

## False Advertising & Unfair Competition

---

The way competitors engage in business can have a significant impact on the ability to compete in the marketplace. When competitors overstep their bounds by engaging in false or misleading advertising to customers and potential customers, the goodwill, reputation and profits of a company can face significant harm. At Goulston & Storrs, we take the methods in which our clients' competitors compete in the marketplace very seriously and help our clients to combat false advertising and unfair competition tactics. We also work closely with clients to ensure that our clients are carefully advertising themselves and engaging with others in a manner that complies with federal and state statutes in order to avoid unnecessary litigation.

Apart from the federal trademark act (Lanham Act) offering protections against false advertising, each state has various forms of false advertising and unfair competition statutes that companies must keep in mind when engaging in commerce. While a common misconception is that there must be an underlying patent or trademark in a claim of false advertising or unfair competition, the law often protects against the misappropriation of the value of a company's business even when traditional forms of intellectual property are not involved. Our False Advertising & Unfair Competition group helps clients navigate this complex area of law.