Both genders peaked early at 17 seconds on the family-origin and product introduction, then diverged. Men showed strong responsiveness to procedural and falsifiable content: a checklist of design elements (31s), side-by-side similarity evidence (128s), and concrete quality-perception mechanisms (161s), while dropping when the defense shifted to ideology without addressing intent (209s, 280s). Women's curiosity was more sensitive to daily-life plausibility, dipping when marketing figures felt untethered to consequences (68s) and rising at the defense's own-brand framing (228s, 250s) because it mapped onto routine retail behavior. The largest female spike occurred at the line-crossing decision framing at 188 seconds, indicating heightened attention when asked to apply a simple standard. Shared curiosity peaks at Aldi's product introduction (89s) and the generic-category argument (274s) confirm that contestable propositions with mentally verifiable claims drive sustained engagement across genders.



# Case Strengths

## Fairness Frame and Premium Foundation

The case opens with a powerful moral architecture: Thatcher's built a premium cue system and Aldi attempted to capture that benefit without equivalent investment. With 93% of panelists rating Thatcher's packaging as premium before any factual narrative is introduced, the goodwill-as-property argument arrives pre-validated. This shared premium read functions as a credibility shortcut, making "reputation" feel like transferable property rather than a legal abstraction, and it reduces the risk that trade dress arguments lose the room to technical terminology.

## Reputational Harm Theory Has Majority Support

65% of panelists believe Aldi's packaging harms Thatcher's premium quality reputation, with 36% holding that view strongly. Critically, only 11% strongly reject the harm theory, indicating that discount-store context and own-brand labeling are not consistently experienced as a full safeguard against reputational drag. Women reached 40% in the "strongly believe harm" category versus 32% for men, providing a conviction-based bloc that anchors the reputational damage argument, while men's clustering in the "somewhat" positions keeps the causal chain argument live rather than foreclosed.

## Similarity Already Decided at Gestalt Level

90% of panelists placed the two products in the similarity zone, with 50% selecting "very similar" and 40% "somewhat similar." This means the factual dispute over whether the designs resemble each other is effectively pre-resolved, allowing the argument to move quickly from what panelists see to what that resemblance means and why it exists. Women committed more firmly at 52% "very similar," while men split evenly at 48% each, a pattern that favors structured side-by-side comparisons to convert the "somewhat" block into conviction.

## Benchmarking as the Intent Bridge

84% of panelists read the alleged benchmarking and replication as an effort to benefit from Thatcher's established reputation. The "sole benchmark" and paper trail language functions as a psychological hinge that converts resemblance from coincidence into choice. Women were more categorical at 46% "definitely yes" and men were more procedural at 50% "probably yes," meaning the conversion from resemblance to intent is already directionally strong and requires only evidentiary tightening to achieve firmer commitment across both groups.



# Case Weaknesses

## Category Cue Defense Has Broad Acceptance

79% of panelists agreed that yellow coloring and lemon imagery are common industry cues necessary to signal lemon flavor, including 88% of men. This high-consensus baseline gives the defense a strong cognitive permission structure, and any plaintiff argument that sounds like claiming ownership of lemons or yellow risks triggering reactance, particularly among male respondents. The 21% disagreement, while meaningful, sits below the threshold needed to displace the default category-cue interpretation without focused intent evidence.

## Retail Context Reduces Perceived Wrongdoing

66% of panelists agreed that Aldi shoppers understand they are buying Aldi own-brand products and are not misled, with men slightly more aligned at 68% agreement. This discount-store context frame lowers perceived wrongdoing by preserving the audience's self-image as competent shoppers. A pure source-confusion story will feel overstated to a majority of panelists, and the defense can use this majority view as a normalizing anchor throughout the presentation.

## Intent Evidence Fragility and Gender Volatility

The intent-based emotional response is fragile when documents are paraphrased rather than shown, with men in particular showing caution if they feel pushed into inference without "seeing the receipt." On the "honest commercial practices" measure, the panel split nearly evenly at 52% yes and 48% no, with men at 60% yes and women at 56% no. This near-coin-flip status means any ambiguity in the boundary rule between lawful inspiration and unlawful replication can swing the outcome, and women's polarization on persuasion valleys ( $t=61$ ,  $v=-0.737$ ) warns against motive attacks that sound like policing competition rather than enforcing a conduct standard.

**⚠ Critical Risk:** The "monopoly over lemons and yellow" theme generated a male angst spike of 1.21 at 338 seconds, the highest recorded point in the defense sequence. If plaintiff framing sounds like ownership of basic category cues, it can redirect frustration away from Aldi and toward the claimant.



# Survey Insights: Premium Perception and Packaging Similarity

**93%**

## Net Premium Baseline

53% rated Thatcher's "very premium and high quality" and 40% "somewhat premium" before any factual narrative was introduced

**90%**

## Similarity Zone

50% found packaging "very similar" and 40% "somewhat similar" based on descriptions alone, with only 10% outside the similarity range

**52%**

## Female Very Similar

Women committed more firmly to the highest similarity rating, compared to 48% of men who split evenly between "very" and "somewhat similar"

The premium inference is fully anchored before the dispute story is heard, meaning later similarity questions operate on top of an established quality signal rather than building one from scratch. Because the premium read is already in place, the central question for panelists is not whether Thatcher's packaging has value but whether that value can be borrowed, and the 90% similarity finding confirms that the visual conditions for borrowing are widely perceived. The modest female skepticism on premium (8% "not very premium") does not displace the dominant read but signals that tangible proof of earned premium status, investment figures, craft cues, and quality substantiation, will be needed to prevent a small bloc from dismissing packaging as mere marketing.



# Survey Insights: Association Transfer and Benchmarking Intent

## Q3: Impression Transfer Likelihood

79% of panelists rated it at least somewhat likely that Aldi's Taurus packaging would trigger the same positive impressions as Thatcher's, with 39% landing at "very likely." Men concentrated heavily in the likely range at 90%, driven by "somewhat likely" at 52%, reflecting a pragmatic resemblance-based judgment. Women were more divided at 68% likely and 26% "not too likely," indicating greater sensitivity to whether the impression is earned versus borrowed. The female split signals that the persuasion task for this segment requires moving from "similar vibe" to specific, element-by-element comparisons linked to the benchmarking narrative so resemblance reads as chosen rather than accidental.

## Q4: Benchmarking as Reputation-Riding

84% of panelists read the alleged benchmarking and replication as an attempt to benefit from Thatcher's reputation. The largest group was "probably yes" at 44%, maintaining cognitive caution while still accepting the motive, and "definitely yes" held at 40%, indicating a substantial share that experienced the allegation as straightforward free-riding on brand investment. Women were more categorical at 46% "definitely yes" versus 34% of men. Men were more tentative at 50% "probably yes," treating benchmarking as potentially normal unless the replicated elements are clearly non-generic. The 12% "probably no" reads less as disbelief and more as uncertainty about where legitimate inspiration ends, making the distinction between lawful competitive review and intentional replication the decisive persuasion task.



# Survey Insights: Defense Arguments and Unfair Advantage

**79%**

## **Category Cue Agreement (Q5)**

79% agreed yellow and lemon imagery are common industry signals, including 88% of men. The 30% female disagreement reflects skepticism that combined cues can still constitute imitation even when each element is generic. Conceding category basics while isolating the distinctive combination is the only viable path through this data.

**66%**

## **Own-Brand Awareness Agreement (Q6)**

66% agreed Aldi shoppers know they are buying Aldi product and are not misled. The 34% resistance signals a meaningful bloc that believes packaging can still steer quality expectations and borrow reputation even without source confusion. Women showed higher disagreement at 36% versus 32% for men.

**76%**

## **Lookalike Packaging as Unfair Advantage (Q7)**

76% endorsed the idea that lookalike packaging can create unfair advantage even when the brand name differs, with men slightly stronger at 80% versus 72% for women. The 24% No group represents a persuadable minority anchored in a "different name, different product" default that responds to evidence of non-generic, deliberate design convergence.

These three data points reveal a consistent pattern: the defense's category-cue and retail-context arguments are genuinely persuasive at the baseline level, but they do not neutralize the majority view that deliberate packaging convergence produces unfair commercial advantage. The strategic opening is to validate what panelists already accept, generic lemons, yellow, and transparent discount pricing, before narrowing the focus to the assembled combination and the documented intent evidence.



# Survey Insights: Reputation Harm and Unfair Competition

## Q8: Reputational Harm from Ingredient Contrast

73% agreed that Aldi's premium-style packaging paired with artificial lemon flavor could harm Thatcher's quality reputation, with "somewhat agree" at 44% as the center of gravity. Men were more uniformly receptive at 80% agreement, driven by 54% "somewhat agree," reflecting a cognitive probability-based judgment. Women were more polarized: 32% strongly agreed and 24% somewhat disagreed, indicating a split between emotional protection of perceived quality standards and skepticism that packaging similarity alone transfers reputational damage. The dominant mechanism panelists described was expectancy violation: premium visual cues set a quality standard, and when formulation falls short under a similar-looking package, disappointment reaches back to contaminate the premium brand's meaning.

## Q9: Unfair Competition Assessment

69% of panelists moved toward the unfair-competition frame, with 31% "very strongly" and 38% "somewhat," but intensity is not uniform. Male respondents concentrated in the moderate lane at 42% "somewhat unfair" and 24% "not too much," leaving a deliberative persuadable middle open to either side's organizing rule. Female respondents were more polarized at 34% "very strongly unfair" and 18% "not too much," with two competing emotional drivers: moral discomfort at goodwill-taking versus reactance to perceived brand-category overreach. The center of gravity sits clearly closer to "unfair" than "legitimate," but the dominance of "somewhat" indicates that intent evidence and the overall-impression test will decide where the persuadable middle lands.



# Survey Insights: Commercial Practices and Final Verdict

## Q10: Sales Benefit from Prior Marketing (75% Likely)

75% rated it likely that Aldi's packaging converted Thatcher's prior marketing investment into Aldi sales, including 41% "very likely." Women were more decisive at 46% "very likely" versus 36% for men, while men clustered more at 40% "somewhat likely." The 20% "not too likely" aligned with a generic-cue interpretation where lemon imagery and yellow are seen as category signals rather than reputation transfer. Both genders reached the same net direction through different cognitive routes, with women using a fairness-and-free-riding frame and men using an evidentiary-caution frame that requires a cleaner bridge from similarity to sales impact.

## Q11: Verdict Direction (68% Thatcher's)

68% found Thatcher's more convincing on the unfair-advantage theory, with the split identical across genders at 68% to 32% for both men and women. The absence of gender separation on the verdict measure suggests this is not a messaging resonance problem with one subgroup but a shared reading of motive and benefit, driven by an overall-impression-plus-intent lens that converts similarity into a shortcut to borrowed meaning. Aldi's "common lemon cues and informed discount shopping" position holds 32% but is not strong enough to dislodge the prevailing inference.

## Q13: Honest Commercial Practices (52/48 Split)

The honest-commercial-practices measure produced the case's sharpest gender divide: 56% of women said No, Aldi did not act honestly, versus 60% of men who said Yes, it did. Women read benchmarking as purposive copying that crosses into deceptive advantage; men treated it as standard competitive research within legitimate practice. This near-coin-flip status, combined with the gender divide, means this measure is functioning as a direct test of which narrative defines "honest practices" for respondents, and the outcome will turn on whether the panel credits intent-to-evoke or normal category competition as the controlling frame.



# Strategic Recommendations

01

## Open on Earned Premium and Concede the Category

Lead with the 93% premium baseline as the foundation: Thatcher's packaging already means quality to panelists before the dispute is heard. Immediately concede that no one owns lemons, yellow, or low prices. This preempts the strongest male reactance trigger and lets both genders receive the fairness frame without resistance. Pair the principle in the same breath with a side-by-side visual and one checkable fact so women feel the protective boundary and men can treat the claim as a solvable task.

02

## Anchor the Midpoint on Documents, Not Inference

Use the "sole benchmark" language and any paper trail as the credibility spine. Show documents rather than paraphrasing them, and translate each into plain language so men do not disengage due to felt inference pressure. The 84% who already read benchmarking as reputation-riding need their prior belief confirmed by direct evidence, and the 44% in the "probably yes" bucket need that same evidence to firm their commitment. Intent is where both angst and persuasion converged most strongly across genders.

03

## Frame Harm as Expectancy and Trust Risk, Not Character Attack

With 73% accepting the reputational-harm mechanism, the argument is not whether harm is conceptually real but how confident panelists are in committing to it. Avoid framing ingredient differences as a character judgment about Aldi or its customers, which dampens empathy and opens a values-based affordability defense. Instead, use simple sequencing: premium visual cue, quality expectation formed, artificial ingredient contrast revealed, trust contaminated and reflected back onto Thatcher's. This sustains women's stronger conviction posture at 40% "strongly believe harm" while moving men from the 54% "somewhat agree" position toward firmer conclusions.

04

## Supply a Repeatable Decision Rule

The 69% unfair-competition reading and the near-coin-flip on "honest practices" coexist because panelists lack a clean boundary. Give them one: generic category cues are permitted, but copying the specific combination, layout, and premium architecture that recreates another brand's goodwill crosses the line. Make the rule simple enough to repeat without inference so men can treat the verdict as principled enforcement and women can ground their protective instinct in a defined standard rather than a moral reaction alone.

05

## Close on Proportional Accountability

Return to the combined themes of earned goodwill, intentional replication, and foreseeable reputation transfer. Tie the premium baseline to the commercial harm: if premium meaning is built into the packaging, then similarity is not cosmetic, it is a mechanism for reputational borrowing. Close with a restrained remedy frame that asks for honest commercial practices in packaging, not ownership of a category, so male pragmatism and female integrity norms converge on the same conduct-based conclusion. The 68% plaintiff verdict advantage is a stable topline to protect, and a proportional closing preserves it by giving the persuadable middle a resolution that feels earned rather than punitive.

The EmotionTrac data consistently points toward one strategic conclusion: Thatcher's case is strongest when it operates as a conduct dispute with verifiable evidence rather than a moral appeal. The 93% premium baseline, the 90% similarity read, the 84% intent inference, and the 68% plaintiff verdict share all reflect a panel already aligned on the core mechanism of reputation transfer. The remaining persuasion work is precision, not conversion: tighten the intent evidence, supply a clear decision rule, and close on proportional accountability to lock in the majority and move the persuadable middle toward a durable verdict.

