



BRAND NEWS

Team 3

Aayush Singh

Lauren Sliger

Griffin Titan

Kevika Sharma

Clement Carey



“WE MAKE MAGIC”

HINT 1


This brand is synonymous with happiness, magic, and unforgettable memories

HINT 2

It started with a character that is now known worldwide, with round ears and a squeaky voice

HINT 3

This brand is often associated with timeless characters like a mermaid, a beast, and a lion king



IT IS

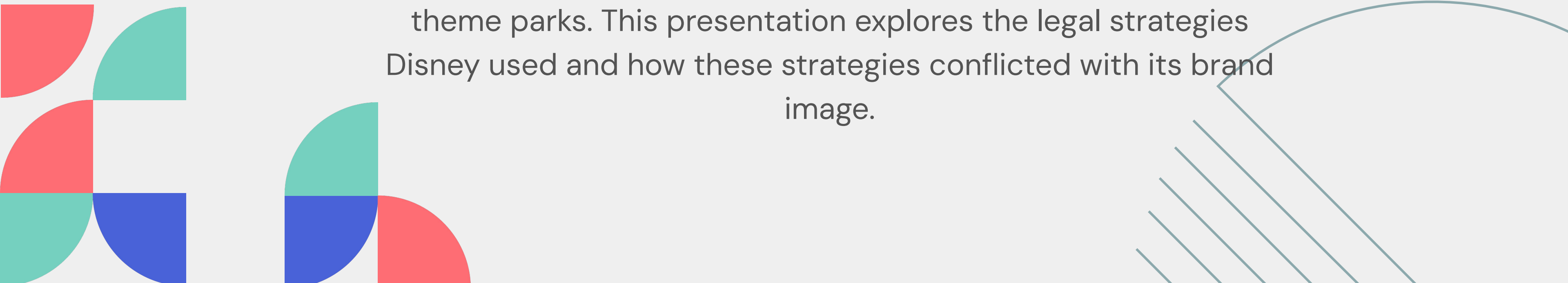
The
WALT DISNEY
Company



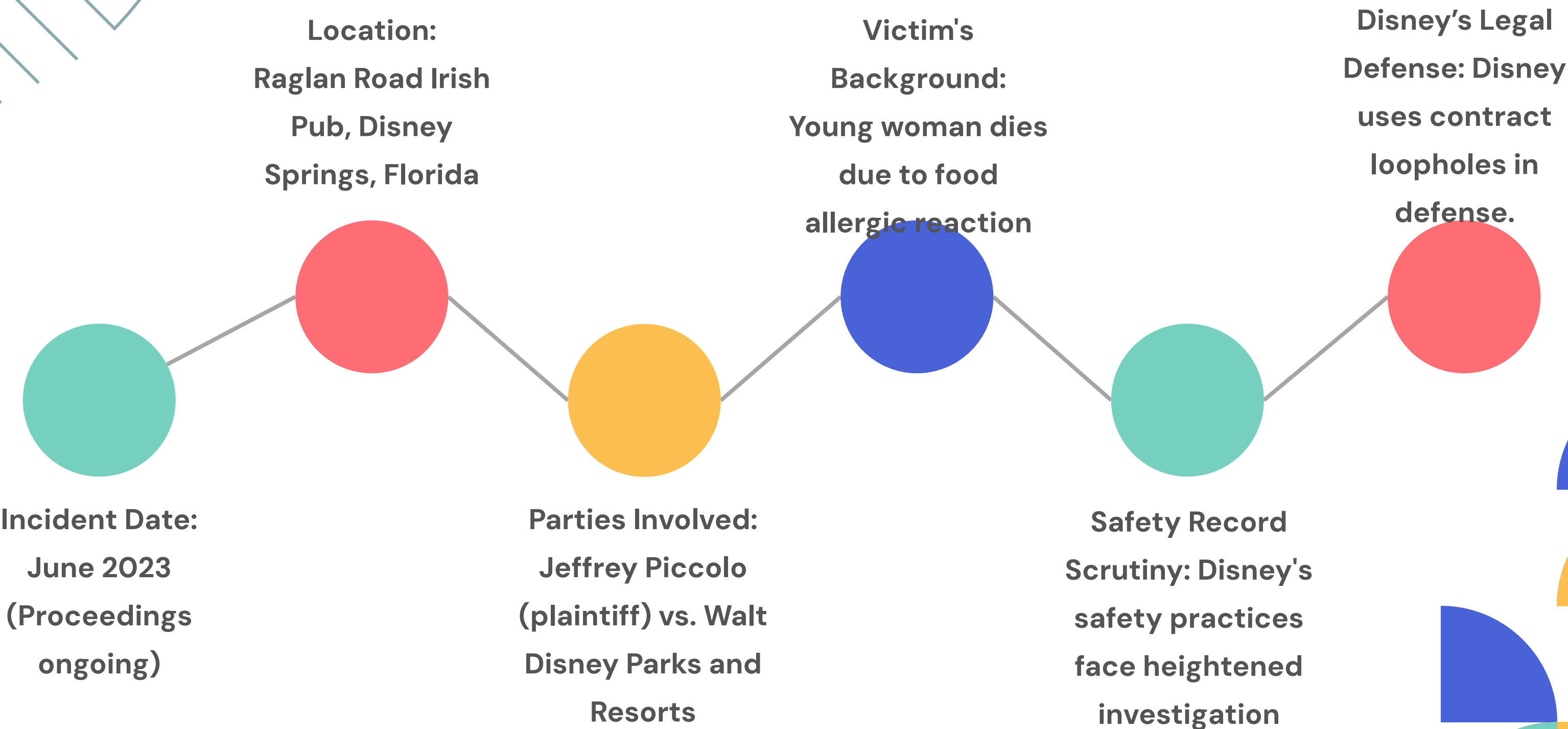


DISNEY'S LEGAL DILEMMA

In August 2024, Disney faced a wrongful death lawsuit linked to a tragic accident involving an allergic reaction at one of their theme parks. This presentation explores the legal strategies Disney used and how these strategies conflicted with its brand image.




BACKGROUND OF THE CASE



DISNEY'S LEGAL STRATEGY: DISNEY+ SUBSCRIPTION AND TERMS & CONDITIONS



- **Arbitration Clause:** Disney argued that the dispute should be resolved through arbitration based on terms agreed upon through Disney+ and Disney's website purchases.
 - **Background:** Disney's use of their Disney+ subscription terms in the lawsuit. These terms include:
 - Arbitration Clause: Requires disputes to be resolved through arbitration.
 - Class Action Waiver: Prevents combining claims into a single class action.
 - **Application to the Lawsuit:** Disney argued that these terms should apply to the wrongful death case, aiming to limit exposure and control the legal process.
 - **Controversy:** The tactic was criticized as it leveraged consumer agreements in a high-profile legal issue, conflicting with Disney's brand image of fairness.
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MEDIA RESPONSE


PUBLIC PERCEPTION

BRAND IMPACT

Disney faced heavy media criticism after using Disney+ subscription terms to argue for arbitration in a wrongful death case. This legal maneuver was widely seen as an attempt to avoid accountability, drawing negative headlines and sparking discussions about corporate overreach.

Public backlash has been strong, with many perceiving Disney's approach as dismissive of the tragedy. The company's attempt to use unrelated contract terms in such a sensitive case has been viewed as prioritizing legal defenses over compassion, damaging its public image.

Disney's initial strategy threatens its family-friendly brand, as it appeared to sidestep responsibility in a customer's death. This could erode trust and increase scrutiny on Disney's practices, especially around food safety and legal transparency, with potent long-term effects on customer loyalty.





DISNEY'S RESPONSE

Disney backtracked on request to toss wrongful death suit over Disney+ agreement – won't push for arbitration and will agree to see the matter move ahead in court

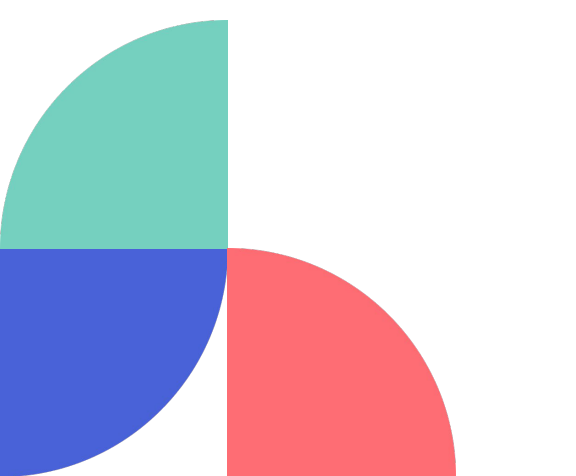
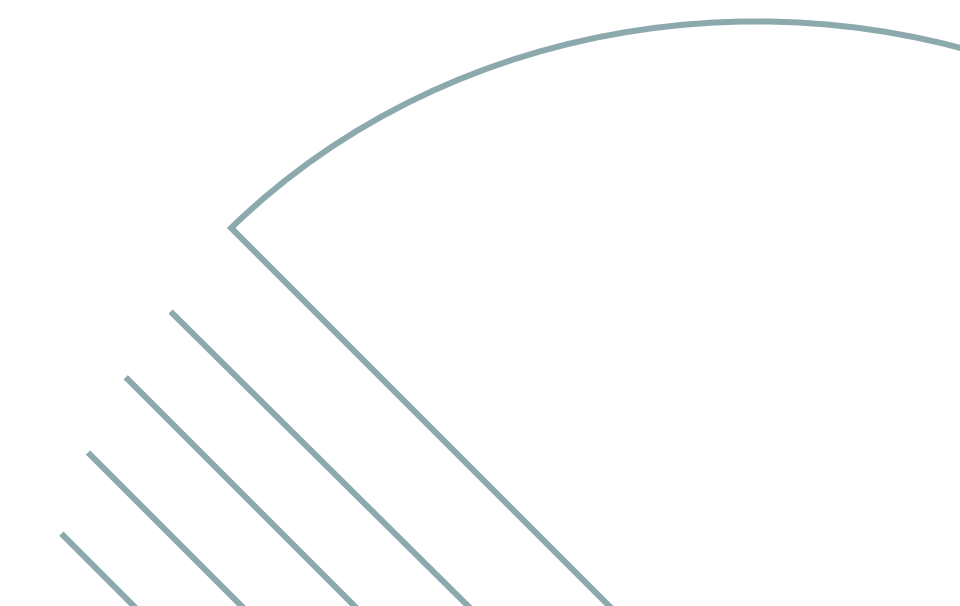
"At Disney, we strive to put humanity above all other considerations. With such unique circumstances as the ones in this case, we believe this situation warrants a sensitive approach to expedite a resolution for the family who have experienced such a painful loss"



– Josh D'Amaro, chairman of Disney Experiences



What Disney could have

- done?
- Public Acknowledgment and Empathy
 - Proactive Safety Enhancements
 - Transparency
 - Restorative Actions
 - More Compassionate Legal Tone
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THANK YOU

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