

COMPLAINT NUMBER	20/197
ADVERTISER	Web Wonks
ADVERTISEMENT	Web Wonks, Radio
DATE OF MEETING	15 June 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Web Wonks radio advertisement promotes its service of data and Google analytics management. One person asks the 'doctor' what his opinions of leeches is. The doctor character says "bad, bad, bad." He continues by saying that "leeches never fixed anyone's problems". The advertisement promotes Web Wonks as a service to help businesses with Google ads directly instead of paying an account manager and ends with contact details.

The Chair ruled there were no grounds for the complaint to proceed.

Complaint: The advertiser used the term "Leachs" in a derogatory fashion, It clearly stated that Leachs don't do what the say they do and that Leachs can't fix anything.

SC Leach Ltd has been around since 1918 and is known by the majority of our customers as Leachs. We are a well established and well regarded engineering company providing engineering services to our customers. Our reputation is built on delivering A+ customer service to our customer base. The reference to Leachs is vague and brings into question our reliability and integrity.

Whilst I suspect that the advertiser was not explicitly referring to our business this is little comfort to my customers who heard directly that "Leaches can't fix any thing or that we don't deliver on what we say we do.

I categorically refute that we as (Leachs') absolutely deliver on our promises to our customers and we take our reputation very seriously

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainant's concern the reference to "leeches" in the advertisement is used in a derogatory way which is affecting their business with the same name.

The Chair said the most likely consumer takeout of the advertisement is the Advertiser is using the analogy of a doctor treating a problem, in order to promote a business which packages its product as a 'Data Health Kit' to help customers get the most out of their online advertising.

The Chair said the use of the word “leech” in the advertisement is used in the context of the blood sucking parasite which was once commonly used by doctors who treated patients by bleeding them.

The Chair said that while it was unfortunate that the Complainant’s company had the same name as the reference used in the advertisement, the advertisement clearly referred to the advertiser as Web Wonks and described the service it offers in the digital marketing space, rather than the engineering space..

The Chair said, in her view, the health analogy made in the advertisement is clear and it is unlikely that consumers would confuse this with an unrelated business of the same name.

The Chair said the advertisement was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaint to proceed.

Chair’s Ruling: Complaint **No Grounds to Proceed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.