

FREE READING THE FORMATION OF CONTRACT NEW FEATURES AND DEVELOPMENTS IN CONTRACTING EUROPAISCHES PRIVATRECHT SEKTION B GEMEINSAME (PDF)

THE FORMATION OF CONTRACT VOLLHARMONISIERUNG UND EUROPÄISCHES PRIVATRECHT COMMENTARIES ON EUROPEAN CONTRACT LAWS FINANCIAL SERVICES, FINANCIAL CRISIS AND GENERAL EUROPEAN CONTRACT LAW TOWARDS A EUROPEAN CONTRACT LAW GOOD FAITH IN EUROPEAN CONTRACT LAW COMPARATIVE CONTRACT LAW UNEXPECTED CIRCUMSTANCES IN EUROPEAN CONTRACT LAW CONTRACT LAW THE POLITICS OF THE DRAFT COMMON FRAME OF REFERENCE EUROPÄISCHES PRIVATRECHT IN VIELFALT GEEINT - DROIT PRIVÉ EUROPÉEN: L'UNITÉ DANS LA DIVERSITÉ THE CREATION AND INTERPRETATION OF COMMERCIAL LAW JUDICIAL COOPERATION IN EUROPEAN PRIVATE LAW LAW IN TRANSITION CISG VS. REGIONAL SALES LAW UNIFICATION THE FOUNDATIONS OF EUROPEAN PRIVATE LAW INTRODUCTION TO MIDDLE EASTERN LAW (NON-)CONFORMITY IN THE 1980 UN CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS EUROPEAN COMMUNITY LAW FOR THE NEW ECONOMY SMART CONTRACTS AND COMPARATIVE LAW RESEARCH HANDBOOK ON INTERNATIONAL INSURANCE LAW AND REGULATION OBLIGATIONS IN ROMAN LAW VARIETIES OF EUROPEAN ECONOMIC LAW AND REGULATION THE NEW LEGAL FRAMEWORK FOR E-COMMERCE IN EUROPE INSURTECH: A LEGAL AND REGULATORY VIEW THE TRANSFORMATION OF EUROPEAN PRIVATE LAW NATIONALISM AND PRIVATE LAW IN EUROPE EUROPÄISCHES VERTRAGSRECHT CROSS-BORDER TRADE SECRET DISPUTES IN THE EUROPEAN UNION RULES AND NETWORKS THE DRAFT UNCITRAL DIGEST AND BEYOND CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS THE UNIDROIT PRINCIPLES IN PRACTICE LEGAL CHALLENGES IN THE NEW DIGITAL AGE EUROPEAN FAMILY LAW VOLUME III RELIGION PAST & PRESENT EU LAW AND PRIVATE INTERNATIONAL LAW FORUM SHOPPING DESPITE UNIFICATION OF LAW INTERNATIONAL CONFLICT OF LAWS FOR THE THIRD MILLENNIUM: ESSAYS IN HONOR OF FRIEDRICH K. JUENGER PRINCIPLES OF INTERNATIONAL TRADE LAW AS A MONISTIC SYSTEM

THE FORMATION OF CONTRACT 2016

DER BAND DOKUMENTIERT EINE DEUTSCH SPANISCHE FACHTAGUNG UBER MODERNE ENTWICKLUNGEN IM RECHT DES VERTRAGSSCHLUSSES

VOLLHARMONISIERUNG UND EUROPÄISCHES PRIVATRECHT 2013-07-31

IN EINER PHASE IN DER SICH DIE WISSENSCHAFTLICHE UND POLITISCHE AUFMERKSAMKEIT AUF EINEN WETTBEWERB DER VERSCHIEDENEN PRIVATRECHTSKODIFIKATIONEN DER MITGLIEDSTAATEN RICHTEN UND DARÜBER HINAUS EIN VERTIKALER WETTBEWERB NATIONALER KODIZES IM VERHÄLTNISS ZU EUROPÄISCHEN UND SUPRANATIONALEN REGELWERKEN ANKLINGT ERSCHEINEN VOLLHARMONISIERENDE RICHTLINIEN EHER ALS RECHTSCHRITTE FÜR DIE FORTENTWICKLUNG DES EUROPÄISCHEN PRIVATRECHTS DIE VORLIEGENDE ARBEIT WILL VERSUCHEN AUSZULOTEN WAS DAS KONZEPT DER VOLLHARMONISIERUNG IM PRIVATRECHT TATSÄCHLICH ZU LEISTEN IM STANDE IST TROTZ DES AKTUELLEN EINDRUCKS SCHWER LASTENDER KRITIKVERDIENT DIE VOLL HARMONISIERUNG ALS DURCHAUS TRADITIONSREICHE METHODE DER RECHTSANGLEICHUNG EINE UNVOREINGENOMMENE UNTERSUCHUNG IHRER WIRKWEISE IHRER IMPLIKATIONEN UND IHRER PRAXISTAUGLICHKEIT

COMMENTARIES ON EUROPEAN CONTRACT LAWS 2018-07-13

THE BOOK PROVIDES RULE BY RULE COMMENTARIES ON EUROPEAN CONTRACT LAW GENERAL CONTRACT LAW CONSUMER CONTRACT LAW THE LAW OF SALE AND RELATED SERVICES DEALING WITH ITS MODERN MANIFESTATIONS AS WELL AS ITS HISTORICAL AND COMPARATIVE FOUNDATIONS AFTER THE COLLAPSE OF THE EUROPEAN COMMISSION'S PLANS TO CODIFY EUROPEAN CONTRACT LAW IT IS TIMELY TO REFLECT ON WHAT HAS BEEN ACHIEVED OVER THE PAST THREE TO FOUR DECADES AND FOR AN ASSESSMENT OF THE CURRENT SITUATION IN PARTICULAR THE PRODUCTION OF A BEWILDERING NUMBER OF REFERENCE TEXTS HAS CONTRIBUTED TO A COMPLEX PICTURE OF EUROPEAN CONTRACT LAWS RATHER THAN A EUROPEAN CONTRACT LAW THE PRESENT BOOK ADOPTS A BROAD PERSPECTIVE AND AN INTEGRATIVE APPROACH ALL RELEVANT REFERENCE TEXTS FROM THE CISG TO THE DRAFT COMMON EUROPEAN SALES LAW ARE CRITICALLY EXAMINED AND COMPARED WITH EACH OTHER AS FAR AS THE ACQUIS COMMUNE THE TRADITIONAL PRIVATE LAW AS LAID DOWN IN THE NATIONAL CODIFICATIONS IS CONCERNED THE PRINCIPLES OF EUROPEAN CONTRACT LAW HAVE BEEN CHOSEN AS A POINT OF DEPARTURE THE RULES CONTAINED IN THAT DOCUMENT HAVE HOWEVER BEEN COMPLEMENTED WITH SOME CHAPTERS SECTIONS AND INDIVIDUAL PROVISIONS DRAWN FROM OTHER SOURCES PRIMARILY IN ORDER TO ACCOUNT FOR THE QUICKLY GROWING ACQUIS COMMUNAUTAIRE IN THE FIELD OF CONSUMER CONTRACT LAW IN ADDITION THE BOOK TIES THE DISCUSSION CONCERNING THE REFERENCE TEXTS BACK TO THE PERTINENT HISTORICAL AND COMPARATIVE BACKGROUND AND IT THUS INVESTIGATES WHETHER AND TO WHAT EXTENT THESE TEXTS CAN BE TAKEN TO BE GENUINELY EUROPEAN IN NATURE IE TO CONSTITUTE A MANIFESTATION OF A COMMON CORE OF EUROPEAN CONTRACT LAW WHERE THIS IS NOT THE CASE THE QUESTION IS ASKED WHETHER AND FOR WHAT REASONS THEY SHOULD BE SEEN AS POINTS OF DEPARTURE FOR THE FURTHER DEVELOPMENT OF EUROPEAN CONTRACT LAW

FINANCIAL SERVICES, FINANCIAL CRISIS AND GENERAL EUROPEAN CONTRACT LAW 2011-01-01

SPECULATION IS RIFE ON THE ORIGINS OF THE WORLDWIDE FINANCIAL CRISIS OF 2008 WITH A PREPONDERANCE FOCUSING ON ALLEGED SHORTCOMINGS IN CORPORATE GOVERNANCE THIS BOOK OFFERS A DISTINCT YET COMPLEMENTARY PERSPECTIVE THAT THE MOST USEFUL PATH TO FOLLOW IF WE WANT TO UNDERSTAND WHAT HAPPENED AND FORESTALL ITS HAPPENING AGAIN IS THROUGH AN ANALYSIS OF CONTRACT RELATIONSHIPS SPECIFICALLY BANKING CONTRACTS ENTERED INTO IN THE FINANCIAL SERVICES SECTOR CONSIDERED UNDER THE RUBRIC OF CONTRACT LAW RATHER THAN COMPANY LAW BECAUSE BANKING IS THE AREA OF EUROPEAN CONTRACT LAW WHICH IS MOST THOROUGHLY DEVELOPED BANKING CONTRACTS CAN BE SEEN AS PARADIGMATIC OF TYPICAL ASSUMPTIONS AND SHORTCOMINGS OFTEN EXAMINED IN THE MORE GENERAL DEBATE ON CONTRACT LAW AND INDEED THE VERY THOROUGHNESS OF EUROPEAN BANKING CONTRACT

LAW MAKES IT A PROMISING GROUND ON WHICH TO BUILD EFFECTIVE PREVENTIVE MEASURES IN THIS BOOK THIRTEEN NOTED SCHOLARS RECOGNIZING THAT MODERN CONTRACT LAW MUST TAKE INTO ACCOUNT GLOBAL MARKETS AND RISKS CONSIDER BANKING CONTRACTS WITHIN NETWORKS AND WITHIN MASS TRANSACTIONS ALWAYS ATTENDING TO THE LONG TERM RELATIONSHIPS THAT CHARACTERIZE FINANCIAL SERVICES CONTRACTS THEY FOCUS ON SUCH CROSS SECTOR ISSUES AS THE FOLLOWING RULE SETTING AND THE QUESTION OF WHO SHOULD BEST REGULATE AND AT WHICH LEVEL NETWORKS OF CONTRACTS AS THE BACKBONE OF A MARKET ECONOMY THE COMPLEX INTERPLAY BETWEEN MARKET REGULATION AND TRADITIONAL CONTRACT LAW AVOIDING ERRONEOUS ASSUMPTIONS ABOUT THE FUTURE DEVELOPMENT OF PRICES THE PASSING ON OF THE RISK VIA SECURITIZATION RATING RELATIONSHIPS AFFECTED BY CONFLICTS OF INTERESTS REMUNERATION PROBLEMS CORE DUTIES OF INFORMATION AND ADVICE IN AN AGENCY RELATIONSHIP IN SERVICES FIDUCIARY DUTIES OF LOYALTY AND CARE TYPES OF CLIENTS AND LEVEL OF PROTECTION DIFFERENTIATION IN INFORMATION AVAILABLE ON VARIOUS MARKETS AND THE QUESTION OF ENFORCEMENT

TOWARDS A EUROPEAN CONTRACT LAW 2011-08-29

FOR SOME WESTERN EUROPEAN LEGAL SYSTEMS THE PRINCIPLE OF GOOD FAITH HAS PROVED CENTRAL TO THE DEVELOPMENT OF THEIR LAW OF CONTRACTS WHILE IN OTHERS IT HAS BEEN MARGINALIZED OR EVEN REJECTED THIS BOOK STARTS BY SURVEYING THE USE OR NEGLECT OF GOOD FAITH IN THESE LEGAL SYSTEMS AND EXPLAINING ITS HISTORICAL ORIGINS THE CENTRAL PART OF THE BOOK TAKES THIRTY SITUATIONS WHICH WOULD IN SOME LEGAL SYSTEMS ATTRACT THE APPLICATION OF GOOD FAITH ANALYSES THEM ACCORDING TO FIFTEEN NATIONAL LEGAL SYSTEMS AND ASSESSES THE PRACTICAL SIGNIFICANCE OF BOTH THE PRINCIPLE OF GOOD FAITH AND ITS RELATIONSHIP TO OTHER CONTRACTUAL AND NON CONTRACTUAL DOCTRINES AND FORMS OF REGULATION IN EACH SITUATION THE BOOK CONCLUDES BY EXPLAINING HOW EUROPEAN LAWYERS WHETHER FROM A CIVIL OR COMMON LAW BACKGROUND MAY NEED TO COME TO TERMS WITH THE PRINCIPLE OF GOOD FAITH THIS WAS THE FIRST COMPLETED PROJECT OF THE COMMON CORE OF EUROPEAN PRIVATE LAW LAUNCHED AT THE UNIVERSITY OF TRENTO

GOOD FAITH IN EUROPEAN CONTRACT LAW 2000-06-08

THIS COMPREHENSIVE HANDBOOK OFFERS A THOUGHTFUL SURVEY OF CONTRACT THEORIES ISSUES AND CASES IN ORDER TO REASSESS THE FIELD S PRESENT VISION OF CONTRACT LAW IT ENGAGES A CRITICAL SEARCH FOR THE FAULT LINES WHICH CROSS TRADITIONS OF THOUGHT AND GLOBALIZED LANDSCAPES COMPARATIVE CONTRACT LAW IS BUILT AROUND FOUR MAIN GROUPS OF INSIGHTS INCLUDING THE GENEALOGIES OF CONTRACTUAL THEORETICAL THINKING THE CONTENTIOUS RELATIONSHIP BETWEEN PRIVATE GOVERNANCE AND NORMATIVE REGULATIONS THE COMPETING STYLES USED TO STAGE CONTRACT LAW AND THE CONCURRING OPINIONS EXPRESSED WITHIN THE DOMAIN OF OTHER DISCIPLINES SUCH AS LITERATURE AND POLITICAL THEORY THE CHAPTERS IN THE BOOK TEASE OUT THE TENSIONS BETWEEN A GLOBAL CONTEXT AND LOCAL FRAMEWORKS AS WELL AS THE MOVABLE THRESHOLDS BETWEEN CANONICAL EXPRESSIONS AND HETERODOX CONSTRUCTIONS

COMPARATIVE CONTRACT LAW 2017-04-28

THE RECENT FINANCIAL CRISIS HAS QUESTIONED WHETHER EXISTING CONTRACTS MAY BE ADAPTED TERMINATED OR RENEGOTIATED AS A RESULT OF UNEXPECTED CIRCUMSTANCES THE QUESTION IS NOT A NEW ONE IN MEDIEVAL TIMES THE NOTION OF CLAUSULA REBUS SIC STANTIBUS WAS DEVELOPED TO COPE WITH SUCH SITUATIONS AND GERMANY INTRODUCED THE THEORY OF WEGFALL DER GESCH^[?] FTSGRUNDLAGE IN ENGLAND THE CORONATION CASES PROVIDED ONE POSSIBLE ANSWER THIS COMPARATIVE STUDY EXPLORES THE POSSIBILITY OF CLASSIFYING JURISDICTIONS AS OPEN OR CLOSED IN THIS REGARD

UNEXPECTED CIRCUMSTANCES IN EUROPEAN CONTRACT LAW *2011-03-03*

THIS IS THE SECOND EDITION OF THE WIDELY ACCLAIMED AND SUCCESSFUL CASEBOOK ON CONTRACT IN THE IUS COMMUNE SERIES DEVELOPED TO BE USED THROUGHOUT EUROPE AND AIMED AT THOSE WHO TEACH LEARN OR PRACTISE LAW WITH A COMPARATIVE OR EUROPEAN PERSPECTIVE THE BOOK CONTAINS LEADING CASES LEGISLATION AND OTHER MATERIALS FROM THE LEGAL TRADITIONS WITHIN EUROPE WITH A FOCUS ON ENGLISH FRENCH AND GERMAN LAW AS THE MAIN REPRESENTATIVES OF THOSE TRADITIONS THE BOOK CONTAINS THE BASIC TEXTS AND CONTRASTING CASES AS WELL AS EXTRACTS FROM THE VARIOUS INTERNATIONAL RESTATEMENTS THE VIENNA SALES CONVENTION THE UNIDROIT PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTRACTS THE PRINCIPLES OF EUROPEAN CONTRACT LAW THE DRAFT COMMON FRAME OF REFERENCE AND SO ON MATERIALS ARE CHOSEN AND ORDERED SO AS TO FOSTER COMPARATIVE STUDY AND COMPLEMENTED WITH ANNOTATIONS AND COMPARATIVE OVERVIEWS PREPARED BY A MULTINATIONAL TEAM THE WHOLE CASEBOOK IS IN ENGLISH THE PRINCIPAL SUBJECTS COVERED IN THIS BOOK INCLUDE GENERAL INCLUDING THE DISTINCTIONS BETWEEN CONTRACT AND PROPERTY TORT AND RESTITUTION FORMATION VALIDITY INTERPRETATION AND CONTENTS REMEDIES SUPERVENING EVENTS AND THIRD PARTIES PLEASE CLICK ON THE LINK BELOW TO VISIT THE SERIES WEBSITE CASEBOOKS EU CONTRACTLAW

CONTRACT LAW *2010-11-09*

THIS COLLECTION OF ESSAYS REFLECTS BOTH THE DIVERSITY OF THE GROUP'S WORK AND THE COMMON THREAD THAT RUNS THROUGH IT THE CORE CLAIM HERE IS THAT THE DCFR DESPITE THE COMMISSION'S CHARACTERIZATION OF ITS PROPOSALS AS PURELY TECHNICAL CANNOT ESCAPE POLITICS THE INTENT IS TO CRITICALLY IDENTIFY AND EVALUATE THE MODEL OF SOCIAL JUSTICE UNDERLYING THE DCFR

THE POLITICS OF THE DRAFT COMMON FRAME OF REFERENCE *2009-01-01*

FAMILIEN ERB UND SACHENRECHT BEFINDEN SICH ZUNEHMEND IN EINEM SPANNUNGSFELD ZWISCHEN NATIONALEM RECHT UND UNIONSRECHT EINE LÖSUNG DIE MÖGLICHST SCHONEND MIT HISTORISCHEN UND KULTURELLEN TRADITIONEN DER EU MITGLIEDSTAATEN UMGEHT IST DIE DIFFERENZIERTE INTEGRATION DARÜBER DISKUTIEREN DIE AUTOREN IN DIESEM BAND

EUROPÄISCHES PRIVATRECHT IN VIELFALT GEEINT - DROIT PRIVÉ EN EUROPE EN: L'UNITÉ DANS LA DIVERSITÉ *2011-06-30*

THIS TITLE WAS FIRST PUBLISHED IN 2003 THIS VOLUME CONTAINS ESSAYS BY PROMINENT COMMENTATORS ON TOPICS IN COMMERCIAL LAW IT ADDRESSES THE INCREASING HARMONIZATION OF INTERNATIONAL COMMERCIAL LAW AND THE ESSAYS DEMONSTRATE DIFFERENT METHODOLOGIES USED IN ANALYSING COMMERCIAL LAW SUCH AS ECONOMIC AND JURISPRUDENTIAL APPROACHES

THE CREATION AND INTERPRETATION OF COMMERCIAL LAW *2022-03-21*

NOTWITHSTANDING RECENT INCREASES IN THE SCOPE FOR JUDICIAL COOPERATION AND DIALOGUE BETWEEN EUROPEAN COURTS LITTLE RESEARCH HAS BEEN UNDERTAKEN INTO THE IMPACT OF THE JURISPRUDENCE OF THE EUROPEAN COURT OF JUSTICE AND THE DIALOGUE THAT ARISES THEREFROM IN NATIONAL LEGAL SYSTEMS BETWEEN COURTS AND REGULATORS THIS COHERENT COLLECTION OF ORIGINAL CHAPTERS PROVIDES UNIQUE INSIGHTS INTO THESE DEVELOPMENTS WITH A PARTICULAR FOCUS ON CONSUMER LAW FROM A BROAD RANGE OF STAKEHOLDERS INCLUDING ACADEMICS AND JUDGES FROM THE EU AND THE US

JUDICIAL COOPERATION IN EUROPEAN PRIVATE LAW 2017-05-26

THE STATES OF CENTRAL AND EASTERN EUROPE HAVE TO DIFFERENT EXTENTS AND WITH VARYING LEVELS OF SUCCESS ENGAGED IN THE TRANSITION FROM AUTHORITARIAN RULE THE RE CONSTRUCTION OF DEMOCRATIC LAW BASED GOVERNANCE HAS TURNED OUT TO BE A LENGTHY AND AT TIMES FRUSTRATING PROCESS THE AGENDA FOR POST COMMUNIST REFORM CONTAINS MANY ENTRIES YET A TRANSITION BLUE PRINT IS NOT AVAILABLE THE PAPERS COLLECTED IN THIS VOLUME EXPLORE THE IMPLICATIONS OF THE TRANSITION PROCESS IN VARIOUS AREAS WHILE NOT ALL ASPECTS OF POST COMMUNIST LAW ARE COVERED SEVERAL CRUCIAL ISSUES RECEIVE AN IN DEPTH TREATMENT THESE ARE THE DEVELOPMENT OF SUPRA GOVERNMENTAL SYSTEMS THE PROCURACY MINORITY RIGHTS CONTRACT LAW LAND OWNERSHIP AND INDUSTRIAL PROPERTY RIGHTS DISPLAYING REMARKABLE SCHOLARLY AS WELL AS PRACTICAL LEGAL EXPERTISE THE VARIOUS CONTRIBUTORS TO THIS VOLUME ILLUSTRATE THE PROBLEMS IN AND THE POTENTIAL OF THESE POLICY AREAS

LAW IN TRANSITION 2021-10-25

IN OCTOBER 2011 THE EUROPEAN COMMISSION INTRODUCED ITS PROPOSAL FOR A REGULATION ON A COMMON EUROPEAN SALES LAW CESL WHICH COVERS INTER ALIA INTERNATIONAL BUSINESS SALES A SUBJECT ALREADY REGULATED BY THE CONVENTION OF INTERNATIONAL SALE OF GOODS CISG WHICH WAS RATIFIED BY 78 MEMBER STATES HOW DOES THIS NEW PROPOSAL FIT THE EXISTING UNIFORM SALES LAW HOW HAVE OTHER REGIONS OF THE WORLD MANAGED THE COEXISTENCE OF GLOBAL AND REGIONAL SALES LAW UNIFICATION WHAT CAN EUROPE LEARN FROM THE U S EXPERIENCE CONCERNING THE CISG AND THE UNIFORM COMMERCIAL CODE WHAT CAN WE LEARN FROM THE AFRICAN OHADA WHICH MADE CISG MORE OR LESS THE INTERNAL LAW OF 17 AFRICAN STATES WHAT FROM AUSTRALIA WHERE CISG AND COMMON LAW EXIST ALONGSIDE ALL THESE QUESTIONS ARE INTENSELY DISCUSSED IN THIS HIGHLY RECOMMENDABLE BOOK WRITTEN BY RENOWNED AUTHORS LIKE LARRY DIMATTEO HARRY FLECHTNER FRANCO FERRARI ROBERT KOCH ULRICH MAGNUS AND BRUNO ZELLER

CISG vs. REGIONAL SALES LAW UNIFICATION 2012-08-31

THERE REMAINS AN URGENT NEED FOR A DEEPER DISCUSSION OF THE THEORETICAL POLITICAL AND FEDERAL DIMENSIONS OF THE EUROPEAN CODIFICATION PROJECT WHILE MUCH VALUABLE WORK HAS ALREADY BEEN UNDERTAKEN THE CHAPTERS IN THIS VOLUME TAKE AS THEIR STARTING POINT THE PROPOSITION THAT FURTHER REFLECTION AND CRITICAL THOUGHT WILL ENHANCE THE QUALITY AND EFFICACY OF THE ON GOING WORK OF THE VARIOUS CODIFICATION BODIES THE VOLUME CONTAINS CHAPTERS BY REPRESENTATIVES OF THE COMMON FRAME OF REFERENCE THE STUDY GROUP AND THE ACQUIS GROUP AS WELL AS BY THOSE WHO HAVE NOT BEEN INVOLVED IN PARTICULAR PROJECTS BUT WHO HAVE PREVIOUSLY COMMENTED MORE DISTANTLY ON THEIR WORK FOR INSTANCE THOSE BELONGING TO THE TRENTO GROUP AND THE SOCIAL JUSTICE GROUP THE CHAPTERS BETWEEN THEM REPRESENT THE MOST COMPREHENSIVE ATTEMPT SO FAR TO SURVEY THE STATE OF THE CODIFICATION PROJECT ITS THEORETICAL POLITICAL AND FEDERAL FOUNDATIONS AND THE FUTURE PROSPECTS FOR ENFORCEMENT AND COMPLIANCE

THE FOUNDATIONS OF EUROPEAN PRIVATE LAW 2011-09-19

THIS BOOK PROVIDES AN INTRODUCTION TO THE LAWS OF THE MIDDLE EAST DEFINING THE CONTOURS OF A FIELD OF STUDY THAT DESERVES TO BE CALLED MIDDLE EASTERN LAW IT INTRODUCES MIDDLE EASTERN LAW AS A REFLECTION OF LEGAL STYLES MANY OF WHICH ARE SHARED BY ISLAMIC LAW AND THE LAWS OF CHRISTIAN AND JEWISH NEAR EASTERN COMMUNITIES IT OFFERS A DETAILED SURVEY OF THE FOUNDATIONS OF MIDDLE EASTERN LAW USING COURT ARCHIVES AND AN ARRAY OF LEGAL SOURCES FROM THE EARLIEST RECORDS OF HAMMURABI TO THE MASSIVE COMPENDIA OF LAW IN THE ISLAMIC CLASSICAL AGE THROUGH TO THE LATEST DECISIONS OF MIDDLE EASTERN HIGH COURTS IT FOCUSES ON THE WAY LEGISLATORS AND COURTS CONCEIVE OF LAW AND APPLY IT IN THE MIDDLE EAST IT BUILDS ON THE AUTHOR S EXTENSIVE LEGAL PRACTICE WITH THE AIM OF INTRODUCING THE MIDDLE EASTERN LAW S MAIN SOURCES AND CONCEPTS IN A MANNER ACCESSIBLE TO NON SPECIALIST LEGAL SCHOLARS AND PRACTITIONERS ALIKE THE BOOK BEGINS WITH AN EXPLORATION OF

THE DEPTH AND VARIETY OF MIDDLE EASTERN LAW INTRODUCING THE CONCEPTS OF SHARI A FIQH AND QANUN WHICH ALL MEAN LAW AND DWELLING ON ISLAMIC LAW AS THE COMMON LAW OF THE MIDDLE EAST IT PROVIDES A HISTORICAL INTRODUCTION TO THE CONTEMPORARY MIDDLE EAST EXPLORING POLITICAL SYSTEMS CONSTITUTIONAL LAW JUDICIAL REVIEW THE LAWS OF TORT AND OBLIGATIONS COMMERCIAL LAW INCLUDING ISLAMIC BANKING COMPANY LAW CAPITAL MARKETS AND COMMERCIAL ARBITRATION AND EXAMINES LEGISLATIVE REFORM IN FAMILY LAW AND THE POSITION OF WOMEN IN THE LEGAL SYSTEM THE AUTHOR CONSIDERS THE INTERACTION BETWEEN ISLAMIC AND WESTERN LAWS AND INCLUDES A BIBLIOGRAPHY DESIGNED FOR FURTHER RESEARCH INTO THE JURISDICTIONS AND THEMES EXPLORED THROUGHOUT THE BOOK

INTRODUCTION TO MIDDLE EASTERN LAW *2007-07-12*

THE 1980 UN CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS CISG UNIFIES THE LAW GOVERNING THE RIGHTS AND OBLIGATIONS ARISING FROM A CONTRACT FOR THE INTERNATIONAL SALE OF GOODS FOR THE SELLER AND THE BUYER THE CISG ENTERED INTO FORCE ON 1 JANUARY 1988 THE CURRENT NUMBER OF 62 CONTRACTING STATES REPRESENTING TWO THIRDS OF THE WORLD TRADE SHOWS THE RELEVANCE OF THIS CONVENTION MOREOVER THE INTERNATIONAL CHAMBER OF COMMERCE ICC HAS PUBLISHED A MODEL FOR AN INTERNATIONAL SALES CONTRACT THAT PRESUPPOSES THE APPLICATION OF THE CONVENTION SINCE NO SUPRANATIONAL COURT EXISTS TO SAFEGUARD A UNIFORM INTERPRETATION OF ITS PROVISIONS THE CASE LAW FROM DIFFERENT STATES ON THE BASIS OF THE CISG NEEDS TO BE COMPARED ONE OF THE MAIN OBLIGATIONS FOR THE SELLER UNDER THE CONVENTION IS TO DELIVER GOODS WHICH ARE IN CONFORMITY WITH THE CONTRACT ART 35 CISG WITH RESPECT TO THIS PARTICULAR OBLIGATION A NUMBER OF QUESTIONS HAVE ARISEN FOR EXAMPLE DO THE GOODS DELIVERED NEED TO COMPLY WITH ANY PUBLIC LAW REQUIREMENTS IN THE COUNTRY WHERE THE GOODS WILL BE USED WHEN AND HOW DOES A BUYER HAVE TO GIVE NOTICE TO THE SELLER OF ANY LACK OF CONFORMITY IS ANY FAULT ON THE PART OF THE SELLER REQUIRED FOR A BUYER TO BE ABLE TO RELY ON THIS PROVISION WHO BEARS THE BURDEN OF PROOF CAN A BUYER RELY ON ANY CONCURRENT CLAIMS BASED ON NATIONAL LAW ALONGSIDE HIS CLAIM BASED ON LACK OF CONFORMITY THIS BOOK CONTAINS AN ANALYSIS OF THE CASE LAW THAT HAS BEEN ESTABLISHED ON THE BASIS OF THE CISG CONCERNING THE AFOREMENTIONED QUESTIONS SPECIAL ATTENTION HAS BEEN PAID TO COURT DECISIONS IN AUSTRIA BELGIUM FRANCE GERMANY THE NETHERLANDS AND SWITZERLAND AS WELL AS TO ARBITRAL AWARDS BY THE ICC COURT OF ARBITRATION IN THIS RESPECT THE ROLE OF THE UNIDROIT PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTRACTS IN THE INTERPRETATION OF THE CISG HAS ALSO BEEN ANALYSED THE BOOK PROVIDES A UNIQUE COMBINATION BECAUSE IT CONTAINS BOTH AN ANALYSIS OF THE ISSUE OF NON CONFORMITY AS SUCH AND AN OVERVIEW OF THE RECENT CASE LAW ON THIS TOPIC AS WELL AS RECOMMENDATIONS FOR INTERNATIONAL COMMERCIAL PRACTICE THEREFORE THIS BOOK WILL BE OF INTEREST TO BOTH ACADEMICS AND LEGAL PRACTITIONERS

(NON-)CONFORMITY IN THE 1980 UN CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS *2004*

THE EUROPEAN COMMUNITY EC HAS EMBARKED ON AN AMBITIOUS LEGISLATIVE PROGRAM FOR THE NEW ECONOMY IN EUROPEAN COMMUNITY LAW FOR THE NEW ECONOMY PROFESSOR LUCAS BERGKAMP ANALYZES THE EC S CURRENT AND PROPOSED NEW ECONOMY LEGISLATION THE NEW ECONOMY ACCORDING TO BERGKAMP IS NOT ONLY THE INTERNET THE INFORMATION SOCIETY AND BIOTECHNOLOGY BUT ALSO A DIFFERENT KIND OF OLD ECONOMY A DIFFERENT KIND OF CORPORATE GOVERNANCE AND A DIFFERENT KIND OF GOVERNMENT ACCORDINGLY IN ADDITION TO THE EC E COMMERCE DATA PROTECTION AND BIOTECHNOLOGY LEGISLATION THIS BOOK DISCUSSES ALSO THE GRAND PRINCIPLES OF EC POLICY MAKING SUCH AS SUSTAINABLE DEVELOPMENT AND THE PRECAUTIONARY PRINCIPLE THE THEORY OF CORPORATE SOCIAL RESPONSIBILITY AND EC GOVERNMENT REFORM WITH ITS WIDE RANGING INSIGHTFUL AND ENGAGING ANALYSES AND DEVOID OF OBLIQUITY EC LAW FOR THE NEW ECONOMY IS A UNIQUE PUBLICATION THIS BOOK MUST BE READ BY EVERYBODY WHO WANTS TO GAIN A DEEPER UNDERSTANDING OF THE EFFECTS OF EC LEGISLATION THE ROOT CAUSES OF REGULATORY FAILURES AND POSSIBLE SOLUTIONS TO THESE PROBLEMS IT IS OF INTEREST TO LAWYERS POLITICIANS POLICY MAKERS GOVERNMENT OFFICIALS POLITICAL SCIENTISTS ADVANCED STUDENTS AND AUTODIDACTS LUCAS BERGKAMP IS A LAWYER

AT THE BRUSSELS BAR AND PROFESSOR OF INTERNATIONAL LIABILITY LAW ERASMUS UNIVERSITY ROTTERDAM THE NETHERLANDS

EUROPEAN COMMUNITY LAW FOR THE NEW ECONOMY 2003

THE BOOK ANALYZES THE MOST RELEVANT DEVELOPMENTS IN THE RELATION BETWEEN CONTRACTS AND TECHNOLOGY FROM AUTOMATICALLY CONCLUDED CONTRACTS TO TODAY'S REVOLUTIONARY SMART CONTRACTS DEVELOPED THROUGH BLOCKCHAIN WHICH ARE BEGINNING TO AND WILL INCREASINGLY DISRUPT MANY ECONOMIC AND SOCIAL RELATIONS FIRST OF ALL THE AUTHOR OFFERS A BROAD ANALYSIS OF THE PECULIARITIES AND EVOLUTION OF THE RELATION BETWEEN CONTRACTS AND TECHNOLOGY THE MAIN FEATURES AND ELEMENTS OF ELECTRONIC CONTRACTS ARE THEN EXAMINED IN DEPTH TO HIGHLIGHT THE SPECIFIC RULES APPLICABLE TO THEM IN THE INTERNATIONAL COMPARATIVE LEGAL FRAMEWORK IN TURN THE BOOK PROVIDES A DETAILED EXPLANATION OF THE TECHNOLOGY ECONOMIC AND SOCIAL DYNAMICS AND LEGAL ISSUES CONCERNING BLOCKCHAIN AND SMART CONTRACTS THE ANALYSIS FOCUSES ON THE QUESTION OF THE LEGAL NATURE OF SMART CONTRACTS THE ISSUES POSED BY THEIR DEVELOPMENT AND THE FIRST LEGAL SOLUTIONS ADOPTED IN SOME COUNTRIES THE COMPARATIVE APPROACH PURSUED MAKES IT POSSIBLE TO FOCUS ATTENTION ON THE FIRST SOLUTIONS ADOPTED UNTIL NOW IN VARIOUS SYSTEMS WITH PARTICULAR REGARD TO THE CIRCULATION OF MODELS AND IDEAS AND TO THE SPECIFICITIES OF THEIR LOCAL VARIATIONS IN TERMS OF E.G. APPLICABLE LAW AND JURISDICTION IN REVIEWING THE CHARACTERISTICS OF DISTRIBUTED LEDGER TECHNOLOGIES AND IN PARTICULAR OF THE BLOCKCHAIN TECHNOLOGY ON WHICH SMART CONTRACTS ARE BASED ABOVE ALL THE PECULIARITIES OF THE LATTER ARE TAKEN INTO CONSIDERATION ESPECIALLY AUTOMATIC EXECUTION AND RESISTANCE TO TAMPERING WHICH SIMULTANEOUSLY PRESENT SIGNIFICANT OPPORTUNITIES AND COMPLEX LEGAL ISSUES A COMPREHENSIVE FRAMEWORK IS THEN PROVIDED TO RECONCILE SMART CONTRACTS WITH COMPARATIVE CONTRACT LAW IN ORDER TO DEFINE THE SCOPE AND SPECIFICITIES OF THEIR BINDING FORCE LEGAL EFFECTIVENESS AND REGULATION IN VARIOUS LEGAL SYSTEMS LASTLY WITH SPECIFIC REFERENCE TO THE ELEMENTS PATHOLOGIES AND CONTRACTUAL REMEDIES FOR SMART CONTRACTS THE BOOK EXAMINES THE PECULIARITIES OF THEIR APPLICATION AND THE MAIN ISSUES THAT EMERGE IN COMPARATIVE CONTRACT LAW IN ORDER TO PROMOTE THEIR HARMONIZED USE IN KEEPING WITH THE TRANSNATIONAL NATURE OF SUCH A REVOLUTIONARY TOOL

SMART CONTRACTS AND COMPARATIVE LAW 2021-12-08

GLOBAL INSURANCE AND ITS RAPIDLY EVOLVING LAW AND REGULATION DEMANDS INTERNATIONAL RESEARCH TO THIS AIM THE HANDBOOK OFFERS A TRULY INTERNATIONAL COLLECTION OF ESSAYS HIGHLY RENOWNED EXPERTS ANALYZE THE KEY TOPICS CURRENTLY UNDER INTERNATIONAL DISCUSSION AND DEVELOPMENT WHILE REPRESENTING A DIVERSITY OF NATIONAL JURISDICTIONS THE FOCUS LIES ON THE LARGEST INSURANCE JURISDICTIONS USA UK AND GERMANY BUT NEWLY IMPORTANT JURISDICTIONS LIKE BRAZIL AND CHINA ARE CONSIDERED AS WELL A MOST VALUABLE AND IMPORTANT CONTRIBUTION TO INTERNATIONAL INSURANCE LAW LITERATURE MANFRED WANDT DIRECTOR OF THE INSURANCE LAW INSTITUTE GOETHE UNIVERSITY FRANKFURT GERMANY THIS RESEARCH HANDBOOK IS PUBLISHED AT AN OPPORTUNE TIME A GLOBAL REVIEW OF INSURANCE LAW AND REGULATION IS UNDERWAY MUCH REFORM HAPPENS LOCALLY WITH LITTLE REFERENCE TO DEVELOPMENTS ELSEWHERE AND THIS RESEARCH HANDBOOK BRINGS THE STRANDS TOGETHER IT IS A COMPREHENSIVE REVIEW BY DISTINGUISHED AUTHORS FROM DIFFERENT BACKGROUNDS INCLUDING BOTH LEADING ACADEMICS AND PRACTITIONERS THEY CONSIDER THE DEFINITIONS OF INSURANCE ITS ECONOMIC UNDERPINNINGS COMPARATIVE LAW AND REGULATIONS ACTUAL AND PROPOSED REFORMS THE EFFECTS ON UNDERWRITING AND CLAIMS AND HOW INSURANCE IS STUDIED AND TAUGHT GOOD LAWS AND REGULATION BENEFIT THE MARKET AND ITS CUSTOMERS BAD LAWS AND REGULATION DO THE OPPOSITE THIS BOOK IS REQUIRED READING FOR ALL INVOLVED IN THE REFORM PROCESS DAVID HERTZELL LAW COMMISSIONER GLOBALISATION HAS HAD NO GREATER IMPACT IN THE COMMERCIAL WORLD THAN ON INSURANCE THE LAW WHICH GOVERNS IT AND THE RISKS IT SEEKS TO ADDRESS THOSE WHO INSPIRED THIS PUBLICATION AND THE CONTRIBUTING AUTHORS ARE TO BE THANKED FOR PROVIDING SUCH A NECESSARY AND USEFUL REFERENCE SOURCE IT COVERS SO MUCH OF WHAT INSURANCE PROFESSIONALS NEED TO BE AWARE OF IN THE INSURANCE LAW WORLD OF THE TWENTY FIRST CENTURY MICHAEL GILL PRESIDENT OF THE INTERNATIONAL INSURANCE LAW ASSOCIATION GIVEN ITS ECONOMIC IMPORTANCE INSURANCE IS A FIELD THAT HAS BEEN UNDERSERVED AS AN AREA OF ACADEMIC STUDY THIS

DETAILED BOOK PROVIDES MUCH NEEDED COVERAGE OF INSURANCE LAW AND REGULATION IN ITS INTERNATIONAL CONTEXT PRODUCED IN ASSOCIATION WITH LLOYD S IT DRAWS ON THE EXPERTISE BOTH OF ACADEMICS AND PRACTISING LAWYERS CONTAINING 30 COMPREHENSIVE CHAPTERS IT PROVIDES IN DEPTH STUDIES ON KEY AREAS SUCH AS THE ROLE OF INTERNATIONAL ORGANISATIONS THE JUDICIAL INTERPRETATION OF INSURANCE CONTRACT CLAUSES AND TRANSNATIONAL REGULATORY RECOGNITION IT ALSO PROVIDES THOROUGH INTRODUCTIONS TO IMPORTANT JURISDICTIONS INCLUDING THE EU US AND JAPAN AS WELL AS FOCUSING ON NEWLY EMERGING ECONOMIES SUCH AS CHINA AND BRAZIL SPECIALIST TOPICS COVERED INCLUDE REGULATION BY AND OF LLOYD S THE TORT OF BAD FAITH IN THE US MICROINSURANCE AND TAKAFUL INSURANCE THIS WELL DOCUMENTED RESOURCE WILL APPEAL TO ACADEMICS AND STUDENTS IN INSURANCE LAW AND REGULATION POLICYMAKERS AND PRIVATE PRACTICE LAWYERS THE BOOK ALSO AIMS TO STRETCH THE IMAGINATION OF ANYONE WITH AN INTEREST IN INSURANCE LAW AND REGULATION PROVIDING DETAILED ANALYSIS AND AVENUES FOR FURTHER INVESTIGATION

RESEARCH HANDBOOK ON INTERNATIONAL INSURANCE LAW AND REGULATION 2012

EXPLORES A FUNDAMENTAL BUILDING BLOCK OF ROMAN LIFE

OBLIGATIONS IN ROMAN LAW 2012

THIS IS THE FIRST BOOK TO COMPREHENSIVELY ANALYZE THE WORK OF HANS MICKLITZ ONE OF THE LEADING SCHOLARS IN THE FIELD OF EU ECONOMIC LAW IT BRINGS TOGETHER ANALYSTS ACADEMIC FRIENDS AND CRITICS OF HANS MICKLITZ AND RESULTS IN A UNIQUE COLLECTION OF ESSAYS THAT EVALUATE HIS WORK ON EUROPEAN ECONOMIC LAW AND REGULATION THE CONTRIBUTIONS DISCUSS A WIDE RANGE OF MICKLITZ WORK FROM HIS THEORETICAL WORK ON PRIVATE LAW BEYOND PARTY AUTONOMY WITH A SPECIAL FOCUS ON ITS REGULATORY FUNCTION TO THE ILLUSTRATION OF HOW HIS WORK HAS BUILT THE BASIS FOR CURRENT SOLUTIONS SUCH AS USED IN SOLVING THE FINANCIAL CRISIS THE BOOK IS DIVIDED INTO SECTIONS COVERING FOUNDATIONS OF PRIVATE LAW REGULATORY LAW COMPETITION AND INTELLECTUAL PROPERTY LAW PRODUCT SAFETY LAW CONSUMER CONTRACT LAW AND THE ENFORCEMENT OF LAW THIS BOOK CLEARLY SHOWS THE ENORMOUS IMPACT OF HANS MICKLITZ WORK ON THE EU LEGAL SYSTEM IN BOTH SCHOLARSHIP AND PRACTICE

VARIETIES OF EUROPEAN ECONOMIC LAW AND REGULATION 2014-07-16

THIS COLLECTION OF ESSAYS BY WELL KNOWN SPECIALISTS IN E COMMERCE AND INTERNET LAW DRAWN FROM BOTH ACADEME AND PRACTICE ANALYSES RECENT CRUCIAL LEGISLATION WHICH HAS CREATED FOR THE FIRST TIME A LEGAL REGIME GOVERNING EUROPEAN ELECTRONIC COMMERCE THE CENTRAL FOCUS IS ON THE EUROPEAN ELECTRONIC COMMERCE DIRECTIVE AND ITS IMPLEMENTATION IN THE UK SINCE AUGUST 2002 THE E COMMERCE DIRECTIVE DEVELOPS A DISTINCTIVE EUROPEAN STRATEGY FOR REGULATING AND PROMOTING ON LINE BUSINESS AND THE INFORMATION SOCIETY AREAS OF THE DIRECTIVE ANALYSED INCLUDE CONTRACTING ON LINE INTERNET SERVICE PROVIDER LIABILITY CONSUMER PRIVACY INCLUDING SPAM AND COOKIES COUNTRY OF ORIGIN REGULATION AND ON LINE ALTERNATIVE DISPUTE RESOLUTION ODR FURTHER CHAPTERS MOVE BEYOND THE DIRECTIVE TO DISCUSS OTHER IMPORTANT NEW LAWS IN THIS DOMAIN INCLUDING THE PRIVACY AND ELECTRONIC COMMUNICATIONS DIRECTIVE THE DISTANCE SELLING DIRECTIVES THE ELECTRONIC MONEY DIRECTIVE THE LAWFUL BUSINESS REGULATIONS ON EMPLOYEE SURVEILLANCE THE DISABILITY DISCRIMINATION RULES AFFECTING WEBSITES AND THE EXTENSION OF VAT TO ON LINE TRANSACTIONS BOTH THE EUROPEAN FRAMEWORK AND THE RULES AS IMPLEMENTED IN THE UK ARE EXAMINED AND CRITIQUED FOR HOW WELL THEY MEET THE NEEDS OF BUSINESS AND CONSUMERS

THE NEW LEGAL FRAMEWORK FOR E-COMMERCE IN EUROPE 2005-12-19

THIS VOLUME OF THE AIDA EUROPE RESEARCH SERIES ON INSURANCE LAW AND REGULATION EXPLORES THE KEY TRENDS IN

INSURTECH AND THE POTENTIAL LEGAL AND REGULATORY ISSUES THAT ACCOMPANY THEM THERE IS A PROLIFERATION OF IDEAS AND CONCEPTS WITHIN INSURTECH THAT WILL FUNDAMENTALLY CHANGE THE MARKET IN THE NEXT FEW YEARS THESE INNOVATIONS HAVE THE POTENTIAL TO CHANGE THE WAY THE INSURANCE INDUSTRY WORKS AND ALTER THE RELATIONSHIPS BETWEEN CUSTOMERS AND INSURERS RESULTING IN INSURANCE PRODUCTS THAT ARE MORE CLOSELY ALIGNED TO INDIVIDUAL PREFERENCES AND PRICED MORE APPROPRIATELY TO THE RISK INCREASING USE OF TECHNOLOGY IN THE INSURANCE SECTOR IS HAVING BOTH A DISRUPTIVE AND TRANSFORMATIVE IMPACT ON AREAS INCLUDING PRODUCT DEVELOPMENT DISTRIBUTION MODELLING UNDERWRITING AND CLAIMS AND ADMINISTRATION PRACTICE THE RESULT IS A NEW INDUSTRY KNOWN AS INSURTECH BUT WHILE THE INSURANCE MARKET LOOKS TO TECHNOLOGY FOR GREATER EFFICIENCY REGULATORS ARE BEGINNING TO RAISE CONCERNS ABOUT MANAGING POTENTIAL RISKS THE FIRST PART OF THE BOOK EXAMINES TECHNOLOGICAL INNOVATIONS RELEVANT FOR INSURANCE SUCH AS FINTECH INSURTECH SHARING ECONOMY AND THE INTERNET OF THINGS THE SECOND PART THEN GATHERS CONTRIBUTIONS ON INSURANCE CONTRACT LAW IN A DIGITALIZED WORLD WHILE THE THIRD PART FOCUSES ON CYBER INSURANCE AND ROBOTS LAST BUT NOT LEAST THE FOURTH PART OF THE BOOK DISCUSSES LEGAL AND ETHICAL QUESTIONS REGARDING AUTONOMOUS VEHICLES AND TRANSPORTATION INCLUDING THE SHIPPING INDUSTRY AS WELL AS THEIR IMPACT ON THE INSURANCE SECTOR AND CIVIL LIABILITY WRITTEN BY LEGAL SCHOLARS AND PRACTITIONERS THE BOOK OFFERS INTERNATIONAL COMPARATIVE AND EUROPEAN PERSPECTIVES THE CHAPTERS FINTECH INSURTECH AND THE REGULATORS BY VIKTORIA CHATZARA SMART CONTRACTS IN INSURANCE A LAW AND FUTUROLOGY PERSPECTIVE BY ANGELO BORSELLI AND ROOM FOR COMPULSORY PRODUCT LIABILITY INSURANCE IN THE EUROPEAN UNION FOR SMART ROBOTS BY AYSEGUL BUGRA ARE AVAILABLE OPEN ACCESS UNDER A CC BY 4.0 LICENSE AT LINK SPRINGER.COM ALL THREE OPEN ACCESS CHAPTERS WERE FUNDED BY BIPAR

INSURTECH: A LEGAL AND REGULATORY VIEW 2019-12-05

A CRITICAL OVERVIEW OF THE EUROPEANISATION OF PRIVATE LAW AT A WATERSHED MOMENT A POINT OF PUNCTUATED EQUILIBRIUM

THE TRANSFORMATION OF EUROPEAN PRIVATE LAW 2013-10-24

WHILE THE INTERNATIONALISATION OF SOCIETY HAS STIMULATED THE EMERGENCE OF COMMON LEGAL FRAMEWORKS TO COORDINATE TRANSNATIONAL SOCIAL RELATIONS PRIVATE LAW ITSELF IS FIRMLY ROOTED IN NATIONAL LAW EUROPEAN INTEGRATION PROCESSES HAVE ALTERED THIS STATE OF AFFAIRS TO A LIMITED DEGREE WITH A FEW ALBEIT GROUNDBREAKING INTERVENTIONS THAT HAVE TENDED TO ENGENDER RESISTANCE FROM VARIOUS ACTORS WITHIN EUROPEAN NATION STATES AGAINST THAT BACKGROUND THIS BOOK TAKES AS ITS POINT OF DEPARTURE THE NEED TO UNDERSTAND THE PROCESS OF LEGAL DENATIONALISATION WITHIN BROADER POLITICAL FRAMEWORKS IN PARTICULAR IT SEEKS TO MAKE SENSE OF OPPOSITION TO EUROPEANISATION AT THIS POINT IN THE EVOLUTION OF EUROPEAN LAW WHEN DESPITE GROWING NATIONALIST ATTITUDES GREAT EFFORTS HAVE BEEN MADE TO PRODUCE COMPREHENSIVE LEGAL INSTRUMENTS TO SYNTHESISE GENERAL CONTRACT LAW AN AREA THAT HAS TRADITIONALLY BEEN SOLELY WITHIN THE AMBIT OF NATION STATES COMBINING INSIGHTS FROM THE DISCIPLINES OF LAW HISTORY AND POLITICAL SCIENCE THE BOOK INVESTIGATES THE CONCEPTUAL AND CULTURAL ASSOCIATIONS BETWEEN LAW AND THE NATION STATE EXAMINES THE IMPACT OF NATIONALIST IDEAS IN MODERN LEGAL THOUGHT AND REVEALS THE NATIONALIST UNDERPINNINGS OF SOME OF THE ARGUMENTS EMPLOYED AGAINST AND SOMEWHAT PARADOXICALLY EVEN IN SUPPORT OF LEGAL EUROPEANISATION THE AUTHOR S RESEARCH FOR THIS BOOK HAS BEEN SUPPORTED BY THE HAGUE INSTITUTE FOR THE INTERNATIONALISATION OF LAW

NATIONALISM AND PRIVATE LAW IN EUROPE 2014-12-01

DER VORLIEGENDE BAND ENTHÄLT EINE GESAMTDARSTELLUNG DES EUROPÄISCHEN VERTRAGSRECHTS ER NIMMT VOR ALLEM DIE PERSPEKTIVE DES UNIONSRECHTS EIN UND ANALYSIERT DIE VERTRAGSRECHTSRELEVANTEN ASPEKTE DES PRIMÄR UND SEKUNDÄRRECHTS GLEICHZEITIG GEHT DIE DARSTELLUNG AUF DIE UMSETZUNG IN DEN MITGLIEDSTAATLICHEN RECHTSORDNUNGEN EIN DAS IPR WIRD EBENSO UMFASSEND BEHANDELT WIE DIE SPEZIELLEN METHODENFRAGEN DES

EUROP[?] ISCHES VERTRAGSRECHT 2021-04-06

WITH THE RISE OF INTERNATIONAL TRADE AND INNOVATION THERE HAS BEEN AN INCREASE IN CROSS BORDER TRADE SECRET VIOLATIONS USING COMMON TRADE SECRET SCENARIOS AS A SPRINGBOARD FOR ANALYSIS THE BOOK QUESTIONS WHETHER EU PRIVATE INTERNATIONAL LAW RULES CAN BE INTERPRETED TO FACILITATE THE OBJECTIVE OF THE EU TRADE SECRET DIRECTIVE AND IN DOING SO PROVIDES A DETAILED EXAMINATION OF BOTH REGIMES

CROSS-BORDER TRADE SECRET DISPUTES IN THE EUROPEAN UNION 2023-10-06

THIS BOOK EXPLORES HOW BUSINESS PEOPLE AND THEIR LEGAL ADVISERS TRY TO MINIMISE THE EFFECT OF THE DIFFICULTIES IMPOSED BY DIFFERENT CULTURES

RULES AND NETWORKS 2001-12-31

THE DRAFT UNCITRAL DIGEST AND BEYOND IS ONE OF THE MOST USEFUL SINGLE VOLUMES AVAILABLE ON THE CISG IT INCLUDES THE FULL TEXT OF THE DRAFT UNCITRAL DIGEST WHICH CATALOGUES THE CASES AND ARBITRAL AWARDS TO DATE THAT HAVE INTERPRETED AND APPLIED THE CISG ON AN ARTICLE BY ARTICLE BASIS THE DIGEST AND BEYOND INCLUDES ALSO COMMENTARY BY EMINENT CISG SCHOLARS THAT ADDRESSES ISSUES NOT YET CONSIDERED IN THE CASES WITH MORE THAN 1000 DECISIONS APPLYING THE CISG IN COURTS AND ARBITRAL TRIBUNALS AROUND THE WORLD THE UNCITRAL SECRETARIAT CHARGED FIVE CISG EXPERTS FROM A VARIETY OF REGIONS WITH THE TASK OF CREATING A DIGEST OF CISG CASE LAW THE DIGEST AND BEYOND INCLUDES THE DRAFT UNCITRAL DIGEST EVEN BEFORE IT IS RELEASED OFFICIALLY BY UNCITRAL IT ALSO GOES WHERE THE AUTHORS OF THE DIGEST WERE NOT ALLOWED TO GO GIVEN THE NARROW MANDATE WITHIN WHICH THE DRAFTERS WERE ASKED TO WORK ITS CHAPTERS BUILD UPON THE WORK OF THE UNCITRAL DIGEST THE DIGEST DESCRIBES THE REASONING AND RESULTS OF EXISTING CISG CASES IN THE DIGEST AND BEYOND THE DIGEST AUTHORS ANALYZE THOSE CASES AND DISCUSS ISSUES THAT HAVE NOT YET ARISEN IN THE CASE LAW THUS IN MANY WAYS THE DIGEST AND BEYOND PROVIDES SCHOLARSHIP THAT CAN DIRECT FUTURE CASES IN AREAS THAT HAVE NOT YET BEEN CONSIDERED BY COURTS AND ARBITRATORS AS WELL AS IN AREAS IN WHICH CONTRADICTORY COURT DECISIONS EXIST

THE DRAFT UNCITRAL DIGEST AND BEYOND 2009-04-27

CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS PROVIDES AN EXAMINATION OF THE UNITED NATIONS CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS CISG EXTENSIVELY REFERENCED THIS VOLUME FOCUSES ON THREE FUNDAMENTAL ISSUES WHICH DUE TO ADDED ATTENTION FROM COURTS AND ARBITRAL TRIBUNALS ARE CONSIDERED TYPICAL OF CISG RELATED DISPUTES THESE INCLUDE THE EXACT DETERMINATION OF THE CISG S SPHERE OF APPLICATION ISSUES RELATING TO THE NON CONFORMITY OF DELIVERED GOODS AND THE DETERMINATION OF THE RATE OF INTEREST ON SUMS IN ARREARS THIS ANALYSIS WILL ALSO HELP READERS UNDERSTAND THE BROADER CONTEXT IN WHICH THESE ISSUES ARE EMBEDDED AND ULTIMATELY ILLUSTRATES HOW THE CISG IS INTERPRETED AND APPLIED IN DIFFERENT JURISDICTIONS A SPECIAL COURSE ADOPTION PRICE IS AVAILABLE FOR AN ORDER OF SIX OR MORE COPIES FROM A UNIVERSITY BOOKSTORE CONTACT CS BRILLUSA COM OR SALES BRILL COM

CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS 2011-12-23

SINCE FALL 2006 A NEW REVISED EDITION OF UNIDROIT PRINCIPLES IN PRACTICE FEATURING APPROXIMATELY 120 130 CASES THE UNIDROIT PRINCIPLES OF INTERNATIONAL COMMERCIAL CONTACTS PUBLISHED IN 1994 WERE AN ENTIRELY NEW

APPROACH TO INTERNATIONAL CONTRACT LAW PREPARED BY A GROUP OF EMINENT EXPERTS FROM AROUND THE WORLD AS A RESTATEMENT OF INTERNATIONAL COMMERCIAL CONTRACT LAW THE PRINCIPLES ARE NOT A BINDING INSTRUMENT BUT ARE REFERRED TO IN MANY LEGAL MATTERS THEY ARE WIDELY RECOGNIZED NOW AS A BALANCED SET OF RULES DESIGNED FOR USE THROUGHOUT THE WORLD IRRESPECTIVE OF THE LEGAL TRADITIONS AND THE ECONOMIC AND POLITICAL CONDITIONS OF THE COUNTRIES IN WHICH THEY ARE APPLIED

THE UNIDROIT PRINCIPLES IN PRACTICE *2006-09-01*

LEGAL CHALLENGES IN THE NEW DIGITAL AGE ADDRESSES A WIDE RANGE OF LEGAL ISSUES RELATED TO EMERGING TECHNOLOGIES THESE TECHNOLOGIES POSE PROMINENT LEGAL CHALLENGES IN PARTICULAR HOW TO WEDGE NEW PHENOMENA INTO OLD FRAMEWORKS WHETHER WE CAN AND SHOULD DELEGATE RESPONSIBILITIES TO TECHNOLOGIES AND HOW TO COPE WITH NEWLY CREATED POWERS OF MANIPULATION EDITED BY ANA MERCEDES LOPEZ RODRIGUEZ MICHAEL D GREEN AND MARIA LUBOMIRA KUBICA THE BOOK S SIXTEEN CHAPTERS ARE WRITTEN BY HIGHLY QUALIFIED INTERNATIONAL PRACTITIONERS AND ACADEMICS FROM DIFFERENT JURISDICTIONS FAMILIARITY WITH THE INTRICACIES OF EMERGING TECHNOLOGIES IS ESSENTIAL FOR JUDGES PRACTITIONERS LEGAL STAFF BUSINESS PEOPLE AND SCHOLARS THIS BOOK S COMBINATION OF HIGHLY THOUGHT PROVOKING TOPICS AND IN DEPTH ANALYSIS WILL PROVE INDISPENSABLE TO ALL INTERESTED PARTIES

LEGAL CHALLENGES IN THE NEW DIGITAL AGE *2021-02-01*

THIS FOUR VOLUME SET MAPS THE EMERGING EUROPEAN FAMILY LAW IT IS INTENDED TO SERVE AS A RESOURCE FOR ANYONE INTERESTED IN THIS AREA OF LAW AS WELL AS A BASIS FOR TEACHING ON COMPARATIVE AND INTERNATIONAL FAMILY LAW COURSES THE FIRST VOLUME EXAMINES T

EUROPEAN FAMILY LAW VOLUME III *2016-01-29*

EUROPEAN UNION LAW AND PRIVATE INTERNATIONAL LAW BOTH ATTEMPT TO RESOLVE A CONFLICT OF LAWS THERE IS HOWEVER A CERTAIN TENSION BETWEEN THE TWO DISCIPLINES THE PRESENT BOOK PROPOSES SUGGESTIONS TO ENHANCE THEIR MUTUAL UNDERSTANDING

RELIGION PAST & PRESENT *2007*

ACCORDING TO SOME COMMENTATORS FORUM SHOPPING IS AN EVIL THAT MUST BE ERADICATED IT HAS BEEN SUGGESTED THAT THE UNIFICATION OF SUBSTANTIVE LAW THROUGH INTERNATIONAL CONVENTIONS CONSTITUTES ONE WAY TO ACHIEVE THIS OUTCOME THIS BOOK SHOWS THAT THE DRAFTING OF UNIFORM SUBSTANTIVE LAW CONVENTION CANNOT PREVENT FORUM SHOPPING THE REASONS ARE CLASSIFIED INTO TWO MAIN CATEGORIES CONVENTION EXTRINSIC AND CONVENTION INTRINSIC REASONS THE FORMER CATEGORY COMPRISES THOSE REASONS UPON WHICH UNIFORM SUBSTANTIVE LAW CONVENTIONS DO NOT HAVE AN IMPACT AT ALL THESE REASONS RANGE FROM THE COSTS OF ACCESS TO JUSTICE TO THE BIAS OF POTENTIAL ADJUDICATORS TO THE ENFORCEABILITY OF JUDGMENTS THE CONVENTION INTRINSIC REASONS ON THE OTHER HAND ARE REASONS THAT RELATE TO THE NATURE AND DESIGN OF UNIFORM SUBSTANTIVE LAW CONVENTIONS AND INCLUDE THEIR LIMITED SUBSTANTIVE AND INTERNATIONAL SPHERES OF APPLICATION AS WELL AS THEIR LIMITED SCOPE OF APPLICATION THE NEED TO PROVIDE FOR RESERVATIONS ETC THIS BOOK ALSO FOCUSES ON ANOTHER REASON WHY FORUM SHOPPING CANNOT BE OVERCOME THE IMPOSSIBILITY OF ENSURING UNIFORM APPLICATIONS AND INTERPRETATIONS OF THE VARIOUS UNIFORM SUBSTANTIVE LAW CONVENTIONS

EU LAW AND PRIVATE INTERNATIONAL LAW *2011-11-25*

FEW SCHOLARS HAVE CONTRIBUTED MORE TO THIS NEW AND IMPORTANT VIEW OF CONFLICT OF LAWS THAN PROFESSOR

FRIEDRICH K JUENGER OF THE UNIVERSITY OF CALIFORNIA DAVIS IN THIS FESTSCHRIFT IN HIS HONOR LEADING SCHOLARS FROM NORTH AMERICA AND EUROPE BRING THEIR VISION AND EXPERTISE TO BEAR ON THIS CORE ISSUE OF PRIVATE INTERNATIONAL LAW REFLECTING THE MULTIPLE FACETS OF A FUNDAMENTAL DOCTRINE AS IT ADAPTS TO NEW AND UNPRECEDENTED GLOBAL REALITIES PUBLISHED UNDER THE TRANSNATIONAL PUBLISHERS IMPRINT

FORUM SHOPPING DESPITE UNIFICATION OF LAW *2021-08-16*

INTERNATIONAL CONFLICT OF LAWS FOR THE THIRD MILLENNIUM: ESSAYS IN HONOR OF FRIEDRICH K. JUENGER 2021-11-22

PRINCIPLES OF INTERNATIONAL TRADE LAW AS A MONISTIC SYSTEM *2003*

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