

ACT
of 16 April 1993
ON SUPPRESSION OF UNFAIR COMPETITION¹⁾

(Consolidated text: Dziennik Ustaw 2003, No. 153, item 1503 with subsequent amendments: Dziennik Ustaw 2004, No. 96, item 959, No. 162, item 1693, No. 172, item 1804; 2005, No. 10, item 68; 2007, No. 171, item 1206; 2009, No. 201, item 1540)

Chapter 1. General Provisions

Article 1. This Act shall regulate prevention and suppression of unfair competition in economic activity and, in particular, in industrial and agricultural production, in the building industry, trade and services – in the interests of the public, entrepreneurs and customers.

Article 2. In this Act entrepreneurs shall mean natural and legal persons and organizational units having no legal personality who by undertaking profit-gaining or professional activity, even if secondary in nature, participate in economic activity.

Article 3. 1. An act of unfair competition shall be deemed to be any activity in violation of law or good practice if it threatens or impairs the interest of another entrepreneur or customer.

2. Acts of unfair competition shall include in particular: misleading designation of the enterprise, false or fraudulent designation of the geographical origin of goods or services, misleading designation of goods or services, violation of business secret of an enterprise, encouraging the termination or non-performance of a contract, imitating products, making allegations against or praising them dishonestly, obstructing market access, bribery of a person fulfilling a public function, and dishonest or forbidden advertising, as well as organizing pyramid selling schemes and conducting or organizing the activity within a group-financed purchase scheme.

Article 4. Foreign natural and legal persons shall have the benefit from the rights resulting from this Act under international agreements binding the Republic of Poland or on the basis of reciprocity.

Chapter 2. Acts of Unfair Competition

Article 5. An act of unfair competition shall be any designation of the enterprise which may mislead the customer as to its identity through the use of a business name, name, logo, abbreviation or other characteristic symbol previously used, in accordance with law, for the designation of another enterprise.