

Defending drug advertising law warning notices

Have you been accused of a violation against the drug advertising law? Have you received a warning notice because of your advertisement for a drug, homeopathic remedy, or medicinal products? Have you been accused, for example, of placing misleading or unauthorized advertisements for drugs, using authorized health claims, or behaving in an unfair manner in some other way? Before you comply with any demands for providing a cease-and-desist declaration, information, compensatory damages, or reimbursement of attorney's fees, you should seek the advice of an attorney. Not every warning notice is legitimate, and even with legitimate warning notices, the claims being asserted often go beyond the actually existing claims. In addition, it is often possible to take action against the party issuing the warning notice.

What we offer

We will review the legal situation for you, particularly the legitimacy of the claims being asserted by the person issuing the warning notice, along with the warning notice itself.

If the warning notice is legitimate, the cease-and-desist declaration can often be limited thereby minimizing the risk of any contractual penalties. Furthermore, the consequential claims to information, compensatory damages, and the reimbursement of costs can often be tabled or at least be significantly reduced. Sometimes, a judgment before the court can be enforced to issue a cease-and-desist declaration, for example, in order to avoid contractual penalties. If the warning notice is not legitimate, it can be defended against as quickly and efficiently as possible and – to the extent possible – resulting costs can be demanded from the opposing party.

We can represent you in competition and drug advertising law disputes, not only out of court in warning notice proceedings but also, if necessary, in subsequent court proceedings in the form of a temporary injunction or regular complaint proceedings. We can represent you anywhere in Germany. Take advantage of our many years of experience in many drug and competition law disputes and court proceedings.

Scope of service

- Examination and assessment of the technical and legal situation
- Consulting with respect to the legal options and the strategic procedure
- Out-of-court representation in warning notice proceedings
- Representation before all district and regional courts in Germany by means of temporary injunction proceedings and in regular complaint proceedings

Costs

We normally offer our services to you calculated according to the time spent at a suitable hourly



rate or according to the Attorneys Compensation Act (RVG). We believe that cost transparency and cost reliability form the basis of successful cooperation. We will be happy to provide you with an estimate of the expected costs and the cost risk before taking the job.