Insights: Publications

Challenging a Competitor's False Advertising Claim

Thomson Reuters

JANUARY 29, 2019 Written by

A Practice Note discussing considerations in challenging a competitor's false advertising claim. It discusses the preliminary steps necessary to investigate an advertising claim and various options for taking action, such as writing a demand letter, filing a challenge with the National Advertising Division (NAD) of the Council of Better Business Bureaus (CBBB), starting a network challenge, and suing under Section 43(a) of the Lanham Act. It includes a chart for comparing the different forums for taking formal action against a competitor.

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