



Nathan Archibald

Associate

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Nathan advises consumer companies on their litigation and regulatory matters.

PRACTICES

Advertising, Marketing, and Sponsorships
 Commercial Litigation
 Trade Secrets and Non-Competes
 Class Actions
 Employment Litigation and Class Actions
 Product Liability
 Advertising, Labeling, and Consumer Class Actions

EDUCATION

Brigham Young University, J.D., 2014
 Honors
 Associate Editor, BYU Law Review
 Senior Editor, International Law and Management Review
 University of Sydney, LL.B., 2003
 Honors
 University of Sydney, B.A., 2003

BAR ADMISSIONS

Utah

Drawing on his background in complex risk management, transactional, and regulatory issues, Nathan develops strategies to assist clients with consumer protection, advertising and labelling claims and brand management issues.

Consumer Company Protection: Nathan specializes in representing consumer facing companies in defending against false advertising, mislabeling, class actions and regulatory suits. He is a member of the Firm's Food, Beverage and Consumer Products Group and specializes in representing food, nutraceutical and cosmetics companies. His compliance work includes the full range of advertising claims and clearance, including labelling and warnings required by the FDA, FTC, USDA, Prop 65 and TSCA. He also represents local, national and international technology, e-commerce, automotive, sports and fashion companies in consumer litigation. In addition he represents and advises online retailers with ADA and W3C compliance issues. Nathan litigates, in both state and federal court, before administrative and regulatory agencies and in private arbitrations. Nathan is one of the lead editors of the firm's Ad Law Defense blog, and regularly writes and presents on the case law, legislative, and regulatory trends affecting consumer companies.

Guidance on Complex Employment Issues: Nathan advises and represents companies on complex employment issues including matters involving discrimination, wage & hour disputes – and in litigation enforcing employers' rights under trade secret and non-competition agreements.

Prior to becoming an associate at Holland & Hart, Nathan practiced as a lawyer in Australia working in both large firm and in-house environments. He currently represents Australian companies in relation to their U.S. based transactions and disputes, and represents U.S. companies operating in Australia.

EXPERIENCE

Business/Commercial Litigation

Nathan provides services that cover the spectrum of business relationships including:

- Contract creation and enforcement
- Consumer protection

- Intellectual property disputes
- Brand management

Advertising, Labeling, and Consumer Class Actions

Nathan helps industry leaders and corporate executives protect their businesses during expansion, advising on:

- Advertising claim substantiation
- Labeling strategy and compliance
- Regulatory matters
- Consumer class actions and private attorney suits

PUBLICATIONS

"AdvoCare Reaches Settlement with FTC Banning it from Multi-Level Marketing and Requiring the Payment of a \$150 Million Fine," *Holland & Hart News Update*, Co-Author, 10/03/2019

"Selling Direct: Network Marketing Compliance and Practice," *Holland & Hart News Update*, Co-Author, 11/5/2018

"Selling Direct: Network Marketing Compliance and Practice," *Holland & Hart News Update*, Co-Author, 08/07/2018

"2018: Food Litigation Trends - Part 1," Co-Author, 01/23/2018

"Ad Law Defense: Holland & Hart's Advertising, Labeling and Consumer Class Action Blog,"

SPEAKING ENGAGEMENTS

"Navigating the Rules for Manufacturing Medical and Safety Equipment in Response to COVID-19," *Holland & Hart Webinar*, April 16, 2020

"Utah and Federal Law Updates," *Holland & Hart's 2019 Utah Employment Law Seminar*, October 2019

"Selling Supplements Online: Legal Risks of Personalized Dietary Supplements," *15th Annual ACC Mountain West 2019 Nutritional Law Symposium*, September 2019