

To Tell the Truth!

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It is Good! It is Better! It is the Best! These are common descriptors found in advertising around the world, except for places like Russia. In Russia, comparative or superlative advertising can only be used if the advertiser can objectively prove the statement. Non-substantiated claims of this nature are considered to be against the law and will lead to prosecution by the Federal Anti-Monopoly Service. An advertiser legally cannot run an ad that contains false claims pertaining the superiority of the product, relative to competitors. Normally, the anti-monopoly service deals with “normal” advertising, not search engine listings. However, a case under investigation involved the use of the words “best taxi” along with the name of a city in the online Yandex search engine (<http://www.yandex.ru>) based in Russia. The search query identified the link, www.rutaxi.ru, a web site controlled by Vezyot, a company located in Perm, Russia.

Focus: International advertising; puffery; single-word advertising comparisons: positive advertising, comparative advertising, superlative advertising.

Questions:

1. Define the following terms: international advertising, puffery, single-word advertising comparisons: positive advertising, comparative advertising, superlative advertising.
2. Is what the taxi company doing illegal (i.e., does it have a false or unproven ad)? What is the actual statement of law that relates to this case? Is there any way that the taxi company could objectively prove its claim of superiority? Explain. Whom do you think will prevail in this case?
3. In your country, what is the law related to the use of comparative and superlative ads?
4. Find ads in your country that use the good, better, and best descriptors. Find ads that use other descriptors to indicate comparative and superlative points of reference.
5. What are some other examples of such descriptors that advertisers could use, even if you cannot find an ad making use of such terms?

Note. The facts related to this situation are drawn from the following sources: [1] Boletskaya/Vedomosti, Ksenia. (2010, June 4). Anitrust service to prosecute firms for ‘superlative’ searches. *The Moscow Times*. Retrieved from <http://www.themoscowtimes.com/business/article/antitrust-service-to-prosecute-firms-for-superlative-searches/407518.html> [2] Web site: <http://www.yandex.ru> [3] For help translating between English and Russian, go to <http://www.babelfish.yahoo.com>