

FALSE ADVERTISING, LANHAM ACT AND UNFAIR COMPETITION

Inspired competition is the cornerstone of our economy, and effective advertising is a vital tool to any company's survival. Businesses routinely use comparative advertising, offers of "free" products, rebates, sweepstakes, contests, testimonials, endorsements, and a panoply of product claims in every available media to distinguish themselves from their competitors. At the same time, consumer and competitor complaints, rigorous government enforcement of false advertising laws, and industry self-policing are on the rise. Sheppard Mullin attorneys are well-versed in all aspects of competition and advertising law. The firm routinely handles disputes involving claims of unfair competition, including those involving large-scale ex parte seizures of counterfeit goods and stolen computer software. Our attorneys also conduct compliance reviews of advertising copy prior to publication and provide practical advice on a broad range of advertising and marketing issues. Sheppard Mullin effectively represents clients in all types of advertising proceedings including false advertising, libel and defamation actions in federal and state courts, and the investigation of false and deceptive advertising claims by the Federal Trade Commission, the various state attorneys general, and trade groups, including the National Advertising Division of the Council of Better Business Bureaus, Inc. Sheppard Mullin attorneys also conduct multi-media interactive in-house compliance programs designed to educate and train employees in these areas.