

Complaint

IN THE MATTER OF

**TELOMERASE ACTIVATION SCIENCES, INC.
AND
NOEL THOMAS PATTON**

CONSENT ORDER, ETC. IN REGARD TO ALLEGED VIOLATIONS OF
SECTIONS 5 AND 12 OF THE FEDERAL TRADE COMMISSION ACT

*Docket No. C-4644; File No. 142 3101
Complaint, April 18, 2018 – Decision, April 18, 2018*

This consent order addresses Telomerase Activation Sciences, Inc.’s advertising for TA-65MD, a product that comes in capsule and powder forms, and TA-65 for Skin, a topical cream product. The complaint alleges that respondents violated Sections 5(a) and 12 of the FTC Act by making false or unsubstantiated health or performance claims regarding TA-65MD and TA-65 for Skin. The complaint further alleges that respondents represented that a 2012 paid-for segment on *The Suzanne Show* featuring TA-65MD was independent, educational programming and not paid commercial advertising and that consumers appearing in advertisements were independent users of TA-65MD, expressing their impartial views of satisfaction. The consent order prohibits any representation that a covered product reverses human aging; prevents or repairs DNA damage; restores aging immune systems; increases bone density; reverses the effects of aging, including improving skin elasticity, increasing energy and endurance, and improving vision; decreases recovery time of the skin after medical procedures; prevents or reduces the risk of cancer; or cures, mitigates, or treats any disease unless the representation is non-misleading and respondents possess and rely upon competent and reliable scientific evidence that substantiates that the representation is true.

Participants

For the *Commission*: Devin W. Domond, David P. Frankel,
Mary Johnson, and Andrew Wone.

For the *Respondents*: Leonard L. Gordon, Michelle C.
Jackson, Kristen Klesh, Claudia A. Lewis, and Brian M. Likins,
Venable, LLP.

COMPLAINT

The Federal Trade Commission, having reason to believe that Telomerase Activation Sciences, Inc. (“TAS”), a corporation, and Noel Thomas Patton, individually and as an officer of TAS

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(collectively, “Respondents”), have 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 Telomerase Activation Sciences, Inc. is a Delaware corporation with its principal place of business at 420 Lexington Avenue, Suite 2900, New York, NY 10170.

2. Respondent Noel Thomas Patton (“Patton”) is the founder, Chairman, CEO, and majority owner of TAS. Individually or in concert with others, he has formulated, directed, controlled, had the authority to control, or participated in the acts and practices alleged in this complaint. His principal office or place of business is the same as that of TAS.

3. Respondents have manufactured, advertised, labeled, offered for sale, sold, and distributed products to consumers, including TA-65MD and TA-65 for Skin (“TA-65 Skin”) (collectively “the TA-65 products”). TA-65MD is either a food and/or drug within the meaning of Sections 12 and 15 of the Federal Trade Commission Act. TA-65 Skin is either a drug and/or cosmetic within the meaning of Sections 12 and 15 of the Federal Trade Commission Act.

4. The acts and practices of Respondents alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.

Respondents’ Business Activities

5. TA-65MD is a product that comes in both capsule and powder form. Respondents have manufactured, advertised, labeled, offered for sale, distributed, and sold TA-65MD since 2007.

6. TA-65 Skin is a topical cream product. Respondents have manufactured, advertised, labeled, offered for sale, distributed, and sold TA-65 Skin since 2013.

7. The active ingredient in the TA-65 products is a proprietary extract derived from the roots of the *Astragalus*

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membranacious plant. The extract is chemically known as cycloastragenol.

8. Respondents claim that the active ingredient in the TA-65 products activates an enzyme known as telomerase, which is dormant in most human cells. According to Respondents, activating telomerase lengthens telomeres. Telomeres form the ends of human chromosomes in cells. Sometimes likened to the hard plastic tips at the end of shoelaces that prevent them from fraying, telomeres protect human cells during cell division. Each time a cell divides, its telomeres shorten. When telomeres reach a critically short level, a cell ceases to divide – known as cell senescence. Respondents claim that the TA-65 products activate telomerase, lengthen short telomeres, and, thereby, extend the cellular lifespan of normal cells.

9. Respondents have advertised and marketed TA-65MD through a television infomercial, a paid appearance on *The Suzanne Show*, magazine advertisements, health professional conferences and seminars, trade conferences and shows, TAS-hosted meetings and workshops, online advertisements and websites, email blasts, product packaging, and other promotional materials to consumers, including trade customers for use in other finished products marketed to consumers.

10. Respondents have represented that TA-65MD, among other things, is clinically proven to reverse aging, repair DNA damage, restore aging immune systems, and increase bone density.

11. Respondents have sold TA-65MD through licensees, infomercial call centers, and online retailers (including, but not limited to, Amazon.com, Vita-Stream.com, RevGenetics.com, ChosenMeds.com, and ebay.com).

12. Respondents also have sold TA-65MD powder to their trade customers directly.

13. According to the TAS website (www.tasciences.com), the retail price of one TA-65MD 90-capsule (250-unit dosage per capsule) bottle is \$600 and of one 30-capsule (100-unit dosage per

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capsule) bottle is \$100. According to earlier versions of the website, TA-65MD capsules retailed for the following approximate amounts: \$600 for a three-month supply at a low dose level (one 250-unit capsule daily); \$1,200 for a three-month supply at a mid-dose level (two 250-unit capsules daily); and \$2,200 for a three-month supply at a high-dose level (four 250-unit capsules daily).

14. Respondents have advertised and marketed TA-65 Skin through health professional conferences and seminars, trade conferences and shows, TAS-hosted meetings and workshops, online advertisements and websites, product packaging, and other promotional materials.

15. Respondents have represented that TA-65 Skin, among other things, reverses aging, including through improving skin elasticity, and decreases recovery time of the skin after medical procedures.

16. Respondents have sold TA-65 Skin through licensees and online retailers (including, but not limited to, Amazon.com, myHealthMarket.com, and ebay.com).

17. The retail cost for TA-65 Skin is approximately \$500 for a one fluid ounce bottle and \$1,000 for a four fluid ounce tube.

18. Respondent TAS grossed at least \$56 million in sales for the TA-65 products from 2010 to filing of this Complaint, and sales have been ongoing. TA-65MD accounts for most of these sales.

A. Respondents' Promotion and Sale of the TA-65 Products Through Licensed Persons

19. Respondents have distributed the TA-65 products through persons that TAS licenses to sell and distribute the products ("TAS Licensee" or "TAS Licensees"). The majority of sales for TA-65MD capsules and TA-65 Skin are through TAS Licensees.

20. Most TAS Licensees are health professionals, including licensed medical doctors.

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21. Respondents sell and distribute the TA-65 products to TAS Licensees at a discount, to then be resold and redistributed to consumers. According to Respondents' advertisements for their licensee program, product discounts for TAS Licensees range from 25 to 45 percent off the retail price.

22. TAS Licensees market, promote, offer for sale, and sell the TA-65 products to consumers through their own online websites and other online websites, including Amazon.com storefronts and ebay.com, and physical storefronts or offices.

23. For example, TAS Licensee Age Reverse, LLC (a New York limited liability company described by Respondents as one of their "biggest USA distributors"), markets and sells TA-65MD capsules and TA-65 Skin to consumers through its websites www.ta65doctor.com and www.ta-65direct.com; through its Amazon storefronts ta65doctor, ta-65direct, and TA65DIRECT; and through www.ebay.com.

24. Respondents promote the TA-65 products to prospective and actual TAS Licensees at health professional conferences and trade shows, through practitioner-oriented publications, and through other promotional materials. Respondents also have hosted meetings and workshops for health professionals, whose practices often involve aging or general health, to promote the TA-65 products and the TAS Licensee program as a source of ancillary revenue.

25. Respondents also have furnished prospective and actual TAS Licensees copies of their advertising and marketing materials for the TA-65 products and materials purporting to substantiate the products' efficacy.

B. Respondents' Marketing and Promotion of the TA-65 Products to the General Public

26. In 2012, Respondents paid \$89,900, in addition to in-kind compensation of approximately twelve TA-65MD 90-capsule bottles, for celebrity Suzanne Somers to promote TA-65MD on *The Suzanne Show*, which aired on Lifetime Television. Ms. Somers was the show's host and one of the show's producers.

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27. Ms. Somers introduced the paid-for segment on *The Suzanne Show* featuring TA-65MD as an “ask the experts” segment, which was styled as an educational interview of Respondent Patton and Dr. Edward Park, a purported medical expert, who was also a TAS Licensee. During the interview, Respondent Patton and Dr. Park discussed purported health benefits of TA-65MD and directed consumers to the TAS website (www.tasciences.com). There was no indication to viewers that this segment was a paid advertisement.

28. Respondents also provided free TA-65MD 90-capsule bottles, on a quarterly basis, to another producer of *The Suzanne Show* from 2012 until, at least, the end of 2013. The total value of monetary and in-kind compensation that Respondents paid the show’s producers until January 2014 was approximately \$113,900. Respondents also provided discounted TA-65 products to producers of *The Suzanne Show*.

29. In addition to the paid-for segment on *The Suzanne Show* promoting TA-65MD, TA-65MD was featured in website advertisements and other promotional materials promoting *The Suzanne Show* segment.

30. Respondents also marketed the TA-65 products in an infomercial, released in 2014, for TA-65MD (“TAS infomercial”).

31. The TAS infomercial included consumer endorsers discussing health benefits they purportedly experienced due to their use of TA-65MD. Video clips of and quoted language from these consumer endorsements have appeared on Respondents’ website. Respondents provided thousands of dollars of free TA-65MD products to the consumer endorsers appearing in the TAS infomercial and other promotional materials. For example, Respondents provided eight TA-65MD 90-capsule bottles, valued at approximately \$4,000 total, to each consumer endorser featured in the TAS infomercial.

32. Respondents did not disclose, or did not disclose adequately, in advertisements or other promotional materials featuring consumer endorsers, including the 2014 TAS

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infomercial, that they provided thousands of dollars of TA-65MD to consumer endorsers at no cost.

33. The TAS infomercial featured endorsements by medical professionals or “experts” discussing health benefits purportedly experienced by TA-65MD users, such as the medical professionals’ patients and themselves. Video clips of and quoted language from the TAS infomercial also appeared on Respondents’ website.

**C. Respondents’ Promotion and Sale of TA-65MD
Powder to Trade Customers for Use in Other Finished
Products**

34. Respondents market, promote, and offer for sale TA-65MD powder to trade customers for use in the trade customers’ finished products.

35. Respondents have furnished prospective trade customers copies of their advertising and marketing materials for TA-65MD and materials purporting to substantiate TA-65MD’s efficacy, including materials targeting prospective TAS Licensees. One or more of Respondents’ trade customers have used these materials to market TA-65MD powder to consumers nationwide and abroad.

36. For example, Respondents’ trade customer Jeunesse, LLC (a Florida limited liability, multi-level marketing company) has used Respondents’ materials to produce promotional materials for its product Finiti™, a product sold in capsule form that contains TA-65MD powder as a purported active ingredient. Online advertising and product packaging for Finiti contains the mathematical symbol for infinity (∞) and the tag line “Aging Ends Here.”

37. Respondents also have provided other services to their trade customers to assist in marketing TA-65MD powder to consumers nationwide and abroad. For example, Respondents have provided technical, clinical, and marketing support to their trade customers, including making Respondent Patton or other TAS representatives available to speak at trade customers’ events.

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In addition, Respondents have reviewed the formulation of and advertisements for their trade customers' products prior to dissemination to consumers.

D. Individual Respondent

38. Among other things, Respondent Patton has created, reviewed, edited, and approved advertisements, packaging, and promotional materials for the TA-65 products. He has been involved actively in developing and reviewing advertising claims for the TA-65 products, including the advertising claims set forth in this Complaint. In addition, Respondent Patton has marketed the TA-65 products at conferences and seminars, making presentations about the products' purported benefits. As part of a paid-for segment on *The Suzanne Show* promoting TA-65MD, Ms. Somers interviewed Respondent Patton. Respondent Patton also appeared in the TAS infomercial.

39. Respondent Patton has reviewed and approved advertisements, packaging, and promotional materials for products manufactured by Respondents' trade customers containing TA-65MD powder. Respondent Patton has promoted TA-65MD powder when marketing products manufactured by Respondents' trade customers at trade customers' events. Moreover, Respondent Patton has been responsible for reviewing the scientific materials that purportedly substantiate claims for the TA-65 products.

E. Examples of Advertisements, Packaging, and Other Promotional Materials

40. To induce prospective and actual TAS Licensees to purchase the TA-65 products for distribution, Respondents have disseminated or have caused to be disseminated advertisements and promotional materials for the TA-65 products and Respondents' Licensee program, including, but not necessarily limited to, those attached as Exhibits A through D. These advertisements contain the following statements and depictions:

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a. **TA-65MD Health Professional's Brochure FTC-TAS0053507-18 (Exhibit A)****To Meet the Challenges of Aging****OUR MISSION IS YOUR MISSION:**

*Our **mission** is to minimize the decline associated with aging and maximize the potential for health and longevity through Telomerase Activation*

TA⁶⁵®

- **Safe and efficacious with over 5 years of testing**
- **Only available through physicians trained and licensed by T.A. Sciences.**

Short Telomeres are associated with unhealthy aging and a shorter lifespan

...

Short Telomeres have been associated with maladies in these tissues:

- Immune cells – memory and naïve
- Heart – cardiomyocytes
- Hematopoietic stem cells
- Lung alveolar cells
- Skin – dermis, epidermis, vasculature
- Vascular intima (endothelium)
- Osteoblasts, MSCs
- Liver – hepatocytes
- Retinal pigmented tissue of eye
- Chondrocytes
- Skeletal muscle
- Kidney – cortex
- Neurons

...

People currently taking TA-65 have seen the following results:*

...

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- **Improved Immune system:** In particular, the % and absolute number of senescent CD8+/28- cells has significantly decreased. This is a reversal of what normally happens with age.
- **Improved bone density**
- **Improved cardiovascular and hormonal biomarkers** that normally show decline with age.
- There are also anecdotal results, such as **improved energy and athletic performance**, but these effects are not universal and vary among individuals.

**Human trial results substantiating these claims to be published soon in a peer-reviewed scientific journal*

...

How to become a T.A. Sciences licensee?

1. The physician must sign the Licensee Agreement.
2. There is a one time \$1,000 Administrative Fee that covers licensee set up, marketing support and operations support.
3. The physician must study the Doctor's Manual and pass the Telomere, Telomerase and **TA⁶⁵** basic knowledge exam.
 - Your practice will then have the ability to purchase the products – **TA⁶⁵** and Support Packs, along with Telomere Length and Specialized Immunology tests at licensee discount rates.
 - **TA⁶⁵** profit for the doctor is \$2000 per client per year.
 - Cash Flow positive for the licensee: No investment in **TA⁶⁵** inventory is required. Patients pay for **TA⁶⁵** before you have to pay TA Sciences.

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- Set your practice apart by offering the only scientifically proven Telomerase Activator in the world to your patients, TA⁶⁵

b. **Health Practitioner Magazine Advertisement FTC-TAS0043860 (Exhibit B)**



Add Nobel Prize Technology

to your Practice

TA⁶⁵®MD

Cell Rejuvenation

Through Telomerase Activation

...

- Repairs DNA Damage
- Rejuvenates Aging Immune Systems
- Increases Bone Density
- Improves Biomarkers that Decline With Age

c. **TAS Licensee Program Advertisement FTC-TAS0065578 (Exhibit C)**

T.A. SCIENCES

**CELL REJUVENATION THROUGH
TELOMERASE ACTIVATION**

Right now is the best time to start providing the world's most unique anti-aging supplement.

It is now FREE and EASY to sign up and become a TA-65®MD Licensee.

TA-65®MD is the world's only proven telomerase activator with in vivo studies to show efficacy and safety.

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Telomerase activation is the most effective way to lengthen short telomeres and to combat age related dysfunctions.

In addition, TA-65[®]MD has proven to rejuvenate the immune system and increase bone density.

As a Licensee, you will receive discounts for each bottle. The savings range between 25% to almost 45%. Our Licensees value TA-65[®]MD not only for the health benefits to their patients, but for the significant increase of revenue for their practice.

Customers have reported several amazing **anecdotal benefits which include:**

- **increased energy and endurance**
- **better joint movements**
- **improved sleep**
- **more youthful skin** (age spots going away, dry patches disappearing, wrinkles smoothening)
- **improved strength and flexibility**
- **sharper memory**
- **sexual enhancement**

When you sign up to **become a Licensee**, you will receive the TA-65[®]MD Manual and Test to learn more about the product. To help with sales, you receive free marketing material to share with your staff and patients, a dedicated website for online orders and of course a discount on every bottle you order!

Call us today to learn how you can become a TA-65[®]MD Licensee and start generating more revenue for your practice!

Request a TA-65[®]MD Licensee Agreement by phone or email:
212-588-8805 or sales@tasciences.com.

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d. **TA-65MD and TA-65 Skin physician conference
flier FTC-TAS0059953 (Exhibit D)****Cellular Aging Stops Here**

Inside every cell of your body, there is a powerful clock ticking away. It's telling your body to age, wrinkle, gray, and slow down.

That clock is your telomeres, the caps at the end of each strand of DNA that protect it, like the plastic tips at the end of shoelaces.

Telomeres shorten over time, leaving your DNA vulnerable to damage and causing your cells to age. But now, there is a groundbreaking new way to help slow down, or possibly even reverse, age and lifestyle related telomere shortening.

Based on Nobel Prize winning science, TA-65® – a proprietary, all natural plant-based compound – can help maintain or rebuild telomeres.

TA-65® is available from T.A. Sciences® as TA-65MD® nutritional supplements, or in a new skin cream formulation.

41. To induce consumers to purchase the TA-65 products, including trade customers and TAS Licensees who distribute the TA-65 products to consumers, Respondents have disseminated or have caused to be disseminated advertisements, packaging, and promotional materials for the TA-65 products, including, but not necessarily limited to, those attached as Exhibits E through O. These advertisements contain the following statements and depictions:

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- a. **Paid-for TA-65 segment on *The Suzanne Show*, DVD and transcript (Exhibits E and F, respectively)**

ON SCREEN: ask the experts

SUZANNE SOMERS: All right, I'm going to ask you a sensitive question. How old are you? Well, the fact is most of us don't really know because there are two answers. There's your calendar age - - that's the birthday you celebrate every year - and then there's the age of your body's individual cells. And your cells may be much younger or older than your actual years. The exciting new science of telomere biology is showing us how to not only determine our cellular age, but how to actually reverse - I say it again - reverse the aging process. My guests today are Noel Thomas Patton, founder of T.A. Sciences, and Dr. Ed Park, an expert in telomeres. Welcome, both of you.

NOEL PATTON: Glad to be here.

SUZANNE SOMERS: Well, you know, I know both of you very well because I interviewed you, Noel Patton, for my book, *Bombshell*, because I was so fascinated about telomeres. Is your product - it's a supplement called TA65 - is this the fountain of youth?

(4:4-24)

...

ON SCREEN: Dr. Ed Park, MD, MPH
Telomere and Telomerase
Expert

(6:10-11)

...

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SUZANNE SOMERS: Inside the cell, these Nobel Prize winners discovered that there's an enzyme called?

DR. ED PARK: Right, telomerase.

SUZANNE SOMERS: Telomerase.

DR. ED PARK: So, it literally is the oldest trick in the book. . . . All plants and animals on earth require it to keep their stem cells young. So, this is always on and the thing that TA65 does is it just gives it better gasoline so it operates at higher efficiency. Now, the good news is you can do telomerase activation naturally by meditating, by going to the gym, by eating well, sleeping, but if you don't have time or the disposition, now we have a supplement that can safely turn up that healing.

(7:15 – 8:5)

...

SUZANNE SOMERS: But, well, does TA65 strengthen the immune system?

NOEL PATTON: It absolutely does. That's one of the key things that we do. As we get older, our immune system is deteriorating and everybody knows it intuitively.

SUZANNE SOMERS: Right.

NOEL PATTON: But you can measure that. There's a test – a blood test done at UCLA's immunology laboratory that shows how your immune system is aging. . . . And we measure that with people that have – they do a blood test. The same thing, as you're getting older, you have more and more cancer cells. . . . See, we all have cancer

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cells, even when we're young. . . . But our immune system kills them. . . . So, if those two lines cross . . . we get cancer and we die, one third of us die. So, what we're doing is we rejuvenate the immune system, turn that curve -- that line down -- . . . -- put it back up hoping to keep it above the cancer line. And if it is kept above the cancer line, you won't -- you wouldn't get cancer, your immune system would kill the cancer cells before they kill you.

. . .

NOEL PATTON: Our website is tasciences.com.

ON SCREEN: www.tasciences.com

SUZANNE SOMERS: Very interesting stuff. Thank you, Dr. Park. Thank you, Noel, for coming. . . .

(9:6 – 11:13)

b. **TA-65 infomercial, DVD and transcript (Exhibits G and H, respectively)**

ON SCREEN: ACTUAL TA65 CUSTOMERS

BEFORE AND AFTER PHOTOS

MALE ANNOUNCER: Some studies have shown how this amazing discovery could help support immune health and even reverse measurable, obvious effects of cellular aging. Too good to be true? Watch and decide for yourself. . . .

(7:22 - 8:3; *see also* 35:14-18; 43:22 – 44:1)

. . .

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MALE ANNOUNCER: . . . Join investigative journalist and former CNN anchor . . . Kathleen Kennedy as she sits with the premier experts in anti-aging science and debunks the myths, discovers the truth and reveals the secrets you need to know. . . .

KATHLEEN KENNEDY: A growing new body of evidence is shattering long-held beliefs about aging and it's creating quite a controversy. Today we are going to talk to some of the world's leading edge scientists that work in the private sector developing the science that they say promises to change your life. . . .

ON SCREEN: Calvin B. Harley, Ph.D.
PRESIDENT & CSO,
TELOME HEALTH, INC.

KATHLEEN KENNEDY: My guests are Dr. Cal Harley, Ph.D. and expert on cellular regeneration and telomeres.

ON SCREEN: Dr. Joseph Raphaele [sic],
M.D.
CO-FOUNDER, PHYSIO-AGE
MEDICAL GROUP

KATHLEEN KENNEDY: Dr. Joseph Raphaele [sic], a Princeton graduate and internal medicine expert with a leading anti-age practice, Physio-Age, right here in Manhattan.

ON SCREEN: Noel Patton
CEO AND FOUNDER OF T.A.
SCIENCES®

KATHLEEN KENNEDY: Noel Patton, CEO of T.A. Sciences and producer of TA65, a natural telomerase activating supplement.

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ON SCREEN: Dr. Ed Park, MD, MPH
AUTHOR: “TELOMERE
TIMEBOMBS”

KATHLEEN KENNEDY: And longevity expert
and private practicing anti-aging physician,
Edward Park, from Orange County, California.

(8:3 – 10:3)

...

ON SCREEN: Bill Wismann, Age 58
Taking TA65 for 4 months
These results are atypical and
other consumers may not
achieve such results.

BILL WISMANN: I’ve noticed that not only am
I healthier, but I’m not catching the cough that,
you know, my wife or my son or others around me
are getting. My condition is just a healthier one
and I have more energy.

ON SCREEN: Carol Wayne, Age 74
Taking TA65 for 1 year
These results are atypical and
other consumers may not
achieve such results.

CAROL WAYNE: TA65 is such a great product.
It makes your whole body healthier and stronger
and more energetic.

(14:17 - 15:6)

...

MALE ANNOUNCER: But only TA65 has been
shown to activate telomerase which starts life’s
most important cellular anti-aging chain reaction. .

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. . . Some studies have shown how this amazing discovery could help support immune health and even reverse measurable obvious effects of cellular aging. Why wait one more minute when the clock is ticking?

(23:9-19)

...

ON SCREEN: Carol Wayne, Age 74
Taking TA65 for 1 year

CAROL WAYNE: At my age, at 74, I want to enjoy the time I have left, whatever that is. I want to have as much vitality and energy as I can possibly get. . . . And I find that with the TA65, I have the energy that I want and I need to do all the things I like to do. I like to travel. It helps with my quality of life.

(29:14-24)

...

NOEL PATTON: Well, I was looking for a solution to aging for myself and discovered TA65. We've been working on it for ten years. And it works for me, it's worked for my family, my friends, loved ones, and now for tens of thousands of people, and we've made it affordable and accessible to everyone, and I'm really proud to be at the beginning of this revolution in science.

(42:8-15)

c. **TA-65MD Product Packaging (30 capsules) FTC-TAS0007347 (Exhibit I)**

Front Panel:

Telomerase Activation works on

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targeted cells in your body and
can improve your quality of life!

TA65[®]MD
CELL
REJUVENATION
THROUGH
TELOMERASE
ACTIVATION™

...

- **Helps Prevent DNA Damage**
- **Rejuvenates Aging Immune Systems**



Nobel Prize Technology

Side Panel:**ROOT CAUSE OF AGING**

- As we age our telomeres shorten
- Scientific studies have shown that short telomeres are associated with age related decline and dysfunction
- Evidence also clearly shows that people with long telomeres age healthier and live longer
- The only way to lengthen telomeres is through the activation of an enzyme called telomerase
- Currently the only way to activate telomerase is to take **TA-65[®]MD**

d. **TA-65 Patient Brochure FTC-TAS0043861-62 (Exhibit J)**

...

TA-65[®]MD is proven to:

...

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- ✓ **Restore an aging immune system**
- ✓ **Increase bone density**
- ✓ **Improve various biomarkers that usually decline with age**

Our clients report anecdotal benefits such as:

- ✓ **Increased energy**
- ✓ **Improved endurance**
- ✓ **Vision improvements**
- ✓ **Enhanced libido**
- ✓ **Better skin elasticity**
- ✓ **and more . . .**

**e. TA-65 Patient Poster FTC-TAS0005116
(Exhibit K)**

Can we age healthier and live longer?

What's the key to aging healthy and living longer?

Telomeres!

. . .

TA-65MD is proven to:

. . .

Restore an aging immune system

Increase bone density

Improve various biomarkers that usually decline with age.

Our clients report anecdotal benefits, such as:

Increased energy

Improved endurance

Vision improvements

Enhanced libido

Better skin elasticity

and more

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...

Ask your physician if you can benefit from anti-aging therapy with TA-65.

f. **TA-65MD Coupon Advertisement FTC-TAS0053232 (Exhibit L)**



TA-65® Is the first product to emerge from Nobel Prize winning science, focused on improving your health and quality of life.

TA⁶⁵ is the world's only telomerase activator proven in published studies to safely lengthen critically short telomeres, prevent DNA damage, and restore an aging immune system. TA-65 has been shown to increase bone density and improve various biomarkers which usually decline with age.

...

Visit www.tasciences.com or call us at 212-588-8805

g. **TAS website excerpts, January 24, 2014 (Exhibit M)**

TA-65 Dosing Guideline

The statistics showing TA-65's efficacy in the ground breaking scientific paper published Sept. 8, 2010 in the peer-reviewed scientific journal *Rejuvenation Research* allows [sic] us to offer different dosing options. . .

1. **250 units (1 capsule daily)** is efficacious for healthy adults in their 40's or 50's. . . . Clients who took this dose were shown to have increased short telomere length and significantly improved

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immune system function. There are also anecdotal reports of increased endurance and other benefits.

...

2. **500 units (2 capsules daily)** has been proven to lengthen short telomeres, restore the immune system, and improve other important bio markers [*sic*]. Anecdotal reports included increased energy, endurance, vision improvements, sexual enhancement, and more. . . .

3. **1000 units (4 capsules daily)**

...

It is expected that this dose will give an increased benefit over the lower doses (although not a proportional benefit). Study subjects experienced lengthened telomeres, restoration of weak immune systems, bone density improvements and other important bio marker [*sic*] improvements which usually decline with age. Anecdotal reports include energy increase, endurance, cognitive improvements, improved vision, sexual enhancement, and an overall feeling of well being [*sic*].

h. **TAS website excerpts, December 1, 2014
(Exhibit N)**

New Products

T.A. Sciences® is dedicated exclusively to creating research-based, clinically tested wellness products that help address cellular aging through the science of Telomerase Activation. Built upon a foundation strongly grounded in scientific evidence, T.A. Sciences® is widely recognized as the leader in the field of Telomere Biology.

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...

TA-65[®] for Skin

...

TA-65MD[®] nutritional supplements have been shown to improve skin elasticity and decrease the amount of time it takes skin to recover after a procedure. Due to the large number of requests from physicians and customers for a TA-65[®] product that can be applied directly to particular areas of the skin, the company added topical formulation development to its research plan. After conducting three-dimensional modeling, in-vitro, and in-vivo studies on a variety of formulations, T.A. Sciences[®] developed its first topical product, TA-65[®] for Skin.

TA-65[®] for Skin is available now. . . .

i. **TAS Facebook page excerpts, December 3, 2014 (Exhibit O)**

T.A. Sciences
September 22[, 2014]

Did you know that human skin is the largest organ in the body? There are about 19 million skin cells in every inch of the body! TA-65[®] for Skin may improve skin elasticity and recovery time post-procedure!

For more info, call 888-360-8886 or email info@tasciences.com today!

...

T.A. Sciences
March 4, 2013

Complaint

Another happy customer placed an order for TA-65 today. She said both her husband's and her hands have less wrinkles than they did when they started taking TA-65--only a month and a half ago!

...

T.A. Sciences
February 25, 2013

It doesn't really matter what time of day you take your TA-65. Here are a few things our customers have reported to us:

Taking TA-65 in the morning: Customers have reported having more energy throughout the day, being more productive, and having more endurance. . . .

...

T.A. Sciences
November 1, 2012

Your cells are on a timer - one that's running out. Learn how you can modify cells to literally reverse the aging process.

Count I
False or Unsubstantiated Efficacy Claims

42. Through the means described in Paragraphs 40 and 41, Respondents have represented, directly or indirectly, expressly or by implication, that:

- a. TA-65 products reverse aging;
- b. TA-65MD prevents and repairs DNA damage;
- c. TA-65MD restores aging immune systems;

Complaint

- d. TA-65MD increases bone density;
- e. TA-65MD reverses the effects of aging, including improving skin elasticity, increasing energy and endurance, and improving vision;
- f. TA-65MD prevents or reduces the risk of cancer;
- g. TA-65 Skin reverses the effects of aging, including improving skin elasticity; and
- h. TA-65 Skin decreases recovery time of the skin after medical procedures.

43. The representations set forth in Paragraph 42 are false or misleading, or were not substantiated at the time the representations were made.

Count II
False Establishment Claims

44. Through the means described in Paragraphs 40 and 41, Respondents have represented, directly or indirectly, expressly or by implication, that TA-65MD is clinically or scientifically proven to:

- a. Reverse aging;
- b. Prevent and repair DNA damage;
- c. Restore aging immune systems; and
- d. Increase bone density.

45. In fact, TA-65MD is not clinically or scientifically proven to reverse aging; prevent and repair DNA damage; restore aging immune systems; and increase bone density. Therefore, the representations set forth in Paragraph 44 are false or misleading.

Complaint

Count III
Deceptive Format

46. Through the means described in Paragraphs 26-29 and 41(a), Respondents have represented, directly or indirectly, expressly or by implication, that the 2012 paid-for segment on *The Suzanne Show* featuring TA-65MD was independent, educational programming and not paid commercial advertising.

47. In fact, the 2012 paid-for segment on *The Suzanne Show* featuring TA-65MD was not independent, educational programming and was paid commercial advertising. Therefore, the representation set forth in Paragraph 46 is false or misleading.

Count IV
**Deceptive Failure to Disclose Material Connections with
Consumer Endorsers**

48. Through the means described in Paragraphs 30-32 and 41, Respondents have represented, directly or indirectly, expressly or by implication, that consumers appearing in advertisements and promotional materials for TA-65MD, including the TAS infomercial, are satisfied users of TA-65MD expressing their views about the product.

49. In instances in which Respondents have made the representation set forth in Paragraph 48, Respondents have failed to disclose, or failed to disclose adequately, that certain of those individuals had material connections with Respondents. Respondents provided the consumer endorsers in-kind compensation, specifically, thousands of dollars of free TA-65MD. These facts would be material to consumers in their evaluation of the user reviews in connection with their purchase or use decisions regarding TA-65MD.

50. Respondents' failure to disclose, or disclose adequately, the material information described in Paragraph 49, in light of the representation described in Paragraph 48, is a deceptive act or practice.

Complaint

**Count V
False Independent Users Claims**

51. Through the means described in Paragraphs 30-32 and 41, Respondents have represented, directly or indirectly, expressly or by implication, that consumers appearing in advertisements and promotional materials for TA-65MD, including the TAS infomercial, are independent users of TA-65MD expressing their impartial views about the product.

52. In fact, customers appearing in advertisements and promotional materials for TA-65MD, including the TAS infomercial, are not independent users of TA-65MD expressing their impartial views about the product. Respondents provided the consumer endorsers in-kind compensation, specifically, thousands of dollars of free TA-65MD. Therefore, the representation set forth in Paragraph 51 is false or misleading.

**Count VI
Means and Instrumentalities to Trade Customers**

53. Respondents have provided to their trade customers advertising, promotional, and purported substantiation materials and support referred to in Paragraphs 35-37, 40, and 41, containing, among other things, false and unsubstantiated representations, as described in Paragraphs 42 through 45 above.

54. By providing to their trade customers the advertising, promotional, and substantiation materials referred to in Paragraphs 35-37, 40, and 41, Respondents have provided their trade customers the means and instrumentalities for the commission of deceptive acts and practices.

55. Therefore, Respondents' practice as described in Paragraph 53 is a deceptive act or practice.

Violations of Sections 5 and 12

56. The acts and practices of Respondents as alleged in this complaint constitute unfair or deceptive acts or practices, and the making of false advertisements, in or affecting commerce in

Complaint

violation of Sections 5(a) and 12 of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this eighteenth day of April, 2018, has issued this Complaint against Respondents.

By the Commission.

Exhibit A

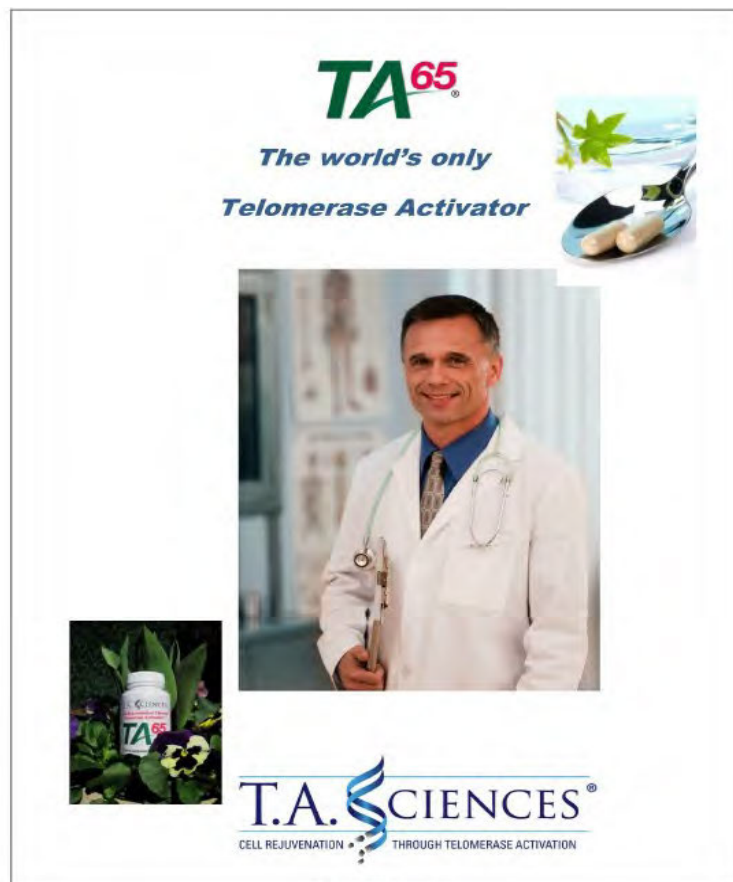


Exhibit A - Page 1

Complaint

To Meet the Challenges of Aging**OUR MISSION IS YOUR MISSION:**

*Our mission is to minimize the decline associated with aging
and maximize the potential for health and longevity through
Telomerase Activation*

TA⁶⁵

- The only scientifically-proven Telomerase Activator in the world available to the public
- A highly purified and naturally occurring single molecule from the astragalus plant
- It activates (transiently) the telomerase enzyme which can lengthen telomeres
- Safe and efficacious with over 5 years of testing
- Only available through physicians trained and licensed by T.A. Sciences

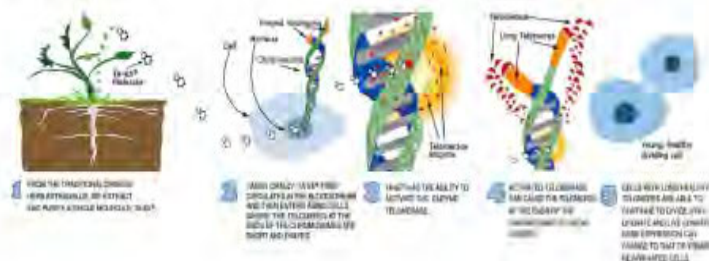
Complaint

**We are committed to the science and the promise of
Telomere Biology**

"...telomere shortening could be the reason for ageing, not only in the individual cells but also in the organism as a whole... These discoveries have added a new dimension to our understanding of the cell, shed light on disease mechanisms, and stimulated the development of potential new therapies."

(Nobel Prize Committee Press Release)

The first product to emerge from this new science is TA-65, a single small molecule that is derived from the root of the Astragalus plant. TA-65® is the only proven telomerase activator to rejuvenate telomeres in humans.

**Highly respected telomere biologist, Bill Andrews says:**

"Control of telomere length may be the most important step in eliminating the 125-year limit on our lifespan and taking the first crucial steps toward allowing us to live young, healthy lives."



The Nobel Prize in Physiology or Medicine 2009 was awarded jointly to Elizabeth H. Blackburn, Carol W. Greider and Jack W. Szostak, for the discovery of 'how chromosomes are protected by telomeres and the enzyme telomerase'. These three scientists have solved a major problem in biology: how the chromosomes can be copied in a complete way during cell divisions and how they are protected against degradation.

(Nobel Prize PRESS RELEASE 2009-10-05)

TA-65 has been shown to activate telomerase and increase telomere length in humans. This has led to improvements in immune cell function, bone density, and a number of other important age related bio-marker improvements.

TA⁶⁵

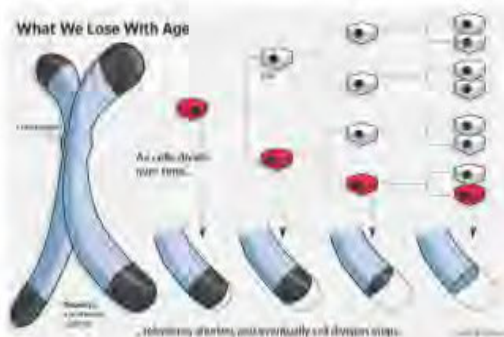
Complaint

Short Telomeres are associated with unhealthy aging
and a shorter lifespan

"Telomeres form the ends of human chromosomes. Telomeres shorten with each round of cell division and this mechanism limits proliferation of human cells to a finite number of cell divisions by inducing replicative senescence, differentiation, or apoptosis. Telomere shortening also limits stem cell function, regeneration, and organ maintenance during ageing. Moreover, telomere shortening during aging and disease is associated with increasing cancer risk."

Telomere shortening and aging (2007)

H. HONG, Z. LI, X. L. RAO, AND Z. CHEN, CHINESE JOURNAL OF CELL BIOLOGY



Short Telomeres have been associated with maladies in these tissues:

- Immune cells – memory and naïve
- Heart –cardiomyocytes
- Hematopoietic stem cells
- Lung alveolar cells
- Skin – dermis, epidermis, vasculature
- Vascular intima (endothelium)
- Osteoblasts, MSCs
- Liver – hepatocytes
- Retinal pigmented tissue of eye
- Chondrocytes
- Skeletal muscle
- Kidney – cortex
- Neurons

Data published by us and others have indicated that cellular aging caused by shortening telomeres, occurring in numerous tissues throughout the human body, causes or contributes to chronic degenerative diseases and conditions including bone and marrow diseases, pulmonary fibrosis, HIV/AIDS, liver disease, macular degeneration, cardiovascular diseases and impaired wound healing. **Controlled activation of telomerase in normal cells can restore telomere length or slow the rate of loss, improve functional capacity and increase the proliferative lifespan of cells".**

(Geron 10K Report 26 Feb -01)

TA⁶⁵

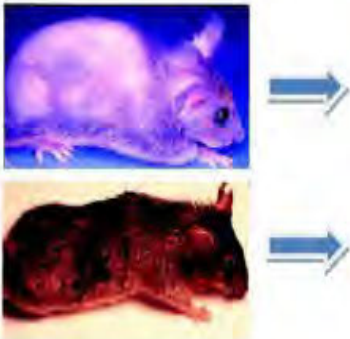
Complaint

The only way to lengthen telomeres is to:

Activate Telomerase

Telomerase Impacts Aging/Disease in Mice

Telomerase Null /short telomeres



Activated Telomerase/Long telomeres

Shortening telomeres

- Gray and Thinning Hair
- Weakened Immune System
- Intestinal Atrophy
- Reduced Spleen Size
- Decreased Wound Healing
- Decreased Lifespan
- Infertility

- Healthy and Thriving

These mice are the same age!

LONG TELOMERES ARE ASSOCIATED WITH HEALTHY AGING AND LONGEVITY

"As we suspected, humans of exceptional longevity are better able to maintain the length of their telomeres," said Youxin Suh, Ph.D., associate professor of medicine and of genetics at Einstein and senior author of the paper. "And we found that they owe their longevity, at least in part, to advantageous variants of genes involved in telomere maintenance."

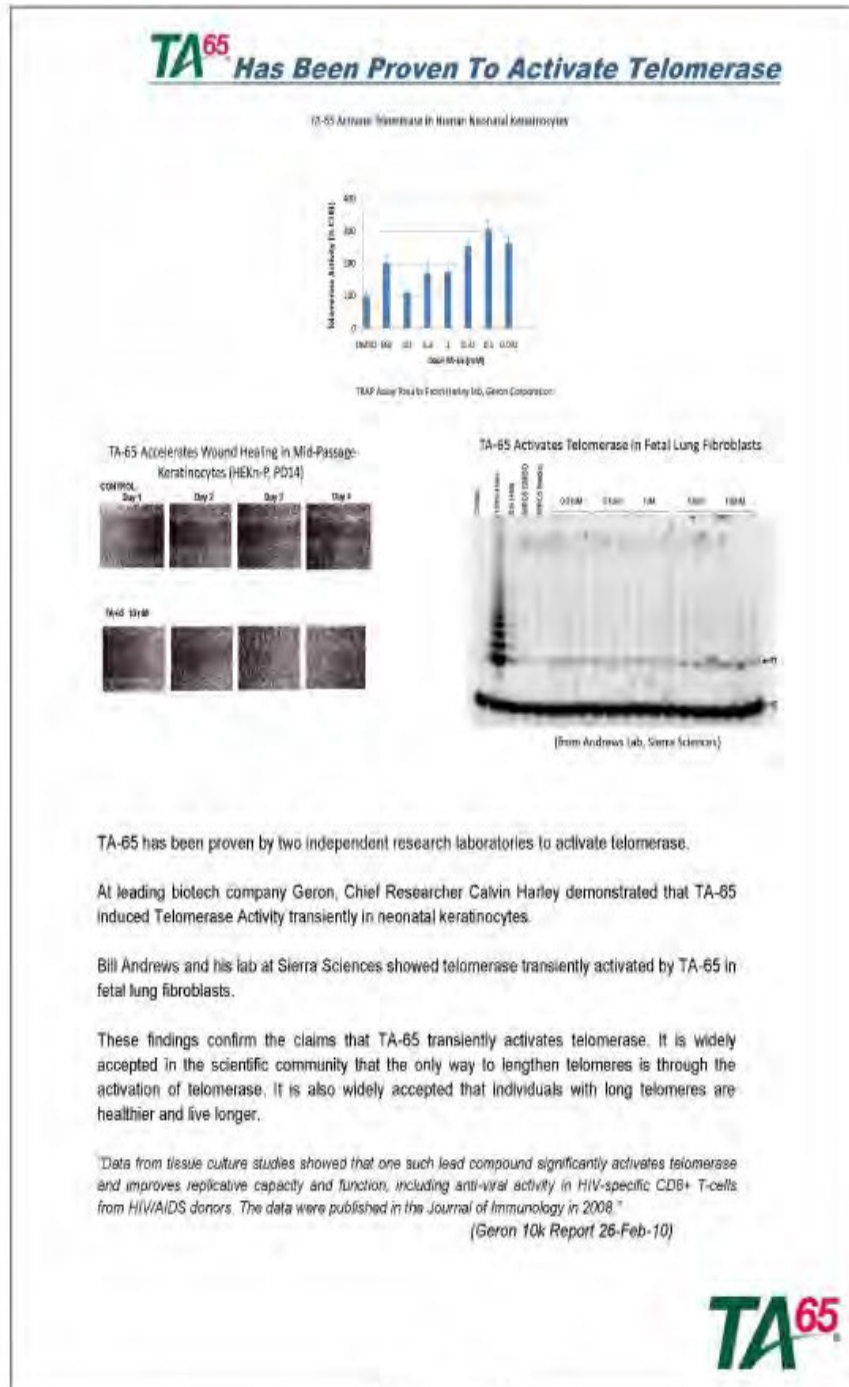
Youxin Suh, Ph.D.
Genetic Variation in Human Telomerase is Associated with Telomere Length in Adiposity, Centenarians,¹

More specifically, the researchers found that participants who have lived to a very old age have inherited mutant genes that make their telomerase-making system extra active and able to maintain telomere length more effectively. For the most part, these people were spared age-related diseases such as cardiovascular disease and diabetes, which cause most deaths among elderly people.

Albert Einstein College of Medicine of Yeshiva University



Complaint



Complaint

What is TA⁶⁵?

TA⁶⁵ is a single small molecule derived from the Chinese herb astragalus. In laboratory studies using human cell lines including fibroblast cells which normally do not express any telomerase, TA-65 was shown to unequivocally lengthen telomeres. TA-65 is the first and only commercially available telomerase activator that is safe for human consumption.

Each batch of TA-65 starts with 3 tons of astragalus root grown in a specific region of Inner Mongolia. Through a closely guarded proprietary process, a single molecule (TA-65) is extracted from the astragalus root and purified to a very high degree. There are no other similar preparations available on the market.

The illustrations below show the above ground astragalus and the root. TA-65 is an ultra-purification of one of the 2000 bioactive compounds found in the astragalus root.

T.A. Sciences Educational Manual



Astragalus plant



Astragalus root

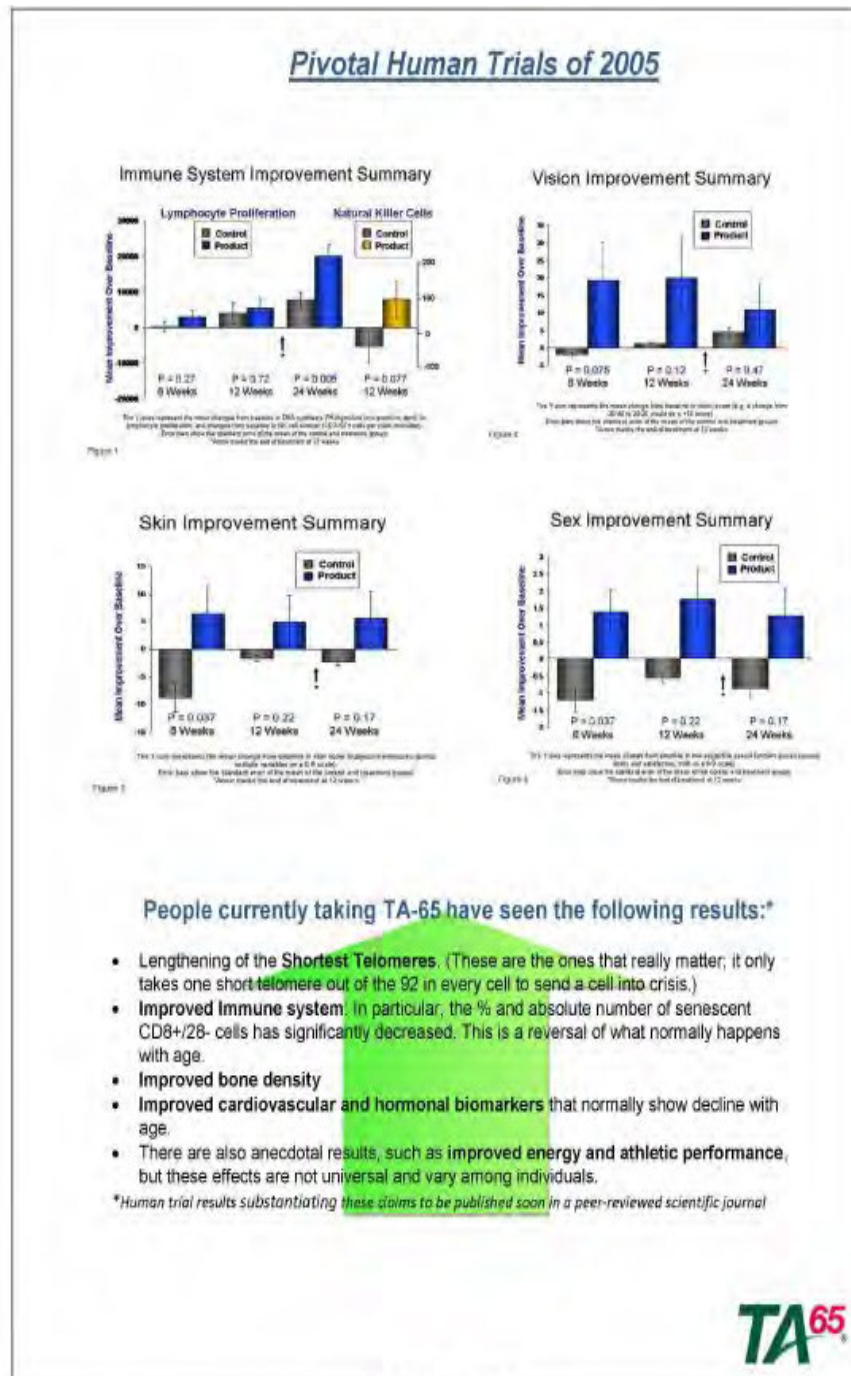
"Our findings suggest that telomere length and variants of telomerase genes combine to help people live very long lives, perhaps by protecting them from the diseases of old age," says Dr. Suh. "We're now trying to understand the mechanism by which these genetic variants of telomerase maintain telomere length in centenarians. Ultimately, it may be possible to develop drugs that mimic the telomerase that our centenarians have been blessed with."

"Genetic Variation in Human Telomerase Is Associated with Telomere Length in Ashkenazi Centenarians,"

Quoted from a study at the Albert Einstein College of Medicine of Yeshiva University

TA⁶⁵

Complaint



Complaint

Who takes **TA⁶⁵**?

- Knowledgeable professionals capable of determining risk/reward ratios
- About half of our clients are MD's or PHD's
- Several are well known Telomere Biologists

Who should take **TA⁶⁵**?

- Anyone over 40 who wants to intervene in age related decline
- Those who have measured their telomeres and have found them to be short

Is **TA⁶⁵** Safe?

- 5 years of development and safety testing before introducing **TA⁶⁵**
- There are currently hundreds of clients taking **TA⁶⁵**: Some for as long as 3 years
- **Not a single adverse reaction** reported by our licensed physicians
- **Not a single diagnosis of new cancer**
- **Not a single report of increased cancer load for clients who already had cancer**

TA⁶⁵

Complaint

The Patton Protocol

The Patton Protocol was named after Noel Thomas Patton in honor of his contributing to the science of staying young. Mr. Patton is the founder of T.A. Sciences and the first person on the planet to take purified TA-65® long term.

The Patton Protocol has gone through several iterations as a result of Mr. Patton's experience and the information garnered from testing and data from clients since T.A. Sciences® obtained the exclusive license from Geron in 2002.

Recommended daily dose for TA-65®: Generally people take half their daily dose in the morning and the other half in the evening. Out of personal preference, some clients take the entire dose in the morning and others take it all in the evening. We do not have evidence as to which routine is best, but we do recommend that people taking resveratrol, curcumin, or the other possible inhibitors, take the full dose in the morning/evening and the potential "inhibitors" 12 hours later.

What clients are saying

After 9 months of taking TA-65, I am very pleased. Not one bad day and incredible feeling of well-being, darker and thicker hair, smoother and younger-looking skin. I just feel younger and more energetic.
At 69 I am passing for 55 or below.

Bob W. 69, Seattle, WA

I'm more active physically than any time I can remember. At age 80 I feel like the "poster boy" for TA Sciences.

Ralph A. 80, Los Angeles, CA

As a practicing MD, I am surprised at the improvement in my immune system after only 6 months.

Dr. Fred Vagstad, 70, New York, NY

My eye doctor says he's never seen the accumulative reverse increase in someone my age. It only goes down with time.

Bill Turon, 64, Berkley Hts, NJ

I was already a competitive athlete when I began the Patton Protocol. My regular 30-mile bike ride with a 4000 foot climb took me 2 hours and 20 minutes. After 3 months on TA-65 it went down to 2 hours.

Shelby Blackburn, 45, Redwood City, CA

For the first time in more than almost five years I can smell again. I can smell dinner cooking and I can tell whether it's chicken or fish. ... It probably doesn't mean much, but it sure pleases me!

Ralph A. 82, Calabasas, CA

"Going on TA-65 is the best 50th birthday gift I could have given myself. I just spent the weekend skiing and I did more than 20 runs in one day. A year ago that would have been unheard of. My knees didn't bother me and I had plenty of energy. I can't wait for my parents to get on the program..."

Steve P., 50, New York, NY

TA⁶⁵

Complaint

Reasons why you should offer **TA⁶⁵** to your patients

1. There is a growing body of evidence associating most age-related maladies with short telomeres.
2. This same body of evidence also clearly establishes that people with long telomeres age healthier and look younger.
3. As we age our telomeres shorten.
4. Exercising and healthy habits over an extended period of time can slow the attrition of telomeres, but telomere length continually declines as we age.
5. People who have not led a healthy lifestyle have accelerated the decline of their telomere lengths, and most likely will suffer premature aging and associated maladies.
6. The only way to lengthen telomeres is through the activation of an enzyme called telomerase.
7. Currently the only commercially available way to activate telomerase is by taking **TA⁶⁵**.

How to become a T.A. Sciences licensee?

1. The physician must sign the Licensee Agreement.
2. There is a one time \$1,000 Administrative Fee that covers licensee set-up, marketing support and operations support.
3. The physician must study the Doctor's Manual and pass the Telomere, Telomerase and **TA⁶⁵** basic knowledge exam.
 - o Your practice will then have the ability to purchase the products - **TA⁶⁵** and Support Packs, along with Telomere Length and Specialized Immunology tests at licensee discount rates.
 - o **TA⁶⁵** profit for the doctor is \$2000 per client per year.
 - o Cash Flow positive for the licensee. No investment in **TA⁶⁵** inventory is required. Patients pay for **TA⁶⁵** before you have to pay T.A. Sciences.
 - o Set your practice apart by offering the only scientifically proven Telomerase Activator in the world to your patients, **TA⁶⁵**.

Want More Information?

Call Dean Miller at (631) 697-3241 or (212) 588-8805

Email: dean@tasciences.com

Complaint



*What are some of the most important things you can do
for your patients?*

- Teach them the importance of diet, exercise, and stress reduction.
- Encourage them to take action before they have symptoms and be proactive about disease prevention.
- Recommend activating telomerase by taking:



Telomerase Activation Sciences, Inc.
24 E. 64th Street, 5th Floor, New York, NY 10065
Toll-free: 888 360 8886 • office: 212 586 8805 • fax: 212 586 0058
www.tasciences.com

Complaint

Exhibit B

SUMMER 2011

HEALTHY AGING

Holistic Primary Care 7

Telomerase Activation, Inhibition of Cellular Aging Becomes a Clinical Reality

In 2000, Elizabeth Blackburn, Carol Greider, and Jack Szostak established a cornerstone principle of cell biology: cellular longevity is governed by the length of telomeres, the DNA caps on the ends of chromosomes. Telomere length, in turn, is regulated by an enzyme called telomerase. In short, when telomerase activity is high, so is telomere length, and this delays cellular senescence. Articulation of this principle earned Blackburn, Greider and Szostak a Nobel Prize for Physiology & Medicine, and opened up new therapeutic possibilities for preventing diseases of aging and promoting longevity.

But the ability to leverage telomerase science has been somewhat limited because, while researchers have found compounds that slow telomerase shortening—omega-3s, folate, vitamin D, ginseng, it's useful cytisine among them—until recently, nothing was available that could actually activate telomerase or augment telomere length.

That changed with discovery of an intracellular compound derived from *Astragalus membranaceus*, an herb used widely in traditional Chinese medicine. This proprietary extract, known as TA-65, was originally developed by biotech giant Genentech and licensed for nutraceutical distribution by TA Sciences (www.tasciences.com).

Telomeres are repeating DNA sequences capping each chromosome, that function as biological time clocks, determining cellular lifespan. Human telomeres are between 10,000–15,000 base pairs in length at birth (depending on measurement methods). Each round of cell division shaves off 30–100 base pairs.

"By the time someone dies of old age, telomere length is down below 5,000 base pairs," explained William B. Anderson, PhD, a molecular biologist and president of Gen Sciences, a biotech firm focused on longevity promotion. While Director of Microbiology at Genentech in the late 1960s, Dr. Anderson led the discovery of the RNA and protein components that make up telomerase.

"Even as a little kid, I was interested in finding a cure for aging. I just wasn't convinced that it was all due to environmental factors, as if a person were like an old truck wearing out and running away in a field. I couldn't understand why people in the desert seemed to age less quickly the same way as people at the Equator despite the environmental differences," Dr. Anderson told *Holistic Primary Care*.

Leonard Hayflick's seminal work on the limits of cell cycling in the 1970s, and later, the discovery of telomeres, began to provide an answer: Telomeres don't code for specific proteins, though they are linked to host of genetic pathways. They function in a strictly regulatory manner: telomere length sets the outer limit on cellular lifespan.

David Weynawski, MD, a Reading, PA, internist specializing in longevity medicine, is among a growing cadre of clinicians who believe modulating telomerase and restoring telomere length is a key to slowing aging and enabling people to age more healthfully.

"There are only two functionally immortal cell lines: embryonic stem cells, and the germ cell lines. What they have in common, and what distinguishes them from ordinary somatic cells, is that telomerase is active and restores telomere length in nearly all other tissues, the gene that triggers production of telomerase is inhibited. During cell cycling, telomere length decreases; if they are not repaired by telomerase. The shorter the telomeres, the greater the damage burden."

The emergence of TA-65 is a major advance, said Dr. Weynawski, who has consulted as a consultant for TA Sciences. The compound is produced by the *Astragalus* root in very small amounts and must be purified and concentrated, a proprietary process. Genentech originally developed TA-65 as an adjunctive therapy for HIV, though it was never released for this purpose. Animal and human studies show that it can increase telomerase activity and telomere length. In practice, Dr. Weynawski said, TA-65 improves overall energy, improves skin quality and visual acuity, increases bone mineral density, reduces blood sugar and fasting insulin, reduces CRP and other markers of chronic inflammation, and improves visual function. "It can do this independent of any other changes in diet or lifestyle."

Because the plant only produces small amounts of this compound, *Astragalus* extracts available in retail stores will only have tiny

amounts, if any at all, in order to induce telomerase activity, one needs relatively large doses of the purified compound. This makes TA-65, sold only through healthcare practitioners, an expensive option.

A low dose protocol will cost roughly \$3,200 per 6-month period; the high dose protocol is \$4,000. TA Sciences estimates that approximately 2,000 people are now taking TA-65. The company hopes to lower the price in the coming years.

Senior Scientist Dr. Andrew is among those taking—and benefiting from—TA-65, though he said his company is actively looking for telomerase inducers that are safer and more potent.

"TA-65 really does work. There's nothing else right now that a doctor can recommend or prescribe that can do what it does. But I would like to find things that work even better. If you turn

telomerase on enough you might not only slow the aging process, you could potentially reverse it. That has been demonstrated in mice but not yet in humans."

Genentech, Dr. Anderson's old employer, is reinvesting its search for telomerase activators. Early in 2010, the company published the first animal data on a proprietary compound called "TA158," being developed as a drug for the treatment of pulmonary fibrosis.

Telomerase induction is not the only key to a long, healthy life. Both Dr. Anderson and Dr. Weynawski emphasized that stress reduction, exercise, and a diet rich in antioxidants and anti-inflammatory plant compounds are essential. But they insist that the ability to replace telomerase and increase telomere length takes the longevity game to a whole new level.

What's the ideal human telomere length? "The longer the better," said Dr. Anderson, noting that there are several ways to assess telomeres. The easiest way is to look at average length in blood cells—is it relatively inexpensive test available from Spectracell (www.spectracell.com). But this will not tell you how short are the shortest telomeres.

Several labs, including Dr. Elizabeth Blackburn's Telomere Health (www.telomerehealth.com), Lifespan (www.lifespan.com) and Repeat Diagnostics (www.repeatdiagnostics.com), have developed more detailed telomere length assessments. Many experts believe that overall longevity and health is determined by someone's shortest telomeres. "You really want to lengthen the shortest ones," Dr.



Add Nobel Prize Technology to your Practice

TA⁶⁵

MD

Cell Rejuvenation

Through Telomerase Activation

- 100% Naturally Derived Molecule from the Astragalus Plant
- Lengthens Short Telomeres
- Repairs DNA Damage
- Rejuvenates Aging Immune Systems
- Increases Bone Density
- Improves Biomarkers that Decline With Age

Contact us to find out about our special \$500 discount offer for readers of *Holistic Primary Care*

TA-65 is the first clinically effective telomerase activator, only available through Healthcare Practitioners who are licensed by TA Sciences. Help your patients live a longer, healthier life.

Contact Marissa today at **212-588-8805** or visit **www.tasciences.com**.

Complaint

Exhibit C



Right now is the best time to start providing the world's most unique anti-aging supplement.

It is now **FREE** and **EASY** to sign up and become a **TA-65[®] MD Licensee**.

TA-65[®] MD is the world's only proven telomerase activator with in vivo studies to show efficacy and safety.

Telomerase activation is the most effective way to lengthen short telomeres and to combat age related dysfunctions.

In addition, TA-65[®] MD has proven to rejuvenate the immune system and increase bone density.

As a Licensee, you will receive discounts for each bottle. The savings range between 25% to almost 45%. Our Licensees value TA-65[®] MD not only for the health benefits to their patients, but for the significant increase of revenue for their practice.



Customers have reported several amazing **anecdotal** benefits which include:

- increased energy and endurance
- better joint movements
- improved sleep
- more youthful skin (age spots going away, dry patches disappearing, wrinkles smoothening)
- improved strength and flexibility
- sharper memory
- sexual enhancement

When you sign up to **become a Licensee**, you will receive the TA-65[®] MD Manual and Test to learn more about the product. To help with sales, you receive free marketing material to share with your staff and patients, a dedicated website for online orders and of course a discount on every bottle you order!

Call us today to learn how you can become a TA-65[®] MD Licensee and start generating more revenue for your practice!

Request a TA-65[®] MD Licensee Agreement by phone or email: **212-588-8805** or **sales@tasciences.com**.

Visit us online at www.tasciences.com

Complaint

Exhibit D



Inside every cell of your body, there is a powerful clock ticking away. It's telling your body to age, wrinkle, gray, and slow down.

That clock is your telomeres, the caps at the end of each strand of DNA that protect it, like the plastic tips at the end of shoelaces.

Telomeres shorten over time, leaving your DNA vulnerable to damage and causing your cells to age. But now, there is a groundbreaking new way to help slow down, or possibly even reverse, age and lifestyle related telomere shortening.

Based on Nobel Prize winning science, TA-65® – a proprietary, all natural plant-based compound – can help maintain or rebuild telomeres.

TA-65® is available from T.A. Sciences® as TA-65MD® nutritional supplements, or in a new skin cream formulation.



For more information about Telomere Biology or TA-65® products, please visit the T.A. Sciences® display here at the Global Leadership Conference, or our website at

www.tasciences.com

T.A. SCIENCES®
CELL REJUVENATION • THROUGH TELOMERASE ACTIVATION

"Maintaining good health through the stresses and strains of touring and singing with The Who requires enormous stamina. I was recommended TA-65® by a good friend and decided to try it. After taking TA-65® for one year I noticed considerable improvement in energy levels, cold and winter infections have been a rarity. Recently I took a 6 week break from taking the product, and noticed significant energy drop off."

"Although to my knowledge the evidence of benefit to everyone is not proven, I have no doubt that this product works for me, I hope it does the same for you."

- Roger Daltrey
Lead singer, The Who



Complaint

Exhibit E

Video

**Ask the Experts
on The Suzanne Show**

Segment about TA-65

Complaint

Exhibit F

1

1 OFFICIAL TRANSCRIPT PROCEEDING
2 FEDERAL TRADE COMMISSION
3
4
5
6 MATTER NO. 1423103
7
8
9 TITLE TELOMERASE ACTIVATION SCIENCES, INC.
10
11
12 DATE RECORDED: DATE UNKNOWN
13
14 TRANSCRIBED: JANUARY 22, 2015
15 REVISED: JANUARY 28, 2015
16
17 PAGES 1 THROUGH 12
18
19
20
21
22
23 ASK THE EXPERTS SEGMENT WITH SUZANNE SOMERS
24 NOEL PATTON TA SCIENCES
25 LIFETIME

Complaint

2

1 FEDERAL TRADE COMMISSION

2 I N D E X

3

4 RECORDING:

PAGE:

5 Ask the Experts segment

4

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Complaint

3

1 FEDERAL TRADE COMMISSION
2
3 In the Matter of:)
4 Telomerase Activation) Matter No. 1423103
5 Sciences, Inc.)
6 -----)
7 Date Unknown
8
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11 The following transcript was produced from a
12 digital file provided to For The Record, Inc. on January
13 15, 2015.
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25

Complaint

4

1 P R O C E E D I N G S
2 - - - - -
3 ASK THE EXPERTS SEGMENT
4 ON SCREEN: ask the experts
5 SUZANNE SOMERS: All right, I'm going to ask
6 you a sensitive question. How old are you? Well, the
7 fact is most of us don't really know because there are
8 two answers. There's your calendar age -- that's the
9 birthday you celebrate every year -- and then there's the
10 age of your body's individual cells. And your cells may
11 be much younger or older than your actual years.
12 The exciting new science of telomere biology is
13 showing us how to not only determine our cellular age,
14 but how to actually reverse -- I say it again -- reverse
15 the aging process.
16 My guests today are Noel Thomas Patton, founder
17 of T.A. Sciences, and Dr. Ed Park, an expert in
18 telomeres. Welcome, both of you.
19 NOEL PATTON: Glad to be here.
20 SUZANNE SOMERS: Well, you know, I know both of
21 you very well because I interviewed you, Noel Patton, for
22 my book, Bombshell, because I was so fascinated about
23 telomeres. Is your product -- it's a supplement called
24 TA65 -- is this the fountain of youth?
25 NOEL PATTON: Well, I wish I could say yes, but

Complaint

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1 we're not quite there, yet.

2 ON SCREEN: Noel Thomas Patton

3 Founder and C.E.O., TA Sciences

4 SUZANNE SOMERS: Uh-huh.

5 NOEL PATTON: But this activating of

6 telomerase, this enzyme that our pill activates --

7 SUZANNE SOMERS: Mm-hmm.

8 NOEL PATTON: -- is a very important key

9 medical breakthrough. The Nobel Prize was awarded three

10 years ago for the discovery of this enzyme telomerase --

11 SUZANNE SOMERS: Mm-hmm.

12 NOEL PATTON: -- that our product, TA65, brings

13 forward. And the reason it got the Nobel Prize is

14 because the shortening of the telomeres, which is what's

15 affected by telomerase, is the root cause of aging.

16 SUZANNE SOMERS: Mm-hmm.

17 NOEL PATTON: And Dr. Park will explain this a

18 little bit better, but this is breakthrough, really

19 important science. It's not the usual snake oil stuff

20 that everybody seems to talk about.

21 SUZANNE SOMERS: Well, it is pretty exciting.

22 How does this all work, Dr. Park?

23 DR. ED PARK: Basically, in every cell -- if I

24 can use these props -- you have ends that are protective

25 caps.

Complaint

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1 SUZANNE SOMERS: Right.

2 DR. ED PARK: So, every time a cell divides,

3 they get shorter.

4 SUZANNE SOMERS: Mm-hmm.

5 DR. ED PARK: If they get too short, then the

6 actual DNA is damaged and you have a problem. So,

7 telomerase is something that is involved with stem cells.

8 You've heard of stem cells?

9 SUZANNE SOMERS: Right.

10 ON SCREEN: Dr. Ed Park, MD, MPH

11 Telomere and Telomerase Expert

12 DR. ED PARK: Well, stem cells are not like

13 regular cells, they have telomerase. All the other cells

14 don't.

15 SUZANNE SOMERS: Mm-hmm.

16 DR. ED PARK: So, that's why they can go ahead

17 and create more length and that's why they can run copies

18 of themselves millions of times over.

19 SUZANNE SOMERS: Okay. So, my understanding is

20 human beings, approximately 50 trillion or so cells. I

21 don't know who counted.

22 DR. ED PARK: Yeah.

23 SUZANNE SOMERS: And on the end of each cell is

24 a little tail.

25 DR. ED PARK: Yeah.

Complaint

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1 SUZANNE SOMERS: And that tail is what we call
2 the telomere, right? And every time that cell
3 replicates, which each cell replicates about 50 times, is
4 that right?

5 DR. ED PARK: That's right.

6 SUZANNE SOMERS: Approximately.

7 DR. ED PARK: Uh-huh, exactly.

8 SUZANNE SOMERS: It gets shorter. That's what
9 you were just describing, the tail gets shorter.

10 DR. ED PARK: Mm-hmm.

11 SUZANNE SOMERS: It replicates, the tail gets
12 shorter.

13 ON SCREEN: The "Balancing Act®" will return
14 tomorrow.

15 SUZANNE SOMERS: Inside the cell, these Nobel
16 Prize winners discovered that there's an enzyme called?

17 DR. ED PARK: Right, telomerase.

18 SUZANNE SOMERS: Telomerase.

19 DR. ED PARK: So, it literally is the oldest
20 trick in the book.

21 SUZANNE SOMERS: Right.

22 DR. ED PARK: All plants and animals on earth
23 require it to keep their stem cells young. So, this is
24 always on and the thing that TA65 does is it just gives
25 it better gasoline so it operates at higher efficiency.

Complaint

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1 Now, the good news is you can do telomerase activation
2 naturally by meditating, by going to the gym, by eating
3 well, sleeping, but if you don't have time or the
4 disposition, now we have a supplement that can safely
5 turn up that healing.

6 SUZANNE SOMERS: So, if I take your supplement,
7 TA65, this promotes the growth of the telomere at the end
8 of each cell, right?

9 NOEL PATTON: Yeah, the TA65 is a single
10 molecule. It's a natural molecule that comes from a
11 plant.

12 SUZANNE SOMERS: What's the name of that plant?

13 NOEL PATTON: The plant is the astragalus
14 plant.

15 SUZANNE SOMERS: Right.

16 NOEL PATTON: It comes from China. It's been
17 used for 2,000 years in traditional Chinese medicine.

18 SUZANNE SOMERS: Mm-hmm.

19 NOEL PATTON: But it's not a normal extract,
20 it's a single molecule. There's thousands of molecules
21 in the plant and we take out only one. It's quite a
22 burdensome technology to do so. And that single
23 molecule, when it gets inside of one of these 50 trillion
24 cells, it turns on a gene that's normally turned off.

25 SUZANNE SOMERS: Okay.

Complaint

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1 NOEL PATTON: And that gene activates the
2 enzyme telomerase and it's the telomerase that makes the
3 telomeres and the ends of the chromosomes grow back long.

4 SUZANNE SOMERS: So --

5 NOEL PATTON: So, that's what our pill does.

6 SUZANNE SOMERS: But, well, does TR65
7 strengthen the immune system?

8 NOEL PATTON: It absolutely does. That's one
9 of the key things that we do. As we get older, our
10 immune system is deteriorating and everybody knows it
11 intuitively.

12 SUZANNE SOMERS: Right.

13 NOEL PATTON: But you can measure that.
14 There's a test -- a blood test done at UCLA's immunology
15 laboratory that shows how your immune system is aging.

16 SUZANNE SOMERS: Uh-huh.

17 NOEL PATTON: And we measure that with people
18 that have -- they do a blood test. The same thing, as
19 you're getting older, you have more and more cancer
20 cells.

21 SUZANNE SOMERS: Uh-huh.

22 NOEL PATTON: See, we all have cancer cells,
23 even when we're young.

24 SUZANNE SOMERS: Right.

25 NOEL PATTON: But our immune system kills them.

Complaint

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1 SUZANNE SOMERS: Right.

2 NOEL PATTON: So, if those two lines cross --

3 SUZANNE SOMERS: Right.

4 NOEL PATTON: -- we get cancer and we die, one-

5 third of us die. So, what we're doing is we rejuvenate

6 the immune system, turn that curve -- that line down --

7 SUZANNE SOMERS: Right.

8 NOEL PATTON: -- put it back up hoping to keep

9 it above the cancer line. And if it is kept above the

10 cancer line, you won't -- you wouldn't get cancer, your

11 immune system would kill the cancer cells before they

12 kill you.

13 SUZANNE SOMERS: Can you measure your

14 telomeres? Is there a blood test?

15 NOEL PATTON: Yes.

16 SUZANNE SOMERS: Yeah?

17 NOEL PATTON: There are three companies --

18 SUZANNE SOMERS: Uh-huh.

19 NOEL PATTON: -- right now in the United States

20 that do telomere measurements.

21 SUZANNE SOMERS: Mm-hmm.

22 NOEL PATTON: And if you go to one of our

23 doctors, we have over 600 doctors that are licensed from

24 us who have to pass a test so that they know what --

25 about telomeres, telomerase --

Complaint

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1 SUZANNE SOMERS: (Inaudible) test.

2 NOEL PATTON: -- and so on. Dr. Park is one of

3 our best doctors, but we have another 599.

4 SUZANNE SOMERS: Uh-huh.

5 NOEL PATTON: And you go on our website and you

6 can find a doctor near you. Go and have a blood test and

7 you can have it sent to one of these three companies to

8 measure your telomere level.

9 SUZANNE SOMERS: The website is TA --

10 NOEL PATTON: Our website is tasciences.com.

11 ON SCREEN: www.tasciences.com

12 SUZANNE SOMERS: Very interesting stuff. Thank

13 you, Dr. Park. Thank you, Noel, for coming. When we

14 come back, we'll tell you some more interesting things.

15 (The recording was concluded.)

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Complaint

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1 C E R T I F I C A T I O N O F T Y P I S T

2

3 MATTER NUMBER: 1423103

4 CASE TITLE: TELOMERASE ACTIVATION SCIENCES, INC.

5 TAPING DATE: DATE UNKNOWN

6 TRANSCRIPTION DATE: JANUARY 22, 2015

7 REVISION DATE: JANUARY 28, 2015

8 I HEREBY CERTIFY that the transcript contained
9 herein is a full and accurate transcript of the tapes
10 transcribed by me on the above cause before the FEDERAL
11 TRADE COMMISSION to the best of my knowledge and belief.

12

13 DATED: JANUARY 28, 2015

14

15

16 ELIZABETH M. FARRELL

17

18 C E R T I F I C A T I O N O F P R O O F R E A D E R

19

20 I HEREBY CERTIFY that I proofread the transcript for
21 accuracy in spelling, hyphenation, punctuation and
22 format.

23

24

25 SARA J. VANCE

Exhibit F - Page 12

Exhibit G

TA-65 Infomercial Video

Complaint

Exhibit H

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OFFICIAL TRANSCRIPT PROCEEDING

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7

FEDERAL TRADE COMMISSION

8

9

10

11 MATTER NO. 1423103

12

13 TITLE TELOMERASE ACTIVATION SCIENCES, INC.

14

15 DATE RECORDED: JANUARY 7, 2014

16 TRANSCRIBED: JUNE 9, 2014

17 REVISED: JANUARY 19, 2015

18

19 PAGES 1 THROUGH 46

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25 TELOMERASE INFOMERCIAL

Complaint

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1 FEDERAL TRADE COMMISSION

2 I N D E X

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5 RECORDING:

PAGE:

6 Telomerase Infomercial

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Complaint

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1 FEDERAL TRADE COMMISSION
2
3 In the Matter of:)
4 Telomerase Activation) Matter No. 1423103
5 Sciences, Inc.)
6 -----)
7 January 7, 2014
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11 The following transcript was produced from a
12 digital file provided to For The Record, Inc. on May 21,
13 2014.

Complaint

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1 P R O C E E D I N G S
2 - - - - -
3 TELOMERASE INFOMERCIAL
4 ON SCREEN: CESARI DIRECT
5 ISCI CODE: TA02
6 TA65 Show #2
7 TRT: 28:30 min
8 Date: 01.07.2014
9 ON SCREEN: The following is a paid program for
10 TA65 MD
11 Sponsored by T.A. Sciences
12 CELL REJUVENATION THROUGH TELOMERASE ACTIVATION
13 ON SCREEN: These statements have not been
14 evaluated by the Food and Drug Administration. This
15 product is not intended to diagnose, treat, cure or
16 prevent any disease.
17 MALE ANNOUNCER: The following is a paid
18 program for TA65, sponsored by T.A. Sciences.
19 These statements have not been evaluated by the
20 Food and Drug Administration. This product is not
21 intended to diagnose, treat, cure or prevent any disease.
22 Right now, inside every cell of your body,
23 there's a powerful clock ticking away. It's telling your
24 body to age, to wrinkle, to gray, to slow down. But can
25 this cellular aging be slowed, stopped or even reversed.

Complaint

5

1 Sound like science fiction? Maybe not. Stay tuned.

2 ON SCREEN: BIOLOGICAL BREAKTHROUGHS

3 Breaking the Age Code

4 MALE ANNOUNCER: Today, on Biological

5 Breakthroughs, we're breaking the age code. You're going
6 to hear about an earth-shaking discovery your doctor may
7 not even know yet.

8 ON SCREEN: 2009 Nobel Prize Laureates

9 Nobel Prize in Physiology or Medicine

10 "...For the discovery of the enzyme telomerase"

11 MALE ANNOUNCER: You'll hear in detail about
12 the science around this discovery that was awarded the
13 Nobel Prize for medicine in 2009. You'll understand how
14 and why your very own DNA tells your cells it's time to
15 die. You'll learn about telomeres deep inside your
16 cells.

17 At the tips of all 23 pairs of your
18 chromosomes, there is a section of replicated DNA
19 sequencing that acts to protect your chromosome every
20 time it duplicates and allows your cells to replicate
21 perfectly. These are called telomeres. As long as they
22 maintain their length, they allow perfect cellular
23 replication. Unfortunately, nature uses telomere length
24 like a fuse. Every time your cells divide, the telomere
25 section shortens. When your telomeres get critically

Complaint

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1 short, the cell processes shut down replication and
2 cellular death occurs. Old, dead and worn cells manifest
3 in what you see as cellular aging.

4 The good news is that a 2009 Nobel winning
5 discovery in medicine unveiled an enzyme called
6 telomerase. Naturally produced on the DNA chain itself,
7 it can extend and rebuild telomeres. It's a fact.
8 Longer telomeres mean healthier cells that can live
9 longer.

10 Listen for the next few minutes and you'll
11 learn about a natural way you can activate the production
12 of telomerase in your cells. 10,000 people, including
13 doctors, scientists and clients at elite anti-aging
14 clinics, are safely doing this right now and they are
15 getting results.

16 ON SCREEN: Letter written by Roger Daltrey on
17 the screen:

18 I have been interested in alternative medicine
19 since the early days of my career.

20 Maintaining good health through the stresses
21 and strains of touring and singing with The Who requires
22 enormous stamina. I was recommended TA65 by a good
23 friend and decided to try it.

24 After taking TA65 for one year I noticed
25 considerable improvement in energy levels. Colds and

Complaint

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1 winter infections have been a rarity.

2 Recently I took a 6 week break from taking the
3 product, and noticed significant energy drop off.

4 Although to my knowledge the evidence of
5 benefit to everyone is not proven, I have no doubt that
6 this product works for me. I hope it does the same for
7 you.

8 Roger Daltrey

9 I was recommended T65...and decided to try it.

10 I noticed considerable improvement in energy
11 levels.

12 Colds...have been a rarity.

13 Roger Daltrey

14 Lead singer of "The Who"

15 ROGER DALTREY: I was recommended TA65 by a
16 good friend and decided to try it. After taking TA65 for
17 one year, I noticed considerable improvement in energy
18 levels. Colds and winter infections have been a rarity.
19 Although, to my knowledge, the evidence of benefit to
20 everyone is not proven, I have no doubt that this product
21 works for me. I hope it does the same for you.

22 ON SCREEN: ACTUAL TA65 CUSTOMERS

23 BEFORE AND AFTER PHOTOS

24 MALE ANNOUNCER: Some studies have shown how
25 this amazing discovery could help support immune health

Complaint

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1 and even reverse measurable, obvious effects of cellular
2 aging. Too good to be true? Watch and decide for
3 yourself. Join investigative journalist and former CNN
4 anchor --

5 ON SCREEN: Kathleen Kennedy

6 INVESTIGATIVE JOURNALIST

7 MALE ANNOUNCER: -- Kathleen Kennedy as she
8 sits with the premier experts in anti-aging science and
9 debunks the myths, discovers the truth and reveals the
10 secrets you need to know.

11 This is Biological Breakthroughs: Breaking the
12 Age Code.

13 ON SCREEN: BIOLOGICAL BREAKTHROUGHS

14 Breaking the Age Code

15 KATHLEEN KENNEDY: Hi and welcome, I'm Kathleen
16 Kennedy. Today we're discussing probably the most
17 important topic in your life, telomeres. And in 2009, a
18 group of scientists were awarded the Nobel Prize in
19 medicine for the research that led to the discovery of
20 telomerase.

21 ON SCREEN: Kathleen Kennedy

22 INVESTIGATIVE JOURNALIST

23 KATHLEEN KENNEDY: A growing new body of
24 evidence is shattering long-held beliefs about aging and
25 it's creating quite a controversy.

Complaint

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1 Today we are going to talk to some of the
2 world's leading edge scientists that work in the private
3 sector developing the science that they say promises to
4 change your life. Listen for the next few minutes as we
5 delve into the new science of anti-aging at the cellular
6 level and make up your own mind about what the
7 implications are for you.

8 ON SCREEN: Calvin B. Harley, Ph.D.
9 PRESIDENT & CSO, TELOME HEALTH, INC.

10 KATHLEEN KENNEDY: My guests are Dr. Cal
11 Harley, Ph.D. and expert on cellular regeneration and
12 telomeres.

13 ON SCREEN: Dr. Joseph Raphaele, M.D.
14 CO-FOUNDER, PHYSIO-AGE MEDICAL GROUP

15 KATHLEEN KENNEDY: Dr. Joseph Raphaele, a
16 Princeton graduate and internal medicine expert with a
17 leading anti-age practice, Physio-Age, right here in
18 Manhattan.

19 ON SCREEN: Noel Patton
20 CEO AND FOUNDER OF T.A. SCIENCES®

21 KATHLEEN KENNEDY: Noel Patton, CEO of T.A.
22 Sciences and producer of TA65, a natural telomerase
23 activating supplement.

24 ON SCREEN: Dr. Ed Park, MD, MPH
25 AUTHOR: "TELOMERE TIMEBOMBS"

Complaint

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1 KATHLEEN KENNEDY: And longevity expert and
2 private practicing anti-aging physician, Edward Park,
3 from Orange County, California.

4 The topic is telomeres, and in 2009, a group of
5 scientists were awarded the Nobel Prize in medicine for
6 the research that led to the discovery of telomerase. I
7 want to start with you Dr. Cal Harley. You can tell us
8 the significance of this discovery.

9 ON SCREEN: Calvin B. Harley, Ph.D.

10 PRESIDENT & CSO, TELOME HEALTH, INC.

11 "THE DISCOVERY OF TELOMERASE WAS A BREAKTHROUGH
12 IN MEDICINE"

13 DR. CALVIN HARLEY: Right. The discovery of
14 telomerase and the role that telomeres play at the end of
15 chromosomes was a major breakthrough in medicine. It
16 allowed us to understand the mechanism of cellular aging
17 and what you can do about it. Aging, of course, is very
18 complex, but it's clear now that the tips of the
19 chromosomes provide a counting mechanism for cellular
20 aging. It was only about 40 or 50 years ago that people
21 thought our normal body cells were immortal. That's not
22 the case.

23 ON SCREEN: Calvin B. Harley, Ph.D.

24 PRESIDENT & CSO, TELOME HEALTH, INC.

25 "OUR BODY CELLS HAVE A TICKING CLOCK"

Complaint

11

1 "SHORT TELOMERES CAN LEAD TO CELL DEATH"

2 DR. CALVIN HARLEY: They have a clock that

3 ticks down. When the telomeres become short enough, that

4 triggers cellular senescence, loss of normal cell and

5 tissue function.

6 KATHLEEN KENNEDY: Ah, so short telomeres are

7 the culprit.

8 DR. CALVIN HARLEY: Right. This is a double

9 helix, it's a single chromosome.

10 ON SCREEN: Calvin B. Harley, Ph.D.

11 PRESIDENT & CSO, TELOME HEALTH, INC.

12 DR. CALVIN HARLEY: But these tips at the ends

13 of the chromosomes protect the chromosomes from

14 undergoing what's called genomic instability or the

15 inappropriate division of chromosomes between the two

16 daughter cells.

17 So, every time a cell divides because of

18 something called the end replication problem, we lose a

19 little bit of our telomeric DNA. And that's basically

20 the counting mechanism.

21 ON SCREEN: Calvin B. Harley, Ph.D.

22 PRESIDENT & CSO, TELOME HEALTH, INC.

23 "CRITICALLY SHORT TELOMERES CAN LEAD TO

24 CELLULAR AGING"

25 DR. CALVIN HARLEY: When the telomere gets

Complaint

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1 critically short, that will trigger cellular aging --

2 KATHLEEN KENNEDY: So, if we could stop that or
3 slow the process, we can --

4 DR. CALVIN HARLEY: This is still very early
5 years in understanding this biology and what the clinical
6 outcomes might be.

7 ON SCREEN: Dr. Joseph Raphaele, M.D.

8 CO-FOUNDER, PHYSIO-AGE MEDICAL GROUP

9 "BAD DIET AND EXERCISE CAN LEAD TO SHORT
10 TELOMERES"

11 DR. JOSEPH RAPHAELLE: The thing that's really
12 fascinating to me is all that we've learned about over
13 the years and decades about diet, exercise, good
14 nutrition, supplements, all those things that we know are
15 good for us, telomere biology ties that all together,
16 because if you have bad diet and exercise habits, you
17 have shorter telomeres, all things being equal.

18 ON SCREEN: Dr. Joseph Raphaele, M.D.

19 CO-FOUNDER, PHYSIO-AGE MEDICAL GROUP

20 "WE MUST DO EVERYTHING WE CAN TO KEEP OUR
21 TELOMERES HEALTHY"

22 DR. JOSEPH RAPHAELLE: You want to do
23 everything you can to keep your telomeres healthy. That
24 includes having a healthy diet, exercising regularly.
25 And then, if that's not enough, after we've measured your

Complaint

13

1 telomeres, then it's time to intervene with something
2 more.

3 KATHLEEN KENNEDY: All right. I'd like to turn
4 to you now, Noel Patton, CEO of T.A. Sciences. Tell us
5 about the science that led to this. This is Nobel Prize
6 winning science.

7 ON SCREEN: Noel Patton
8 CEO AND FOUNDER OF T.A. SCIENCES
9 "THE DISCOVERY OF TELOMERASE WON THE NOBEL
10 PRIZE"

11 NOEL PATTON: Well, yes, the discovery of the
12 enzyme, telomerase, won the Nobel Prize three years ago.
13 But we understand now that telomeres are the ends of the
14 chromosomes, like the plastic tips at the end of a
15 shoelace, and they get shorter with age, and that's the
16 ticking clock in every cell.

17 ON SCREEN: Noel Patton
18 CEO AND FOUNDER OF T.A. SCIENCES
19 "TELOMERES ARE THE TICKING CLOCK IN EVERY CELL"

20 NOEL PATTON: Now, what is telomerase, because
21 our pill, TA65, is a telomerase activator. Telomerase is
22 a natural enzyme that's produced inside the cells and it
23 has the ability to add back --

24 ON SCREEN: Noel Patton
25 CEO AND FOUNDER OF T.A. SCIENCES

Complaint

14

1 "TELOMERASE CAN LENGTHEN SHORT TELOMERES"

2 NOEL PATTON: -- DNA at the ends of the
3 chromosomes, to add back length to the telomeres.

4 ON SCREEN: TA65 MD

5 ON SCREEN: Dr. Fredric Stern

6 The Stern Center for Aesthetic Surgery

7 DR. FREDRIC STERN: What TA65 does, which is
8 completely unique, is that it has a very purified
9 substance in it which helps to reactivate the enzyme
10 called telomerase, which helps to repair the telomeres
11 and lengthen the short telomeres in the body. There is
12 excellent clinical evidence in clinical studies that have
13 been done that are very well supported that demonstrate
14 that the active substance in TA65 does, in fact, simulate
15 the telomerase enzyme which then lengthens the shorter
16 telomeres in the cells.

17 ON SCREEN: Bill Wismann, Age 58

18 Taking TA65 for 4 months

19 These results are atypical and other consumers
20 may not achieve such results.

21 BILL WISMANN: I've noticed that not only am I
22 healthier, but I'm not catching the cough that, you know,
23 my wife or my son or others around me are getting. My
24 condition is just a healthier one and I have more energy.

25 ON SCREEN: Carol Wayne, Age 74

Complaint

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1 Taking TA65 for 1 year

2 These results are atypical and other consumers

3 may not achieve such results.

4 CAROL WAYNE: TA65 is such a great product. It

5 makes your whole body healthier and stronger and more

6 energetic.

7 ON SCREEN: Keith Clearwater, Age 53

8 Taking TA65 for 2.5 years

9 KEITH CLEARWATER: I'm a golfer, I play on the

10 PGA Tour, now the Champions Tour. You know, I take TA65

11 every day only because it's working. It makes me feel

12 better.

13 ON SCREEN: These results are atypical and

14 other consumers may not achieve such results.

15 KEITH CLEARWATER: This thing's really doing

16 something and it's doing it at the cellular level. So,

17 you're changing your body. I mean, and it affects

18 everything.

19 KATHLEEN KENNEDY: Now, let's turn to you, Dr.

20 Ed Park. You have a very successful anti-aging business

21 in Orange County, California. This is a community that's

22 very attuned to the latest and greatest in anti-aging.

23 How did you first get involved with TA65?

24 ON SCREEN: Dr. Ed Park, MD, MPH

25 AUTHOR: "TELOMERE TIMEBOMBS"

Complaint

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1 DR. ED PARK: When Noel's company came out in
2 2007 with a product that they claimed would lengthen the
3 telomeres, it's not hard to figure out that that would be
4 a good thing. So, I looked at all the safety data that
5 was published and got in contact with Dr. Raphaele and
6 Noel and it seemed legit. I looked at all the safety
7 efficacy and, so, I started trying it.

8 KATHLEEN KENNEDY: Now, this is remarkable.

9 DR. ED PARK: Yeah.

10 KATHLEEN KENNEDY: This is you how long ago?

11 DR. ED PARK: Well, this is me actually when I
12 was 32 and I'm 45 now.

13 ON SCREEN: These results are atypical and
14 other consumers may not achieve such results.

15 Dr. Ed Park, MD, MPH

16 AUTHOR: "TELOMERE TIMEBOMBS"

17 "THIS IS ME AT 32, I'M 45 NOW"

18 KATHLEEN KENNEDY: That really truly is
19 remarkable.

20 DR. ED PARK: I was practicing OB/GYN, so my
21 patients would come back for their annual exams and
22 they'd say, you literally look like a different person.

23 ON SCREEN: Dr. Ed Park, MD, MPH

24 AUTHOR: "TELOMERE TIMEBOMBS"

25 "I LOOK LIKE A DIFFERENT PERSON"

Complaint

17

1 DR. ED PARK: What happened, what are you
2 taking?
3 KATHLEEN KENNEDY: So, at what point did you
4 start prescribing it for your patients?
5 ON SCREEN: Dr. Ed Park, MD, MPH
6 AUTHOR: "TELOMERE TIMEBOMBS"
7 "THIS STUFF WORKS, MY PATIENTS WANT IT"
8 DR. ED PARK: About a year into it, I called
9 Noel. I was patient number 19, I think, somewhere around
10 there. I called Noel and I said, this stuff works, my
11 patients want it, what can we do. So, that was 2008.
12 KATHLEEN KENNEDY: What is it that you tell
13 your patients when recommending TA65?
14 ON SCREEN: Dr. Ed Park, MD, MPH
15 AUTHOR: "TELOMERE TIMEBOMBS"
16 "IT'S VERY SAFE AND I TAKE IT EVERY NIGHT"
17 DR. ED PARK: I explain to them that it really
18 is about maintaining your health and that this is
19 literally the oldest trick in your book. All of your
20 stem cells, as Dr. Raphaelle said, have this mechanism to
21 stay healthy. So, I tell them it's nothing unnatural,
22 it's very safe, and something that I take every night.
23 I've even given it to my family, so...
24 ON SCREEN: Kathleen Kennedy
25 INVESTIGATIVE JOURNALIST

Complaint

18

1 KATHLEEN KENNEDY: Through today's program, you
2 can find out how to learn more about TA65. You can call
3 or go online right now for more information.

4 ON SCREEN: This is a paid program for TA65
5 BuyTA65Direct.com

6 KATHLEEN KENNEDY: You can also find out if you
7 qualify to order TA65 directly. Plus, if you're a
8 physician interested in TA65 for yourself or maybe for
9 your patients, they can help you as well.

10 ON SCREEN: Consult your physician before
11 beginning any dietary supplement program, particularly if
12 you have special medical needs.

13 BuyTA65Direct.com

14 (Scrolling) CALL NOW FOR MORE INFORMATION -
15 CALL IF YOU ARE A PHYSICIAN INTERESTED IN DISTRIBUTING
16 TA65 - CALL TO SEE IF YOU ARE QUALIFIED TO PURCHASE TA65
17 DIRECTLY

18 KATHLEEN KENNEDY: Coming up next, you'll hear
19 from more doctors around the world that are utilizing
20 telomerase activation for their clients and we'll ask
21 some tougher questions. We'll ask our doctors about
22 which ones here take TA65 and why and how they know it
23 works. Stay tuned.

24 ON SCREEN: Letter written by Roger Daltrey on
25 the screen:

Complaint

19

1 I have been interested in alternative medicine
2 since the early days of my career.

3 Maintaining good health through the stresses
4 and strains of touring and singing with The Who requires
5 enormous stamina. I was recommended TA65 by a good
6 friend and decided to try it.

7 After taking TA65 for one year I noticed
8 considerable improvement in energy levels. Colds and
9 winter infections have been a rarity.

10 Recently I took a 6 week break from taking the
11 product, and noticed significant energy drop off.

12 Although to my knowledge the evidence of
13 benefit to everyone is not proven, I have no doubt that
14 this product works for me. I hope it does the same for
15 you.

16 Roger Daltrey

17 Maintaining good health...while touring and
18 singing with The Who...requires enormous stamina.

19 I was recommended TA65...and decided to try it.

20 I noticed considerable improvement in energy
21 levels.

22 Colds...have been a rarity.

23 Recently, I took a 6-week break from the
24 product, and noticed a significant energy drop-off.

25 Roger Daltrey

Complaint

20

1 Lead singer of "The Who"

2 ROGER DALTREY: Well, I've been interested in

3 alternative medicine since the early days of my career.

4 Maintaining good health through the stresses and strains

5 of touring and singing with The Who required enormous

6 stamina. I was recommended TA65 by a good friend and

7 decided to try it. After taking TA65 for one year, I

8 noticed considerable improvement in energy levels. Colds

9 and winter infections have been a rarity.

10 Recently, I took a six-week break from the

11 product and noticed significant energy drop-off.

12 Although, to my knowledge, the evidence of benefit to

13 everyone is not proven, I have no doubt that this product

14 works for me. I hope it does the same for you.

15 ON SCREEN: TA65 MD

16 MALE ANNOUNCER: It's no secret that your body

17 is silently aging daily.

18 ON SCREEN: Photos at age 19, age 37, age 56

19 MALE ANNOUNCER: Look at photos of yourself

20 five years, 10 years, 20 years apart. Can you see it?

21 Of course you can. Time takes its toll. You want to hit

22 the stop button, don't you? But can your cellular aging

23 be slowed, stopped or even reversed? Listen closely.

24 ON SCREEN: 2009 Nobel Prize Laureates

25 Nobel Prize in Physiology or Medicine

Complaint

21

1 "...for the discovery of the enzyme telomerase"

2 MALE ANNOUNCER: A profound discovery related
3 to this led to the Nobel Prize for medicine in 2009. It
4 unlocked potentially the most powerful anti-aging secret
5 science has ever discovered.

6 Sound like science fiction? It's not. It's
7 science fact and has become a reality for you in TA65.

8 ON SCREEN: CALL NOW

9 BuyTA65Direct.com

10 MALE ANNOUNCER: Deep inside of you, there is a
11 biological clock ticking away in every one of your three
12 trillion cells. In young people, cells divide easily,
13 replicating themselves. As we age, this process slows.
14 Deep inside the nucleus, the secret of aging is revealed.
15 In every cell, you have 23 pairs of chromosomes. At the
16 tips are a sequence of repeating DNA code called
17 telomeres. This section protects the DNA during
18 duplication, much the same way the plastic tip of a
19 shoelace protects it from fraying.

20 Unfortunately, every time division occurs, the
21 telomeres shorten. Eventually, they shorten so much,
22 they can no longer protect the replication process. The
23 cell can no longer divide. Its healthy replication over,
24 it becomes senescent or dies.

25 Some scientists today accept this as a root

Complaint

22

1 cause of cellular aging. This was the research behind
2 the awarding of the Nobel Prize.

3 ON SCREEN: EXTRACTED FROM NATURAL PLANT
4 MOLECULES

5 CALL NOW
6 BuyTA65Direct.com

7 MALE ANNOUNCER: T.A. Sciences has developed a
8 process for extracting a naturally-occurring plant
9 molecule and refining it in a capsule you can take to
10 signal your body that it's time to lengthen your
11 telomeres.

12 Here's how it works. TA65 enters the
13 bloodstream and travels throughout the body where it
14 passes through individual cells and activates the
15 production of an enzyme called telomerase. This enzyme
16 travels to the tips of the chromosome and attaches and
17 add lengths to the telomeres and restores them. This
18 effect allows healthy cells to live longer and
19 potentially replicate many more times. More healthy
20 identical cellular replication is what you want.

21 ON SCREEN: KEYS TO HEALTH:
22 - Quality Sleep
23 - Good Nutrition
24 - Regular Exercise
25 CALL NOW

Complaint

23

1 BuyTA65Direct.com

2 MALE ANNOUNCER: Call now and discover TA65 for

3 yourself. Yes, you need great quality sleep, healthy

4 eating and nutrition. Even exercise helps retain

5 cellular health.

6 ON SCREEN: PROVEN TELOMERASE ACTIVATION

7 CALL NOW

8 BuyTA65Direct.com

9 MALE ANNOUNCER: But only TA65 has been shown

10 to activate telomerase which starts life's most important

11 cellular anti-aging chain reaction.

12 ON SCREEN: SUPPORTS IMMUNITY

13 CALL NOW

14 BuyTA65Direct.com

15 MALE ANNOUNCER: Some studies have shown how

16 this amazing discovery could help support immune health

17 and even reverse measurable obvious effects of cellular

18 aging. Why wait one more minute when the clock is

19 ticking?

20 ON SCREEN: CALL NOW FOR MORE INFORMATION

21 CALL NOW

22 BuyTA65Direct.com

23 (Scrolling) TA65 IS A PATENTED PRODUCT ONLY

24 AVAILABLE FROM TA SCIENCES

25 MALE ANNOUNCER: Call now and find out more

Complaint

24

1 about TA65.

2 ON SCREEN: CALL NOW IF YOU ARE A PHYSICIAN

3 YOU MAY QUALIFY TO ORDER DIRECT

4 CALL NOW

5 BuyTA65Direct.com

6 MALE ANNOUNCER: If you're a doctor and want to

7 learn more, consultants are standing by. You can even

8 see if you qualify to purchase TA65 directly through a

9 special direct program, only available to viewers of this

10 program.

11 ON SCREEN: AFFORDABLE & EFFECTIVE

12 AVAILABLE AS A NUTRITIONAL SUPPLEMENT

13 CALL NOW

14 BuyTA65Direct.com

15 MALE ANNOUNCER: TA65 is affordable, it works,

16 and it's available direct to you as a nutritional

17 supplement.

18 ON SCREEN: CALL NOW FOR MORE INFORMATION

19 30 day money-back guarantee less s/h

20 CALL NOW

21 BuyTA65Direct.com

22 MALE ANNOUNCER: It's only available from one

23 company in the world, T.A. Sciences. Don't hesitate.

24 Call now.

25 ON SCREEN: BIOLOGICAL BREAKTHROUGHS

Complaint

25

1 Breaking the Age Code

2 KATHLEEN KENNEDY: Welcome back to Biological

3 Breakthroughs. Today we're talking to a team of

4 scientists and doctors around the world about an

5 explosive growth topic for baby boomers and younger.

6 ON SCREEN: Kathleen Kennedy

7 INVESTIGATIVE JOURNALIST

8 KATHLEEN KENNEDY: The topic is telomeres, and

9 in 2009, a group of scientists were awarded the Nobel

10 Prize in medicine for the research that led to the

11 discovery of telomerase.

12 ON SCREEN: Calvin B. Harley, Ph.D.

13 PRESIDENT & CSO, TELOME HEALTH, INC.

14 KATHLEEN KENNEDY: For those of you just

15 joining us, Dr. Cal Harley, since the beginning of time

16 we have thought that the wrinkles we get, the skin

17 becoming thinner, our bones becoming more brittle is all

18 part of just being old. But what we're learning now is

19 that this is simply a manifestation of something else, is

20 that correct?

21 ON SCREEN: Calvin B. Harley, Ph.D.

22 PRESIDENT & CSO, TELOME HEALTH, INC.

23 "THESE ARE THE CLOCKS OF OUR DNA"

24 DR. CALVIN HARLEY: Yeah, that's correct,

25 Kathleen. Basically, what we see on the surface are a

Complaint

26

1 manifestation of what's going on inside the body in cells
2 and surrounding cells. So, it's quite clear now that
3 there is a clocking mechanism for aging within our DNA,
4 and it's very clear that telomerase can elongate
5 telomeres.

6 KATHLEEN KENNEDY: I think most people want to
7 know, where does it derive from?

8 ON SCREEN: Calvin B. Harley, Ph.D.
9 PRESIDENT & CSO, TELOME HEALTH, INC.

10 "TA65 IS DERIVED FROM A NATURAL PRODUCT"

11 DR. CALVIN HARLEY: So, TA65 is supplement.
12 It's not a drug, at least not at this point in time. But
13 what's important is that it's derived from a natural
14 product. So, aspirin, Digitoxin, the heart medicine,
15 penicillin, Taxol, these are all natural product derived
16 entities.

17 ON SCREEN: Calvin B. Harley, Ph.D.
18 PRESIDENT & CSO, TELOME HEALTH, INC.

19 "5000 DIFFERENT EXTRACTS WERE SCREENED TO
20 IDENTIFY THE COMPOUND IN TA65"

21 DR. CALVIN HARLEY: It turns out that this
22 particular molecule is derived from a plant that was
23 known to have health maintenance or longevity type
24 properties. We actually screened 5,000 different
25 extracts of natural products. We screened them for the

Complaint

27

1 ability to activate telomerase in normal human cells that
2 have telomerase capability or are able to activate
3 telomerase. And one compound stood out amongst all of
4 them and that's the product that went into TA65.

5 KATHLEEN KENNEDY: And Noel Patton, your
6 company, T.A. Sciences, has the exclusive global
7 distribution of TA65. I think most people want to know,
8 is this going to cost me a fortune?

9 ON SCREEN: Noel Patton
10 CEO AND FOUNDER OF T.A. SCIENCES
11 "TONS OF PLANT MATERIAL ARE REQUIRED TO PRODUCE
12 A SMALL AMOUNT OF TA65"

13 NOEL PATTON: As Dr. Harley said, this is a
14 very rare molecule in the plant. We literally start with
15 tons of plant material to end up with a small amount of
16 TA65. So, it started out very expensive. Most of our
17 clients were either really rich people or professional
18 athletes, movie stars, these kinds of people. But, now,
19 we have tens of thousands of people that are taking the
20 product and the costs have been able to come down.

21 KATHLEEN KENNEDY: So, it's not going to cost
22 me an arm and a leg?

23 ON SCREEN: Noel Patton
24 CEO AND FOUNDER OF T.A. SCIENCES
25 "IT'S AFFORDABLE FOR EVERYONE"

Complaint

28

1 NOEL PATTON: Not going to cost you an arm and
2 a leg. Now it's affordable for everyone.

3 ON SCREEN: Kathleen Kennedy

4 INVESTIGATIVE JOURNALIST

5 KATHLEEN KENNEDY: Good news, all right. Well,
6 Dr. Raphaelle, your practice offers independent testing
7 of telomeres. Tell me a little bit about the process.

8 ON SCREEN: Dr. Joseph Raphaelle, M.D.

9 CO-FOUNDER, PHYSIO-AGE MEDICAL GROUP

10 "IT'S MORE IMPORTANT TO KNOW YOUR TELOMERE
11 LENGTH THAN YOUR CHOLESTEROL"

12 DR. JOSEPH RAPHAELLE: Well, the process is
13 pretty simple. The patient comes in and we can get a
14 sample of blood or saliva and send it off to a lab and
15 we'll have the results in a couple of weeks. I like all
16 my patients to get their telomeres tested in my practice
17 now because I really think that it's probably more
18 important to know what your telomere length is than to
19 know what your cholesterol is. It gives you more
20 information about the health of your body, not just your
21 vascular system, about all the other organ systems that
22 we've been talking about.

23 ON SCREEN: TA65

24 DR. FREDRIC STERN: People coming to see me are
25 coming for various reasons, but what it comes down to is

Complaint

29

1 they're wanting to feel better, they're wanting to look
2 better, they're wanting to appear more refreshed and
3 youthful.

4 ON SCREEN: Dr. Fredric Stern

5 The Stern Center for Aesthetic Surgery

6 DR. FREDRIC STERN: And I can offer them

7 procedures, I can offer them laser procedures, I can

8 offer them cosmetic surgeries to improve these things.

9 But, now, I have something that I can offer them that

10 they can take that I can feel confident can also promote

11 their health and make them feel better internally and get

12 down to the very basic genetic nature of what causes

13 aging.

14 ON SCREEN: Carol Wayne, Age 74

15 Taking TA65 for 1 year

16 CAROL WAYNE: At my age, at 74, I want to enjoy

17 the time I have left, whatever that is. I want to have

18 as much vitality and energy as I can possibly get.

19 ON SCREEN: These results are atypical and

20 other consumers may not achieve such results.

21 CAROL WAYNE: And I find that with the TA65, I

22 have the energy that I want and I need to do all the

23 things I like to do. I like to travel. It helps with my

24 quality of life.

25 KARL GITTELMAN: I still play baseball. And

Complaint

30

1 one of the things I noticed was that when I went to throw
2 a ball -- normally, when you throw a ball, you reach back
3 like this and throw.

4 ON SCREEN: Karl Gittelman, Age 75
5 Taking TA65 for 2 years

6 KARL GITTELMAN: When I tried to do that, I
7 felt pain in this shoulder. And, so, I adapted to that
8 and I was able to throw from my ear, you know, and I was
9 able to throw pretty well.

10 ON SCREEN: These results are atypical and
11 other consumers may not achieve such results.

12 KARL GITTELMAN: Well, I started taking TA65,
13 as I said, in April, I'm out there throwing my short arm
14 one day, and all of a sudden, I reach back and throw, no
15 pain. Two years later, I am -- that's the way I throw
16 now. I have never had an inch of pain or any kind of
17 indication of pain. You can see where my arm's out here,
18 which I could never have done, you know, three years ago.
19 I mean, for 23 years, I couldn't do it and, all of a
20 sudden, bam, I started taking TA65, and six months later,
21 I could do it.

22 ON SCREEN: Keith Clearwater, Age 53
23 Taking TA65 for 2.5 years

24 KEITH CLEARWATER: I'm 53 years old. I don't
25 feel any different than when I was 20, and that's

Complaint

31

1 genuine. I do the same things. I'm very active with
2 kids, grandkids.

3 ON SCREEN: These results are atypical and
4 other consumers may not achieve such results.

5 KEITH CLEARWATER: And for me, I believe that
6 I'll be able to do these things late into my eighties and
7 nineties. My goal is to fight this thing forever and be
8 able to maintain, I don't know, the kind of lifestyle and
9 activity level that I've had my whole life.

10 KATHLEEN KENNEDY: What would you say, Dr.
11 Park, is the most surprising benefit you've seen for your
12 patients?

13 ON SCREEN: Dr. Ed Park, MD, MPH

14 AUTHOR: "TELOMERE TIMEBOMBS"

15 DR. ED PARK: Thanks to Dr. Raphaele and T.A.
16 Sciences, we have a whole way of measuring and that model
17 allows us to tell you, hey, this stuff is worth it, it's
18 working.

19 KATHLEEN KENNEDY: And let me just see a show
20 of hands right now. Who here is taking TA65?

21 ON SCREEN: Consult your physician before
22 beginning any dietary supplement program, particularly if
23 you have special medical needs.

24 KATHLEEN KENNEDY: Well, that speaks volumes to
25 me.

Complaint

32

1 All right. Well, the secret of aging silently
2 ticks away inside your cells.

3 ON SCREEN: Consult your physician before
4 beginning any dietary supplement program, particularly if
5 you have special medical needs.

6 BuyTA65Direct.com

7 KATHLEEN KENNEDY: That secret is revealed in
8 your telomeres. Your body seems to have the secret
9 itself to lengthening your telomeres with an enzyme
10 created in the DNA chain itself, telomerase.

11 ON SCREEN: This is a paid program for TA65

12 BuyTA65Direct.com

13 (Scrolling) CALL NOW FOR MORE INFORMATION --
14 CALL IF YOU ARE A PHYSICIAN INTERESTED IN DISTRIBUTING
15 TA65 - CALL TO SEE IF YOU ARE QUALIFIED TO PURCHASE TA65
16 DIRECTLY - CALL TO FIND OUT ABOUT TELOMERE TESTING

17 KATHLEEN KENNEDY: If you'd like to learn more
18 on how you can educate yourself further or try TA65, go
19 to the web address on your screen or call the number
20 below. There is no obligation. The call is absolutely
21 free. There are informed people just waiting to answer
22 your questions.

23 We'll be back after this short break.

24 ON SCREEN: TA65 MD

25 HOW WILL YOU LOOK?

Complaint

33

1 (PHOTOS)

2 AGE 70

3 AGE 80

4 AGE 90

5 MALE ANNOUNCER: Longevity experts have
6 identified key factors that define what your personal
7 cellular aging will look like, quality sleep, active
8 exercise, good nutrition, plus genetics are all
9 important.

10 ON SCREEN: LIVE HEALTHY LONGER

11 CALL NOW

12 BuyTA65Direct.com

13 MALE ANNOUNCER: If you're the kind of person
14 that wants a long healthy life, you probably make good
15 choices daily. But what can be done about your cellular
16 health?

17 Deep inside of you, there is a biological clock
18 ticking away in every one of your three trillion cells.
19 In young people, cells divide easily, replicating
20 themselves. As we age, this process slows. Deep inside
21 the nucleus, the secret of aging is revealed. In every
22 cell, you have 23 pairs of chromosomes. At the tips are
23 a sequence of repeating DNA code called telomeres. This
24 section protects the DNA during duplication, much the
25 same way the plastic tip of a shoelace protects it from

Complaint

34

1 fraying.

2 Unfortunately, every time division occurs, the
3 telomeres shorten. Eventually, they shorten so much,
4 they can no longer protect the replication process. The
5 cell can no longer divide. Its healthy replication over,
6 it becomes senescent or dies.

7 Some scientists today accept this as a root
8 cause of cellular aging. This was the research behind
9 the awarding of the Nobel Prize.

10 ON SCREEN: EXTRACTED FROM NATURAL PLANT
11 MOLECULES

12 CALL NOW

13 BuyTA65Direct.com

14 MALE ANNOUNCER: T.A. Sciences has developed a
15 process for extracting a naturally-occurring plant
16 molecule and refining it in a capsule you can take to
17 signal your body that it's time to lengthen your
18 telomeres.

19 Here's how it works. TA65 enters the
20 bloodstream and travels throughout the body where it
21 passes through individual cells and activates the
22 production of an enzyme called telomerase. This enzyme
23 travels to the tips of the chromosome and attaches and
24 add lengths to the telomeres and restores them. This
25 effect allows healthy cells to live longer and

Complaint

35

1 potentially replicate many more times. More healthy
2 identical cellular replication is what you want.
3 There's only one company in the world that
4 distributes patented TA65, T.A. Sciences.
5 ON SCREEN: PROVEN TELOMERASE ACTIVATION
6 CALL NOW
7 BuyTA65Direct.com
8 MALE ANNOUNCER: Call now. Discover TA65 for
9 yourself. TA65 could be a component to your cellular
10 health.
11 ON SCREEN: SUPPORTS IMMUNITY
12 CALL NOW
13 BuyTA65Direct.com
14 MALE ANNOUNCER: Some studies have shown how
15 this amazing discovery could help support immune health
16 and even reverse measurable obvious effects of cellular
17 aging. Why wait one more minute when the clock is
18 ticking?
19 ON SCREEN: CALL NOW FOR MORE INFORMATION
20 CALL NOW
21 BuyTA65Direct.com
22 (Scrolling) TA65 IS A PATENTED PRODUCT ONLY
23 AVAILABLE FROM TA SCIENCES
24 MALE ANNOUNCER: Call now to find out more
25 about TA65.

Complaint

36

1 ON SCREEN: CALL NOW IF YOU ARE A PHYSICIAN
2 YOU MAY QUALIFY TO ORDER DIRECT
3 CALL NOW
4 BuyTA65Direct.com
5 MALE ANNOUNCER: If you're a doctor and want to
6 learn more, we can help you as well. You may even
7 inquire to purchase TA65 directly through a special
8 direct program.
9 ON SCREEN: AFFORDABLE & EFFECTIVE
10 AVAILABLE AS A NUTRITIONAL SUPPLEMENT
11 CALL NOW
12 BuyTA65Direct.com
13 MALE ANNOUNCER: TA65 is affordable, it works,
14 and it's available direct to you as a nutritional
15 supplement.
16 ON SCREEN: CALL NOW FOR MORE INFORMATION
17 CALL NOW
18 BuyTA65Direct.com
19 MALE ANNOUNCER: There's even an available
20 testing protocol to demonstrate that you, in fact, are
21 lengthening your telomeres over time with TA65. Over
22 10,000 people are currently experiencing TA65.
23 ON SCREEN: CALL NOW FOR MORE INFORMATION
24 30 day money back guarantee less s/h
25 CALL NOW

Complaint

37

1 BuyTA65Direct.com

2 MALE ANNOUNCER: Now, it's your turn. Don't

3 hesitate. Call T.A. Sciences now.

4 ON SCREEN: TA65 MD

5 ON SCREEN: Letter written by Roger Daltrey on

6 the screen:

7 I have been interested in alternative medicine

8 since the early days of my career.

9 Maintaining good health through the stresses

10 and strains of touring and singing with The Who requires

11 enormous stamina. I was recommended TA65 by a good

12 friend and decided to try it.

13 After taking TA65 for one year I noticed

14 considerable improvement in energy levels. Colds and

15 winter infections have been a rarity.

16 Recently I took a 6 week break from taking the

17 product, and noticed significant energy drop off.

18 Although to my knowledge the evidence of

19 benefit to everyone is not proven, I have no doubt that

20 this product works for me. I hope it does the same for

21 you.

22 Roger Daltrey

23 Maintaining good health...while touring and

24 singing with The Who...requires enormous stamina.

25 I was recommended TA65...and decided to try it.

Complaint

38

1 I noticed considerable improvement in energy
2 levels.

3 Colds...have been a rarity.

4 Recently, I took a 6-week break from the
5 product, and noticed a significant energy drop-off.

6 Roger Daltrey

7 Lead singer of "The Who"

8 ROGER DALTREY: Well, I've been interested in
9 alternative medicine since the early days of my career.
10 Maintaining good health through the stresses and strains
11 of touring and singing with The Who required enormous
12 stamina. I was recommended TA65 by a good friend and
13 decided to try it. After taking TA65 for one year, I
14 noticed considerable improvement in energy levels. Colds
15 and winter infections have been a rarity.

16 Recently, I took a six-week break from the
17 product and noticed significant energy drop-off.
18 Although, to my knowledge, the evidence of benefit to
19 everyone is not proven, I have no doubt that this product
20 works for me. I hope it does the same for you.

21 ON SCREEN: TA65 MD

22 ON SCREEN: Greg Gerber, Age 61

23 Taking TA65 for 2 years

24 GREG GERBER: When I first started using TA, it
25 was to see what I could do with reentering competitive

Complaint

39

1 swimming. That has been the primary marker that I've
2 used is to watch my swimming times plummet.

3 ON SCREEN: These results are atypical and
4 other consumers may not achieve such results.

5 GREG GERBER: All of a sudden, you go from
6 being, yeah, he's 59 or 60 and kind of one of the guys in
7 the water. All of a sudden, you end up being one of the
8 guys in the water getting out first.

9 My recovery time for anything I do is
10 negligible.

11 ON SCREEN: Consult a physician before
12 beginning any dietary supplement program, particularly if
13 you have special medical needs.

14 GREG GERBER: If I do a four-hour race or a
15 four-hour swim or a four-mile race and two hours, I'm
16 able to go again within 90 minutes. And the other
17 fellows my age group just plain can't do that. They're
18 recovering, they're telling about their aches and pains
19 the day after, their shoulders ache, their muscles ache.
20 And I just sort of look at them and shrug and say, well,
21 see, isn't that interesting, guys, I don't have any of
22 that.

23 ON SCREEN: BIOLOGICAL BREAKTHROUGHS
24 Breaking the Age Code

25 KATHLEEN KENNEDY: Gentlemen, thank you all for

Complaint

40

1 being here today.

2 ON SCREEN: Kathleen Kennedy

3 INVESTIGATIVE JOURNALIST

4 KATHLEEN KENNEDY: I want to hear from all of

5 you if there was one thing that you could tell our

6 viewers today, that you could convey to them about

7 telomeres, telomerase, TA65, what would it be, Dr.

8 Harley?

9 ON SCREEN: Calvin B. Harley, Ph.D.

10 PRESIDENT & CSO, TELOME HEALTH, INC.

11 DR. CALVIN HARLEY: Kathleen, I think -- I've

12 been working in the area for over 30 years now and I'm

13 excited about the opportunity for anti-aging

14 interventions, using the knowledge that we have now,

15 understanding the basic mechanisms that we hope to

16 leverage in the future for mankind.

17 KATHLEEN KENNEDY: Dr. Raphaelle?

18 ON SCREEN: Dr. Joseph Raphaelle, M.D.

19 CO-FOUNDER, PHYSIO-AGE MEDICAL GROUP

20 DR. JOSEPH RAPHAELLE: I always tell my

21 patients the most important thing to know is where you

22 are in the aging process, because in some organ systems,

23 you're aging faster than in others.

24 ON SCREEN: Dr. Joseph Raphaelle, M.D.

25 CO-FOUNDER, PHYSIO-AGE MEDICAL GROUP

Complaint

41

1 "TELOMERE TESTING IS A GOOD WAY TO KNOW WHERE
2 YOU ARE IN THE AGING PROCESS"

3 DR. JOSEPH RAPHAELLE: Telomere measurements
4 are a good way to get an overall idea about where your
5 body is in the aging process so that you know when it's
6 time to intervene with something like TA65 or anything
7 else that can help you age as slowly as possible.

8 KATHLEEN KENNEDY: And, Dr. Park, what about
9 you?

10 ON SCREEN: Dr. Ed Park, MD, MPH

11 AUTHOR: "TELOMERE TIMEBOMBS"

12 "NOW WE HAVE A TOOL TO DO SOMETHING ABOUT
13 AGING"

14 DR. ED PARK: I agree. I think that there are
15 real objective ways to measure aging and now we have a
16 tool that can actually do something about it. Last time
17 I checked, there was 15,000 articles relating to
18 telomeres. So, I think it's just a matter of time before
19 the science catches up to what my patients are already
20 experiencing --

21 ON SCREEN: Dr. Ed Park, MD, MPH

22 AUTHOR: "TELOMERE TIMEBOMBS"

23 "MY PATIENTS EXPERIENCE BETTER HEALTH, BETTER
24 QUALITY OF LIFE"

25 DR. ED PARK: -- which is better health, just a

Complaint

42

1 better quality of life and something that is safe and

2 something that I have been taking for five years.

3 KATHLEEN KENNEDY: And, Noel, your message?

4 ON SCREEN: Noel Patton

5 CEO AND FOUNDER OF T.A. SCIENCES

6 "TA65 WORKS FOR ME, MY FAMILY, MY FRIENDS, MY
7 LOVED ONES"

8 NOEL PATTON: Well, I was looking for a
9 solution to aging for myself and discovered TA65. We've
10 been working on it for ten years. And it works for me,
11 it's worked for my family, my friends, loved ones, and
12 now for tens of thousands of people, and we've made it
13 affordable and accessible to everyone, and I'm really
14 proud to be at the beginning of this revolution in
15 science.

16 KATHLEEN KENNEDY: This truly is compelling
17 stuff.

18 ON SCREEN: (Scrolling) CALL NOW FOR MORE
19 INFORMATION - CALL IF YOU ARE A PHYSICIAN INTERESTED IN
20 DISTRIBUTING TA65 - CALL TO SEE IF YOU ARE QUALIFIED TO
21 PURCHASE TA65 DIRECTLY

22 This is a paid program for TA65

23 CALL NOW

24 BuyTA65Direct.com

25 KATHLEEN KENNEDY: That's all the time that we

Complaint

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1 have today, but if you want to learn more about TA65 or
2 telomeres or your telomere length or how you can order
3 TA65 today, go to the web address on your screen or,
4 better yet, call. There's no obligation, no cost for the
5 call, just friendly, trained information consultants who
6 will answer your specific questions. They're trained to
7 get you the answers that you're looking for.

8 Thanks for watching. Bye now.

9 ON SCREEN: TA65 MD

10 ON SCREEN: CALL NOW

11 BuyTA65Direct.com

12 MALE ANNOUNCER: There's only one company in
13 the world that distributes patented TA65, T.A. Sciences.
14 Call now.

15 ON SCREEN: PROVEN TELOMERASE ACTIVATION

16 CALL NOW

17 BuyTA65Direct.com

18 MALE ANNOUNCER: Discover TA65 for yourself.

19 ON SCREEN: SUPPORTS IMMUNITY

20 CALL NOW

21 BuyTA65Direct.com

22 MALE ANNOUNCER: Some studies have shown how
23 this amazing discovery could help support immune health
24 and even reverse measurable obvious effects of cellular
25 aging. Why wait one more minute when the clock is

Complaint

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1 ticking?

2 ON SCREEN: CALL NOW FOR MORE INFORMATION

3 CALL NOW

4 BuyTA65Direct.com

5 MALE ANNOUNCER: Call now to find out more

6 about TA65.

7 ON SCREEN: CALL NOW IF YOU ARE A PHYSICIAN

8 YOU MAY QUALIFY TO ORDER DIRECT

9 (Scrolling) TA65 IS A PATENTED PRODUCT ONLY

10 AVAILABLE FROM TA SCIENCES

11 CALL NOW

12 BuyTA65Direct.com

13 MALE ANNOUNCER: If you're a doctor and want to

14 learn more, we can help you as well. You may even

15 inquire to purchase TA65 directly through a special

16 direct program.

17 ON SCREEN: AFFORDABLE & EFFECTIVE

18 AVAILABLE AS A NUTRITIONAL SUPPLEMENT

19 CALL NOW

20 BuyTA65Direct.com

21 MALE ANNOUNCER: TA65 is affordable, it works,

22 and it's available direct to you as a nutritional

23 supplement.

24 ON SCREEN: CALL NOW FOR MORE INFORMATION

25 30 day money-back guarantee less s/h

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1 CALL NOW
2 BuyTA65Direct.com
3 MALE ANNOUNCER: Now, it's your turn. Don't
4 hesitate. Call T.A. Sciences now.
5 ON SCREEN: TA65 MD
6 ON SCREEN: The preceding was a paid program
7 for TA65 MD
8 Sponsored by T.A. Sciences
9 CELL REJUVENATION THROUGH TELOMERASE ACTIVATION
10 MALE ANNOUNCER: The preceding was a paid
11 program for TA65, sponsored by T.A. Sciences.
12 (The recording was concluded.)
13
14
15
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19
20
21
22
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24
25

Complaint

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1 C E R T I F I C A T I O N O F T Y P I S T

2

3 MATTER NUMBER: 1423103

4 CASE TITLE: TELOMERASE ACTIVATION SCIENCES, INC.

5 TAPING DATE: JANUARY 7, 2014

6 TRANSCRIPTION DATE: JUNE 9, 2014

7 REVISION DATE: JANUARY 19, 2015

8 I HEREBY CERTIFY that the transcript contained
9 herein is a full and accurate transcript of the tapes
10 transcribed by me on the above cause before the FEDERAL
11 TRADE COMMISSION to the best of my knowledge and belief.

12

13 DATED: JANUARY 19, 2015

14

15

16 ELIZABETH M. FARRELL

17

18 C E R T I F I C A T I O N O F P R O O F R E A D E R

19

20 I HEREBY CERTIFY that I proofread the transcript for
21 accuracy in spelling, hyphenation, punctuation and
22 format.

23

24

25 SARA J. VANCE

Complaint

Exhibit I



Exhibit I - Page 1

Complaint

Exhibit J

Who Should Take TA-65^{MD}?

**Anyone who had a telomere length test and has short telomeres*

**Anyone who's immune system is compromised and can benefit from its restoration*

**Everyone who is concerned about aging healthy and living longer*



What people are saying:

As a practicing MD, I am surprised at the improvement in my immune system after only 6 months.

-Dr. Fred Vagnini, 70, New York, NY

I'm more active physically than any time I can remember. At age 80 I feel like the "poster boy" for TA Sciences.

-Ralph A. 80, Los Angeles, CA

To learn more about TA-65MD and how it can help you, consult one of our licensed healthcare practitioners or visit: www.ta65sciences.com

Why should you consider taking TA-65^{MD}?

As we age, our Telomeres shorten

Regular exercise and healthy habits can slow the attrition of telomeres, but telomere length continually declines as we age

If you have not followed a healthy lifestyle, your telomeres are shorter than they should be

Many recent scientific studies have shown short telomeres are associated with age related decline and dysfunction

Evidence also clearly shows people with long telomeres age healthier and look younger

The only way to lengthen telomeres is through the activation of an enzyme called telomerase

The world's only commercially available way to activate telomerase is to take TA-65^{MD}



T. A. Sciences, Inc.
24E 64th Street, 5th Floor,
New York, NY 10065
Phone: 212-598-8905
Fax: 212-566-0056
www.ta65sciences.com



Telomerase Activation works on the genes cells in your body use to improve the quality of life.

TA-65^{MD}
250 units[†]

CELL REJUVENATION THROUGH TELOMERASE ACTIVATIONTM

- + Lengthens Short Telomeres!
- + Helps Prevent DNA Damage!
- + Rejuvenates Aging Immune Systems!

Nobel Prize Technology

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What is the key to aging healthy and living longer?

Telomeres!!!

Telomeres: Strings of DNA located at the ends of chromosomes. They maintain the structure of the chromosome and protect the genes.



Every human cell contains 92 telomeres, or biological ticking clocks. Telomeres are responsible for maintaining the integrity of our DNA. Each and every time our cells divide, these telomeres (some call them burning fuses) get shorter. When one becomes critically short, the cell either stops functioning properly or dies. Telomere biology won the 2009 Nobel Prize in Medicine for good reason.

Birth marks the beginning of telomere erosion in most tissues throughout life. Telomere shortening inevitably proceeds as we grow older. It is further accentuated by environmental, physical, and emotional stress. Unless something can be done to keep telomeres from shortening, (even if every disease known to mankind is cured)...

We will all still die from telomere shortening!

What can be done to keep telomeres long?

Lead a healthy lifestyle
This will only help slow down the shortening of your telomeres

Activate Telomerase
In published studies, it has been proven to be the only way to lengthen short telomeres

What is Telomerase?

Telomerase is an enzyme that maintains the telomeres at the end of the chromosomes in order to prevent cell death. The gene producing the telomerase is usually turned off in most cells. When the telomerase gene is activated, it resembles a molecular motor and adds new DNA onto the ends of telomeres, thus lengthening short telomeres.



From circulating in the blood stream, TA-65[®] enters aging cells

TA-65[®] has the ability to activate the dormant TELOMERASE enzyme

Activated Telomerase causes telomeres at the end of the chromosome to grow longer

Cells with long healthy telomeres are able to continue to divide and proliferate





Is there a way to activate telomerase?

According to published studies, the only proven way available is:

TA-65[®] MD

TA-65[®] MD is a purified molecule originating from the Astragalus plant.

Astragalus is a well-respected Chinese medicinal plant which has been in use for over 2,000 years.

TA-65[®] MD is proven to:

- ✓ Activate telomerase
- ✓ Lengthen short telomeres
- ✓ Restore an aging immune system
- ✓ Increase bone density
- ✓ Improve various biomarkers that usually decline with age

Our clients report anecdotal benefits such as:

- ✓ Increased energy
- ✓ Improved endurance
- ✓ Vision improvements
- ✓ Enhanced libido
- ✓ Better skin elasticity
- ✓ and more....

Complaint

Exhibit K

Can we age healthier and live longer?

Telomeres: Springs of DNA located at the ends of the chromosomes. They maintain the structure of the chromosome and protect the genes.

Every human cell contains 46 of these biological ticking clocks. Telomeres are responsible for maintaining the integrity of our DNA. Each and every time our cells divide, these telomeres (or the cell then burning fused get shorter, until one of them becomes critically short and the cell either stops functioning properly or dies.

Each marks the beginning of telomere erosion in most tissues throughout life. Telomere shortening proceeds inexorably as we grow older and is further accelerated by environmental, physical, and emotional stress. Telomere Biology won The Nobel Prize in 2018 and for good reason, unless something can be done to keep telomeres from shortening, then if every disease known to mankind is caused...

We will all fall prey to telomere shortening

What's the key to aging healthy and living longer?

Keep a healthy lifestyle:
This will help to slow down shortening of your telomeres.

Activate Telomerase
In published studies it has been proven to be the only way to lengthen short telomeres

What is Telomerase?

Telomerase is an enzyme controlled by a specific gene (the telomerase gene) that is usually turned off in most cells. But when that gene is activated (turned on) it reassembles a molecular motor and adds new DNA onto the ends of telomeres thus lengthening telomeres

Why Humans Age: When we are first conceived, five telomeres in each single-cell embryo are approximately 15,000 nucleotides long. But by the time we are born, our telomeres have decreased in length to approximately 10,000 nucleotides.

At about age 1, the telomeres have decreased to approximately 9,000 nucleotides.

At about age 10, the telomeres have decreased to approximately 8,000 nucleotides.

At about age 30, the telomeres have decreased to approximately 7,000 nucleotides.

At about age 60, the telomeres have decreased to approximately 6,000 nucleotides.

Beyond the age of 90, when the telomeres have decreased to an average of about 5,000 nucleotides, our cells cannot divide any further, and we are old age.

Is there a way to activate telomerase?

The only way, proven in published studies, available to you is

TA⁶⁵TM

TA-65TM is a purified molecule originating from the satraplatin patent. As a result, it is well respected Chinese medicine patent, which has been in use for over 2,000 years.

TA-65TM is proven to:

- Activate telomerase
- Lengthen short telomeres
- Activate an aging immune system
- Increase bone density
- Improve various hormones that usually decline with age

Our clients report anecdotal benefits, such as:

- Increased energy
- Improved endurance
- Vision improvements
- Enhanced sleep
- Before skin elasticity
- And more...

Ask your physician if you can benefit from anti-aging therapy with TA-65.

Complaint

Exhibit L

Maximize Your Potential for Health and Longevity**Minimize Your Age Related Decline and Dysfunction**

"As a practicing MD, I am surprised at the improvement in my immune system after only 6 months."
Dr. Fred Vagnini, 70, New York, NY

TA-65 is the first product to emerge from Nobel Prize winning science, focused on improving your health and quality of life.

TA-65 is the world's only telomerase activator proven in published studies to safely lengthen critically short telomeres, prevent DNA damage, and restore an aging immune system. TA-65 has been shown to increase bone density and improve various biomarkers which usually decline with age.

Hypoallergenic: Contains no yeast, dairy, eggs, gluten, corn, soy, wheat, sugar, starch, salt, preservatives, artificial color, flavor, or fragrances.

Visit www.tasciences.com or call us at 212-588-8805

Mention this ad and receive 5% off your purchase.
Offer expires: Sept. 30th 2011

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Exhibit M

Telomere Science Page 1 of 1



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Telomere Science

There are trillions of cells in our body and at any given time a great number are dividing furiously to keep us alive and well. The process is directed by genes sitting on the 23 pairs of chromosomes found in the nucleus of each and every cell. The chromosomes are long sequences of DNA that contain all our genetic material. Each pair of chromosomes consists of one from your mother and one from your father and they are twisted around each other to form a structure called the double helix.

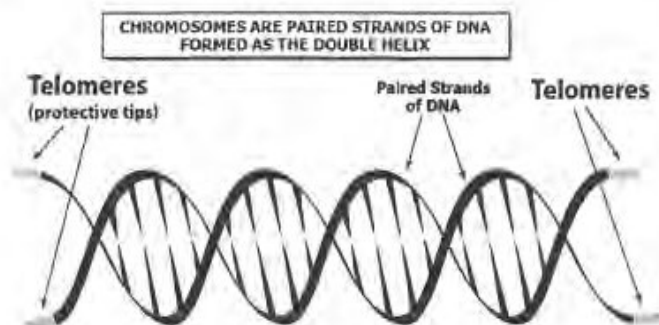
Exhibit M - Page 1

<http://www.tasciences.com/introduction-to-telomere-science/> 1/24/2014

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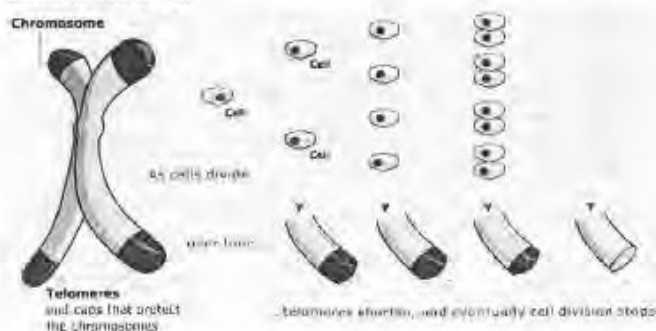
Telomere Science

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Of particular interest to the scientists at T.A. Sciences are the ends of each chromosome known as telomeres. Telomeres have no genetic function; they are simply stretches of DNA (repeats of base pairs) that protect the rest of the chromosome. These little bits of DNA are critical to healthy cell function and have been likened to the plastic tips on shoelaces because they prevent the chromosome from "fraying."

However, telomeres become progressively shorter each time the cell divides. When they get too short, cells reach replicative senescence and can no longer divide. The result can be the various conditions associated with old age.



Scientists have only recently begun to understand the critical importance of shortened telomeres. Research has shown that people over 60 who have long telomeres experience greater heart and immune system health than their age-matched counterparts with shorter telomeres. Thus, it is becoming well-understood that maintaining telomere length is preventing age-related decline.

The phenomenon of cellular aging was first noted by Professor Lenhard Hayflick in 1961. He discovered that cells cannot divide beyond a specific number of times. This is called the Hayflick Limit. Cells reaching this limit become old. Although Professor Hayflick discovered this important scientific principle, he had no idea what caused it.

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<http://www.tasciences.com/introduction-to-telomere-science/>

1/24/2014

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Telomere Science

Page 3 of 1

It took almost 50 more years before the role telomeres play in cellular aging was finally understood. In 1990, Calvin Harley at McMaster University in Canada and Carol Greider at Cold Spring Harbor Laboratory in the USA discovered that telomere shortening goes hand-in-hand with the aging process and is the direct cause of cells reaching the Hayflick Limit.

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DISCLAIMER: The information provided on this website is intended for educational purposes only. The educational material contained in this site is based on a careful analysis of the scientific literature and the experience of the T.A. Sciences team. Telomerase Activation is cutting edge science and knowledgeable scientists have differing views as to its benefits and safety. We urge each prospective client to become educated about TA and to consult their own experts prior to using any product that is a true telomerase activator.

This product is not intended to diagnose, treat, cure, or prevent any disease.

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TA-65 Dosing Guideline

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TA-65 Dosing Guideline

The statistics showing TA-65's efficacy in the ground breaking scientific paper published Sept. 8, 2010 in the peer-reviewed scientific journal *Rejuvenation Research* allows us to offer different dosing options. Below is the guideline for you to choose the appropriate dosage and price for your unique situation:

1. **250 units (1 capsule daily)** is efficacious for healthy adults in their 40's or 50's. Also 250 units can serve as a maintenance dose for older people who have been taking higher doses of TA-65 for several years and want to continue on a reduced cost program. Clients who took this dose were shown to have increased short telomere length and significantly improved immune system function. There are also anecdotal reports of increased endurance and other benefits. **Cost: US \$600.00 for each 3 month segment.**
2. **500 units (2 capsules daily)** has been proven to lengthen short telomeres, restore the immune system, and improve other important bio markers. Anecdotal reports included increased energy,

Exhibit M - Page 4

<http://www.tasciences.com/ta-65/ta-65-dosing-guideline/>

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Complaint

TA-65 Dosing Guideline

Page 2 of 7

endurance, vision improvements, sexual enhancement, and more. This medium strength dose is recommended for people who are generally in good health and want to be proactive in longevity and healthy aging. Many people in their 50's or 60's fall into this category. **Cost: US \$1,200.00 for each 3 month segment.**

3. **1000 units (4 capsules daily)** This is considered the HIGH DOSE and is recommended for clients who are:
1. Over 70 years of age, or
 2. Are of any age and have measured their telomeres and found them to be short, or
 3. Have reason to believe that strengthening their immune system would have particular benefit.

It is expected that this dose will give an increased benefit over the lower doses (although not a proportional benefit). Study subjects experienced lengthened telomeres, restoration of weak immune systems, bone density improvements and other important bio marker improvements which usually decline with age. Anecdotal reports include energy increase, endurance, cognitive improvements, improved vision, sexual enhancement, and an overall feeling of well being. **Cost: US \$2,200.00 for each 3 month segment.**

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FAQ

What are telomeres?

Telomeres (te-lo-m-er-es) are buffers, protective pieces of DNA material at the ends of each and every chromosome in every cell in the body. Imagine a shoelace with the little plastic endpiece that keeps the strings of the lace bound together. This is what a telomere looks like and how it functions. Just as a shoelace unravels if the protective tip is missing, so the genetic material of the chromosomes degrades if not properly protected by telomeres of a certain length.

What is Telomerase Activation?

Telomerase (te-lo-m-er-ase) is a naturally-occurring enzyme in the body and a vital factor in cell health. It helps maintain the protective telomeres located at the ends of all

Complaint

FAQ

Page 2 of 9

chromosomes. Scientific studies have shown that controlled activation of telomerase in normal cells can increase telomere length, improve functional capacity, and promote the proliferative lifespan of cells. The Telomerase-Activating potency of the molecule TA-65 has been independently proven in rigorous tests by 3rd party laboratories.

Have these products been tested?

T.A. Sciences™ follows stringent scientific procedures to back up the safety and efficacy of our products. For more than a decade, we have conducted a series of studies including, most importantly, a 2005 Anti-Aging Trial designed to directly measure the effect of TA-65 when taken internally. In this trial we saw a reduction in the signs of aging from the introduction of TA-65 into the bloodstream. A 125-person safety study showed no negative effects from daily use of TA-65. More exciting news on testing will be available as soon as on-going studies are completed.

Is there real science behind these products?

The presence of telomerase and the effects of telomere shortening are so basic to human aging and the maladies of old age that an entirely new branch of biology (Telomere Biology) has sprung up in the last two decades. The science of telomeres and telomerase activation is a new frontier, attracting some of the brightest scientific minds in both the academic and pharmaceutical worlds. To maintain its leadership role in Telomerase Activation, T.A. Sciences™ maintains unique relationships with leading edge biotech firms and opinion leaders in the field of Telomere Biology. Dr. Calvin Harley, who first discovered the link between Telomeres and aging, works closely with T.A. Sciences to integrate the latest scientific discoveries into T.A. Sciences' products. T.A. Sciences has also established working relationships with several other of the world's leading Telomere Biologists.

For more information on the science behind TA Activation [click here](#).

How does T.A. Sciences assure the quality of its products?

Quality and purity are assured through a series of analytical tests. Here is the process from the beginning to the end of the supply chain:

- T.A. Sciences harvests high-potency, naturally grown Astragalus. The raw plant material is refined into a base powder at our exclusive plant-extraction facility.
- This refined base material is then further extracted and purified through a proprietary process perfected over more than a decade of research and development to yield the single molecule TA-65 at over 98% purity. Using HPLC/ELSD/CAD, mass spectrometry, and gas chromatography, TA-65 is tested for purity, solvent residue, microbial, heavy metals, and pesticides.
- The Purified TA-65 is then sent to an FDA-certified facility for further processing utilizing advanced delivery technology to improve the bioavailability of the TA-65 molecule.
- The bioenhanced TA-65 is blended with USP (United States Pharmacopeia) grade GRAS (Generally Recognized As Safe) excipients and encapsulated and packaged at our subcontractor's state of the art GMP (Good Manufacturing Practices) certified facility. The final product must pass another series of tests including microbial and heavy metals before it can be released.
- Through these and other rigorous quality programs, T.A. Sciences can assure our clients that what we say on our label is 100% accurate.

What is the plant from which TA-65 is derived?

Exhibit M - Page 7

<http://www.tasciences.com/faq/>

1/24/2014

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FAQ

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TA-65 is a naturally occurring molecule found in an ancient Chinese medicinal herb. Well known to most of China's 1.3 billion people for over 1000 years, this medicinal root can be found in every traditional Chinese herbal shop. Major health benefits from this plant have long been recognized by practitioners in China, but never before has the TA-65 active ingredient been isolated and purified.

If TA-65 is a molecule coming from an ancient medicinal plant and extracts are available in any vitamin shop, why not just buy these inexpensive commercial products?

To answer this question, we purchased four commonly available extract products and had them tested to verify how much, if any, TA-65 is present. In all four cases, the testing lab could not detect any TA-65. Their assay is accurate to one part per million.

This is not surprising because not only is the TA-65 molecule rare, but extraction processes used by Chinese processing companies normally destroy it. T.A. Sciences uses a proprietary production process that took years of research and over several million dollars to develop. Several patents have been issued to T.A. Sciences over the years related to this technology.

Are there any allergens in the product I should be aware of?

TA-65 does not contain dairy, eggs, gluten, corn, soy, wheat, sugar, starch, salt, preservatives, artificial color, flavor, or fragrances.

Is TA-65 Scientifically Supported?

T.A. Sciences is the first and only company in the world to offer Telomerase-Activating products to combat the effects of cellular aging through leading-edge science. After more than 10 years of rigorous Research and Development, T.A. Sciences is proud to market the unique and potent TA-65 molecule available in TA-65MD®.

Is TA-65 a drug?

TA-65 is a nutritional supplement, not a drug. It activates telomerase and this helps keep cells functioning in a normal and healthy way as we age. TA-65 is not a drug and we make no claims that it prevents or treats any disease.

Is there a risk of unwanted cell proliferation?

TA-65 is a single molecule found in the Astragalus plant. Astragalus extracts have been safely consumed by humans for over a thousand years and are available in any vitamin shop. TA-65's method of action is to activate the enzyme telomerase which in turn affects the telomeres, which are located at the tips of every chromosome in every cell of the body. Telomeres are the cellular clock of aging; every time a cell divides, telomeres get shorter. When telomeres get too short, cells can no longer divide and proliferate; they become old cells. Maintaining telomere health and length allows cells to continue to divide and proliferate for a longer time; they simply live and function longer. However if cells live longer, there is a theoretical concern that they might over proliferate. Therefore, theoretically, TA-65 could stimulate unwanted growth and cell overpopulation. Of course what TA-65 aims to do is to keep healthy cells alive and functioning for as long as possible. But what about the possibility of allowing unhealthy cells to live longer?

Complaint

FAQ

Page 4 of 4

There is evidence that suggests that TA-65 boosts and strengthens the immune system, which we believe should address or suppress any cell overpopulation. Thus, we believe the overall effect of TA-65 regarding cell proliferation to be positive.

Furthermore, we believe that a number of physical changes associated with old age are due to the presence of short telomeres. TA-65 is specifically designed to promote overall cell health and longevity by increasing telomere length or slowing the rate of telomere shortening. When telomerase is activated, cell distress due to shortened telomeres is reduced.

In summary, considering the lack of evidence of TA-65 causing unwanted human cell proliferation, we believe the potential beneficial effects of activating telomerase and maintaining healthy tissue function outweigh any theoretical risk. And we practice what we preach; many T.A. Sciences employees are currently taking TA-65.

A doctor or professional health care provider who is familiar with Telomere Biology is in the best position to assess if TA-65 is right for you. Products that activate telomerase are on the frontiers of science and before you take TA-65, you should consult your physician or health care provider.

TA-65 sounds too good to be true. How do I know this is not just snake oil like other so-called anti-aging products?

TA-65 has been proven by outside, 3rd party laboratories to activate telomerase. Telomerase lengthens telomeres and longer telomeres allow cells to continue to divide and replicate longer.

In 2005 we did an Anti-Aging Trial that statistically shows in black and white what real people experienced from TA-65. This was a double-blind, placebo controlled study with data interpreted by Stanford University Ph.D., Dr. Jochen Kumm.

T.A. Sciences is solidly grounded in patented telomerase technology and validated by additional controlled studies.

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This product is not intended to diagnose, treat, cure, or prevent any disease.

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Exhibit N

The screenshot displays the 'New Products' page of the T.A. Sciences website. The browser address bar shows 'www.tasciences.com/new-products/'. The website header includes the T.A. Sciences logo, navigation links for 'About T.A. Sciences', 'Telomere Biology', 'TA-65 Nutritional Supplements', 'New Products', and 'Contact Us', and a toll-free number '888-365-2886'. A large blue molecular structure graphic is positioned above the 'New Products' heading. The main content area features two columns of text. The left column states that T.A. Sciences has invested over \$5 million in acquiring technologies and patent rights to expand its product portfolio. The right column describes the company's dedication to research-based, clinically tested products that help address cellular aging through telomerase activation. Below this, a section titled 'TA-65 for Skin' provides information about human skin, the benefits of TA-65 nutritional supplements, and the development of a topical product. To the right of the text is an image of the TA-65 for Skin product packaging, which includes a box and a bottle. The box is labeled 'TA-65 for Skin' and 'Telomerase Complex'. The bottle is labeled 'TA-65 for Skin' and 'Telomerase Complex'. At the bottom of the page, there is a link to request more information and a note to check back for updates.

New Products - T.A. Sciences

www.tasciences.com/new-products/

T.A. SCIENCES®
DR. STEPHEN A. SCHWARTZ, M.D.
Telomere Biology Research

About T.A. Sciences® Telomere Biology TA-65® Nutritional Supplements New Products Contact Us

Toll-Free 888-365-2886

New Products

T.A. Sciences® has invested over \$5 million in the acquisition of technologies and related patent rights that offer the potential to greatly expand the company's portfolio of product offerings.

T.A. Sciences® is dedicated exclusively to creating research-based, clinically tested, patented products that help address cellular aging through the science of Telomerase Activation. Built upon a foundation strongly grounded in scientific evidence, T.A. Sciences® is widely recognized as the leader in the field of Telomere Biology.

In addition to spending over \$1 million last year for leading-edge, cutting-edge research on Telomere Biology, T.A. Sciences® invested another \$5 million on the acquisition of technologies and related patent rights that offer the potential to greatly expand the company's portfolio of product offerings.

TA-65® for Skin

Human skin is an amazing organ. It is not only the largest organ in the body, but it is also the fastest growing. There are about 19 million skin cells in every inch of the body, which are constantly being replaced as they age and die. In fact, 30,000 to 40,000 skin cells die every day.¹

TA-65/AD® nutritional supplements have been shown to improve skin elasticity and decrease the amount of time it takes skin to recover after a procedure. Due to the large number of requests from physicians and customers for a TA-65® product that can be applied directly to particular areas of the skin, the company added topical formulation development to its research plan. After conducting three-dimensional modeling, in vitro and in-vivo studies on a variety of formulations, T.A. Sciences® developed its first topical product, TA-65® for skin.

TA-65® for Skin is available now. Please click [here](#) to request more information.

Please check back here for updates on this and other exciting developments.

TA-65® for Skin

Telomerase Complex

TA-65® for Skin

Telomerase Complex

Supplies 1.5 fl. oz. (44 ml)

Complaint

info@telomerase.com Toll Free: 888.930.8884

T.A. SCIENCES®
CELL REGENERATION • TISSUE-REPAIRING ACTIVATION

About T.A. Sciences® Telomere Biology TA-65® Nutritional Supplements New Products Contact Us

New Products

T.A. Sciences® has invested over \$5 million in the acquisition of technologies and related patent rights that offer the potential to greatly expand the company's portfolio of product offerings.

T.A. Sciences® is dedicated exclusively to creating research-based, clinically tested wellness products that help address cellular aging through the science of Telomerase Activation. Built upon a foundation strongly grounded in scientific evidence, T.A. Sciences® is widely recognized as the leader in the field of Telomere Biology.

In addition to spending over \$1 million per year for leading-edge scientific research on Telomere Biology, T.A. Sciences® has invested another \$5 million on the acquisition of technologies and related patent rights that offer the potential to greatly expand the company's portfolio of product offerings.

TA-65® for Skin

Human skin is an amazing organ. It is not only the largest organ in the body, but it is also the fastest growing. There are about 19 million skin cells in every inch of the body, which are constantly being replaced as they age and die. In fact, 30,000 to 40,000 skin cells die every day.*

TA-65MD® nutritional supplements have been shown to improve skin elasticity and decrease the amount of time it takes skin to recover after a procedure. Due to the large number of requests from physicians and customers for a TA-65® product that can be applied directly to particular areas of the skin, the company added topical formulation development to its research plan. After conducting three-months of modeling, in vitro, and in-vivo studies on a variety of formulations, T.A. Sciences® developed its first topical product, TA-65® for Skin.

TA-65® for Skin is available now. Please click here to request more information.

Please check back here for updates on this and other exciting developments!



Canine Chews

Studies have shown that telomere length in dog breeds correlates to lifespan, a result consistent with findings in humans. However, unlike humans, dogs lose telomeric DNA 10 times as fast, making them relatively short-lived.

A 2012 study published in the Journal Cell Reports® tested 13 breeds of dog and found that breeds like Beagles, Golden retrievers, Labrador retrievers, and Miniature poodles, which have long telomeres compared to others, also live longer.

Dog owners view their pets as another member of the family and they want to take steps to improve their health span too. Anecdotally, T.A. Sciences® has heard of owners giving their dogs TA-65® products, which is why the company decided to include canine testing in its research plan. 125 dogs of various breeds were studied to develop safe formulation and dosing criteria.

In 2014, T.A. Sciences® will introduce its first product developed specifically for pets: Canine Chews.



Exhibit N - Page 2

Complaint

Please check back here for updates on (t1) and other exciting developments!

Equine Formulation

In addition to its forthcoming product for dogs, T.A. Sciences® is also in the process of creating a formulation of TA-65® for horses



Please check back here for updates on (t1) and other exciting developments!

Therapeutic Drugs



Find out more about Therapeutic Drugs

[CLICK HERE](#)

T.A. Sciences® is working to develop U.S. Food and Drug Administration (FDA) approved therapeutic drugs. While the company has focused on the nutritional supplement market since its founding in 2002, it has always operated at a higher standard than the norms for the industry. T.A. Sciences® conducts extensive safety and efficacy studies on both animals and humans that are far beyond the level found in most supplement companies. This commitment to a research based, clinically tested approach has made T.A. Sciences® a recognized leader in bringing Telomere Biology to the marketplace. Thus, it was only natural for the company to expand into developing therapeutic drugs for treating diseases associated with aging.

In 2012 T.A. Sciences® acquired the worldwide rights to a new patent-pending compound that has the potential to prevent or treat many diseases associated with aging.

[Click here to read more.](#)

References

info@tasciences.com Toll-Free: 888.360.8886



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Nutritional Supplements

[Purchase TA-65MD®](#)
[What is TA-65®?](#)
[Testimonials](#)

Telomere Biology

[What is a Telomere?](#)
[Telomeres and Cellular Aging](#)
[Telomerase Activation](#)

Contact Us

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News

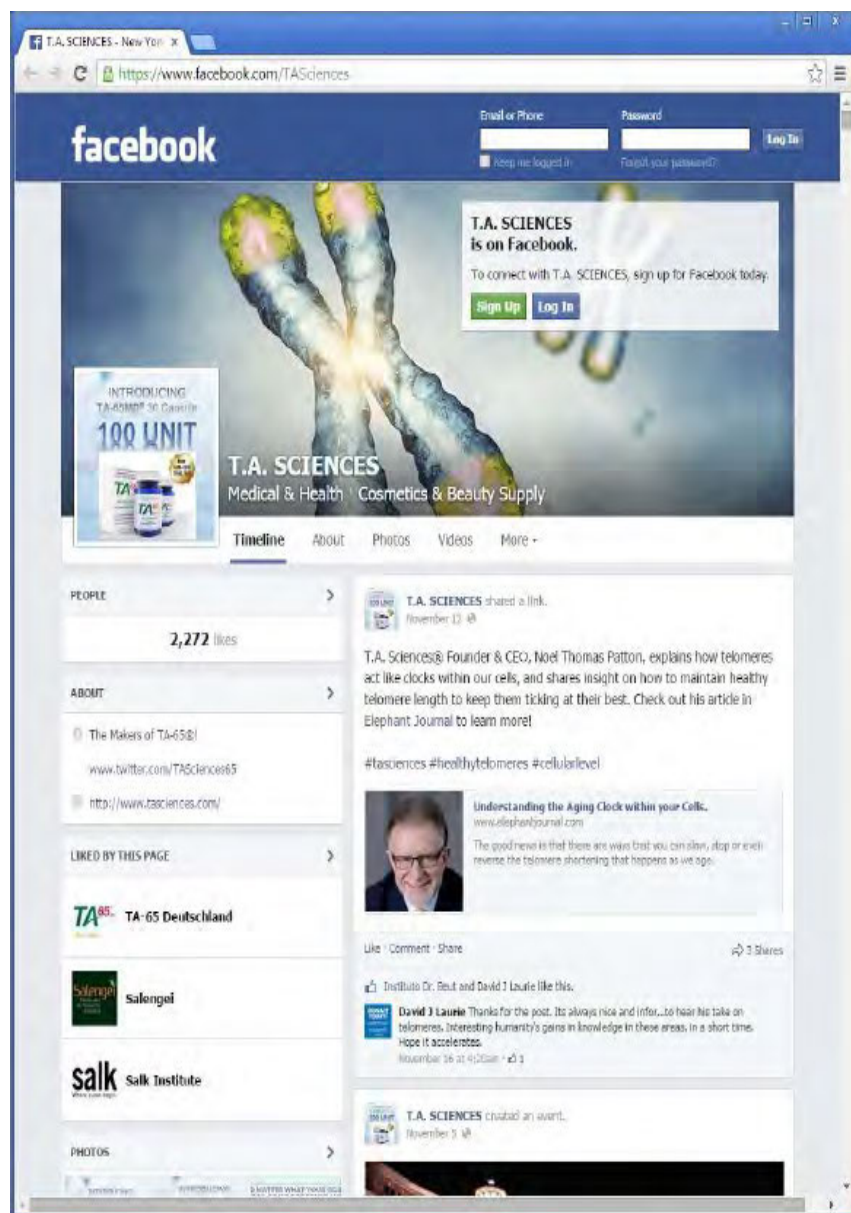
[Press Releases](#)
[Clinical Research](#)

[PRIVACY POLICY](#) [TERMS OF USE](#) [SITE MAP](#)

www.tasciences.com/web-products/

Complaint

Exhibit O



Complaint



Complaint



Complaint

The screenshot displays the Facebook profile of T.A. SCIENCES. The left sidebar includes the company logo, a 'PHOTOS' section with several images of product packaging (labeled '100 UNIT'), and an 'APPS' section featuring a Google+ icon. Below these are 'POSTS TO PAGE' from users Edgar Emmanuel Hinojosa Diaz and Maurice Dwayne Smith. The main feed shows four posts from T.A. SCIENCES:

- March 19, 2013:** A link post titled 'Not only have age-related disorders been tied to shorter telomeres, but more and more research is showing how all kinds of illnesses and infections may be linked to them as well.' It includes a graphic about telomere length and a link to a preliminary study.
- March 12, 2013:** A text post asking 'What's the best way to know if TA-65 is working? Measure your shortest telomeres with a telomere-length test! Get tested before you start taking TA-65, and then retake the test 12-13 months later to see the growth!'.
- March 4, 2013:** A text post celebrating a customer: 'Another happy customer placed an order for TA-65 today. She said both her husband's and her hands have less wrinkles than they did when they started taking TA-65—only a month and a half ago!'.
- February 26, 2013:** A text post explaining the difference between TA-65 and astragalus supplement, stating that TA-65 is a specific, concentrated extract of a rare molecule from astragalus roots.

Each post shows engagement metrics such as 'Like', 'Comment', and 'Share' counts.

Complaint



Complaint

The screenshot displays a Facebook profile for 'T.A. SCIENCES'. The left sidebar includes the profile picture (a logo with 'Salk Institute' and 'New technology'), a 'PHOTOS' section with several images of product boxes labeled '100 UNIT', an 'APPS' section with a Google+ icon, and a 'POSTS TO PAGE' section featuring posts from users like Edgar Emmanuel Hinojosa Diaz and Maurice Dwayne Smith. The main feed shows three posts from 'T.A. SCIENCES':

- Post 1 (November 2, 2012):** A link post titled 'For information on Telomere Science, click here:' with the URL <http://ow.ly/evYfa>. The linked content describes Telomere Science and mentions 'There are trillions of cells in our body and at any given time a great number are dividing furiously to keep us alive and well. The problem is...'
- Post 2 (November 1, 2012):** A link post titled 'Your cells are on a timer - one that's running out. Learn how you can modify cells to literally reverse the aging process' with the URL <http://ow.ly/eTTFZ>. The linked content includes the URL <http://ow.ly/eTTFZ> and the website www.burtondirect.com.
- Post 3 (October 31, 2012):** A text post about The Beatles' single 'Something' b/w 'Come Together', released on October 31, 1969. It mentions the Apple R 5814 45 single and its release in the UK. The post includes a detailed paragraph about the song's history and success.

At the bottom of the page, there is a navigation bar with links: 'English (US)', 'Privacy', 'Terms', 'Cookies', 'Advertising', 'Help', and 'Feedback (©2012)'.

Complaint

Salk Institute

PHOTOS

APPS

POSTS TO PAGE

Edgar Emmanuel Hinojosa Diaz
November 25 at 11:30am
I'd like to get this product, how much is it?
Like · Comment · Share

Maurice Dwayne Smith
September 2 at 3:00pm
Hi I've met DR. Linda SelvinHillebrand!
Like · Comment · Share

T.A. SCIENCES
June 8, 2012
AgeMarker.com English Longitudinal Study of Ageing Links Happiness to...
The English Longitudinal Study of Ageing shows that respondents with the highest level of positive affect are 33% less likely to die than those...
Like · Comment · Share · Share

T.A. SCIENCES
June 8, 2012
Looking for some TA-65 in the greater Seattle area? Contact Anna Manays @ Immune Matrix:
Immune Matrix, LLC
www.immunematrix.com
Boost, allergy elimination, toxigenic autism, hay fever, acupuncture, NET, massage, toxic loads, food allergies, food allergy, nutritional therapy...
Like · Comment · Share · Share

T.A. SCIENCES
June 7, 2012
TA-65md, a clinically-proven telomerase activator, is a naturally-occurring single molecule extracted from the root of an herb. TA-65md adds back base pairs of telomeric DNA that have been lost in the aging process. This lengthening of telomeres protects chromosomes from damage, essentially protecting the cells where telomerase is activated from age-related decline.
Like · Comment · 3 Shares

T.A. SCIENCES
June 7, 2012
T.A. Sciences is committed to ensuring the highest quality from end-to-end of the supply chain, i.e., from the sourcing of T.A. Sciences' starting raw ingredient in China to the formulation and manufacture of the finished product in the United States.
Like · Comment · 2

T.A. SCIENCES
June 7, 2012

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Decision and Order

DECISION

The Federal Trade Commission (“Commission”) initiated an investigation of certain acts and practices of the Respondents named in the caption. The Commission’s Bureau of Consumer Protection (“BCP”) prepared and furnished to Respondents a draft Complaint. BCP proposed to present the draft Complaint to the Commission for its consideration. If issued by the Commission, the draft Complaint would charge the Respondents with violation of the Federal Trade Commission Act.

Respondents and BCP thereafter executed an Agreement Containing Consent Order (“Consent Agreement”). The Consent Agreement includes: 1) statements by Respondents that they neither admit nor deny any of the allegations in the Complaint, except as specifically stated in this Decision and Order, and that only for purposes of this action, they admit the facts necessary to establish jurisdiction; and 2) waivers and other provisions as required by the Commission’s Rules.

The Commission considered the matter and determined that it had reason to believe that Respondents have violated the Federal Trade Commission Act, and that a Complaint should issue stating its charges in that respect. The Commission accepted the executed Consent Agreement and placed it on the public record for a period of 30 days for the receipt and consideration of public comments. The Commission duly considered the comment received from an interested person pursuant to Commission Rule 2.34, 16 C.F.R. § 2.34. Now, in further conformity with the procedure prescribed in Commission Rule 2.34, the Commission issues its Complaint, makes the following Findings, and issues the following Order:

Findings

1. The Respondents are:
 - a. Respondent Telomerase Activation Sciences, Inc., is a Delaware corporation with its principal office or place of business at 420 Lexington Avenue, Suite 2900, New York, NY 10170.

Decision and Order

- b. Respondent Noel Thomas Patton is the founder, Chairman, CEO, and majority owner of the Corporate Respondent, Telomerase Activation Sciences, Inc. Individually or in concert with others, he formulates, directs, or controls the policies, acts, or practices of Telomerase Activation Sciences, Inc. His principal office or place of business is the same as that of Telomerase Activation Sciences, Inc.
2. The Commission has jurisdiction over the subject matter of this proceeding and over the Respondents, and the proceeding is in the public interest.

ORDER**Definitions**

For purposes of this Order, the following definitions apply:

- A. “Clearly and conspicuously” means that a required disclosure is difficult to miss (i.e., easily noticeable) and easily understandable by ordinary consumers, including in all of the following ways:
 1. In any communication that is solely visual or solely audible, the disclosure must be made through the same means through which the communication is presented. In any communication made through both visual and audible means, such as a television advertisement, the disclosure must be presented simultaneously in both the visual and audible portions of the communication even if the representation requiring the disclosure (“triggering representation”) is made through only one means.
 2. A visual disclosure, by its size, contrast, location, the length of time it appears, and other characteristics, must stand out from any

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accompanying text or other visual elements so that it is easily noticed, read, and understood.

3. An audible disclosure, including by telephone or streaming video, must be delivered in a volume, speed, and cadence sufficient for ordinary consumers to easily hear and understand it.
 4. In any communication using an interactive electronic medium, such as the Internet or software, the disclosure must be unavoidable.
 5. On a product label, the disclosure must be presented on the same display panel as the representation that requires the disclosure appears.
 6. The disclosure must use diction and syntax understandable to ordinary consumers and must appear in each language in which the triggering representation appears.
 7. The disclosure must comply with these requirements in each medium through which it is received, including all electronic devices and face-to-face communications.
 8. The disclosure must not be contradicted or mitigated by, or inconsistent with, anything else in the communication.
 9. When the representation or sales practice targets a specific audience, such as children, the elderly, or the terminally ill, “ordinary consumers” includes reasonable members of that group.
- B. “Close proximity” means that the disclosure is very near the triggering representation. For example, a disclosure made through a hyperlink, pop-up, interstitial, or other similar technique is not in close proximity to the triggering representation.

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- C. “Cosmetic” means: (a) articles to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof intended for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (b) articles intended for use as a component of any such article; except that such term shall not include soap.
- D. “Covered product” means TA-65MD® and TA-65® for Skin or any other drug, food, dietary supplement, or cosmetic.
- E. “Dietary supplement” means:
1. any product labeled as a dietary supplement or otherwise represented as a dietary supplement; or
 2. any pill, tablet, capsule, powder, softgel, gelcap, liquid, or other similar form containing one or more ingredients that are a vitamin, mineral, herb or other botanical, amino acid, probiotic, or other dietary substance for use by humans to supplement the diet by increasing the total dietary intake, or a concentrate, metabolite, constituent, extract, or combination of any ingredient described above, that is intended to be ingested, and is not represented to be used as a conventional food or as a sole item of a meal or the diet.
- F. “Drug” means: (a) articles recognized in the official United States Pharmacopoeia, official Homoeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (b) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; (c) articles (other than food) intended to affect the structure or any function of the body of humans or other animals; and (d) articles intended for use as a component of any article specified in (a), (b), or (c); but does not include devices or their components, parts, or accessories.

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- G. “Essentially equivalent product” means a product that contains the identical ingredients, except for inactive ingredients (e.g., inactive binders, colors, fillers, excipients), in the same form and dosage, and with the same route of administration (e.g., orally, sublingually), as the covered product; *provided that* the covered product may contain additional ingredients if reliable scientific evidence generally accepted by experts in the field indicates that the amount and combination of additional ingredients are unlikely to impede or inhibit the effectiveness of the ingredients in the essentially equivalent product.
- H. “Food” means: (a) any article used for food or drink for humans or other animals; (b) chewing gum; and (c) any article used for components of any such article.
- I. “Licensee” means any person licensed, or otherwise authorized, by Respondents to advertise, market, or sell any covered product.
- J. “Licensee-Patient Relationship” means the relationship between a licensee and an individual when the licensee affirmatively has provided a medical or healthcare service to that individual by examining, diagnosing, treating, or agreeing to examine, diagnose, or treat such individual.
- K. “Person” means a natural person, an organization, or other legal entity, including a corporation, partnership, sole proprietorship, limited liability company, association, cooperative, or any other group or combination acting as an entity.
- L. “Respondents” means the Corporate Respondent and the Individual Respondent, individually, collectively, or in any combination.
 - 1. “Corporate Respondent” means Telomerase Activation Sciences, Inc., , and its successors and assigns.

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2. “Individual Respondent” means Noel Thomas Patton.

Provisions**I. Prohibited Representations:
Disease and Other Specific Health Claims**

IT IS ORDERED that Respondents, Respondents’ officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promoting, offering for sale, sale, or distribution of any covered product, must not make any representation, expressly or by implication, that such product:

- A. Reverses human aging;
- B. Prevents or repairs DNA damage;
- C. Restores aging immune systems;
- D. Increases bone density;
- E. Reverses the effects of aging, including:
 1. Improves skin elasticity;
 2. Increases energy and endurance; or
 3. Improves vision;
- F. Decreases recovery time of the skin after medical procedures;
- G. Prevents or reduces the risk of cancer; or
- H. Cures, mitigates, or treats any disease,

unless the representation is non-misleading, including that, at the time such representation is made, Respondents possess and rely

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upon competent and reliable scientific evidence that substantiates that the representation is true. For purposes of this Provision, “competent and reliable scientific evidence” means human clinical testing of the covered product, or of an essentially equivalent product, that is sufficient in quality and quantity, based on standards generally accepted by experts in the relevant disease, condition, or function to which the representation relates, when considered in light of the entire body of relevant and reliable scientific evidence, to substantiate that the representation is true. Such testing must (1) be randomized, double-blind, and placebo-controlled; and (2) be conducted by researchers qualified by training and experience to conduct such testing. In addition, all underlying or supporting data and documents generally accepted by experts in the field as relevant to an assessment of such testing as described in the Provision entitled Preservation of Records Relating to Competent and Reliable Human Clinical Tests or Studies must be available for inspection and production to the Commission. Respondents will have the burden of proving that a product satisfies the definition of an essentially equivalent product.

II. Prohibited Representations Other Health-Related Claims or Safety

IT IS FURTHER ORDERED that Respondents, Respondents’ officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promoting, offering for sale, sale, or distribution of any covered product, must not make any representation, other than representations covered under the Provision titled Prohibited Representations: Disease and Other Specific Health Claims, expressly or by implication, about the health benefits, performance, efficacy, safety, or side effects of such product, unless the representation is non-misleading, including that, at the time such representation is made, Respondents possess and rely upon competent and reliable scientific evidence that is sufficient in quality and quantity based on standards generally accepted by experts in the relevant disease, condition, or function to which the representation relates, when considered in light of the entire body

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of relevant and reliable scientific evidence, to substantiate that the representation is true. For purposes of this Provision, “competent and reliable scientific evidence” means tests, analyses, research, or studies (1) that have been conducted and evaluated in an objective manner by experts in the relevant disease, condition, or function to which the representation relates; (2) that are generally accepted by such experts to yield accurate and reliable results; and (3) that are randomized, double-blind, and placebo-controlled human clinical testing of the covered product, or of an essentially equivalent product, when such experts would generally require such human clinical testing to substantiate that the representation is true. In addition, when such tests or studies are human clinical tests or studies, all underlying or supporting data and documents generally accepted by experts in the field as relevant to an assessment of such testing as described in the Provision of this Order entitled Preservation of Records Relating to Competent and Reliable Human Clinical Tests or Studies must be available for inspection and production to the Commission. Respondents will have the burden of proving that a product satisfies the definition of essentially equivalent product.

**III. Prohibited Misrepresentations:
Regarding Tests, Studies, or Other Research**

IT IS FURTHER ORDERED that Respondents, Respondents’ officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promoting, offering for sale, sale, or distribution of any product must not:

- A. Make any misrepresentation, expressly or by implication, that any covered product is:
 - 1. Clinically or scientifically proven to reverse human aging;
 - 2. Clinically or scientifically proven to prevent or repair DNA damage;

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3. Clinically or scientifically proven to restore aging immune systems; or
 4. Clinically or scientifically proven to increase bone density;
- B. Make any misrepresentation, expressly or by implication, that the performance or benefits of any product are scientifically or clinically proven or otherwise established; or
- C. Make any misrepresentation, expressly or by implication, about the existence, contents, validity, results, conclusions, or interpretations of any test, study, or other research.

IV.
FDA Approved Claims

IT IS FURTHER ORDERED that nothing in this Order prohibits Respondents, Respondents' officers, agents, and employees, or all other persons in active concert or participation with any of them from:

- A. For any drug, making a representation that is approved in labeling for such drug under any tentative final or final monograph promulgated by the Food and Drug Administration, or under any new drug application approved by the Food and Drug Administration; and
- B. For any product, making a representation that is specifically authorized for use in labeling for such product by regulations promulgated by the Food and Drug Administration pursuant to the Nutrition Labeling and Education Act of 1990 or permitted under Sections 303-304 of the Food and Drug Administration Modernization Act of 1997.

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**V. Prohibited Misrepresentations:
Paid Commercial Advertising**

IT IS FURTHER ORDERED that Respondents, Respondents' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the marketing, advertising, or promoting of any product, service, or program must not make any misrepresentation, expressly or by implication, that paid commercial advertising is independent programming, including independent, educational programming.

**VI. Required Disclosures:
Material Connections**

IT IS FURTHER ORDERED that Respondents, Respondents' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promoting, offering for sale, sale, or distribution of any covered product must not make any representation, expressly or by implication, about any user, consumer, or endorser of such product without disclosing, clearly and conspicuously, and in close proximity to that representation, any unexpected material connection between such endorser and (1) any Respondent; or (2) any other individual or entity affiliated with the product. For purposes of this Provision, "unexpected material connection" means any relationship that might materially affect the weight or credibility of the testimonial or endorsement and that would not reasonably be expected by consumers.

**VII. Prohibited Misrepresentations:
Endorsements**

IT IS FURTHER ORDERED that Respondents, Respondents' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling,

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advertising, promoting, offering for sale, sale, or distribution of any covered product, must not make any misrepresentation, expressly or by implication, about the status of any endorser or person providing a review of the product, including a misrepresentation that the endorser or reviewer is an independent or ordinary user of the product.

VIII. Means and Instrumentalities

IT IS FURTHER ORDERED that Respondents, Respondents' officers, agents, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promoting, offering for sale, sale, or distribution of any covered product, must not provide the means and instrumentalities with which to make, directly or indirectly, any false or misleading statement of material fact, including the prohibited representations covered by Provisions I, II, and III of this Order. For purposes of this Provision, "means and instrumentalities" mean any information, document, or article referring or relating to any covered product, including any advertising, labeling, promotional, or purported substantiation materials, for use by a licensee to market or sell any covered product.

**IX. Preservation of Records Relating to
Competent and Reliable Human Clinical Tests or Studies**

IT IS FURTHER ORDERED that, with regard to any human clinical test or study ("test") upon which Respondents rely to substantiate any claim covered by this Order, Respondents must secure and preserve all underlying or supporting data and documents generally accepted by experts in the field as relevant to an assessment of the test, including:

- A. All protocols and protocol amendments, reports, articles, write-ups, or other accounts of the results of the test, and drafts of such documents reviewed by the test sponsor or any other person not employed by the research entity;

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- B. All documents referring or relating to recruitment; randomization; instructions, including oral instructions, to participants; and participant compliance;
- C. Documents sufficient to identify all test participants, including any participants who did not complete the test, and all communications with any participants relating to the test; all raw data collected from participants enrolled in the test, including any participants who did not complete the test; source documents for such data; any data dictionaries; and any case report forms;
- D. All documents referring or relating to any statistical analysis of any test data, including any pretest analysis, intent-to-treat analysis, or between-group analysis performed on any test data; and
- E. All documents referring or relating to the sponsorship of the test, including all communications and contracts between any sponsor and the test's researchers.

Provided, however, the preceding preservation requirement does not apply to a reliably reported test, unless the test was conducted, controlled, or sponsored, in whole or in part by (1) any Respondent; (2) any Respondent's officers, agents, representatives, or employees; (3) any other person or entity in active concert or participation with any Respondent; (4) any person or entity affiliated with or acting on behalf of any Respondent; (5) any supplier of any ingredient contained in the product at issue to any of the foregoing or to the product's manufacturer; or (6) the supplier or manufacturer of such product.

For purposes of this Provision, "reliably reported test" means a report of the test has been published in a peer-reviewed journal, and such published report provides sufficient information about the test for experts in the relevant field to assess the reliability of the results.

Decision and Order

For any test conducted, controlled, or sponsored, in whole or in part, by Respondents, Respondents must establish and maintain reasonable procedures to protect the confidentiality, security, and integrity of any personal information collected from or about participants. These procedures must be documented in writing and must contain administrative, technical, and physical safeguards appropriate to Respondents' size and complexity, the nature and scope of Respondents' activities, and the sensitivity of the personal information collected from or about the participants.

X. Acknowledgments of the Order

IT IS FURTHER ORDERED that Respondents obtain acknowledgments of receipt of this Order:

- A. Each Respondent, within 7 days after the effective date of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.
- B. For 8 years after the issuance date of this Order, each Individual Respondent for any business that such Respondent, individually or collectively with any other Respondent, is the majority owner or controls directly or indirectly, and Corporate Respondent, must deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees, agents, and representatives who participate in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure as set forth in the Provision titled Compliance Report and Notices. Delivery must occur within 7 days after the effective date of this Order for current personnel. For all others, delivery must occur before they assume their responsibilities.
- C. From each individual or entity to which a Respondent delivered a copy of this Order, that Respondent must obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

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XI. Compliance Report and Notices

IT IS FURTHER ORDERED that Respondents make timely submissions to the Commission:

- A. Sixty days after the issuance date of this Order, each Respondent must submit a compliance report, sworn under penalty of perjury, in which:
 - 1. Each Respondent must: (a) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission, may use to communicate with Respondent; (b) identify all of that Respondent's businesses by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (c) describe the activities of each business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Respondent (which Individual Respondent must describe if he knows or should know due to his own involvement); (d) describe in detail whether and how that Respondent is in compliance with each Provision of this Order, including a discussion of all of the changes the Respondent made to comply with the Order; and (e) provide a copy of each Acknowledgment of the Order obtained pursuant to this Order, unless previously submitted to the Commission.
 - 2. Additionally, Individual Respondent must: (a) identify all his telephone numbers and all his physical, postal, email and Internet addresses, including all residences; (b) identify all his business activities, including any business for which such Respondent performs services whether as an employee or otherwise and any entity in which such Respondent has any ownership interest; and (c) describe in detail such Respondent's involvement in each such business

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activity, including title, role, responsibilities, participation, authority, control, and any ownership.

- B. For 10 years after the issuance date of this Order, each Respondent must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following:
1. Each Respondent must submit notice of any change in: (a) any designated point of contact; or (b) the structure of Corporate Respondent or any entity that Respondent has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.
 2. Additionally, Individual Respondent must submit notice of any change in: (a) name, including alias or fictitious name, or residence address; or (b) title or role in any business activity, including (i) any business for which such Respondent performs services whether as an employee or otherwise and (ii) any entity in which such Respondent has any ownership interest and over which Respondents have direct or indirect control. For each such business activity, also identify its name, physical address, and any Internet address.
- C. Each Respondent must submit notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Respondent within 14 days of its filing.
- D. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: “I declare under penalty of

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perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____” and supplying the date, signatory’s full name, title (if applicable), and signature.

- E. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: In re Telomerase Activation Sciences, Inc.

XII. Recordkeeping

IT IS FURTHER ORDERED that Respondents must create certain records for 10 years after the issuance date of the Order, and retain each such record for 5 years. Specifically, Corporate Respondent, in connection with the manufacturing, labeling, advertising, promoting, offering for sale, sale, or distribution of any covered product, and Individual Respondent for any business that such Respondent, individually or collectively with any other Respondent, is a majority owner or controls directly or indirectly, must create and retain the following records:

- A. Accounting records showing the revenues from all goods or services sold;
- B. Personnel records showing, for each person providing services, whether as an employee or otherwise, that person’s: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- C. Copies or records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;

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- D. All records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Commission; and
- E. A copy of each unique advertisement or other marketing material.

XIII. Compliance Monitoring

IT IS FURTHER ORDERED that, for the purpose of monitoring Respondents' compliance with this Order:

- A. Within 30 days of receipt of a written request from a representative of the Commission, each Respondent must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury, and produce records for inspection and copying.
- B. For matters concerning this Order, representatives of the Commission are authorized to communicate directly with each Respondent. Respondents must permit representatives of the Commission to interview anyone affiliated with any Respondent who has agreed to such an interview. The interviewee may have counsel present.
- C. The Commission may use all other lawful means, including posing through its representatives as consumers, suppliers, or other individuals or entities, to Respondents or any individual or entity affiliated with Respondents, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.
- D. Upon written request from a representative of the Commission, any consumer reporting agency must furnish consumer reports concerning Individual

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Respondent, pursuant to Section 604(2) of the Fair Credit Reporting Act, 15 U.S.C. § 1681b(a)(2).

XIV. Notice and Monitoring of Licensees

IT IS FURTHER ORDERED that Respondents must:

- A. Send, within 30 days after the issuance date of this Order, by first class mail, postage prepaid and return receipt requested, or by courier service with signature proof of delivery, in one envelope, a copy of this Order and an exact copy of the notice and acknowledgment form attached hereto as Appendix A, showing the date of mailing, to each licensee. For any future licensees, delivery by first class mail, postage prepaid and return receipt requested, or by courier service with signature proof of delivery, in one envelope of a copy of this Order and an exact copy of the notice and acknowledgement form attached hereto as Appendix B, showing the date of the mailing, must occur within 10 days of becoming a licensee. Any mailing required by this Paragraph must not include any other documents or enclosures.
- B. Obtain from each licensee, within 20 days after receipt of the notice and acknowledgement form required by Paragraph A of this Provision, a signed and dated acknowledgment form that the licensee has received the notice and expressly agrees to comply with it.
- C. Establish, implement, and thereafter maintain a system to monitor and review the advertisements of each licensee, as specified below in Subparagraphs 1 and 2, to ensure compliance with Provisions I, II, and III of this Order. The system must be implemented as follows:
 - 1. No later than 30 days after the issuance date of this Order, and on an annual basis thereafter, Respondents must identify the licensees who ordered, purchased, or otherwise obtained the

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specified amount of covered product as scheduled below:

- a. In the first 5 years after the issuance date of this Order, \$20,000 or more of any covered product within the last 12 months;
 - b. After 5 years and until 10 years from the issuance date of this Order, \$30,000 or more of any covered product within the last 12 months;
 - c. After 10 years and until 15 years from the issuance date of this Order, \$40,000 or more of any covered product within the last 12 months; and
 - d. After 15 years from the issuance date of this Order and until this Order is terminated in accordance with Provision XVI of this Order, \$50,000 or more of any covered product within the last 12 months.
2. Respondents must monitor and review a representative sample of advertisements, including online advertising, social media postings, or brochures or pamphlets, of each licensee identified in accordance with Paragraph C(1) of this Provision.

Provided however, Respondents are not required to monitor and review any representations by a licensee about the potential safety, health benefits, performance, efficacy, or side effects of a covered product when, in connection with a licensee-patient Relationship, a licensee is consulting privately with one patient about such covered product.

Provided further, Respondents are not required to monitor and review any representations by a licensee about the potential safety, health benefits, performance, efficacy, or side effects of a covered

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product when: 1) the licensee has purchased a covered product solely for incorporation into the licensee's own product; and 2) Respondents are not involved in the advertising, marketing, promoting, or sale of that licensee's product.

- D. Suspend any licensee, regardless of time, within 10 days after any Respondent becomes aware that a licensee has made any representation prohibited by Provisions I, II, or III of this Order in connection with the advertising, promotion, or sale of any covered product after receipt of the notice required by Paragraph A of this Provision.

Respondents must provide a suspended licensee with a notice of noncompliance and may provide an opportunity to cure the noncompliance within 10 days after any Respondent becomes aware of the noncompliance. Respondents must inform any licensee to whom they have provided a notice of noncompliance that any continued or subsequent noncompliance will result in immediate termination. Respondents may reinstate a licensee who has cured the noncompliance. However, Respondents must terminate immediately any licensee who has received previously a notice of noncompliance under Paragraph D of this Provision and has any continued or subsequent noncompliance.

XV. Notice to Customers

IT IS FURTHER ORDERED that Respondents must send, within 30 days after the issuance date of this Order, all customers who purchased directly from them TA-65MD® or TA-65® for Skin: 1) within one year prior to the issuance of this Order; or 2) through a currently active enrollment in a continuity or autoship program, by first-class mail, postage paid, or by courier service with signature proof of delivery, an exact copy of the notice attached hereto as Appendix C, showing the date of mailing. This mailing must not include any other documents or enclosures.

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XVI. Order Effective Dates

IT IS FURTHER ORDERED that this Order is final and effective upon the date of its publication on the Commission's website (ftc.gov) as a final order. This Order will terminate on April 18, 2038, or 20 years from the most recent date that the United States or the Commission files a complaint (with or without an accompanying settlement) in federal court alleging any violation of this Order, whichever comes later; *provided, however*, that the filing of such a complaint will not affect the duration of:

- A. Any Provision in this Order that terminates in less than 20 years;
- B. This Order's application to any Respondent that is not named as a defendant in such complaint; and
- C. This Order if such complaint is filed after the Order has terminated pursuant to this Provision.

Provided, further, that if such complaint is dismissed or a federal court rules that the Respondent did not violate any provision of the Order, and the dismissal or ruling is either not appealed or upheld on appeal, then the Order will terminate according to this Provision as though the complaint had never been filed, except that the Order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

By the Commission.

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Appendix A**APPENDIX A****[On Telomerase Activation Sciences, Inc. Letterhead]**

Date

[insert addressee name]
[insert addressee address]

Dear [name of licensee]:

The Federal Trade Commission (FTC) has investigated and sued our company, Telomerase Activation Sciences (TAS) alleging that TAS made false and deceptive advertising claims for TA-65MD and TA-65 for Skin. Without admitting wrongdoing, TAS settled the case with the FTC and agreed to send this notification to our licensees.

According to the FTC, our claim that TA-65MD and TA-65 for Skin reverse aging was misleading. The FTC also says other specific claims about the products were misleading. The FTC says we claimed that TA-65MD:

- a. prevents and repairs DNA damage;
- b. restores aging immune systems;
- c. increases bone density;
- d. reverses the effects of aging, including improving skin elasticity, increasing energy and endurance, and improving vision;
- e. prevents or reduces the risk of cancer; and
- f. is clinically or scientifically proven to reverse aging, prevent and repair DNA damage, restore aging immune systems, and increase bone density.

According to the FTC, we also claimed that TA-65 for Skin reverses the effects of aging, including improving skin elasticity, and decreases recovery time of the skin after medical procedures. Although we disagree, the FTC says we do not have adequate scientific evidence that the above claims are true.

Under our settlement with the FTC, TAS has agreed not to make any claims about disease, health, or safety unless we have scientific evidence that supports them. You should review any advertising and marketing materials for TA-65 products and stop using any materials that make the above claims. In the future, TAS will monitor licensees' advertising and marketing of TA-65 products, including on websites and social media postings, and could terminate licensees for noncompliance. Please sign and date the enclosed acknowledgement form and return it to TAS at _____ within 20 days of receiving this notice.

Very truly yours,

Name, Title
Telomerase Activation Sciences, Inc.

Enclosures

Decision and Order

ACKNOWLEDGMENT FORM

I have received the notice dated [insert date of notice], accompanied by [a Federal Trade Commission administrative/an United States federal court] order, from Telomerase Activation Sciences. I agree to comply with the notice.

Name

Signature

Date

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Appendix B**APPENDIX B****[On Telomerase Activation Sciences, Inc. Letterhead]**

Date

[insert addressee name]
[insert addressee address]

Dear [name of future licensee]:

The Federal Trade Commission (FTC) previously settled a lawsuit with our company, Telomerase Activation Sciences (TAS) about allegedly false and deceptive advertising claims for TA-65MD and TA-65 for Skin. Without admitting wrongdoing, TAS settled the case with the FTC and agreed to send this notification to our licensees.

According to the FTC, our claim that TA-65MD and TA-65 for Skin reverse aging was misleading. The FTC also says other specific claims about the products were misleading. The FTC says we claimed that TA-65MD:

- a. prevents and repairs DNA damage;
- b. restores aging immune systems;
- c. increases bone density;
- d. reverses the effects of aging, including improving skin elasticity, increasing energy and endurance, and improving vision;
- e. prevents or reduces the risk of cancer; and
- f. is clinically or scientifically proven to reverse aging, prevent and repair DNA damage, restore aging immune systems, and increase bone density.

According to the FTC, we also claimed that TA-65 for Skin reverses the effects of aging, including improving skin elasticity, and decreases recovery time of the skin after medical procedures. Although we disagree, the FTC says we do not have adequate scientific evidence that the above claims are true.

Under our settlement with the FTC, TAS has agreed not to make any claims about disease, health, or safety unless we have scientific evidence that supports them. You should review any advertising and marketing materials for TA-65 products and stop using any materials that make the above claims. In the future, TAS will monitor licensees' advertising and marketing of TA-65 products, including on websites and social media postings, and could terminate licensees for noncompliance. Please sign and date the enclosed acknowledgement form and return it to TAS at _____ within 20 days of receiving this notice.

Very truly yours,

Name, Title
Telomerase Activation Sciences, Inc.

Enclosures

Decision and Order

ACKNOWLEDGMENT FORM

I have received the notice dated [insert date of notice], accompanied by [a Federal Trade Commission administrative/an United States federal court] order, from Telomerase Activation Sciences. I agree to comply with the notice.

Name

Signature

Date

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Appendix C**APPENDIX C****[On Telomerase Activation Sciences, Inc. Letterhead]**

Date

[insert addressee name]

[insert addressee address]

Dear [name of customer]:

Our records show that you have bought TA-65MD and/or TA-65 for Skin from our company, Telomerase Activation Sciences (TAS). The Federal Trade Commission (FTC) has investigated and sued TAS alleging that TAS made false and deceptive advertising claims for TA-65MD and TA-65 for Skin. Without admitting wrongdoing, TAS settled the case with the FTC and agreed to send this notification to our customers.

According to the FTC, our claim that TA-65MD and TA-65 for Skin reverse aging was misleading. The FTC also says other specific claims about the products were misleading. The FTC says we claimed that TA-65MD:

- a. prevents and repairs DNA damage;
- b. restores aging immune systems;
- c. increases bone density;
- d. reverses the effects of aging, including improving skin elasticity, increasing energy and endurance, and improving vision;
- e. prevents or reduces the risk of cancer; and
- f. is clinically or scientifically proven to reverse aging, prevent and repair DNA damage, restore aging immune systems, and increase bone density.

According to the FTC, we also claimed that TA-65 for Skin reverses the effects of aging, including improving skin elasticity, and decreases recovery time of the skin after medical procedures. Although we disagree, the FTC says we do not have adequate scientific evidence that the above claims are true. TAS has agreed not to make any claims about disease, health, or safety unless we have scientific evidence that supports them.

If you have questions about TA-65MD and TA-65 for Skin, talk to your doctor or health care provider. If you currently purchase the products through our autoship or continuity program and would like to cancel or have any questions, please contact TAS at _____.

Very truly yours,

Name, Title

Telomerase Activation Sciences, Inc.

Analysis to Aid Public Comment

**ANALYSIS OF CONSENT ORDER TO AID PUBLIC
COMMENT**

The Federal Trade Commission (“FTC” or “Commission”) has accepted, subject to final approval, an agreement containing a consent order as to Telomerase Activation Sciences, Inc. and Noel Thomas Patton (collectively “respondents”).

The proposed consent order (“order”) has been placed on the public record for 30 days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement or make final the agreement’s order.

This matter involves respondents’ advertising for TA-65MD, a product that comes in capsule and powder forms, and TA-65 for Skin (“TA-65 Skin”), a topical cream product. The complaint alleges that respondents violated Sections 5(a) and 12 of the FTC Act by making false or unsubstantiated health or performance claims that: TA-65MD and TA-65 Skin reverse aging; TA-65MD prevents and repairs DNA damage; TA-65MD restores aging immune systems; TA-65MD increases bone density; TA-65MD reverses the effects of aging, including improving skin elasticity, increasing energy and endurance, and improving vision; TA-65MD prevents or reduces the risk of cancer; TA-65 Skin reverses the effects of aging, including improving skin elasticity; and TA-65 Skin decreases recovery time of the skin after medical procedures. The complaint also alleges that respondents claimed that some of the above performance claims were clinically or scientifically proven.

The complaint further alleges that respondents misrepresented that a 2012 paid-for segment on *The Suzanne Show* featuring TA-65MD was independent, educational programming and not paid commercial advertising. Additionally, the complaint alleges that respondents deceptively represented that consumers appearing in advertisements were independent users of TA-65MD, expressing their impartial views of satisfaction. According to the complaint, respondents failed to disclose that these consumer endorsers

Analysis to Aid Public Comment

received compensation, including free TA-65MD. Finally, the complaint alleges that by providing promotional materials that had false or unsubstantiated health or performance claims to marketers of other products containing TA-65MD, respondents provided these other marketers the means and instrumentalities to engage in deceptive acts and practices.

The order includes injunctive relief that prohibits these alleged violations and fences in similar and related violations. The order applies to marketing claims for any covered product, defined as TA-65MD and TA-65 Skin or any other drug, food, dietary supplement, or cosmetic. As additional fencing-in relief, the order requires respondents to provide a notice to all of its licensees authorized to advertise, market, or sell any covered product, monitor certain high-selling licensees, and follow appropriate recordkeeping, compliance reporting, and document preservation requirements.

Provision I prohibits any representation that a covered product reverses human aging; prevents or repairs DNA damage; restores aging immune systems; increases bone density; reverses the effects of aging, including improving skin elasticity, increasing energy and endurance, and improving vision; decreases recovery time of the skin after medical procedures; prevents or reduces the risk of cancer; or cures, mitigates, or treats any disease unless the representation is non-misleading and respondents possess and rely upon competent and reliable scientific evidence that substantiates that the representation is true. The definition of competent and reliable scientific evidence in Provision I specifies human clinical testing and requires that the testing be sufficient in quality and quantity, based on standards generally accepted by experts in the relevant disease, condition, or function to which the representation relates, when considered in light of the entire body of relevant and reliable scientific evidence, to substantiate that the representation is true. Such testing must (1) be randomized, double-blind, and placebo-controlled; and (2) be conducted by researchers qualified by training and experience to conduct such testing. In addition, respondents must maintain all underlying or supporting data and documents generally accepted by experts in the field as relevant to an assessment of such testing.

Analysis to Aid Public Comment

Provision II prohibits representations regarding the health benefits, performance, efficacy, safety, or side effects of any covered product unless the representation is non-misleading and respondents possess and rely upon competent and reliable scientific evidence to substantiate that the representation is true. Provision II defines competent and reliable scientific evidence as tests, analyses, research, or studies: (1) that have been conducted and evaluated in an objective manner by experts in the relevant disease, condition, or function to which the representation relates; (2) that are generally accepted by such experts to yield accurate and reliable results; and (3) that are randomized, double-blind, and placebo-controlled human clinical testing of the covered product, when such experts would generally require such human clinical testing to substantiate that the representation is true. When such tests or studies are human clinical tests or studies, respondents must maintain all underlying or supporting data and documents generally accepted by experts in the field as relevant to an assessment of such testing.

Provision III prohibits misrepresentations that any covered product is clinically or scientifically proven to reverse human aging, prevent or repair DNA damage, restore aging immune systems, or increase bone density. Provision III also prohibits any misrepresentation that the performance or benefits of any product are scientifically or clinically proven or about the existence, contents, validity, results, conclusions, or interpretations of any test, study, or research.

Provision IV is a provision for FDA-approved claims.

Provision V prohibits misrepresentations in connection with the marketing, advertising, or promoting of any product, service, or program that paid commercial advertising is independent programming.

Provision VI prohibits any representation about any user, consumer, or endorser of a covered product without disclosing, clearly and conspicuously, and in close proximity to that representation, any unexpected material connection between such endorser and (1) any respondent; or (2) any other individual or entity affiliated with the product. “Unexpected material

Analysis to Aid Public Comment

connection” means any relationship that might materially affect the weight or credibility of the testimonial or endorsement and that would not reasonably be expected by consumers.

Provision VII prohibits misrepresentations regarding the status of any endorser or person providing a review of a product, including a misrepresentation that the endorser or reviewer is an independent or ordinary user of the product.

Provision VIII prohibits respondents from providing the means and instrumentalities to make any false or misleading statement of material fact, including the representations prohibited by Provisions I to III. “Means and instrumentalities” mean any information, document, or article referring or relating to any covered product, including any advertising, labeling, promotional, or purported substantiation materials, for use by a licensee to market or sell any covered product.

Provision IX, triggered when the human clinical testing requirement in Provisions I or II applies, requires that respondents secure and preserve all underlying or supporting data and documents generally accepted by experts in the field as relevant to an assessment of the test, such as protocols, instructions, participant-specific data, statistical analyses, and contracts with the test’s researchers. There is an exception for a reliably reported test (defined as a test that is published in a peer-reviewed journal) that was not conducted, controlled, or sponsored by, with, or on behalf of any respondent or by any supplier or manufacturer of the product. Also, the published report must provide sufficient information about the test for experts in the relevant field to assess the reliability of the results.

Provision X mandates that respondents acknowledge receipt of the order, distribute the order to principals, officers, and certain employees and agents, and obtain signed acknowledgments from them.

Provision XI requires that respondents submit compliance reports to the FTC 60 days after the order’s issuance and submit notifications when certain events occur for 10 years.

Analysis to Aid Public Comment

Provision XII requires that respondents create and retain certain records for 10 years.

Provision XIII provides for the FTC's continued compliance monitoring of respondents' activities during the order's effective dates.

Provision XIV requires that respondents notify their licensees, monitor their highest-selling licensees' advertising to ensure compliance with Provisions I through III, and suspend any licensee who makes any prohibited claims. Respondents must terminate any licensee who continues to make prohibited claims. There are two limited exceptions to the monitoring requirement: (1) representations during private consultations between a licensee and one of the licensee's patients about the potential safety, health benefits, performance, efficacy, or side effects of a covered product; and (2) representations about the potential safety, health benefits, performance, efficacy, or side effects of a covered product by a licensee who has purchased a covered product solely for incorporation into the licensee's own product and markets that product without any involvement by respondents.

Provision XV requires that respondents send a notice to all customers who purchased directly from them TA-65MD or TA-65 Skin within one year prior to the issuance of the order or through a currently active enrollment in a continuity or autoship program.

Provision XVI provides that, with exceptions, the order will terminate in 20 years.

The purpose of this analysis is to facilitate public comment on the order, and it is not intended to constitute an official interpretation of the complaint or order, or to modify the order's terms in any way.

Complaint

IN THE MATTER OF

OREGON LITHOPRINT, INC.CONSENT ORDER, ETC. IN REGARD TO ALLEGED VIOLATIONS OF
SECTION 5 OF THE FEDERAL TRADE COMMISSION ACT

Docket No. C-4645; File No. 161 0230
Complaint, April 24, 2018 – Decision, April 24, 2018

This consent order addresses Oregon Lithoprint Inc.’s email inviting the parent company of *The Newberg Graphic* to join the *News-Register* in instructing mutual clients that they should place foreclosure notices in the newspaper dominant in the area of the foreclosed property. The complaint alleges that the respondent violated Section 5 of the Federal Trade Commission Act by inviting a competitor in the publication of foreclosure notices to divide clients by geographic market. The consent order requires Oregon Lithoprint to cease and desist from communicating with its competitors about the placement of foreclosure notices.

Participants

For the *Commission*: Michael Turner.

For the *Respondent*: Jon E. Bladine, President, *pro se*.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, as amended, 15 U.S.C. § 41, et seq., and by virtue of the authority vested in it by said Act, the Federal Trade Commission (“Commission”), having reason to believe that Oregon Lithoprint, Inc., has violated the provisions of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues this Complaint stating its charges as follows:

NATURE OF THE CASE

1. Oregon Lithoprint, Inc. (“OLI”) publishes a newspaper, the *News-Register*, which is distributed principally in Yamhill County, Oregon. OLI invited its closest rival in Yamhill County to divide geographic markets for printing foreclosure notices. By