

Press Release

BDKV obtains judgment against secondary market ticketing platform

Hamburg, 28 January 2019 – The provision of sales offers for concert tickets at a price of more than 25% above the normal price is anti-competitive. This applies to cases where the tickets are provided with a resale prohibition clause and a blank line for the name of the ticket purchaser to be filled in. The Hanover Regional Court ruled this in the judgment of 21 January 2019 (reference: 18 O 92/18) effected by the Federal Association of the Concert and Event Industry (BDKV) against the secondary market ticketing platform Ticketbande.

Attorney Dr Johannes Ulbricht from the law firm Michow und Ulbricht, who led the proceedings for the event organizers' association: "The verdict finally eliminates a crucial grey area in ticket sales. It brings the organisers a great step further in the fight against the commercial secondary market ticketing trade." The prohibition on resale takes effect regardless of whether the name is actually entered in the blank line or the name imprint is checked and enforced during admission.

The court rejected the remaining objections of the secondary market ticket platform against the effectiveness of the resale prohibition. According to Ulbricht, "It is also crucial that the secondary market ticket platform is fully liable in the event of a breach of the resale prohibition and cannot claim a fault on the seller's part."

The judgment is of particular importance since it is not merely an interim relief procedure but a main action. "The Senate has examined the antitrust arguments and the submissions of the other side extremely carefully and has delivered a very satisfactory verdict."

The BDKV announces that it will continue to resolutely fight the overpriced resale of tickets.

For more information, please contact:

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