Comparative Advertisements: The Legal Pitfalls

Thought Leadership • January 14, 2013

A look at comparative and parody advertisements in India and an analysis of the uncharted common law for comparative advertisements. Comparative Advertisements consist of various sub species, some of which generally steal the legal limelight are puffery, disparaging advertisements and parody advertisements. High courts have been accepting of puffery even if it is untrue, however defamation does entitle the defamed to damages and an injunction against the defamer. Also crucial is the medium used to convey the comparative advertisement, for impact varies with different mediums of communication. *Authored by Vaishali Mittal. This article was published in Legal Era January 2013.* Read more

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