

## PRESS RELEASE

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# Successful Proceedings before the Munich I Regional Court: GÖRG Defends Deutsche Avia Mineralöl-GmbH Against Greenwashing Allegations by Deutsche Umwelthilfe e.V.

**GÖRG successfully represented Deutsche Avia Mineralöl-GmbH (Avia) in a legal dispute before the Munich I Regional Court. The court dismissed the lawsuit brought by Deutsche Umwelthilfe e.V. (DUH), which sought to prohibit Avia from advertising products with claims such as "climate compensated" and "CO2 compensated."**

The case (Ref. 4HK O 3456/24), heard by the 4th Chamber for Commercial Matters, centred on key questions regarding the transparency and effectiveness of CO2 compensation projects. DUH accused Avia of lacking sufficient transparency and employing compensation projects that allegedly failed to offset the environmental impact of fossil fuels. The advertising of Avia's heating oil and natural gas products as "climate compensated" and "CO2 compensated" was particularly scrutinised.

Avia is a corporate alliance of various companies within the oil and energy industry. The company channels additional revenues from the advertised products into environmental protection projects aimed at contributing to climate protection while promoting sustainable development at local levels. All supported projects have been certified as eligible for compensation by the German Federal Environment Agency (Umweltbundesamt).

The Munich I Regional Court ruled that Avia's advertising does not violate the German Act Against Unfair Competition (UWG)\*. The court held that Avia meets the legal requirements for transparency and truthfulness concerning its advertised climate protection measures and does not engage in greenwashing. In its reasoning, the court stated that "the chamber finds no misleading conduct under Section 5 UWG nor any withholding of essential information within the meaning of Section 5a UWG in the disputed advertising."

*"This judgment is an important victory for our client and highlights the significance of a legally sound review of advertising claims related to climate neutrality,"* commented Dr Oliver Spieker, a partner at GÖRG and Avia's representative in the proceedings. *"The court's decision provides clarity on the standards for presenting CO2 compensation in advertising. The evaluation is based on the understanding of an informed consumer who is aware of the meaning of such advertising claims. At the same time, the ruling demonstrates that companies must be able to rely on statements from the Federal Environment Agency."*

\*The judgment is not yet final.

Advisors Avia

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## About GÖRG

GÖRG is one of Germany's leading and independent business law firms.

With around 350 professionals in the fields of legal advice, tax advice and auditing at our five offices in Berlin, Frankfurt am Main, Hamburg, Cologne and Munich, we advise well-known domestic and foreign companies, medium-sized enterprises as well as financial investors and listed groups from all sectors of the economy and the public sector.

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