

# Pepsi forced to change TV ads

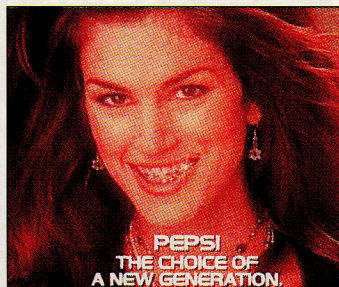
By Sharon Marshall

PepsiCo has been forced to alter one of its ads to comply with TV watchdogs but is still fighting to air ads that ridicule rival Coke.

The soft drinks maker has had to bow to the Broadcast Advertising Clearance Centre and change the Pepsi ads which start in the UK this week. The company had planned to show and name a Coca-Cola can and to make fun of its rival. However, after weeks of negotiation Pepsi has now had to scramble the image of the Coca-Cola can so the brand name is unrecognisable.

Pepsi is still in negotiation with the BACC over further executions of the ads, due to run later this year. A decision over whether it will be able to show an unedited version of the rival soft drink in the later ads will be made this week.

If neither ad is cleared by the BACC, it will be a blow to Pepsi's UK marketing plans. The company had hoped to test out changes in UK trademark legislation allowing wider use of comparative advertising.



Pepsi: TV ads fall foul of BACC

The ads, which are fronted by Cindy Crawford, were unveiled in January by PepsiCo International vice president of marketing and sales John Swanhaus. He promised Pepsi's toughest ever attack on Coca-Cola (*MW* January 20).

Pepsi brand manager Tim Davie says the ads, designed by Abbott Mead Vickers BBDO, are still hard-hitting. Although the Coke brand name is obscured, the red and white colours will be discernible. "We are still pushing the boundaries of competitive advertising. We are going further than before."



Shell: Seeking £62,000 cost security to guard against Don losing

## Shell seeks guarantee over costs in Don case

In the latest chapter in the long-running legal dispute between Don Marketing and Shell UK (*MW* February 24), the oil giant has broken its silence by publicly casting doubt on the sales promotion agency's financial position.

In a statement Shell said it is applying to the court for security for costs in the event of Don losing the case. Shell is asking for £62,000 costs security. Don says it will fight the claim. The application will be heard on April 13 and Don says it will go to the appeal court if it is asked to pay.

"Shell is doing all it can to stop these cases coming to court and using its financial weight against a small firm," says Don manag-

ing director John Donovan.

In a similar vein, Shell says it will not be responding to Don's invitation to instigate a libel action because it believes the agency would not have the funds to pay costs and compensation.

But Donovan, who readily admits to conducting a publicity campaign against Shell, says the claim is a smokescreen. "The real reason Shell won't instigate a libel action is that it knows we have evidence to back up everything we have said," he claims.

The dispute, running since last year, revolves around Don's accusation that Shell used its ideas in a series of promotions, without permission or payment.

**Scottish Widows** is understood to be planning a retail banking service. The Prudential and Equitable Life are also believed to be mooting plans to launch deposit accounts.

**Benetton's** legal action with one of its German retailers over losses caused by its controversial advertising has been delayed until May 2.

**A Labour government** would ban the promotion of baby milk in publications distributed in hospitals and through the National Health Service – reversing a Government decision taken earlier this month. Although last year Ministers signalled they would follow World Health Organisation advice and introduce a ban, regulations that came into force on March 1 have allowed the practice to continue.

**Peter Davies** will take over as Prudential group chief executive on May 1. Davies left his post as chairman of Reed Elsevier last year, with £2m in severance pay.

**Ind Coope Retail** has appointed John Cahill as marketing and services director. He was previously retail trade director.

**Sanderson Electronics** has signed a four-year deal to sponsor Southampton Football Club.

**Marketing Information Consultancy** has launched a profiling system called FIND Profiler, which can be used to calculate the total take-home pay of people living around any retail outlet or bank branch.

**AXA Equity & Law** has extended its cricket league sponsorship for a further three years in a £3.5m deal.

**Unlaced**, a Dr Martens indie compilation album from EMI Records, is the latest spin-off from the footwear brand, following its clothing range and retail concept.

**Mars** is reviving the Spangles brand this year with the launch of Spangles Fruit Ice lollies. Last year, Spangles sugar confectionery had a special edition launch. Mars is launching the pick 'n' mix concept into its ice cream range, and has developed thermal bags to hold its mini ice-cream brands.

**Queens Moat Houses**, the UK's third largest hotel group, has signed Daley Thompson to promote two new branded products for its Moat House and County hotels – Club Motivation and Bodyclub. Thompson will star in promotional videos and tactical work at club level.