

# HOW NEW GUIDELINES COULD CHANGE VIRALS

## WATCHING THE WILD WEST

**JAMES HILTON** > ECD, AKQA, London

"It sounds like a noble cause. It's a mild irritation that we can't do some things but I can't see it affecting what we do because we've been coming up with ideas that involved logos for a long time. We're not trying to work around it, we're working with it."

"Virals were something we could have fun with, and I think it was something that



the general public knew they could have fun with too. Nobody got annoyed when we put things up from 'Joe Bloggs'.

"The main problem is sometimes we don't want people to know that there's a brand behind a piece of content. Sometimes it's referred to as anti-marketing: producing a piece of content where it might extol the brand virtues involved, but the brand doesn't want itself to be involved."

"A lot comes down to storytelling, engagement and suspending disbelief, and splashing advertisement on top of something or having to put the brand logo in will not only 'unsuspend' consumer disbelief, but make it come crashing to the ground."

**ADDONIS HOFFMAN** > SVP, Legal Counsel, American Association of Advertising Agencies

"Increasingly consumer advocates are pressing for greater transparency so that



consumers are not misled or duped, fooled into believing something was sent by their best friend rather than a

savvy advertising agency as part of a slick campaign.

"It is difficult to enforce but there is the

competitive marketplace out there. Advertisers are always looking for areas in which their competition is not playing by the rules; you also have government agencies that are independently observing things, and to a certain extent there is a level of self-regulation.

"Internet advertising is an evolving area, but it's apt to say that the rules are going to be tighter in the foreseeable future."

**JUSTIN KIRBY** > Founder, Digital Media Communications, London

"I think virals are affected anyway regardless of legislation. Fundamentally it had a time and place and that's been and gone."



"When you look at who was making the actual noise, it was the online users, not any official body. So in a way, the users are a far more effective police force than any legislation is ever going to be."

"I think this sort of legislation is going to throw the baby out with the bath water even more by assuming that if you're trying to do something different and new, for example Alternate Reality Games [ARGs], you're trying to deceive people, rather than engage them in a different way."

**MATT SMITH** > Founder, The Viral Factory, London/Los Angeles

"We've grown up from blowing up cats to doing quite cute stuff. We're working with much more mainstream clients whose thinking precludes them from doing anything vaguely dodgy. And not disclosing who you are is clearly going to worry companies."



"It's not clear how the authorities would deal with ARGs. My reading of these regulations is you can't do that anymore. They're one of the best, most interesting, most dynamic forms of marketing around. ARGs need to be slightly opaque and dishonest, but I think that people buy into that, and are aware of that – it's an artificial world and

is fiction. If this legislation squashes things like that, then frankly, companies like us will run this sort of stuff from America."

"Every time we've ever posted a viral on YouTube at least five people have taken it and uploaded to their own profile. I'm not concerned that by doing that they're putting us in a difficult position. But it's going to be very difficult for whoever is enforcing those regulations to police." ■

### WEB FILES

AAA- www.aaa.org  
AKQA- www.akqa.com  
DMC- www.dmc.co.uk

IPA- www.ipa.co.uk  
The Viral Factory- www.theviralfactory.com