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An *American Lawyer* Global 100 law firm, Venable serves corporate, institutional, governmental, nonprofit and individual clients throughout the U.S. and around the world. Headquartered in Washington, DC, with offices in California, Maryland, New York and Virginia, Venable LLP lawyers and legislative advisors serve the needs of our domestic and global clients in all areas of corporate and business law, complex litigation, intellectual property, regulatory, and government affairs. To learn more about Venable's capabilities, please see our complete list of [practice areas](#).



Chambers USA recognized fifteen of Venable's [Corporate Group](#) attorneys in national and regional categories in their 2011 rankings.



Two Venable [Corporate Group](#) partners were ranked in the 2011 edition of *Chambers Global*.



Legal 500 recognized fifteen attorneys from the [Corporate Practice Group](#) in 2011.

Honors and Awards**Charles J. Morton, Jr. Named Venture Capital Lawyer of the Year**

Best Lawyers recently announced its 2012 "Lawyers of the Year." Four Venable attorneys from the Baltimore and Washington, DC offices were recognized as "Lawyers of the Year" by Best Lawyers. Charles Morton, Co-Chair of Venable's [Corporate Practice Group](#), was named the Venture Capital Lawyer of the Year.

Newsletters and Alerts

Venable attorneys produce periodic alerts and newsletters covering a variety of topics and practice areas. For your convenience, we have assembled below a collection of the latest alerts and newsletters from November 2011. To view the full text of an article, please click on the title of the piece.

California Transparency in Supply Chains Act of 2010 (SB 657)

On January 1, 2012, the disclosure requirements of the California Transparency in Supply Chains Act of 2010 (Senate Bill 657) take effect. These requirements apply to all retail sellers or manufacturers doing business in the state of California with USD 100 million or more in annual worldwide gross revenues.

Advertising News & Analysis - November 3, 2011**News**

- Venable's Advertising Practice Named "Law Firm of the Year"
- "Company Doe" Lawsuit Changes CPSC Database
- Senate Unveils Bill to Revitalize USPS, Stave off Five-Day Delivery
- Santa Monica, CA Files Criminal Charges Against Goldline International in Bait-and-Switch Case
- Federal Court Tosses Facebook "Friend-Finder" Class Action
- Veterans' Charity, Telemarketer Resolve Oregon AG Charges

Analysis

- The Legal Perils, Pitfalls and Puffery of Advertising Body Shaping Benefits

Advertising News & Analysis - November 10, 2011**News**

- NAD Issues Guidance on Offering Products in Exchange for FB "Likes"
- FTC Dings Children's Social Network for COPPA, Privacy Policy Violations
- Hoodia Settlement Highlights Trends in FTC Enforcement
- DAA Announces Principles for Online Data Collection

Analysis

- Advocacy Groups Ask FTC to Investigate Frtio-Lay's Marketing to Teens

Advertising News & Analysis - November 17, 2011**News**

- State AGs Urge FTC to Craft Tougher Four Loko Requirements
- White House Urges Industry to Take Lead on Online Privacy

Analysis

- California Transparency in Supply Chains Act's Effective Date Looming
- Royalties: Are You Getting Your Fair Share?



Eleven of Venable's [Corporate Group](#) attorneys were recently selected by their peers for inclusion in *The Best Lawyers in America*® 2012.



[James J. Hanks, Jr.](#), a Partner in Venable's [Corporate Practice Group](#), was named the *Best Lawyers* Baltimore Corporate Governance and Compliance Lawyer of the Year.



[Charles J. Morton, Jr.](#), Venture Capital Law - Baltimore, Co-Chair of Venable's [Corporate Practice Group](#), was named the *Best Lawyers* Baltimore Venture Capital Lawyer of the Year.

Cause-Related Marketing in the Crosshairs: What the New York Attorney General's Breast Cancer Investigation Means for Nonprofits and Their Corporate Supporters

The New York Attorney General has recently crossed into what some consider to be the hallowed ground of charities, by launching an investigation into cause-related marketing of "pink ribbon" charities. In its own recognition of National Breast Cancer Awareness Month, the New York Attorney General's Office is examining charities and commercial partners that are involved in a cause-related marketing campaign representing that a portion of the sales of a product or service will support breast cancer research or screening. Overall, this initiative highlights the focus of the NY AG in preventing charitable fraud in breast cancer charities. This action also demonstrates that organizations, both charities and marketers, engaging in increasingly popular cause-related marketing campaigns should pay close attention to state regulatory requirements for these activities.

CFPB: October Roundup

Even though the Consumer Financial Protection Bureau does not yet have a director, the Bureau remains hard at work. With this Alert we identify the important steps that the Bureau undertook in October. Specifically, the CFPB:

- Published its Supervision Manual (1.0);
- Expanded its "Know Before You Owe" program;
- Addressed student loans; and
- Announced the head of the Office of Older Americans.

Gifting and Other Tax Planning Opportunities in 2011

The Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010 provides for increased gift, estate and GST tax exemptions through the end of 2012. There is a rumor that the 12-member Congressional Super Committee may reduce this exemption sooner, even as soon as January 1, 2012. The Super Committee is working on legislative proposals to reduce a \$1.5 trillion deficit over a 10-year period. Thus, there is a concern that some part, if not all, of the \$5 million exemption may be reduced, resulting in missed opportunities for making gifts. Based on discussions with persons on Capitol Hill, Venable's legislative team believes there is no basis for this rumor.

IP Buzz - November 2011

News

- Monetizing Intellectual Property to Improve Financial Performance
- The Legal Perils, Pitfalls and Puffery of Advertising Body Shaping Benefits
- Royalties: Are You Getting Your Fair Share?
- Indian Affidavits of Use: A Tool for Effective Trademark Prosecution and Enforcement

The New D.C. Nonprofit Corporation Act Takes Effect on Jan. 1, 2012: Everything You Need to Know to Comply

The coming New Year will soon usher in a new legal landscape for District of Columbia nonprofit corporations. On January 1, 2012, the new District of Columbia Nonprofit Corporation Act of 2010 goes into effect. To ensure that your organization is ready to comply, now is the time to review your organization's articles of incorporation, bylaws, and governance policies and practices for any necessary changes.

Personal Conflicts of Interest: New FAR Challenges for Contractors

On November 2, 2011, the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council issued a final rule amending the Federal Acquisition Regulations by requiring contractors to identify and prevent personal conflicts of interest for contractor employees. Contracting officers are instructed to include the clause found at FAR 52.203-16 in all contracts, task orders and delivery orders issued after the effective date of December 2, 2011. Overall, the rule retains the general requirements established in the proposed rule for contractors to develop procedures identifying PCIs in their workforce and to prevent these conflicts of interest by not assigning or allowing employees with PCIs to work under a contract. The rule still requires contractor employees to execute non-disclosure agreements.

R.J. Reynolds Tobacco Co. v. FDA

The November 7, 2011, decision of Judge Richard J. Leon of the United States District Court for the District of Columbia preliminarily enjoining FDA's final rule requiring cigarette companies to place graphic and textual warnings on cigarette packages (*R.J. Reynolds Tobacco Co. v. United States Food and Drug Administration*, Civil Case No. 11-1482 (D.D.C.)) confirms that regulated entities should scrutinize agency rules from the perspective of the free speech implications of the rules.

U.S. Authorities Weigh in on Emerging Derivatives Model for Global Transport Sector

On October 13, the FMC issued a proposed rule that would clarify and ease Agency regulation of service contracts and NVOCC service arrangements ("NSA"). Under the current regime, the terms of such contracts or NSAs either must be explicitly stated or must be "contained in a publication widely available to the public and well known within the industry."

Virginia Supreme Court Recognizes the Evolving Nature of Non-Compete Law

On November 4, 2011, the Virginia Supreme Court issued its opinion in one of the two non-compete cases it agreed to hear this term. The Court in *Home Paramount Pest Control Cos., Inc. v. Shaffer*, reaffirmed that a non-compete cannot contain a blanket restriction on working for a competitor. Rather, a non-compete can only restrict post-employment activities that are competitive to the former employer; and a narrow reading of the provision will not save it.

News from Europe

Venable frequently partners with Field Fisher Waterhouse, a European firm with four offices and 350 attorneys. The award-winning team of Field Fisher Waterhouse attorneys is a leader in sectors such as technology and communications, hotels and leisure, media and public sector work. For the latest legal updates from a European perspective, please click on the article title below.

Important News on Tax-Advantaged Venture Capital Schemes

The UK Government issued a consultation paper in July proposing big tax changes to the UK's venture capital scheme landscape. In a nutshell, a brand new tax relief, called "BASIS", is proposed, to encourage business angel investment for start-up businesses, and the existing Enterprise Investment Scheme (EIS) and Venture Capital Trust (VCT) schemes will be extended and simplified.

Upcoming Events

We would also like to highlight upcoming Venable events that you may be interested in attending. Please click on the event title for additional information.

Detecting and Preventing Fraud and Embezzlement in Your Nonprofit Organization

December 6, 2011
12:00 p.m. - 2:00 p.m. EST

Nonprofit organizations are highly susceptible to employee fraud and embezzlement. This program will discuss why that is so and what typically causes employees to embezzle or defraud an organization. We also will review recent criminal actions brought against nonprofit employees, highlighting the different types of fraud and embezzlement to which nonprofits are most susceptible, and will conclude with simple, inexpensive steps any organization can take to prevent and detect fraud and embezzlement.

Seminar/Webinar
Venable LLP
575 7th Street, NW
Washington, DC 20004

Why Do I Need to Know About the New Patent Law?

December 6, 2011
1:00 p.m. - 2:00 p.m. EST

After six years of starts and stops and extensive debate, Congress enacted the Leahy-Smith America Invents Act ("AIA") on September 16, 2011. The final Senate vote was an impressive 89 to 9 vote in favor of passage. The new legislation represents the most dramatic change to U.S. patent law since 1952, including fundamental changes to the law of obtaining and challenging patent rights. As an introduction to the new law, [Clifton E. McCann](#) and [Lars H. Genieser](#) will answer the question, "Why do I need to know about the AIA?"

Webinar Only

The New D.C. Nonprofit Corporation Act Takes Effect on Jan. 1, 2012: Everything You Need to Know

December 19, 2011

12:00 p.m. - 2:00 p.m. EST

Is your nonprofit organization ready? The coming new year will usher in a new legal landscape for District of Columbia nonprofit corporations. On January 1, 2012, the new District of Columbia Nonprofit Corporation Act of 2010 goes into effect. To ensure that your organization is ready to comply, now is the time to review your organization's articles of incorporation, bylaws, and governance policies and practices for any necessary changes, both to meet new mandates and take advantage of new opportunities.

Seminar/Webinar
Venable LLP
575 7th Street, NW
Washington, DC 20004

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