

It's a chicken fight as Nando's and Pedros tussle over ads

By  Karabo Ledwaba

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Nando's has complained to the Advertising Regulatory Board (ARB) about Pedros alluding to its brand in three advertisements.



Source: www.unsplash.com

The complaint

In the advertisements, actors disapprove of going to get food from a restaurant believed to be Nando's. In one of the advertisements a couple is at the beach enjoying the view of the ocean when the woman asks, "You thinking what I'm thinking?", and the man responds to her "delicious, juicy peri-peri smothered Nan...". She interrupts him and scolds him by saying they must get Pedros.

Nando's said the advertisements were riding on the reputation of its brand to sell Pedros products. It said Nando's had not given permission for Pedros to use its name in its marketing.

Pedros defence

Pedros which is not a member of the ARB; argued that “Nan” is not a registered trademark for Nando’s but belongs to Nestlé for its NAN formula.

Pedros said that Nando’s has become well known for using provocative advertising and controversial content to build its brand. They said the brand takes advantage of the advertising goodwill of other brands and discredits or disparages these brands, including the competition.

The advertiser said Nando’s has previously poked fun at other brands and public figures including KFC, McDonalds, Steers, Absa, Eskom, Julius Malema and Tito Mboweni.

Ruling

The ARB which made the ruling for the guidance of its members, said it is clear that in this context Pedros was using the term “Nan” in reference of Nando’s and that the Pedros ads were not a successful parody of Nando’s. It said Pedros is “riding on the back of its competitor’s reputation”.

“The Nando’s brand does indeed have a very clear and identifiable style and positioning, and is the frequent victim of copy-cat advertising, less as parody and more as “fake ads”. However, the commercials at hand do not have the look and feel of Nando’s advertising. They do not take a typical Nando’s set up and parody it; they have their own look and feel, in which they simply reference the Nando’s brand in order to communicate that their brand is an alternative,” said the ARB.

Read the full ruling [here](#).

ABOUT KARABO LEDWABA

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