

## PERSONAL INJURY FIRMS ARGUE OVER ADVERTISEMENTS



Two lawyers from a personal injury law firm, Robert Habush and Daniel Rottier of the Habush & Rottier S.C. law firm, have made allegations that a separate personal injury law firm has used a form of advertising that goes against their privacy rights. Now that a lawsuit has been filed, the Supreme Court of Wisconsin will have to decide who is right and who is wrong. Habush and Rottier have filed the lawsuit against Cannon & Dunphy S.C. because they used certain keywords, specifically Habush and Rottier, which would help the firm and its website to become the leading website in search results for several search engines, which includes Google, Bing and Yahoo search engines. This means that when an individual used a search engine looking to find the website to Habush or Rottier's personal injury firm, they would end up finding the website to Cannon & Dunphy S.C. instead because that would be the first result. Both Habush and Rottier have argued that this is a complete violation of their privacy and that it is not right to use the name of someone else as a way of advertising, especially if the company has not gotten consent from the person, which is the issue in this case because neither Habush nor Rottier gave consent to having their names used as a way for Cannon & Dunphy S.C. to advertise for their own personal injury law firm. Because of the controversy, it was first stated that while such advertising practices were, in fact, a violation of privacy, there was no particular type of proof that made such a thing to be considered not reasonable. However, the case has recently been sent to the Wisconsin Supreme Court because the appeals court would prefer to have the Supreme Court make the decision as to whether the competitive firm, Cannon & Dunphy, are invading the privacy of Habush and Rottier and whether or not this type of invasion of privacy is considered unreasonable. The Cannon law firm continues to argue that they have not invaded the privacy of Habush or Rottier because it was the Internet users who actually searched for the names in the search engines, not those from the personal injury law firm. The appeals court has noted that they understand that the privacy of Habush and Rottier may have been invaded, specifically using certain strategic methods that would help the other personal injury law firm to increase the number of clients they receive. However, the decision will be up to the Supreme Court of Wisconsin as they will decide whether or not Cannon & Dunphy invaded the privacy of both Habush and Rottier on unreasonable terms as a way of gaining exposure for their own firm.

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