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## Mastering the art of ambush marketing

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Rachel Baxendale

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**When new Energy Watch proprietor Danny Wallis popped up wearing an Energy Watch T-shirt and bidding for a house on the final episode of *The Block*, millions of viewers groaned and comedian Dave Hughes, tweeted: "Shouldn't have to look hard to find this week's Tool of the Week? ENERGY WATCH #theblock".**



**The stunt** may have been annoying and did cost Wallis \$1.4 million for the house but it certainly got Australia's attention, which is the secret to good ambush marketing.

Messages On Hold owner and **king of ambush marketing Kym Illman** defines a good ambush as "anything that gets you a lot of free, high-profile promotion".

Perth-based Illman says one of his best ambush moments was when he paid a man \$1,000 to stand near the finish line at the Melbourne Cup, wearing foam fingers.

"Millions of people saw that, in slow motion, over and over again," he says.

"And it only cost me a thousand dollars."

Illman advises business owners to "always be prepared" for an ambush marketing opportunity.

"I always have some signage with me in the car, so if I notice a camera crew getting ready for a live cross, I can ring someone near a TV, and get them to help me get a good position when I pop up in the background," he says.

But Illman says ambush marketing isn't for the faint-hearted.

"You have to plan, and you have to be bold.

"Don't ever ask permission from security – beg for forgiveness later," Illman says.

Mike Halligan, the founder of Engage Marketing, agrees.

"You've got to be bold and confident, and you've got to stick to your guns and not back down when pressure from organisations or the media gets too much," Halligan says.

Illman says it sometimes pays for ambush marketers to stretch the truth a little in pursuit of a good ambush.

"Years ago, if Tom Jones or someone was coming to Perth, we used to ring up pretending to be his manager, to work out what flight he was on," he says.

"That way we knew what time he'd be at the airport, and could be there when the cameras were."

Illman says ambush marketing is "pretty well-regarded in Australia".

"I think Australians are much more easy-going about this sort of thing than people elsewhere," he says.

"And frankly, if an organisation is inadvertently going to give you an opportunity to promote yourself, you owe it to yourself to take that opportunity."

Australian Marketing Institute CEO Mark Crowe says the key is to "always be mindful of your audience".

"Your aim is to appeal to the perceived legitimacy of countering an existing marketing campaign," he says.

"You don't want your stunt to be seen as a spoiling tactic."

So what do Australian SMEs need to be wary of when devising an ambush marketing strategy?

Not much, according to Illman.

"There's no legal recourse, if all you're doing is appearing on TV with a logo," he says.

"You can be removed and, in some circumstances, fined, but ultimately once you've made an appearance there's not much anyone can do.

"And, really, the fine is just a fee for getting great publicity," he says.

Illman has occasionally paid his dues for good publicity.

In 2007, he made news when he spent over \$40,000 fighting a \$100 fine imposed by Perth City Council after he hired a man to walk around the cricket at the WACA with a cardboard cutout of Shane Warne advertising Messages On Hold.

He told **Smartcompany at the time** he was fighting the matter on "principle".

Engage's Mike Halligan agrees with Illman that ambush marketers can get away with a lot.

"You might get in minor trouble for not having council permits or something like that," he says.

"The only time you're really going to get yourself in hot water is if you make specific reference to a brand, or infringe upon trademark rights."

Two Dutch women **found this out the hard way in 2010**, when they were arrested at the World Cup in South Africa and charged over the "unauthorised use of a trademark at a protected event", and "entry into a designated area while in possession of a prohibited commercial object".

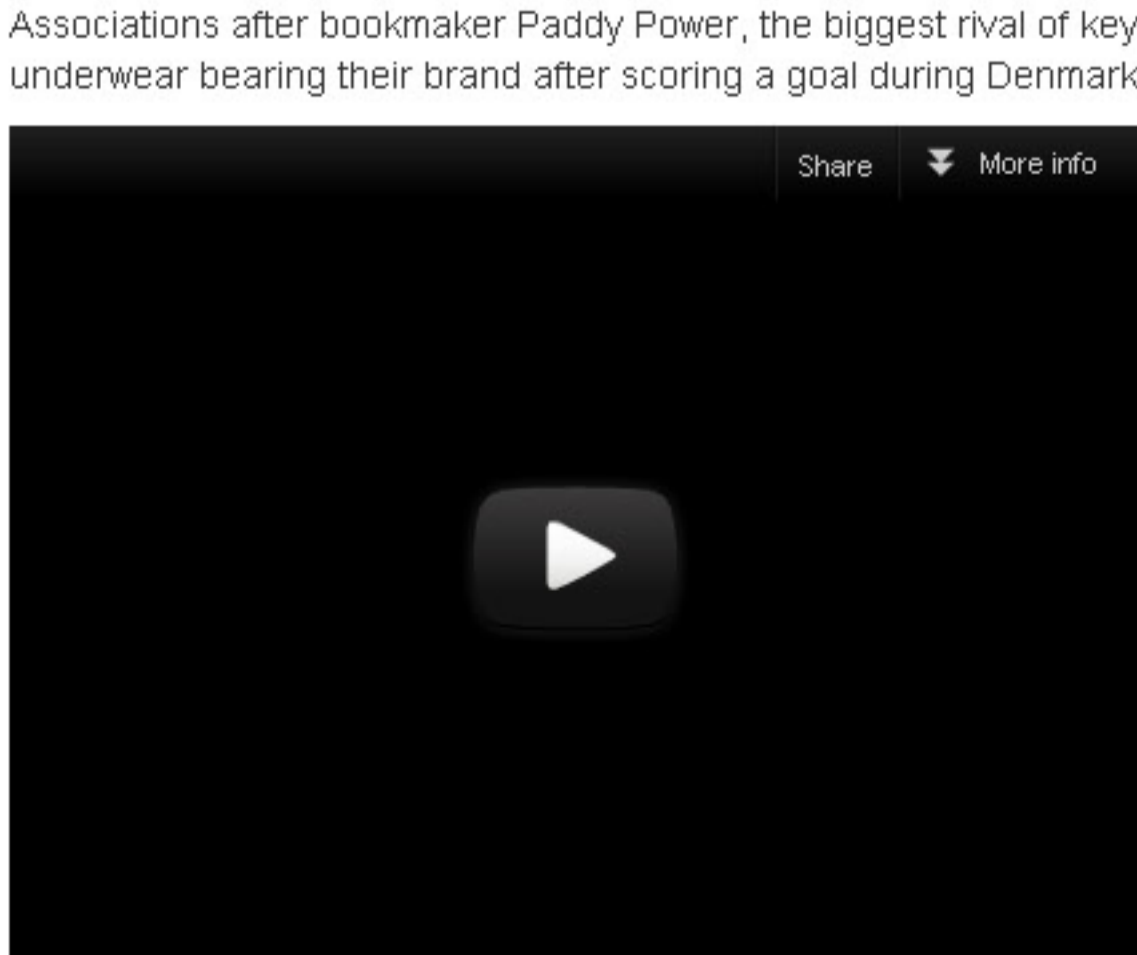


The women allegedly organised a stunt for Dutch beer company, Bavaria, which saw 36 women standing together in bright orange mini-dresses.

The only problem was, rival brewer Anheuser Busch's brand Budweiser was the official beer sponsor, and World Cup organiser FIFA wasn't happy.

But this isn't to say ambush marketing stunts that infringe upon trademark can't be successful.

Last month, Danish soccer star Nicklas Bendtner was fined €80,000 by the Union of European Football Associations after bookmaker Paddy Power, the biggest rival of key sponsor Ladbrokes, paid him to flash underwear bearing their brand after scoring a goal during Denmark's Euro 2012 game against Portugal.



Engage Marketing's Mike Halligan says this was a "particularly successful ambush marketing stunt".

Key sponsors often pay hundreds of millions of dollars to associate themselves with events such as the Euro 2012, making chicken-feed of Bendtner's 80,000 euro fine, which Paddy Power paid on his behalf.

Images and video of Bendtner and his Paddy Power boxers were beamed around the world repeatedly.

Perhaps understandably, many event organisers are attempting to crack down on ambush marketing.

The organisers of the 2012 London Olympics have devised a strict "**brand protection**" policy in an attempt to safeguard their sponsors against ambushes.

Under the policy, spectators will be prevented from prominently displaying competing brands on their clothing, athletes may not tweet about brands that are not official Olympics sponsors, only VISA credit cards will be accepted, and existing corporate stadium names will be masked if they aren't official Olympics sponsors.

But if Illman, Halligan and Crowe's experiences are anything to go by, fines will have to reach the millions and prison terms may have to be imposed before enterprising ambush marketers will be deterred.

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