



MEDIA MENTIONS

SRZ Partner Martin Schmelkin Quoted in *Attorney At Law Magazine*: “FTC Proposed Ban on Noncompetes Compels Discussion”

January 31, 2023

In a recent *Attorney At Law Magazine* article, Schulte Roth & Zabel partner Martin Schmelkin discussed the FTC’s proposed rule, announced Jan. 5, 2023, to ban non-compete agreements, which the commission claims violate Section 5 of the Federal Trade Commission Act.

Marty commented, “I think we’re a long way away from this rule being implemented. There will be significant comments that come to the FTC, such that the proposed rule in its current form will unlikely be the final, published rule. Additionally, I think there’s going to be litigation over this rule.”

According to Marty, “[s]ince January 5, I’ve spent a lot of time with clients who were concerned when this proposed rule came out. Does this mean employers can no longer have non-competes with their employees? The short answer is no, this is still early stages, and we need to monitor developments. However, a prudent employer will now take a look at their current non-compete clauses and their restrictive covenants in general and determine if these are reasonable and enforceable.”

[Read the article here.](#)

Related People



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