

### ***The name of the case***

Complaint to the EasyDoesIt Mobile Company

### ***Parties***

Plaintiff: Ing. Isaac Cheapskate

Defendant: The EasyDoesIt Mobile Company

### ***The summary of the case***

On 13. 9. 2012 ordered Mr. Cheapskate new cell phone from EasyDoesIt Mobile Company via their websites [www.easydoesitmobile.com](http://www.easydoesitmobile.com). The device was supposed to come within three days. Not only that it came after a month, but the device itself was missing and Mr. Cheapskate received only a package with a scale model of ordered phone. Right after he found out that the phone is missing, he tried to contact EasyDoesIt Mobile Company in order to file a complaint.

The defendant argued that Mr. Cheapskate has indeed ordered just the scale model and not actual phone as is shown on the order number 1003/139 that Mr. Cheapskate filled. The lower court decided that the plaintiff obtained ordered goods, and therefore is the defendant not responsible for any compensation.

### ***Legal Issue***

The question that should be answered by the court is whether has Mr. Cheapskate the claim to obtain redress, because he was deliberately deceived by the EasyDoesIt Mobile Company, to believe he was actually buying communicational device.

### ***The ruling if the court***

Mr. Cheapskate was unsatisfied with the lower court decision and appealed to higher court that reversed the lower court decision.

### ***The reasoning of the Court of Appeal***

The court found the defendant guilty, because the EasyDoesIt Mobile Company has deliberately misleading information of the products on its websites. This is the breach of the business terms and conditions, and so the Court of Appeal decided, that plaintiff has the claim to obtain redress and apology from the EasyDoesIt Mobile Company.

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Jihlava, 27. 11. 2012