

HUSCH BLACKWELL

Advertising & Marketing

Our Advertising & Marketing group focuses on the prevention of problems in the high-stakes area of advertising and marketing of products and services. Our group has a unique combination of experience and perspective, with several of our attorneys having served as in-house counsel for food and consumer product companies. We represent clients involved in all aspects of advertising and marketing, including advertising agencies, entertainment firms, promotion firms and media placement agencies. Our experience enables us to identify and analyze advertising and marketing issues from both legal and business perspectives.

We work closely with our clients to pursue proactive approaches to managing advertising and product claim risks.

Our advertising and marketing services cover four main areas: clearance, transactional, regulatory compliance and dispute resolution. We take a proactive approach in helping our clients quickly and efficiently clear advertisements and commercials for compliance with advertising, trademark and copyright laws, state and federal regulations, and rights of publicity. We provide guidance relating to general advertising terms and usage, as well as strategic advice relating to compliance with specific industries and targeted audiences.

Expertise

Our experience includes:

- Comparative advertising
- False advertising claims
- Fair Packaging and Labeling Act
- Food labeling, both state and federal (FDA)
- Claims before the National Advertising Division of the Better Business Bureau
- Trademark and copyright
- Sweepstakes and sweepstakes registration
- Coupons and rebates
- Rights of publicity
- Talent agreements and releases
- Artist agreements
- Testimonials and endorsements
- Sponsorships
- Advertising agency agreements
- The use of "New," "Free" and other regulated terms and symbols
- Country of origin
- Sales and discounts
- Children's On-Line Privacy Protection Act
- Children's advertising
- Internet advertising
- Network clearance of commercials
- Warranties and guarantees