

## **A CASE BRIEF**

THE NAME OF THE CASE: Complaint to the Pet Shop

PARTIES:

Defendant: The Pet Shop Owner

Plaintiff: Mr. Jason Sipe

A SUMMARY OF THE FACTS OF THE CASE:

The facts of the case are as follows: On 11 November 2012 I purchased a hamster and the same day it died. The hamster should be a present for my son and this error put me in a difficult position. I phoned to the Pet Shop to ask for a replacement. There was no one who would apologise me and the Pet Shop Owner told me that this is not his problem.

The lower court decided in favour of the defendant. It held that there is no reason for monetary compensation and that the Pet Shop Owner has no responsibility for sold animals.

LEGAL ISSUE:

The question before the court is whether I have the claim to obtain redress.

THE RULING OF THE COURT:

Then the case went to appeal. The Court of Appeal reversed the lower court decision.

THE REASONING OF THE COURT:

The court reasoned that the defendant is guilty. The court pointed out that the defendant is bound by the business conditions and terms. The court drew the conclusion that the plaintiff has the claim to obtain redress.

The Court of Appeals ruled in favour of the plaintiff.

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