



## Communication of the State Secretariat for Economic Affairs (SECO), Efingerstrasse 1, CH-3003 Berne, in the matter of Intercable-Verlag AG in Liquidation

Ruling by the Cantonal Court of Zug dated 1 October 2009 (English version, translated from the German)

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1. Intercable-Verlag AG in Liquidation is prohibited by the courts, with reference to the threat of the consequences under criminal law for its executive bodies responsible in accordance with Art. 292 StGB [Swiss Criminal Code] (Sanction: fine), from allowing forms to be signed via agents for the inclusion in a private register of companies, for which a fee is charged, by the agents deceiving the addressees into believing that the inclusion into the register of companies is free of charge despite the fact that by signing the form the addressee is concluding an insertion agreement for which a fee is charged. In particular, prior to the form being signed by the addressees Intercable-Verlag AG in Liquidation must refrain from making the following statements via the agents acting on its behalf:
  - By signing the form the addressee is only confirming that the information is correct.
  - The agent has only contacted the addressee in order to update and correct the details on the company.
  - The purpose of this is only to verify the details published in Intercable-Verlag AG in Liquidation's director against the addressee's current details.
  - Signing the form only confirms that the agent has contacted the addressee.
  - Payment is only due if advertising services are subsequently ordered by fax.
  - The service is free and by signing the form the addressee is not incurring any costs.
2. Intercable-Verlag AG in Liquidation is prohibited by the courts, with reference to the threat of the consequences under criminal law for its executive bodies responsible in accordance with Art. 292 StGB [Swiss Criminal Code] (Sanction: fine), from allowing forms to be signed via agents for the inclusion in a private register of companies, for which a fee is charged, by the agents preventing the addressees, in any way whatsoever, from duly learning about the text of the agreement, in particular through the following actions:
  - By the agents failing to notify the addressees in advance of their visits and purposely contacting the secretarial or reception staff who are obviously or by definition not authorised to act as signatories.
  - By taking advantage of busy situations, common practice (e.g. the routine signing of confirmations of receipt and similar documents without their content being precisely checked), lack of language skills and business experience on the part of the other person.
  - By passages of the text of the agreement being covered or otherwise (not physically) withheld.
  - By other details material to the agreement only being inserted into the agreement form after it has been signed by the addressee.

3. Intercable-Verlag AG in Liquidation is prohibited by the courts, with reference to the threat of the consequences under criminal law for its executive bodies responsible in accordance with Art. 292 StGB [Swiss Criminal Code] (Sanction: fine), from insisting on claims for payment which are based on an activity in accordance with No. 1 and 2, from asserting such claims for payment or allowing such claims to be asserted.
4. The Swiss Confederation is authorised to publish No. 1-4 of this notification of ruling in a maximum DIN A4 format, at Intercable-Verlag AG in Liquidation's costs, in a national daily newspaper selected by the Plaintiff in each of the countries of England, Greece, the Czech Republic and Hungary.