

A Look At The Wave Of 2025 Email Marketing Suits in Wash.

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Partner [Gonzalo Mon](#) wrote "A Look At The Wave Of 2025 Email Marketing Suits in Wash." published by *Law360*. The article details a 2025 decision by the Washington State Supreme Court that focused on the scope of Washington's Commercial Electronic Mail Act (CEMA) and opened the door for lawsuits about how retailers advertise sales and other offers. The Washington Supreme Court's decision expands CEMA to include false or misleading subject lines in marketing emails. Gonzalo covers some of the more than 30 lawsuits that have arisen regarding misleading subject lines and the nuances between the complaints. He concludes with tips for companies to reduce risk in their email marketing campaigns in the wake of this decision.

"As we wait for more clarity in 2026, retailers should take a close look at the subject lines they use in promotional emails to ensure that they don't include any statements that could come across as false or misleading. They may also want to explore what types of statements may constitute puffery and fall outside the scope of CEMA."

Read the full article [here](#).