

Consumer Law

Eric M. Fink
Elon Law School
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Student: _____

Points: _____

Problem Set 1

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