



The Impact of Advertising Law on Business and Public Policy

Ross D. Petty

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Are U.S. advertising laws ruining competition? Are they helping or hurting consumers? These questions are answered in the first book ever published to present a comprehensive public policy analysis of advertising law. Using insights from communications theory and economic analysis, Professor Petty analyzes all of the recent reported cases under the principal advertising laws. He examines their tendency to discourage beneficial advertising such as explicit comparisons, and analyzes their potential for protecting consumers from significant injury caused by deceptive advertising.

The book begins with an innovative analysis of the Constitutional protection afforded advertising under the First Amendment. Petty proposes a simple test for determining whether particular advertising is fully or partially protected by the First Amendment. This novel analysis continues with an overview of advertising law from an evolutionary perspective and social science perspectives on how advertising works. The bulk of the book examines cases under the Lanham and Federal Trade Commission acts, as well as advertising as regulated by the antitrust laws and the U.S. International Trade Commission.

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