



Damon W.D. Wright

PARTNER

Alexandria

703.650.7016

dwright@grsm.com

RELATED SERVICES

- Intellectual Property Litigation
- Artificial Intelligence
- Technology Litigation
- Commercial Litigation
- Unfair Competition
- Advertising & E-Commerce
- Cyber, Privacy & Data Security
- Appellate
- Business Transactions
- Government Investigations & Enforcement Defense

OFFICES

- Alexandria
- Washington

OVERVIEW

Damon Wright heads the Advertising & E-Commerce practice and Artificial Intelligence practice. He represents leading brands, direct response advertisers, e-commerce retailers, lead generators, advertising agencies, fulfillment companies, technology companies, and related service providers. For each client, the work can vary but the goal is the same – to protect, strengthen, and add value to their business.

Damon has close, long-term relationships with his clients and understands their business issues and operational challenges. His clients span almost all verticals, including food and beverage, dietary supplements, telehealth, cosmetics, financial publishing, cryptocurrency, fitness, clothing, electronics,

toys, home goods, people search, and business coaching. He is relied upon as a trusted advisor on advertising, regulatory compliance, intellectual property, consumer protection law, business agreements, and acquisitions. He is a determined advocate when litigating FTC and state attorney general actions, business disputes, consumer class actions, infringement, false advertising, unfair competition, and other high stakes matters.

In his more than 25 years of practice, Damon has helped countless clients achieve sustained business growth with legal compliance. He is a frequent speaker at industry masterminds and guest on industry podcasts. He serves as outside general counsel to the Financial Publishers & Media Alliance, is a member of the Performance Driven Marketing Institute's Government Affairs Counsel, and is a member of the Internet Law Leaders Summit. For several years, Damon hosted the popular the "Rock the Box Party" at Traffic & Conversion Summit. He is the only attorney ever to receive an Affy Award awarded at the Affiliate Ball in connection with Affiliate Summit. He is the editor of the E-Commerce Legal Guide, an invaluable playbook for any online advertiser.

REPRESENTATIVE EXPERIENCE

- For online information product retailer, obtained multiple consent judgments, including substantial damages and permanent injunctions following trademark and copyright infringement by competitors
- At trial, represented newspaper in trademark infringement case and obtained permanent injunction requiring that competing newspaper change its name
- Represented international online dating service in lawsuit by competitor; prevailed on motion to vacate default and obtained dismissal of competitor's false advertising, trademark infringement, and unfair completion claims, with award of attorney's fees and costs
- Represented online computer and television retailer in defense of FTC investigation, resulting in closed investigation and no enforcement action
- Represented business owners in defamation action against consumer complaint website, defeating motion to dismiss that asserted Section 230 Communications Decency Act (CDA) immunity from liability
- Represented online nutraceutical retailer in evidentiary hearing before Better Business Bureau (BBB), persuading BBB to restore client's BBB accreditation and A+ rating
- Won sanctions, summary judgment, and affirmance on appeal – with actual damages, treble damages, and attorneys' fees – in false advertising case against online sports memorabilia retailer
- For online information product retailer, obtained arbitration award for actual damages and attorney fees against a serial plaintiff consumer on counterclaim for breach of prior settlement agreement
- Represented telecom software company in breach of contract action by reseller, with court dismissing all non-contract claims and granting summary judgment on contract claim, finding reseller could recover no damages

- Obtained preliminary injunction after evidentiary hearing for online health and beauty product retailer in trademark infringement, trade dress infringement, and misappropriation case against competitor
- Won sanctions, summary judgment, and affirmance on appeal in trademark infringement, fraud, and breach of duty of loyalty case between competing government contractors
- Represented software company founders at trial, against publicly traded corporation in a securities fraud, stock conversion, and shareholder dispute, obtaining compensatory damages, punitive damages, and sanctions
- Represented several high-net-worth clients in fraud and accounting malpractice lawsuits against national accounting firm, obtaining evidence that led to partial summary judgment, favorable settlements, and federal criminal prosecution
- In several confidential matters on behalf of various web-based business clients negotiated with national media outlets to retract, narrow, or balance otherwise unfavorable media coverage

PUBLICATIONS

- Featured, [Watchdog group asks FTC to investigate Dr. Oz's influencer marketing](#), *The Washington Post*, December 2024
- Featured, [Corp. Disclosure Law Kills Community Boards, Nonprofits Say](#), *Law360*, September 2024
- Featured, [Inside Gordon Rees' Repositioning From Insurance to Advertising and AI](#), *Law.com*, August 2024
- Featured, [FTC Action Reinforces Emergent Need for AI-Related Businesses to Seek Legal Counsel](#), *Lexology*, January 2024
- Featured, [Snack recipe or advertising? Some dietitians now say who's paying them](#), *The Washington Post*, December 2023

PRESENTATIONS

In the Media: Podcast Appearances

- [FTC Smackdowns, AI Fails, and Influencer Chaos: Damon Wright Breaks Down Marketing's Legal Minefield](#), ADOTAT Show with Pesach Lattin, December 2024
- [FTC Click-to-Cancel Rule Breakdown: Key Compliance Tips for Subscription Billing](#), Checkout Champ Podcast with Matthew Martorano, October 2024
- [How to protect your publishing business from lawsuits](#), Financial Marketing Summit with John Newton, February 2024
- [The FTC's E-Commerce Regulation Campaign](#), Performance Driven Marketing Institute Seminar Series with Gregory Silvano, August 2023
- [E-Commerce Legal Guide with Damon Wright](#), Checkout Champ Podcast with Matthew Martorano, May 2023
- [Dissecting the Atlas Trading Situation with Damon Wright](#), Trading Camp Podcast, December 2022

- [Updates on Legal & Compliance Issues in Financial Publishing & Trader Education](#), Financial Marketing Summit, February 2022
- [FTC on the War Path: What publishers & marketers need to know](#), Financial Marketing Summit with John Newton, 2021
- [Why Using a Lawyer Can Actually Make You More Money](#), ClickBank Affiliated Podcast with Thomas McMahon and Kyle Kostechka, November 2021
- [Conversation on new FTC notice regarding earnings claims](#), Financial Marketing Summit with John Newton, November 2021
- [Reducing legal exposure as an online entrepreneur](#), Openly Outspoken Podcast with Jeremy Adams, November 2020
- [Should I Be Worried About Compliance](#), Shockwave Solutions Podcast with Emma Rainville and Travis Gomez, August 2020
- [What the FTC Updating Dot-Com Disclosures Means for Performance Marketers](#), Performance Driven Marketing Institute Seminar Series: with Gregory Silvano, August 2020
- [Attorney \(Damon Wright Reveals MUST HAVE language for Subscription Billing on Ecommerce Websites\)](#), Fulfillment.com, June 2020
- [Compliance Who Cares](#), Shockwave Solutions Podcast with Emma Rainville and Travis Gomez, April 2020
- [The Unicorn Perspective Podcast with Maxwell Finn](#), December 2019

Presentations

- [Volatility is the New Normal](#), Performance Driven Marketing Institute West with Gregory Silvano, October 2024
- Code & Courtrooms: Takeaways from Recent AI Lawsuits, GRSM Legal Education Conference, New York, NY, May 2024
- Code & Courtrooms: Takeaways from Recent AI Lawsuits, GRSM Legal Education Conference, Hartford, CT, April 2024
- Presenter, [Top Legal Risks with AI](#), HB Litigation, April 2024
- [Seasonal Seminar Series: The FTC's E-Commerce Regulation Campaign](#), Performance Driven Marketing Institute with Gregory Silvano, April 2023
- [Regulatory Hot Topics: What You Need to Know Now](#), Performance Driven Marketing Institute West 2022 with Thomas Haire, December 2022
- Five Biggest Mistakes We See and How To Avoid Them, Checkout Champ | Advanced Internet Marketers – Money Meetup, October 2022
- A Legal Perspective – How to Strengthen and Protect Your E-Commerce Business, Checkout Champ | Advanced Internet Marketers – Money Meetup, October 2021

CREDENTIALS

Admissions

- Virginia
- District of Columbia
- U.S. Supreme Court
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, D.C. Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, Eastern and Western Districts of Virginia
- U.S. District Court, District of Columbia
- U.S. District Court, District of Maryland
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Eastern and Southern Districts of Texas
- U.S. Bankruptcy Court, District of Columbia
- U.S. Bankruptcy Court, District of Maryland
- U.S. Tax Court

Memberships

- General Counsel, Financial Publisher and Media Alliance
- General Counsel, Together We Bake
- Member, Federal Bar Association
- Member, American Bar Association
- Past president, officer, and board member, Northern Virginia Chapter of Federal Bar Association, 2007 – 2015
- Frequently writes and speaks on litigation, trial advocacy, and internet advertising law

Pro Bono

- Since 2002, has represented Freddie Woods, recently obtaining the reversal of his 1997 capital murder conviction and death sentence
- Since 2019, has represented Taurus Carroll, an intellectually disabled inmate in challenging his 2012 capital murder conviction and death sentence
- Represents Together We Bake, a job-training and personal empowerment program based on a micro-baking business and founded by his wife that helps women in need of a second chance develop employment and life skills

Personal Activities

- An avid music fan, leads a group of friends and clients to the annual South by Southwest music festival
- Manages and plays percussion in Noise in the Basement, a local cover band and three-time winner of Law Rocks – DC, an annual battle of the bands competition
- Plays adult coed soccer throughout the year
- Has a daughter who works in Virginia's General Assembly, a teenage son at the University of Virginia, and a teenage son at Alexandria City High School

Education

- J.D., George Mason University School of Law, 1996
- B.S., Political Science, *cum laude*, James Madison University, 1993

Clerkship

- Honorable Barry R. Poretz, U.S. Magistrate Judge U.S. District Court for the Eastern District of Virginia 1996-1997

Honors

- AV® Peer Review Rated by Martindale-Hubbell, 2007 – Present
- *Washington, DC Super Lawyers*, 2012 – Present
- Just The Beginning Foundation Diversity Champion, 2008
- Benjamin R. Civiletti Pro Bono Lawyer of the Year, 2007
- T. Brooke Howard Fellow; Alexandria, Virginia Office of the Public Defender, 1994