The makers of Motrin cited numerous instances when claims similar to those being challenged were considered parity claims. They cited an NAD case involving Maytag Dishwashers, where claims such as "Nobody, but nobody cleans better than Maytag and holds more dishes" and "No dishwasher washes quieter and also cleans better than Maytag" were considered to be typical parity claims. The National Advertising Review Board even affirmed this decision on appeal. Nonetheless, NAD ruled in favor of AHP, saying that "depending on the language used and the context in which the claim appears, a traditional parity claim may be interpreted by consumers as a superiority message" (NAD Case Reports, Vol. 29, p. 60).32

Another recent complaint filed at NAD involves an advertisement by the makers of Advil Liqui-Gels.33 The makers of Bayer objected to the claim "On tough pain, Advil Liqui-Gels are stronger and faster than Extra Strength Tylenol. Headaches to muscle aches. New Advil Liqui-Gels. Stronger and faster." The Bayer corporation argued that combining the stronger and faster claims against Tylenol with a broader, incomplete superiority claim suggested to consumers that Advil Liqui-Gels acted faster than all single ingredient pain relievers. Bayer questioned the ability of Whitehall to factually support such implication. NAD agreed with Bayer, saying that unless the claims were adequately qualified to limit the superiority comparison against Tylenol, it was reasonable to expect that consumers would interpret the claims to mean that Advil is superior to all other brands of pain relievers.
