



Brands across key sectors turn to Winston litigators to defend their reputations in advertising class actions, competitor disputes, and investigations. With litigators based in the U.S.'s busiest jurisdictions—including courts in California, Florida, Illinois, New York, and Texas—we have deep experience and prowess in handling some of the most high-profile and business-essential advertising cases in recent history. These disputes have involved false advertising; unfair competition, unfair business practices, and unjust enrichment; copyright, trade name, and service mark infringement; consumer-protection claims; and violations of the Lanham Act.

## Key Contacts

[Amanda Groves](#)

[Ronald Y. Rothstein](#)

## Areas of Focus

### Consumer Protection

We have a consistent record of success handling consumer class action cases in state and federal courts related to mislabeling, false advertising, "[dark patterns](#)," product and service pricing, and privacy issues. We regularly handle claims brought under state consumer-protection acts, including California's Unfair Competition Law, False Advertising Law, and Consumer Legal Remedies Act; Florida's Deceptive and Unfair Trade Practices Act; Illinois's Consumer Fraud and Deceptive Business Practices Act; New York's Unfair or Deceptive Act; and Texas's Deceptive Trade Practices Act.

## ESG & Greenwashing

Our advertising litigators work closely with our Environmental Practice to defend companies against allegations of greenwashing and other environmental and ESG-disclosure claims, including those related to the potential environmental impact of substances such as microplastics. We have successfully resolved litigation involving biodegradable marketing claims, environmental claims cited on cleaning-supply labels, and a plethora of false-labeling claims involving the use of the terms “all natural” and “sustainable.” Our attorneys are thought leaders in this area and continue to track ESG and environmental advertising trends as they evolve.

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## Privacy

Many of our clients engage in marketing activities using email, automated telephone dialing systems, text message marketing, artificial or prerecorded calls, or fax machines. In the United States, the CAN-SPAM Act and TCPA and related state laws impose strict requirements around how this marketing must be conducted. We help our clients build marketing programs that address and mitigate related risk. In addition, we counsel clients about interest-based advertising, mobile marketing, programmatic, and advertising matters. We have extensive knowledge of the Children’s Online Privacy Protection Act (COPPA), the Federal Trade Commission Act, the Digital Advertising Alliance’s Self-Regulatory Principles, and similar legal requirements and industry guidelines.

[Learn More](#)

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## Recall-Related Litigation

We have deep experience counseling clients through all stages of a product recall and the ensuing class action and product liability litigation. Our clients routinely call upon us to advise them with respect to reporting, compliance, and penalty proceedings, and our attorneys have significant experience cooperating with and, when necessary, defending against, actions by the U.S. Consumer Product Safety Commission (CPSC) and the Food and Drug Administration (FDA). We are keenly aware of the market sensitivities to, and business impacts of, product recalls and the proclivity for recalls to lead to class action and product liability litigation. With that in mind, we work with our clients to develop recall-process strategies early to minimize the effects of follow-on litigation. We then defend our clients in the follow-on class actions and product liability cases that invariably follow. With our comprehensive approach, we have successfully litigated these cases to complete victory and low-dollar settlements.

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## Industry Focus: Food & Beverage

We have deep knowledge of the food and beverage industry, representing food and beverage producers, packaged food makers, branded consumer products, ingredient manufacturers, dietary supplement producers, wineries, breweries, distilleries, distributors, restaurant chains, bakeries, grocery stores, confectioneries, and franchisors worldwide. We routinely resolve consumer class action cases related to mislabelling, false advertising, and failure to properly disclose ingredients and additives.

Our experienced litigators have handled matters involving various nutritional and other claims (including the increasingly popular plaintiffs’ trend around heavy metals suits), “all-natural” labeling, slack-fill packaging, “handmade” and “handcrafted” labeling, country of and geographic origin, as well as litigation involving GMO foods, nutritional supplements, pet and animal feed, and high fructose corn syrup, among other products.

[Learn More](#)

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## Industry Focus: Retail

We have an extensive history of successfully representing retailers across the United States that find themselves under siege by consumer fraud claims or the target of attacks by competitors, often alleging claims of improper pricing, unfair competition, privacy, defamation, and other claims brought against retailers. Not only do we understand the complex legal issues involved, but our deep experience with the strategies of our opponents provides us with leverage to defend our clients against these claims successfully.

[Learn More](#)

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## Related Capabilities

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Antitrust/Competition

Trademark Litigation, Prosecution & Brand Protection

Commercial Litigation & Disputes

Class Actions & Group Litigation

Privacy & Data Security

Government Investigations, Enforcement & Compliance

Environmental Litigation & Enforcement

Environmental, Social & Governance (ESG)

Product Liability & Mass Torts

Food & Beverage

Retail & Luxury

Automotive & Mobility

Life Sciences

Medical Devices

## Recent Experience

Winston Wins Dismissal of False Advertising Claims Against Birdseed Manufacturer

Winston Resolves Class Action Involving Automotive Navigation Software Advertising Claims

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

## Resources

[Class Action Insider](#)

## Related Insights & News

### BLOG

A Natural Solution: Court Dumps Microplastic Suit for Lack of Scientific

## **Evidence**

MARCH 27, 2025

### **RECOGNITIONS**

Winston & Strawn Trademark Team Recognized in the *WTR 1000* 2024 Rankings

FEBRUARY 6, 2024

### **SPEAKING ENGAGEMENT**

Shawn R. Obi Explores Recent Class Actions Decisions Impacting the Dietary Supplement Industry

SEPTEMBER 28, 2023

### **BLOG**

Potential Lanham Act Reverberations: “Malicious” and “Threat” Are Statements of Fact, Not Opinion

JUNE 22, 2023

### **BLOG**

The FTC Attempts (Again) to Lay the Groundwork for Use of Its Penalty Offense Authority: This Time for Deceptive Product Claims

MAY 8, 2023

### **CLIENT SUCCESS**

Winston Negotiates Very Favorable Resolution of Consumer Class Actions Involving Multi-function Ingredient Labeling Claims for T. Marzetti

MAY 1, 2023

### **BLOG**

Loot Box Update: Northern District of California Dismisses with Prejudice ‘Loot Box’ Suit Against Supercell Oy

JANUARY 10, 2023

### **CLIENT SUCCESS**

Winston Defeats Series of Consumer False-Advertising Class Actions Alleging Kraft Misled Consumers by Mislabeling Its Bagel Bites Pizza Snacks

AUGUST 3, 2022

### **ARTICLE**

5th Circ. CFPB Ruling Means Challenges For Federal Agencies

JULY 22, 2022

### **BLOG**

## Utah Enacts New Privacy Law

MARCH 29, 2022

### **BLOG**

## Pay-to-Play In-Game NFTs: Proceed With Caution

MARCH 28, 2022

### **BLOG**

## The FTC Remains Focused on Misleading COVID-19 Claims

MARCH 21, 2022