

Advanced Media and Technology Law

ALERT DECEMBER 2010

Advertising and Promotions Law

Facebook Updates Its Promotions Guidelines

On December 1, 2010, Facebook updated its Promotions Guidelines. The most significant change is that promotions agencies and other entities who wish to administer a promotion through Facebook are no longer required to consult with a Facebook account representative to have promotions materials reviewed and do not need to obtain prior written approval to run the promotion. In addition, there is no longer a requirement for "meeting a minimum media spend threshold to support the promotion." All promotions on Facebook are still subject to Facebook's Promotions Guidelines, Advertising Guidelines, and Platform Policies, and all promotions must be administered on Facebook Platform. Some of the requirements for promotions have not changed such as:

You can only allow users to enter the promotion on the canvas page of the application or on the application box in a tab on a Facebook Page;

You must provide an acknowledgement that the promotion is in no way sponsored, endorsed or administered by, or associated with, Facebook.

Facebook provides some examples of what you can and cannot do when conducting a promotion on Facebook: You cannot condition entry in the promotion upon a user providing content on Facebook, such as posting on a Wall of a Page, uploading a photo, or posting a status update. You can use a third-party application to condition entry to the promotion upon a user providing content to the application. For example, you may administer a photo contest whereby a user uploads a photo to a third-party application to enter the contest. You cannot administer a promotion that users automatically enter by liking your Page, checking in to your Place or connecting to your Platform integration. You can

require entrants to like your Page, check in to your Place or connect to your Platform integration before they provide their full entry information, such as name and contact information. You cannot notify winners through Facebook, such as through Facebook messages, chat, or posts on profiles or Pages. You can collect an email address or postal address through the third-party application for the promotion in order to contact the winner by email or postal mail. You cannot instruct people (in the rules or elsewhere) to sign up for a Facebook account before they enter the promotion. You can instruct users to visit the third-party application to enter the promotion. Since users must have a Facebook account in order to access an application on the Facebook Platform, if you give this instruction, they will be prompted to sign up for a Facebook account if they do not already have one.

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