

HEIN KÖTZ &
AXEL FLESSNER
EUROPEAN
CONTRACT LAW

VOLUME ONE:
FORMATION, VALIDITY, AND CONTENT
OF CONTRACTS; CONTRACT AND
THIRD PARTIES

HEIN KÖTZ
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European Contract Law Formation Validity Agency Third Parties And Assignment:

Indirect Representation in European Contract Law Danny Busch, 2005-01-01 Over the last few years increasing attention continues to be paid to the Principles of European Contract Law otherwise known as the Principles the Lando Principles or PECL The drafters of the Principles presented their work in the form of articles accompanied by explanatory notes averring that the main purpose of the instrument is to serve as a basis for a future European contract law Can the Lando Principles as their drafters claim indeed offer an acceptable basis for a future European contract law Dr Busch both scholar and practitioner offers a detailed analysis in response to this question of the contractual aspects of indirect representation Arts 3 301 304 PECL He evaluates these provisions in the light of Dutch German and English law as well as with reference to the Geneva Convention on Agency in the International Sale of Goods To introduce this important comparative study and make the background as complete as possible this book devotes separate chapters to thorough discussions of indirect representation in Dutch law *middelrijke vertegenwoordiging* Arts 7 419 421 Dutch Civil Code in German law *mittelbare Stellvertretung* and in the English doctrine of the undisclosed principal Lawyers in Europe and elsewhere who must deal with contract law in any connection will find this thoroughly researched and well thought out text to be indispensable Its value as a scholarly analysis can only grow with the coming years D Busch b 1974 graduated cum laude in Dutch law from the University of Utrecht in 1997 He attained the title of Magister Juris in European and Comparative Law at the University of Oxford St John s College in 1998 and defended his dissertation in 2002 at the University of Utrecht Until the end of 2001 he was attached as lecturer and researcher to the Molengraaff Institute of Private Law in Utrecht Since 2002 he has worked as an attorney at law for the law office of De Brauw Blackstone Westbroek in Amsterdam He has also been an honorary senior lecturer at the Molengraaff Institute since 2004 Principles of European Contract Law 3

Collected Courses of the Xiamen Academy of International Law, Volume 3 (2010) The Xiamen Academy of International Law, 2011-06-22 The Collected Courses of the Xiamen Academy of International Law contain the Summer Courses taught at the Xiamen Academy of International Law by highly qualified international legal professionals The Third Volume of the Series contains the following articles New Trends of International Law in the Era of Globalization Stephan Hobe Tradition versus Harmonization in the Recent Reforms of Contract Law Ole Lando Constitutional Functions and Constitutional Problems of International Economic Law in the 21st Century Ernst Ulrich Petersmann International Law A System of Relationships Malcolm N Shaw QC The International Law of Watercourses New Dimensions Patricia Wouters The Xiamen Academy of International Law aims to promote academic exchanges among legal communities across the globe encourage examination of major international issues and by so doing seek ways to improve the possibilities for world peace and international cooperation It seeks to achieve this aim by providing the highest level of education to individuals particularly those from Asian countries interested in the development and use of international law persons such as young

lecturers in international law diplomats practitioners of transnational law government officials in charge of foreign affairs and officials of international organizations

The Oxford Handbook of Comparative Law Mathias Reimann, Reinhard Zimmermann, 2019-03-26 This fully revised and updated second edition of The Oxford Handbook of Comparative Law provides a wide ranging and diverse critical survey of comparative law at the beginning of the twenty first century It summarizes and evaluates a discipline that is time honoured but not easily understood in all its dimensions In the current era of globalization this discipline is more relevant than ever both on the academic and on the practical level The Handbook is divided into three main sections Section I surveys how comparative law has developed and where it stands today in various parts of the world This includes not only traditional model jurisdictions such as France Germany and the United States but also other regions like Eastern Europe East Asia and Latin America Section II then discusses the major approaches to comparative law its methods goals and its relationship with other fields such as legal history economics and linguistics Finally section III deals with the status of comparative studies in over a dozen subject matter areas including the major categories of private economic public and criminal law The Handbook contains forty eight chapters written by experts from around the world The aim of each chapter is to provide an accessible original and critical account of the current state of comparative law in its respective area which will help to shape the agenda in the years to come Each chapter also includes a short bibliography referencing the definitive works in the field

European Contract Law Hein Kötz, 2017-09-29 This new edition of European Contract Law examines the contract rules of several different European jurisdictions including the most important civilian systems and English common law while attempting to articulate general principles which are common in all of them While the first edition was limited to a comparative analysis of the rules on formation and validity of contracts agency third party beneficiaries and assignment the second edition now also includes contractual remedies and various updates and revisions of the first edition especially in light of the recent changes to the French Code civil Furthermore the book comprises a wealth of translated extracts of legislation cases and academic literature comprehensively covering all aspects of contract law The book was originally published in German to considerable acclaim This English edition has been translated by Gill Mertens building on the work done by the translator of the first edition Tony Weir This edition will be invaluable to scholars and practitioners in Europe and beyond

International Secured Transactions Law Orkun Akseli, 2011-03-17 This book focuses on international harmonisation and the law of secured transactions by distilling and analysing the unifying principles of various significant international conventions and instruments such as the UN Convention on the Assignment of Receivables the Unidroit Convention on International Factoring the EBRD Model Law on Secured Transactions the Unidroit Convention on the International Interests in Mobile Equipment and the UNCITRAL Legislative Guide on Secured Transactions International secured transactions conventions and instruments facilitate credit and promote economic activity through the creation of harmonised rules Therefore given the increasing globalisation of markets

international reform efforts for the harmonised modernisation of secured transactions law have gained pace over recent years International Secured Transactions Law draws on experiences in both English and US laws in order to identify and illustrate the existing problems that need to be addressed as well as identify potential solutions International Secured Transactions Law will be of interest to scholars students interested in international commercial law corporate law or comparative secured transactions and practitioners involved in international commercial transactions

Codifying Contract Law Mary Keyes, Therese Wilson, 2016-05-23 Exploring the advantages and disadvantages of codifying contract law this book considers the question from the perspectives of both civil and common law systems referring in detail to issues of international and consumer law With contributions from leading international scholars the chapters present a range of opinions on the virtues of codification encouraging further debate on this topic The book commences with a discussion on the internationalization imperative for codification of contract law It then turns to regional issues exploring first codification attempts in the European Union and Japan and then issues relevant to codification in the common law jurisdictions of Australia New Zealand and the United States The collection concludes with two chapters which consider the need to draw upon both private and comparative international law perspectives to inform any codification reforms This book will be of interest to international and comparative contract law academics as well as regulators and policy makers

Franchising in European Contract Law Odavia Bueno Diaz, 2009-04-27 The Principles of European Law on Commercial Agency Franchise and Distribution Contracts PEL CAFDC 2006 are an academic proposal of the Study Group on a European Civil Code for the European wide regulation of the contents of these three types of agreements The academic analysis Franchising in European Contract Law focuses on the harmonised Principles on Franchising At present all member states of the EU have their own regulation on franchising This situation might change in the light of the political process of Europeanization of contract law that was initiated by the European Commission in 2001 As a result of that process the Principles on Franchising could be declared a set of rules which might be opted for by the parties to franchising contracts Europe wide to govern their relationship In this analysis the main obligations in franchising in PEL CAFDC are compared with those under French and Spanish law The main conclusion of this thesis research has been that the main obligations of parties in franchising under the PEL CAFDC resemble those under French and Spanish law Eventually differences will arise depending on how national courts weigh the interests of the parties in each case A second conclusion has been that a choice for the PEL CAFDC instead of for French and Spanish law could be considered a rational alternative concerning the applicable system of remedies and legal certainty

Law and Justice in a Multistate World: Essays in Honor of Arthur T. von Mehren James Nafziger, Symeon Symeonides, 2022-06-08 For over half a century Arthur T von Mehren has been a luminary in the fields of comparative law private international law and legal education Here fifty eight of the world s leading scholars and jurists honor his work and outstanding contributions to the advance of knowledge and reform The volume is divided into four illuminating sections Part

I Jurisdiction Judgment Part II Choice of Law Part III International Arbitration Part IV Comparative European Law Published under the Transnational Publishers imprint Principles of European Contract Law and Unidroit Principles Ole Lando, 2002

Uniform Rules for European Contract Law? Francisco de Elizalde, 2018-06-28 Over the last 30 years the evolution of *acquis communautaire* in consumer law and harmonising soft law proposals have utterly transformed the landscape of European contract law The initial enthusiasm and approval for the EU programme has waned and post Brexit it currently faces increasing criticism over its effectiveness In this collection leading academics assess the project and ask if such judgements are fair and suggest how harmonisation in the field might be better achieved This book looks at the uniform rules in the context of the internal market national legislators and courts bridging the gap between common and civil law and finally their influence on non member states Critical and rigorous it provides a timely and unflinching critique of one of the most important fields of harmonisation in the European Union **European Contract Law** Hein Kötz, Axel Flessner, 1997

Bowker's Law Books and Serials in Print, 1998 *Annual of German and European Law* Russell A. Miller, Peer Zumbansen, 2004 Complementing the highly successful online German Law Journal this new publication aims to deepen and develop some of the issues discussed in the Journal as well as to take up new questions and directions of commentary Focusing on pressing legal questions of socio political relevance it offers scholarly articles reports book reviews and selected statutes or court decisions in English translation in all fields of German and European Law The main objective is to offer border transcending and interdisciplinary research into fast moving areas of the law often involving a complex array of institutional political and private actors **European Contract Law**, 2004 Dalhuisen on Transnational Comparative, Commercial, Financial and Trade Law Volume 2 Jan H Dalhuisen, 2013-06-27 This is the fifth edition of the leading work on transnational and comparative commercial and financial law covering a wide range of complex topics in the modern law of international commerce finance and trade As a guide for students and practitioners it has proven to be unrivalled Since the fourth edition the work is now divided into three volumes each of which can be used independently or as part of the complete work Volume one covers the roots and foundations of private law the different orientations and structure of civil and common law the concept forces and theoretical basis of the transnationalisation of the law in the professional sphere the autonomous sources of the new law merchant or modern *lex mercatoria* its largely finance driven impulses and its relationship to domestic public policy and public order requirements Volume two deals with transnational contract movable and intangible property law Volume three deals with financial products and financial services with the structure and operation of modern commercial and investment banks and with financial risk stability and regulation including the fall out from the recent financial crisis and regulatory responses in the US and Europe All three volumes may be purchased separately or as a single set From the reviews of previous editions synthesizes and integrates diverse bodies of law into a coherent and accessible account remarkable in its scope and depth It stands alone in its field not only due to its comprehensive coverage but also its

original methodology Although it appears to be a weighty tome in fact in light of its scope it is very concise While providing a wealth of intensely practical information its heart is highly conceptual and very ambitious likely to become a classic text in its field American Journal of Comparative Law Dalhuisen s style is relaxed what he writes convinces without the need for an excess of references to sources a highly valuable contribution to the legal literature It adopts a useful modern approach to teaching the young generation of lawyers how to deal with the increasing internationalisation of law It is also helpful to the practising lawyer and to legislators Uniform Law Review Revue de Droit Uniforme this is a big book with big themes and an author with the necessary experience to back them up Full of insights as to the theories that underlie the rules governing contract property and security it is an important contribution to the law of international commerce and finance Law Quarterly Review presents a very different case that of a civilized and cultivated cosmopolitan legal scholar with a keen sense of international commercial and financial practice with an in depth grounding in both comparative legal history and comparative law combined with the ability to transcend conventional English black letter law description with critical judgment towards institutional wisdom and intellectual fashions a wide ranging historically and comparatively very deep and comprehensive commentary but which is also very contemporary and forward looking on many or most of the issues relevant in modern transnational commercial contract and financial transactions International and Comparative Law Quarterly This title is included in Bloomsbury Professional s International Arbitration online service [The Michigan Digest Annotated](#)

George Foster Longsdorf,1920 **Electronic Commerce: Opportunity and Challenges** Rahman, Syed Mahbubhur,Raisinghani, Mahesh S.,1999-07-01 Some analysts predict that electronic commerce will grow to more than 300 billion in the next five years With electronic commerce growing in exponentially staying competitive through an effect e business strategy is a tough challenge Electronic commerce represents one of the most promising directions for generating competitive advantage at the micro level of the organization and for increasing productivity at the macro level of the economy Electronic Commerce Opportunity and Challenges looks at the critical fundamental elements that could impact a user s perception of business to business and business to consumer electronic commerce It presents a study of key components and concepts of e commerce evaluating the critical success factors for global e commerce the economics of e commerce and the practical issues involved with e commerce in various applications [Forthcoming Books](#) Rose Arny,1998

Stone on Private International Law in the European Union Peter Stone,2018-07-27 Within Europe the private international law rules have been harmonized to a very large extent by legislation adopted at EU level and case law on the interpretation of this legislation Recent developments include the entry into operation of revised versions of the Brussels I Regulation on civil jurisdiction and judgments and the Regulation on insolvency proceedings as well as numerous decisions of the European Court and the English courts The new edition of this authoritative work takes account of recent developments at both EU and UK levels

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