

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman  
Maureen K. Ohlhausen  
Terrell McSweeney

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In the Matter of )  
 )  
LORD & TAYLOR, LLC , ) DOCKET NO. C-4576  
a limited liability company. )  
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\_\_\_\_\_ )

COMPLAINT

The Federal Trade Commission, having reason to believe that Lord & Taylor, LLC, a limited liability company ("Respondent"), has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Lord & Taylor is a New York limited liability company with its principal office or place of business at 424 5th Avenue, New York, NY, 10018.
2. Respondent has manufactured, advertised, labeled, offered for sale, sold, and distributed women's, men's, and children's apparel, accessories, cosmetics, and other retail merchandise to consumers.
3. The acts and practices of Respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.

Lord & Taylor's Design Lab Instagram Campaign

4. In the Fall of 2014, Respondent Lord & Taylor developed plans to promote its Design Lab collection, a private label clothing line aimed at women ages 18-35. Respondent's Design Lab marketing plan included a comprehensive social media campaign ("product bomb") launched at the end of March 2015. The campaign was comprised of Lord & Taylor-branded blog posts, photos, video uploads, native advertising editorials in online fashion magazines, and use of a team of fashion influencers recruited for their fashion style

5. Lord & Taylor gifted the Paisley Asymmetrical Dress to 50 select fashion influencers who were paid in amounts ranging from \$1,000 to \$4,000, to post on the social media platform Instagram one photo of themselves wearing the

COUNT I

Misrepresentations About the Design Lab Instagram Postings

11. Through the means described in Paragraphs 4 through 7, Respondent represented directly or indirectly, expressly or by implication, that the 50 Instagram images and captions reflected the independent statements of impartial fashion influencers.
12. In fact, the 50 Instagram images and captions do not reflect the independent statements of impartial fashion influencers. Respondent's influencers specifically identified the postings as part of an advertising campaign to promote sales of Respondent's Design Lab collection. Therefore, the representation set forth in Paragraph 11 is false and misleading.

COUNT II

Failure to Disclose Influencers' Material Connection to Lord & Taylor

13. Through the means described in Paragraphs 4 through 7, Respondent represented directly or indirectly, expressly or by implication, that the 50 Instagram images and captions posted on March 27 and 28, 2015 about the Paisley Asymmetrical Dress reflected the opinions of individuals with expertise in new trends in fashion. In numerous instances, Respondent failed to disclose or disclose adequately that these individuals were paid endorsers for Respondent. This is a violation of the FTC Act, 16 C.F.R. § 260.10(b)(1) and 16 C.F.R. § 260.10(c)(1).

THEREFORE, the Federal Trade Commission this twentieth day of May 2016, has issued this Complaint against Respondent

By the Commission.

Donald S. Clark  
Secretary

SEAL: