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# press release

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## CMS Hasche Sigle wins court case for savings banks

Stuttgart – The “Sparkassen” savings and loan banks are not violating competition law by blocking access to their cash machines for credit cards issued by direct banks. The direct banks withdrew their claim in the last remaining injunction case during oral proceedings before Stuttgart Higher Regional Court (HRC) on 18 June 2009. In all three cases that went to appeal (Naumburg HRC, Celle HRC, Stuttgart HRC), the courts came out clearly in support of the respective savings and loan bank in the oral proceedings.

Dr Matthias Eck, partner at CMS Hasche Sigle, led the team that advised the Sparkassen: "In terms of competition law, the savings and loan banks are free to decide who can withdraw money from their cash machines and who can't."

This resolution comes after several concurrent lawsuits filed throughout Germany which led to the direct banks being granted temporary injunctions against individual savings and loan banks. The injunctions prohibited the relevant savings and loan banks from programming their cash machines to reject Visa cards issued by the direct banks.

At no point were direct bank customers denied access to the cash machines completely, however. They were, and remain, able to use an EC card to withdraw cash from Sparkassen ATMs.

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