

Advertising Forum

TOP TEN CONTRACT ISSUES IN CELEBRITY ENDORSEMENTS

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The business of relationships.

ANA

Leading the Marketing Community

1. Scope of Services

- Type of services
 - Production
 - Personal Appearances
 - Interviews
- Number of service days
 - Travel included?
 - Production delays?
 - Consecutive?
 - Notice and Scheduling
 - Key Dates
 - Track Availability
 - Confirmed Bookings and Cancellations
 - Options

2. Media

- Laundry List
- Ambiguities
 - Does “outdoor” include “transit”?
 - Does “point of sale” include “life-size cut outs”?
- Public Relations
- B-Roll
- New Media
- Archive



3. Territory

- Geographic
- Digital
- Usage Patterns



4. Term

- Initial Term
- Options
- Run-off Period(s)
- Production Timelines
- Usage Periods

5. Exclusivity

- Competitive
 - Is fragranced deodorant competitive to perfume?
- Antithetical
 - Is a Big Box Store competitive to a department store?
- SAG/AFTRA Scale Multiple
 - Scale = Direct Exclusivity
 - Scale + 50% = Up to 3 Non-Competitive Categories
 - Double Scale = Full Exclusivity
- Quirks
 - Celebrity's Personal Products
 - Use in Movies, TV Shows, etc.
 - Handling Competitive Products
 - Charitable Events



6. Approvals

- Approval vs. Consultation
- Creative, directors, stylists, etc.
- Minimums, e.g., print shots
- Edits
- Liaison and Process



7. Morals

- Research and Reputation
- Reality
- Crimes -- Conviction vs. Accusation
- Morality and Moral Turpitude
- Pre and Post
- No Cure
- Remedy

8. Compensation

- Monetary
- Non-Monetary
 - Wardrobe
 - Vehicles
 - Vacations
- Payment Schedule
- Agent Commissions
- Tax Consequences
- SAG/AFTRA Allocations (Pension & Health Fund Contributions)



9. SAG/AFTRA

- Global Rule One
- P&H Audits
- Extras and Upgrades

10. The Nitpicky Stuff

- Expenses
 - Approvals
 - Advanced
 - Reimbursed
- Right to Credit
- Travel (SAG/AFTRA Requirements)
- Per Diem
- Wardrobe
- Entourage
- Security