

LEHMAN, LEE & XU

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GALA EVENT REPORT

Global Perspective on China Advertising Industry: “Insight, Challenges and Opportunities for Growth”



LEEHEMAN, LEE & XU organized a seminar in association with GALA (Global Advertising Lawyers Alliance) on November 9th 2006 at the prestigious China World Hotel, Beijing. This event regrouped a very large community of international lawyers and advertising agencies from around the world.



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Among the speakers are Erich Bachman (GALA, New Zealand) GALA Regional President; Al Moffatt, CEO of Worldwide Partners and its partner in China, Viveca Chan; Mr. Li Fangwu of the China Advertising Association; Akihiko Hara (GALA, Japan); Peter Le Guay (GALA, Australia); Sharad Vadehra (GALA, India); Patrick Mirandah (GALA, Malaysia); and Marc Lim (GALA, Singapore).

All the important aspects of the Chinese advertising industry were discussed with contributions and in-depth analyses from experts from other countries.



Photo of Richard Wageman, Chairman of the Organizing Committee of this event

Chinese advertising industry started only in 1979. Consequently, the study of foreign advertising legislations constitutes an important way to understand and improve the advertising legislation in China.



Photo of the 1st topic speakers Fleur Chen, John Lee & Candice Liu (Legal Attorneys from Lehman, Lee & Xu)

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Advertising industry seems to be a regulated sector in almost all countries. Nevertheless, the system varies from one country to another, depending on their culture and tradition. The event started off with a presentation on the advertising standards in China followed by a comparison among the standards adopted by other countries. It was interesting to see that the Chinese system was not very different from the Malaysian and Singaporean systems insofar as advertising standards are concerned as certain advertisements banned in those countries are also outlawed in China. However, some particularities remain. For example, since Malaysia is a Muslim country, all advertisements about drugs or alcohol are strictly prohibited.



Photo: Patrick Mirandah (Malaysia), Marc Lim (Singapore), Erich Bachmann (New Zealand)

More specific topics were also discussed, such as advertisements towards children and consumer protection.

Striking a right balance between the freedom for the advertising agencies to invent and the necessity of having adequate laws represents a real challenge for China's advertising regulator.



Photo of Viveca Chan, Viveca Chan with Richard Wageman (center) and Al Moffatt

Miss Viveca Chan from Worldwide Partners gave a very energetic and interesting speech on the role and responsibility of advertising agencies in China. Her company in particular uses the idea of “Chinese inside and western outside” to help Chinese companies create their own brand. “We do not need to copy anymore!”

A Marketing and Advertising Perspective



Photo of Mr. Li Fangwu

Mr. Li Fangwu from the Chinese Advertising Association gave an absolutely enlightening presentation right after the intermission. A series of advertisements were presented to demonstrate the current Chinese advertising standards. Our attention was particularly drawn to a shampoo advertisement that has been prohibited in China. It showed a couple kissing in front of a burning house. The main actor was too obsessed with the hair of his girlfriend and was oblivious of his surroundings. It was banned because of social ethical reasons; the man should have rescued the people trapped in the house instead of kissing his girlfriend!

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Mr. Robin Teow, a Foreign Counselor of Lehman, Lee & Xu, presented a paper that dealt with “**Ambush Marketing**” With his usual eloquence and humor, Robin cited examples of how some corporations and brands have tried to capitalize on the popularity and the resultant goodwill of the Olympic Games by attempting to ‘attach’ their brands and products to the forthcoming 2008 Beijing Summer Olympic Games without paying for the right to do so. Thus, it is important to fight against such practice in order to maintain the integrity of the Olympic movement.



Photo of Mr. Robin Teow



Photo of Mr. Sharad Vadehra (India)



Photo of Mr. Erich Bachmann (New Zealand)

The final topic touched on the cooperation between Chinese and foreign advertising agencies. In 2004, a new regulation that appeared to have relaxed the rules on cooperation for foreign investors was promulgated. This has created an opportunity for foreign investors to do business in a challenging environment as far as the advertising sector is concerned. However, uncertainties remain as to whether foreign investors are able to run the show alone without expertise from local partners.

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The END

A cocktail reception wrapped up the event nicely followed by a series of casual and fun outings and fellowship.



*Photo: Peter LeGuay (Australia),
Erich Bachmann (New Zealand),
Sharad Vadehra (India)*



Photo: A good Bye from Patrick Mirandah(Malaysia)

Some light moments!

By,

Lehman, Lee & Xu
The Event Reporting Team
November 16, 2006