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Celebrity Spokespersons and the Federal Trade Commission

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Whitney C. Gibson

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Social Media Explorer

Whitney Gibson, a partner in the Vorys Cincinnati office and the leader of the firm's internet defamation group, authored an article for Social Media Explorer titled "Celebrity Spokespersons and the Federal Trade Commission." According to the article, the Federal Trade Commission (FTC) has long required advertisers and endorsers to disclose their material connections. If a celebrity has been paid to endorse a product or service and they fail to disclose it, both the advertiser and endorser can be liable. Gibson says that this can also be the case with endorsements on social media websites like Facebook and Twitter.

The article states:

"In the Guides, the FTC uses examples to illustrate the principles of fair advertisements. In one example, the FTC creates a hypothetical scenario of a famous female tennis player appearing on a TV talk show. Let's call her 'Maria.'

It is often no secret when a celebrity goes on a talk show and talks about a product or service that he or she is being paid to do so. In the example, Maria attributes her recent success to laser eye surgery, raving about the particular clinic, staff and procedure. If viewers would not realize she had been paid by the clinic, without any disclosure regarding the contractual relationship, the endorsement will most likely be considered deceptive.

When it comes to social media, however, things are murkier. For example, if Maria promotes her recent surgery on Facebook, Twitter or Instagram – where her followers might not expect or realize she was being paid – this contractual relationship should be disclosed."

To read the entire article, visit the Social Media Explorer [website](#).