

KTOP-TV 10
Office of the City Administrator

UNDERWRITING GUIDELINES

In keeping with its goal to encourage community participation and promote civic pride, KTOP-TV 10 will seek to involve the corporate citizens of Oakland in the support of the production of programming which is informative, educational and culturally diverse through the creation of underwriting opportunities. These opportunities will be non-commercial in nature, and will not endorse a particular person, belief, organization, product or platform. Furthermore, these opportunities will comply with all Council approved resolutions and ordinances. Conforming to the industry standard governing credit content, underwriting acknowledgements will fully and accurately disclose to viewers funding participants as well as production and consulting staff. Pre-existing/prepackaged underwriting acknowledgments will be reviewed to ensure that the elements of a particular credit taken as a whole are not deemed to be in conflict with these guidelines.

All underwriting shall be solicited and received with the express and written understanding that no such gift will serve (or be construed in any way to imply) a quid pro quo arrangement for securing contracts or any other action by any City agency. No individuals soliciting contributions shall decide any City contracts.

Underwriter Name or Logo

It is incumbent upon KTOP-TV 10 to preserve the unique quality of its non-commercial airtime. However, the City Council, KTOP-TV 10 and corporations recognize program underwriting as a valuable and effective market communication tool. Each underwriter will be identified in video by name and or/logo. If a logo by itself does not adequately disclose the identity of a funder then the funder's name should be stated in audio or video graphics.

Standard or existing logotypes, or logograms may be used to identify and underwriter. These include the symbols, emblems, or typefaces commonly used by a corporation or organization to identify itself. Logos that contain product images, slogans, or other content beyond the name of the company may be used, but will be evaluated in accordance with other considerations.

The identification of the funder in video, whether by text or logo, must be accomplished independently of the appearance of the funder's name or logo on a product displayed on the screen. In addition, the identity of the

funder must be readily apparent, and must not be obscured by any additional identifying information such as product depiction.

For purposes of giving a funder's name, terms such as "Corporation," "Inc.," etc. need not be used. For example, Acme need not be identified as "Acme Corporation." In addition, if the funding comes from a bona fide operating division or subsidiary of a corporation, that division or subsidiary may be identified by its logo or name as above. It is not necessary to identify the Parent Corporation, but it is permissible to do so; e.g., a credit may be given to Lincoln-Mercury or to the Lincoln-Mercury Division of the Ford Motor Company.

Association with Program Content

KTOP-TV 10 encourages the use of credits, which make an association between the underwriter and the content of the program. Viewer response to such credits is believed to be very positive, helping to create a positive reception of the underwriting company. Examples of such credits include:

"The spirit of exploration and discovery has helped make Fireman's Fund a leading insurer for over a century. The following program [adventure or travel log show] celebrates that spirit as it takes you on the adventure of a lifetime."

"Major funding for We the People is provided by Merrill Lynch, in celebration of the bicentennial of the U.S. Constitution, which provided the foundation for American freedom and liberty."

Products

To help identify a funder, one specific product or brand name item may be mentioned in audio and depicted in video. In addition, up to three generic product lines or target markets for a company's products may be mentioned in audio and identified by means of text or generic symbols in video (e.g., "maker of the VAX-111 computer [specific product] and other computer for business, government, an personal use [target markets].")

In order to maintain the non-commercial appearance of the underwriting credit, product depicted in video should not be shown in use or in operation (e.g. pair of shoes is acceptable; a person wearing the shoes is not). However, a minimal or incidental amount of operation or motion may be permissible, subject to the application of the following criteria by KTOP-TV 10 and the review panel:

The operation or motion may not be used to demonstrate the performance characteristics of a product

The operation of motion depicted must not be gratuitous

The motion or operation associated with generic symbols of products or services, including animated treatments, will generally be judged less strictly than motion or operation associated with specific, identifiable products. For example, an airliner shown flying but remaining motionless relative to the frame of the picture would be an acceptable depiction of product in motion

Packaged goods (such as food) may not be shown out of the package or container

User Action

Directives which verbally or typographically get the viewer to call, buy, see, think, consider, try, compare, etc., are not permitted.

Comparatives

Statements which verbally or typographically compare the product or service to anything else (e.g., the best, biggest, most, least, only, first, etc.) are not permitted.

Qualitatives

Statements which verbally or typographically involve subjective evaluation of quality (e.g., fine, great, creamy, speedy, etc.) are not permitted. However, certain statements of demonstrable quantitative fact are permitted (e.g., serving two million clients with \$3 billion in assets).

Underwriter Location

It is permissible to cite location, telephone number information and web site addresses. In the alternative, it may be generic reference to the area served (e.g., "serving the south," or "with stores throughout the Bay Area").

Slogans and Corporate Positioning Statements

Slogans, or corporate "positioning" statements that are used to identify a company are acceptable so long as they do not include any explicit, specific, or blatant call to action ("bring your car to us"); superlative description of qualitative claim about the company, its products, or its services ("the most intelligent car ever built"); direct comparison with other companies, or with other companies' products or services ("when a Cadillac just isn't good enough"); price or value information ("only \$160 down," "affordable"); inducements to buy, sell, rent, or lease ("six months free service when you buy"); or endorsements ("recommended by 4 out of 5 dentists"). Example of an acceptable slogan:

"Union Bank: The Business Bank"

"MCI Communications for the next 100 years"

"Merrill Lynch is bullish on America."

A number of corporations have developed slogans, specifically for non-commercial use, which underscore the partnership with viewers that is exemplified through underwriting.

An example of credits that incorporated such a slogan is:

"Major funding for this program is provided by the American Red Cross. Community education and disaster preparation help us to help each other in time of need."

In cases where a credit does not clearly violate the above standards, but is nonetheless questionable, KTOP-TV 10 will consider two other factors that may mitigate the promotional effect of a slogan:

The extent to which the slogan is an established part of a corporate identity system

The extent to which the slogan avoids specific product promotion

Corporate Mascots, or Symbols.

Mascots and other symbolic figures that have been developed as a corporate (rather than product) symbol and are used to identify the company are acceptable in either "live video" or animation. An example would be the Merrill-Lynch bull. Mascots or other symbolic figures that are used solely for product identification are not acceptable (such as Tony the Tiger for Kellogg's Frosted Flakes), unless they happen to appear on a specific product that is depicted.

Only one corporate mascot or symbolic figure may be used in a credit, and it must be accompanied by the company's name or corporate logo. In some instances, more than one mascot may be permitted if the standard depiction of a corporate logo. In some instances, more than one mascot may be permitted if the standard depiction of a corporate mascot always involves two or more figures such as the Budweiser Clydesdales). The mascot or other symbolic figure must not make any movements other than incidental ones (e.g., the Exxon tiger could twitch its tail but could not be depicted running) and may not make any sounds.

Use of People

Actors/ Actresses or corporate spokespersons may appear in a credit. Further, for the purposes of identifying a funder, employees of a company may be shown in a credit, provided, however, that if employees are used,

specific products may not be shown.

Music, Voice-over and Other Audio Elements

Music including music used to identify a corporation (such as jingle music that may have been used in a company's advertising) may be used in an underwriting credit, so long as the overall effect preserves the non-commercial character of the announcement. In general, this means that music used in a credit must be in keeping with the tone and feel of the program on which the credit appears, and must not dominate the voice of the announcer.

Lyrics sung to the music are not acceptable.

Sounds of a company's product (such as a car engine running or the sound of an airplane taking off) and sound effects intended to evoke the impression of a product in use are not acceptable.

The voice and delivery of the announcer should be consistent with the tone of the program, and should not be fast-paced, shrill or breathless

Underwriting Credit Length

Local underwriting credits for acquired programming are fifteen (15) seconds in length exclusive of any KTOP-TV 10 preamble. In many time periods, local "adjacency" credits may be up to thirty (30) seconds long exclusive of any preamble.

Government Agencies and Not-for-Profit Organizations

Regional, state and federal agencies, and not-for-profit organizations may utilize local underwriting credits that contain promotional material.