



March 2, 2026

**VIA EMAIL**

Scott Fowkes, General Counsel  
American Dental Association  
401 North Michigan Ave, Suite 3300  
Chicago, IL 60611  
fowkess@ada.org

American Dental Association  
Seal of Acceptance  
adaseal@ada.org

Re: Kerber USA Inc.'s Improper Use of ADA Logo and False Endorsement Claims

Dear Mr. Fowkes:

A recent Truth in Advertising, Inc. (“TINA.org”) investigation has found that Kerber USA Inc. is improperly and misleadingly using the American Dental Association logo in marketing materials promoting its SunPowerLED photobiomodulation (PBM) light devices, in violation of ADA policy.<sup>1</sup> Specifically, the New York-based company displays an ADA logo in its marketing materials, including on its SunPowerLED homepage as shown below,<sup>2</sup> sending the false and misleading impression that the ADA favors or endorses SunPowerLED products.



The company also makes false and misleading statements further suggesting that the ADA endorses SunPowerLED products or related PBM therapy. For example, on its homepage, the company states that “Major medical oversight groups and associations like the American Dental Association (ADA) . . . are now endorsing the use of PBM therapy.”<sup>3</sup>

The Advances in Photobiomodulation Are Exciting and Rapidly Progressing!

Major medical oversight groups and associations like the American Dental Association (ADA), the Centers for Disease Control (CDC), the Journal of the American Medical Association (JAMA), and the US Department of Veterans Affairs (VA) are now endorsing the use of PBM therapy.

Kerber USA Inc.'s unauthorized use of the ADA logo, coupled with its false endorsement claims, misleads consumers and dental professionals, and may undermine the integrity of the ADA's name and mark.

Please note that TINA.org notified Kerber USA Inc. of this problematic marketing by sending the company a letter via email on February 18, 2026 in which we urged the company to remove the unauthorized logos and statements from its marketing materials.<sup>4</sup> To date, however, the company has not made any material changes to its website.

Accordingly, TINA.org respectfully urges the ADA to investigate Kerber USA Inc.'s improper use of the ADA logo and false endorsement claims, and to take appropriate action.

Please do not hesitate to contact us should you have any questions.

Sincerely,



Laura Smith, Esq.  
Legal Director  
Truth in Advertising, Inc.



Bonnie Patten, Esq.  
Executive Director  
Truth in Advertising, Inc.

Cc via email: Tom Kerber, CEO, Kerber USA Inc.

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<sup>1</sup> ADA Terms of Use, [https://engage.ada.org/pages/terms\\_and\\_conditions](https://engage.ada.org/pages/terms_and_conditions);  
ADA Seal of Acceptance, <https://www.ada.org/resources/research/science/ada-seal-of-acceptance>.

<sup>2</sup> SunPowerLED homepage, [sunpowerled.com](http://sunpowerled.com).

<sup>3</sup> SunPowerLED homepage, [sunpowerled.com](http://sunpowerled.com).

<sup>4</sup> TINA.org's Feb. 18, 2026 letter to Kerber USA Inc., available at [https://truthinadvertising.org/wp-content/uploads/2026/02/2\\_18\\_26-TINA-letter-to-Kerber-USA-re-SunPowerLED-marketing.pdf](https://truthinadvertising.org/wp-content/uploads/2026/02/2_18_26-TINA-letter-to-Kerber-USA-re-SunPowerLED-marketing.pdf). Of note, the company is also improperly using logos belonging to, and making false and misleading statements regarding, other agencies and organizations, including the U.S. Food and Drug Administration, the Centers for Disease Control and Prevention, the U.S. Department of Veterans Affairs, and the Journal of the American Medical Association. TINA.org has notified each of these agencies and organizations as well.