

Advertising Review Checklist

Issue	Comments/Resolution
<p>Source of Content (determine whether original, licensed or fair use):</p> <p><input type="checkbox"/> script _____</p> <p><input type="checkbox"/> characters _____</p> <p><input type="checkbox"/> trademarks/trade names _____</p> <p><input type="checkbox"/> music/lyrics _____</p> <p><input type="checkbox"/> illustrations _____</p> <p><input type="checkbox"/> right of publicity:</p> <p style="padding-left: 20px;"><input type="checkbox"/> celebrity _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> testimonials _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> actor _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> crowd _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> look-alikes/sound alike _____</p> <p><input type="checkbox"/> fair use issue (parody or comparative advertising)? _____</p> <p>Product/Service Claims:</p> <p><input type="checkbox"/> high risk product category?</p> <p style="padding-left: 20px;"><input type="checkbox"/> regulated industry (e.g., alcohol, prescription drugs, consumer lending, etc.) _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> children's advertising _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> health/nutrition _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> diet/fitness _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> work-at-home _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> sweepstakes/contests _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> comparative advertising _____</p> <p><input type="checkbox"/> product claims (Is there sufficient substantiation?)</p> <p style="padding-left: 20px;"><input type="checkbox"/> express performance claims _____</p> <p style="padding-left: 40px;"><input type="checkbox"/> substantiation _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> implied performance claims _____</p> <p style="padding-left: 40px;"><input type="checkbox"/> substantiation _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> product demonstrations _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> visual claims (e.g., six-pack abs) _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> comparative claims _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> testimonials _____</p> <p style="padding-left: 20px;"><input type="checkbox"/> limitations/conditions _____</p> <p><input type="checkbox"/> puffery? _____</p> <p>Trigger Phrases/FTC Guidance:</p> <p><input type="checkbox"/> use of "free" _____</p> <p><input type="checkbox"/> use of "new" _____</p> <p><input type="checkbox"/> use of "guaranteed" _____</p> <p><input type="checkbox"/> use of "made in the USA" _____</p> <p><input type="checkbox"/> required disclosures (supers/voice-overs) _____</p> <p><input type="checkbox"/> other _____</p> <p>Industry regulation:</p> <p><input type="checkbox"/> ESRB (computer and video games) _____</p> <p><input type="checkbox"/> CARU (children's advertising) _____</p> <p><input type="checkbox"/> ERA (direct response) _____</p> <p><input type="checkbox"/> DISCUS (distilled spirits) _____</p> <p><input type="checkbox"/> Beer Institute _____</p> <p><input type="checkbox"/> Other _____</p> <p>Unfair advertising (portrays "dangerous" conduct):</p> <p><input type="checkbox"/> portrayal of alcohol _____</p> <p><input type="checkbox"/> portrayal of convenience food _____</p> <p><input type="checkbox"/> hazardous driving _____</p> <p><input type="checkbox"/> dangerous physical activity _____</p> <p><input type="checkbox"/> extreme sports _____</p> <p><input type="checkbox"/> other _____</p>	