

Legal Literature

Legal Literature Details

Member State: Lithuania

Title: Evaluation Criteria of Misleading Advertising in the European Union and Lithuania

Subtitle:

Type: other

URL:

Author: RIMKEVIČIUS, M.

Reference: RIMKEVIČIUS, Mantas. Klaidinančios reklamos vertinimo kriterijai Europos Sąjungoje ir Lietuvoje. Doktoro disertacija, socialiniai mokslai, teisė (01 S). Vilniaus universitetas, 2012.

Publication Year: 2012

Keywords: average consumer, general discussion on new case law, general discussion on the national implementation, misleading advertising, transactional decision, unfair commercial practices

Directive Articles

Unfair Commercial Practices Directive, [Whereas, \(18\)](#) Misleading and Comparative Advertising Directive, [link](#) Misleading and Comparative Advertising Directive, [Article 2, \(b\)](#) Misleading and Comparative Advertising Directive, [Article 3](#) Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 6](#) Unfair Commercial Practices Directive, [Chapter 2, Section 1, Article 7](#) Unfair Commercial Practices Directive, [Chapter 2, Section 2, Article 8](#) Unfair Commercial Practices Directive, [link](#)

Headnote

This dissertation contains a study of the assessment mechanisms of misleading advertising established in the EU and Lithuanian national law. The principal object of the research is limited to an investigation of the criteria for assessing commercial practices (advertising) in terms of their fairness (misleading character) as laid down in the 1984 Misleading Advertising Directive and the 2005 Unfair Commercial Practices Directive and a study of the provisions of the Law on Advertising and the UCPL that transpose these EU legal acts into the Lithuanian law. The work offers a sufficiently detailed examination of the criteria of accuracy, comprehensiveness and presentation of advertising, their interpretation and application in the practice of the Competition Council and the case-law of Lithuanian administrative courts.

This dissertation also analyses the evolution of the average consumer standard and the materiality condition in the case-law of the ECJ and in the Lithuanian legal practice. The major purpose of the dissertation is to (i) assess the extent to which the Unfair Commercial Practices Directive will change and/or influence the assessment of the Lithuanian advertising in terms of its misleading effects, (ii) the extent to which the legal practice of Lithuania in relation to misleading advertising conforms to the jurisprudence on the protection against misleading advertising developed by the ECJ, (iii) and analyse, summarise and assess the underlying rules for assessing advertising from the perspective of its misleading effects.

General Note

Related Cases

No results available