

Law Banning Marketing to Minors

Further to our previous [alert](#) concerning Maine's proposed marketing law, we wanted to advise you of a new development in connection with the law and the lawsuit asking the court to declare the law unconstitutional.

Expressing concern over the scope of the Maine law entitled "An Act to Prevent Predatory Marketing Practices against Minors," the Maine attorney general has now committed not to enforce the law, which is scheduled to go into effect tomorrow (September 12, 2009). In light of the Attorney General's decision, the parties to the lawsuit challenging the law agreed to dismiss it without prejudice and an Order of Dismissal was entered in the United State District Court in Maine on Wednesday. Although the Maine Attorney General indicated her office would not prosecute companies who do not comply with the law, because the law allows claims by private parties, lawsuits could be still be filed. The Maine Senate's Judiciary Committee will review the bill before the new legislative sessions convenes in January.

If you have questions regarding this Alert, please contact [Elizabeth A. Corradino](mailto:ecorradino@mosessinger.com) at 212.554.7892/ ecorradino@mosessinger.com or [Myka W. Todman](mailto:mtodman@mosessinger.com) at 212.554.7618/mtodman@mosessinger.com.

Lawyers in the [Promotions Law](#) practice at Moses & Singer regularly counsel advertisers, agencies and other clients regarding their online, print, point-of-purchase, television and radio advertising copy, and other marketing materials associated with both consumer and trade promotions. In addition, our lawyers conduct in-house training designed to educate our clients and their employees about compliance with state and federal laws when planning a promotion. We assist clients in understanding the basics of promotions law to help them reach their target audience and achieve their marketing objectives.

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