

# Summary

Eli Lilly and Company challenged express and implied claims made by Novartis Pharmaceutical in physician- and patient-directed advertising for its breast cancer treatment drug, Kisqali. The National Advertising Division found that the claim “Only drug in class with consistently proven survival benefit in HR+/HER2- metastatic breast cancer\*” “\*across three Phase III trials,” was inherently comparative.

The National Advertising Division concluded that one message reasonably conveyed to consumers, whom NAD determined lack the medical knowledge or experience to understand nuances in clinical trial design or outcomes, is that Kisqali is more effective and provides superior survival benefits. NAD found that a similar claim directed to healthcare professionals was supported because of the more sophisticated understanding of the target audience.