

von Rechtsanwalt **Arndt Joachim Nagel**

Bringing the Basic Price into Your Online Shop

As previously [reported](#), in the article: "Basic Price and End Price go Together", the Federal Court of Justice ruled that the basic price only meets the requirements of §2 I 1 PAngV when the end price for countable products and the basic price are on the same page. This article will give you practical hints how to implement this judgment as it can be expected that many "professional admonishers (the internet equivalent of ambulance chasers)" will be on the hunt for shops that do not meet this requirement.

(Hinweis: Die IT-Recht Kanzlei hat [hier](#) "FAQ" zum Thema Preisangabenverordnung veröffentlicht)

The BGH did not say how in the individual case its decision is to be implemented but it goes without saying, that it will not be as easy as first presumed. How do you get that basic and end price next to another without scrolling or clicking to another page when the monitors of shoppers differ in size and resolution. Large monitors will show more on one page than smaller ones; even less on a smart phone. Admonishers will save a screenshot of the page with the end price and will take the view that end and basic price are not concurrently visible as the Federal Court of Justice demands.

Tendered items in your own Online Shop

This is the least problematic scenario to work on your own online shop. Just make sure that your design allows the basic price to be right next to the end price.

Problems at eBay

Things become more complicated when you want to sell on eBay. At the this moment, it is not possible to show articles with a price fixed to weight, volume, length or surface with both prices. However, you will only meet the legal requirements, when both the end and the basic per unit are concurrently visible. Whether this is the case or not is a matter of the individual case.

The IT-law firm has taken a look into this problem and offers following solutions:

Offers with a fixed price at eBay

The basic price will already be added to the article's title.

An example:

20m superduper Xmas wrap of Santa in a beat-up Chevrolet 100 mm wide (1.70 €/m)

Auctions at eBay

When auctioning items off, there is no obligation to mention any basic price because you as the vendor do not know the price when the auction begins. Therefore, such products to be sold by weight, volume, length, or surface may only have the starting price and still remain on the right side of the law.

This is of course the suggestion of a solution of the IT-law firm as a reaction to the mentioned BGH decision. They are also open to other solutions. Best would be to contact the author Rechtsanwalt Arndt Joachim Nagel who will also happily handle any other IT legal worries you might have.

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