WINSTON & STRAWN LLP

The Perils of Overpromising: Managing Exposure When Your Product Doesn't Live Up to the Hype

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The COVID-19 pandemic presents a significant business opportunity for companies selling products claiming to offer solutions to pandemic-related problems. But what happens when those claims don't stand up to scrutiny?

Join Winston partners Bryce Cooper, Kerry Donovan and Jim Smith as they analyze a real-world scenario in which a sales representative of a publicly held company references optimistic preliminary data on the effectiveness of its product in order to secure a key contract. This action creates a domino effect of new sales for the company – and massive increases in the company's revenues and stock price. Ultimately, further testing proves that the product is not effective, leading to a product liability and misrepresentation / negligence suit, a federal securities fraud class action, and other unwelcomed shareholder attention.

This webinar probes the broader legal and risk issues involved and outlines steps companies can take to respond to the potential snowball effects of overpromising on a product, including:

- Understanding the limitations of PREP Act immunity

- Establishing effective controls regarding product representations

- Crafting strategies for responding to stock drop litigation and other shareholder assaults in the midst of a broader reputational crisis

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A webinar is a complimentary interactive seminar offered by Winston & Strawn LLP over the Internet. You'll watch and listen to the presentation at your own computer.

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View all of our COVID-19 perspectives here. Contact a member of our COVID-19 Legal Task Force here.

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