



## REPORT OF THE ADJUDICATOR

<b>WASPA Member (SP)</b>	Mira Networks
<b>Information Provider (IP)</b> (if any)	Bubblespot
<b>Service Type</b>	Subscription service
<b>Source of Complaints</b>	Anonymous
<b>Complaint Number</b>	4848
<b>Date received</b>	15 September 2008
<b>Code of Conduct version</b>	6.1

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### Complaint

An anonymous complaint from a fellow WASPA member was lodged via the WASPA website against the SP on 15 September 2008. The complaint refers to promotional material on the website situated at [www.bubblespot.com](http://www.bubblespot.com), which offers mobile content but does not display the price with the short code and keyword advertised.

The complainant alleges that the SP is in breach of section 6.2 of the WASPA Code.

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### SP Response

The SP has referred the complaint onto the IP which is an affiliate member of WASPA. The IP furnished a response on 17 September 2008. The response from the IP points out that the pricing information prescribed by the code is properly

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advertised when the user clicks through to another webpage from the “read more” link on the landing page.

The IP has subsequently changed the wording on the landing page by removing reference to the shortcode and keyword. A user will now be required to click through to the terms and conditions page if they want to access the service. The IP has provided screen shots of the relevant amended web pages.

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## **Sections of the Code considered**

### *6.2. Pricing of services*

*6.2.1. All advertised prices must include VAT.*

*6.2.2. All advertisements for services must include the full retail price of that service.*

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## **Decision**

The IP has committed a breach of 6.2 of the WASPA Code in that it has not displayed the prescribed pricing information. It would be possible for a user to access the service using the shortcode and keyword without clicking through to the terms and conditions of the service.

However, I am satisfied with the amendments that the IP has made to its promotional material.

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## **Sanction**

The SP / IP are issued with a formal reprimand and are advised to ensure in future that any promotional material for its services contains proper pricing information.