

## Ferris, Lawlor, and Ketterer in Westlaw Today: ‘Guidance for ‘Sustainable’ Claims After Dismissal of H&M ‘Greenwashing’ Class Action’

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June 2, 2023 Tiffany Ferris, Joseph Lawlor

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**PRACTICES** Trademark and Advertising, Trademark Prosecution, Advertising, Marketing and Promotional Law

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[Tiffany Ferris](#), [Joseph Lawlor](#), and Emily Ketterer authored an article in *Westlaw Today* and *Reuters* discussing the importance of maintaining caution and closely adhering to Federal Trade Commission guidance on claims relating to sustainable or green marketing, even though a proposed class action lawsuit against H&M was dismissed.

Read an excerpt here:

On May 12, a federal judge in the Eastern District of Missouri dismissed a proposed class action lawsuit against H&M for its "Conscious Choice" line of products based, in part, on a finding that plaintiff's allegations that H&M's "sustainable" marketing violated California and Missouri consumer protection laws, as well as the FTC's Guides for the Use of Environmental Marketing Claims, known as Green Guides, were not supported (*Abraham Lizama, et al., v. H&M Hennes & Mauritz LP*, 4:22-cv-01170 (E.D. Mo.)).

While headlines touting H&M's victory may embolden marketers to leverage sustainability messaging, they should still maintain caution and closely adhere to all available Federal Trade Commission (FTC) guidance on these claims.

To read the full article on *Westlaw Today*, [click here](#). Find it in *Reuters* [here](#).