

Chicago Daily Law Bulletin®

Volume 163, No. 197

Serving Chicago's legal community for 162 years

Coke can't go wrong with this brand ambassador

Coca-Cola just signed a new brand ambassador, Alex Hunter, an up-and-coming soccer player.

Hunter has a potentially compelling story. It's also entirely made up. But, in this case, telling made up stories won't run afoul of the morals clause on Hunter's contract.

Because Hunter isn't real. He's a character in a video game.

For the first time, a global consumer brand has signed an endorsement deal with a virtual athlete. Hunter, who first appeared in EA Sports' popular FIFA 17 game, is the brand ambassador for the new Coca-Cola Zero Sugar in FIFA 18.

Hunter brings with him a built-in base of fans and none of the headaches involved in working with flesh-and-blood athletes.

Founded in 1886, Coke knows a thing or two about innovative marketing strategies, from calling itself The Great National Temperance Beverage in the years leading up to Prohibition, to coming up with the iconic "I'd Like to Buy the World a Coke" song in 1971 to go with its "It's the Real Thing" campaign.

More recently, the international beverage giant has embraced — and been embraced by — the sports industry. The brand is a sponsor of diverse sports and leagues including NASCAR, the NBA, the National Rugby League and the PGA Tour as well as a spectrum of events including the NCAA Championships, the Olympic Games, the FIFA World Cup and the Union of European Football Associations European Championship.

Coke is now making inroads into the virtual sports world by partnering with Electronic Arts Inc., the interactive entertainment software company behind the FIFA, Madden NFL and The Sims series of games.

Hunter first appeared in a FIFA 17 feature called "The Journey." In "The Journey," game players can experience and manipulate how Hunter, the virtual protagonist, navigates the ups and downs of life in the international soccer world.

Adweek reports that more than

SPORTS MARKETING PLAYBOOK



**DOUGLAS N. MASTERS
AND SETH A. ROSE**

Douglas N. Masters is a partner at Loeb & Loeb LLP, where he litigates and counsels clients primarily in intellectual property, advertising and unfair competition. He is co-chair of the firm's intellectual property protection group and he can be reached at dmasters@loeb.com. Seth A. Rose is a partner at the firm, where he counsels clients on programs and initiatives in advertising, marketing, promotions, media, sponsorships, entertainment, branded and integrated marketing, and social media. He can be reached at srose@loeb.com.

20 million people around the world have played FIFA 17, and approximately three quarters of those played "The Journey" feature. Game players could get to know Hunter pretty well — playing "The Journey" from beginning to the end takes about 15 hours — and EA hopes Hunter's everyman appeal will keep game players engaged.

On Sept. 29, EA launched FIFA 18 on PlayStation 4, Xbox One, PC, PlayStation 3 and Xbox 360 in more than 190 countries and in 19 languages.

FIFA 18's "The Journey" storyline sees Hunter attempting a comeback to the United States with the L.A. Galaxy after leaving the English Premier League, according to Ad Age. Hunter's story progresses according to decisions the game's players make and their performance.

The Coca-Cola deal is not Hunter's first. He signed with Adidas in his FIFA 17 storyline and starred in one of the brand's "First Never Follows" films — real life films highlighting some of the world's premier soccer players and their quest to become No. 1.

But Coke's partnering with Hunter in both the virtual FIFA 18 world and in real life appears for the first time that a nonsports brand has signed a virtual player.

In the FIFA 18, Hunter films a commercial in which a young fan offers him a Coke after the athlete is booted off the field during an English Premier League game.

The scenario is meant to evoke Coke's 1979 award-winning commercial in which a young fan tries to cheer up injured Pittsburgh Steelers player Mean Joe Green with a Coke, Ad Age points out.

Mean Joe returns the favor by tossing his jersey to the kid; the Hunter commercial updates the scene with a 21st century twist with the athlete and the kid taking a selfie together.

After the original commercial debuted, Coke got the maximum bang for its buck by airing it during the 1980 Super Bowl. This time, Coke will feature the Hunter ad on social media and on the company's billboard in New York's Times Square, Ad Age reports.

Hunter will also appear on some Coke packaging. In the video game, "The Journey" reportedly also will include Hunter's storyline acting as the brand ambassador as well as Coca-Cola product placement.

While the unique marketing move supports Coke's sponsorship of the 2018 FIFA World Cup and the launch of its Coke Zero Sugar brand, it's also not hard to see another huge benefit of using a virtual brand ambassador.

Signing a well-known athlete to an endorsement deal can be risky. While most endorsement contracts include morals clauses that allow the sponsor to exit the contract if the celebrity runs afoul of the law, gets into trouble or otherwise tarnishes his or her reputation, the ability to drop the athlete doesn't eliminate the risk of fall-

out to a sponsor from an athlete's misdeeds.

Brands have dropped athlete endorsers for getting caught using performance-enhancing drugs and for actions in their personal life that draw negative attention, from expressing controversial opinions to criminal activities including dog-fighting, domestic violence and murder.

One of the most egregious examples is Lance Armstrong. A slew of brands including Nike and Anheuser-Busch immediately cut ties with the cycling superstar when the U.S. Anti-Doping Agency determined the seven-time Tour de France champion used and lied about his use of banned performance-enhancing substances.

Armstrong was stripped of his titles and banned from cycling. Even Armstrong's own charitable foundation for cancer survivors, the Livestrong Foundation, distanced itself from him.

Tiger Woods' sponsors backed away from him in 2010 after the golf phenomenon's highly publicized affairs came to light and led to his divorce. Last year, tennis star Maria Sharapova saw her deals with brands including American Express and Porsche evaporate when she failed a drug test.

Coke has been burned before as well. In 2011, the brand parted ways with British soccer star Wayne Rooney after reports he cheated on his pregnant wife.

Hunter, on the other hand, will likely be a model spokesperson for Coke; it's unlikely that even his "fiery" mode would cause him to act in ways that would get him dropped from the deal. It's safe to predict he won't be seen drinking a Pepsi either.

The partnership with Electronic Arts is another innovative, forward-looking way for Coke to take advantage of new technology and engage fans.

As video games become increasingly sophisticated, it's likely that more brands will follow Coke's lead and sign virtual characters as real-life brand ambassadors. For the sports marketing industry, Hunter's breakthrough into the real world could be a game changer.