

Ad Law News and Views - February 22, 2022

February 22, 2022

UPCOMING EVENTS

Privacy Priorities for 2022

Kelley Drye
February 24, 2022", "Webinar
[Register](#)

2022 Elections: Will Redistricting Reshape Congress?

Kelley Drye
March 1, 2022", "Webinar
[Register](#)

LATEST UPDATES

Get these and other stories in real time when you subscribe to the Ad Law Access blog [here](#) or visit the Advertising and Privacy Law Resource Center [here](#).

Food + Personal Care Litigation and Regulatory Highlights - January 2022

Welcome to our 2022 inaugural issue of Food and Personal Care Litigation and Regulatory Highlights, where we explore trends and developments from around these industries. It's fair to say that the year has started off very busy in both the courtroom and the regulatory arena. On this chilly winter day, our first stop is in California.

Noom to Pay Over \$60M to Cancel Automatic Renewal Suit

In several recent posts and a [webinar](#), we've talked about how the FTC and state AGs are focusing on automatic renewals. A series of new laws and investigations show that this continues to be a hot topic for both lawmakers and regulators. But a new settlement involving Noom's automatic renewal practices for its weight loss program serves as a reminder that class action attorneys are also paying attention and that the costs of getting things wrong can be very high.

Kick-Off Time for FTC Rulemaking on Earnings Claims

Last Thursday (February 10), the FTC [announced](#) that it "will vote" at its February 17 open meeting to issue an Advance Notice of Proposed Rulemaking (ANPR) on "deceptive earnings claims for business ventures, gig or other work opportunities, or educational, coaching or training offerings." Here's our take on what we can glean from this announcement and what we might expect as the

rulemaking process moves forward:

NAD Addresses Apples, Oranges, and Dogs

The makers of Bravecto ran a TV ad comparing Bravecto and NexGard – both flea and tick prevention products – and starring one of the actors from *Best in Show*. The makers of NexGard challenged the ad before the NAD and the resulting decision holds important lessons for anyone running comparative ads. If you want to take break to watch some dogs, you can find the commercial [here](#) (or you can just skip to the picture of my dogs below).

Upcoming webinar on recent FTC privacy developments and predictions for 2022

Please join us for a webinar on February 24, 2022 at 4 p.m. on recent and upcoming FTC developments. The webinar will feature Kelley Drye's Aaron Burstein, a former FTC official. Here's a taste of what we'll be discussing, building on the commentary we have posted in this blog over the past few months:

Kelley Drye attorneys and industry experts provide timely insights on legal and regulatory issues that impact your business. Our thought leaders keep you updated through [advisories and articles](#), [blogs](#), [newsletters](#), [podcasts](#) and [resource centers](#). [Sign up here](#) to receive our email communications tailored to your interests. Follow us on [LinkedIn](#) and [Twitter](#) for the latest updates.