Santa Clara
University

Advertising & Marketing Law (Law 712)
Professor Eric Goldman
Spring 2015

Midterm Exercise

With respect to the attached ad:

1) List all of the express and implied messages you think a reasonable consumer would receive.
2) Classify each message as puffery/opinion or a fact claim and (where appropriate) briefly explain why you made that classification.
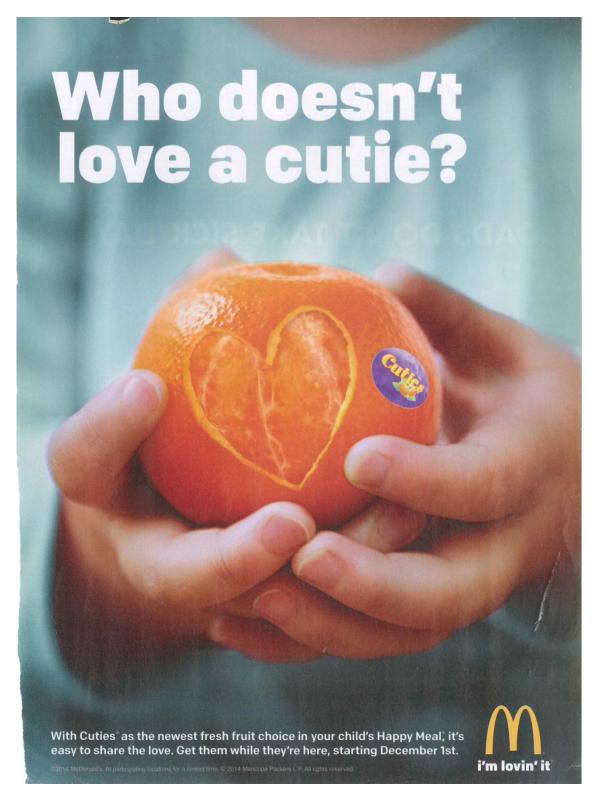3) If you think a message is a fact claim, write one or two sentences giving an example or two of evidence you think would adequately substantiate the claim.
4) If you think a message should be revised, explain why and how you might suggest to revise it.

Please keep your answer within 1,000 words. Include your name and word count on your answer. Upload your answer, preferably in PDF, to Camino no later than 1 pm, March 9, 2015. I will email your midterm to your peer, and email your peer's midterm to you, shortly after class that day.

Next, write a critique of your peer's answer, no more than 500 words (shorter is OK). What did you like about the answer? Do you disagree with any part of the answer? Do you think the answer missed anything important? Be courteous, but don't be timid. Include your name and identify the peer you are critiquing. Upload your critique, preferably in PDF, to Camino no later than 1:00 pm, March 16, 2015. I'll (eventually) return your answer with my comments, along with your peer's critique. I apologize that it may take me a while to complete my grading.

I will grade your answer and your critique using a 0-3 scale. 3 = above expectations, 2 = meets expectations, 1 = below expectations, 0 = unacceptable work or a process violation. Process violations include collaboration with others/plagiarism, late submissions and critiques that aren't intended to provide constructive feedback (critical remarks are fine, but nothing mean-spirited please). I anticipate most of you will get a 2.

The fine print at the bottom reads:

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