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# DraftKings Commits to Discontinue Challenged Claims for Fantasy Sport Site

*New York, NY – July 9, 2014* – DraftKings, Inc., a fantasy sports website, has notified the National Advertising Division (NAD) that it will permanently discontinue claims that the site is the “#1” destination for daily fantasy sports on the Internet, as well as claims that it is “the industry leader” in daily fantasy sports.

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 before NAD by FanDuel, Inc., the operator of a competing daily fantasy sports website, [www.fanduel.com](http://www.fanduel.com).

NAD requested that DraftKings provide substantiation for claims that included:

- *“DraftKings is the #1 destination for daily fantasy sports for money.”*
- *“DraftKings is the #1 destination for daily fantasy sports on the internet.”*
- *“DraftKings is the undisputed leader in daily fantasy sports.”*

- *“DraftKings is the industry leader in daily fantasy sports.”*
- *“DraftKings is the leader in the fast-growing world of daily fantasy sports for real money.”*

Upon receipt of NAD’s inquiry letter, the advertiser informed NAD in writing that, for reasons unrelated to the NAD proceeding, it had permanently discontinued use of its “#1 Destination” claims.

The advertiser explained that it believed that its “Industry Leader” claims were presented as stand alone, monadic claims of general excellence and constituted “puffery” under applicable NAD case history. However, the company informed NAD in writing that, for reasons unrelated to NAD’s proceeding, it had also permanently discontinued use of the “Industry Leader” claims. The advertiser asserted that when making “industry leader” claims in the future, it would state that the company is “a leader” in the daily fantasy sports industry, rather than “the leader.”

NAD noted its appreciation for the advertiser’s voluntary action to permanently discontinue the challenged claims, action that NAD deemed necessary and appropriate, given the absence of supporting evidence.

DraftKings, in its advertiser’s statement, said that as the company “previously agreed to amend or discontinue the claims that were the subject of this proceeding for reasons unrelated thereto, DraftKings accepts NAD’s decision in its entirety. DraftKings thanks NAD for its attention to this matter.”

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