

**"BRITANNIA HAS SUBSCRIBED TO
DEBRIEF FOR SOME TIME AND
WE FIND IT MOST USEFUL."**

*James Middlehurst,
Managing Director, Britannia Music Co*

Debrief

A monthly digest/index of key events and trends in direct marketing, sales promotion and sponsorship

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Editor/Publisher • Peter Scott-Smith
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published independently by
THE SCOTT-SMITH PARTNERSHIP
Brokesbourne • Great Whelnetham • Bury St Edmunds
Suffolk IP30 0TY • United Kingdom
Tel: +44 (0) 1284 388 100 • Fax: +44 (0) 1284 388 347

The Scott-Smith Partnership is in membership of

ISP
INSTITUTE OF SALES PROMOTION



Annual subscription £145
(eleven issues, excluding August)
Single copy £15

KEY EVENTS - LAST MONTH IN OVERVIEW

BODY SHOP ACCUSED OF ILLICIT LIST RENTAL AS RODDICK GIVES DMA KEYNOTE ADDRESS IN SAN FRANCISCO

□ ANITA RODDICK'S keynote address to the opening session of the DMA (USA) annual conference in San Francisco was overshadowed by allegations of deceptive list rental. The charges were levelled by *Business Ethics*, a US magazine which recently published a damaging six page hatchet job on **The Body Shop**, alleging its environmentally-friendly stance to be little more than a marketing sham. The magazine claims its 12,500-strong subscriber list was fraudulently obtained by Body Shop to allow chairman *Gordon Roddick* to refute the article in detail by way of a 10-page letter mailed to BE subscribers. The Body Shop's stratagem came to light when Roddick's letter landed in the mailboxes of sleepers planted in the *Business Ethics* list. Marjorie Kelly, publisher and editor of the magazine, says that although she and her listbrokers OK'd the list rental, they believed the client to be a non-profit [charitable] fundraising catalogue and accordingly authorised a 25% concessionary discount on the standard rate of \$75 per thousand names. Although admitting the list was acquired via at least three intermediaries, a Body Shop spokesman insists the company did nothing deceptive: "We wanted to get out our side of the story. We did not misrepresent ourselves in any way. We were fairly clear with everyone that we wanted to get this list and we were told we needed no copy approval." Kelly seems naïvely miffed that, "They didn't say, 'We're The Body Shop and we're renting this list so we can run a 10-page letter blasting your article'; we would not have rented the list on those terms." The row hit the headlines of the US national press and has been referred by *Business Ethics'* listbroker to the DMA (USA).

DM News (US), 10/10/94

SHELL STOLE INTELLECTUAL PROPERTY, ALLEGES DON

□ SHELL UK OIL is being sued for over £350,000 damages for alleged use of promotional ideas without permission or, in some cases, payment. In a writ issued at the end of September, Bury St Edmunds-based sp consultancy **Don Marketing** accuses Shell of repeatedly using ideas put to it speculatively and in confidence. Don cites Shell's July '94 "Now Showing" promo and a Nintendo promo in 1993 - the latter the subject of a previous writ served last April and settled out of court by Shell for "a substantial sum". [Don's managing director, *John Donovan*, told *Debrief* that a third writ was issued on 20 October and that a county court action is also pending. Donovan claims the Shell executive concerned in the dispute, national promotions manager *Andrew Lazenby*, has been transferred to another division of the company and that the matter is now handled personally by the oil giant's managing director *David Varney*. Don evolved Shell's legendary 'Make Money' promo back in 1984 (still the benchmark by which the success of forecourt promotions is measured) and the relationship between the two companies - now sadly soured - spans thirteen years. Afterthought: if Shell 'repeatedly' filched Don's ideas, why on earth did Don continue to keep 'em coming?]

Marketing, 20/10/94

"JUST GOOD FRIENDS", ISP TELLS THE DMA

□ CLOSER LINKS between the below-the-line industry's two premier trade associations are likely. A merger emphatically is not - despite the dead embers forlornly raked by *Precision Marketing* to concoct a front-page story [*Debrief*, 2-101]. The ISP management committee and a working party set up last May accepts there could be advantages in a united front with the DMA on some "external matters" and foresees "limited collaboration" - similar to that with groups like the BPMA and PHA. PM insinuates that *Colin Lloyd's* hopes of merger were "dashed" by the ISP's response but Lloyd is too much the pragmatist to have harboured serious expectations of that outcome. [Indeed, it's unlikely he even mooted merger: the facts are that following an informal discussion with ISP chair, *Peter le Conte*, he was invited to outline in writing his thoughts on areas of possible co-operation between the two trade associations.] Le Conte envisages likely co-operation on matters such as UK and EU legislation, echoing the DMA's director of legal affairs, *Colin Fricker* who commented: "I look forward to working closely with the ISP on self-regulation and legislative matters. [An aside to PM hacks: *Colin Lloyd* is **chief executive** of the DMA; *Judy Gehlken* is **chair**.]

Precision Marketing, 17/10/94; Promotions & Incentives, 10/94