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In This Issue**Jeffrey D. Knowles**

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Honors and Awards

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

News

Ingis Discusses Web Privacy with *New York Times*

The *New York Times* quoted Venable partner **Stuart P. Ingis** in a May 21, 2014 blog about the practice of websites tracking users' online activity. California issued a privacy law earlier this year requiring sites to clearly disclose their privacy practices, but despite those efforts, many companies still ignore "do not track" requests.

The Digital Advertising Alliance (DAA), a leading online advertising industry group, is drafting its own "do not track" technology for ad tracking purposes. Ingis, who serves as counsel to DAA, told the *Times* "Other than for some limited exemptions, it would stop the creation of dossiers of the sites you've visited." The post noted that sites could still use contextual clues to target advertising to site visitors.

Read the *New York Times Blog* and [learn more about the debate over "do not track."](#)

Analysis

New Anti-Spam Law Will Change the Way You Market

On July 1, Canada's Anti-Spam Legislation (CASL), viewed by many as one of the world's most stringent anti-spam laws, will go into effect. In the May edition of the *DRMA Voice*, Venable partners **Jeffrey D. Knowles** and **Randal M. Shaheen** write that the law's broad definition of a "Commercial Electronic Message," its specific disclosure and consent requirements, and a private right of action that goes into effect in 2017 will have consequences for marketers far beyond Canada's borders.

Read the full article to [learn how Canada's new law will affect your business.](#)

Absence of Federal Standard Greases Skids for "Natural" Class Action

To the chagrin of many marketers, the Food and Drug Administration (FDA) has, for years, steadfastly refused to weigh in on a definition of "natural." So it is little surprise, write Venable attorneys **Angel A. Garganta** and **Sarah J. Abramson** in a recent post to Venable's advertising law blog, that Smucker's motion to dismiss a "natural" class action on the theory that FDA policies and regulations preempted the plaintiffs' state false advertising claims fell short.

Read the full post to [learn why, in food labeling suits, class certification is often an easier target for defendants than agency preemption.](#)

Naked Claims Cost Vibram's Five Fingers

Building buzz around your product is usually a good thing, write Venable partners **Amy Ralph Mudge** and **Randal M. Shaheen** in a recent post to Venable's advertising law blog, but creating a product out of buzz can be a recipe for disaster.

Vibram USA learned that lesson the hard way. Its Five Fingers brand sought to cash in on the barefoot running craze by touting the health and injury-prevention benefits of its "minimalist" shoes. The shoes were a commercial success, and, predictably, a consumer class action lawsuit was only a few steps behind.

In settlement language oddly reminiscent of a Federal Trade Commission (FTC) consent agreement, Vibram agreed to provide consumers redress and only make certain claims if they had competent and reliable scientific evidence.



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Read the full post to [learn how the plaintiffs took a page from the FTC's playbook and why it will likely happen again.](#)

For even more detail, [read the plaintiffs' complaint.](#)

Upcoming Events

"FSMA Developments" at the ABA Section of Litigation's Fourth Annual Food & Supplements Workshop – Wayzata, MN

June 5, 2014

Join Venable partner [Claudia Lewis](#) for the panel "FSMA Developments" on Thursday, June 5 at 1:15 p.m. CT at the American Bar Association's Section of Litigation Food & Supplements Workshop. Hear a review of key statutory and regulatory updates, including a discussion of the latest proposed regulations and important issues facing our industry.

[Click for more information and to register for the Fourth Annual Food & Supplements Workshop.](#)

HBA Global Expo – New York, NY

June 10-12, 2014

HBA is the only B2B event that provides the top personal care and beauty manufacturers with the entire spectrum of new ingredients, solutions, supplier resources as well as world-class education to help bring new products and innovate concepts to market.

[Schedule a meeting with a Venable attorney during HBA Global Expo.](#)

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

Internet Retailer Conference & Expo – Chicago, IL

June 10-13, 2014

Creating a bond between a retailer and a customer has never been easier – or harder – than it is today. The effort to bond with customers is worth it – regular customers buy more and are bigger evangelists for your brand. The trailblazers of e-commerce come together at the world's largest e-commerce event to share their expertise in this field. This diverse group of 200+ experts represents all areas of the industry, ensuring the agenda at IRCE has wide appeal.

[Schedule a meeting with a Venable attorney during IRCE.](#)

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

ABA Section of Antitrust Law West Coast Networking Event – Los Angeles, CA

June 12, 2014

Join Venable partner [Jessie Beeber](#) for a networking reception for lawyers in the Los Angeles area who are interested in advertising, consumer protection and privacy law issues. Please also extend this invitation to any of your colleagues who might be interested in getting together, networking, and learning more about ADL, CP and PRIS.

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

[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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