

## Legal Extranet

Information supplied by



## Switzerland



National Association  
 General Legal Overview  
 Image Rights  
 Basic Guide to Intellectual Property rights in the Territory  
 Self Regulatory Bodies  
 Statutory Bodies  
 Specific Legislation

## National Association:

Branchenverband Schweizer Werbe - und Kommunikationsagenturen (BSW)

Web link: <http://www.bsw.ch>

## General Legal Overview:

The most important law regulating advertising in Switzerland is the Federal Law Against Unfair Competition. The Swiss advertising industry has adopted its own canons of professional ethics in the Principles of the Swiss commission for Integrity in Advertising. The International Chamber of Commerce's International Code of Advertising Practice (ICC Code) is also relevant. And Article 27 of the Swiss Constitution guarantees the freedom of commercial activity and thereby protects advertising. Television and Radio Advertising: only commercial advertising is permitted, religious, political and public relations broadcasts (including sponsoring) are not. Alcoholic beverages, tobacco products and certain pharmaceuticals are basically excluded.

The Federal Copyright Law protects original artistic, literary, musical or scientific composition. The copyright arises with the creation of the composition, belongs to the creator of the work and subsists for his/her lifetime and for a period of 70 years after their death. It is a breach of copyright to make a copy of the composition or to use it without permission, but private use is allowed.

Trade Marks. The Federal Trademark Law protects trade marks, which are identification symbols which serve to distinguish goods or services of one business from another. Trade marks can consist of words, letters, logos, 3-D shapes or colours. Trade marks can be registered at the Swiss Federal Institute of Intellectual Property. It is not possible to register trade marks which are common property, deceitful or against public policy. The owner of a older trade mark can raise objection against a new registration of the same or similar trade mark. The right for the trade mark lasts 10 years, but can be repeated. It is a breach of trade mark law to use a sign or logo which is identical or similar to a registered trade mark in the same category in which the mark is registered. Whether it will be a breach depends on whether there is a likelihood of confusion or association on the part of the public.

Unfair Trade Practices, Passing Off, Unfair Competition etc. The Federal Law against Unfair Competition prohibits unfair trade practices. Unfair is every behavior which is deceitful or against loyalty and good faith and which influences the relation between competitors or between seller and customer.

## Basic Guide to Intellectual Property rights in the Territory:

For basic information on IP visit:  
<http://www.ige.ch/default.htm>

## Image Rights:

There are no image rights entered for this country.

Swiss Commission for Integrity in Advertising

Schweizerische Lauterkeitskommission Kappelergasse 14, PO Box 2744, 8022 Zürich Tel. 01 211 79 22, Fax 01 211 80 18 [info@lauterkeit.ch](mailto:info@lauterkeit.ch)

Web link: [www.lauterkeit.ch](http://www.lauterkeit.ch)

n/a

There are no specific statutory bodies. The ordinary courts deal with advertising and intellectual property. In certain cantons there is a special Commercial Court to deal with copyright and patent matters

<a href="#">Collateral Gifts</a>	08 June 2006
<a href="#">Gaming &amp; Betting</a>	08 June 2006
<a href="#">Prize Promotions</a>	08 June 2006
<a href="#">Alcohol</a>	08 June 2006
<a href="#">Tobacco</a>	08 June 2006
<a href="#">Data Protection/Privacy</a>	08 June 2006
<a href="#">Motors</a>	08 June 2006
<a href="#">Health &amp; Beauty</a>	08 June 2006

Comparative advertising	08 June 2006
Financial products and services	08 June 2006
Pharmaceuticals	08 June 2006
Direct Marketing	08 June 2006
Coupons	08 June 2006
E-mail	08 June 2006
Sponsorship	08 June 2006

Information supplied by: Hans Frick, Peter Hofer, George Hunziker

Peter Hofer

#### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

[<< Click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	Collateral Gifts
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffflände 5, CH 8024 Zurich,
General legal framework	Federal Law Against Unfair Competition, Federal Penal Code. General self-regulatory framework Principle No. 5.2 of the Swiss Commission for Integrity in Advertising is applicable.
Restrictions to the activity	Principally collateral gifts are allowed. Unfair is a collateral gift only if the donee feels - because of the valor of the gift - forced to sign a contract. Law Against Unfair Competition (UWG) Art. 3 (g) provides that promotional gifts that deceive customers about the actual value of offers are unethical. Certain goods are not allowed as collateral gifts on account of the danger of excessive consumption. These are certain pharmaceuticals and alcoholic beverages. Free samples of tobacco products must not be given to adolescents and children.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



[<< Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Gaming & Betting
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffländer 5, CH 8024 Zurich,
General legal framework	The permissibility of prize competitions and of games for gain is governed principally by the Lottery Law (Lotteriegesezt). General self-regulatory framework Principle No. 3.9 of the Swiss Commission for Integrity in Advertising is applicable.
Restrictions to the activity	Four criteria characterize a game for gain as a forbidden lottery. The most important of these is an obligation to make a purchase or to perform a service as a prerequisite for participation. According to the courts, the free-of-charge character of participation must be made clear in unmistakable terms. The whole information must not mislead. Liquour may not be advertised by prize competitions. Multi-Level-Marketing might be critical in Switzerland if the seller profits mainly from setting up a downline instead from selling. Games of chance where a stake of money is condition for the game are forbidden except in government licenced casinos.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	Prize Promotions
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffplände 5, CH 8024 Zurich,
General legal framework	Article 3(f) of the Federal Law Against Unfair Competition (UWG).
General self-regulatory framework	Principles of the Swiss Commission for Integrity in Advertising are applicable.
Restrictions to the activity	Swiss law does not limit sellers in granting rebates to customers. Sales of goods below cost or below acquisition price are permissible in principle. They are prohibited if the low-priced offers have been used on more than one occasion and create a wrong impression of the capacity of the seller ("bait" advertising). Under certain circumstances loss-leader pricing is regarded as misleading if the merchandise is not available at all or is available only in insufficient quantities.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



[<< Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Alcohol	
Country	Switzerland	
Contact	Peter Hofer, LL.M., Attorney at Law, Frick Hofer Hunziker, Schiffflände 5, CH 8024 Zurich,	
General legal framework	Alcohol advertisement is regulated by the Federal Law of foodstuffs (Lebensmittelgesetz), the Federal Law of Alcoholic Beverages (Alkoholgesetz) and the Federal Law about Television and Radio.	
General self-regulatory framework	Principle No. 5.9 of the Swiss Commission for Integrity in Advertising is applicable.	
Restrictions to the activity	The general principle is that all advertisements should be socially responsible, should not encourage excessive drinking and do not suggest that drinking can overcome boredom, loneliness or other problems. Therefore all advertisements must be objective and only elements which refer to the product itself may be used for the advertisement.	
Restrictions to the media	<i>Cinema</i>	Generally permitted, but advertising of alcohol is prohibited in performances where the majority of the spectators are children or adolescents.
	<i>Direct Mail</i>	See cinema above
	<i>E-mail</i>	See cinema above
	<i>Web</i>	See cinema above
	<i>Outdoor</i>	Advertisement for alcoholic beverages is prohibited on sports facilities or associations and public buildings and places.
	<i>Press</i>	Permitted, but has to be objective.
	<i>Radio</i>	Advertising for alcoholic beverage is prohibited.
	<i>SMS</i>	See cinema above
	<i>TV</i>	Advertising for alcoholic beverage is prohibited. Restrictions to the public advertising of alcohol must not be aimed at children in any media. For instance, advertising in youth magazines, books etc. is not allowed.
Last updated	08 June 2006	

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

## Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Tobacco	
Country	Switzerland	
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffplände 5, CH 8024 Zurich,	
General legal framework	Tobacco advertisement is regulated by the Federal Law of foodstuffs (Lebensmittelgesetz), the Federal Law about Television and Radio (Radio- und Fernsehgesetz), Federal Directives about Tobacco (Tabakverordnung)	
General self-regulatory framework	Principle No. 5.9 of the Swiss Commission of Integrity in Advertising is applicable. It exists also a contract between the Swiss Commission for Integrity in Advertising and the industry of tobacco where the industry promises to follow certain restrictions as for instance not to employ models for tobacco advertisement which look younger than 25 years or relating to number, size and placement of the advertisement in the media.	
Restrictions to the activity	The general principle is that all advertising should be socially responsible, should not encourage excessive drinking and does not suggest that drinking can overcome boredom, loneliness or other problems and eases athletic, social or sexual success. Therefore all advertising must be objective and only elements which refer to the product itself may be used. The packet must hold specific warnings in relation to health. Advertisement must not be aimed at children or people under the age of 18.	
Restrictions to the media	Cinema	Tabacco advertising is prohibited before 7 p.m. and limited to two commercials per movie.
	Radio	Prohibited
	TV	Prohibited
Last updated	08 June 2006	

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

## Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	Data Protection/Privacy
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffplände 5, CH 8024 Zurich,
General legal framework	The Swiss Law for Data Protection sets out strict conditions for the collection, use, storage and handing over of personal data (very similar to the EU-regulations; protection level recognized as equal).
General self-regulatory framework	Principle No. 3.2 of the Swiss Commission for Integrity in Advertising is applicable.
Restrictions to the activity	When obtaining details of individuals through a promotion, it is obligatory to comply with the provisions of the Law for Data Protection. The general rule is that the handling of the data has to be done in good faith and must be proportional. The purpose of the handling must either conform to the purpose which was indicated when the data was provided or considering all circumstances the purpose of the processing must have been recognizable or the purpose must be legally prescribed. Personal data must not be notified to other countries if their law of data protection is not equal. The handling of data must not infringe the individual personal right and therefore it is for instance forbidden to process personal data against somebody's explicit will or to hand over sensitive personal data (information on racial or ethnic origin, political opinion, religious beliefs, health, sex life or criminal records) to a third person. If the consumer consents to the processing or if the processing is justified by private or public interests the breach of the individual personal right is not wrongful. Restrictions to the activity If it is the intention to process sensitive personal data, the explicit consent of the consumer is required before the information can be processed. Once information has been validly collected, if it is then decided to use it for a purpose which is significantly different from that set out when providing the data, then the explicit consent of the consumer should be obtained.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

## Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Motors
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffländer 5, CH 8024 Zurich,
General legal framework	No specific legislation, Federal Law Against Unfair Competition (UWG) must be respected.
General self-regulatory framework	Principles of the Swiss Commission for Integrity in Advertising are applicable.
Restrictions to the activity	The general rules of advertising must be followed, especially that the information concerning quality is not misleading which is determined by the impression made on the average consumer.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



[<< Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Health & Beauty	
Country	Switzerland	
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffländer 5, CH 8024 Zurich,	
General legal framework	Federal Law of chemicals (Chemikaliengesetz) regulates cosmetic products. For quasi-cosmetical products (massages, saunas) there is no legislation but the rules for pharmaceuticals and foodstuffs are applied analogically	
General self-regulatory framework	Principle 5.7 of the Swiss Commission for Integrity in Advertising is applicable.	
Restrictions to the activity	Advertisement for dangerous products must indicate dangers or risks. The customer must not be misled over the danger of the product. No prescription-only medicine should include a indication such as "This is a medicine, always read the label". Cosmetic products must not suggest that they heal or prevent illnesses. Indications in relation to wellness can be made. (see also "pharmaceuticals")	
Restrictions to the media	Radio	Advertising is controlled by Swissmedic before the broadcast.
	TV	Advertising is controlled by Swissmedic before the broadcast.
Last updated	08 June 2006	

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	Comparative advertising
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffplände 5, CH 8024 Zurich,
General legal framework	Comparative advertising is regulated by the Federal Law against Unfair Competition (UWG).
General self-regulatory framework	Principle No. 3.5 of the Swiss Commission for Integrity in Advertising is applicable.
Restrictions to the activity	Swiss court decisions permit comparative advertising in principle as long as comparisons are made between like goods and services. The comparison has to be objectively correct. The advertising must not be misleading or unnecessarily disparaging. Advertising Commission Principle No. 3.5 contains a summary of different criteria. Comparative advertising generally is not permitted on Swiss television. To use a competitors fame in advertising is prohibited. Comparative Advertising is prohibited for alcoholic beverages.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

<b>Subject</b>	Financial products and services	
<b>Country</b>	Switzerland	
<b>Contact</b>	Peter Hofer, LL.M., Attorney at Law, Frick Hofer Hunziker, Schiffplände 5, CH 8024 Zurich,	
<b>General legal framework</b>	Swiss Bank Law (Bankengesetz), Anlagefondgesetz, Börsengesetz, Konsumkreditgesetz, Article 3(l) of the Federal Law Against Unfair Competition (UWG). General self-regulatory framework Principle No. 5.2 of the Swiss Commission of Integrity in Advertising is applicable. VSKF-Konvention of the restrictions in advertising of the association of Swiss Bankers, the canons of the bankers.	
<b>Restrictions to the activity</b>	Certain terms as „bank“, „fond“ or “investment broker” are protected and can only be used by a firm which a permission has been granted by the commission of the banks. Most of the financial firms are under government control. The Bank law requires for instance that advertising must not be misleading or aggressive. Advertising for funds has to follow certain rules as for instance a indication for a risk of loss. Advertising in relation to credits for private persons must follow stricter rules because of the danger of taking advantage of people’s inexperience. The advertisement must content the name of the grantor of the credit and the conditions for the credit must be stated clearly.	
<b>Restrictions to the media</b>	<i>Cinema</i>	The canon of the bankers prohibits advertising for credits for consumers
	<i>Direct Mail</i>	The canons recommend to renounce advertising by direct mailing.
	<i>Web</i>	No restrictions so far.
	<i>Press</i>	The canons recommend to reduce the size and number of advertisement to a certain size.
	<i>Radio</i>	See cinema above.
	<i>TV</i>	See cinema above.
<b>Last updated</b>	08 June 2006	

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

## Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

<b>Subject</b>	Pharmaceuticals
<b>Country</b>	Switzerland
<b>Contact</b>	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffplände 5, CH 8024 Zurich,
<b>General legal framework</b>	Federal Law concerning Pharmaceuticals (Heilmittelgesetz). A special Institut, the Swissmedic, controls the advertising for pharmaceuticals. General self-regulatory framework
<b>Restrictions to the activity</b>	Advertising to the public for prescription-only pharmaceuticals is prohibited. Advertising is generally allowed for pharmaceuticals which can be sold over the counter and certain other pharmaceuticals, but the federal council can make restrictions on certain product in order to health protection. The advertising should not lead to excessive, wrong or inappropriate use of pharmaceuticals. Misleading advertising or advertising against the public policy is prohibited. Medicine must be presented as medicine and the advertisement should include a indication such as "This is a medicine, always read the label". The owner of the trade mark must be named and there have to be indications about the application and the demand to read the label. Advertising has to be precleared by Swissmedic.
<b>Last updated</b>	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	Direct Marketing	
Country	Switzerland	
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffländer 5, CH 8024 Zurich,	
General legal framework	Article 3(h) of the Federal Law Against Unfair Competition (UWG), Art. 40b lit. a of the Federal Law of obligations.	
General self-regulatory framework	Principle No. 4.1 to 4.6 of the Swiss Commission for Integrity in Advertising is applicable.	
Restrictions to the activity	Particularly aggressive sales methods that impair the ability of customers to make decisions freely may be sanctioned. Contracts which result from telephone or outdoor advertising and offers can be revoked within 7 days. Systems that sell to customers so that they may resell to others are prohibited in Switzerland on account of their similarity to lotteries	
Restrictions to the media	<i>Direct Mail</i>	Direct Mail advertising is permitted in Switzerland, but the Advertising Commission Principles sets standards (Robinson lists).
	<i>E-mail</i>	E-mail advertising is permitted as long as it is not considered as unfair spamming.
	<i>Outdoor</i>	As a rule advertising in public places requires a permit. Handing out advertising material usually is not permitted.
	<i>SMS</i>	See email above.
	<i>Others</i>	Telephone advertising is generally permitted, but the Advertising Commission Principles sets standards. There is no legislation about fax advertising. But the Federal Law against Unfair Competition could be applicable if the connection of the fax machine is occupied over a longer period because the owner's possibilities of communication and business are affected.
Last updated	08 June 2006	

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

## Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	Coupons
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffländer 5, CH 8024 Zurich,
General legal framework	Article 3(h) of the Federal Law Against Unfair Competition (UWG).
General self-regulatory framework	Principle 3.8 of the Swiss commission for Integrity is applicable.
Restrictions to the activity	Principally coupons are allowed. Law Against Unfair Competition (UWG) Art. 3 (g) provides that coupons that deceive customers about the actual value of offers are unethical. Certain goods are not allowed as coupons on account of the danger of excessive consumption. These are certain pharmaceuticals and alcoholic beverages. Free samples of tobacco products must not be given to adolescents and children.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



[<< Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	E-mail
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffflände 5, CH 8024 Zurich,
General legal framework	E-mail is regulated by the Federal Law against Unfair Competition (UWG).
General self-regulatory framework	Principles of the Swiss commission for Integrity in Advertising are applicable.
Restrictions to the activity	Advertising by E-mail is generally allowed as long as it is not considered as illegal Spamming. There exists no judgment of the High Court so far, but the District Court of Zürich found Spamming illegal after the receiver has rejected to receive further mails. Spamming is legal as long as there is no deception on the sender, if the advertising has an indication of the content in the reference (title), the mail does not have a big content, the receiver can opt-out, the E-mail is directed to selected addresses and not wide spread.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)

## Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	Sponsorship
Country	Switzerland
Contact	Peter Hofer, LLM, Attorney at Law, Frick Hofer Hunziker, Schiffländer 5, CH 8024 Zurich,
General legal framework	The Federal Law against Unfair Competition (UWG) is applicable.
General self-regulatory framework	Principles of the Swiss commission for Integrity in Advertising are applicable.
Restrictions to the activity	The general rules for advertising are applicable. But the manufacturers of alcoholic beverages are not allowed to sponsor events which are visited mainly by children or adolescents. The manufacturers can be named but there mustn't be advertising for alcoholic beverages.
Last updated	08 June 2006

Information supplied by: [Hans Frick](#), [Peter Hofer](#), [George Hunziker](#)  
[Peter Hofer](#)

### Disclaimer

*The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.*

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":



<< [Please click here to go back](#)