

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

In the Matter of

TBWA WORLDWIDE , INC.,
a corporation.

5. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of Section 2.34 of the Commission's Rules, Commission may, without further notice to proposed respondent, (1) issue its complaint corresponding in form and substance with the attached draft complaint and its decision containing the following order in disposition of the proceeding, and (2) make information about it public. When so entered, the order shall have the same force and effect and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon Delivery of the complaint and the decision and order to proposed respondent's address as stated in this agreement by any means specified in Section 4.4(a) of the Commission's Rules shall constitute service. Proposed respondent waives any right ~~to~~ to any other manner of service. The complaint may be used in construing the terms of the order. No agreement, understanding, representation, or interpretation not contained in the order or in the agreement may be used to vary or contradict the ~~terms~~ of the order.

6. Proposed respondent has read the draft complaint and consent order. It understands that it may be liable for civil penalties in the amount provided by law and other appropriate relief for each violation of the order after it becomes final

7. Proposed respondent neither admits nor denies the allegations in the draft complaint, except as specifically stated in this order. Only for the purposes of this action, proposed respondent admits the facts ~~necessary~~ to establish jurisdiction

ORDER

DEFINITIONS

For purposes of this order, the following definitions shall apply:

1. Unless otherwise specified, "respondent" shall mean TBWA World~~wide~~, a corporation, its successors and assigns and its officers, agents, representatives, and employees, but shall not include any corporation, subsidiary, or division that does not ~~operate~~ the name TBWA/Chiat/Day, Chiat/Day, or any substantially similar name.
2. "Commerce" shall mean as defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.

I.

IT IS ORDERED that respondent, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, advertising, promotion, offering for sale, sale, or distribution of any ~~pick-up~~ truck in or affecting commerce, shall not

misrepresent, in the context of the advertisement as a whole, any material quality or feature of the advertised pick

IV.

upheld on app

Date: _____

MATTHEW D. GOLD
EVAN ROSE
Counsel for the Federal Trade Commission

APPROVED:

THOMAS N. DAHDOUH
Director
Western Region

JESSICAL. RICH
Director
Bureau of Consumer Protection