

Associate Gonzalo Mon Discusses SMS Marketing in Mobile Marketer Article

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In an article titled, "Reinstatement of \$90M Lawsuit Against Simon & Schuster May Affect SMS Marketing," *Mobile Marketer* published Kelley Drye's analysis of how a court decision affects mobile marketers and text message campaigns. The article discusses the Federal Court of Appeals for the Ninth Circuit's decision to reinstate a \$90 million class-action lawsuit against book publisher Simon & Schuster for an SMS promotion related to author Stephen King's "The Cell" horror novel. Mobile Marketer quoted associate [Gonzalo Mon](#) in an in-depth overview of the decision's implications on SMS marketing.

Gonzalo emphasizes the key lesson that mobile marketers should not send text messages to any consumer unless the consumer has provided express consent to receive messages from the sender. Additionally, marketers should clearly disclose what types of messages a consumer can expect to receive and which company will send the messages. According to Gonzalo, taking such steps are measures that can prevent lawsuits regarding this issue.