

# The FTC's Proposal to Ban Noncompetes is on Shaky Legal Ground

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By now, most of our readers have likely heard about the FTC's proposed rule to ban noncompete clauses in employment contracts, including from Kelley Drye's other posts on the topic discussing the sheer breadth of the proposal and the potential implications for employers. In this post, we zero in on an issue that merits a lot more attention than it's getting – namely, the serious legal and practical questions that the FTC's proposal raises.