

# Consumer Law

## Problem Set 1

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### Problem 4.1

#### Copy of Contract

- Rule: § 429.1(a)
- Provided when buyer signed contract
- Includes a disclosure statement
  - Language, typeface, & placement requirements?

#### Written Notice of Cancellation

- Rule: § 429.1(a) & (b)
- Provided when buyer signed contract
- Language & typeface requirements?
- Attached to back of contract
  - Is buyer able to retain a copy?

#### Oral Notice of Right to Cancel

- Rule: § 429.1(e)
- Was this provided?
  - If not, may toll the cancellation period

### Problem 5.1

#### Puffery/Consumer Expectations

- Possible arguments (unlikely to succeed):
  - Claims are merely vague statements of opinion
  - Claims are not material to consumers
  - Consumers did not think there was scientific support for claims
- Relevant documents:
  - Market research
    - how consumers understood claims
    - whether claims influenced decision to buy

#### Substantiation

- Type & amount required
- Relevant documents:
  - Clinical trials
  - Published research
  - Expert assessments