

Ad Law News and Views - April 2025

April 22, 2025

UPCOMING EVENTS

Navigating Consumer Protection in a Shifting Political Landscape

Wednesday May 7, 2025 | 9:00 a.m. - 1:00 p.m. CT, Chicago, IL

Join Kelley Drye and our State AG practice group for an engaging discussion on consumer protection enforcement and the anticipated priorities for 2025. Our attorneys will share their insights on the inner workings of AG offices, investigations, and evolving priorities in a dynamic landscape. Practical guidance on handling inquiries and building strong relationships with AG offices will also be given. Guest speakers include Andrea Law, Illinois AGO and Steve Baker, Former FTC Director and Founder of the Baker Fraud Report. This in-person event offers a unique opportunity to hear from consumer protection experts, engage in meaningful dialogue within a small group setting, and enjoy valuable networking time.

If you are interested in attending this event, please contact [Ann Koepke](#).

Health Insights and Beyond: Adtech Privacy Challenges and Opportunities

Wednesday, May 14, 2025 | 12:00 p.m. - 6:30 p.m. ET, NYC

Join Kelley Drye and the Interactive Advertising Bureau (IAB) for an in-person afternoon workshop designed to foster in-depth discussions of state and federal privacy laws relevant to health information and the challenges of health-related advertising. In addition to sessions on the law and sensitive personal information (SPI), our team will work through several practical use cases in health advertising. Further, guest speakers Ben Chapman, Swoop; Shubh Sinha, Integral; and Tony Ficarrotta, The NAI, will examine technology innovations and practices to support health/sensitive data advertising and Kash Chand, New Jersey Office of Attorney General; John Eakins, Delaware Department of Justice; and Michele Lucan, Connecticut Office of the Attorney General will discuss health advertising and sensitive data from a state regulator's perspective.

If you are interested in attending this event, please contact [Ann Koepke](#).

IN THE NEWS AND LATEST UPDATES

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the Advertising and Privacy Law Resource Center [here](#).

Revolve Faces Class Action Over Influencer Posts

We recently posted about two lawsuits against Celsius and Shein alleging that the companies' influencer campaigns were deceptive because various influencers (who were also named in the suits) failed to clearly disclose that their posts were sponsored. The firms behind those two lawsuits have teamed up for a third one, this time against Revolve and three of its influencers: Cindy Mello, Tika Camaj, and Nienke Jansz.

NAD Decision Addresses Review Claims

Yesterday, we posted about a decision in which P&G challenged claims that Rascals made about the absorption capabilities of its diapers. Rascals also advertised: "210,000+ 5-star reviews of Rascals Products." P&G thought something about that claim smelled funny and challenged that, too.

The Bulk Data Access Rule: What Advertisers Need to Know

On April 11, the Department of Justice issued an extensive set of FAQs on its Bulk Data Access Rule and advised that it "will not prioritize civil enforcement actions against any person for violations" of the Rule through July 8, 2025, "so long as the person is engaging in good faith efforts" to comply with the Rule. (DOJ refers to the "Data Security Program" or "DSP." We refer to "the Rule" to emphasize that it is a legally binding regulation with obligations that extend beyond data protection.)

NAD Decision Addresses Torture Tests

Rascals advertises that the Hydrolock Core in its diapers "holds up to 25 x its weight" and "absorbs 15 x its weight." P&G thought that claim was full of crap and filed a challenge before the NAD, arguing that Rascals supported its claims with tests that didn't mirror real-world use. NAD's decision holds valuable lessons for advertisers across industries.

New Jersey Attorney General Sues Discord Over Youth Privacy Practices

Last week, New Jersey Attorney General Matthew J. Platkin announced a lawsuit against Discord, Inc., a popular messaging application provider, for allegedly misleading parents about the efficacy of its safety controls and obscuring risks facing children on the application.

AG CHRONICLES

Be sure to check out [AG Chronicles](#): a monthly newsletter breaking down State Attorneys General consumer protection issues and highlighting news from the states. You may subscribe [here](#).