

Gain with Less Pain: Ending Your Competitor's False or Misleading Advertising Claims Without Having to Litigate

August 22, 2013

The best marketers train one eye on their marketing message and the other on their competitors'. And when a competitor's claim is deemed to go too far, it is the legal department that must consider its options in trying to end the claim or campaign before it threatens the company's market position. In this context, litigation may not be the best option given the claims at issue or resources available. The National Advertising Division (NAD) of the Council of Better Business Bureaus is a self-regulatory body that reviews national advertising to determine whether claims made are adequately supported and is considered to be the forum of choice for competitor advertising challenges, as it is a well-respected, swift and relatively inexpensive alternative to litigation.

Our article, published in Metropolitan Corporate Counsel, "[Gain With Less Pain: Ending Your Competitor's False Or Misleading Advertising Claims Without Having To Litigate](#)," discusses the points that every company should consider before filing an NAD challenge.