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Issue Editors

Jeffrey D. Knowles
jdknowles@Venable.com
202.344.4860

Roger A. Colaizzi
racolaizzi@Venable.com
202.344.8051

Gary D. Hailey
gshailey@Venable.com
202.344.4997

Gregory J. Sater
gjsater@Venable.com
310.229.0377

In This Issue

Jeffrey D. Knowles
jdknowles@Venable.com
202.344.4860

Leonard L. Gordon
lgordon@Venable.com
212.370.6252

Melissa Landau Steinman
mlsteinman@Venable.com
202.344.4972

Honors and Awards

Law Firm of the Year, National
Advertising, *U.S. News and World
Report*, 2012 and 2014



Top ranked in *Chambers USA*
2014

Event

Venable Announces 2014 Intellectual Property Symposium

On Wednesday, September 10, Venable will host a half-day IP law symposium at the firm's Washington, DC offices. Venable attorneys, in-house counsel, and academics will discuss emerging trends and best practices in areas such as trademarks, patents, licensing, copyright, and effectively settling IP litigation. There is no fee to attend the event and CLE credit may be available, depending on your State Bar's requirements.

[Learn more about the event, view the full agenda, and register.](#)

News

FTC Solicits Comment on TSR

In a *Federal Register* notice published July 31, the Federal Trade Commission (FTC) announced that it is seeking public comment on the Telemarketing Sales Rule (TSR). The TSR has been regularly updated since its inception in 2000, most recently in 2010. Last year, the Commission proposed amendments to the TSR to ban telemarketers from using certain payment methods.

Comments will be accepted until October 14, 2014.

[The FTC is seeking public comments](#) on specific questions listed in a recent press release.

[Read the *Federal Register* notice here.](#)

Analysis

Melissa Steinman Discusses Legal Ramifications of Crowdfunding with LexBlog

Venable partner [Melissa Landau Steinman](#) recently sat down with the LexBlog Network to discuss the legal obligations that come with crowdfunding campaigns and the recent uptick in enforcement actions against crowdfunding entrepreneurs who fail to follow up on promises.

To watch the conversation, [click here](#).

FTC Stays the Course on Prenotification Negative Option Plans

On July 25, the FTC announced it would retain its Prenotification Negative Option Rule (Rule) without modification after completing a regulatory review of the Rule. This signals a significant victory for marketers who sell via "negative option" or "continuity" marketing, writes Venable partner [Leonard L. Gordon](#) in a recent post to the firm's advertising law blog.

Although numerous state and local law enforcement agencies had urged the FTC to expand the scope of



Top-Tier Firm *Legal 500*



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the Rule, the Commission opted to take a wait-and-see approach regarding the impact of the Restore Online Shoppers Confidence Act (ROSCA) and possible revisions to the Telemarketing Sales Rule (TSR). Although the FTC declined to expand the rule, the Commission also made it clear that negative option marketing will continue to draw scrutiny from the FTC in both law enforcement activity and rule-making.

[Read the full text of Gordon's blog post.](#)

[Read the FTC's press release announcing its decision not to expand the Rule.](#)

Is "First Sale" Enforcement Back on the Table?

In today's global marketplace, importers increasingly rely on the use of the multi-tier "first sale" to a middleman for value declarations, write Venable attorneys [Lindsay B. Meyer](#) and [Amanda C. Blunt](#) in a recent client alert. However, U.S. Customs and Border Protection (CBP) took an assertive step earlier this month to remind the trade community that audits are within the agency's jurisdiction and that penalties may ensue for anyone misusing or abusing the rule. On July 9, 2014, CBP circulated a draft amended Informed Compliance Publication (ICP), *Bona Fide Sales and Sales for Export to the United States*, and requested comments from importers on the updates.

While stakeholders may interpret the document as adding new obstacles to establishing a first sale, write Meyer and Blunt, the reissued ICP may be more accurately characterized as a friendly warning shot to industry, possibly signaling renewed enforcement interest.

[Read the client alert and learn about the proposed updates.](#)

Upcoming Events

[Direct Response Forum – The Renaissance Hotel, Washington, DC](#)

August 11-13, 2014

The Direct Response Forum is the annual event for payment executives and managers from many of the largest merchants in the world to gather and discuss best practices in credit card operations, fraud detection, cost containment, chargebacks, and risk management. Venable Partner [Ellen Traupman Berge](#) will participate in a panel session, "[Mastering the Regulatory Maze](#)," on Wednesday, August 13 at 10 a.m. ET.

[Click here for more information and to register.](#)

[LeadsCon – Marriott Marquis, New York, NY](#)

August 14-15, 2014

Venable attorneys [Jonathan L. Pompan](#) and [Alexandra Megaris](#) will participate in a panel discussion, "[Staying Current with Consumer Protection: Practical Lessons from Recent Enforcement Actions](#)," on August 14 at 4:00 p.m. ET. Given today's regulatory environment, meeting consumer protection-related obligations has never been more crucial. Current investigations are zeroing in on the advertising practices of lead generators and their customers, and enforcement actions have shown how costly violations can be. This session will be a lively point / counterpoint with a Q & A.

[For more information or to register for LeadsCon New York, click here.](#)

[Legal Issues in Running Social Media and Mobile Sweepstakes and Contests – Webinar](#)

August 19, 2014

Venable partner [Melissa Landau Steinman](#) will host this webinar presented by Lorman from 1:00 p.m. to 2:30 p.m. ET on Tuesday, August 19. The live webinar will provide an in-depth review of the legal issues relating to conducting prize promotion through social and/or mobile media.

Registered attendees will receive continuing education credits. [Click here for more information and to register.](#)

[ERA's D2C Conference – Las Vegas, NV](#)

September 16-18, 2014

Venable is a proud sponsor of the Electronic Retailing Association's D2C Convention taking place September 16-18 in Las Vegas. Please join our attorneys at Venable's booth in the exhibit hall and at the

Venable-hosted Pre-Moxie Awards reception.

To obtain a discounted exhibit hall pass that will allow you access to the expo as a Venable guest, [click here](#) and register using the code **EX11775**.

[Click here](#) to subscribe to Venable's Advertising and Marketing RSS feed and receive the Venable team's insight and analysis as soon as it is posted.

Visit Venable's advertising law blog at www.allaboutadvertisinglaw.com.

CALIFORNIA DELAWARE MARYLAND NEW YORK VIRGINIA WASHINGTON, DC

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