

§1212. Deceptive trade practices

1. Lists. A person engages in a deceptive trade practice when, in the course of the person's business, vocation or occupation, the person:

- A. Passes off goods or services as those of another; [PL 1969, c. 503 (NEW).]
- B. Causes likelihood of confusion or of misunderstanding as to the source, sponsorship, approval or certification of goods or services; [PL 1969, c. 503 (NEW).]
- C. Causes likelihood of confusion or of misunderstanding as to affiliation, connection or association with, or certification by, another; [PL 1969, c. 503 (NEW).]
- D. Uses deceptive representations or designations of geographic origin in connection with goods or services; [PL 1969, c. 503 (NEW).]
- E. Represents that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or quantities that they do not have, or that a person has a sponsorship, approval, status, affiliation or connection that the person does not have; [RR 2023, c. 2, Pt. C, §24 (COR).]
- F. Represents that goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, used or secondhand; [PL 1973, c. 625, §53 (AMD).]
- G. Represents that goods or services are of a particular standard, quality or grade, or that goods are of a particular style or model, if they are of another; [PL 1969, c. 503 (NEW).]
- H. Disparages the goods, services or business of another by false or misleading representation of fact; [PL 1969, c. 503 (NEW).]
- I. Advertises goods or services with intent not to sell them as advertised; [PL 1969, c. 503 (NEW).]
- J. Advertises goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity; [PL 1969, c. 503 (NEW).]
- K. Makes false or misleading statements of fact concerning the reasons for, existence of or amounts of, price reductions; or [PL 1969, c. 503 (NEW).]
- L. Engages in any other conduct that similarly creates a likelihood of confusion or of misunderstanding. [RR 2023, c. 2, Pt. C, §24 (COR).]

[RR 2023, c. 2, Pt. C, §24 (COR).]

2. Complaint. In order to prevail in an action under this chapter, a complainant need not prove competition between the parties or actual confusion or misunderstanding.
[PL 1969, c. 503 (NEW).]

3. Application. This section does not affect unfair trade practices otherwise actionable at common law or under other statutes of this State.
[PL 1969, c. 503 (NEW).]

SECTION HISTORY

PL 1969, c. 503 (NEW). PL 1973, c. 625, §53 (AMD). RR 2023, c. 2, Pt. C, §24 (COR).

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