



2018 Advertising and Privacy Law Summit

Kelley Drye Seminar

Firm Event

May 3, 2018 from 8:00 am to 5:00 pm (EDT)

Los Angeles

On May 3, 2018, Kelley Drye & Warren will host its 5th edition of the Advertising and Privacy Law Summit. This event features a full slate of speakers, including government policymakers and industry thought leaders, who will provide a fresh take on key advertising and privacy issues faced daily by in-house counsel, with practical solutions to deal with them.

If you are interested in receiving an invitation, please click [here](#) or contact Summit@kelleydrye.com.

Date

Thursday, May 3, 2018

8:00 a.m. Registration

8:55 a.m. Program Begins

5:00 p.m. Wine Reception

Accommodations

A limited number of rooms have been reserved at a special rate at the Canopy by Hilton. Please contact us for details.

CLE

Kelley Drye is an accredited provider of TX, NY, CA and IL CLE. This continuing legal education program will offer California, Illinois and Texas general credits and New York non-transitional general credit. In accordance with the requirements of the New York State CLE Board, this non-transitional CLE program is not approved for newly-admitted attorneys within the first two years of admission to the Bar. We will apply for CLE credit in other jurisdictions, upon request, but cannot guarantee approval. If you are interested in applying to receive CLE credit, please include your desired jurisdiction and your bar registration number when you register.

Confirmed Guest Speakers

Laura Brett, Director, National Advertising Division

Trish Conners, Deputy Attorney General, Florida Office of the Attorney General

Marc Groman, Business Strategy/Privacy & Data Protection Advisor, Groman Consulting Group LLC

Christine McNerney, Vice President and Deputy General Counsel, Nature's Bounty

Matt Silverman, Director of Social Video, The Daily Dot

Alexandra Simmerson, Corporate Counsel, Michael Kors

Agenda Highlights

Setting the Table: What to Expect from the New FTC

The regulatory emphasis of the Trump Administration is finally coming into focus. Last week, for the first time since the FTC's inception, Congress confirmed five new commissioners simultaneously. Chair Joseph Simons was sworn in earlier this week and others will soon follow. Once those five seats warm up, where will the regulatory emphasis be placed? How will risk analysis change as companies consider claims made for existing products or new products to be brought to market? [John Villafranco](#) will assess what has changed and what remains the same – crucial considerations for companies hoping to improve (or protect) their market position.

Local Flavor: Attorney General Panel

In a time of deregulation by the federal government, the states have increased their consumer protection and privacy enforcement efforts. Trish Conners, Deputy Attorney General, Office of Florida's Attorney General, and [Alysa Hutnik](#) will discuss state attorney general enforcement trends, policy priorities for the year ahead and considerations for businesses when dealing with a state attorney general or multistate investigation.

Tart and Bittersweet: Consumer Protection Litigation from Both Sides

Consumer class action suits continue to be a growing source of concern to marketers and income for plaintiffs' law firms. **Christine McInerney**, VP and Deputy General Counsel, Nature's Bounty, and [Lauri Mazzuchetti](#) will provide tips on how to approach litigation from all angles with a focus on defense.

Flavor Profile: Understanding Ad Tech Privacy Issues

Regulatory and legal considerations relative to consumer privacy and the use of advertising technologies and online tracking is front-page news. **Marc Groman**, former Senior Advisor for Privacy, White House Office of Management and Budget, and current Principal, Groman Consulting LLC, and [Dana Rosenfeld](#) will discuss the latest law enforcement and legislative developments in this area and provide guidance on avoiding risk and implementing best practices. (Approved for .50 IAPP CPE credits)

Speed Tasting: Advertising Lightning Round

[Christie Thompson](#) will provide a fast-paced update on lesser known consumer protection developments that companies should have on their radar, including issues involving warranties, promotional pricing, Made in USA claims, and safety concerns with connected devices.

I'm from the government, and I'm here to help: Adversaries or Allies?

Authorities are changing the rules of engagement, while activists and politicians are demanding more enforcement. You could be pilloried, praised, or passed by when the marketing and competition patrols come your way. [Bill MacLeod](#) assesses the biggest threats brewing from Sacramento to D.C. to Brussels and describes strategies to overcome them.

Consumers Prefer the Taste: Interview with Laura Brett, Director, National Advertising Division

The complexity and number of NAD challenges has been increasing each year with no signs of slowing down. **Laura Brett**, NAD director will discuss trends at the NAD, some of their major decisions over the past year, and what Laura expects for the future of advertising self-regulation.

Roundtables

The Buzz: Working with Influencers and Paid Partnerships

Marketing with influencers and celebrities can help companies create a good buzz, but there are

enough legal headaches to make you dizzy. Not only do companies need to worry about complying with the law, they need to worry about whether the talent will do anything to harm their brands. Although there isn't a one-size-fits-all solution to these issues, **Alexandra Simmerson**, Corporate Counsel at Michael Kors, will join [Gonzalo Mon](#) to discuss key legal requirements and provide practical tips for your campaigns.

From Sonoma to Santa Barbara: Proposition 65 Warnings for Safe Products May Be Unconstitutional, After All

Under California's controversial "Proposition 65" (i.e., Safe Drinking Water and Toxic Enforcement Act of 1986), food and consumer products companies are required to issue public warnings when their products may expose consumers to chemicals that the state has "listed" as carcinogens or reproductive toxicants – despite their products' compliance with the safety requirements that apply directly to their products. [Joe Green](#) will review how Proposition 65 warning requirements will be changing in August 2018, and discuss the recent decision in *National Assoc. of Wheat Growers v. Zeise*.

Diversity CLE: New Vintage: Sex, Lies & Diversity in a #MeToo World

The #MeToo movement is only the tip of the iceberg of changing sexual and social norms—including in the workplace. Companies that would never tolerate true sexual "harassment" are all too often missing the point: employees demand respect, a respect that can be unintentionally withheld when unconscious biases still pervade the thinking of well-meaning corporate citizens. [Mark Konkell](#) will discuss the pitfalls and protections you should have in mind to avoid the problem becoming #YouToo.

Appellation Contrôlée: General Data Protection Regulation (GDPR) Thorny Issues

The GDPR comes into effect on May 25, 2018 and many companies are questioning whether it applies to them and how to implement a GDPR compliance program and practices. To help put these issues in perspective and share strategies and insights on implementation, a discussion to exchange ideas and give participants an opportunity to hear how other companies are dealing with various aspects of GDPR risk management and some best practices. (Approved for .75 IAPP CPE credits)

Party Crashers: Practical Tips to Help You Prepare For Inspections, Investigations, and Unexpected Scrutiny

Whether it's a federal agent or a blogger with an agenda, scrutiny on a company's business practices frequently turns up without warning. This session is a roundtable discussion in which we'll provide practical tips to help you prepare for FDA and OSHA inspections, CPSC secret shoppers and post-recall checkups, receipt of a subpoena or civil investigative demand, or scrutiny from a self-appointed advertising critic. [Kristi Wolff](#), a former in-house counsel, will help lead a group discussion and provide practical pointers.

Register

This seminar is by invitation only. If you would like to request an invitation, click [here](#) or contact Summit@kelleydrye.com.

Related Services

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Dietary Supplements and Functional Foods
Manufacturing
Advertising and Marketing
Antitrust
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Employment and Employee Benefits
Food and Drug