

**Insights**

## **ATLANTA COUNSEL AUTHORS ARTICLE ON STEPPED UP FTC ENDORSEMENT ENFORCEMENT**

Oct 21, 2021

BCLP Counsel Jim Dudukovich, a well-known advertising and social media lawyer, authored an article published Oct. 19 by the *Daily Report* that discusses the Notice of Penalty Offenses sent recently by the Federal Trade Commission (FTC) to more than 700 companies. The FTC cites past cases it has successfully brought as proof that certain marketing tactics involving endorsements and product reviews violate Section 5 of the FTC Act. “While the notice does not accuse any of the recipients of wrongdoing, its distribution to all of these companies is a critical development because it means that, going forward, should the FTC determine that any company who received this notice is engaged in any of the listed practices, it may sue that company in federal court and seek penalties of up to \$43,792 per violation,” he wrote. The article considers what prompted such an action by the FTC, and what it might mean.

### **RELATED PRACTICE AREAS**

- Marketing & Advertising
- Sports & Entertainment
- Retail & Consumer Products
- Media & First Amendment

## MEET THE TEAM



### **Jim Dudukovich**

Atlanta

[jim.dudukovich@bclplaw.com](mailto:jim.dudukovich@bclplaw.com)

+1 404 572 6733

---

This material is not comprehensive, is for informational purposes only, and is not legal advice. Your use or receipt of this material does not create an attorney-client relationship between us. If you require legal advice, you should consult an attorney regarding your particular circumstances. The choice of a lawyer is an important decision and should not be based solely upon advertisements. This material may be “Attorney Advertising” under the ethics and professional rules of certain jurisdictions. For advertising purposes, St. Louis, Missouri, is designated BCLP’s principal office and Kathrine Dixon ([kathrine.dixon@bclplaw.com](mailto:kathrine.dixon@bclplaw.com)) as the responsible attorney.