



### **New Solution for Groups Pursuing Claims in Court Proceedings**

Please note the new legal solution with regard to pursuing claims for damages introduced by the Act on Pursuing Claims in Group Proceedings dated 17 December 2009, which comes into force on 19 July 2010.

The changes introduced may affect the procedural situation, in particular for those business entities which:

- carry out economic activities covering goods or services purchased by consumers (such as sale of cosmetics, electronic equipment);
- may be liable for damage caused by a dangerous product (such as liability for damage caused by use of specific cosmetics) and in respect of illicit acts (such as damage caused by application of a specific treatment), except for claims regarding breach of personal rights.

Group proceedings do not refer, however, to so-called employee cases; namely, claims relating to employment.

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1. In group proceedings, claims may be filed by at least 10 persons on behalf of which the Representative of the group acts. The group Representative acting in the proceedings on his/her own behalf but for all the members of the group is regarded as the claimant.
2. An obligation for the claimant to be represented by an advocate or a legal advisor has been introduced in group proceedings.

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The situation of the defendant in group proceedings is more complex, especially because of the financial consequences of a possible court decision if the grounds for the claims are accepted by the court.

The issues described above do not cover all new legal solutions introduced; therefore, we will be pleased to provide you with further information in respect of the possibilities of establishing and maintaining the firm's good image during the dispute and information facilitating identification and selection of a strategy for any possible court dispute which will be most favourable for you.

### **Contact**

Should you have any questions, please contact our expert:

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