

Misleading Online Advertisement and Issues

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ABSTRACT

Advertising is one of the public media option is used to an audience, create and sustain the interest through words and illustrations to encourage them to buy a particular product or a service. The mass media includes newspaper, television, magazines, commercials; radio advertising and the new media include blogs, website or text messages. Unclear and purposeful attempt to mislead can have serious economic consequences, especially when exposed to large target groups or when it occurs for long duration. Such advertisement will adversely affect the sales of the product and its brand image and in the end the producer and distributors as well.

1. Introduction

Advertisement is the best way to communicate to the costumers. Advertisement about the brands available in the market and the variety of products useful to them. Advertising is for everybody including kids, young and old. It is done using various media type. With different techniques and methods most suited. The term 'advertising' is derived from the original Latin word 'advertere' which means 'to turn' the attention. Every piece of advertising terms the attention of the readers or the listeners or the viewers or the on lookers towards a product or service or an idea.

2. Objectives of the Study

The Present Study Framed With the following Objectives:

1. TO know about online advertisement and its features
2. To study about misleading online advertisement
3. To give an view on issues of misleading online advertisement

3. Operational Definitions

American marketing association has defined advertisement as "any paid form of non-personal presentation and promotion of ideas, goods and service of and identified sponsor".

According to William j. Stanton. "Advertisement consists of all the activities involved in presenting to group of a non – personal, oral or visual, openly sponsored message regarding product, service are idea.

4. Online Advertisement

Online advertisement, also called online marketing or internet advertisement or web advertisement is a form of marketing and advertisement which uses the internet to deliver promotional marketing messages to consumers. Online advertisement is geared towards defining markets through unique useful application.

Online advertisements are purchased are through One of the following common vehicles:

- Cost per thousand (CPM): advertisers are pay when their massages are exposed to specific audience.
- Cost per click (CPC): advertisers pay every time clicks on their ads.
- Cost per action (CPA): advertisers only pay when specific action (generally a purchase) is performed.

Features of Online Advertisement

- **Paid Communications:**
Advertisement is a form of paid communication. The advertiser pays to the media for giving publicity to his AS message. He also decides the size, slogan, ECT Given in the advertisement.
- **Art, Science and Profession:**
Advertisement is art, Science and a profession, and this is now universally accepted. It is an art as it needs creativity for rising is effectiveness. It is science as it has its principles or rules.
- **Creativity:**
Advertisement is a method of presenting a product I n an artistic, attractive and agreeable manner. It is possible through the element of creativity.

5. Misleading Online Advertisement

Under the consumer production Act 2007, advertisement is seen as misleading if it involves false, misleading or deceptive information that is likely to cause the average consumer to act in a way they might otherwise not. Advertisement may also be considered misleading if important information that are the consumer needs to make informed decision is left out.

Hidden fees

- **“Going out of business” sales-** This entails raising the prices from merchant that was already on sales and then marking them down.
- **Misusing the word “free”-** When the sale is “buy one. Get one free,” the second item is not really free because you have to buy the first one.
- **Fillers-** Food often has fillers to increase its weight, like meat injected with broth or brine.
- **Coloring-** This would include putting yellow orange in a picture as being bigger than it actually is.
- **Acceptance by default-** This refers to a contract where the consumer must opt out of a service or feature and if they don't, they will be charged for it.

6. Existing Mechanisms and Law Dealing with Misleading Online Advertisement in India

With regard to Acts and laws that are there to both product and punish offenders are not enshrined in the constitution of India, we have various other provision of law or bodies that prevent and punish offenders. This law can be divided into two categories.

Laws having Horizontal Application on Advertisement

- The consumer protection Act, 1986
- Trade and merchandise marks Act, 1958
- Cable television network (regulation) Act, 1995

Laws having Vertical Application on Advertisement

- Prize competition Act, 1955
- Transplantation of human organs Act, 1994
- Drugs and cosmetics Act, 1940

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The following Regulatory Authorities have Power to Regulate Advertising in their Respective Domain

- Insurance regulatory development authority
- Telecom regulatory authority of India
- Securities and exchange board of India
- Reserve bank of India.

7. Misleading Online Advertisement and Issues

The federal trade commission sets standards for advertisement to reduce exposure to misleading or unfair advertisement. An advertiser sets who knowingly make false claims or otherwise falsifies advertisement faces financial and legal repercussion, in addition to losing loyalty from previous customer.

Advertisement that are

- Drive desire for unnecessary product
- Deceptive
- Offensive
- Promote unhealthy product
- Concealment of facts
- Puffery
- Improper language usage

8. Conclusion

In communicating the claims to the consumers, the manufacture is assisted, by different means of media. Considerable time and money is being spent in designing advertisement that may appeal the consumers. At time, it is also alleged that different means of media are recklessly advertisement claims of the corporate without showing any concern towards the society.