

As seen on *Advertising Week 360*

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Advertising 2020:

Truth, Change and Creative Storytelling

At the dawn of a new decade, the most critical issues facing the advertising industry involve the intersection of advertising and law. Confronted with rapid change fuelled by data and technology, and the vanishing absence of truth caused by political leaders, the industry must do what it does best – creative storytelling, whilst confronting the reality that facts and truth are too often relegated to the shadows.

So, what are the key issues that we face?

Truth and Facts

Consumers need accurate and non-misleading information to make informed choices about products and services.

In the ad lawyer's world, this is all about claims, substantiation, and truthful and fair statements and business practices. To competitors, it's about winning in the marketplace based on honest differences. To consumers, it's about trust – trust in brands and the sales marketplace.

We must use our expertise and effort to foster truth and reality. These principles are critical if advertising is to survive the rapid pace of change and transformation sweeping the industry, media, brands, agencies, and consumers.

Maintaining trust among consumers is an incredibly important piece.

Privacy, Technology, and Change

Privacy:

There is a seemingly unquenchable thirst for data-driven by a need to make advertising more efficient and effective in connecting consumers with relevant messages about products and services. The collection, retention, use, and sharing of data has led to the rise of privacy and privacy-related concerns.

2019 was the year of the states – California Consumer Privacy Act (CCPA) with its amendments and regulations; Nevada protecting its residents; New York strengthening data security; and more. All of this has added to the rise of a patch quilt of state and local rules making it untenable to operate a national, let alone a global, business.

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We expect more of the same for 2020, but on a faster and more aggressive scale. There will be new laws in more states; action to make current laws, like California, more restrictive; and more aggressive regulatory enforcement and consumer class actions.

Though the industry and government leaders have coalesced around a national privacy law – Privacy for America – there will be no new Federal law soon. The two big sticking points – the private right of action and pre-emption of state law – make compromise difficult.

In today's political climate and with an election year, we will have to wait for 2021.

Technology:

Technology has always fuelled innovation. The same is true for marketing and advertising.

The critical change that has fuelled much of what has occurred in advertising is due to faster and more effective wireless communication, and there's more to come with 5K. This has led to the rise of new media – digital and social; the development of new platforms and apps; the rise of AI (artificial intelligence), VR (virtual reality) and AR (augmented reality); the existence of streaming platforms and explosion in content; the adoption of blockchain; and much more.

Whether you're a brand, agency, media, content provider or consumer, technology and innovation satisfies current needs while leading to increased expectations of future needs.

Together, the industry can move forward by adopting change and then moving forward with a seemingly endless supply of innovations. This makes the advertising industry one of the most progressive and rapidly changing segments in our society, and there is no upper limit to this process.

Change:

So, what does this all mean?

Creative Storytelling

What makes advertising successful are well-told brand stories that directly drive that brand's goals and objectives. This much has not changed. Where it becomes more difficult is the need to present compelling creative stories, across multiple platforms with different technologies whilst adapting in real-time to changes in consumer tastes. This is the decade's fundamental creative challenge facing the industry. Without successful creative storytelling and a synchronized approach, all of what you read, see and hear becomes nothing but words and images.

Advertising 2020

I am optimistic that 2020 will be the dawn of a new golden age of advertising. Those who have criticized the industry and its processes will drift away to the annals of irrelevancy. What will remain and flourish is advertising with the highest level of creative storytelling and a clear focus on truth and facts made accessible by using data and balancing privacy, innovating through change, generating marketing efficiency and success and delivering consumer convenience and value.

This is what we need – Advertising for the Decade of the '20's.

