

Innovating and trading TV formats through brand management practices

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Abstract

Television formats form a major cultural export and yet, there is no protection under copyright law. Format copycats or imitators freely develop game, reality and talent shows based on successful format ideas. Despite this, the format industry has developed an ingenious and complex suite of market based practices that are allowing a thriving format industry to appear. This chapter discusses how TV format makers use brand management practices, in the absence of any legal solutions, to innovate and trade in their products. These include a number of practices such as: developing and managing the format brand identity, developing localized brand extensions and leveraging the producers brand reputation.

Keywords: TV Formats, Television, Brand Management, Media Brands, Branding, Corporate Brands, Brand Innovation, Brand Protection, Brand Extension, Format Rights.

1. Introduction

Television formats are a major cultural export with the international size of the market estimated to be more than € 9 billion (FRAPA, 2011), and where European nations such as UK and the Netherlands are at the fore-front of format innovation and trade - UK alone accounts for nearly half of all format hours broadcast worldwide! While innovating and trading in formats is a lucrative business, a substantial part of format market fails to monetize due to the prevalence of format imitation or copycatting (see Singh & Kretschmer (2012) for a fuller discussion on format imitation). Formats, unlike television programmes such as drama or a sitcom, are not neatly protected by formal intellectual property regulation regimes, and where regulatory mechanisms such as copyright are of particular importance for the regulation of most types of television production and signals, formats unfortunately fall into what the legal commentators call the ‘negative space of copyright’.

Television programmes are exchanged as cultural products in most parts of the world today. Of the numerous types of television programmes traded globally, popular ones include sitcoms, sports and business news programmes, family dramas, and the now ubiquitous television ‘format’ in various genres of reality, factual, game-show, and quiz. Moran and Malbon (2006, p. 20) defined a television format as the “set of invariable elements in a programme out of which the variable elements of an individual episode are produced”. Fundamentally, formats constitute processes of systematization of difference within repetition, tying together ‘television systems’, ‘national television industries’, ‘programme ideas’, ‘particular adaptations’, and ‘individual episodes of specific adaptations’. If a television programme is successful in one country’s TV market, its format is sold the world over, keeping the core idea and structure the same but localizing according to cultural tastes and sensibilities. Other types of television programming, including drama or variety is

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too expensive for risk averse television executives. Examples of a television formats include: game shows (*Who Wants to be a Millionaire; Deal or No Deal*), reality TV (*Big Brother; I am a Celebrity; Wife Swap*), entertainment (*Idols; X-Factor; Strictly Come Dancing*) and factual programmes (*Grand Designs*).

To offer a degree of stability of governance in such uncertain markets, the industry has evolved to devise ingenious market based approaches to the regulation of trade in formats. These utilize a complex mix of strategies based on 1) formalizing and transacting know-how, 2) distribution dynamics and norms based industry conventions and 3) brand management (Singh, 2010). *In this chapter, we articulate in detail, strategies and tactics from the 'brand management' group of strategies in innovating and trading television formats.* Central to a well-developed brand management strategy for a television format is a) the creation of a formalized brand and design identity, b) localizing the format to align with particular cultural, linguistic or operational requirements of a local market, c) innovating the format to align with audiences' changing needs in each localized market, and d) creating brand extensions and correct merchandising tie-ups.

2 TV formats and branding

The development of an interdependent global economy gave rise to the concept of the 'TV format brand'. The emergence of new economies (in Asia, Eastern Europe and Latin America) and the creation of large open markets (EU, NAFTA, and others); worldwide broadcasting deregulation by governments (resulting in increased Foreign Direct Investment by western companies in emerging markets); increased competition and creation of oligopolistic networks (such as the vertically integrated *Viacom, Newscorp* and *Liberty Global*); and technological developments (control over how the audiences consume media); all led to an increased fragmentation of television products consumption (Sinclair et al., 1996; Bellamy & Chabin, 2002). Picard (2003) noted that media firms adopted the notion of branding, following the integration of the media and communications industries at the end of the twentieth century, which had produced a fragmentation in audiences and their viewing habits. Malmelin and Moisander (2014) develop this further to conclude that having a strong brand in such highly competitive conditions can be regarded as a strategic asset for media firms. Thus, the branding of TV formats has been inevitable for television programme makers and distributors.

Brands also act as a means to build loyalty, differentiate programmes and ultimately develop trust in a media firm. De Chernatony and McDonald (2003) simplified the complex entity of a brand as a cluster of functional and emotional values with the functional being what the customers receive and the emotional how they receive it.

Hence, a brand exists to help consumers differentiate between various goods or services and choose the right alternative; an option not existing when goods and services are sold as a commodity.

Historically, *branding in television* was thought of in terms of design, logo, channel idents and other visual or aural aspects of 'on-air marketing' which broadcasters used to engage with audiences. Lambie-Nairn (1997), considered one of the pioneers of television branding in the UK, laid emphasis on the broadcaster's channel brand to evolve a clear and attractive brand identity to effectively convey the nature and rationale of programming. Gaggio (1999) had proposed broadcast branding, especially in interactive TV environments which offered scope for multiple channels, to be a separation of a channel from its competition using a distinctive and relevant on air personality. Heyer (1999) argued that branding channels in an era of audience fragmentation gave the advertisers a good fit for offering their own brands as the channel brands usually had pre-established loyalty and connection with a particular type of audience.

One of the most important elements of building a brand is through the brand identity which must be defined and managed as the brand continues to grow. Stipp (2012) noted that a strong brand

identity is essential for corporate financial success and long-term growth. The use of graphic identity ‘bibles’, identity charters, books of standards and visual identity guides, all help firms forward the key message or core substance of their brands (Kapferer, 2000). Thus, the deepest values of a brand are represented to the outside world through codes of outward recognition. Format developers have come to understand that if they wish to present viewers with a recognizable format in the midst of close imitations, they need a consistent brand identity which will help the format create a lasting brand image in viewer’s minds and thus an imitation will not be able to occupy this space, leading to better exploitation opportunities for the original format. Indeed, Lis and Post (2013) posit that creating a strong brand identity and image in the mind of audiences is the primary reason for them to consume specific television format content. Already we see a paradigm shift in multi-channel digital television where content creators such as format makers make greater profits than the content conduit i.e. the broadcaster. This position is further amplified when we see the exponential growth of smart IPTV (internet protocol enabled televisions) where there are no traditional broadcasters but online video shop windows such as *Hulu*, *Netflix*, *Amazon Prime Video* or *Flippis*, thereby increasing the importance of a developed format brand identity (see also McDowell, 2015).

3 TV formats and brand extensions

Riezebos (2003) provided certain advantages of embarking on a branding strategy; such as financial (higher sales, higher margins and guarantees of future income); strategic (strong position in relation to competition, less dependence on any one supplier, and, ability to attract highly skilled managerial and technical staff); and finally managerial (ability to introduce brand extensions or endorsements and potentially exploit its brands in the international market).

Since service brands, such as television programming, are based on a series of performances, they run the risk of being considered as commodities (McDonald et al., 2001). To overcome this, programme brands are made tangible – so that customers can be presented with a favourable set of perceptions. For example, the *BBC* regularly produces books and memorabilia of their major programmes brands – this helps to build an enhanced relationship with the viewer. Children’s channels are particularly keen on extending their programmes brands in other domains. Such channels have destination viewers (not casual surfers but viewers who seek a programme or channel for a particular programme). Even the *BBC*’s presence in the children’s programme market gives it very strong brands (*Postman Pat*, *Peppa Pig*, *Mike the Knight*) and the brand presence is fortified by being available for the children across media platforms (see Paus-Hasebrink & Hasebrink, 2015). These brands are licensed into various consumer goods domains to maximise the presence of the brand and earn additional revenues.

From a format developer’s point of view, brand extensions and merchandising can provide ancillary benefits which help build a format brand and also protect it from imitators. Extending the format into consumer goods such as children’s merchandising in water bottles, lunch boxes, school events, and other cultural goods such as ‘branded quiz shows’, ‘video and computer games’, books and ‘behind the scenes’ documentaries on DVDs – all of these creates an atmosphere where a potential imitator is dissuaded from entering the same brand space in the market.

4 TV formats brand and channel fit

The digital multi-media, multi-channel world of today presents format producers with a number of key challenges that can be overcome with the development of branding strategies. Some of the key challenges include how to address: the strategic shift of television viewing from a time based paradigm to a content based paradigm; advertiser brands shifting from borrowing value from existing content and appealing to a captive audience, to creating advertisements with the inherent value of content and more recently, the global distribution of television content due to developments

in IPTV platforms. Whilst value is created by using programme concepts such as advertiser funded programming, advertorials, shopping channels, interactive sites and gaming propositions the role of branding in a digital media world is now a strategic consideration.

In marketing television products, a brand has a special meaning for viewers. It is represented as positioning the programme in terms of values, viewers associations, distinct markings, a logo, graphic guidelines, programme packaging, and a general look. *As such, the programme brand acts as a contract and promise of quality between a broadcaster and its viewers* (see Siegert, 2015 or Lobigs, 2015). The fit between the broadcaster and programme's brand identity reassures viewers in so far as it acts as a way for them to situate themselves in contemporary media.

A television format has to carve out a visual niche as it competes with its carrier's (the broadcaster) visual appeal. A format with a well-defined visual brand identity stands a better chance at being successful if there is a clear fit between the format and its carrier; alternatively, a lack of fit can lead to cognitive dissonance in the viewer's mind (Singh, 2004).

5 Producer's corporate brand and reputation

The corporate brand has been identified to assist in safeguarding and differentiation of a media firm's products. *Corporate brands help to maintain credibility of product differentiation in the face of imitation and homogenization of products and services, and as Chan-Olmsted (2011) noted, they are strategic assets that help media firms compete in online and offline media markets and provide extra economic value to the company's products and services.* Further, while product brands mainly target consumers, corporate brands enter and stay as images in the minds of organizational and community members, investors, partners, suppliers and other stakeholders (Hatch & Schultz, 2003). Fournier (1994) had earlier claimed that there is a great need for the comfort and reassurance of a long-term relationship when the consumer experiences greater insecurity, therefore the presence of a corporate brand identity is valuable as it provides a certain degree of trust as audiences value media brands that have longevity.

Historically, corporate branding was rarely used by commercial television broadcasters, who essentially targeted product advertising at mass audiences. However, the emergence of new media delivered a multi-channel world which compelled broadcasters to establish a clear brand identity to attract audiences and build loyalty (Chan-Olmsted & Kim, 2001). This attempt at building a clear identity and trust is also important for a production house in the business to business market space where it is engaging with a broadcaster. This is because production houses specialize in making a programme or format, but do not usually have access or the distribution infrastructure to reach viewers. A consciously developed brand identity of the production house and a resultant reputation evolved over time ensures that broadcasters and their representatives (often known as buyers in the industry) trust the production house to deliver innovative new TV formats that will be successful in the market place.

From a formats developer's viewpoint, a producer with a developed corporate identity will be able to outperform format imitators simply because of the reputation and trust of the corporate brand has with TV format buyers. For example, a *BBC* format will less likely be imitated since it will instantly be recognized as 'an imitation of the *BBC*'. Thus, television buyers are less likely to buy the imitation, if other factors such as availability and price are kept aside for a moment.

6 TV format brand innovation

Innovating the brand can help to protect formats and their ideas from being copied by close competitors. Where the original creator of the product or service keeps innovating and recreating the successful elements of a brand, either by maintaining its leadership in performance or increasing its

benefits, it gives copycats a moving target (Kapferer, 2000). Though the first innovator in a market runs the risk of becoming the ‘absolute’ reference for the innovation, therefore having its innovation copied, first mover advantages outweigh losses from being a sitting target. For example, *Celador* UK continually kept innovating its world famous format *Who wants to be a Millionaire*, sold to more than 104 countries, through a centralized UK based consultancy system, localized innovations, and brand extensions (or spin-off) programming (FRAPA, 2011).

There can be several strategic advantages accruing to a format maker by embarking on a branding strategy. A differentiated and valuable brand in the eyes of the consumers has little to fear from competing brands as a strong brand creates ‘consumer inertia’ which acts a barrier for consumers to change their buying habits easily (Riezebos, 2003). De Chernatony and Macdonald (2003) speak of brands existing at various levels in a certain hierarchy, i.e. at the generic, expected, augmented and potential levels. At the generic level, brands identify only functional and descriptive values of the product and hence this can give rise to a lot of ‘me-too’ competitors. At the expected level, though brands again seek to address certain functional values (such as motivation to buy), it offers more opportunity to differentiate oneself from the competition by offering a reasonable satisfaction to differing motivations. The real opportunity to gain a competitive foothold over competition arrives with the brand moving on to the augmented level – here the producer add certain benefits which are not available with any other closer competitor, thereby providing a greater respite from competition, at least till the time the competition catches up at each stage. When augmentation becomes standard, the search for the potential level kicks in. This involves going back to the drawing board and completely re-engineering the brand’s main offerings, thus, format makers need to ‘keep the target moving’ through brand innovation rather than seek to protect status quo. Here, imitation is a given and the best way in which a branded format can survive is to keep innovating and adding additional elements to attract newer viewers towards itself and away from similar competitors. The requirement is to beat the imitators at their own game. Further, speed is essential in branding. Since brands are well-known entities, a format originator/distributor should not wait for copycats to materialise – a proactive strategy is to launch in as many markets, as fast as possible, to protect formats from copycats.

7 Discussion

This chapter argues that in the absence of a television format right under copyright law, producers need to develop a brand management strategy in order to successfully protect and exploit their TV format. The key elements of a successful brand strategy should include: a) the creation of a formalized brand and design identity, b) localizing the format to align with particular cultural, linguistic or operational requirements of a local market, c) innovating the format to align with audiences’ changing needs in each localized market, and d) creating brand extensions and correct merchandising tie-ups.

A format brand consists of a set of propositions which a brand manager creates around a television programme such as a game show, a reality show, etc. These propositions are expressed across several planes, for example ‘personality’ or ‘tonality’ or ‘attributes’ describing the values and the core benefits of the programme to the audience while trying to differentiate it from competitors. Format brand managers manage the brand by analysing all ‘touch points’, such as the on-screen broadcast, the online activity and the ancillary activity, where an audience member interacts with the brand, so that the consumer proposition recognized earlier is consistently communicated at each point. Format brand managers insist that format buyers persistently follow brand guidelines, communicated through style guides and format bibles. They ask producers to seek approvals before deviating from these in local productions. Since a brand identity provides a perceivable difference to similarly propositioned products within the same market, a format with a developed brand identity has a better potential to be recognized by buyers and audiences - giving it ‘a sheath of protection’ through which imitators cannot attack. Imitation of a branded format is easily noticeable and traceable in the format industry.

Market research ensures that format brands remain relevant for a territory's viewers by using focus groups with audiences and surveys with broadcasters. This can lead to changes in format elements such as type of contestants, the show's hosts and judges, the structure of the show, audition methods, etc. Such responsiveness to audiences' changing needs leads to reinvigoration of the format brand as time progresses. This keeps formats abreast of imitators by constantly innovating and adapting them.

Localizations have been shown to be used by format managers to create the right perceptions in and achieve better reception from licensee territory audiences. Several types of localisations have been identified - cultural, visual, nationalistic and business (Singh, 2010). Cultural localisations, respecting the fact that different cultures respond to different sets of emotions and decision making patterns, modify a format to reflect the same. Examples include patterns of public display of affection, threshold and style of humour, notion of politeness vs. rudeness, linguistic style, religious sensitivity, as well as the on-screen acceptance of glamour. Visual localisations appear due to differences in visual stimuli such as acceptability of certain colours. Nationalistic localisations induce loyalty based feelings in those territories where nationalistic overtones help position the local version as truly local, though in some territories the opposite is done to avoid any negative connotations with a nation's or a region's history. Business localisations modify a format's prize mechanism due to affordability of a licensee or due to the territory's established scheduling and programme length patterns. Although an indigenous imitator is capable of intrinsically incorporating a few localizations, it cannot pre-empt the original's planned localisations and may replicate too much of an original, just to be true to a successful format. Thus, localisations work eventually in an original's favour by defeating an imitation.

A format brand can be licensed and extended into online and mobile interactivity, live events, and merchandising partnerships across diverse consumer product categories such as children's toys, board games, books, DVDs, and cosmetics. The need to spread the risk of investing in a format with multiple revenue generation 'touch points' as well as its propensity to generate audience loyalty across these touch points benefits the format brand. Such a calibrated approach to driving format synergies cannot be easily replicated by an imitator.

Corporate brands of format developers are trusted by buyers and this trust cannot easily be replicated by imitators. Originating from a well branded corporate developer assists a format in being protected. Further, buyers at trade fairs associate certain format genres with a certain country; for example positive attributes accrue to UK and the Netherlands that are known in the industry as innovators of formats in a certain genre. Moreover, countries such as USA which have an accrued positive brand value for popular culture, gain from nation branding in format genres such as musical talent shows and reality television, which uses objects of American music or celebrity culture. Here, a format's American version may sell better than even a locally produced version. Other nations are known to utilize skills and expertise such as language, programming or engineering, perfected in unrelated traditional industries, to market their format to buyers. The above brand values cannot be simply imitated by a licensee territory imitator.

Finally, format promotions are considered a legitimate tactic of protecting formats. Handing out promotional materials and organizing events around the launch of a format helps to identify the true originator of a format. This legitimizes a format brand as belonging to a certain developer and thereby stamps a mark of ownership on the format in the eyes of the trade community. Any subsequent attempt by an imitator to promote a similar format is considered an imitation in the industry, and seen in conjunction with the complex mix of strategies (referred to earlier in the chapter), it deters format imitations.

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