



## ADVERTISING AND MARKETING

# Brand Protection

Barnes & Thornburg provides clients with counseling, clearance, review and enforcement to support their advertising and promotional efforts. In this heavily regulated field of law, the attorneys in the Advertising and Marketing Practice Group help clients launch and protect their advertising and marketing programs through counseling and dispute resolution.

## Counseling

Clients turn to us for strategic counseling on the legal and regulatory issues associated with advertising, labeling, and marketing and promotion initiatives. We review and advise on advertising claims made on packaging or marketing materials, as well as evaluate the underlying substantiation for the claims to assure compliance with the Federal Trade Commission guidelines and the Lanham Act.

Our Advertising and Marketing Practices attorneys also counsel national retail clients with respect to retail marketing practices such as sweepstakes, contests, coupons, rebates and gift cards to assure compliance with federal and state laws.

We advise clients involved in telemarketing and email marketing campaigns on the requirements for complying with the Telephone Consumer Protection Act (TCPA) and CAN SPAM laws.

In the world of online advertising and marketing, we work with our clients on keyword advertising and sponsored links, user-generated content and the safe harbor registration and protection available under the Digital Millennium Copyright Act (DMCA). We also assist clients in domain name disputes and with drafting website privacy policies and terms of use that meet the requirements of adequate disclosure and notice.

## Why Barnes & Thornburg?

Finding new ways to help clients identify solutions and new business opportunities, across industries, is at our core. We are, at times, more than lawyers, we are advisers bringing new ideas to light. We understand what keeps you up at night and work collaboratively to find practical and creative solutions, at the heart of business.

## RELATED PRACTICES

Data Security and Privacy

Entertainment

Intellectual Property

Internet and Technology

## Litigation/Dispute Resolution

Attorneys in our Advertising and Marketing Practice Group have experience in:

- Litigating false advertising, commercial disparagement and unfair competition claims in federal court
- Representing clients in claim challenges brought by competitors before the National Advertising Division (NAD) of the Council of Better Business Bureaus
- Responding to FTC inquiries and subpoenas
- Negotiating resolutions to cease and desist demand letters

### Practice Leaders



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