

Comparative advertising from a legal/cultural perspective A comparative study between the countries of the Middle East and the United States of America

Prof. Tamer Abdellatif

Advertising dept., Faculty of Applied Arts, Helwan Un., Giza, Egypt

proftamer@gmail.com

Assist. Prof. Dr. Mai Nada

faculty of applied arts helwan univerty

mai.nada@ksiu.edu.eg

Researcher. Entesar Hussain

faculty of applied arts helwan university

entesar@a-arts.helwan.edu.eg

Abstract

Advertising plays an important role in promoting and marketing products, services, and brands. Comparative advertising has been growing rapidly over the past decades; therefore, it is considered to be one of the most highly effective advertising strategies used. This strategy occurs when one brand claims superiority over its competitor. Thus, the purpose of comparative advertising is to compare the characteristics of a product to the characteristics of its competitor on the basis of one or more product qualities. Comparative advertising is used widely by different cultures, as part of advertising campaigns. It has two different types: direct and indirect, naming the competitor specifically, and superiority is established over them within the direct form. Indirect comparative advertising occurs when the product places superiority over its competitors without explicitly mentioning the name, which is widely seen in Middle East advertising campaigns. The aim of this paper is to study how cultural and legal aspects may enhance or inhibit the application of comparative advertising using a combination of literature reviews as a research methodology to find how can C.A be utilized in the Middle East market without getting a rejection. In addition, how C.A may create conflict from social and cultural aspects by highlighting the Middle East cultural and ethical values. This helps to reveal whether the usage of comparative advertising in Egypt and the Middle East will match cultural values and ethics or not and what may be the obstacles that face the usage of comparative advertising in the Middle East.

Keywords:

Comparative Advertising, Behavioral Intention Responses, Culture Characteristics, Ethics, Competitiveness

الملخص:

يحتل الإعلان دورًا مهمًا في ترويج وتسويق المنتجات والخدمات للعلامات التجارية المختلفة. ومع تطور السوق المحلية والعالمية و اتساعها شهد الإعلان المقارن نموًا سريعًا حول العالم على مدار العقود الماضية ، ويعتبر الإعلان المقارن أحد الاستراتيجيات الإعلانية ذات التأثير الفعال ، حيث تشير علامة تجارية ما إلى التفوق على منافستها بشكل مباشر أو غير مباشر ولأن الغرض من الإعلان المقارن هو مقارنة خصائص المنتج بخصائص منافسه على أساس صفات المنتج، فهو

مفيد و عالي الكفاءة في الاسواق الكبيرة ذات المنتجات الكثيرة , حيث يقدم الإعلان المقارن للمتلقي المعلومات و المقارنات بين المنتجات والخدمات و التي تسهل على المتلقي اختيار المنتج او الخدمة الأفضل له .

يستخدم الاعلان المقارن علي نطاق واسع من قبل الثقافات المختلفة ، فيأتي الاعلان المقارن في نوعين مختلفين: مباشر وغير مباشر،المباشر هو ان يتم تسمية المنافس على وجه التحديد ، ويكون التفوق عليهما في الشكل المباشر ، أما غير المباشر ، فيظهر تفوق المنتج على منافسيه دون ذكر الأسم المنافس صراحة ، او اظهار منتج المنافس و علامته و التشويش البصري عليهم وهو أمر شائع الاستخدام في الإعلانات المصرية .

الهدف من هذه الورقة البحثية هو دراسة كيف يمكن للجوانب الثقافية والقانونية أن تعزز أو أن تعرقل من تطبيق الإعلان المقارن في الحملات الإعلانية في مصر و الشرق الأوسط. كما يهدف هذا المقال الى إيجاد حلول لكيفية استخدام الإعلان المقارن في السوق العربي دون التعرض للرفض القانوني او من قبل المتلقي لعدم ملائمة للجوانب الاجتماعية والثقافية للمتلقي و ذلك من خلال إبراز و تحليل القيم الثقافية والأخلاقية العربية في مواجهة استخدام و تطبيق الإعلان المقارن.

الكلمات المفتاحية:

الاعلان المقارن , قانون , ثقافة

Significance of the Study

Advertising industry has a fast rate of growth and development. As an indication of how tough the market is, numerous multinationals have lately entered the market which results in a flood of new products. Thus, the usage of the comparative advertising may be very beneficial to the consumer in today's market which is highly supportive transparency, yet it is very limited in the Middle East. This paper shows the reason behind the limited usage of the Comparative advertising, whether because it is legal in the Middle East or not, as well as, whether the Middle East consumer will accept it or not.

Aims and objectives

This paper highlights how to enhance the quality and the effectiveness of comparative advertising to be used within the the Middle East advertising by:

- Highlighting the Middle East cultural and ethical values with regards to comparative advertising.
- Study the difference between the usage of comparative advertising in middle east and in usa
- Studying the obstacles that may face the usage of comparative advertising in Egypt and the Middle East that is not in other cultures.
- Suggest a guide for better usage of comparative advertising in Egypt and Middle East with regards to cultural and legal aspects

Methodology

This paper follows a **descriptive methodology** in research collecting all data with regards with comparative advertising and the Middle East culture values, ethics and laws. Thus, the study and **analytical methodology** to analyze some comparative advertising samples from Egypt and Middle East.

Problem statement

Advertising industry in Middle East has a fast rate of growth and development. But the use of comparative advertising in Egypt and Middle East is limited , due to scarcity of literature that study comparative advertising regulation in Middle East which made the success of it is unpredictable . This paper studies the impact of the cultural values and ethics on the success and effectiveness of comparative advertising to be used in Middle East.

This paper is designed to answer the following questions:

- How would comparative advertising be used more if there is a clear cultural and legal guidance in Middle East?
- How would cultural values and ethics effect the consumer perception to comparative advertising?
- How the value of the comparative advertising is perceived differently from culture to another culture?

Research hypotheses

The hypotheses of this paper are presented as follows:

1. Cultural and moral values can affect the application of comparative advertising in advertising campaigns in Middle East
2. Legal aspects can enhance or hinder the application of comparative advertising in Middle East

Limitations of the study

Topic: The possibilities of success and impact of Comparative advertising if used in Egypt and Middle East from a legal/cultural perspective with comparison to the American legal/cultural values

Location: Egypt

Time: This study starts 2016 and ends 2021

comparative advertising**comparative advertising definition, history and types****Definition and Evolution of Comparative Advertising**

Grewal et al defined comparative advertisement as an advertisement directly or indirectly comparing two or more brands in the same general service or product category, comparative ads should compare brands to specifics service / product attributes. Being termed as contrast ads, negative ads, attack ads or knocking copy (Muneeb Ejaz, 2018). It starts from the 1960s by brands pertaining to their competitors as “brand X” under the impression that mentioning the competitor’s name would only provide the competitor with more publicity, no other benefit was seen at that point. It has been there until the decision of the (FTC) in 1969, where comparative advertising was encouraged especially by mentioning the competitor’s name, considering it a valuable source of knowledge for the consumers, considering it an efficient marketing tool that enhances innovation and improvement among brands.



(figure 1) wendy comparative ad against MacDonald 1984 usa

www.tampabay.com/blogs/80s/2018/01/10/on-this-date-wendys-first-asked-wheres-the-beef/ 6/10/2021

one of the brand war that began in the 1960s between two famous car rental companies, Avis Inc. and Hertz Corporation, Avis attempted to reposition themselves in the market with a new campaign and a slogan that read: " When you're only no. 2, you try harder. "Although Hertz Corporation was not explicitly mentioned, the Avis sponsored ad made it clear that it referred to their competitor, another examples is Bostitch vs. 3M. The two companies had created comparative campaigns on the superiority of staples over packaging tape. And it turned into a brand war. Wendy's launched comparative campaign against McDonald's to position Wendy as a better burger as Wendy's had created the famous line "Where's the Beef?"(figure1). It was a stab at McDonald's lack of meat in their burgers. Coca-Cola vs. Pepsi have created a good chunk of comparison campaigns over the years. So much so that it escalated into a brand war known as "Cola Wars". One advertisement was the "Summer Time is Pepsi Time" advertisement sponsored by Pepsi. attacked his rival, Coke, using their famous Santa Claus character and made him choose to drink Pepsi instead of Coke on vacation.

There are two main types of Comparative Advertising

There are two main types of Comparative Advertising: Direct and Indirect. **Indirect comparative advertising** creates a comparison between a product and other competitive products without mentioning their specific names. For instance, a product states that it cleans better than other product, or is that the least expensive, or performs better than other competitors, which is widely seen within the MENA region advertising.figure (2)&(3)



(figure 2) Dove comparative ad www.hebergementwebs.com/ideas-de-marketing/9-ejemplos-de-publicidad-comparativa-que-le-ayudaran-a-salir-adelante 6/10/2021



(figure 3) Fairy comparative ad www.researchgate.net/publication/340433231_Comparative_Advertising_Proposed_Guidelines_Middle_East_Marketers 6/10/2021

Figure (2) Dove's ad it can be seen that they are trying to indicate the consumers that their moisturizer is better than its competitors. While the competitor's name is not mentioned, the bottle with spikes represents Dove's competitor within the market.

Figure (3) In this ad, Fairy states that it lasts twice as long as its competitor, although mentioning that its competitor is the next best-selling brand, no specific name was mentioned.



(figure 4) MacDonalld comparative ad <https://themarketingbirds.com/the-best-burger-king-vs-mcdonalds-ads-war-you-should-see> 6/10/2021

Direct comparative advertising, the merchandise states the name of the competitor precisely or uses specific ideas, icons, figures or incidents related explicitly to its competitor to create a side-by-side comparison showing superiority. Direct comparative ads are differentiated by whether or not they are positive or negative.

Burger King used indirect comparative ads widely to point out superiority over its main competitor McDonald's. Figure (4) McDonalds well-known clown appears ordering food from Burger King; without specifically mentioning the competitors' name but using the well-recognized figure of Burger Kings' competitor.



Figure (5) Vodafone's famous genie in both Vodafone and Etisalat ad
www.facebook.com/etisalatmisr/photos/10153166341969667 6/10/2021
<https://www.facebook.com/Vodafone.Egypt/photos>
www.facebook.com/etisalatmisr/photos

Figure (5) Similarly, this is what happened when Etisalat hired the famous genie, who was featured in Vodafone's campaign early in the same year. where Vodafone used him first and for several years to promote their new offers. This action from Etisalat ends to a file in court, as the press reveals, in a new case, the dispute between Vodafone Egypt for Telecommunications and Etisalat Misr, over the exploitation of the "Genie" advertisement. The court confirmed that it is evident from the two expert reports the court, that the dispute's work, "The character of the Red Genie", was produced and created by "Vodafone" and it has ownership and all intellectual property rights, morally and materially, and it was proven that the defendant company infringed this work by using it in The announcement regarding it, from 10 to 15 days without permission which resulted in material and moral damage to the plaintiff company, and the responsibility of the respondent company is held with it, so the claimant company deserves the compensation estimated by the court¹.

Effectiveness of Comparative Advertising

While comparative advertising can be a proven marketing tactic, because of the increased clutter within the digital media, it becomes harder to success by merely attacking the competitor. It is vital to induce the facts right before attacking a competitor. within the past, it was noticeable that almost all small companies follow the massive and established brands. However, recently this seems to be the old way of executing the ads. As Small brands also use comparative advertising to showcase their message and attack big giants. Companies must find their voice and take a look at to keep the comparison light so as to not be in situation of getting sued. Harmon et al. emphasized that the target of comparative advertising is to alter consumers' impressions of the advertised brand compared with the competitive brand. Therefore, similar ads must have a better level of message involvement and processing activity compared to other ads. (Harmon et al., 1983) Beard assessed the effect of comparative advertising and located that the potential for adverse outcomes may be a genuine possibility when prominent brands prefer to go ahead using strictly comparative advertising campaigns (Beard, 2010).²

Aspects of Comparative Advertising

Trustworthiness in advertising

Trustworthiness is the belief of one party that the other party is ought to have there trust in a very particular situation; thus, it's a perceived characteristic of the trustee (Morrow et al., 2004). within the advertising context, consumers' expectations for advertisers' behavior are partially shaped by perceived trustworthiness within the legislative and regulatory institutions. Consumers depend on governmental institutions like the Federal Trade Commission within the USA or the EU Advertising Standards Alliances to make sure that advertising is true which their marketing communication is not misleading (Johnson and Grayson, 2000). Consumers' perception of the advertisement as being deceptive or not is influenced by the extent to which the buyer believes that the advertising regulation agency (e.g., CPA in Egypt) is trustworthy and performing its job in writing and enforcing rules that protect consumers against deceptive advertising. It is to say that if the CPA in Egypt put guidelines and laws for applying C.A. and make sure that advertising is true which their marketing communication isn't misleading consumer may accept C.A better in Egypt

Consumer skepticism toward advertising

refers to "the tendency toward disbelief of advertising claims" [Obermiller and Spangenberg, 1998, p.160; Moore-Shay and Lutz, 1988]. Generally speaking, skepticism toward advertising results from a bunch of things, including basic personality traits and therefore the consumer's perception of how the marketplace operates (Obermiller and Spangenberg, 1998; Ford et al., 1990). this mix helps consumers shape their responses to advertising. When consumers show distrust toward an advertiser's motives, they're actually concerned with the message source and not necessarily skeptical about the advertising itself. Consequently, a consumer who is extremely skeptical won't necessarily disbelieve every advertisement claim; similarly, a consumer who is a smaller amount skeptical won't always believe every such claim. ³

Credibility of the advertisements

Advertisement credibility is defined as "the extent to which the buyer perceives claims made about the brand within the advertisement to be truthful and believable" (MacKenzie & Lutz, 1989, p. 51). Credibility of advertisements has been always one amongst the foremost widely studied concepts within the advertising literature. This may be attributed to the critical role it plays in ensuring of advertisement effectiveness (Choi & Rifon, 2002) ⁴

comparative advertising on behavioral intention responses

Comparing comparative ad with non-comparative ad, research has shown comparative ads have resulted in higher purchase intention (Demirdjian, 1983, 1986) particularly for brand new or challenger brands (Droge, 1989; Pechmann and Stewart, 1990), and when the ad has contained claim substantiation concerning the new brand (Golden, 1979). In their review, Rogers and Williams (1989) found significantly more studies citing comparative ads to be simpler than noncomparative ads in increasing product trial (ie, the probability of trying the product). A possible reason is because comparative advertising allows a replacement brand to own a clearer positioning against a longtime leader and to profit from this association (cfDroge and Darmon, 1987). As observed by Taschian and Slama (1984), significantly more visits to the shop were reported among consumers exposed to a comparative relative to a noncomparative ad. ⁵

Egyptian culture and C.A

Egyptian culture characteristics, ethics and its effect on comparative adverting application

It is important to know and understand the culture of the customers to attract them. Therefore, from time to time, it is better to make an observation and holding a research on consumer's culture to observe that the products' offer is in line with the needs and wants of their changing. For instance, Coca-cola has 15 versions of the ads in the 50 countries using the same ads by including certain elements in each market based on the market suitability of adaptation. Besides, companies advertising, for their products or services in different countries, should be aware of a country's existing norms concerning role portrayals and the way these organizations affect these norms (Gilly, 1988). Advertising should be attributed to the attractiveness of their hearts and feelings as a cultural identity that symbolizes the nation.

Cultural dimensions and advertising

Hofstede (1991) defines culture as the collective programming of mind that distinguishes the members of one group or category of individuals from others. He discusses four cultural dimensions: power distance, individualism/collectivism, masculinity/femininity, and uncertainty avoidance⁶. Several studies have shown that buyers are more inclined to reply to advertisements that are congruent with their culture (Boddewyn, Soehl, and Picard, 1986; Buzzell, 1968; Harris, 1984). The value system includes sets of beliefs, attitudes, and activities to which a culture or subculture subscribes and is reinforced by rewards and punishments for those that follow or deviate from these guidelines (Rokeach, 1973)⁷. Frith (1997) argues that customers understand advertising messages by relating them to culture. Also, Shao, Bao, and Gray (2004) state that "consumers respond favorably to comparative advertising messages that are per their culture". Thus, significant differences in consumer's responses to comparative ads that supported culture are observed. Comparative ads are strongly related to aspects of competitiveness and aggressiveness. Moreover, it should not always be considered a good practice in some cultures. So, it does not come without risks, as comparative ads always try to maximize a company's own interest by positioning itself as superior within the minds of consumers

Comparing the Middle East and American Culture

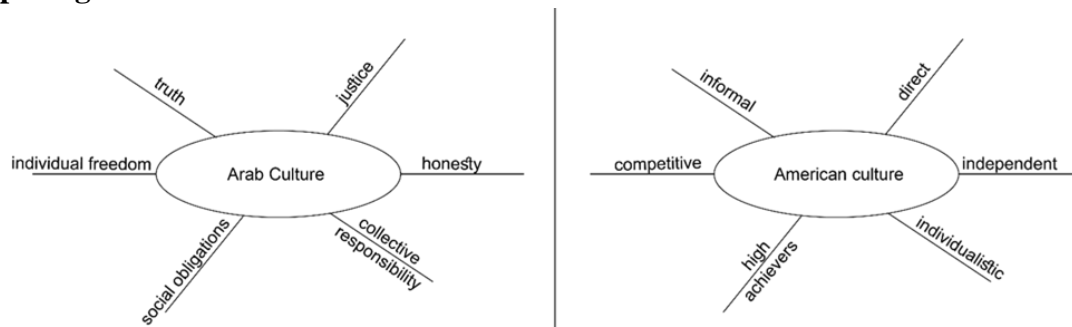


Figure (6)⁸ Comparing the Arab and American Culture

Figure (6) Durgee, OConnor and Veryzer (1996) contended that one of the best powerful ways to know consumers is to know their values and value systems. At the deep level, values determine virtually every kind of behaviors, from simple purchasing to non secular ideologies (Pollay 1983).

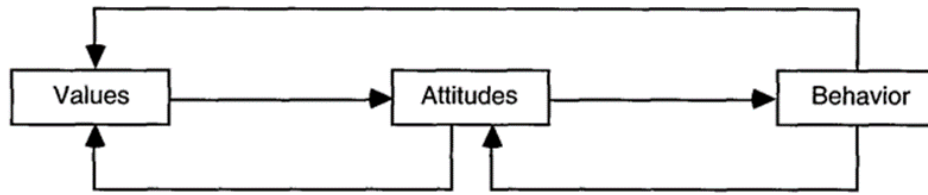


Figure (7)⁹ relation between Values ,Attitude and behavior

Within the marketing and the management literature, cultural values are recognized as having influence on consumer motivations and merchandise choices (Tse, Wang and Tan 1988). Several researchers believe that values are predictors or antecedents of behavior (Conner and Becker 2003; England 1967; England and Lee 1974) Figure (7), and aid within the understanding of culture (Feather 1975; Rokeach 1968, 1973). Although value systems exist in every society, significant differences exist between value systems. For example, the U.S. is viewed as a society that values individualism while Egypt is viewed as a society that values collectivism. Cultural differences is understood by comparing the value systems of various cultures because each culture has its own unique set of priorities, rules and principles that facilitate group members in their adaptation process to the environment (Kluckhohn and Strodtbeck 1961).

Although it's impossible to generalize about all or most cultural values across the Arab world (Lamb 1987; Nydell1987), there are beliefs and attitudes that are shared by many Arabs and appear to cross national (Wilson 1996). As comparative ad has been used and favored by many Americans, it is important to study the difference between two different culture, especially when one of them is already familiar with C.A and the other is not.

Difference between The Arab Culture and American culture¹

| The Arab Culture | American culture |
|---|---|
| <ul style="list-style-type: none"> • underlying the Islamic beliefs: the majority of the citizens has helped in shaping the Arab culture and therefore the value system • Everyone loves children; that age automatically confers wisdom; those men and women have vastly different personalities and characteristics; that a person's dignity, honor, and reputation are of primary importance and must be protected in the slightest degree costs. One should always behave in a very specific way that may create an honest impression on others; that loyalty to one's family takes precedence over personal needs. There is a fine line between what is religious and what is culture within the Arab world. | <ul style="list-style-type: none"> • underlying the Christian beliefs: the majority of the U.S. citizens has helped In shaping the American culture and therefore the American value system • Americans may be described as informal, direct, competitive, high achievers, independent and individualistic, questioners, and punctual (Bakhtari 1995). Americans are a heterogeneous group who lives at a quick pace, believes in direct methods of communication. They are practical and egalitarian. <u>They</u> live as a family unit, reject fatalism, and prefer to achieve anything through their own efforts (Wilson 1996; Lee 1980). • The American culture is argued to be a coffee context culture (Hall and Hall 1987), |

| | |
|---|--|
| <ul style="list-style-type: none"> • Middle East customers considered religion to be the most important value after health (Rice and Al-Mossawi 2000). | <p>where most information is vested within explicit codes, such things are spelled out as concisely and thoroughly as possible. for instance, messages are explicit, and there's considerable dependence on what's actually said or written. per Hofstede (1981),</p> <ul style="list-style-type: none"> • American culture strongly values uniqueness and self-determination. Therefore, the main target is more on the individual well being instead of on the group. |
|---|--|

Competitiveness in Arab and American culture

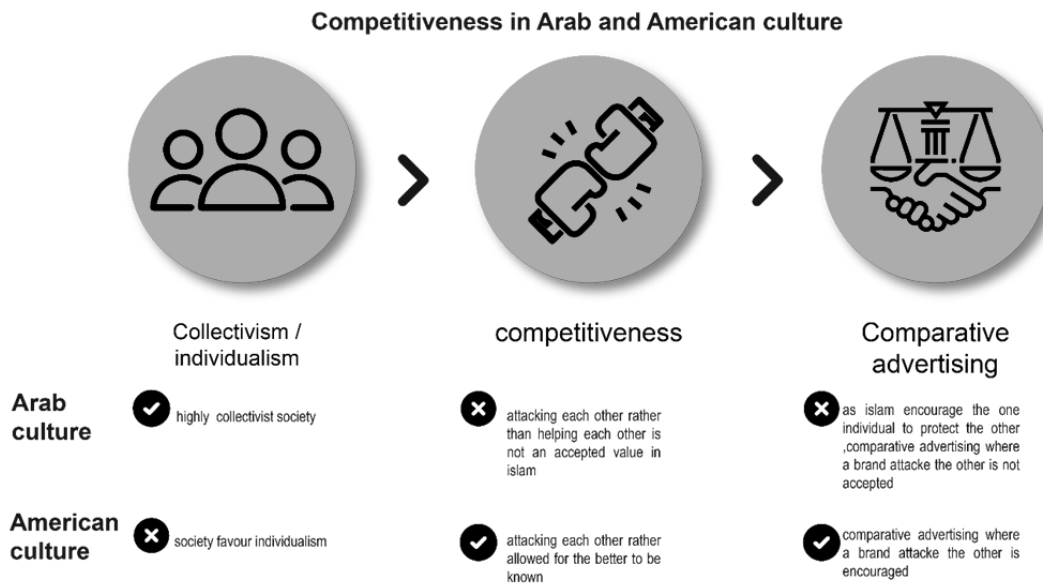


Figure 8¹ competitiveness in Arab and American

The Arab world has been strongly impacted by the teachings of Islam. Al-Olayan and Karande (2000) argue that behavior within the Arab world toward others is influenced by messages within the Shari'a, which encourage people to not compete at the price of harming others. Thus, it is expected that competing advertising is going to be less prevalent within the Arab world because doing so may cause harm to a Muslim. Similar charitable concepts are found in Christian culture. For instance, Jesus told people, "But I tell you, love your enemies, bless those that curse you, help to those who hate you, and pray for people who spitefully use you and persecute you" (NKJV, Mathew 5:44).

Americans tend to treat this religious imperative as a personal instruction. This is often evident in Hofstede's scores that showed the U.S owns the best score for Individualism. The US Federal Trade Commission even encourages the utilization of competing advertising (Cutler and Javalgi 1992). Thus, while Arabs are culturally conditioned to seek out internal competition negative, Americans may even see internal competition as a positive. This leads to Compared to U.S. television ads, Arab television ads will use fewer (competitive) comparative ads. as shown in Figure (8).

Al-Olayan and Karande (2000) argue that legislation regarding the regulation and censure of ads is scarce within the Arab countries. Therefore, guidelines for advertising must be drawn from cultural orientation. When determining ad content, it is possible that comparative advertising could be perceived as unethical or immoral within the Arab world. Therefore, it is advised that the differences in ad content should be considered in light of possible differences in regulation and attitudes toward comparative ads between the U.S. and therefore, the Arab world. Advertisers are encouraged not only to familiarize themselves with the basic cultural values within the Arab World, but also to familiarize themselves with cultural values' religious significance. Advertisers are advised to pay special attention to cultural values that have significant religious values because fighting against those cultural values are going to be viewed as direct offense¹ .²

As mentioned by Helmi (2004), the most Islamic advertising guidelines are 20point in number 3 he stated that Comparison: Advertising must take care to form a guaranty claim that is not a false or misleading data when making comparisons with competitors or other goods and services, either directly or indirectly¹ .³

Egyptian Laws regards C.A

Comparative Advertising Regulations and Legislations Worldwide

Research shows that the progressive movement of setting rules for advertising had begun in 1911 through the Associated Advertising Club of America (AACA). During a convention held by the association, the president of AACA has delivered the "Ten Commandments of Advertising" which are of great significance within the history of advertising legislation and comparative advertising. Later, stating: Thou shall not covet, nor imitate, nor run down thy neighbors' business; Thou shall not covet, nor imitate, nor run down thy neighbors' name, nor his wares, nor his trademark; nor anything that's thy neighbors'. Direct comparative advertising has been permitted within the U.S. since 1971,

The EU Misleading and Comparative Advertising Directive and EU Legislators consider comparative advertising of high potential benefits to the consumers in terms of stimulating competition between products and services. Having a group of rules, that are like the regulations of the AAAA, that any comparative ad has to follow.

Canada, Malaysia, India, and South Africa, have all allowed the utilization of comparative advertising, considering it as an original advertising technique which allows the consumers to determine the product's superiority over its' competitors, promoting a higher environment for competition. Several rules are set in each of the mentioned countries to control the utilization of comparative advertising quite almost like those set by AANA and EU, where they state that comparisons must be supported a factual and fair basis, transparent and supported by evidence, must not disparage or attack the competitor, or exaggerate the importance and nature of the compared features. Supported the AANA Code of Ethics and therefore the Australian Consumer Law states that "there isn't any specific prohibition against comparative advertising under Australian law, but such advertising is going to be subject to the overall prohibition on misleading and deceptive conduct and false and misleading representations contained within the Australian Consumer Law" (Schedule 2 to the Competition and Consumer Act 2010 (Cth)). There are provisions under the AANA Code of Ethics which offer that certain advertising must

not be misleading or deceptive (or likely to mislead or deceive) or contain a misrepresentation, which is probably going to cause damage to the business or goodwill of a competitor.”

Comparative Advertising Regulations and Legislations in the Middle East

While Egypt is understood to be the hub of advertising within the geographical region, no regulations are set for comparative advertising. As for the United Arab Emirates, there is no law regulating comparative advertising; hence, the UAE law presumes that each one varieties of advertising are permitted. While the provisions of the Federal Law, 1992, No. 37 prohibits the unlawful use of a registered trademark, yet, there is no specific stipulation on the use of competitor's name or trademark. No laws or regulations are explicitly set for comparative advertising within the Near East and MENA region. In the UAE, there are not any specific legislations on comparative advertising. Furthermore, arguments of free competition may suggest that one should be permitted to use another's mark if the employment of such mark is for merely descriptive purposes. On the other hand, the provisions of Federal Law No. 37 for the year 1992 concerning trademarks (as amended; "UAE Trademark Law") prohibit unlawful use of a registered trademark. In an exceedingly broader scheme, therefore, it may be argued that employing a competitor's trademark to match similar products merely may well be interpreted as unlawful use; thus, exposing the entity to liability for unauthorized use of another's trademark. Furthermore, adding ambiguity to the controversy is that the undeniable fact that the UAE Trademark Law does not contain a particular provision on the enjoyment principle (Hijazin, 2014). Therefore, it is crucially important to handle this gap in advertising¹ .

Criteria for the implementation of comparative advertising in the Middle East

standards for comparative advertising are concluded by the researchers to line the standards for the implementation of comparative advertising in the Middle East :

- the main aim of the comparative ads is to introduce consumers the benefits of the merchandise compared to the competitors, never to degrade competitor.
- Introduce the competitor in an exceedingly decent and seemly form: do not use wordings that underestimate the competitor.
- The comparison should be supported by precise features (ingredients, price, easiness of use, etc.); comparative ads must not generally state that a product is healthier than a competitor.
- While the main aim of the comparison is to state the compared features should be of significance to the consumers in terms of valuable and usefulness, as comparing insignificant features ends up in irrelevant discrepancy among consumers.
 - The comparison should be supported by the culture's ethical and legal standards and social norms.
 - An objective trusted testing source for comparative tests may be a must, to support claims mentioned within the ads concerning compared features that are supported by the tests.
- Testimonials of people should state if it is a personal testimony, or if this individual represents a sample of majority consumers.
 - Specific provisions are to be added to the principles and regulations of advertising for the correct and enjoyment of comparative advertising¹ .

Case studies in Egypt and middle east

1-Persil vs Ariel



Figure (9) Persil comparative advertising

| | |
|--------------------------------|--|
| The brand in comparison | Persil vs Ariel Figure (9) |
| Country : | 2015 Egypt |
| The comparing copy : | the best detergent in Egypt |
| The Ad : | persile creating an ad with copy “the best detergent in Egypt “ and it can be seen that they blurred the image of persil biggest competitor Ariel but still everyone can tell its Ariel |
| Type of C.A used | Indirect comparative ad |
| Comment: | most of comparative advertising specially TV commercial use the blur technique to bring the competitor safely in the ad ,and as said before it benefits both way in case the customer already know the competitor so they know that the advertising brand is better and if the customer doesn't know the competitor he will receive the add without any publication for the competitor |

Orange vs Etisalat and Vodafon





Figure (10) Orange comparative ad

| | |
|--------------------------------|--|
| The brand in comparison | Orange vs Etisalat and Vodafone Figure (10) |
| Country : | Egypt 2017 |
| The comparing copy : | Orange fastest net in Egypt |
| The Ad : | in this ad orange show how fast its net compared to its competitor as sowing them as slow animal |
| Type of C.A used | Indirect comparative ad |
| Comment : | Telecommunication brands are always going for comparative advertising to attract attention and keep the advertising fun ,in this ad Orange is comparing itself to her to main competitor Vodafon and Etisalat by not mentioning them but using there brand colors ,it's a known technique for indirect comparative advertng by replacing the direct mentioning of the competitor by its known visual colors where costumer can still tell who is who |

Teama vs Abourland



Figure (11) Teama vs Abourland comparative ad

| | |
|--------------------------------|--|
| The brand in comparison | Teama vs Abourland Figuer (11) |
| Country : | Egypt 2018 |
| The comparing copy : | The man didn't do wrong Azaa |
| The Ad : | We find that the commercial, which has been shown since the beginning of the holy month Ramdan, shows the packaging of the competing brand of the Obour Land , in a way that has a great deal of irony and mockery, when the husband buys the requirements for dinner, and presents the purchase bag. To the wife, who holds the packaging correctly that he does not show the brand name, but in a manner that announces her strong disapproval of his purchase of this type. |
| Type of C.A used | Indirect comparative ad |
| Comment : | <p>The Egyptian Company for Food Industries “Teama” is one of the strongest dairy production companies . The advertising campaign of that company about its product, Feta Tema cheese, was not limited to clarifying the advantages of its advertised product, its capabilities and strength, and the quality and wonderful taste it contains, as is customary in this field, but it took a different course by mocking its competitor Obour Land .</p> <p>In a debate of creativity, and the bombing of a counter front, the official page of Obour Land Cheese responded to the advertisement in a sarcastic manner as well, by publishing a picture showing that the husband did not make a mistake; Because he chose the right product, and in the background a blurred picture of the wife who appeared in the advertisement appears, and next to her is another picture of a game of cheese, in a very cunning response.</p> |

Careem Vs Uber



Figure (12) CareemKsa comparative ad

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|--------------------------------|---|
| The brand in comparison | Careem Vs Uber Figure (12) |
| Country : | KSA 2018 |
| The comparing copy : | “What is the feeling of the competitor when he congratulates you on the name of our company and says Ramadan Kareem?” |
| The Ad : | With the beginning of Ramadan, the Saudi company, Kareem, attempted to bomb the front of its competitor, Uber - without mentioning its name - in a tweet via Twitter, in an attempt to harass and bully it, saying: “What is the feeling of the competitor when he congratulates you on the name of our company and says Ramadan Kareem?” |
| Type of C.A used | direct comparative ad |
| Comment : | then Uber responded with a smart tweet that dazzled the pioneers of Twitter, saying: “Ramadn mUBERk”, as it completely moved away from the word Ramadan Kareem, and even worse, it put the name Uber in English Uber inside the word Mubarak, and highlighted it in large letters, thus mUBERk. A clever respond which was well received by Twitter pioneers, and they were very impressed with Uber's response, which they considered overwhelming. |

Coca-Cola Vs Todo



Figure (13) Coca-cola vs Todo social campaigns

| | |
|--------------------------------|---|
| The brand in comparison | Cocacola Vs Todo Figure (13) |
| Country : | Egypt 2017 |
| The comparing copy : | #Party_on_Who? |
| The Ad : | Todo's Facebook page posted a picture of ToDo's cake, with a picture of a Coca-Cola ad person in the background, while a ToDo cake was holding a bottle of Coca-Cola, with a sarcastic comment suggesting that it was the person they were looking for, accompanied by the hashtag #Party_on_Who? |
| Type of C.A used | Indirect comparative ad |
| Comment : | during the month of Ramadan 2017 TODO Cake was keen to do satirical advertisements, but here it made a sarcastic response to Coca-Cola's advertisement for Ramadan 2017, looking for the identity of the person standing in the party - according to the wording of the advertisement - which was shown during the days The first of Ramadan. The official Coca-Cola page responded, publishing a sarcastic image, accompanied by the hashtag #Partyonyou, to confirm that Todo was not the person they were looking for in the ad, and presented an 800ml bottle as a gift to her. Coca-Cola replied to Todo ,Todo did not give up at this point, commented on the photo, and in the backyard of the Coca-Cola house on her official page, with the same previous photos, but instead of the cake appearing holding the bottle, she was holding an empty cup, confirming that she had accepted the gift, in a violent front bombing. |

Dice vs Cotonil



Figure (14) Dice comparative ad

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|--------------------------------|--|
| The brand in comparison | Dice vs Cotonil Figure (14) |
| Country : | Egypt 2016 |
| The comparing copy : | No cottons speaks Hassan |
| The Ad : | mocking the logo of the competing company, in which a psychiatrist appears assuring a patient that cotton does not speak, |
| Type of C.A used | Indirect comparative ad |
| Comment : | The two most famous lingerie companies in the Egyptian market had launched an advertising campaign, where Cottonil continued its series of ads bearing the slogan Cotton Speaks Egyptian . However, the competing company, Dice, decided to follow the policy of direct advertising attack - Frontal Attack, which means direct criticism of competitors, according to the accepted methods of advertising battles in television channels. Where the response came directly, by presenting an advertisement which the audience considered a surprising, quick and capable response. |

conclusion

While Egypt is understood to be the hub of advertising within the Middle East region, the comparative advertising is used widely in several countries but its not commonly used in Egypt and the Middle East. This is due to some cultural and ethical restrictions that effect the perception of comparative advertising as attacking and bad behaved ad, that can be summarized as follows:

- 1- Most of Egyptian population are religious so comparative advertising usage is merely affected by the rules, value and ethics of religious
- 2-Collectivist concept within the Arabs encourages people to not compete in the value of harming others. So, it is expected that comparative advertising is going to face some challenges when used within the Middle East culture.
- 3- There is no clear regulations that are set for comparative advertising. No laws or regulations are explicitly set for comparative advertising within the Middle East and MENA region and although there is some criteria for the implementation of comparative advertising in the MENA region, it is done by researchers and not by authorities.
- 4- Advertisers do not use comparative ad so as not to be used as there is no guidelines for them to follow.
- 5-Consumers may not believe in comparative ad. They think brands are just attacking each other in his favor but because Consumers' perception of the advertisement as being deceptive. On the other hand, it is not influenced by the extent to which the buyer believes that the advertising regulation agency is trustworthy and performing its job in writing and enforcing rules. These rules protect consumers against deceptive advertising.so a clear regulation will help customers to believe comparative ad.

6-Comparative advertising has a great potential to successes if it will be used in the Middle East region under the guidance and keen monitoring of the related authorities.

7- Most of the comparative advertising, specially TV commercial, use the blur technique to bring the competitor safely in the ad. As it benefits both way in case the customer already know the competitor so they know that the advertising brand is better and if the customer does not know the competitor he will receive the add without any publication for the competitor.

8- Some brands decided to follow the policy of direct advertising attack (Frontal Attack), which means direct criticism of competitors, according to the accepted methods of advertising battles in television channels. Where the brand attacks its competitor significant slogan, tagline or character.

9- The success and effectiveness of comparative advertising is different regarding the culture it is viewed in

10-Egyptian culture, ethics and values has the upper hand on the acceptance of comparative advertising when it is used in Egypt,

11- Egyptian laws do not prohibit the usage of comparative advertising because there is no specific guideline for it that leads to conflicts.

Recommendations:

Comparative advertising has been increasingly implemented through the years that shows much success and effectiveness with various products and services in many foreign countries . Although its usage is still limited in Egypt, but it is expected to be used more and more in the upcoming years. There are a number of gaps in our knowledge around comparative advertising in research that follow from our findings, and would benefit from further research, including realist evaluation to extend and further test what we have developed here:

1- In-depth exploration of how comparative advertising can match the developed Egyptian market.

2- More methodological work is needed on how to regulates and legalize the usage of comparative advertising in Egypt.

3- It is also helpful to capture qualitatively the experiences and perspectives of Egyptian customers who have mixed or negative experiences with comparative advertising to help in making practical guide for Egyptian comparative advertising.

4- This paper finds that when customers know that there is laws and official organization regulating the advertising production, they are more likely to accept and believe the ad. Consequently, it is recommended that the government put specific laws for comparative advertising which regulates it to insure its true and fair but nether prohibit it nor limit the creativity that could be used in it.

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