

# Ad Law News and Views

## October 23, 2021

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### [" LATEST UPDATES

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### [Flexing the Agency's Muscles: What FTC Notice of Penalty Offenses Really Means for Advertisers](#)

Over the last ten days, 700 companies and 70 for-profit colleges received notice of the FTC's intent to pursue civil penalties under Section 5(m)(1)(b), if these companies and colleges engage in certain conduct deemed by the FTC to be unfair or deceptive. The notices sought to achieve two important Agency objectives: first, force addressees to consider their marketing messages and compliance programs; and second, reintroduce (or reinforce) the threat of significant monetary penalties for those who need discipline. The warnings will undoubtedly alter the dynamic of new investigations as parties consider the costs and benefits of negotiating consent orders that include payment of consumer redress.

### [California Updates its Automatic Renewal Law](#)

In 2017, California [updated its automatic renewal law](#) to create some of the strictest requirements in the country. Now, just four years later, the Governor Newsom signed a new law that will impose even stricter requirements.

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## TOP AD LAW ACCESS BLOG POSTS

A collection of the most read new and old [Ad Law Access](#) blog posts:

- [Six FTC Rules and Guides You Should Know](#)
- [Privacy Law Update: Colorado Privacy Bill Becomes Law: How Does it Stack Up Against California and Virginia?](#)
- [FTC Chair Khan Unveils Her Plans for the Agency...But Leaves a Lot Unsaid](#)

- [Allbirds Faces Lawsuit Over Green Claims](#)
- [Health and Fitness Apps and IoT Technologies Should Take Note: FTC Expands Interpretation of its Health Breach Notification Rule](#)
- [CPRA Update: How to Prepare for Privacy Compliance as an Employer](#)
- [Post-AMG Scorecard \(Updated\): FTC Claims for Monetary Relief in 13\(b\) Actions Dwindle](#)
- [CARU Announces Changes to Guidelines for 2022](#)
- [TCPA Tracker – August 2021](#)
- [Second Circuit Limits Copyright Damages To Those Incurred Within Three Years Prior to Suit](#)
- [eHarmony Agrees to Pay up to \\$2.2 Million to End Auto-Renewal Suit](#)
- [FTC/FDA Cease and Desist Letters to Companies Touting Diabetes Cures: Is the FTC Testing the Limits of Its Civil Penalty Authority?](#)
- [CPRA Update: What is a “Contractor?”](#)
- [Ad Law Access Podcast – Deepfake Best Practices Amid Developing Legal Practices](#)
- [Florida Takes Page Out of TCPA’s Book with New Legislation](#)
- [Seventh Circuit Reminds Insurance Policyholders to Shop Carefully for TCPA Coverage](#)
- [Supreme Court Defines ATDS Under The TCPA](#)
- [Smart \(CA\) TVs Are Listening: California Assembly Passes Voice Recognition Device Bill Headed to Senate](#)
- [Read This Before Scanning A Driver's License In New Jersey](#)
- [The CCPA Non-Discrimination Right, Explained](#)
- [No More Deference for Amazon’s Reference Prices](#)
- [Privacy Litigation Trend: The Latest on Session Replay Lawsuits, and Practical Considerations for Risk Mitigation](#)
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- [FDA Is Still Keeping Up With The Kardashians](#)
- [The Pink Tax: Discrimination or Actual Differentiation?](#)
- [What You Should Know about the FTC’s Mail Order Rule](#)

## UPCOMING EVENTS

### Consumer Litigation Under the California Consumer Privacy Act (CCPA)

Lexology

October 27, 2021", "Webinar

[Laura VanDruff](#)

[Aaron Burstein](#)

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