

**13-5a-103 Private action for unfair competition.**

- (1)
- (a) Except as provided in Subsection (2), a person injured by unfair competition may bring a private cause of action against a person who engages in unfair competition.
  - (b) In an action under this Subsection (1), a person injured by unfair competition may recover:
    - (i) actual damages;
    - (ii) costs and attorney fees; and
    - (iii) if the court determines that the circumstances are appropriate, punitive damages.
- (2) A person may not bring an action described in Subsection (1) against:
- (a) a depository institution; or
  - (b) an entity that:
    - (i) controls a depository institution;
    - (ii) is controlled by an entity that controls a depository institution; or
    - (iii) is controlled by a depository institution.

Enacted by Chapter 372, 2004 General Session