

# [More horse power](https://assignbuster.com/more-horse-power/)

1. Is this a case of puffery in advertising Does the advertisement unduly focus on qualities not necessarily connected with the product The AmericanHeritage Dictionary (2000) defines puffery as " flattering, often exaggerated praise and publicity, especially when used for promotional purposes." Legally, puffery refers to an exaggeration or statement that no reasonable person would take as factual and is used as a defense to a warranty or fraud claim (US Legal, 2008).
I don't think the Mammoth advertisement is puffery. The claim that the Mammoth is a sleek and stylish truck which is the most powerful in its class may be provable. Firstly, the notion of sleek and stylish is subjective to the individual appreciating the design, although critics have said that it has a " decidedly awkward" design. The phrase, " the most powerful in its class", may be true as " class" is not defined. According to the case, trucks similar to the Mammoth are used for hauling heavy equipment but the Mammoth is not suited for hauling. This would mean that the Mammoth would be in a different class from the hauling trucks, or in a class of its own. However, it does have a powerful engine which supports the claim that it is the most powerful in its class. All the above support the tagline " The Mammoth. Power, Beauty, Style."
The advertisement focuses on qualities not necessarily connected with the product but I don't think this has been done unduly. The company used its good reputation for luxury sedans and sports cars, products which evoke power, beauty and style. The Mammoth advertisement may be targeting the same market as those for its traditional products, considering that the truck was not really built for hauling heavy equipment. The Mammoth can be viewed as simply another vehicle sporting a different design, a hauling truck design. But in the same way that luxury sedans and sports cars serve their intended customers for power, beauty and style, the Mammoth is also being sold to do this, especially since the advertisement depicted the owner getting into the truck in a tuxedo and driving to the opera.
2. Is it permissible for advertisements to use " hidden human needs" in order to sell products Should they simply state the facts
It is permissible for advertisements to use hidden human needs in order to sell products. In fact, the advertising industry is preoccupied with the intensive investigation of human needs or what potential customers are striving for, in order to come up with the advertisement that will depict the product as being able to help address these needs. Advertisements don't just tell its audience the facts about the product, they appeal to the audience feelings and longings. This is because each individual desires to achieve a goal, or harmony or happiness and these needs are permissibly exploited by advertisers (Time for Change, 2008). According to the Federal Trade Commission (2008), an evaluation standard that applies to all advertisements is by asking the question: " Does the offer, promotion, payoff, or benefit sound too good to be true" If the advertisement can be true and does not merely sound too good to be true, then it can be passed by media for publication, airing or mailing.
Products which belong to a certain class or category already compete in terms of product features, which consist of the " facts" about the product. The objective of advertising is to increase patronage of a product by first attracting the attention of a potential customer, then getting the customer interested in the product, then creating a desire in the customer to own the product, and finally getting the customer to action by purchasing the product (CIAdvertising, 2008). In this regard, the Mammoth advertisement would not work if only facts about the products features were presented, it had to grab attention, create interest and desire, in order to increase the opportunity to sell.
References
American Heritage Dictionary. (2000). Puffery. Retrieved 11 November 2008, from http://education. yahoo. com/reference/dictionary/entry/puffery
CIAdvertising. (2008). How advertising works. Retrieved 11 November 2008, from http://www. ciadvertising. org/studies/student/99\_fall/phd/jsjeong/theory3/adworks. html
Federal Trade Commission. (2008). Screening advertisements: A guide for the media. Retrieved 11 November 2008, from http://www. ftc. gov/bcp/edu/pubs/business/adv/bus36. shtm
Time for Change. (2008). Advertising responds to our needs. Retrieved 11 November 2008, from http://www. timeforchange. org/advertising
US Legal. (2008). Puffery law & legal definition. Retrieved 11 November 2008, from http://definitions. uslegal. com/p/puffery/