



NEWS RELEASE

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Double Whammy for Cablevision: Court Rules It Has to Pull its Optimum False Anti-FiOS Advertising and Affirms Verizon Has the ‘Fastest Available WiFi’

NEW YORK – In a complete legal smackdown for Cablevision, the U.S. District Court in Islip, Long Island, has ruled that Cablevision must stop Optimum’s anti-FiOS advertising, and confirmed what FiOS subscribers already know: Verizon provides the fastest available WiFi from any provider.

In a temporary restraining order issued yesterday (Aug. 10) and just released this afternoon (Aug. 11) the court ruled against an anti-FiOS advertising campaign that Cablevision has been running for several months. The disingenuous ad campaign questioned the superiority of Verizon’s advanced fiber-optics network, FiOS Internet speeds, the quality of its DVR,

service appointments, and more. In essence, the order means Cablevision must cease this unsupportable ad campaign.

The ruling stated: “The law, like our economic system, encourages spirited competition. But when a competitor exceeds the bounds of decency by falsely impugning the integrity of a competitor, it runs afoul of the law. Such extraordinary conduct warrants the extraordinary relief of a temporary restraining order. Cablevision's defenses here also prove unpersuasive.”

Last Friday (Aug. 7), the very same court unequivocally sustained Verizon’s “Fastest Available WiFi” claim, which Cablevision challenged as a publicity stunt in January. In fact, the court clearly stated that Verizon does offer significantly faster upload and download speeds, and a Quantum gateway that supports the speeds allows VZ customers to experience faster WiFi than Cablevision customers.

The WiFi decision notes: “There is no dispute that, once its router is connected to its WiFi network, FiOS does offer a faster connection to the Internet than Cablevision.”

It also states: “The evidence presented suggests that Verizon FiOS’s top three tiers, namely 150/150 Mbps, 300/300 Mbps, and 500/500 Mbps all provide faster download speeds than Cablevision’s fastest plan, and all five FiOS plans offer faster upload speeds than any of Cablevision’s offerings.”

According to Susan Retta, Verizon vice president of consumer marketing, “Cablevision’s obfuscation of the truth is nothing but a campaign to keep accurate and factual information away from consumers. The Cablevision lawsuit and its other tactics have a great consequence, even if it’s the opposite of what Cablevision had hoped: It’s clear, and confirmed by a court, that if you want faster Internet upload and download speeds and the ability to access those speeds wirelessly, Verizon offers it.

“Verizon provides consumers on Long Island and throughout the New York metro region the fastest speeds available. There’s no debate: FiOS delivers faster speeds over Verizon’s 100 per cent fiber-optic network. Clearly, this a perfect time to switch to Verizon, if you want the fastest WiFi,” she said.

The court decision also confirmed that about a million of Cablevision’s 1.1 million WiFi hotspots emanate from routers in the private homes of its subscribers. The decision also pointed out the way Cablevision had promoted its purported WiFi hotspots to be in “public locations like train stations, restaurants, cafes and parks was misleading because “the residential hotspots are not sited *in* public locations, even if, as discussed herein, they may be accessible *from* public locations.”

Retta pointed out that over 87 percent of Cablevision’s so-called hotspots are really just routers located in someone’s home and not in public locations. So while Cablevision would like people to believe that it offers its services to customers through “millions” of public WiFi hotspots, the facts have shown that less than 13 percent of the hotspots they have been touting are actually in what the public would believe to be “public locations.”

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