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In This Issue**Jeffrey D. Knowles**

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Analysis:

FTC Crushing on ROSCA

Almost everyone would agree that consumers expect to encounter misrepresentations made by other users when navigating the wilds of online dating. While the Federal Trade Commission (FTC) remained silent on the practices of users, it did take a stand against allegedly deceptive acts by an online dating site. Venable attorneys **Amy Ralph Mudge**, **Matthew R. Farley**, and **Shahin O. Rothermel** write in a recent post to the firm's advertising law blog that the FTC settled the second-ever case brought under the Restore Online Shopper's Confidence Act (ROSCA) last week.

Although the settlement has implications for dating sites, the authors write, the settlement – the second case in less than a month to utilize the four-year-old law – sheds more light on the Commission's plans for its new crush, ROSCA.

Read the blog post to [learn more about why ROSCA is so attractive to regulators](#).

[Click here to read the full text of ROSCA statute.](#)

The End of Shopping As We Know It?

3D printing is one of the most disruptive technologies to penetrate the marketplace since the commercial Internet, writes Venable partner **Joshua J. Kaufman** in a recent article published by *3DPrintingIndustry.com*. When disruptive technologies enter the marketplace the law frequently lags behind the activities of businesses and consumers, and 3D printing is no exception, he writes.

Read Kaufman's article to [learn why changes to the ways music and eBooks are "sold" have implications for the sale of physical goods](#).

Click here to [read the Rosolowski decision](#).

Is FOIA the Key to FTC's Complaint Database?

Consumer complaints are a fact of life for even the most scrupulous businesses, write Venable attorneys **Jeffrey D. Knowles** and **David D. Conway** in the November edition of the *DRMA Voice*. And many companies do not realize that the FTC maintains its own enormous consumer complaint database known as the FTC Consumer Sentinel Network.

Although the FTC zealously guards the information in the database, Knowles and Conway write that a recent court ruling may pave the way for marketers, as well as consumer advocates and plaintiffs' attorneys, to get a peek at some of the information in the FTC's 20-million-record database.

Read the article to [learn why the Ayuda v. FTC decision may be a double-edged sword for marketers](#).

[Click here to read the full text of the Ayuda decision.](#)

Findings in Army LGBT Discrimination Case Have Implications for All Employers

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Honors and Awards

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



Top ranked in *Chambers USA* 2014



Top-Tier Firm *Legal 500*



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In July, President Obama signed an amendment to Executive Order 11246 banning discrimination based on LGBT status. Now the Office of Special Counsel (OSC) has found that the Department of the Army discriminated against a transgender civilian employee in violation of a separate federal law. In addition, OSC strongly suggested that such discrimination is also a form of sex discrimination under Title VII, write Venable attorneys [Douglas B. Mishkin](#) and [Emily M. Tortora](#) in a recent client alert.

This case is instructive for all employers, the authors write, whether they are government contractors subject to the recently amended Executive Order, employers in states that include LGBT as a protected category, or are simply subject to Title VII's prohibition against sex discrimination.

Read the client alert to [learn what practices led to OSC's finding and what steps employers can take to avoid similar issues](#).

[Click here to learn more about Executive Order 11246.](#)

Upcoming Events:

[The Battle for the Senate: What Impact Will the Election Have on Key Policy Issues in the Next Congress – New York, NY](#)

November 11, 2014 | 4:00 – 5:00 p.m. ET

Join Venable partners [The Honorable Bart Stupak](#), [Andrew Olmem](#), [William R. Nordwind](#), and [David L. Strickland](#) for a post-election briefing as we discuss the mid-term elections and the possible ramifications of the results.

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

["Perfecting the Charitable Promotion: Legal, Financial and Practical Considerations for Commercial Co-Ventures" at the GWSCPA 2014 Nonprofit Finance and Accounting Symposium – Washington, DC](#)

December 18, 2014 | 9:10 – 10:25 a.m. ET

In this program, you will hear from three professionals, including Venable attorney [Kristalyn J. Loson](#), well versed in the related areas of promotions and charitable fundraising. They will explain the myriad legal and regulatory issues involved, as well as the latest developments in promotional campaigns. By attending this program, nonprofits will get a better understanding of the state regulatory requirements, general advertising concerns, and relevant federal tax issues they need to navigate in order to tap into the power of promotional campaigns.

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

[The Canadian Institute's 21st Annual Advertising & Marketing Law – Toronto, ON](#)

January 26-27, 2015

Giving great advice means recognizing, anticipating, and reacting to the latest developments. Equip yourself to do just that at The Canadian Institute's 21st Annual Advertising & Marketing Law program. Stay current in this dynamic field with practical, in-depth, and innovative strategies and solutions from practice leaders, industry experts, and key regulators. Venable partner [Amy Ralph Mudge](#) will discuss third-party liability, native advertising, and the rise of class actions in Canada during her presentation "Emerging Issues to Watch" at 1:30 p.m. on January 27.

Click here to [learn more about the conference and register](#). Use the code **265SAME** when registering to save \$200.

[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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