

Connecting With Consumers Through Storytelling

2024 ANA Masters of Advertising Law Conference
November 11, 2024

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- **Storytelling: What Is It?**
- **Legal Considerations**
- **Key Questions**
- **Managing Risk**
- **Q&A**

Storytelling: What Is It?



What Is the Goal of Storytelling?

- Launch new product or new feature
- Promote existing product
- Rebrand or revitalize existing brand
- Reach new customers
- Foster brand or product loyalty

Question 1 of 5

You receive an unexpected bonus. What would you do with it?

Pay off a family member's debt.

Donate to a charity focused on enhancing financial literacy in my community.

Stash it all in a high-yield savings account to add to my nest egg.

Take some well-earned time off so I can focus on a passion project.

Previous question ● ● ● ● ● Next question

Caretaking	0%
Mentoring	0%
Experiencing	0%
Safety Nesting	100%

Questions

Scroll for more on your money mentality

Scroll down to learn what your answers mean about your financial goals and motivations. This may look like one or a combination of traits that make up the way you think and feel about building wealth.

Safety Nesting 100%

Safety Nesting means you likely view a financial safety net as the ultimate luxury. You tend to be disciplined and committed to long-term goals in your financial planning. One of your main focuses is attaining the mental freedom that comes with financial stability, both

Read more →

Caretaking 0%

As someone who identifies with the qualities and behaviors of Caretaking, you likely have a deep appreciation of not just where you are, but who helped you get there. Providing

Read more →

Mentoring 0%

If one or more of your answers point toward Mentoring, education is most likely a high-value currency in your world, and you're not shy about encouraging others to advance their financial

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Experiencing 0%

If Experiencing is important to you, it's likely you focus on the tangibles that money can unlock – freedom, joy and connection. You work so hard because you know the income you earn can

Read more →

Results

Scroll to Caretaking

Safety Nesting

to get to a place of mental freedom?

Vanguard

Let's keep this conversation going.

Take the next step with Vanguard. ↗

f x in ✉

Next steps

Scroll to read more

Examples of Storytelling Vehicles

- Broadcast Commercials
- Online Videos
- Print Ads (e.g., newspaper, magazine)
- Display Ads
- Out-of-Home (e.g., billboards, public transportation)
- Sponsorships (e.g., on-site activations, in-stadium, in-show)
- Podcast Ads
- Content Integrations (e.g., movies, TV shows, videogames)
- Retail Channels (e.g., in-store, POS)
- Social Media (e.g., organic, paid social)
- Influencer Marketing
- Company Website

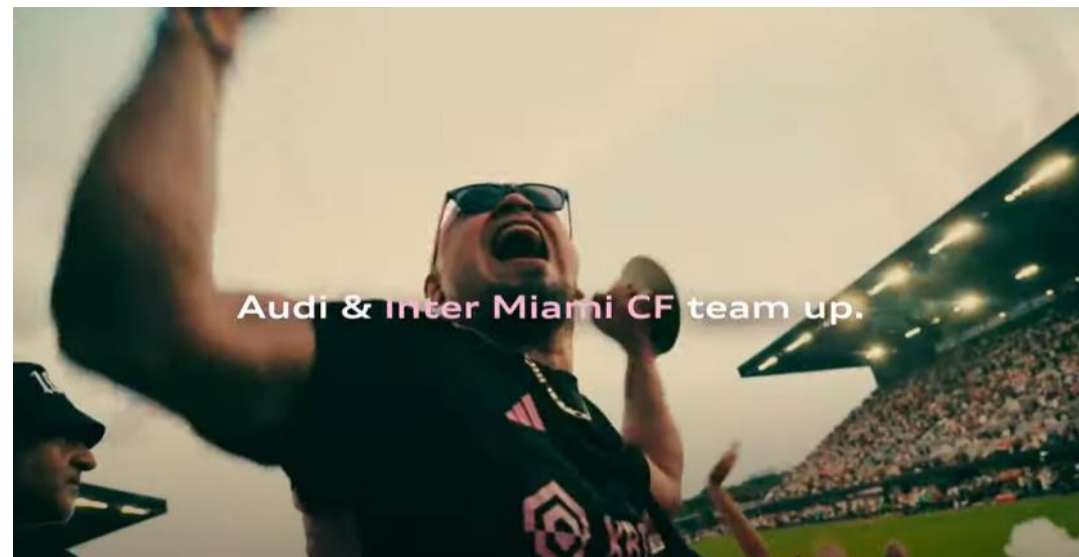


Collaborating With Third Party: Media Partnerships

- Content integrations
- Custom assets
- Distribution network (e.g., media properties)
- Access to talent
- Access to IP

Collaborating With Third Party: Sponsorships

- Designations
- Marketing rights
- On-site activations
- On-site media
- Distribution network (e.g., social media, website, email newsletters)
- Access to footage, photos
- Access to talent



HSS NY Liberty Reel



nyliberty and hspecialsurgery
Original audio

nyliberty 3w
Our friends over at @hspecialsurgery understand the importance of neuromuscular training 🙌

nyxcosmetics 3w
👍👍👍
Reply

iamkirstenferguson 3w
That's my doc 🙌🙌 @ben_nwachukwu
Reply

1,057 likes
October 3
Log in to like or comment.



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Collaborating With Third Party: Talent/Influencers

- Social media posts
- Talent created content
- Access to talent's media channels and social media network
- Appearances and other PR activities

Legal Considerations

- General Advertising Principles
 - Advertising must be true and cannot be misleading
 - ◆ All claims must be substantiated
 - Advertiser should not engage in any practice that is likely to cause substantial injury to consumers (“unfair”)
 - Advertising cannot contain a material representation or omission that is likely to mislead the consumer (“deceptive”)
- Relevant FTC Guides
 - FTC Endorsement Guides
 - Native Advertising: A Guide for Businesses

- Automobiles
 - FTC Guide Concerning Fuel Economy Advertising for New Automobiles
- Health Care Providers
 - HHS Guidance re restrictions on Media Access to PHI about Individuals in Hospitals
 - HIPPA Marketing Rule
- Investment Advisers
 - Investment Adviser Marketing Rule

- Copyright
 - Videos and images, such as photographs and drawings, literary works, music, and artwork are protected by copyright law, and, in general, only can be used with the consent of the author
- Trademark
 - The names of many companies, products, logos, and slogans are protected by trademark law, and, in general, only can be used with the consent of the trademark owner
- Right of Publicity
 - A person's name, voice, likeness, and image are generally protected by that person's right of publicity, and, in general, only can be used for commercial purposes with the consent of the featured person

- SAG-AFTRA
 - Is the brand or the brand's agency a signatory to SAG-AFTRA?
 - Is the talent a SAG-AFTRA member?
 - Who is responsible for SAG-AFTRA compliance?
- Who is contracting with Talent?
- Who is responsible for managing Talent?
- Talent's social media activities
- Morals

Legal Considerations: Ownership & Usage Rights

- Who owns the creative assets?
 - Depends on who is producing the content and whose IP is used to create the content
 - If the brand is producing the content directly or through its agencies, the brand should generally own the content
- Who controls the use of the creative assets?
 - Ownership does not necessarily equate to control
- What are the usage rights?
 - Usage rights are determined by contract regardless of ownership

- Exclusivity
 - Talent
 - Media/marketing partner
 - Integrations
 - Media/sponsorship assets
 - Duration of exclusivity
 - First right to renew/expand

Key Questions

- **What** are the creative assets?
- **Who** is creating them?
- **Who** or **what** will be featured?
- **Who, where, and when** will they be distributed?

What Are the Creative Assets?

- Video assets (e.g., commercials, online videos, social extensions)
- Audio commercial (e.g., radio, podcast)
- Print ads
- Display ads (e.g., banner ads)
- POS
- Social media posts (e.g., IG Story, TikTok video)
- Sponsored content (e.g., articles, blog posts)
- Integrations

Who Is Creating the Assets?

- Agency
- Media partner
- Sponsorship partner
- Marketing partner
- Influencer/talent
- User/program participant

Who or What Will Be Featured in the Assets?

- Individuals (e.g., actors, athletes, influencers, employees, customers)
- Third-party content
- Contracts
 - Releases
 - Service contracts (e.g., talent contracts)
 - Licenses

Who, Where, and When Will the Assets Be Distributed?

- Who

- Brand, media/marketing/sponsorship partner, influencer/talent, general public

- Where

- TV (e.g., broadcast, cable, streaming, CTV), online (e.g., websites, OLV), periodicals, social media (e.g., organic, paid social), retail (e.g., dealer, in-store, POS), out-of-home (e.g., billboards, public transit)

- When

- Campaign period (i.e., during the period of active media investment), post-campaign

Managing Risk

Regulatory Compliance

Litigation Risk

Third-Party IP Risk

Brand Risk

- Compliance risk cannot be contracted away with indemnity
 - Ultimately, the brand is responsible
- Due diligence
- Approval
 - Brand should maintain final approval over any aspect of the creative asset that relates to regulatory compliance
- Monitoring
- Takedown/substitution right
- Termination right

- Robust indemnity provision
 - Scope of indemnity
 - Control of defense
- Control over brand/product messaging
- Approval
- Takedown/substitution right
- Termination right
- Insurance

- Whoever is creating the asset should generally be responsible for third-party clearance
 - Beware of relying on influencers and talent to clear IP rights – many lack sophistication to adequately clear third-party rights
- Reps and warranties
- Indemnity
 - What is an indemnifiable claim?
 - Carve-outs?
 - Who controls defense?
- Insurance

- Pre-approval of assets
- Takedown/substitution right
- Termination right
 - Morals/reputational damage
 - Right to remove the brand's name/association from the creative asset

