

## First-of-its-Kind Slack-Fill Class Action Dismissed, Affirmed on Appeal

MARCH 17, 2016

Winston successfully defended a cosmetics brand in one of the first putative nationwide class actions alleging nonfunctional slack-fill in product packaging, securing a dismissal on the pleadings. This case was affirmed by the Ninth Circuit and is frequently cited as setting the standard for the “reasonable consumer” under California’s consumer protection laws.

Less Than 1 Min Read

---

### Related Capabilities

Advertising Litigation

Class Actions & Group Litigation

Commercial Litigation & Disputes

Food & Beverage

### Related Professionals

---



Shawn R. Obi