[GB] Visual Reference to Skype May Constitute Product Placement

IRIS 2011-10:1/20

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The UK communications regulator, Ofcom, has decided that a continuous visual reference to Skype during an interview may constitute product placement.

Sky News broadcast an interview via a video call in its coverage of the Utoya Island massacre in Norway. Whenever the interviewee was shown full-screen, the words 'VIA SKYPE' were shown almost continuously in a caption in the top right-hand corner. There was no product placement agreement with Skype, and Ofcom was concerned that this amounted to giving undue prominence in a programme to a product, service or trade mark, which is prohibited by the broadcast code implementing the Audiovisual Media Services Directive.

Sky stated that it had included the caption to explain the relatively low production values for picture and sound quality in the interview, especially as a growing proportion of viewers watched the HD version of the channel. No fees were paid for the use of the brand name, while the word "Skype" has become common parlance for "video conferencing". Sky had declined to use the Skype logo and had used the brand name instead.

Ofcom noted that the presenter had made a verbal reference to Skype at the beginning of the interview and the separate locations of presenter and interviewee were frequently indicated by graphics during the interview. This should have been sufficient to explain to viewers the lower production quality of the interview. Thus there was little editorial justification for displaying the Skype brand name throughout the ten-minute interview. However, in view of the fact that Sky has decided to reduce in future the prominence of references to services such as Skype in order to ensure compliance with the Code, no penalty was imposed. References to material broadcast "via webcam" or "via video link" were found to be unlikely to raise issues under the Code, but any brand references should be editorially justified and brief.

'Sky News', Ofcom Broadcast Bulletin, Issue 190, 26 September 2011, page 25

http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb190/obb190.pdf

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