

Medvedev Doppelganger Ads Banned

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August 19, 2010



Stroibat says it will appeal the anti-monopoly ruling banning its campaign.

The Federal Anti-Monopoly Service said Thursday it had banned an advertising campaign for a Kirov regional construction supply firm that featured a President Dmitry Medvedev look-alike sporting a hard hat and chainsaw.

Billboards around Kirov depicting an actor who resembled a slightly balding Medvedev must be removed, and advertisements running on local television with the same character can no longer be broadcast, the watchdog's Kirov region branch said.

Dozens of people have called the anti-monopoly service — which also monitors compliance with advertising regulations — to complain, said Kirov anti-monopoly service spokesman Andrei Rogozhkin.

“People were disgusted, saying it was not ethical to use the acting president’s face in a commercial,” he told The Moscow Times.

Construction supply firm Stroibat Trading House launched the cheeky campaign in May, with ads featuring the slogan “chief in charge of tools.” The TV spots, which included a voiceover by an actor imitating Medvedev’s inflection, quickly became a sensation in Kirov, about 900 kilometers northeast of Moscow.

“When I first saw the advertising, I thought it was Medvedev. But when I took a closer look, I understood it wasn’t him,” Kirov resident Andrei Zlobin said by telephone on Thursday.

“But the trick was clear at once. I don’t think Medvedev would pose in a hard hat,” he added.

The service ruled that the campaign violated the law on advertising, which forbids ads from claiming that state officials have endorsed the product. Rogozhkin also said the use of the word “chief” fell afoul of Article 5 in the law on advertising, which bans companies from saying their goods and services are superior to those of competitors.

But Stroibat will not remove the banners until it receives the service’s official order, said Andrei Negenov, head of the company’s marketing department. Stroibat’s web site also said the company would appeal the service’s ruling after being served the order.

“The brand awareness has, of course, increased,” Negenov told The Moscow Times.

The anti-monopoly service also said Thursday that it would sue Kirov-based advertising agency Tom Garret, which developed the campaign. The agency would face a fine of 4,000 rubles to 20,000 rubles (\$130 to \$660) if it loses the case in court, Rogozhkin said.

Tom Garret denied any violations, saying it did not use Medvedev’s image in the campaign intentionally.

“But even if he looks similar is it bad?” Oksana Tits, the agency’s commercial director, told The Moscow Times by telephone.

Tom Garret attempted to define what sort of person could represent Stroibat, ruling that it was “a man of 40, with a smart, calm face, dressed in a suit, [looking like] a professional.”

The agency then held a casting call among staff from Stroibat and Tom Garret, with Stroibat’s Mikhail Fomin getting the role.

“Do we have the president in the commercial? We have Mikhail Fomin as a chief in charge of tools. If we wanted to use the president’s image, we would have taken a photo without spending tens of thousands of [rubles] shooting [our own photos],” Tits said.

Fomin, 40, has acknowledged that he bears a striking resemblance to the Russian commander in chief.

“It was clear that I resemble the president during the 2008 elections already. People in the election committee where I came to vote for Medvedev grew wary first, thinking that Dmitry Anatolyevich had really come to Gidrotorf,” Fomin told Ogonyok magazine in July, referring to the Nizhny Novgorod town where he lives.

“They were laughing then, saying they now had their own local president,” Fomin said,

adding that he would like to play the role of Medvedev at some point in the future. He could not be reached for comment Thursday.

Thursday's ruling is questionable because the law on advertising bans using a person's image without permission, but it says nothing about look-alikes, said Julia Fyodorova, a lawyer at international law firm CMS.

"One should give written permission for one's image to be used. [But] there's no legal norm regulating the use of images' resemblance that may cause confusion. Such a norm is only applied to trademarks," she said.

"A precedent may be created if a court rules that using an image resembling a famous person without asking for a permit is a violation of the law. There's no precedent yet," she said.

A Kremlin spokesman said he was unaware of the campaign and could not immediately comment.

Using people who look like celebrities is a popular trick with advertisers on a limited budget.

Electronics chain Tekhnosila used an actress closely resembling movie star and socialite Evelina Blyodans in its television commercial last year. Blyodans said she was not informed about the campaign, but did not sue.

In March 2009, an advertising agency in the Urals city of Yekaterinburg used a caricature resembling U.S. President Barack Obama to promote a new chocolate-and-vanilla ice cream.

The poster, which drew the ire of human rights groups, featured a computer-generated image of a smiling Obama double in front of the U.S. Congress.

Original url: <https://www.themoscowtimes.com/2010/08/19/medvedev-doppelganger-ads-banned-a791>