

NAD Concludes Kimberly-Clark's Commercial Communicates Unsupported Superior Absorption Claims

FEBRUARY 22, 2011

Advertising claims made by Kimberly-Clark Corporation in a television commercial for its SCOTT paper towels were challenged by The Procter & Gamble Company, the manufacturer of Bounty paper towels. Kimberly-Clark used a side-by-side demonstration and stated, "SCOTT towels have unique ridges that soak up everyday spills even faster than Bounty towels." The woman in the commercial lifts both towels to show that the SCOTT towel completely absorbed the entire spill whereas the Bounty towel has left fluid behind. A legal disclaimer appeared on-screen, and stated "elapsed time = 5 minutes, 10 mL of water." Kimberly-Clark submitted the results of three different tests.

NAD determined that the test data only provided a reasonable basis in support of the express claim that "SCOTT towels have unique ridges that soak up everyday spills even faster than Bounty" under the limited circumstances of the product demonstration (*i.e.*, when placed on a spill on a surface and left untouched for five minutes). NAD believed that the commercial did not sufficiently communicate the specific set of circumstances under which the side-by-side product demonstration was depicted. NAD concluded that consumers viewing the commercial could reasonably take away the much broader, unsupported message that *SCOTT towels provide overall superior absorbency over Bounty towels*. The NAD recommended that Kimberly-Clark discontinue airing the commercial.

TIP: When reviewing advertising for truth and accuracy NAD looks to see that there is a good "fit" between the evidence provided and the message conveyed. Additionally, companies should clearly communicate the circumstances surrounding a side-by-side comparison test.

1 Min Read

Related Locations

Chicago

Los Angeles

New York

Paris

San Francisco

Related Topics

Advertising

NAD

SCOTT

Related Capabilities

Advertising Litigation

Intellectual Property

Patent Litigation

Trademark Litigation, Prosecution & Brand Protection

Litigation/Trials

Privacy & Data Security

Related Professionals



Ronald Y. Rothstein



Jennifer Golinveaux



Becky Troutman



Michael Elkin