

# Ad Law News and Views - February 20, 2021

February 20, 2021

["

## LATEST UPDATES

This week saw the launch of two new monthly updates from partner [Kristi Wolff](#), available in real time by [subscribing](#) to the [Ad Law Access](#) blog:

### [Dietary Supplement and Personal Care Products Regulatory Highlights – January 2021](#)

A monthly roundup of regulatory and litigation highlights impacting the dietary supplement and personal care products industries.

### [Food Litigation and Regulatory Highlights – January 2021](#)

Our monthly digest of litigation and regulatory highlights impacting the food and beverage industry. As it has been for many months, the story was mostly about what's going on in the food court.

## PODCAST SPOTLIGHT

Kelley Drye has a growing number of podcasts covering a wide range of legal topic areas. If you have an idea for an episode, please contact [jscurry@kelleydrye.com](mailto:jscurry@kelleydrye.com).

## AD LAW ACCESS PODCAST

A companion to our blog of the same name, the [Ad Law Access](#) podcast provides updates on advertising, privacy, and consumer protection trends, issues, and developments from Kelley Drye's Advertising and Marketing practice.

### **Latest Episode - [What to Expect in Consumer Financial Protection and FinTech in 2021](#)**

With the publication of the recent CFPB Taskforce on Federal Consumer Financial Law Report and [President Biden tapping Rohit Chopra](#), current FTC commissioner and vocal proponent of aggressive enforcement, to Lead the agency, consumer financial protection is once again top of mind for many. On this episode of the [Ad Law Access Podcast](#), partner [Alysa Hutnik](#) and special counsel [Donnelly McDowell](#) discuss consumer financial protection, fintech, financial services, and the consumer protection issues that the CFPB and FTC have broad discretion over.

Listen on [Amazon](#), [Apple](#), [Spotify](#), [Google Podcasts](#), [SoundCloud](#), via your smart speaker, or [wherever you get your podcasts](#).

## LEGAL DOWNLOAD PODCAST

Featuring Kelley Drye lawyers, firm management, professional staff as well as guest speakers, the Legal Download provides listeners with a rundown of the latest legal issues impacting businesses.

### **Latest Episode - [The Biden Tax Plan](#)**

The Democrats' "sweep" of the White House and both chambers of Congress means that it is all but inevitable that tax legislation will be introduced in 2021, but the razor-thin nature of the Democrats' majority in Congress could mean that only a few of President Biden's proposals will ultimately be enacted this year. In a companion podcast to their client advisory, the latest episode of Kelley Drye's Legal Download features tax partners Jack Miles and Andrew Lee discussing some of President Biden's corporate and individual tax proposals.

Listeners can tune into the first Legal Download podcast [here](#) and get future episodes on their preferred platform - [Apple Podcasts](#), [Google Podcasts](#) or [Spotify](#).

## FULL SPECTRUM PODCAST

Produced by the Kelley Drye Communications practice group, Full Spectrum brings together thought leaders in business, government, and enterprise to offer an in-depth exploration of current legal, regulatory, and business issues.

### **Latest Episode - [Inside the TCPA, Episode 8: Supreme Court Preview](#)**

On December 8, 2020, the Supreme Court will hear argument in the case of Facebook v. Duguid, which is expected to resolve a widening Circuit split regarding the definition of an automatic telephone dialing system (ATDS). In this latest episode of the Inside the TCPA series, It sets the stage for the case and discuss the FCC actions leading up to the current status of the ATDS definition. In the second part of this podcast, originally recorded for Kelley Drye's Ad Law Access podcast, it does a deeper dive into Facebook v. Duguid and its implications.

You can find Full Spectrum at their [website](#), [Apple Podcasts](#), [Google Podcasts](#) or [Spotify](#).

### WHAT PEOPLE ARE READING

A collection of the top older reads this past week:

[Penn State Football's Super Bowl Claims Flagged on Social Media](#)

[Biden EPA Continues Aggressive Enforcement Against Disinfectant Products and UV Devices Claiming to Kill Coronavirus](#)

[Peloton Faces Uphill Ride on "Ever-Growing" Claims](#)

[Second Circuit Limits Copyright Damages To Those Incurred Within Three Years Prior to Suit](#)

[California OEHHA Explains Decision to Rescind Proposed "Clarifications" to Prop 65 Rules for Internet Sales; Finalizes Changes to Alcohol Sale Warnings](#)

[You Can Hide Your COVID-Brows, But Don't Hide COVID Fees](#)

[Does the NAD's Capillus Decision Baldly Contradict the FDA?](#)

[State Privacy Bills Gain Momentum](#)

[Biden Taps Rohit Chopra, Current FTC Commissioner and Vocal Proponent of Aggressive](#)

[Enforcement, to Lead CFPB](#)

[New Court Decision Address Manipulation of Reviews](#)

[The CCPA Non-Discrimination Right, Explained](#)

[CCPA Litigation Round-Up: Q3 & Q4 2020](#)

[What If . . . Section 19 of the FTC Act Becomes the FTC's Best Path to Monetary Relief: Revisiting Figgie International](#)

[What Happens to the FTC Under a Biden-Harris Administration](#)

[CCPA Update: California AG Proposes Fourth Set of Changes to CCPA Regulations](#)

[Read This Before Scanning A Driver's License In New Jersey](#)

[Consumer Litigation Under the CCPA: A Year in Review](#)

[House Democrats Primed to Introduce 13\(b\) Legislative Fix](#)

[Virginia Privacy Bill Advances](#)

[ICYMI: The FTC Has Civil Penalty Authority Relative To COVID-Related Advertising](#)

[NAD Addresses Disclosures on Influencer TikTok Videos](#)

[New Decision Warns Against Reposting Photos on Social Media](#)

[Videoconferencing and Potential Security, Confidentiality and Discovery Issues](#)

Find these and other stories on the [Ad Law Access blog](#) and [podcast](#). Also see the [Advertising and Privacy Law Resource Center](#), available via [KelleyDrye.com](#), our online repository of our thought leadership and resources on subjects that affect our clients day-to-day.

UPCOMING EVENTS

### **Managing Your Brand at Scale: How to Make Distributors Authentic Yet Compliant on Social Media**

February 25, 2021", "Webinar  
PromoRepublic  
**John Villafranco**

### **What Privacy Professionals to Need Know: Breaking Down Your CPRA Compliance Checklist for 2021**

February 25, 2021", "Webinar  
IAPP  
**Alysa Hutnik**

### **Crystal Ball Gazing: Post-Election Antitrust**

March 24, 2021", "Webinar  
ABA Antitrust Section Virtual Spring Meeting 2021

**Bill MacLeod**

## American Bar Association 69th Antitrust Law Virtual Spring Meeting

March 23-26, 2021", "Virtual Meeting

**Alysa Hutnik, Bill MacLeod**

"]