



Practice Areas

Unfair Competition

What all of the many forms that unfair competition can take have in common is deception. Unfair competition can occur when a competitor infringes your trademark, “passes off” their product as if it were yours in a manner likely to confuse consumers as to the product’s true origin, or otherwise misappropriates your intangible assets. It includes theft of trade secrets, false advertising, "bait and switch" selling, unauthorized substitution of one brand of goods for another, breach of a restrictive covenant, and trade libel.

At Amster, Rothstein & Ebenstein LLP, our core IP practice makes us unusually skilled at protecting your reputational and intellectual assets in cases of unfair competition. Why? IP law concerns itself with safeguarding the integrity and authenticity of goods and services:

- Patents guarantee to their inventors the right to prosper economically from the fruits of their ingenuity, as against copycats or those who would seek to “free-ride” on the backs of innovators;
- Trademarks uniquely identify the source or origin of goods and services, and put the reputation of the provider behind them; and
- Copyrights cement the right of the author to control distribution and reproduction of creative works.

Defending your firm against unfair competition also involves vindicating your firm's rights to your own brand name in the marketplace, to ownership of trade secrets vindicating your firm's reputation when others wrongly try to trade on it.

We have decades of experience both in pursuing claims against those seeking to compete unfairly in the marketplace, as well as in defending clients from unjustified allegations of unfair competition. If you are worried that a competitor may have adopted about unfair tactics, talk to us. We can provide focused, business-savvy advice and help you reach a full understanding of the issues and your options.



Industries Served

- Computer Hardware and Software
- Consumer Electronics
- Financial Services
- Green Technology and Energy
- Internet and e-Commerce
- Life Sciences & Biotechnology
- Mobile Devices & Wireless
- Motors, Machinery & Other Mechanical Devices
- Retailing & Apparel
- Toys & Games
- Universities, Research Institutions & Hospitals

Professionals

Partners

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- Douglas A. Miro
- Chester Rothstein
- Max Vern
- Neil M. Zipkin

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- David P. Goldberg
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