

# **OBA** | Professional Development

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





October 4, 2017 | 9:00 am to 4:30 pm Date:

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 6.5 Substantive Hours

Ensure you have the expertise to advise your clients on how to effectively advertise and market their business without running a foul of legislative and regulatory requirements. 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.

9:00 am Welcome and Opening Remarks

### 9:10 am Critical Updates and Insights: A Conversation with the **Competition Bureau and ASC**

lan Clarke, Counsel, Canadian Competition Bureau (Ottawa)

Janet Feasby, Vice President, Standards, Advertising Standards Canada

- What are consumers complaining to ASC about?
- Key cases and consent decisions from the Bureau you should know
- What enforcement trends are on the horizon?
- How are inter-competitor complaints handled?
- Distinguishing the roles of each body in governing advertising and marketing

#### 9:50 am Being Social: Mastering Advertising and Promotions on Social Media Platforms

- Best practices to follow and potential pitfalls to avoid
- What are the rules of the platforms?
- What to do when there's not enough space for... #what?

Jim Dinning, Davies Ward Phillips & Vineberg LLP

10:25 am Networking Break

#### 10:40 am Making the Most of User-Generated Content

Jean Wong, Senior Law Clerk, PepsiCo Beverages Canada Catherine M. Dennis Brooks, Miller Thomson LLP

- What are the right and wrong ways to ask for submissions?
- Managing the risks and rewards
- How to respond when the marketing team asks: "Can I Retweet that?" or "Do we own that?"

## 11:15 am Navigating Text Marketing Campaigns

Solange Brard, Senior Counsel, Advertising and Marketing, BCE Inc.

Arlan Gates, Baker & McKenzie LLP

- What are the key legal considerations that arise?
- Understanding short codes and compliance
- Unique considerations for premium texting
- Dealing with CASL disclosures, offer disclosures and other fine print

11:50 am Questions & Answers

12:00 pm Networking Lunch

1:00 pm Going Global

Jeffrey Greenbaum, Frankfurt Kurnit Klein & Selz (New York) Brinsley Dresden, Lewis Silkin LLP (UK)

Hear from leading UK and US practitioners, and members of the Global Advertising Lawyers Alliance as they share helpful advice on:

- What do you do when your clients want to go global?
- What trends are emerging on the international stage that may wind up here?

# 1:35pm Managing Risk in Online Engagement

Brian Fraser, Gowling WLG

- Is your YouTube video really advertising? How you can tell and why you should care
- Best practices for online contests and sweepstakes
- How much can/should your client ask of the influencers? Managing the legal risk
- Not-to-be-missed special considerations for regulated products

2:10 pm Networking Break

## 2:25 pm New and Proposed Regulations You Need to Know

Dan Edmondstone, McMillan LLP Mary Griffith, Maclaren Corlett LLP

Not all that is new is online. There are a slew of new regulations, either proposed or newly enacted, impacting advertising. Get up to speed on:

- Loyalty point expiry prohibitions
- Important changes in food advertising to kids
- New proposed consumer protection regulation legislation in Ontario
- Health Canada's proposal to modernize regulation of self-care products

# 3:00 pm Unscrambling PIPEDA, CASL and Online Behavioural Advertising

John Salloum, Osler Hoskin & Harcourt LLP

- What is happening in online behavioural advertising?
- Exploring recent enforcement in the digital space from privacy regulators
- CASL check-in

#### 3:35 pm What is Keeping In-House Counsel Up at Night?

Monica Papendick, Senior Counsel, Canadian Imperial Bank of

Shari Hosaki, Vice President, Associate General Counsel, Indigo Angie Morris, Senior Counsel, The Hershey Company

Join the conversation as in-house counsel share their thoughts on pressing issues, new developments, and the practical management of legal risk

4:20 pm Questions and Concluding Remarks

4:30 pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org