Of proprietors and poachers: Fandom as negotiated brand ownership

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Abstract:
The concept of textual poaching positions fans as active audiences who borrow from, embellish and remix textual materials as part of their consumption. However, this potentially invasive behaviour is often at odds with the rights and demands of intellectual property holders. Through case studies of alternate reality games, filesharing networks, Twitter hashtags, and football (soccer) fandom, this forum article brings together four scholars to discuss the inherent tension between brands and fannish consumer practices. In particular, the authors focus on the interplay of power and control between the two parties, debating the extent to which fandom might be considered a negotiated form of brand ownership.

Introduction
Developed by Michel de Certeau (1984) and built upon by Henry Jenkins (1992), the concept of 'textual poaching' positions fans of media texts as active audiences who borrow, remix and manipulate textual materials as part of their consumption. However, this propensity towards reconfiguration and creativity is often at odds with the rights and intentions of a fan object's producer, author, or owner. How, then, does this relationship between producer and consumer function when the 'regular, emotionally involved consumption' of fans meets intellectual property? (Sandvoss, 2008: 8).

Much of the academic work that currently exists on branding is aimed at strategists and marketers, and accordingly tends to take a 'practical, checklist approach' to the subject (Schroeder and Salzer-Mörling, 2006: 3). This forum article aims to redress that imbalance,

bringing together four media academics to put forth scholarly provocations on the subject of fandom and brands. In particular, the discussion centres on notions of ownership and control, debating the extent to which fandom can be considered a negotiated form of brand ownership.

Promotional Alternate Reality Games and Brand Ownership

Stephanie Janes

Alternate reality games (ARGs) have been used to promote films including *A.I.* ('The Beast') and *The Dark Knight* ('Why So Serious'). They create a narrative mystery set in the world of the film, which is then broken down and scattered across the Internet. Players work collaboratively in online communities to reconstruct that narrative using everyday media channels such as email, websites, phone calls, voicemails, and larger scale live events, like scavenger hunts. They offer an immersive, entertaining experience; an alternative to traditional advertising which consumers can increasingly bypass. One *BusinessWeek* article dubbed these strategies 'Brand Democracy' (Kiley, 2005: 63-64), suggesting that ARGs allow consumers to have more say in the way brands are communicated.

But does brand participation also mean brand ownership? ARGs highlight that, in Hollywood in particular, things are slightly more complicated. In *Brand Hollywood*, for instance, Paul Grainge refers to 'total entertainment', which he describes as an aesthetic as well as an industrial principle; a move by media conglomerates to create films not as discrete entities, but as part of an 'inhabitable' narrative world (2008: 55-59). ARGs may form part of this experiential universe, with players invited to become, for example 'citizens of Gotham'. They also allow for some element of agency within that world, and real-time interaction between players and producers, or 'puppetmasters' (PMs). During 'The Beast', players ultimately changed elements of the game's narrative, resulting in an understanding of the brand not purely shaped by marketers, but by their lived experiences of the game and the impact of their collaborative actions. Furthermore, the rules of the game, including conditions of play for PMs, were developed by players, rather than producers.

The effect of this often intensely emotional experience is a 'fannish' relationship with the brand, a strong sense of empowerment and ownership, and the evolution of a community which sees distinctions between marketing content 'for us' (i.e. the fans), and marketing for a wider, uninitiated audience. This emotional connection to the brand, which Jenkins calls 'affective economics', arguably creates a basis for increased consumer power (2006: 61).

However, the industrial principle behind 'total entertainment' is one of near total ownership for conglomerates. Viewers are seemingly invited to participate with the brand, but to do so in ways which do not threaten the intellectual property of the media

conglomerate. Players create narratives with the content fed to them by PMs and are rarely invited to create their own. 'Why So Serious' allowed players to inhabit Nolan's Gotham, but not to construct it.

This is a highly negotiated kind of brand participation in comparison with the activities of filesharing and remixing communities discussed below by Crisp. In fact, it could be argued that the controlled release of trailers, stills etc as rewards via ARGs uses players as an influential marketing channel through which producers are still able to control their content. Hickman notes that 'official' Twitter hashtags represent an attempt by proprietors to control discussion around their brands, but that the open nature of the platform means this control is limited. ARGs might represent a similar attempt at controlling chatter around a property, but using a platform which allows for a more structured kind of participation than Twitter. This is not, however, to diminish the significance of the creative and emotional nature of that participation.

It is often presumed that the holy grail for media fans is 'ownership' of media texts. ARG communities appear to be acutely aware that the games are pieces of advertising, first and foremost, but if the quality of the storytelling and gaming experience is high enough, it seems they are willing to exchange a more concrete form of brand ownership for the illusion of inclusion.

Whose Film is it Anyway?: Filesharers and Negotiated Brand Ownership

Virginia Crisp

Continuing the discussion from Janes' reflection on ARGs, I would like to consider how the actions of certain groups of online filesharers further complicates the status of fans as actual or perceived brand 'owners'. As Arvidsson points out, the productivity and creativity of consumers is exploited during the corporate process of 'brand management', thus, the value of a brand is not restricted to the facets of the product itself but 'is also based on values, commitments and forms of communities sustained by consumers' (2005: 70). Yet, while fans are encouraged to participate in the brand on certain levels, their active participation is curtailed when it comes to more invasive manipulation of the product through acts such as filesharing, fansubbing or modding.

The fan participation of filesharers takes place in a realm that is unregulated and unsanctioned by the conglomerates but nonetheless arguably extends the brand experience. As Janes points out above, with 'total entertainment', viewers are asked to participate with the brand, but only in ways that do not threaten the intellectual property of the copyright owner. In this sense fan participation is managed and, with their consent,

employed as a marketing device. But what of fan ownership in instances when fan activities actively disrupt the proprietorial rights of the holders of intellectual property?

Within certain filesharing communities there are pockets of behaviour where groups of people go further than simply facilitating the sharing of files, instead they actively participate in the conversion, construction, amendment and review of those files. Thus, I am specifically referring to communities that collectively source copies of films to rip, then convert these to alternative file types, provide subtitles if necessary, upload them within a closed community and then perfect them in response to community feedback. As I have discussed elsewhere, these particular (and admittedly niche) fans feel they are 'adding value' through this process and become protective over what they perceive to be their own intellectual property, particularly in instances when community rips are used to create bootleg copies of films for sale on eBay (Crisp, 2012).

This is an extreme example, but ties in with Guschwan's observation that while fans may experience a strong sense of ownership of the brand, this is not recognised in any legal sense, and their brand-creating labour is at no point legally acknowledged (2012). Indeed, ownership and property are at the forefront of discussions (academic and otherwise) of filesharing. However, if we ask to what extent fan consumption can be a negotiated form of brand ownership then we must confront the fact that increasingly, ownership is not about physical possession but rather refers to the ability to exploit something for profit. For filesharers and/or fans, it is arguably the case that ownership is still linked to ideas of production and creativity, not dictated by those in possession of certain legal rights. So in one sense, fans do experience a form of negotiated brand ownership, but in another sense (a more legally binding one) that ownership is, as Janes suggests, an illusion.

Twin-screening: folksonomy and hegemony in the use of hashtags

Jon Hickman

The practice of 'twin-screening' (watching film or television whilst discussing it on social media) makes public some audience responses which would hitherto have been private utterances. This access has been embraced by scholars (Anstead & O'Loughlin, 2010; Deller, 2011) and media producers (Matthewman, 2012).

It is hard to argue that the practice of twin-screening is an act of textual poaching as generally we can see that the audience response is to treat the broadcast programme as a *social object* (MacLeod, 2012): the programme is simply the thing that brings them together to talk, a conversational MacGuffin in many ways. Nonetheless, we can see a proprietary approach to twin-screen emerging as producers and broadcasters seek to brand second screen activity and then incorporate it back within the first screen.

The use of hashtags is a key part of twin-screening practice. A hashtag is any text within a tweet that is appended with the symbol **#**. Hashtags often function as metadata,[1] labelling a tweet, and positioning it within the context of a wider conversation. Twin-screening audiences can use hashtags in this way, making their tweets visible to anyone who is tracking the hashtag and also clarifying the context of their tweet, for example:

Who's on tonight #bbcqt

means: 'Who's on the panel for tonight's BBC *Question Time*?'.

Twitter is a relatively open platform,[2] and as such hashtags can be understood to be folksonomic (Vander Wal, 2007; Mathes, 2004): they can be started by anyone and are given legitimacy and value only through use and widespread adoption; there is no imposed structure of hashtags, and no limitation on what tags can be used. Despite this, we increasingly see TV programmes that suit twin-screening promoting an 'official' hashtag, either via on-screen graphics or through spoken cues, and in many cases both. A hashtag promoted within the first screen is elevated to canon, and is thus placed above other folksonomic hashtags that might emerge; here, the intervention of the brand owner forces hegemony rather than folksonomic agreement upon the use of hashtags in the second screen.

Yet, the proprietor cannot truly own this conversation because the platform continues to be open. They cannot police or moderate content addressed to the hashtag, and so must embrace 'warts and all' commentary on the contents of the first screen. This does allow for aberrant behaviour but never really for poaching. In fact, it can pay some important dividends. Unfiltered, the hashtag stream allows a producer to collect a broad response to the first screen without recourse to a focus group. Which characters are popular? Which storylines worked? Which guest generated the most talk, good or bad? Which talent show act should be given more prominence next week? Tools exist to track all aspects of the second screen including peak flows of activity and sentiment. These metrics might soon be playing a major role in shaping editorial policies and storylines, while also helping commercial broadcasters to demonstrate more granularity to advertisers about the audience. I suspect this is happening already.

Bluebirds Over?: Football fandom as cultural brand ownership

Richard McCulloch

Football (soccer) clubs are deceptively ephemeral fan objects that see continuous changes to even their most tangible elements. Personnel are hired, fired and transferred elsewhere,

crests (logos) and kit designs are regularly updated, and entire clubs can move to another location. This means that, although professional sports teams are clearly brands in the sense that they are 'businesses that capitalise on deeply-felt identities' (Guschwan, 2012: 20), their boundaries as texts are so fluid that the idea of ownership becomes extremely complex. If we cannot accurately pinpoint what a football brand is, or where exactly it resides, how can we meaningfully discuss the extent to which its ownership is negotiated or shared?

Underpinning Janes, Crisp and Hickman's arguments above, is the notion that strong contemporary brands benefit from participatory fan behaviour, but that intellectual property holders often attempt to control the form this behaviour takes. As Crisp puts it, brand ownership today is less to do with physical possession and more about 'the ability to exploit something for profit'. Unsurprisingly, this shift has led to a number of prominent fallouts between brand producers and fans of popular culture texts (Brooker, 2002: 79-100). This is particularly true of football, where recent years have seen a strong correlation between financial investment and success on the pitch (Tomkins et al, 2010), and a concurrent upturn in fans protesting the ruinous decisions of club owners (Reade, 2011; Mac Giolla Bhain, 2012). Such disputes, however, are not always over financial issues.

In June 2012, motivated by a desire to expand into the increasingly lucrative Asian markets, Cardiff City football club (nicknamed 'The Bluebirds') announced an imminent and controversial process of rebranding. Chief among these developments were a change in the team's official colour (home kit, stadium seats etc.) from blue to red, and a redesign of the club crest, as their iconic bluebird symbol was replaced with a red dragon (Anon., 2012). Crucially, Cardiff fans did not respond negatively because they doubted the strategy's commercial potential, but because they saw the object of their fandom changing beyond recognition.

Like most successful brands, football clubs serve as spaces for the projection of fan identities, so much so that supporter and club can be seen as one unit, rather than the club functioning as a fan object (Sandvoss, 2003: 30-38). Thus, rebranding and other corporate activity carry significance beyond their merit as business decisions, since they are capable of disrupting this otherwise powerful bond between club and fan. With the tangible constituent elements of football brands in a state of perpetual flux, history and tradition are hugely important. Seen in this way, it is hardly surprising that Cardiff fans should react so strongly to the club's rebranding, as the bluebird symbol and the colour blue were arguably the only two features of the brand that appeared to be constant and untouchable.

Fandom might not allow football supporters the opportunity to physically possess their club or exploit it for profit, but in many ways their behaviour performs a similar role to branding. As Jonathan Gray notes, most commercial products function as blank canvases onto which adverts and other promotional materials project images, stories, histories and characters (2010: 310-311). This effect is so pronounced in football that fan consumption practices not only constitute 'added value', but a form of cultural ownership (Johnson, 2005). Andi Thomas, for instance, argues that a football club is best thought of as 'a folk

story, passed down through its fans'. Proprietors, in his analogy, play an important practical role as 'stewards', but are essentially only borrowing the club from a community, contributing little in the way of cultural value (Atkinson, 2012: 48m18s).

This view might never be legally recognised, yet I see no reason why proprietary definitions of branding are intrinsically more useful than cultural studies approaches, especially in discussions of the meaning and significance of brands to their consumers. Ultimately, branding comes down to storytelling (Holt, 2004: 3), and so, like the social objects to which Hickman refers, professional sports teams are nexus points where the work of multiple 'authors' converges. Proprietors may have the financial clout and public profile to ensure their stories are told at a higher volume, but few people will listen if everyone else is whispering behind their back.

Conclusion

The four provocations presented here approach the relationship between fandom and brands from a range of perspectives, yet collectively they raise several issues that might be taken up by future scholarship in this area. Chief among these is the notion that corporate activity is only one contributor to the cultural life and value of a brand, and not necessarily the most important.

It is tempting to see this as a recent development, possibly tied to technological innovations. Indeed, Janes, Crisp and Hickman's discussions all highlight ways in which transmedia storytelling, the Internet and social media have amplified fans' capacity to participate with the brands they love. McCulloch's focus on football clubs, however, suggests that brands have in many ways always been subject to 'multiple social authorings' (Coombe, 1998: 38). Digital technologies may not have reinvented the relationship between businesses and their consumers, but they do at least appear to have thrown this relationship into sharp relief; branding is a fundamentally discursive process.

Importantly, marketers themselves are now readily acknowledging this view, as multi-billion dollar corporations restructure to enable themselves to engage more effectively with their consumers. Brand strategists have clearly not given up on trying to influence (potential) consumers, but there is a growing acceptance that they are no longer the ones in control; rather, they are participants in a 'conversation'.[3]

Existing scholarship has been guilty of underestimating or altogether ignoring the role that consumers (and especially fans) play in investing brands with meaning. However, redressing this imbalance should not simply consist of positive discrimination. If brands exist anywhere, it is in the process of negotiation that takes place between producers and consumers. Holistic methodologies thus need to be developed – approaches that account for *both* parties, as well as other external and contextual factors such as media discourses or market economics. Brands do not operate in vacuums, and it is imperative that we recognise this in our research. Perhaps, then, questions of negotiated ownership, authorship or control might best be answered by beginning with the spaces and

communities where brand 'conversations' take place. This strikes us as the kind of analysis that fan studies as a discipline should, in theory at least, be well suited to.

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References:

Anon. (2012) 'Cardiff City FC confirm rebranding with new red shirts', BBC Online, 6 June [WWW Document] URL http://www.bbc.co.uk/news/uk-wales-south-east-wales-18337392. [visited 4 January 2013]

Anstead, Nick and Ben O'Loughlin, 'The Emerging Viewertariat: Explaining Twitter Responses to Nick Griffin's Appearance on BBC Question Time', *UEA School of Political, Social and International Studies*, 1.1, February 2010.

Arvidsson, Adam, 'Brands: A critical perspective', *Journal of Consumer Culture*, 5.2, 2005, pp. 235-258.

Atkinson, Neil et al. (2012) 'Citytalk: American Pie', The Anfield Wrap, 27 July, [Podcast] URL http://www.theanfieldwrap.com/2012/07/citytalk-american-pie/. [accessed 4 January 2013]

Brooker, Will, *Using the Force: Creativity, Community and Star Wars Fans*, London: Continuum, 2002.

Coombe, Rosemary, *The Cultural Life of Intellectual Properties: Authorship, Appropriation and the Law*, Durham: Duke University Press, 1998.

Crisp, Virginia, '"BLOODY PIRATES!!!* shakes fist*": Reimagining East Asian film distribution and reception through online filesharing networks', *Journal of Japanese and Korean Cinema*, 3.1, 2012, pp. 65-72.

De Certeau, Michel, *The Practice of Everyday Life, Berkeley: University of California Press*, 1984.

Deller, Ruth, 'Twittering On: Audience Research and Participation Using Twitter', *Participations*, 8.1, 2011, pp. 216-45.

Grainge, Paul, *Brand Hollywood: Selling Entertainment in a Global Media Age*, London: Routledge, 2008.

Gray, Jonathan, 'Texts That Sell: The Culture in Promotional Culture', in Melissa Aronczyk and Devon Powers (eds.), *Blowing Up The Brand: Critical Perspectives on Promotional Culture*, New York: Peter Lang, 2010, pp. 307-326.

Guschwan, Matthew, 'Fandom, Brandom, and the Limits of Participatory Culture', *Journal of Consumer Culture*, 12.1, 2012, pp. 19-40.

Holt, Douglas B., *How Brands Become Icons: The Principles of Cultural Branding*, Boston: Harvard Business School Press, 2004.

Jenkins, Henry, *Convergence Culture: Where Old and New Media Collide*, New York ; London: New York University Press, 2006.

-----, *Textual Poachers: Television Fans and Participatory Culture*, London: Routledge, 1992.

Johnson, Derek, 'Star Wars Fans, DVD, and Cultural Ownership: An Interview with Will Brooker', *Velvet Light Trap*, 56, Fall 2005, pp. 36-44.

Kiley, David, 'Advertising Of, By, And For the People', *Businessweek*, 3944, 2005, pp. 63-64.

MacLeod, Hugh (2007) 'Social Objects for Beginners', 31 December [WWW Document] URL http://gapingvoid.com/2007/12/31/social-objects-for-beginners/, [visited 6 November 2012].

Mac Giolla Bhain, Phil, *Downfall: How Rangers FC Self-Destructed*, Edinburgh: Frontline Noir, 2012.

Mathes, A (2004) 'Folksonomies - Cooperative Classification and Communication through Shared Metadata' [WWW Document] URL http://www.adammathes.com/academic/computer-mediated-communication/folksonomies.html. [visited 8 October 2012].

Matthewman, Scott (2012) 'Britain's Got Talent's Second Screen', *The Stage*, 6 May [WWW Document] URL http://blogs.thestage.co.uk/tvtoday/2012/05/britains-got-talents-second-screen/ [visited 8 October 2012].

Reade, Brian, *An Epic Swindle: 44 Months with a Pair of Cowboys, the Near Death of Liverpool FC*, London: Quercus, 2011.

Sandvoss, Cornel, *A Game of Two Halves: Football, Television and Globalization*, London: Routledge, 2003.

-----, *Fans: The Mirror of Consumption*, Cambridge: Polity, 2008.

Schroeder, Jonathan E. and Miriam Salzer-Mörling (eds.), *Brand Culture*, London: Routledge, 2006.

Tomkins, Paul, Graeme Riley and Gary Fulcher, *Pay As You Play: The True Price of Success in the Premier League Era*, GPRF Publishing, 2010.

Vander Wal, T (2007) 'Folksonomy Coinage and Definition' [WWW Document] URL http://vanderwal.net/folksonomy.html. [visited 7 October 2012].

Notes:

¹ Not all hashtags are used as metadata. Often writers deploy the hashtag as something of a stage direction, to denote something of their mood: 'I miss one day of chemistry and I'm so behind. #angry'. Another use that doesn't conform to metadata use is a satirical form that plays upon the syntax for comedic effect. For example, the tweet, 'Just saw a girl actually wearing a tiny hat like in Nathan Barley #DanAshcroftwasright', has not been written with the expectation that there is a wide conversation around the hashtag #DanAshcroftwasright. The text in the tag here is a callback to an old TV show and isn't a current topic on Twitter.

² Certain activities can lead to accounts being suspended by Twitter, and individual users can choose to block other users (meaning they will not see messages from that user). However, beyond this, there is no moderation of conversation, and no structural way to control or direct conversations.

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