



## REPORT OF THE ADJUDICATOR

<b>WASPA Member (SP)</b>	Viamedia
<b>Information Provider (IP)</b> (if any)	Xcite Mobile
<b>Service Type</b>	Subscription
<b>Source of Complaints</b>	Competitor
<b>Complaint Number</b>	#0110

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### Complaint

The following Complaint, originating from a competitor of the SP, was received by the WASPA Secretariat on 12 January 2006:

“[I]n the television commercial it does not state clearly that it is a subscription service, they are selling their products as R1... however, this is only true if you subscribe for R5 per week. One off purchases are R5 the price is not correct. The font size and ad rules are not correct.”

The commercial in question is not identified and the complaint is vaguely stated.

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### SP Response

The SP's response is in general terms as relates to all of its adverts. This is unavoidable in the face of the failure of the Complainant to identify the commercial forming the subject of the Complaint. The SP does not have sufficient particularity to accurately assess the case which it is required to answer.

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### Decision

The failure of the Complainant to identify the relevant television commercial sails close to constituting an abuse of the WASPA complaints procedure and resources. Although the Complainant does not name the competitor by which she is employed it

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appears that, at the time the Complaint was submitted, she was employed as Marketing Director for Lucky Mobile.

The Complaint is dismissed. No finding is made as to the good faith or otherwise of the Complainant.