



CASE REPORT

1. Complaint reference number	219/06
2. Advertiser	Mobile Applications (Mobile Guru 4 - sexy poems/kama sutra tips)
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 includes images of men and women with boxes to the right offering “Cool Txts! Sexy Poems”, “Is He 4 You? Love Poem”, “Romance Fashion Rules” and “Riddles Kamasutra Tips”.

THE COMPLAINT

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

More sexual object images and text referring to “sexy poems” and “Kama sutra tips”.

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 noted that that the complaint referred to a variety of images. The Board considered whether the images contravened sections 2.3 or 2.5 of the Code. The Board noted that it had dealt separately with the most explicit of those images. The Board considered that the remaining images, while sexually suggestive, were not discriminatory or sexually inappropriate.

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