



CASE REPORT

1. Complaint reference number	218/06
2. Advertiser	Mobile Applications (Mobile Guru 2 - kama sutra)
3. Product	Mobile Phones/SMS
4. Type of advertisement	Print
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 13 June 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement for mobile screen downloads feature two images:

1. A head and shoulders photo of a man and a woman embracing with the words “ kama sutra delux” (kama82)
2. Two women wearing bikinis kissing, and the words “ kama sutra sexpllosion” (skama82)

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

...text featuring the words “ kama sutra” featuring images of men/women and women/women in sexually suggestive poses.

This advertising has no place in a television guide which is not rated by content and which therefore carries no warnings of sexually explicit and/or offensive content.

THE ADVERTISER’S RESPONSE

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

The images in the advertisement fall well within the scope of the acceptable levels as set by the mobile phone operators and do not breach any of their rules.

We have spoken to the publication who advised that as of 30 May 2006 they have not received any complaints from the public regarding the images contained in our advertisements.

We understand that the advertisement and the services offered are not necessarily to the taste of the entire viewing public but we submit that the advertisement is reasonable in relation to the nature of the services offered.

THE DETERMINATION

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

The Board considered whether the images breached section 2.3 of the Code.

The Board noted that an earlier version of the image of two women had been previously considered by the Board – although in the previous case it was being used by a different advertiser. On that

occasion the Board had upheld the complaints about the advertisement. The Board noted that the image before it had been modified and was not sexually explicit.

The Board considered that the image of the man and the woman embracing, although sexual in nature, was treated with sensitivity and was not sexually explicit.

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