



A dentist's advertising measures can be considered unfair competition - Competition Law

A dentist's advertising measures can be considered unfair competition - Competition Law

GRP Rainer Lawyers and Tax Advisors in Cologne, Berlin, Bonn, Dusseldorf, Frankfurt, Hamburg, Munich, Stuttgart and London - www.grprainer.com/en conclude: Advertising is an important factor for the economic success of a business, but in certain sectors, advertising measures must be thoughtfully considered. In particular physicians and dentists must observe statutory regulations. When offering their services, dentists must comply with the provisions of their professional code of conduct. One case involving advertising by a dentist had to be decided by the Regional Court (LG) of Cologne (File number: 31 O 25/12). A dentist was offering his services at a discount via Internet coupon portals. The Dental Association regarded the dentist's actions as a violation of the professional code of conduct and sought an order to cease and desist.

In its decision, the LG agreed with the Dental Association's view. The Court ruled that offering dental services via a coupon portal is unfair competition and that the code of conduct for dentists rules out promotional advertising. The Court found that this is precisely what the dentist had done and that he had therefore violated a marketing rule. Potential patients must not be unduly influenced. With the discount campaign, which had a time limit and was offering low prices, patients were urged to sign a contract.

In his defence, the dentist argued that the offer did not include any specialized medical services, that it could also be performed by a cosmetician and that the code of conduct for dentists therefore did not apply. However, that was not a deciding fact for the judges. The important factor was that the dentist had been advertising in his role as a dentist and that therefore the professional standards had to be applied.

The purpose of the Act against Unfair Competition (UWG) is to ensure that there is fair competition in the marketplace. Its provisions protect consumers and competitors against unfair activities by businesses. The UWG provisions affect not only companies, but also individual merchants and professionals.

In case of questions about the legality of advertising measures and other business activities, it is advisable to consult a lawyer with experience in Competition Law. Not only can he examine whether planned or performed measures are against the law, but he can also help to assert claims against competitors.

<http://www.grprainer.com/en/Unfair-Competition.html>

Pressekontakt

GRP Rainer LLP Lawyers Tax Advisors

Herr Michael Rainer
Hohenzollernring 21-23
50672 Cologne

grprainer.com/en
press@grprainer.com

Firmenkontakt

GRP Rainer LLP Lawyers Tax Advisors

Herr Michael Rainer
Hohenzollernring 21-23
50672 Cologne

grprainer.com/en
press@grprainer.com

GRP Rainer LLP www.grprainer.com/en/ is an international firm of lawyers and tax advisors who are specialists in commercial law. The firm counsels commercial and industrial companies and corporations, as well as associations, small- and mid-sized businesses, self-employed freelancers and private individuals worldwide from offices Cologne, Berlin, Bonn, Dusseldorf, Frankfurt, Hamburg, Munich, Stuttgart and London UK.

Anlage: Bild

