



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 #6850 (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 comparison message that cable service is slower than fiber service to avoid conveying the impression that fiber service is faster than the challenged ads. NAD also recommended that AT&T discontinue the claim that fiber service "provides a faster internet experience" to avoid conveying the impression that fiber service provides a faster internet experience in the circumstances depicted in the challenged advertising or that cable speeds will cause the problems depicted in the challenged ads.

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



comcast.com. Fiber speeds are slower and more expensive than the messages that users see on their homes.

AT&T's advertising to avoid conveying the impression that fiber service is faster than the challenged ads. NAD also recommended that AT&T discontinue the claim that fiber service "provides a faster internet experience" to avoid conveying the impression that fiber service provides a faster internet experience in the circumstances depicted in the challenged advertising or that cable speeds will cause the problems depicted in the challenged ads.

Charter Communications, Inc.

Spectrum Internet Speed
Case #6848 (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 North 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

Michal Rosen-Zvi



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