



# **The use of Trustmarks in Electronic Commerce**

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**Jan Trzaskowski**  
Copenhagen Business School

# Trustmarks in Europe

High level of consumer protection in EU

Trustmarks are well-known as concept

- Primarily national or regional

- Limited backing from businesses?

- Not significantly above legal requirements

  - However, review, monitoring etc.

  - Possibilities in consumer redress

## European-wide Trustmarks

- Different approaches

  - One mark fits all (e.g. Trusted Shops)

  - Trustmark accreditation schemes (e.g. Euro-Label)

# The use of trustmarks

## 2000 E-Commerce Directive

Information to be provided (contracts)

‘... any relevant codes of conduct to which he subscribes and information on how those codes can be consulted electronically.’

Misleading omission (commercial practice)

## 2005 Unfair Commercial Practices Directive

Misleading actions and omissions

Causes or is likely to cause consumers to take a transactional decision that he would not have taken otherwise

## 1984 Misleading Advertising Directive

# Misleading commercial practices

## Annex 1

Falsely claiming to be a signatory to a code of conduct

Displaying a trust mark, quality mark or equivalent without necessary authorisation

Falsely claiming that a code of conduct has an endorsement from a public or other body

Falsely claiming that a trader or a product has been approved, endorsed or authorised by a public or private body

Making such a claim without complying with the terms of the approval or authorisation

# Trustmarks and the markets

Traditional approach (informed decisions)

Price, quality and after-sales service

Need for consumer confidence

Electronic commerce and the Internal Market

Confidence provided by

Legislature

Information, consumer protection and redress

Businesses

Trustmarks and/or trademarks

Consumers

Rating systems etc. (Web 2.0)

# Why trustmarks?

Confidence in a box?

Distribution of advertising costs

Barriers of linguistic and cultural nature

Building confidence is (very) expensive

Who should pay?

Public funding

Does industry have genuine interest?

Only small and medium sized businesses?

Need for market intervention?

# The future

Consumer confidence is key

Cross-border e-commerce is important

EU Consumer Policy Strategy 2007-2013

Understanding consumers and markets

Consumer protection regulation

Enforcement, monitoring and redress

Information and education

The European Parliament

Consumer confidence in the digital environment

European trustmark for cross-border e-commerce

# Thank you for your attention!

**Jan Trzaskowski**

Copenhagen Business School (Law Department)

jan@extuto.dk / (+45) 25 37 02 05

[www.legalriskmanagement.com](http://www.legalriskmanagement.com) / [www.cbs.dk](http://www.cbs.dk)