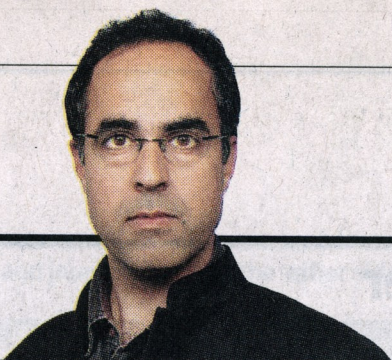


On advertising Naresh Ramchandani



# It's simple and it's rich, so kiss Coke's ass

For as long as I can remember, advertising has been obsessed with simplicity. Simple ideas simply expressed, brutal simplicity of thought, keep it simple stupid, simple simple simple. But in the world of television advertising, does simple still work? In this age of channel promiscuity, does simplicity alone guarantee an ad's immunity from the big zap and its new evil cousin, the PVR fast-forward button?

Looking at my favourite commercials from the last couple of years, the answer seems to be no. The Observer's Abba to Zappa commercial for its Music Monthly magazine was a simple idea: a mini-pop A-Z to test your pop knowledge. But this simple idea hosted 60 seconds of delightful details (my favourite was U2 toe-tapping to Riverdance) that engaged from beginning to end and gave more of itself each time you watched it. Similarly, the much-cited Honda Cog ad was a simple idea - a domino cascade of motor part on to motor part - but relentlessly ingenious and absorbing for every second of its two-minute length.

Simple is one thing, rich is quite another, and I'm wondering whether the new magic ingredient is, in fact, the two. Simple and rich are two words that could describe Coke's strong new commercial, Happiness Factory. It's a global commercial, which normally means miserably short on insight, abhorrently long on cliché and driven by the rarefied vision of cost-saving. But in this case, Coke and its agency, Wieden+Kennedy, have been a lot cleverer.

Rather than trying to find a cultural insight that could resonate in every part of the world (and boy, that's hard), Coke has created a completely separate world - inside a vending machine. To bring this world alive, rather than scrimping and saving, Coke seems to have aggregated all its production money to make a simple-rich production extravaganza. A good move because, like the Observer ad and the Honda ad before it, the Coke ad invites and rewards repeated viewing.

Watched the first time, the ad gives you its simple structure. A young man puts his coin into a vending machine. Inside the vending machine is an extraordinary miniature CGI world in which a flurry of flying grubs and kamikaze bugs, waterfalls, levers and squirters all prepare a bottle of Coke. The young man



Thirsty for more ... Coke's Happiness Factory advert invites and rewards repeated viewing

takes his bottle from the vending machine, oblivious to the surreal workings going on inside.

Watching a second time, you get a firmer grip of the goings-on inside the machine and a clearer awareness of the delightful touches. As the coin is guided into a waterfall, some pouting winged grubs courier a bottle into a valley that is filled by a cantilevered squirter, capped by a kamikaze grub, chilled by a snowman who has been sacrificed in a fan and finally cheered as it drops into the slot. The second time, you also become dimly aware of some of the ad's influences: the warped production methods inside Wonka's Chocolate factory; the parallel comic universe of Monsters, Inc.

Watching a third or fourth time, you start to over-interpret every detail like a Pink Floyd fan extracting meaning from

every couplet and mumble. A grinning bottle-capper loses a tooth on bottle impact. Is this a knowingly ironic wink to the Coke tooth-rotting rumour? One of the flying grubs has a kiss mark on its behind. Is "kiss my ass" a message to Pepsi? A snowman is mashed up in a fan to cool the bottle of Coke. Is this a covert message about the human cost of global warming? And were these messages planted with Coke's approval or smuggled in by the agency or production company? One can go a bit Mulder and Scully - at least, I certainly can.

But back to reality. Happiness Factory is a very fine ad but, if I'm being more picky than I have a right to be, I'd say it is not Honda Cog perfect. The bottle's send-off by a cheering CGI crowd is a bit nauseating and pointless, and the music is stunningly forgettable - my two year

old has bashed out catchier tunes on her toy xylophone. But unlike Honda Cog, the ad is brilliantly campaignable. I can imagine different directors or production companies reinterpreting what goes on in the vending machine: Pixar's John Lasseter or, as an outside bet, comic monster genius Pete Fowler.

And Coke could afford either. After watching the ad, I played one of my favourite games and tried to guess the ad's production cost. Finger in the air: a million pounds. A lot of money, for sure, but don't forget that I (as well as my children) wanted to watch it many times. Compare that to a quarter of a million pound production delivering a simplistic and missable ad, and it starts to look like a bit of a bargain.

Next week: Jonathan Durden

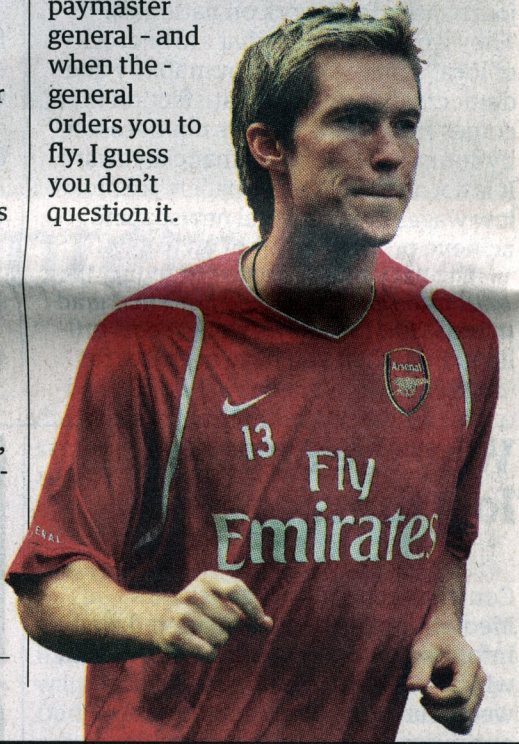
## Desperate attempt to gain Arsenal's glory

I had hoped it was all a Pam Ewing-style dream. I had hoped that, after a summer of dread, I would wake up and find that Emirates, the airline with no sporting credibility connection, were not sponsoring my football team, after all.

But it wasn't a dream and, frankly, it's far worse that I ever could have imagined. The new Arsenal shirt is out and it doesn't just say "Emirates" on it, because that would be too tasteful. It says "Fly Emirates".

Why am I so horrified by the addition of a simple three-letter word? Because "Fly" is self-defeating in the extreme. It makes it clear that Emirates is an airline and in doing so, it patronises everyone over the age of three. It makes a link between the airline and the fast, free-spirited football played by the likes of Thierry Henry and Alexander Hleb (below), but the link is so forced and feeble that only a sponsorship agency could suggest it. It turns a passive sponsorship into a call to action, a logotype into an advertisement - but to what end? "Oh, cancel the BA tickets, darling - maybe we should Fly Emirates because that's what it says on the Arsenal shirt." I don't think so.

Maybe the real reason I'm so appalled is because, despite being so inadvisable, the word found its way on to the shirt in the first place. Arsenal is the more potent brand. This airline should be paying for the Arsenal name to be gracing the side of its jumbos. Arsenal is the poorer brand too, with stadiums to fund, players to pay and shareholders to appease. For now, Emirates is the club's paymaster general - and when the general orders you to fly, I guess you don't question it.



## Media law

# When uncertainty takes precedence

Elton John's failed injunction against a newspaper printing a photo of him in the street highlights our hopelessly confused privacy law

Dan Tench

Last month, Elton John sought an injunction to prevent a photograph of him taken in the street being published in a newspaper. The picture simply showed him casually dressed but he complained that it showed that his baldness was returning and was an invasion of his privacy. He failed to obtain the injunction, but his case highlights the gap between privacy law as it currently stands in the UK and as it is apparently required to be under the European convention on human rights.

Two years ago, the House of Lords, the highest domestic court, held that the privacy of supermodel Naomi Campbell had been invaded when a picture of her leaving a Narcotics Anonymous session was published. However, their Lordships were careful to circumscribe the developing law of privacy, stating that it did not apply, in the homely words of Baroness Hale, to pictures of someone "popping out to buy a pint of milk". To infringe the right to privacy, the photo had to show some intimate detail of the person concerned.

However, about a month later, the European court of human rights in Strasbourg held that the publication in the

media of any picture of Princess Caroline of Monaco infringed her right to privacy under article 8 of the convention regardless of whether it showed anything that could be considered intimate.

Ever since, media lawyers have been mulling over how to reconcile these two decisions. One view is that although on the face of it, the Princess Caroline decision appears to confer a right to privacy to restrain the publication of any picture of an individual - unless it could be said to serve some public interest - it in fact relates more to the harassment of repeatedly being photographed in public over many years. But this is controversial.

The Elton John application was the first time since these two decisions were handed down that a case was brought that illustrated the difference between them. There was nothing inherently private about the photograph - it was closely akin

to "popping out to buy a pint of milk", the express exception identified by Baroness Hale. On the other hand, on a strict reading of the Princess Caroline decision, this appeared to be a breach of article 8.

The House of Lords has recently stated that where there appears to be an inconsistency between decisions of a higher court in the UK and of the Strasbourg court, the rule of precedent applies. That is that the court must follow the domestic decision even if this seems to be at odds with the European court. While the lower courts must have regard to decisions from Europe they must also apply precedent strictly from a superior court in the UK.

This is what Mr Justice Eady chose to do on Elton John's application, holding that there was no invasion of privacy based on the Lords' Campbell judgment.

The difficulty is that this is arguably inconsistent with the European court, and if such a case were to proceed again to the House of Lords it is quite possible that their Lordships might come up with a new formulation for domestic privacy law more in line with the Princess Caroline decision, not least because if they did not, it might leave the UK vulnerable to an action before the Strasbourg court for failing to implement the convention properly.

However, until such a case is brought to the Lords, the lower courts must slavishly follow the decision in Campbell, with its narrower interpretation of privacy invasions. This leaves privacy law in the country - at least in this important aspect - hopelessly confused and uncertain.



No invasion of privacy ... Elton John

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