

THE INTENSIFYING DEBATE OVER AMBUSH MARKETING: SETTING THE AGENDA FOR LONDON 2012

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Abstract

From the inception of the term “ambush marketing” at the 1984 Los Angeles Olympic Games, through the 1990s, the debate surrounding the practice was relatively limited in scope. The Olympic Movement defined ambush marketing as a “parasitic” practice and sought to combat the practice primarily with “name and shame” campaigns (Payne, 1998), while some academicians argued that such activities were part of the “normal cut and thrust” of business (Meenaghan, 1996). Research studies initially focused primarily on the first-level effects of ambush marketing upon consumer recall (Lyberger & McCarthy, 2001; McDaniel & Kinney, 1998; Sandler & Shani, 1989; Shani & Sandler, 1998); debate over the ethical nature of ambush marketing (O’Sullivan & Murphy, 1998); and research into the legal issues surrounding the practice (Bean, L. 1995; Hoek & Gendall, 2002; McKelvey, 1994)

However, with each successive Olympic Games in the new millennium, the Olympic Movement has intensified efforts to fortify itself from ambush. In addition to ratcheting up its rhetoric against the practice, the Olympic Movement has internally created extensive legal and marketing departments solely dedicated to policing ambush marketing (Bradish et al., 2010). In addition, it has enhanced its legal arsenal by, among other things, mandating that host countries enact special-event legislation designed to limit the ability of non-sponsor companies and individuals to associate with the Games (McKelvey & Grady, 2008; Seguin & O’Reilly, 2008). Such strategies are triggering fresh debate over ambush marketing in both academia and industry, a debate expected to reach a heretofore unseen intensity with the London 2012 Olympics Games. Recent academic research has expanded the inquiry to include issues such as: a redefining of ambush marketing (Chadwick & Burton, 2009); assessment of official sponsors’ concerns over

ambush marketing (Seguin & O’Reilly, 2008); analysis of the impact of “name and shame” campaigns (Humphreys et al., 2010); and the justification for special-event legislation (Grady, McKelvey & Bernthal, 2009).

Given these and other emerging research streams, this presentation sets the agenda and frames the intensifying debate in advance of the London 2012 Games from four perspectives: 1) management; 2) law and ethics; 3) marketing, and 4) governmental policy. For each of these areas, the presentation addresses a series of issues and make proposals for potential future research in the field of ambushing.

A sampling of management-related issues that warrant academic and practitioner analysis include:

- Management culture of enforcement versus education
- Effectiveness of dedicated ambush marketing departments
- IOC’s control over host country NGBs and their ability to generate revenues for the long-term
- The impact of the IOC and Host Organization Committee’s relationship with local government
- The Olympic Movement’s responsibility to its official sponsors
- Internal techniques for monitoring and policing ambush marketing
- How the manner in which ambushing is controlled/monitored/policed impacts upon brand equity, the nature of public relations, corporate image, etc.

A sampling of the intersection of law and ethics includes the following:

- Effectiveness of the London Olympic Games and Paralympic Games Act’s (“the Act”) in closing ambush marketing loopholes (e.g., thematic advertising, social media platforms)
- The Act’s potential impact on commercial and civil rights
- Judicial interpretation of the Act in event of lawsuits
- The Act’s impact upon UK’s Advertising Standards Authority (ASA)
- The Act’s limited application to ambush marketing activity outside UK
- Is ambush marketing an ethical practice?
- Is it ethical for event owners and official sponsors to deter ambushers?

Marketing-related issues include the following:

- Extent to which the Act and other tactics will deter ambush marketing
- Extent to which the Act will be enforced at venue locations/entrances
- Impact of social media on ambush marketing activity
- Effectiveness of LOCOG’s website information that provides examples of “dos and donts”
- Impact of publicly chastising ambush marketers
- Level of consumers/local business knowledge about ambush marketing
- Impact of anti-ambush marketing tactics on consumer perceptions of Olympic brand
- Role and impact of the media in covering the topic of ambush marketing
- Official sponsors’ perception of ambush marketing

Finally, the governmental policy inquiry includes the following:

- The appropriate role of government in preventing Olympic ambush marketing
- Issues relating to the influence and power of different stakeholders in the "ambushing equation" emanating from the mandated requirement of special-event legislation

References:

- Bean, L. (1995). Ambush marketing: Sports sponsorship confusion and the Lanham Act. *Boston University Law Review*, 1099-1134.
- Bradish, C., McKelvey, S., & Schmidt, A., "Protecting or policing: Examining brand protection, ambush marketing and the Vancouver 2010 Winter Olympic Games. 18th Annual European Sport Management (EASM) Conference (Prague, September 19, 2010).
- Chadwick, S. & Burton, N. (2009). Ambush marketing in sport: An analysis of sponsorship protection means and counter-ambush measures, *Journal of Sponsorship*, 2(4), 303-315.
- Grady, J., McKelvey, S. & Bernthal, M. (2010). From Beijing 2008 to London 2012: Examining Event-Specific Olympic Legislation Vis à Vis the Rights and Interests of Stakeholders. *Journal of Sponsorship*, 3(2), 1-13.
- Hoek, J. & Gendall, P. (2002). Ambush marketing: more than just a commercial irritant? *Entertainment Law*, 1(2), 72-91.
- Humphreys, M.S., Cornwell, T.B., McAlister, A., Kelly, S., Quinn, E., & Murray, K. (2010). *Journal of Experimental Psychology*, 16(1), 96-108.
- Lyberger, M. & McCarthy, L. (2001). An assessment of consumer knowledge of, interest in, and perceptions of ambush marketing strategies. *Sport Marketing Quarterly*, 10(2), 130-137.
- McDaniel, S. & Kinney, L. (1998). The implications of recency and gender effects on consumer response to ambush marketing. *Psychology & Marketing*, 15(4), 385-403.
- McKelvey, S. & Grady, J. (2008). Sponsorship program protection strategies for special sport events: Are event organizers outmaneuvering ambush marketers? *Journal of Sport Management*, 22(5), 550-586.
- McKelvey, S. (1994). Atlanta '96: Olympic countdown to ambush armageddon? *Seton Hall Journal of Sport Law*, 4(2), 397-445.
- Meenaghan, T. (1996). Ambush marketing – A threat to corporate sponsorship. *Sloan Management Review*, 38, 103-113.
- O'Sullivan & Murphy, P. (1998). Ambush marketing: the ethical issues. *Psychology & Marketing*, 15(4), 349-366.
- Payne, M. (1998). Ambush marketing: the undeserved advantage. *Psychology and Marketing*, 15(4), 323-331.
- Sandler, D. & Shani, D. (1989). Olympic sponsorship vs. ambush marketing: Who gets the gold? *Journal of Advertising Research*, 29(4), 9-14.
- Seguin, B. & O'Reilly, N.J. (2008). The Olympic brand, ambush marketing and clutter. *International Journal of Sport Management and Marketing*, 4(1), 62-84.
- Shani, D. & Sandler, D. (1998). Ambush marketing: Is confusion to blame for the flickering of the flame? *Psychology & Marketing*, 15(4), 367-383.