



Quiz

RB (Hygiene Home) Australia Pty Ltd v SC Johnson & Son Pty Ltd [2020] FCA 1783 –Representations in Advertisements

1. What product did S.C. Johnson advertise?
 - a. Mortein fly spray canister with a single nozzle applicator
 - b. Raid fly spray canister with a single nozzle applicator
 - c. Mortein fly spray canister with a double nozzle applicator
 - d. Raid fly spray canister with a double nozzle applicator
2. The legal statement 'A person must not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive' is set out in:
 - a. Section 51 of the Australian Consumer Law
 - b. Section 18 of the Australian Consumer Law
 - c. Section 19 of the *Trade Practices Act 1974* (Cth)
 - d. *REA Group v Fairfax Media Ltd* [2017] FCA 91
3. General laudatory statements in advertisements may be actionable if:
 - a. They are sufficiently precise and clear that they contain actual false meanings
 - b. They are merely puffery
 - c. An ordinary and reasonable reader or viewer brings forward the complaint
 - d. All of the above

4. In *RB (Hygiene Home) Australia Pty Ltd v S.C. Johnson & Son Pty Ltd* [2020] FCA 1783, Griffith J found that:
- a. SC Johnson was wrong in including the humorous character 'Steve' in their commercials
 - b. Advertisements can be made to be humorous but must not contain any exaggerations
 - c. An implicit comparison did not arise in this case
 - d. Corporations should hire an ordinary and reasonable person to ensure their advertisements are not misleading or deceptive
5. According to Kevin Andronos SC, when making or defending an injunction application, a key consideration is:
- a. The time taken in making the application
 - b. Formulating demands before and during the injunction process
 - c. Seeking undertakings that the purported misleading or deceptive conduct stops
 - d. All of the above

Answers:

1. d 2. b 3. a 4. c 5. d