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News

Venable Named Advertising Law Firm of the Year...Again

Venable announced today that for the second time in the past three years, the firm has been named the 2014 "Law Firm of the Year" by *U.S. News – Best Lawyers*® "Best Law Firms" for Advertising Law. Venable was also named a Tier 1 firm for Advertising Law nationally and in Washington, DC.

The "Law Firm of the Year" award recognizes only one firm in each of the 87 nationally ranked practice areas after an exhaustive review by Best Lawyers® research. Venable received this award based on a combination of factors including high performance on client surveys and feedback from attorneys in other firms in the same practice area.

[Click here](#) to read Venable's press release about the Law Firm of the Year honors and the firm's other "Best Law Firms" rankings.

Analysis

Online Ads and Outdated Agency Agreements Don't Mix

Today, advertisers frequently rely on agencies not only for the development of digital creative materials, but also for the placement, serving, and delivery of that content. However, advertisers should be aware of the legal risks and issues associated with relying upon third parties in these areas. The best defense available to advertisers, write Venable attorneys [Brett A. Garner](#), [A.J. Zottola](#), and [Robert F. Parr](#), remains their agreements with the agencies. In a recent post to Venable's advertising law blog, the attorneys outline the best practices advertisers should use when structuring digital advertising agreements.

[Click here](#) to read the post by Garner, Zottola, and Parr on Venable's advertising law blog, www.allaboutadvertisinglaw.com.

We Have One Word for You: Plastics

To paraphrase Mr. McGuire in *The Graduate*, "There's a great future in plastics." Heeding that advice, the Federal Trade Commission (FTC) has been thinking about the future of plastics in landfills. This week it announced five enforcement actions involving plastic biodegradability claims and another case involving a more general biodegradability claim. Biodegradability claims are the most common type of environmental cases brought by the Commission, write Venable partners [Leonard L. Gordon](#), [Amy Ralph Mudge](#), and [Randal M. Shaheen](#) in a recent post to Venable's advertising law blog. In the post, they analyze the enforcement actions and provide advice for marketers seeking to make future biodegradability claims.

[Click here](#) to read the post analyzing the enforcement actions on Venable's advertising law blog, www.allaboutadvertisinglaw.com.

[Click here](#) to read the FTC's press release and access each of the complaints.

CFPB Opens Door to "Innovative" Approaches to Disclosures

Honors and Awards

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



Top ranked in *Chambers USA* 2013



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

On October 29, the Consumer Financial Protection Bureau (CFPB) published the details of a new policy that will give companies the opportunity to perform "in-market" testing of disclosures, something the FTC and other regulators do not currently have a mechanism to allow. Under the policy, companies can apply for the CFPB's approval to test the effectiveness of a specific disclosure while being deemed to be in compliance with applicable federal disclosure requirements – at least by the CFPB. In a recent post to Venable's advertising law blog, Venable attorneys [Jonathan L. Pompan](#) and [Alexandra Megaris](#) explain the key elements of the program.

[Click here](#) to read the post by Pompan and Megaris on Venable's advertising law blog, www.allaboutadvertisinglaw.com.

[Click here](#) to read the text of the CFPB's new policy, which will become effective once it is published in the *Federal Register*.

Upcoming Events

[ad:tech New York – New York City](#)

November 6–7, 2013

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**.

[SupplySide West – Las Vegas, NV](#)

November 12–16, 2013

SupplySide West brings together key professionals, thought leaders, and executives who drive the dietary supplement, food, beverage, animal nutrition, personal care, and cosmetic marketplace to explore and discover innovations from around the world. Join Venable partners [Todd A. Harrison](#) and [Claudia A. Lewis](#) for a thought-provoking town hall discussion titled "What Regulators and Other Attorneys Will Not Tell You About FDA, FTC and Class Action Lawsuits." Learn the contours of a permissible structure/function claim, and the type of evidence you need to substantiate claims, plus, strategic steps you can take to minimize your regulatory risk, plaintiff class action exposure, and how to respond to an FDA warning letter, a demand from the FTC, and threatened legal action by plaintiff class action attorneys.

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

[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 from 6:30 p.m. to 8:30 p.m. CST.

[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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