

## Advertising and Marketing Law: Social, Digital, Online Compliance



In-Person



Webcast

**Date:** Friday, October 21, 2016 | 9:00 am to 4:00 pm  
**Location:** Twenty Toronto Street Conferences and Events  
20 Toronto Street, 2<sup>nd</sup> Floor, Toronto  
**Program Chair:** Catherine Bate, Miller Thomson LLP



This program is eligible for up to 6 Substantive Hours

Ensure you have the expertise to advise your clients on how to effectively advertise and market their business without getting tripped up by legislative and regulatory hurdles. Get up-to-date on the ever-evolving field of advertising and marketing law, as you gather critical insights and key strategies from our exceptional faculty of regulators, in-house counsel and private practitioners.

8:30 am	Registration and Coffee	12:00 pm	Networking Lunch (Provided)
9:00 am	Welcome and Opening Remarks	1:00 pm	<b>Critical Claims Concerns</b> <b>Bill Hearn, Fogler, Rubinoff LLP</b> <ul style="list-style-type: none"><li>How to draft proper disclaimers – when can you rely on them? For what?</li><li>Claims substantiation: what is needed to bullet proof your claims? What is adequate and proper testing?</li><li>Valuable strategies for designing and using consumer surveys</li><li>Special considerations: what can we learn from the premium text messaging case?</li></ul>
9:10 am	<b>Enforcement Priorities for the Competition Bureau and Federal Trade Commission</b> <b>Ian Clarke, Counsel, Competition Bureau (Ottawa)</b> <b>Andrew Wone, Attorney, Division of Advertising Practices, Federal Trade of Commission</b> Hear about the Competition Bureau and FTC's 2017 marketing and advertising enforcement priorities and get a recap of significant 2016 activities, including: <ul style="list-style-type: none"><li>What can be learned from recent consent agreements with the Competition Bureau to boost your ability to help your clients remain compliant?</li><li>Do Canadian companies need to worry about the FTC?</li><li>Cross-border collaboration: how do these agencies work together? What's new and what can you expect?</li></ul>	1:30 pm	<b>Testimonials, Endorsements and Influencers</b> <b>James Musgrove, McMillan LLP</b> <ul style="list-style-type: none"><li>Managing paid and unsolicited endorsements</li><li>Monitoring and reviewing influencer posts: obligations and violations</li><li>Best practices gleaned from recent Canadian and U.S. cases, including the Competition Bureau's first enforcement action aimed at astroturfing</li></ul>
9:55 am	<b>Making Sense of the Self-Regulatory Landscape: An update</b> <b>Jani Yates, President and CEO, Advertising Standards Canada</b> <b>Linda Nagel, LJ Nagel Consulting Services</b> <ul style="list-style-type: none"><li>Insights from Advertising Standards Canada's (ASC) 2016 Consumer Research</li><li>Trends in consumer complaints about advertising</li><li>Need-to-know changes to the Canadian Code of Advertising Standards and Interpretation Guidelines</li><li>What has been learned from ASC's AdChoices Accountability Program?</li><li>Government's commitment to restrict children's advertising and the CAI program</li></ul>	2:00 pm	Networking Break
10:25 am	Networking Break	2:15 pm	<b>How to Ensure Native Advertising Campaigns Comply with New and Evolving Regulations</b> <b>Amy Mudge, Venable LLP (Washington)</b> <b>Anita Banicevic, Davies Ward Phillips &amp; Vineberg LLP</b> <ul style="list-style-type: none"><li>Helpful examples of native advertising and applicable regulations</li><li>When do the blurred lines between content and advertising become unfair or deceptive?</li><li>The FTC's new rules on native advertising: why Canadian advertisers need to comply and a "how to" checklist</li></ul>
10:40 am	<b>Privacy and Consumer Rights Management Updates</b> <b>David Young, David Young Law</b> <ul style="list-style-type: none"><li>Critical consumer rights issues in digital and email campaigns</li><li>Navigating privacy laws in a post-CASL world</li><li>Effectively utilizing online behavioural advertising and targeted ads without running afoul of privacy obligations</li></ul>	2:45 pm	<b>Unraveling Your Dispute Procedure Options</b> <b>Mary Griffith, Maclaren Corlett LLP</b> <b>Eric J. Dufour, Miller Thomson LLP</b> Do you want to challenge another company's marketing practices? Are your client's practices being challenged? Ensure you are up to speed on the various forums - Court, Advertising Standards Canada and the Competition Bureau - including: <ul style="list-style-type: none"><li>Knowing how the systems work</li><li>Difficulties of each process and opportunities for resolution</li><li>Tackling the ASC dispute procedure for advertising challenges</li></ul>
11:25 am	<b>Current Issues in Promotions Law</b> <b>Daniel Cole, Gowling WLG (Canada) LLP</b> <ul style="list-style-type: none"><li>Exploring recent developments in the law of contests, sweepstakes, and online promotions</li><li>Can you ever force a purchase?</li><li>Avoiding online voting and social media pitfalls</li><li>What's the score with fantasy sports?</li><li>Should you exclude Quebec? If not, what do you need to do?</li></ul>	3:50 pm	Questions and Closing Remarks
		4:00 pm	Program Concludes

**PROGRAM REGISTRATION IS ONLINE** [www.oba.org/pd](http://www.oba.org/pd)

Questions? [pd@oba.org](mailto:pd@oba.org)