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Honors and Awards

Top ranked in *Chambers USA*
2013

**Analysis**

October 16 is Coming...Is Your Company Ready?

October 16, the effective date of the Federal Communications Commission's (FCC) rule changes requiring consumers' "prior express written consent" for certain telephone calls and texts made using an "autodialer," is upon us, writes Venable partner **Ellen T. Berge** in a recent post to Venable's advertising law blog. In her post, Berge analyzes the requirements of the new rules, as well as "work-arounds" that simply will not work.

[Click here](#) to read the full text of Berge's blog post at Venable's advertising law blog, www.allaboutadvertisinglaw.com.

Are Disclaimers a Dying Breed?

The Federal Trade Commission's (FTC) recent *.com Disclosure* guidance reiterated – and in some instances revised – its previous guidance about the prominence and clarity of disclaimers. In the October edition of the *DRMA Voice* Venable partners **Amy Ralph Mudge** and **Randal M. Shaheen** write that the FTC's guidance, in combination with a recent National Advertising Division (NAD) decision, could spell trouble for the use of disclaimers in advertising.

[Click here](#) to read the *DRMA Voice* article by Mudge and Shaheen.

[Click here](#) to view a presentation by Venable partners **Jonathan L. Pompan** and **Ellen T. Berge** detailing the changes in the updated *.com Disclosure* guidance.

It Just Got Easier to Do the Right Thing, in Maine at Least

Yesterday was a great day for cause marketers, at least those doing business in Maine, writes Venable attorney **Kristalyn J. Loson** in a recent post to Venable's advertising law blog. On October 9, the state repealed its onerous commercial co-venturer laws, which regulated cause marketing campaigns. Such laws, Loson writes, vary from state to state, subjecting marketers and charitable partners to a patchwork of state-by-state requirements.

[Click here](#) to read the full text of Loson's post on Venable's advertising law blog, www.allaboutadvertisinglaw.com.

[Click here](#) to read the text of the "Act to Streamline the Charitable Solicitations Act," which repealed Maine's commercial co-venture laws.

No Matter Who's Watching, Some Ads Just Aren't for Kids

Venable partners **Amy Ralph Mudge** and **Randal M. Shaheen** write, in a recent post to Venable's advertising law blog, that a pair of decisions by the Children's Advertising Review Unit (CARU) reiterate that products posing a safety risk to kids cannot be advertised during child-directed programming, even if adults are clearly the intended audience. In both cases (one involved television and the other internet advertising), the self-regulatory body cited its guidelines prohibiting such advertising.

[Click here](#) to read the full text of the post by Mudge and Shaheen on Venable's advertising law blog,

Law Firm of the Year, National Advertising, *U.S. News and World Report*, 2011-2012



Top-Tier Firm *Legal 500*

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

www.allaboutadvertisinglaw.com.

[Click here](#) to read CARU's guidelines for advertising to children.

Upcoming Events

Webinar: "Resolving Class Actions: A Panoply of Challenges and Creative Settlement Solutions in Light of New Developments in Class Action Practice" for Class Action Insurance Consultants

October 22, 2013
2:00 p.m. - 3:30 p.m. ET

Join Venable partner **Roger A. Colaizzi** for this complimentary CLE webinar for Class Action Insurance Consultants, hosted by HB Litigation Conferences. Learn strategic case selection techniques, creative settlement tactics, and tactical responses to class action complaints, motions to dismiss, and class certification. In addition to a discussion of recent, key decisions regarding commonality and ascertainability, and how these decisions affect the sustainability of class action cases, this panel will provide a thought provoking examination of the class action landscape.

[Click here](#) to learn more and register.

Webinar: "Class Actions: New Developments & Approaches for Strategic Response" for the ABA Section of Antitrust Law, Private Advertising Litigation Committee

October 25, 2013
12:00 p.m. - 1:00 p.m. ET

Attend this interactive webinar hosted by the ABA Section of Antitrust Law, Private Advertising Litigation Committee, and hear Venable partner **Roger A. Colaizzi** and other panelists discuss recent and significant developments in class action practice, including the key decisions regarding ascertainability and commonality – *Thomasson v. GC Services* (Sept. 2013), and *Carrera v. Bayer* (Aug. 2013). Learn creative approaches to responding to class actions, including settlement tactics and determining "take rates." In addition to providing plaintiff and defense perspectives, this panel will discuss class action insurance to help bolster your class action toolkit.

[Click here](#) to learn more and register.

ad:tech New York – New York City

November 6-7, 2012

ad:tech spans the full ecosystem of advertising, digital marketing and technology that moves business forward. Please join Venable attorneys at our booth (#1006) on the show floor.

[Click here](#) to register and receive 25% off all passes when you enter discount code **NY13EXH25**.

35th Annual Brand Activation Association Marketing Law Conference – Chicago

November 18-20, 2013

Venable is proud to sponsor the BAA Marketing Law Conference, featuring the nation's leading speakers from the Marketing and Advertising Law Bar and from major brands and prominent regulators. Venable partner **Melissa Landau Steinman** will present a session on gift cards, coupons, and loyalty programs. Joining her as speakers at the conference are Venable partners **Po Yi**, who will join a roundtable to discuss legal aspects of partnering with the media on integrated marketing programs, and **Amy Ralph Mudge**, who will address how to respond when the FTC challenges advertising.

Please join Venable at these sessions and at our reception at the House of Blues on November 18.

[Click here](#) to learn more about the BAA Conference and to receive \$100 off your registration as a Venable guest when you enter discount code **VENABLE100**.

[Click 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.

Visit Venable's advertising law blog at www.allaboutadvertisinglaw.com.

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