



Competition supervision proceeding initiated against the online dating site be2

The Gazdasági Versenyhivatal (GVH – the Hungarian Competition Authority) initiated a competition supervision proceeding against be2 S.à.r.l. (be2), which offers an online dating service, for a suspected infringement of the prohibition of unfair commercial practices.

After the so-called ICPEN Sweep at the beginning of 2018, the GVH [indicated](#) that it wishes to place greater emphasis on the examination of online dating sites' commercial practices. The necessity of this endeavour was supported by market signals coming to the attention of the GVH in relation to the behaviour of be2. On this basis, the GVH decided to initiate a competition supervision proceeding in order to investigate several aspects of the behaviour of be2 in relation to services offered on the website www.be2.hu, which gave rise to the suspicion of the existence of unfair commercial practices against consumers.

The GVH, among others, investigates

- whether be2 does in fact provide the services offered on its [website](#) **free of charge** or whether members only have restricted access to these services for free;
- whether the average consumer is reasonably likely to notice the information relating to the automatic extension of the **premium subscription** and the applicable fee during the extended period;
- the manner in which the concerned undertaking employs **anonymous or pseudonym profiles** which are created by the undertaking itself and which do not belong to real users, and whether it appropriately informs consumers about the employment of this practice;
- whether it provides accurate information about the **number of users** of its service;
- whether **information necessary to enable a realistic evaluation** of its service is provided on its website – through the publication in an understandable manner of its General Terms and Conditions (GTCs) – thereby enabling consumers to make an informed decision;
- whether its communication employed in relation to the **termination of the contract** for the use of the service results in an unfair commercial practice due to the fact that
 - while the use of the service is possible after only a few clicks, the termination must conform to **formal requirements** (e.g. the consumer may only terminate the contract in a valid way by sending by post or via fax a declaration to an address abroad);

- the **contradictory commercial communication relating to the deadline** for termination imposes an unreasonable burden on the consumer as regards to the search for information;
- the display of the possible **alternative choices** is uneven (e.g. the option for deleting the user’s profile is displayed separately from other options, in a different location).

The initiation of the competition supervision proceeding does not mean that the undertaking in question has actually committed an infringement. The proceeding seeks to clarify the facts and to prove that the presumed infringement has been committed. The GVH must conclude the proceeding within 3 months; however, this time limit can be extended two times by a maximum of 2 months, respectively, depending on the complexity of the case.

The information made available earlier by the GVH on the dangers of online dating services may be accessed on the Authority’s website [here](#) (the page is only available in Hungarian). Further notices of the GVH’s campaign entitled “Think Through Calmly” are available (in Hungarian only) under the [Think Through Calmly menu](#).

Case Number: **Vj/19/2018.**

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Hungarian Competition Authority

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