

**AD ALERT**

# **Construct Data Verlag GmbH**

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The EASA Ad Alerts are aimed at practitioners, relevant government and consumer organisations concerned with cross-border advertisements that demonstrate sharp and extremely misleading practices. They provide updates on companies endorsing such practices and provide advice to consumers and companies who have been misled.

**04/2012**

## Construct Data Verlag GmbH

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### Advertiser



**Construct Data Verlag GmbH**  
Ortsstrasse 54A-2331  
Vosendorf, Austria

**Telephone:** 0043-1/6994077

### Self-regulatory Organisation



**Österreichischer Werberat (ÖWR)**  
Wiedner Hauptstraße, 73  
1040 Wien, Austria

**Telephone:** 0043/590900-3577

**Fax:** 0043/590900-285

**E-mail:** [office@werberat.at](mailto:office@werberat.at)

**Website:** [www.werberat.at](http://www.werberat.at)

### Case details:

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The Austrian company Construct Data Verlag, also known as Expo Guide, which operates internationally, has been sending communications to companies for entry in an online trade-fair exhibitors' directory, bearing the name "Fair Guide". Due to the presentation, recipients often gained the false impression that, even when signed, this was a free entry or a free update of an existing entry in the official exhibitors' directory of the respective trade-fair organiser, although full completion and signature of entry is in fact subject to a charge and the entry has nothing to do directly with the trade fair mentioned or its organiser.

Since the beginning of 2009 the European Advertising Standards Alliance (EASA) and self regulatory organisations (SROs) across Europe have received complaints from companies who believed to have been misled by Construct Data Verlag GmbH, as the mailings failed to make it clear that by signing the form companies were in fact committing themselves to an order.

### Recent developments:

Following legal action of our Austrian Member, the ÖWR, and the Austrian Association for Protection against Unfair Competition (Schutzverband), Construct Data has agreed before court of law on 13/02/07 to refrain from sending such misleading communications (“fair guide” entries) and from insisting on any payment claims **within the EU, the EEA and Switzerland** in so far as any person has been misled and therefore placed their signature in error. It has been agreed that upon receipt of the template letter (which can be downloaded from EASA’s website), Construct Data and its debt collector Premium Recovery AG will stop sending reminders for payment to misled persons.

Furthermore, in 2008 Construct Data Verlag GmbH signed a declaration of intent stating that it will stop operating any further mailings from Austria and if further complaints should be received these shall be treated such that if the respective customer asserts having been misled/error upon contractual signature, and has not already paid, no further claims will be raised.

### Advice to complainants:

Companies, who believe to have been misled by the practices of the Construct Data Verlag GmbH, should forward their complaint with all the necessary documentation to the **Austrian office of fair trade (Schutzverband)**, for further investigation.

Schutzverband gegen unlauteren wettbewerb  
Schwarzenbergplatz, 14  
1040 Wien



**Telephone:** 0043/1501970

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