



Pflicht eines Markenherstellers zur Belieferung von Online-Shops (German Edition)

Markus Schröder

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Masterarbeit aus dem Jahr 2008 im Fachbereich Jura - Medienrecht, Multimediarecht, Urheberrecht, Note: 12,00 Punkte (ECTS-Grade A), Heinrich-Heine-Universität Düsseldorf (Zentrum für Informationsrecht), Sprache: Deutsch, Abstract: Im Bereich des E-Commerce ist insbesondere der Vertrieb von Marken- und Luxusartikeln ein Wachstumssegment. Die Hersteller versuchen dabei insbesondere durch selektive Vertriebssysteme den Händlern Vertriebsbedingungen vorzugeben. Außenstehende Händler werden nicht beliefert. Große Rechtsunsicherheit besteht dabei allerdings darin, welche Bedingungen den Händlern gestellt werden dürfen und welche Maßnahmen kartellrechtswidrig sind. Divergierende Urteile verschiedener Landgerichte hinsichtlich der Beschränkbarkeit eines Vertriebs über eBay tragen zu der Rechtsunsicherheit bei. Die vorliegende Arbeit untersucht die Tragfähigkeit der Argumentation der Rechtsprechung und der Literatur. Davon ausgehend werden Hinweise für die Gestaltung der Vertriebssysteme gegeben. Die Arbeit wurde für den Absolventenpreis 2009 der Deutschen Stiftung für Recht und Informatik (DSRI) vorgeschlagen.

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