

# Eleventh Circuit Vacates TCPA 1 - 1 Consent Rule

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On January 24, 2025, the U.S. Court of Appeals for the Eleventh Circuit issued a ruling which vacated the so-called “one-to-one” consent requirement for marketing calls and texts adopted by the Federal Communications Commission (FCC) in its implementing rules for the Telephone Consumer Protection Act (TCPA). In its ruling, the court held that the rule adopted by the FCC exceeded the agency’s statutory authority because it conflicted with the plain meaning of “prior express consent” in the TCPA. Below we summarize the court’s ruling and explain what it means for businesses going forward.

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