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212.503.0653**Honors and Awards**Law Firm of the Year, National Advertising, *U.S. News and World***Analysis****Cooking up Trouble with Crowdfunding?**

Chances are you've already heard about Zack "Danger" Brown's potato salad Kickstarter campaign. Brown asked for \$10 to make a potato salad and offered backers quirky rewards such as potato-themed haikus and a bite of said potato salad. Now 6,100 backers and more than \$50,000 later, Brown had better be ready to deliver, write Venable attorneys [Melissa Landau Steinman](#) and [Kristen R. Brown](#) in a recent post to Venable's advertising law blog. That's because as crowdfunding has grown in popularity, so has the potential for consumer fraud. And that has attracted the attention of state and federal regulators.

Read the blog post to [learn why failing to deliver on crowdfunding promises is now a risky, and potentially costly, proposition](#).

You know you're curious; [click here to see how much Brown's campaign has raised](#).

FTC Schools L'Oreal USA's "Youth Code" Claims

L'Oréal USA, Inc. made bold claims that its Génifique and Youth Code provided anti-aging benefits by targeting users' genes and stimulating the production of youth proteins, write Venable attorneys [Randal M. Shaheen](#), [Amy Ralph Mudge](#), and [Maura A. Marcheski](#) in a recent post to Venable's advertising law blog. But, as always, there was a wrinkle: the Federal Trade Commission (FTC) noticed the company had no "competent and reliable scientific evidence" that substantiated the claims.

The authors write that although there are similarities between L'Oréal's FTC settlement and other Commission settlements involving health-related claims for dietary supplements and foods, it is too soon to conclude the FTC will impose a more rigorous substantiation standard on cosmetic claims.

Read the blog post to [learn what lessons the settlement holds for other cosmetic marketers](#).

Want to dig deeper? [Read the FTC's L'Oréal consent order](#).

Will 2014 Retool the New Lanham Act?

It has been an interesting year for the Lanham Act in the U.S. Supreme Court, write Venable attorneys [Jessie F. Beeber](#) and [Sarah S. Park](#) in a recent post to Venable's advertising law blog. *Lexmark Int'l Inc. v. Static Control Components, Inc.* resolved a three-way Circuit split and articulated a new test for standing to bring a Lanham Act false advertising claim. Meanwhile, *POM Wonderful LLC v. Coca-Cola Co.* held that competitors may use Lanham Act lawsuits to challenge food and beverage labels regulated by the Federal Food, Drug, and Cosmetic Act.

Read the post to [learn how lower courts are already using Lexmark and POM Wonderful to broaden the scope of the Lanham Act](#).

Want to learn more about the cases? [Read the Lexmark decision here](#) and [read the POM Wonderful decision here](#).

Upcoming Events**The CFPB at Year Three: A Look Back, and A Look Forward – Webinar**

July 21, 2014 | 2:00 p.m. - 3:15 p.m. ET

Please join Venable for this complimentary CLE credit webinar.

The Consumer Financial Protection Bureau (CFPB) turns three on July 21, 2014. Created under Dodd-Frank, the CFPB has already made a lasting impact on the consumer protection legal landscape and in how consumer financial services providers do business. This panel discussion will examine both the



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Bureau's history and its future, and will include case studies and trivia. We'll discuss the formation of the CFPB; the use of its supervision, enforcement, and rulemaking authorities since it began operations in 2011; and what's on the horizon.

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

NBJ Summit - St. Regis Resort, Dana Point, CA July 22-25, 2014

The NBJ Summit is the premier leadership event for progressive nutrition industry CEOs, investors, and thought leaders.

It attracts over 300 of the nutrition industry's brightest minds and most influential power brokers for unparalleled education, strategic thinking, and discussion on the progress, opportunities, and challenges facing the industry.

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

Direct Response Forum – The Renaissance Hotel, Washington, DC August 11-13, 2014

The Direct Response Forum is the annual event for payment executives and managers from many of the largest merchants in the world to gather and discuss best practices in credit card operations, fraud detection, cost containment, chargebacks, and risk management. Venable Partner [Ellen Traupman Berge](#) will participate in a panel session, "[Mastering the Regulatory Maze](#)" on Wednesday, August 13 at 10 a.m.

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

LeadsCon – Marriott Marquis, New York, NY August 14-15, 2014

Venable attorneys [Jonathan L. Pompan](#) and [Alexandra Megaris](#) will participate in a panel discussion "[Staying Current with Consumer Protection: Practical Lessons from Recent Enforcement Actions](#)" on August 14 at 4:00 p.m. Given today's regulatory environment, meeting consumer protection-related obligations has never been more crucial. Current investigations are zeroing in on the advertising practices of lead generators and their customers, and enforcement actions have shown how costly violations can be. This session will be a lively point / counterpoint with a Q & A.

[Click here for more information or to register for LeadsCon New York.](#)

ERA's D2C Conference – Las Vegas, NV September 16-18, 2014

Venable is a proud sponsor of the Electronic Retailing Association's D2C Convention taking place September 16-18, 2014 in Las Vegas. Please join our attorneys at Venable's booth in the exhibit hall and at the Venable-hosted Pre-Moxie Awards reception.

To obtain a discounted exhibit hall pass that will allow you access to the expo as a Venable guest, [click here](#) and register using the code **EX11775**.

[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.

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