

- does not denigrate or discredit the trademarks, trade names or other distinguishing activities of a competitor
- does not take unfair advantage of the reputation of a trademark, trade name or other distinguishing marks of a competitor.³⁹

4.31 The following are some illustrative **examples of breaches of the rules on comparative advertising**.

When you advertise for new business

- Making comparisons with other property sales businesses that are not true, for example regarding numbers of property for sale, levels of fees and charges, opening hours, number of offices or number of staff.
- Advertising that
 - you are the leading property sales business in a particular area or field when you are not (or cannot evidence this), and/or
 - you have a particular market share in that area when you do not.
- Providing out-of-date market share information in advertisements.
- Claiming in advertisements that you have more web marketing than any other property sales business, when you do not or cannot evidence this.

³⁹ The full list of conditions can be found in the OFT's quick guide to the BPRs (www.offt.gov.uk/business-advice).