



# Filing a New Challenge

## I want to file a new NAD Fast-Track SWIFT, Fast-Track SWIFT-Disclosure, Standard, or Complex track challenge. How do I start?

First, sign into your BBB National Programs online portal account.

If you do not have an account, you must create an account that is separate from any other account that you may have with BBB National Programs.



To start a challenge, select "Challenger" and then select the appropriate NAD case track.



Fill out the contact and case information fields in the online form and then click "View/Attach Documents." This will take you to the Case Document Upload page where you will select "Complaint and Exhibits" from the drop-down menu. Upload your complaint, exhibit, declaration, and other attachments as separate files. Name each file with a description of its contents (e.g. Exhibit A - Declaration of J. Smith, not just Exhibit A). Do not attach exhibits to the complaint or consolidate into one PDF.



When your upload is complete, select "Back to Form."

To submit your challenge to NAD, select "Submit" at the bottom of the form. If you are not yet ready to submit the challenge, select "Save" at the bottom of the form.



Once NAD reviews the challenge, the advertiser will receive an opening letter with the complaint and exhibits provided in the submission. The challenger will also be notified that the challenge has been opened. Fast-Track SWIFT cases are opened and the 20 business day timeline is triggered when payment is made or proof of payment is sent to the assigned NAD attorney.

## Once a challenge has been saved and submitted, may I make changes?

Some changes are permitted. For example, if a file has been accidentally uploaded, you can return to the portal to delete the incorrect file and upload the correct one. However, the information that you provided in the online form—e.g., your contact information—cannot be edited in the portal once you hit "Save." If you would like to make any changes, contact nadportal@bbbnp.org or the attorney handling your matter and we can change it for you.

# **Invoices and Payment**

## Where is my invoice?

An invoice will NOT be created until the challenge is submitted (when the challenger clicks "Submit"). Clicking "Save" will not create an invoice.

Once the challenge has been submitted, the following confirmation message will appear in your browser with a link to your invoice. At this time, the invoice link is immediately sent to the email address on file for the challenger.

Your challenge has been successfully submitted and will be reviewed shortly. Your Billing Contact will get an email with instructions on how to pay for your NAD challenge.

If you are the Billing Contact, you may go to "Invoices" to pay your invoice online by Credit Card or ACH by going to this link: https://portal.bbbpp.org/invoices/. Once NAD reviews the challenge, the advertiser will receive an opening letter with the complaint and exhibits provided in the submission. The challenger will also be notified that the

Once NAD reviews the challenge, the advertiser will receive an opening letter with the complaint and exhibits provided in the submission. The challenger will also be notified that the challenge has been opened. Fast-Track SWIFT cases are opened and the 20-business day timeline is triggered when payment is made or proof of payment is sent to the assigned NAD attorney.

All invoices can be accessed at any time by clicking on your name to access your account and selecting "Invoices."



#### How do I pay my invoice?

You can pay with a credit card or make an ACH payment in the portal by clicking on your name and selecting "Invoices."

Please note that a wire transfer and ACH are not the same thing—a wire transfer results in immediate payment to BBB National Programs whereas ACH is a bank transfer and takes a few days to clear. To ensure funds are applied promptly and accurately, if you are paying by ACH or wire transfer, please send proof of remittance advice to our Finance Department at ar@bbbnp.org. Fast-Track SWIFT cases can be opened when proof of payment is sent to the assigned NAD attorney.

# Filing Reply Submissions (Advertiser and Challenger)

#### I am the advertiser. How do I respond to the challenge?

If this is your first time in the portal, you must first register for an account. This account is separate from any other account that you may have with BBB National Programs. To register for an account, you will need to provide your name and preferred email address.



Only the email address to whom NAD sent the opening letter has access to view the challenge. You can update your information at any point during the challenge, including before you file your initial response. You can add additional people to have access to the challenge before you respond to a challenge. If you have trouble making this change, reach out to nadportal@bbbnp.org.

Once you are signed in with the correct email address, select "Advertiser." All challenges associated with your account in which you are the advertiser will appear in the menu.

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7107	Standard	advertiser portal vie test	w	RSM US LL	Ρ	test		Pending	

Select the challenge to which you wish to respond from your list of challenges.

Once you have selected the appropriate challenge, the online form will have information fields that you may need to update. This is also where you will upload any documents associated with your response. Please click here for details on uploading documents.



Once you have edited the form and uploaded your documents (e.g., responsive brief and any associated exhibits, each to be uploaded individually), select the "Save" button at the bottom of the online form.

#### Once I have saved and submitted my response as an advertiser, may I make changes?

Some changes are permitted. For example, if a file has been accidentally uploaded, you can return to the portal to delete the incorrect file and upload the correct one.

However, the information that you provided in the online form – e.g., your contact information – cannot be edited in the portal once you hit "Save." If you would like to make any changes, contact nadportal@bbbnp.org or the attorney handling your matter and we can change it for you.

# How do I upload my submissions, such as the Advertiser's First Substantive Response, Challenger's Reply and Exhibits, and the Advertiser's Final Response, in the portal?

Sign into your portal account. Select either "Advertiser" or "Challenger" from the menu as appropriate. Select the challenge to which you are responding from your list of challenges. On the Case Document Upload page, select the submission that you are filing.

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The file name of the uploaded letter should be indicate the type of submission (e.g., Complaint, Advertiser's First Response, Challenger's Reply, Advertiser's Final Reply, etc.). You will upload your documents according to the submission by selecting it from the drop-down menu.

Exhibits should be uploaded individually when possible, and not submitted together in one PDF or file. This is especially important if there are multiple or lengthy exhibits. However, if submitting a single PDF submission which includes exhibits, separate each document with a bookmark clearly identifying each exhibit (e.g. "Exhibit A – Declaration of J. Smith").

Please label all exhibits in sequential order, e.g., Exhibit 1, 2, etc. and continue that numbering sequence for all exhibits across submissions. For example, if your complaint or first submission includes Exhibits 1, 2, 3 and 4, then the exhibits for your next submission should start with Exhibit 5. Exhibits should be uploaded individually, and not submitted together in one pdf or upload. Please also include a description of the exhibit in the file name (e.g. "Exhibit 1 – Declaration of J. Smith" instead of just "Exhibit 1").

#### What does "Share document(s)" mean?

All documents that are uploaded to the portal go to NAD. When "Share document(s)" is selected the opposing party be able to view and read the uploaded documents.

ADVERTISERS: LEAVE "SHARE DOCUMENT(S)" UNCLICKED FOR CONFIDENTIAL SUBMISSIONS. Refer to the BBB National Programs' NAD/NARB Procedures that govern confidential submissions.

**CHALLENGERS:** Challengers are not permitted to submit information that cannot be shared with the advertiser.

When submitting documents that are not confidential, use the "Share document(s)" selection. Failing to share documents may cause delays and possibly result in the opposing party receiving an extension for the period of time that they did not have access to your submission.

## Do I have to email or send hard copies of my submission to NAD or the opposing party?

No, unless NAD requests a hard copy, parties and NAD will upload and receive all submissions in the online portal.

## I want to read the opposing party's submission. Where in the portal may I access it?

You will be able to view all documents shared by the opposing party on the Case Upload page where the Challenger's Reply/Advertiser's Substantive Response or Advertiser's Final Response. The documents will be in the "Shared Documents" section.

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# **Appeals**

## I am the advertiser and I want to appeal an NAD Standard or Complex track decision. What do I do?

You have five (5) business days from the final case decision date (when you receive the final decision with the advertiser's statement) to file an appeal. Select the case you wish to appeal and click on the "Appeal" button which appears to the far right of the screen. Follow the instructions and once you have completed all fields, click on the "Save and Submit" button. You will receive an onscreen notification that your appeal was filed and that you will receive an invoice with payment instructions. The NARB Coordinator will email an initiation letter to you and the challenger containing further instructions on the appeal.

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7107	Standard	advertiser portal view test	RSM US LI	LP	test		Pending	

# I am the advertiser and I want to appeal an NAD Fast-Track SWIFT or Fast-Track SWIFT-Disclosure Decision. What do I do?

You have three (3) business days from the receipt of the NAD decision to submit an Advertiser's Statement indicating that you are appealing. For further instructions, please contact the NARB Coordinator.

## I am the challenger and I want to file a cross-appeal in an NAD Standard or Complex track case. What do I do?

You have 10 business days from receipt of the final NAD decision to file a cross-appeal. Find the case you wish to cross-appeal and click on the "Appeal" button at the far right of the screen. Follow the instructions and once you have completed all fields, click on the "Save and Submit" button. You will receive an onscreen notification that your cross-appeal was filed and you will receive an invoice with payment instructions.



# I am the challenger and I want to request leave to appeal an NAD Standard or Complex track decision. Do I do that through the portal?

Yes. You have 10 business days from receipt of the final NAD decision to request leave. Find the case from which you seek leave to appeal and click on the "Appeal" button at the far right of the screen. Follow the instructions and once you have completed all fields, click on the "Save and Submit" button. You will receive an onscreen notification that your request for leave to appeal was filed and that you will receive an invoice with payment instructions.

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	7103	Standard	New Test Challenger Co.	New Advertiser Co.	New Test Product	NAD Complete
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Page," click on "NAD Challenges," and select "Challenger." Click on the appropriate challenge number.

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Choose the files you wish to upload and select the "Share document(s)" box so that all parties can review your submission. Within 10 business days after receipt of the copy of the request for review, the advertiser and NAD shall each submit a response via the Online Portal and via email.

**ADVERTISERS:** If your submission contains confidential information, you can upload the unredacted version of your response but email the redacted version of your response to the challenger and NARB.

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If your request is granted by the NARB Chair, you will receive further instructions from the NARB Coordinator on how to submit the remainder of the appeal payment and an initiation letter (which is also sent to the advertiser) on the next steps in the appeal.

**BBBprograms.org** 

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# File a Petition to Reopen

## What if I want to Petition to Reopen an NAD case? How do I go about doing it?

Log in to the portal and click on "NAD Challenges" and then on the "Challenger" or "Advertiser" button.

National Programs	HOME	PROGRAMS	EVENTS	COMMITTEES	SUBSCRIBE	NAD CHALLENGES	SIGN IN
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When you see the case you wish to reopen, click on the "Reopen" button.

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Click on "View/Attach Documents."

<ul> <li>Case Document Upload</li> <li>When uploading materials for any challenge or appeal, please select from the drop-down menu your category.</li> <li>Upload exhibits, declarations and other attachments as separate files from your letter, especial multiple and lengthy exhibits.</li> <li>Name each file with a description of its contents (e.g., Exhibit A - Declaration of J. Smith, not ju</li> <li>Do not put all exhibits into one PDF.</li> <li>To share your files with the opposing party, click the box next to "Share Document."</li> <li>Advertisers: DO NOT click on the box next to "Share Document" if you have a document that contain information. Confidential submissions must comply with NARB/NAD Procedures.</li> <li>We recommend converting and/or compressing video files to ensure a seamless experience with upl reach out to your IT staff to get their recommendation for the best tool to use for conversions.</li> <li>Technical Support: Ask your IT Department to whitelist this page prior to any attempt to upload docu portal.</li> <li>Questions? Contact nadportal@bbbnp.org</li> </ul>	r submission's ly where there a ist Exhibit A). ns confidential loads. Please iments to the
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Click on "Choose File" and upload your document (label it "Petition to Reopen"). DO NOT click on the "Share" button, as your petition must first be viewed and approved by NAD.

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After you upload the document, scroll to the bottom of the page and click on the "Back" button.



Scroll to the bottom of this page and hit "Submit" to submit your petition to reopen. If you are not yet ready to submit your petition to reopen, select "Save" at the bottom of the form. NAD will review your petition and determine whether to reopen the matter.

# File a Compliance Proceeding

Log in to the portal and go to the "NAD Challenges" page. Click on the "NAD Challenge History" link.

👬 Programs 🖁	OME PROGRAMS	EVENTS	COMMITTEES	SUBSCRIBE	NAD CHALLENGES	SIGN IN
NAD Challenges						
Please find your list of existing cases a Once payment is received, case proces day timeline is triggered when paymer	s a challenger or ssing will begin. nt is made or pro	r advertis Fast-Trac oof of pay	er below. ck SWIFT cas yment is sent	es are oper to the assig	ed and the 20-bu gned NAD attorne	usiness ey.
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To file a Compliance Proceeding or to view the hi	story					

Select "Details" from the list of NAD challenges, and then "File Compliance Proceeding." If the case does not appear in the list of NAD challenges, please contact nadportal@bbbnp.org.

# Troubleshooting

## Why can't I access the challenge in the portal?

Only one person's email address per party may access a challenge in the online portal. Contact nadportal@bbbnp.org or the attorney handling your challenge.

## Why won't my documents upload?

 Have you checked the file size (i.e., a video file of a long commercial)? We recommend converting and/or compressing video files to ensure a seamless experience with uploads. Please reach out to your IT staff to get their recommendation for the best tool to use for conversions. If you have multiple exhibits per file, that may also make the file too large to upload. *Please upload exhibits and briefs individually*.

• Sometimes it is an issue of internet security. You can ask your IT Department to whitelist the portal (https://portal.bbbnp.org) prior to any attempt to upload documents.

#### I don't see the appeal button for the appeal. What do I do?

Contact the NARB Coordinator for further instructions.

#### Do you have a preferred browser?

For best results, we recommend you use Chrome.