

Cameo Settles with 30 AGs Over Endorsement Issues

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Cameo is a platform where people can pay celebrities to record videos with scripted personal messages. Jimmy Kimmel recently used the platform to see if he could get George Santos to say silly things and then Kimmel aired those videos on his late night show. Santos later [sued](#) Kimmel, accusing him of copyright infringement, and the two are battling that out in court. But today, it's Cameo that finds itself in a legal battle.

In 2020, Cameo launched a service called Business Cameo that allows companies to pay celebrities to make videos endorsing their products. According to a bipartisan group of 30 state Attorneys General, though, Cameo failed to take steps to ensure the celebrities disclosed that their videos were paid messages. If you read this blog, you already know that's required under the FTC's Endorsement Guides and state laws.

To settle the AG investigation, Cameo agreed to implement procedures to ensure that endorsers "clearly and conspicuously" disclose any material connections they have to the companies they promote. (Like the FTC's Endorsement Guides, the settlement goes into detail about how disclosures should appear so that they are easy to notice and difficult to miss.) The procedures that Cameo agreed to implement include:

- Maintaining a watermark or similar disclosure system to indicate that a video was paid for;
- Requiring users and endorsers to acknowledge that they need to comply with rules related to endorsements;
- Establishing detailed procedures for monitoring videos to ensure compliance; and
- Establishing a system that will allow third parties to report videos that don't comply.

In addition to changing its practices, the company will pay \$100,000 to the states, which was reduced from \$600,000 because of their inability to pay the full amount.

Although there are some elements of the settlement that are unique to Cameo's business model, most of the themes are broadly relevant to other influencer campaigns. For example, companies need to instruct influencers to clearly make the required disclosures. What's clear to marketers is usually not the same as what's clear to regulators, so pay attention to what ends up in settlements like this one and in [warning letters](#).

Good instructions aren't enough, though. You should also establish procedures to monitor posts and address problems. As part of the settlement, Cameo agreed to establish detailed procedures that include reviewing videos from problematic advertisers, as well as a random sampling of other videos. Those procedures may not make sense for you, but make sure you have something in place that's

reasonable for your campaign.

The world of influencer marketing is getting more complicated, but you can contact us if you need help figuring out the rules. You can also contact us if you'd like to see if our celebrity [podcast narrator](#) would be willing to record a Cameo message for you. According to Jimmy Kimmel, George Santos charged up to \$500 per message. Be warned that our narrator is worth a lot more (and has access to better legal representation.)