

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS: Maureen K. Ohlhausen, Acting Chairman
Terrell McSweeney**

In the Matter of

**TELOMERASE ACTIVATION SCIENCES,
INC., a corporation; and**

**NOEL THOMAS PATTON, individually and as
an officer of TELOMERASE ACTIVATION
SCIENCES, INC.**

DOCKET NO. C- 4644

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 (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 membranaceous* 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 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.

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.

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 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. 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:

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:*

...

- **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.
 - 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.

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 smoothing)
- **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**.

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:

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)

...

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 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)

. . .

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 Raphaelle [*sic*], M.D.
CO-FOUNDER, PHYSIO-AGE MEDICAL
GROUP

KATHLEEN KENNEDY: Dr. Joseph Raphaelle [*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.

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. . . . 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
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:

...

- ✓ **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

...

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 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.

...

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

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;
- 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.

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.

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 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.

Donald S. Clark
Secretary

SEAL: