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Honors and Awards

2011 *Chambers USA*
 Award for Excellence
 Winner



Top-Tier Firm *Legal 500*



Special Alert: Planning to attend ERA's D2C Conference in Las Vegas? Venable friends and clients, who have not yet registered, are eligible for a free exhibit hall pass or \$100 discount off an all-access pass. To take part in this offer, you must register by September 9. [Click here](#) to register. We look forward to seeing you at the show!

News**World Trademark Review Ranks Venable Among the Top 20 Trademark Filers**

Venable LLP was recently listed among the top 20 trademark filers in the United States by *World Trademark Review* (WTR) magazine. The September issue of WTR, published in association with Corporation Service Company, ranks the top 100 firms, top 100 companies and top 50 attorneys. Venable's [Mark Harrison](#) was ranked 17th among trademark practitioners and Venable was ranked 17th among law firm trademark practices.

World Trademark Review is the only global magazine solely dedicated to international trademark law and practice.

FTC to Raise DNC Registry Access Fees on October 1

Last week, the FTC last week announced that it is raising the rates telemarketers will pay to access the National Do Not Call Registry, effective October 1, 2011. The increase, the first since 2009, is being enacted as required by the Do-Not-Call Registry Fee Extension Act of 2007.

All telemarketers making calls to consumers in the United States are required to download the numbers on the Do Not Call list to ensure they do not call consumers who have registered their phone numbers. The first five area codes are free, and organizations that are exempt from the Do Not Call rules, such as some charitable organizations, may obtain the entire list for free. Telemarketers must subscribe each year for access to the Registry numbers.

[Go here](#) to view the FTC's press release.

DOT Dings Jet Blue for Airfare Ad Disclosures

On August 30, the Department of Transportation (DOT) fined JetBlue Airways \$50,000 for violating federal aviation laws and the Department's rules prohibiting deceptive price advertising in air travel.

DOT found that during early 2011, JetBlue advertised fares on several websites that did not provide information about additional taxes and fees. Later in the reservation process, information about additional taxes and fees was displayed, but not in a clear and conspicuous manner as required by law.

Under current DOT rules, any advertising that includes a price for air transportation must state the full price to be paid by the consumer, including all carrier-imposed surcharges. Government-imposed taxes and fees assessed on a per-passenger basis may be stated separately but still must be clearly disclosed in advertisements

Last week, DOT's announcement of its new consumer rule received tremendous media attention. Most coverage focused on increased compensation for involuntary "bumps" and other enhancements of consumer rights. However, the rules also contain significant changes for companies that advertise airfares. Under the new rules, every advertised air fare must include all government taxes and fees. In addition, airlines must prominently disclose all optional fees on their websites, including fees for baggage, meals, canceling or changing reservations, upgraded seating and any other fees.

[Go here](#) to read DOT's press release about the Jet Blue fine.

Top-ranked in *U.S. News and World Report*



For more information about Venable's award-winning Advertising and Marketing practice, please visit our website at www.Venable.com/Advertising-and-Marketing.

Nestle Waters Hit With Late Fee Class Action

Nestle Waters North America Inc. this week became the subject of a class action suit alleging that the company breaches its contracts with water delivery customers by charging late fees during payment grace periods, and by assessing an excessive late fee of up to 75 percent or more annually.

The lawsuit was filed by a Nestle Waters customer on August 31, 2011 in the U.S. District Court for the District of New Jersey. The complaint alleges that Nestle Waters' own policy provides a 10-day grace period after the due date for customers to make payments, and further provides that the company may assess a late fee only after the end of the grace period. According to the complaint, Nestle Waters has flouted its own policy by routinely assessing a \$15 late fee during the grace period, often times on the first day of the grace period.

The plaintiff is seeking an award in excess of \$50 million.

[Go here](#) to view the press release announcing the suit.

Upcoming Events

2011 ERA D2C Convention - Las Vegas

September 13-15

Visit Venable at Booth 909. For a free show hall pass or \$100 off an all access pass, [click here!](#)

Anti-Counterfeiting & Brand Protection - New York City

September 26-28

[Marcella Ballard](#) will be speaking on the panel *Protecting your Brand Globally through IP Best Practices*.

NAD Annual Conference 2011 - New York City

October 3-4

[Thomas A. Cohn](#) will be speaking on social media issues including burgeoning issues such as publicity rights, blogs, branded entertainment, endorsements and testimonials as well as providing guidance on understanding regulatory developments and best practices.

[Go here](#) to subscribe to Venable's Advertising and Marketing RSS feed and receive the Venable team's insight and analysis as soon as it is posted.

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