



CASE REPORT

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| 1. Complaint reference number | 141/07 |
| 2. Advertiser | Global One Entertainment (Mobile Active - Paris) |
| 3. Product | Mobile phones/SMS |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 8 May 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement offers the home video of Paris Hilton featured on US television. The scenes include Paris wearing black underwear, and lying on a bed.

THE COMPLAINT

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

I am sick of seeing and hearing sex sound effects and motions...these ads just fall short of porn!

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The advertisement in question, is for video downloads to a mobile phone of Paris Hilton. As you will note, the advertisement has a sales oriented voice-over for the entire length of the advert, and does not in any way play any form of sex sound effects as stated by the complainant, or indeed intimate any form of 'porn' as also stated by the complainant.

We appreciate that not all adverts or products shown on TV, whether they be for day time or night time viewing will appeal to all that view the adverts or products, and that, unfortunately, is out of our hands.

On reviewing the content of our advertisement, we are of the strong opinion that we have not breached Section 2. (paragraph 3) of the AANA Advertiser Code of Ethics.

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 at seeing sex references on television. The Board noted that the advertisement does have a voice over for the duration of the advertisement and does not have any sexual sound effects. The Board noted that the images in the advertisement included women (probably Paris Hilton) in various poses wearing lingerie. The Board noted that the women were depicted in suggestive but not overly sexual poses, with no genitals or breast shown. The Board noted that the advertisement was for a mobile download of a pornographic video of Paris Hilton but considered that the advertisement itself was not pornographic or inappropriate to the late night audience.

The Board determined that the advertisement did not breach clause 2.3 of the Code. Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.