Native Advertising & Social Engagement

Amy Ralph Mudge, Partner, Venable LLP Marcella Ballard, Partner, Venable LLP

Native Advertising

























15 Ways To Be "Tough" I great a meditack up the begin reliance of the bear I rought a rectament in a disease of two



















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NATIVE ADVERTISHE IN CONTENT



































NATIVE ADVERTISING



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FTC Native Advertising Workshop on December 4, 2013 Will Explore the Blurring of Digital Ads With Digital Content

Interested parties can submit comments and requests to participate

The Federal Trade Commission will host a workshop on December 4, 2013 in Washington, DC to examine the practice of blending advertisements with news, entertainment, and other content in digital media, referred to as "native advertising" or "sponsored content."

Increasingly, advertisements that more closely resemble the content in which they are embedded are replacing banner advertisements – graphical images that typically are rectangular in shape – on publishers' websites and mobile applications. The workshop will bring together publishing and advertising industry representatives, consumer advocates, academics, and government regulators to explore changes in how paid messages are presented to consumers and consumers' recognition and understanding of these messages.

The workshop builds on previous Commission initiatives to help ensure that consumers can identify advertisements as advertising wherever they appear. This includes recent updates to the <u>Search Engine Advertising quidance</u>, the <u>Dot Com Disclosures</u> guidance, and the <u>Endorsements and Testimonials Guides</u>, as well as decades of law enforcement actions against infomercial producers and operators of fake news websites marketing products.

The FTC invites the public to submit original research, recommendations for topics of discussion, and requests to participate as panelists. The Commission also invites the submission of examples and mock-ups that can be used for illustration and discussion at the workshop. Topics the workshop may cover include:

What is the origin and purpose of the wall between regular content and advertising, and what challenges do publishers face in maintaining that wall in digital media, including in the mobile environment?



NATIVE ADVERTISING IN CONTEXT

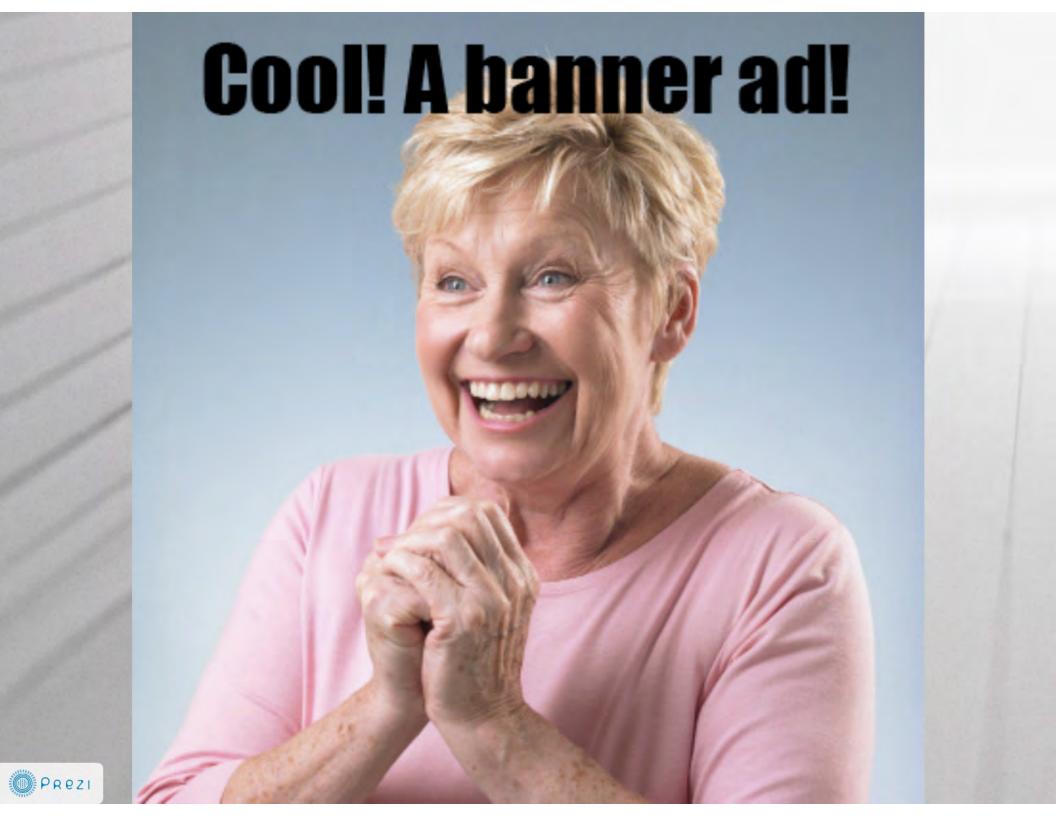


NATIVE ADVERTISING refers to a specific mode of monetization that aims to augment user experience by providing value through relevant content delivered in-stream.









"While click-through rates on display ads started out at around 9% in 2000, they now hover around 0.2% - which means 99.8% of banner ads are completely ignored.'

Dan Greenberg, CEO of Sharethrough
 *source: Techcrunch.com





ForbesAdVoice Connecting marketers to the Forbes audience. What is this?



TECH 9/10/2012 @ 7:05AM 44,146 views

New iPhone 5 Reportedly Has 4G LTE For Globetrotting Apple BYOD-Fans



+ Comment now

The new iPhone 5 is expected to support 4G LTE; and not in just one or two countries, either. Rumors from multiple sources indicate that Apple (NASDAQ:AAPL) will release a new smartphone with international fast networking features.

Unlike the 'new' iPad 3, which had LTE that only worked in a few places, the new smartphone will work in many more—but perhaps not quite all.

On the one hand, faster wireless networking is important to Apple's most rabid, early-adopter, cash-cow consumers, and will no doubt be useful for business travelers toting a company-issue or BYOD iPhone.



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AdVoice: New iPhone 5 Reportedly Has 4G LTE For Globetrotting Apple BYOD-Fans -42,884 views

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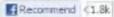
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12:25 PM ET



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Losing hair could mean losing your chances

Regaine to the rescue

Two recent local surveys involving employers and job seekers attest that hair loss not only dampens confidence but also seriously hampers job prospects. **Sesha Sam** reports on the problem and the solution.

Two surveys — one by John III come and the order by the Pathic Opinion Programme of the University of those two programs of any problem of hose loss is Being Kong from two singles, those for problems of completeness and per completeness and completeness and completeness and completeness and completeness and designation or make many between the hard being and the first December of Hang Kong completeness around the first December of Hang Kong problems, while the This owner of Hang Kong and well as a surveyard Well halding job auditors to To years

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Expert reveals causes

There are many factors convibating to have love, including density famony, officers, and coronic victories deflutions/see. The most common factor, according to distributing apocialist, the Tomy Bit: in audiogenistic altegrate, which accounts for 49 per cent of halding in time and women.

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Dr Ho, who analyments the psychological offices of Rank from our manufactive and familiary, advance such people to with such

Clinically proven, US FDAapproved solutions

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Pfiger's Regains

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"Buth your and women who have common pattern hart hose contingents; obspaced can be such from Kuguine," and Gary Cheven, fiveduct. Manager, Private. - Communical Statistics. "Require has been associated and for more than for mollow people with hair loss problems worthwide. That Space students would be problem on the private high an continue to the problem women. We are continued to the problem women. We are continued to the problem which has given being and continued to the problem with the problem.

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10 Photos From 2012 That Should've Never Been Shared

Some things are just meant to be kept to yourself, just like the new Taco Bell Loaded Grillers, amazing appetizers you don't have to share.

posted about 6 days ago





Not everything needs to be shared.

99¢ Loaded Grillers from Taco Bell. Appetizers for one.

LET ME SHARE THIS!



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Sign In Sign I

32 Instagrammers That You Should Totally Be Following

Wanna see some awesome photography? Check out these awesome instagrammers and find more awesome photographs taken with their Samsung GALAXY Camera on Samsung's "Life's a Photo: Take It" contest.

product about 2 Noura ago:

Samsung Galaxy Camera BuzzFeed Partner



Sylvia Matzkowiak (Berlin)

An advertising exec who started with Instagram photography in November 2010. She sees the world in colours.

Enthour Cubila on Instantam: Ronblin 77







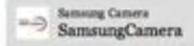






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SamsungCamera #Photo first, then eat. Why yes, you can have your cake & eat it too. #nom pic.twitter.com/noagAoO(
16 hours eps - nept - nemes: - finemas

SamsungCamera No matter how many times we see it,

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The Rise of Mobile Shopping





{:class=>"sponsored-info"}

BrandSpeak / Nov 26, 2012

This article is brought to you by PayPal. PayPal is the faster, safer way to pay and get paid -online, via mobile and in store. For more information about BrandSpeak, click here.

First there was Black Friday, and shoppers rushed en masse to brick-and-mortar stores for early holiday deals. Then came Cyber Monday, allowing a simple point-and-click from your



Study Says Twitter Can Help You Lose Weight

1.4K SHARES



Do You Really Need a Voice Plan With That Fancy Smartphone?

1.4K SHARES



Fast, feature-rich, and no clutter. Webmail. Email. Calendaring. Contacts

Online Demo







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2013 Shell Eco-marathon Americas

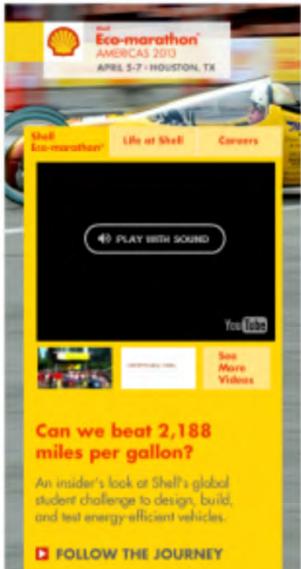






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Episode 1: Glamping in Big-Sky Country

CULTURE DESIGN FASHION GASTRONOMY MUSIC SPORTS TRAVEL ARCHIVE CONTRIBUTORS

Home / Art / Saturday, August 31, 2013



LOVE

Tara Subkoff x Milla Jovovich

The Cult Actress Tests the Limits of Hyperconnectivity at the Behest of the Artist and Designer

With only a laptop, tablet and smartphone at her disposal, Milla Jovovich is a wired 21st entury alternative to sleeping beauty, concealed in a glass box in this excerpt from Future/Perfect by Tara Subkoff. Shot at the Palazzo Malipiero during this year's 55th Venice Biennale, the multimedia work serves up a witty take on the themes of consumerism and technology. The artist's longtime friend and collaborator Jovovich played the role of impulsive shopsholic who tweeted, facebooked and skyped in character for six hours while being simultaneously streamed live online. With Malerie





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13 Ways To Be "Tough"

England's annual Tough Guy Challenge involves an eight-mile run through fire, ice, barbed wire, and tunnels made of tires.

Alanna Okun D 15 minutes ago 7 3 responses



14 People Making The Best Of Bad Situations

When life gives you lemons, carve them in to tiny helmets for squirrels. Always remember to look on the bright side. Come on. Get happy.



PRESENTED BY

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FEATURED PARTNER



This Guy Saved A Freezing Baby's Life, NBD

And other morning links.

Raymond Sultan (2) 15 minutes ago 🐙 respond







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About 229,000,000 results (0.22 seconds)

Ad related to native advertising ①

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www.localmedia.org/nativeadsreport -

*13 Innovation Mission: Order Here

Native advertising - Wikipedia, the free encyclopedia

en.wikipedia.org/wiki/Native_advertising -

Native advertising is a web advertising method in which the advertiser attempts to gain attention by providing content in the context of the user's experience.

Native Advertising - Mashable

mashable.com/category/native-advertising/ -

Native advertising is at least some of these things. Top publishers and brands met in Washington, D.C., on Wednesday for an American Press Institute summit to ...

News for native advertising

Native Advertising Sweeps Industry Regulatory Landscape

Mondaq News Alerts (registration) - 1 hour ago

16 Oct 2013 - United States - Media, Telecoms, IT, Entertainment - Native Advertising Sweeps Industry Regulatory Landscape - Frankfurt Kurnit ...

Airpush Acquires Hubbl For \$15 Million To Bring Native Ads To Mobile

TechCrunch - by Sarah Perez - 5 days ago

Yahoo's Native Ads Have an Image Problem

Digiday - by Jack Marshall - 2 days ago

Native Advertising 101: Understanding the native continuum ... paidcontent.org/../native-advertising-101-understanding-the-native-cont... •

Ads (1)

Native Advertising

www.sharethrough.com/
Sharethrough is the Distribution
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Native Ad Demo

www.triplelift.com/ Use TripleLift's Nativiser to see
how images can become native ads

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Bring new visitors to your website.
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Boost Your App Revenue

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photographs of you on the Internet, without your permission, we can help you assert your rights under California law.





Fantastic! My bank has thrown transmedia storytelling into the mix. Now, that's something I'm willing to pro-actively engage with.



US Internet Users Who Find Advertising that Appears as Content* Misleading, by Ad Type, Oct 2012

% of respondents

| Sponsored video ads that appear to be content | | | | | | | | |
|---|-----|--|--|--|--|--|--|--|
| Advertorials | 66% | | | | | | | |
| Infomercials | 61% | | | | | | | |
| Facebook Sponsored Stories | 57% | | | | | | | |
| Twitter Promoted Tweets | 45% | | | | | | | |

Note: *e.g., native ads

Source: MediaBrix as cited in press release, Nov 5, 2012

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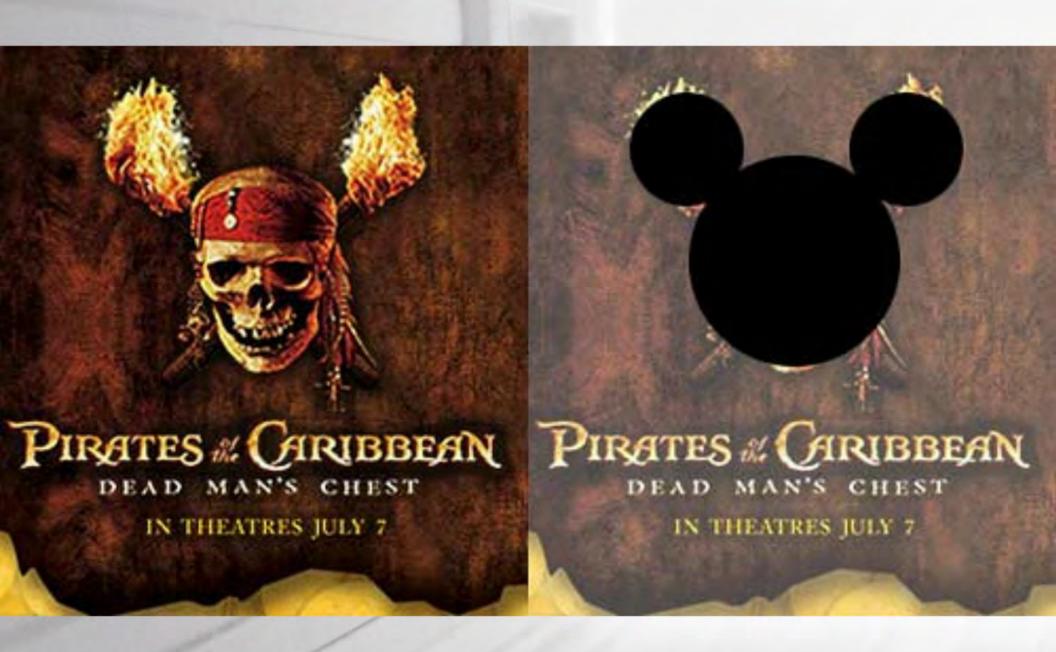
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Raspberry Ultra Drops to Help Your Weight Drop

Written By Christine Meyer Published June 28, 2012 Health.com





As part of a new series: "Healthy Lifestyles: A look at America's Top Diet Trends" we examine consumer tips for dieting during a recession

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HOTOFFER



SUMMARY

Christine Meyer, our Lifestyle reporter, recently put Raspberry Ultra to the test. After four weeks of testing the effects of America's newest diet aid, she was able to achieve pleasantly surprising results. She lost 25 lbs in 4 weeks. The benefits of



herself if this diet aid works.

Dietary options today can cost a health-conscious American thousands of dollars each year, and the results may be short-lived. And like you have probably already seem, they are all over the internet in blogs and success stories of people who have apparently used diet aids and lost a ton of weight. But we here at Fox News are a little skeptical and aren't sure that we've seen any real proof that these diet aids work for weight loss. So we decided to put these products to the test. What better way to find out the truth than to conduct our own study?









You Tube



Complaint

111 F.T.C.

IN THE MATTER OF

JS&A GROUP, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF SECS. 5 AND 12 OF THE FEDERAL TRADE COMMISSION ACT

Docket C-3248. Complaint, Feb. 24, 1989—Decision, Feb. 24, 1989

- A. Misrepresenting, directly or indirectly, that such product has been independently investigated or evaluated.
- B. Misrepresenting, directly or indirectly, that an advertisement is an independent consumer or news program and not a paid advertisement.





United States of America FEDERAL TRADE COMMISSION 600 Pennsylvania Avenue, NW Washington, DC 20580

Division of Advertising Practices Bureau of Consumer Protection

> Mary K. Engle Associate Director

> > June 24, 2013

[Name and Address]

[Name]:

In 2002, the staff of the Federal Trade Commission's Bureau of Consumer Protection published a letter ("2002 Search Engine Letter") advising search engines about the potential for consumers to be deceived, in violation of Section 5 of the FTC Act, unless search engines clearly and prominently distinguished advertising from natural search results. After the 2002 Search Engine Letter was issued, search engines embraced the letter's guidance and distinguished any paid search results or other advertising on their websites. Since then, however, we have observed a decline in compliance with the letter's guidance.

Although the ways in which search engines retrieve and present results, and the devices on which consumers view these results, are constantly evolving, the principles underlying the 2002 Search Engine letter remain the same: consumers ordinarily expect that natural search results are included and ranked based on relevance to a search query, not based on payment from a third party. Including or ranking a search result in whole or in part based on payment is a form of advertising. To avoid the potential for deception, consumers should be able to easily distinguish a natural search result from advertising that a search engine delivers.



Distinguishing Sponsored Search Hits from Natural Search Hits

- 1) Disclose "Advertisement"
- 2) Luminosity or contrasting background or borders
- 3) Popping on different devices and different lighting conditions
- 4) Text cue in prominent font directly above or to the left of an ad



FTC Dot.Com Guidance

- 1) Disclose the fact of sponsorship within the content or near to it
- 2) Discourage scrolling
- 3) Discourage hyperlinks for simple disclosure like sponsorship unless industry adopts a symbol that is recognized by consumers
- 4) Disclosure must be clear and conspicuous on all devices and platforms



Testimonials and Endorsements

Must be truthful

Marketer cannot say through an endorsement what marketer could not say directly

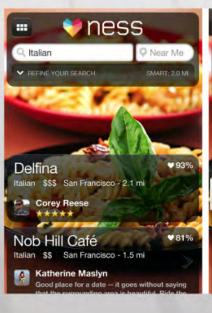
Performance discussed must to typical of what an average user can expect or if not must disclose expected typical i

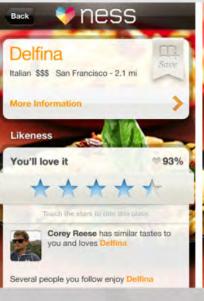
Burden falls primarily in Marketer to make sure endorsements are appropriate and affiliations disclosed

Anytime it is not obvious that an endorser is being compensated, this must be disclosed



"If a social network were to stream recommended restaurants based on what a particular consumer's social contacts have enjoyed, it should clearly distinguish as advertising any information feeds included or prioritized based in whole or in part on payments from a third party"











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Home * ASRC Press Releases * Native Advertising Review NAD Examines Qualcomm/Mashable Sponsored Series

Native Advertising Review: NAD Examines Qualcomm/Mashable Sponsored Series

New York, NY - Sept. 30, 2013 - The National Advertising Division, in an examination of "native advertising" by Qualcomm, Inc., has determined that the company appropriately identified its sponsorship of a series of technology stories that ran at Mashable.com.

NAD is an investigative unit of the advertising industry's system of self-regulation. It is administered by the Council of Better Business Bureaus.

As part of its routine monitoring program, NAD reviewed advertisements by Qualcomm, Inc. for the company's Snapdragon Processors, microprocessors specifically designed for use in cell phones and tablets. The advertisements ran with Qualcomm-sponsored articles on a range of technology subjects at Mashable.com

In response to NAD's inquiry, Qualcomm noted that it had entered into a sponsorship agreement with Mashable.com for a series entitled "What's Inside?"

The series included 20 articles that explored the technology behind products that included Tesla cars, MiniMoog music synthesizers, the Mars Curiosity Rover, Lytro cameras, electric guitars, and the Large Hadron collider. None of the articles, Qualcomm asserted, addressed mobile phones or devices that contained Snapdragon components.

Further, the company said, Mashable advised Qualcomm that it follows the Interactive Advertising Bureau's standard practices regarding the start and end dates for an advertising campaign and Mashable removed the sponsor messaging when the campaign ended.

Qualcomm noted that it did not direct the creation or subject matter of the articles and that the articles did not address devices that contain Snapdragon or other Qualcomm products.

Further, the advertiser maintained that the articles existed independently, without mention of Qualcomm, before the series began and continue to exist on the Mashable website after the sponsorship period concluded. As a result, the advertiser contended there is no continuing obligation to indicate the articles are sponsored.

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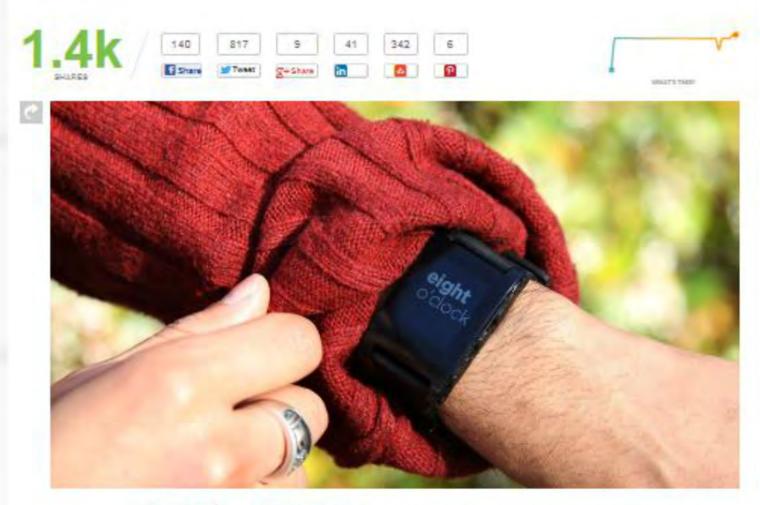
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The Tech That Makes the Pebble Watch Tick





BY CHRISTINA WARREN

FER 20, 2003

The Pebble smart watch is the most successful Kickstarter project in history, raising more than \$10 million from more than 69,000 backers.

At CES 2013, the company revealed final details of the device, and showed off the shipping device to the public.

SEE ALSO: Hands On With Pebble, the Internet's Favorite Smart Watch

Now that the device is shipping to Kickstarter backers, we have a much better idea of how the watch works from the inside out.



Hooray! I've been exposed to this message enough to move from awareness to consideration!





American Society of Magazine Editors

mpa October 22, 2013

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SOCIAL MEDIA

Editorial Guidelines

ASME Guidelines for Editors and Publishers Updated September 2013

The ASME Guidelines for Editors and Publishers codify longstanding practices governing the relationship between editorial and advertising content. The guidelines ensure that practices commonly used by editors and publishers to prevent or resolve editorial-advertising conflicts are clearly understood and consistently applied throughout the consumer-magazine industry.

In a rapidly changing media environment, no set of rules can anticipate every issue, but these are the basic principles behind the ASME Guidelines for Editors and Publishers:

- Every reader is entitled to fair and accurate news and information
- The value of magazines to advertisers depends on reader trust
- The difference between editorial content and marketing messages must be transparent
- Editorial integrity must not be compromised by advertiser influence

ASME believes that adherence to these principles enhances the value of print and digital publications for readers and advertisers and protects the independence of magazine media.

can have your cake & eat it too, #nom pic.twitter.com/noagAoOl 16 Nous see - reply - retease - ference

SamsungCamera No matter how many times we see I

Manhin 77

D2. Marketer-Provided Content and Native Advertising

- a. Marketer-provided content, including native advertising, should be prominently labeled as advertising, and the source of such content and the affiliation of the authors should be clearly acknowledged. The term "Sponsor Content," already in use on some websites, can be used to label native advertising.
- b. Native advertising should include a prominent statement or "What's This?" rollover at the top of the advertising unit explaining that the content has been created by a marketer and that the marketer has paid for its publication.
- Native advertising should not use type fonts and graphics resembling those used for editorial content and should be visually separated from editorial content.

