



The National Advertising Division (NAD) of the National Programs provides independent self-regulation and dispute resolution services, guiding the truthfulness of advertising across the U.S. NAD reviews national advertising in all media and its decisions set consistent standards for advertising truth and accuracy, delivering meaningful protection to consumers and leveling the playing field for business.

NAD cases can be initiated through NAD's independent reviewing of advertising claims or through "challenges" to advertising claims filed by competitors, consumers, or public interest groups. This digest includes excerpts from key telecommunications cases. Each case involved consideration of the claims made in the advertising and the supporting evidence provided by the advertiser.

Compliance with NAD decisions is voluntary. Nevertheless, NAD enjoys a high rate of compliance. Advertisers that either refuse to participate in the self-regulatory process or do not implement the NAD recommendations are referred to appropriate government agencies such as the Federal Trade Commission (FTC).

**AT&T Services, Inc.**

**AT&T Fiber**  
Case #5950 (June 2021)

NAD recommended that AT&T discontinue the implied claim that Comcast is unable to video chat, up to 4K resolution, on its fiber service.

NAD recommended that AT&T discontinue the implied claim that AT&T Fiber is the "fastest" to avoid conveying the unsupported message that cable service is slower than fiber service. NAD also recommended that AT&T discontinue the implied claim that AT&T Fiber provides a "faster internet experience" to avoid conveying the unsupported message that AT&T Fiber provides a faster internet experience than cable service. NAD also recommended that AT&T discontinue the implied claim that AT&T Fiber speeds will cause the problems depicted in the challenged ad.

The advertiser agreed to NAD's decision to the National Advertising Review Board (NARB). The appeal is pending.



comcast.com. The ad implied that Comcast speeds are slow and that AT&T Fiber is faster, causing the messages that users are unable to video chat on their homes.

AT&T Fiber is the "fastest" to avoid conveying the unsupported message that cable service is slower than fiber service. NAD also recommended that AT&T discontinue the implied claim that AT&T Fiber provides a "faster internet experience" to avoid conveying the unsupported message that AT&T Fiber provides a faster internet experience than cable service. NAD also recommended that AT&T discontinue the implied claim that AT&T Fiber speeds will cause the problems depicted in the challenged ad.

**Charter Communications, Inc.**

**Spectrum Internet Speed**  
Case #5948 (May 2021)

NAD recommended that Charter discontinue the implied claim in the "Welcome Back, Party" commercial that (i) AT&T Internet is too slow for certain activities, including streaming, and (ii) AT&T does not offer speeds that exceed 200 Mbps. The Ninth Measuring Broadband America Fixed Broadband Report, Federal Communications Commission (2020). NAD was not persuaded that AT&T's lack of participation in the collection of data for the Twelfth FCC Broadband Report should compel any inference relating to its internet speeds. In reaching this conclusion that a speed superiority claim could not be supported, NAD did not further conclude that the data collected on internet speeds experienced by customers of any particular ISP, including Spectrum, was

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# Telecommunications Digest

**Walter Hausdorfer**



## **Telecommunications Digest:**

**Complete Digest of All Lawyers Reports Annotated** ,1924    *Telecommunications Directory* ,2007    *West's Federal Practice Digest* ,1999    West's Federal Practice Digest 4th ,1999 Locate federal cases decided in the U S Supreme Court Court of Appeals district courts Claims Court bankruptcy courts Court of Military Appeals the Courts of Military Review and other federal courts This Key Number Digest contains all headnotes classified according to West s Key Number System for federal court decisions reported from 1984 to the present The topics are listed in alphabetical order The Key Numbers within those topics are listed in numerical order Each topic begins with scope notes about subjects included and subjects excluded and covered by other topics Also there is an outline of the topic which includes a list of all Key Numbers in that topic Headnotes are collected by jurisdiction or court and filed according to the West Key Number System    **West's Florida Digest 2d** ,1984    Decennial Digest, American Digest System ,2002    West's New York Digest ,2001    **Japan Telecommunications** ,1988    Telecommunication Journal ,1982    **Optical Engineering** ,2006 Publishes papers reporting on research and development in optical science and engineering and the practical applications of known optical science engineering and technology    *Index to Information* ,1984    *Summary Digest of Statutes Enacted and Proposed Constitutional Amendments Submitted to the Electors California*, Legislative Counsel Bureau,2002    **Internet** Edward T. L. Hardie,Vivian Neou,1993 What do dead heads birdwatchers chess players science fiction fans and scouts have in common This is but a small sampling of the special interest groups you can access on the Internet This guide contains SRI s List of Lists a comprehensive listing of the Internet special interest group mailing lists Includes guidelines for accessing and participating in the groups as well as for starting your own special interest group mailing list    **Russian Encyclopedia of Information and Telecommunications** ,1997    Data Communications ,1988    Telecommunications Update ,  
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