

Needish wins Chile consumer rights lawsuit




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Chilean social network and services advertisement platform Needish has won a lawsuit brought by Chile's consumer watchdog SERNAC, which alleged that the company infringed consumers' rights.



Launched in 2007, Needish was bought out by Groupon in 2010.

SERNAC had argued that Groupon's terms and conditions outlined on its website contained several abusive clauses in detriment to consumers' rights, and was seeking to force Needish to pay compensation for damages caused to consumers who purchased goods and services under said conditions.

In line with Needish's defense, the Court of Appeal of Santiago found that the claimant did not satisfactorily prove the effectiveness of t  thus dismissing the majority of the alleged abusive clauses and dismissing the claim for the payment of compensation.

abusiveness of the clauses was not effective, since they did not produce an imbalance between the parties of the company-consumer relationship.

The Court stated that the judges assessed the evidence in compliance with the rules stipulated by Law No. 19,496, finding that Needish was not liable for any breach of those rules, and ruling in favor of Needish.

Needish was advised in the case by DLA Piper in Chile, with a team led by Macarena Iturra, and who was assisted by associate Andrea de la Vega.

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