

# Class Action Lawsuit Challenges Disclosures on Instant-Win Game Pieces

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Last week, plaintiffs filed a class action lawsuit against McDonald's and two of its agencies, arguing that the companies violated the Illinois Prizes and Gifts Act in the context of the "2011 Monopoly Game at McDonald's."

Among other things, the Prizes and Gifts Act requires sweepstakes sponsors to make a list of up to nine disclosures in any "written promotional prize offer," a term that is not defined. The plaintiffs argue that the small Game Stamps consumers collect as part of the Game constitute written promotional prize offers, and that McDonald's failure to make all of the relevant disclosures on the Game Stamps constitutes a violation of the Act. As a result, the plaintiffs claim that they suffered a loss and are entitled to damages.

Although McDonald's did not include the disclosures on the Game Stamps, Game materials referred consumers to the Game's Official Rules for details, and the Official Rules included the required disclosures. This suit challenges a practice that is common in the industry, so companies that offer these types of instant win games should pay attention as they case develops.