

EU comparative advertising directive (Directive 97/55/EC)

Comparative advertising is permissible if:

1. it is **not misleading**;
2. it compares goods or services meeting the **same needs or intended for the same purpose**;
3. it **objectively** compares one or more **material, relevant, verifiable and representative** features of those goods and services, which may include price;
4. it **does not create confusion** in the market place between the advertiser and a competitor;
5. it **does not discredit or denigrate** the trade marks, trade names, other distinguishing marks, goods, services, activities, or circumstances of a competitor;
6. . . .
7. it **does not take unfair advantage of the reputation** of a trade mark, trade name or other distinguishing marks of a competitor or of the designation of origin of competing products;
8. it **does not present goods or services as imitations or replicas** of goods or services bearing a protected trade mark or trade name.