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NAD Reviews Verizon 4G LTE Ads: Finds Web, Print Comparative Map Claims are Not Misleading, Recommends Verizon Discontinue TV Spot with Claim '2x Bandwidth in Cities Coast to Coast'

New York, NY – Nov. 17, 2014 – The National Advertising Division has determined that website advertising featuring comparative maps of the 4G LTE service offered by Verizon Wireless and certain competitors is not likely to mislead consumers. However, NAD has recommended that Verizon Wireless discontinue a television commercial that features the maps, and the claim that Verizon has “2x Bandwidth in Cities Coast to Coast.”

NAD is an investigative unit of the advertising industry's system of self-regulation. It is

administered by the Council of Better Business Bureaus.

The claims at issue were challenged by T-Mobile USA, Inc., a competing wireless telecommunications company.

T-Mobile challenged express claims that included:

- “More Network Strength”
- “2X Bandwidth in Cities Coast to Coast”
- “More Data”
- “More Upgrades”

NAD also considered whether Verizon’s coverage maps implied that T-Mobile has no coverage at all in areas delineated in white, that Verizon has doubled the capacity of its entire network on a nationwide basis, that Verizon’s wireless plans have more data than T-Mobile’s wireless plans or that Verizon’s early upgrade program offers more upgrades than T-Mobile’s program.

In reviewing Verizon’s website advertising, NAD observed that the page featuring the challenged maps carried the headline: “Connect with AMERICA’S LARGEST 4G LTE NETWORK” and references to 4G LTE were repeated 15 times.

The page at issue featured maps of three competitors’ “4G LTE COVERAGE.” On each map, areas where 4G LTE is available were colored to correspond to each company’s branding color and areas where 4G LTE service is not available were left white.

T-Mobile contended that consumers would interpret the white space as meaning the absence of any coverage whatsoever (data or any high speed data, 2G, 3G, 4G HSPA+, etc.) and supported its position with the results of an online survey that it commissioned.

NAD considered the survey materially flawed and determined that the survey results were insufficient to support T-Mobile’s position that the coverage maps are misleading. Rather, NAD concluded that the advertiser provided a reasonable basis for its comparative 4G LTE coverage maps and determined that, in the 4G LTE context presented on its website and print advertisements, areas of these maps depicted in white were unlikely to convey the message that Verizon’s competitors offered no coverage of any kind in these parts of the country.

However, NAD came to a different conclusion when reviewing Verizon’s television advertising.

In the challenged commercial, the advertiser makes the claim, “MORE NETWORK STRENGTH” immediately before the challenged coverage maps appeared, each for a split second. Although the legend below each map stated “4G LTE,” NAD determined that the overall message conveyed by this portion of the commercial was not adequately limited to a comparison to 4G LTE coverage. NAD recommended that this commercial be discontinued and advised Verizon to clearly and conspicuously disclose in future television advertising that the comparative 4G LTE coverage maps and “networks” be limited solely to 4G LTE coverage.

Verizon’s “2X Bandwidth in Cities Coast to Coast” claim was also featured in television advertising. NAD noted in its decision that it has applied a consistent standard for “coast to coast” service for

the past 10 years. In general, a wireless network can claim to be nationwide or coast to coast if the provider offers service in diverse regions of the country and the network covers at least 200 million people.

In this case, it was undisputed that Verizon has not doubled the bandwidth in its entire network—which encompasses 2G, 3G, and 4G technologies, in addition to 4G LTE. Rather, Verizon has allocated double the bandwidth for its 4G LTE service in certain cities, but had not met the “coast to coast” standard.

NAD determined that the overall message conveyed by the “2X” portion of the commercial, was not adequately limited to its 4G LTE coverage or that the doubling of its 4G LTE network was limited only to certain cities.

Given the fast pace of the music and the images and claims packed into the 30-second commercial, NAD determined that viewers were not likely to discern the limitations of the “coast to coast” message. NAD recommended Verizon discontinue until such time as it has met the 200 million threshold.

As for the challenged comparative claims – “More Upgrades” and “More Data” – the advertiser informed NAD that the claims had either been corrected or discontinued, action that NAD found necessary and proper.

Verizon, in its advertiser’s statement, said the company “continues to invest significantly in its network to ensure its customers enjoy the best service and will take NAD’s recommendations, including its 200 million POPs threshold for any “coast to coast” coverage claims, into consideration in its future advertising.”

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