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Analysis:

Understanding the USPS's Underpaid Postage Claims

In recent years, the Office of the Inspector General of the U.S. Postal Service (USPS) has concluded that it lacks appropriate controls against short-payment or nonpayment of postage on metered mailings, write Venable partners **Jeffrey D. Knowles**, **Matthew Field**, **David M. Levy**, and **Ian D. Volner** in the March-April 2015 edition of *Electronic Retailer Magazine*.

As a countermeasure against short-payment, postal inspectors will frequently visit a mail-processing site, select a sample of a mailer's parcels and weigh, measure, and test the sample parcels to determine whether proper postage has been paid. Here's the rub: if the inspectors determine that sufficient postage was not paid for the sample packages, the ratio of underpayment for those packages is multiplied against the mailer's total mailing volume over the previous year or so. USPS then bills the mailer for the resulting balance. This frequently results in very unwelcome six- or seven-figure postage bills for mailers.

Read the full article to [learn what strategies mailers employ to guard against and respond to such findings](#).

Unusual NAD Case Melds March Madness, Made In USA

The writers at Venable's advertising law blog are always on the lookout for a good March Madness legal blog this time of year, and this month the National Advertising Division of the Council of Better Business Bureaus (NAD) did not disappoint. The industry self-regulatory body stepped onto the court to resolve a dispute between two leading fantasy sports websites when one claimed it was the "largest US-based destination for daily fantasy sports."

What followed, write Venable partners **Amy Ralph Mudge** and **Randal M. Shaheen** was an odd mash-up of arguments based on "Made in USA" analysis, jurisdictional tests, and consumer sentiment. Although NAD's decision in this case was somewhat narrow, the authors write, it provides an interesting window into how NAD may analyze similar types of superiority claims in the future.

Read the full text of the blog post to [learn more about each sites' arguments and the factors influencing NAD's decision](#).

[Read NAD's press release announcing the decision here.](#)

A 360-Degree View of Printed Food

We've entered a brave new world of food design and regulation, Venable attorneys **Claudia A. Lewis**, **Justin E. Pierce**, **Heili Kim**, **Tamatane J. Aga**, and **Kristen R. Klesh** write in the second installment of the 3D printing series on the firm's advertising law blog. In the post, they discuss the various processes currently used to 3D print food, potential applications for the process, and the legal issues certain to spring from intellectual property concerns and FDA regulation of the technology.

Read the full blog post to [learn more about the future of printed food](#).

Because the 3D printed pizza video was so popular last week, [here's 3D printed chocolate](#).

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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*



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

Upcoming Events:

2015 ANA Advertising Law & Public Policy Conference

The Collision of Law and Policy: What Lies Ahead for Advertisers and Marketers

March 31 - April 1, Washington, DC

ANA's Advertising Law & Public Policy Conference is the industry's must-attend conference for senior lawyers and business executives engaged in the marketing ecosystem. Hear from a slate of speakers from top law firms, leading marketers, and important regulators, who will discuss the latest developments you need to be aware of to navigate through the turbulent political and legal environment.

Venable partner **Stuart P. Ingis** will participate on a panel titled "The Future in Ten Minutes or Less" at 8:30 a.m. on March 31, and Venable partner **Thomas E. Gilbertsen** will participate on a panel titled "Data Security – What's Next?" at 11:30 a.m. on March 31.

[Click here to view the agenda and register for the event.](#)

Electronic Transactions Association's TRANSACT 15

March 30 - April 2, San Francisco, CA

TRANSACT 15 is the must-attend event for the payments industry. Join Venable partners **Jeffrey D. Knowles**, **Allyson B. Baker**, **Michael J. Bresnick**, **The Honorable Mark L. Pryor**, and **Julia Kernochan Tama** for insights into payments enforcement, the Consumer Financial Protection Bureau, and cyber and data security during the Venable-sponsored Policy Track at TRANSACT 15.

[Click here to learn more about TRANSACT 15 and to register to attend.](#)

Inside 3D Printing New York Conference and Expo

April 15 - 17, New York, NY

The Inside 3D Printing Conference and Expo is the largest professional 3D printing event worldwide. The conference addresses new opportunities and challenges for industrial and consumer 3D printing efforts. Venable attorneys **Claudia A. Lewis**, **Justin E. Pierce**, and **Heili Kim** will share best practices on how to navigate business and regulatory hurdles and use intellectual property to take a 3D product to market.

[Click here to learn more about Inside 3D Printing and to register to attend.](#)

Response Expo

April 21 - 23, San Diego, CA

Response Expo is the must-attend event for businesses and marketing professionals that currently engage in, or are looking to learn more about the benefits of, direct, digital, and data-driven marketing. With a diverse attendee base among the 3,300 elite players who regularly attend Response Expo, you're sure to connect with other leaders in the vibrant, business-focused setting.

[Click here to learn more about Response Expo and to register to attend.](#)

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