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Show and Tell: NAD's SWIFT Decision Reminds Advertisers That Pictures Make Promises Too

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If you're an advertiser wondering whether NAD's Fast-Track SWIFT offering has real value, Case No. 7600 should get your attention. This decision, dated August 7, 2026, is a case study in how the SWIFT track provides a streamlined way to attack misleading implied claims—without the need for complex consumer survey evidence a court would demand.

Dyson challenged advertising by Dreame Technology for two products: the Dazzle Hair Styler and the Miracle Pro Hair Dryer. Dreame's ads made express claims that the products dry hair in two minutes, with some (but not all) of the ads limiting that claim only to shoulder-length hair. The problem? It was undisputed that the two-minute drying time did *not* apply to longer-than-shoulder-length hair, yet each ad paired that two-minute claim with images of models drying significantly longer-than-shoulder-length hair.

NAD concluded that reasonable consumers may believe “the two-minute drying claim applied directly to the images of the model with long hair” because the ads combined express claims about two-minute drying times with images of long-haired models. NAD could reach this conclusion without relying on survey evidence because NAD may use its expertise to “step into the shoes” of the reasonable consumer and identify implied claims directly. Dreame could not support this implied claim, so NAD recommended that “the images and the text should match, or the advertising should clearly indicate that the claim does not apply to the length of hair depicted in the image.”

In rebuttal, Dreame argued its disclosures were sufficient to prevent consumers from connecting the drying-time claim to the long-haired models shown using the products. NAD disagreed, invoking another well-settled principle: “a disclosure cannot contradict or be used to cure an unsupported message.” Applying that rule, NAD found that “no disclosure can cure the message that the products can dry longer hair in two minutes.”

The lessons for advertisers are straightforward: (i) images also convey advertising claims, so advertisers must be prepared to substantiate those as well, and (ii) NAD's SWIFT track is a powerful tool to quickly remove misleading advertising from the marketplace.

For questions about NAD challenges, implied claims, or other ad law issues, contact your [Kilpatrick Advertising Team](#).