



Case Report

1	Case Number	0164/12
2	Advertiser	GoDaddy.com
3	Product	Other
4	Type of Advertisement / media	TV
5	Date of Determination	09/05/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

In “The Cloud,” two young adult males are discussing a dream one of them had, when Danica Patrick (famous race car driver) appears and they are all transported to Go Daddy’s Internet Cloud. Up in the Cloud, the Pussycat Dolls (famous all-women signing group) also appear, which cause the young men to question whether they are in Heaven. Throughout the commercial, Danica Patrick is explaining to the young men how to get a domain name, website and other Internet services to make their personal or business dreams come true. At the end of the commercial, credit is given for the special appearance of the famous signing group, the Pussycat Dolls, by stating in writing “Featuring the New Pussycat Dolls.”

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

The advertisement is clearly intended to imply that the “internet service” will provide similar services to that offered on a phone-sex line.

Such commercials should not be shown during sporting programs according to clause 6.16 of the Commercial Television Industry Code of Practice (2010).

My 11yr son (who is in grade 6 and therefore is classified as a child I believe) was watching and I imagine there were many other such children watching the game. I believe it is clearly inappropriate to be advertising such a service to children - particularly due to the difficulty of controlling children's access to the internet.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Thank you for forwarding complaint number 0164/12 and providing GoDaddy.com, LLC ("Go Daddy") an opportunity to respond. In addition to providing this written response, we have also submitted all materials requested via the online Advertising Standards Bureau Advertiser Response Form.

The lodged complaint acknowledges that Go Daddy is an internet services provider, but nonetheless alleges that Go Daddy's "The Cloud" commercial is intended to "imply" that we provide similar services to that offered on a phone-sex line, and that it is inappropriate to be advertising such a service to children. As further explained below, Go Daddy does not offer phone-sex line services and does not advertise such services to children or anyone.

Go Daddy (www.godaddy.com) is an Internet company that offers everything needed to create a presence on the Internet, from domain names and website builders to complete eCommerce solutions. We are currently the World's largest domain name registrar, Web hosting provider, and net-new SSL certificate provider. We deliver world-class products at competitive prices and support them with industry-best customer service, delivered 24/7/365. We proudly serve over 10 million customers from locations around the World, including Australia.

The television commercial that is the subject of the above-referenced complaint is entitled "The Cloud," and was one of two commercials created and broadcast in the United States during the 2012 Super Bowl. In "The Cloud," two young adult males are discussing a dream one of them had, when Danica Patrick (famous race car driver) appears and they are all transported to Go Daddy's Internet Cloud. Up in the Cloud, the Pussycat Dolls (famous all-women signing group) also appear, which cause the young men to question whether they are in Heaven. Throughout the commercial, Danica Patrick is explaining to the young men how to get a domain name, website and other Internet services to make their personal or business dreams come true. The purpose of the clouds and heaven-like environment portrayed in the ad is to promote the fact that all of Go Daddy's Internet services are available in the Cloud. Cloud computing is relatively new, yet commonly known, Internet technology. At the end of the commercial, credit is given for the special appearance of the famous signing group, the Pussycat Dolls, by stating in writing "Featuring the New Pussycat Dolls." "The Cloud" commercial never states nor implies that phone-sex line services are provided by Go Daddy. No telephones appear anywhere in the ad, and no telephone numbers are provided.

Go Daddy employs an International Standards Approval and Electronic Commercial Delivery company, AdStream, who submits all of our television commercials to CAD for approval prior to airing in Australia. "The Cloud" was submitted to CAD (Reference Number PVILTCBF), received a P (or PG) rating, and was approved for airing without any request for revision or changes to the commercial.

The specific complaint received regarding Go Daddy's "The Cloud" commercial is as follows:

The advertisement is clearly intended to imply that the "internet service" will provide similar services to that offered on a phone-sex line. Such commercials should not be shown during sporting programs according to clause 6.16 of the Commercial Television Industry Code of

Practice (2010). My 11yr old son (who is in grade 6 and therefore is classified as a child I believe) was watching and I imagine there were many other such children watching the game. I believe it is clearly inappropriate to be advertising such a service to children – particularly due to the difficulty of controlling children’s access to the internet.

As stated above, Go Daddy does not provide phone-sex line services, nor does the advertisement in question make any such implication. The advertisement is promoting our Cloud Internet service offerings. The ad also is neither marketing any products to children nor intended to appeal to children whatsoever.

“The Cloud” does not violate any of the provisions contained in Section 2 of the AANA Code of Ethics. Each Section is addressed below:

2.1 The commercial does not discriminate or vilify any group of people. Both women and men appear in the commercial, the women are present by their own volition, the men are enjoying their “dream” in the Cloud and there is no humiliation or ridicule involved in the commercial. According to the AANA 2012 Code of Ethics Practice Note (“Practice Note”), portraying women as attractive does not of itself constitute discrimination or vilification of women.

2.2 The portrayal of Danica Patrick and the Pussycat Dolls does not employ sexual appeal in any exploitative or degrading manner. The outfits on all of the women cover their bodies appropriately and there is no exploitative or degrading behaviour in the ad.

2.3 There is no violence in “The Cloud,” so this Section should not apply.

2.4 There is no sex, sexuality or nudity in this commercial. Although the complainant asserts this specific provision in his complaint, his complaint is based on his belief that the ad “implies” that phone-sex line services are being promoted. No such implication is made anywhere in this advertisement. No one is using telephones in the ad, there is no discussion of using telephones in the ad and no telephone numbers are provided. It is unclear from what in the advertisement the complainant draws this conclusion.

2.5 There is no inappropriate language in “The Cloud,” so this Section should not apply.

2.6 There are no health or safety issues involved in “The Cloud,” there are no children in the commercial and the commercial is not directed toward children, so this Section also should not apply. The complainant included in his complaint that this type of ad should not be shown during a televised sporting event that children could be watching. This advertisement was pre-screened and rated by CAD as appropriate to be shown during this particular program.

Based on the foregoing, Go Daddy believes that its “The Cloud” commercial does not run afoul of any section of the AANA Code of Ethics and respectfully requests that the Board return a determination in Go Daddy’s favor. Please feel free to contact the undersigned if you have any further questions.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concern that the advertisement features scenes that are inappropriate particularly for children to be viewing.

The Board reviewed the advertisement and noted the advertiser’s response.

The Board first considered whether the advertisement was in breach of section 2.2 of the Code. Section 2.2 of the Code requires that: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people”.

The Board noted that the advertisement features two young males who appear to have ascended to heaven and includes images of several women wearing various glamorous swimsuit style outfits as one of the women talks about the benefits of a GoDaddy.com domain name.

The Board considered that the advertisement is clearly meant to depict a situation that young men would relate to and consider a ‘dream like’ place. The Board considered that it is reasonable for the advertiser to show the women wearing outfits that are both glamorous and sexy in order to reach their target audience.

The Board considered that the image of the women and the relationship to fanciful dream state that the young men were in was evident and was not suggestive of the women themselves being available to purchase or that offers of ‘phone-sex’ were being offered.

The Board noted that the women are fully covered by their outfits and considered that the images do not contain inappropriate nudity and do not employ sexual appeal in a manner which is degrading of any individual or group of people”.

The Board determined that it did not breach section 2.2 of the Code.

The Board then considered whether the advertisement was in breach of section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that Go Daddy is a legitimate Internet company that offers services needed to create a presence on the Internet. The Board noted that the advertisement did not imply that the company offered services similar to that of a phone sex service.

The Board considered that the advertisement did include mildly sexualized images of women but that the models were not overly exposed. The Board considered that most members of the community would not find the imagery offensive.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.

