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In This Issue

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Honors and Awards

Law Firm of the Year, National Advertising, *U.S. News and World Report*, 2012 and 2014

Analysis

A Little Free Advice on Quality "Sale" Disclaimers

Venable partners **Amy Ralph Mudge** and **Randal M. Shaheen** write in a recent post to Venable's advertising law blog why the disclaimers encountered during a school-age niece's impromptu Thanksgiving art sale illustrated best practices in "buy one, get one" sales disclaimers. They also share an additional six questions all marketers should consider when making sales claims.

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

What are the Odds? CARU Takes Aim at Boy Scout Sweeps

The Boy Scouts of America (BSA) failed to earn their compliance merit badge last month when the Children's Advertising Review Unit (CARU) took exception to recent advertisements for a sweepstakes in BSA's *Boy's Life* magazine.

The problem, write Venable attorneys **Melissa Landau Steinman** and **Maura A. Marcheski** in a recent post to Venable's advertising law blog, was that even though BSA included the "Many Will Enter, Five Will Win" odds statement in the full rules and on the entry website, it was not included in the ad announcing the sweeps. This case, write Steinman and Marcheski, is a reminder that odds must be clearly, simply, and properly disclosed when advertising sweepstakes and contests.

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

[Click here](#) to read CARU's press release about the decision.

What Happens When Marketers Ignore NAD?

National Advertising Division (NAD) recommendations are non-binding suggestions made to an advertiser, write Venable partners **Amy Ralph Mudge** and **Randal M. Shaheen** in the third in a series of blog posts about NAD procedural issues on Venable's advertising law blog. However, if an advertiser does not participate in the process, or does not agree to comply with a recommendation, NAD procedures mandate referral to "the appropriate government agency," typically the FTC. Although the FTC has the power to compel marketers to change behaviors, the Commission, at least in one recent case, simply "encouraged" the advertiser to return to NAD and participate in the process.

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

Upcoming Events**Patent Infringement Litigation Summit – San Francisco, CA**

December 9-10, 2013

Venable partner and co-chair of the Patent Infringement Litigation Summit **Justin E. Pierce** will moderate a panel at the two-day conference titled "Making Sound Business Decisions: Considerations in Evaluating Whether to Litigate or Settle." During this panel, attendees will learn how to assess plaintiff claims, the



Top ranked in *Chambers USA* 2013



Top-Tier Firm *Legal 500*

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potential costs of litigation, and other factors to determine the best course of action.

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

ERA Network L.A. – Santa Monica, CA

January 9, 2014

Venable is a proud sponsor of the Electronic Retailing Association's (ERA) Network L.A. reception. Access new direct-to-consumer marketing business contacts and join the who's who of the direct response industry for an evening of cocktails and power networking in an intimate and social atmosphere.

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

ACI's 3rd Advanced Summit on Food & Beverage Consumer Fraud Litigation – San Francisco, CA

January 28, 2014

Venable partner **Todd A. Harrison** will present "Minimizing the Risk of 'Piggy Back' Class Actions Post-FDA and FTC Warning Letters and Enforcement Actions" at the American Conference Institute's 3rd Advanced Summit on Food & Beverage Consumer Fraud Litigation. Learn strategies to avoid warning letters, what can trigger negative attention from the government, how to craft a response to a government warning letter without creating a litigation roadmap, and more.

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

ERA The Great Ideas Summit – Miami, FL

February 10-12, 2014

Join Venable as a proud sponsor of the "Thirsty Tuesday Reception" on Tuesday, February 11 from 6:00 p.m. to 7:30 p.m. EST at ERA's The Great Ideas Summit – the premier conference for direct response executives as well as C-level marketers and suppliers. Meet the attorneys of **Venable's Advertising and Marketing Group** on the show floor at booth number three.

[Click here](#) to register and receive a \$100 discount as a Venable guest when you use promotion code **EX85692**.

[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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