GRSM50
GORDON REES SCULLY MANSUKHANI
YOUR 50 STATE LAW FIRM™

Clair E. Wischusen

PARTNER

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RELATED SERVICES

- Commercial Litigation
- Class Action Defense
- Franchise
- Artificial Intelligence
- Advertising & E-Commerce
- Food & Beverage
- Intellectual Property Litigation
- Unfair Competition

OFFICES

- Alexandria
- Livingston
- Philadelphia

OVERVIEW

Clair Wischusen is a Partner in the Alexandria and Philadelphia offices of GRSM and a member of the firm's Advertising & E-Commerce, Class Action, Commercial Litigation, Food & Beverage, Artificial Intelligence and Intellectual Property practice groups.

Clair is a skilled litigator with a national practice focused on complex commercial litigation. She represents clients in all aspects of business-related litigation, including cases in federal and state courts involving advertising, food and cosmetic labeling, class actions, consumer protection, and intellectual property. Clair represents a broad range of clients across multiple industries, including advertising, e-commerce, cosmetics, food and beverage, healthcare, entertainment, and technology.

In addition to her litigation practice, Clair regularly advises advertisers, lead generators, affiliate

networks, advertising agencies, and technology companies on issues involving advertising, marketing, e-commerce, privacy, social media, and intellectual property. Clair's litigation experience allows her to effectively counsel clients when developing and implementing advertising and marketing campaigns to mitigate risk while maximizing commercial success. This includes reviewing advertising and marketing materials, providing counsel regarding advertising substantiation, and developing data privacy compliance programs. Clair also regularly advises clients on compliance with deceptive trade practice statutes and state privacy laws, as well as the Restore Online Shoppers' Confidence Act (ROSCA) and state auto-renewal laws, the Telephone Consumer Protection Act (TCPA), and the Food, Drug, and Cosmetic Act (FD&C Act).

Clair interned for the Honorable Nan R. Shuker of the District of Columbia Superior Court and Philadelphia Office of Chief Counsel of the Internal Revenue Service. While in law school, she was an executive editor and staff member of the Temple Journal of Science, Technology and Environmental Law.

REPRESENTATIVE EXPERIENCE

- Obtained dismissal with prejudice of consumer class action alleging false advertising claims against leading toothpaste manufacturer in the United States District Court for the Northern District of New York.
- Represented advertiser in obtaining dismissal of a class action under the Telephone Consumer Protection Act (TCPA) alleging claims for alleged unauthorized text messages in the United States District Court for the District of New Mexico.
- Represented national beverage manufacturer in obtaining dismissal with prejudice of consumer class action alleging false advertising claims in the United States District Court for the Northern District of California.
- Represented digital media company in obtaining dismissal with prejudice of a class action under the Video Privacy Protection Act (VPPA) in the United States District Court for the District of California.
- Represented manufacturer and distributor of consumer healthcare products in obtaining voluntary dismissal with prejudice of putative class action alleging Lanham Act false advertising claims in the United States District Court for the Northern District of Illinois.
- Obtained Third Circuit decision affirming dismissal of $250 million adversary proceeding against former officers and directors of medical diagnostic company.
- Represented payment card company in obtaining published Fourth Circuit decision affirming favorable summary judgment ruling on antitrust and Lanham Act claims.
- Represented medical device company in obtaining precedential Pennsylvania Supreme Court decision enforcing restrictive covenants against former employee.
- Represented major entertainment company in obtaining dismissal of copyright infringement and idea submission claim in connection with reality television show.

- Obtained dismissal of putative class action under the federal Worker Adjustment and Retraining Notification Act (WARN Act) in the United States District Court for the Eastern District of Pennsylvania.

CREDENTIALS

Admissions

- Virginia
- District of Columbia
- New Jersey
- Pennsylvania
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, Eastern and Western Districts of Virginia
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern, Western, and Middle Districts of Pennsylvania
- U.S. District Court, District of Columbia

Education

- J.D., *cum laude*, Temple University James E. Beasley School of Law
- B.A., *magna cum laude*, Muhlenberg College