

# Rgz 95

BASIL S MARKESINIS,JOHN BELL,ANDRÉ JANSSEN

- 2 [CONSEQUENCES OF IMPAIRED CONSENT TRANSFERS](#) Birke H[un]cker, 2013-11-25 LEGAL RULES AND PRINCIPLES DO NOT EXIST IN ISOLATION, BUT FORM PART OF A SYSTEM. IN THIS STRUCTURAL COMPARISON BETWEEN ENGLISH AND GERMAN LAW, BIRKE H[un]CKER EXPLORES THE RULES AND PRINCIPLES GOVERNING IMPAIRED CONSENT TRANSFERS OF MOVABLE PROPERTY AND THEIR REVERSAL IN TWO- AND THREE-PARTY SITUATIONS. THIS BOOK IS A RE-PUBLICATION OF A WORK FIRST PUBLISHED BY MOHR SIEBECK IN GERMANY.
- 2 [THE GERMAN LAW OF TORTS](#) BASIL S MARKESINIS, HANNES UNBERATH, 2002-06-10 THIS EDITION HAS BEEN EXTENSIVELY REWRITTEN AND ENLARGED AND IS AN IDEAL TOOL FOR THOSE INTERESTED IN COMPARATIVE TORTS AND COMPARATIVE METHODOLOGY.
- 2 [THE GERMAN LAW OF CONTRACT](#) BASIL S MARKESINIS, HANNES UNBERATH, ANGUS C JOHNSTON, 2006-02-27 RECENTLY THE CONTRACT SECTION OF THE GERMAN CIVIL CODE WAS AMENDED AFTER ONE HUNDRED YEARS OF UN-ALTERED EXISTENCE. THE GERMAN LAW OF CONTRACT, RADICALLY RECAST, ENLARGED, AND RE-WITTEN SINCE ITS FIRST EDITION, NOW DETAILS AND EXPLAINS FOR THE FIRST TIME THESE CHANGES FOR THE BENEFIT OF ANGLOPHONE LAWYERS. ONE HUNDRED AND TWENTY TRANSLATED CONTRACT DECISIONS ALSO MAKE THIS WORK A UNIQUE SOURCE-BOOK FOR STUDENTS, ACADEMICS, AND PRACTITIONERS. ALONG WITH ITS COMPANION VOLUME, THE GERMAN LAW OF TORTS, THE TWO VOLUMES PROVIDE ONE OF THE FULLEST ACCOUNTS OF THE GERMAN LAW OF OBLIGATIONS AVAILABLE IN THE ENGLISH LANGUAGE. THROUGH ITS METHOD OF PRESENTATION OF GERMAN LAW, THE BOOK REPRESENTS AN ORIGINAL CONTRIBUTION TO THE ART OF COMPARISON. AN ADDITIONAL FEATURE OF THE CONTRACT VOLUME IS THE WAY IN WHICH IT REVEALS THE GROWING IMPACT WHICH EUROPEAN DIRECTIVES ARE HAVING UPON THE TRADITIONAL, LIBERAL, CONTRACT MODEL, THEREBY BRINGING GERMAN AND ENGLISH LAW CLOSER TO EACH OTHER, ESPECIALLY IN THE AREA OF CONSUMER PROTECTION.
- 2 [DALHUISEN ON TRANSNATIONAL AND COMPARATIVE COMMERCIAL, FINANCIAL AND TRADE LAW VOLUME 5](#) Jan H Dalhuisen, 2022-06-16 "... 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." (INTERNATIONAL AND COMPARATIVE LAW QUARTERLY) VOLUME 5 OF THIS NEW EDITION USES THE INSIGHTS DEVELOPED IN VOLUMES 3 AND 4 TO DEAL WITH FINANCIAL PRODUCTS AND FINANCIAL SERVICES, THE STRUCTURE AND OPERATION OF BANKING AND OF THE CAPITAL MARKETS, AND THE ROLE OF MODERN COMMERCIAL AND INVESTMENT BANKS. SECTIONS ON PRODUCTS AND SERVICES ADDRESS THE BLOCKCHAIN AND ITS POTENTIAL IN THE PAYMENT SYSTEM, IN SECURITISATIONS, IN THE CUSTODIAL HOLDINGS OF INVESTMENT SECURITIES, AND IN THE DERIVATIVE MARKETS. THE COMPLETE SET IN THIS MAGISTERIAL WORK IS MADE UP OF 6 VOLUMES. USED INDEPENDENTLY, EACH VOLUME ALLOWS THE READER TO DELVE INTO A PARTICULAR TOPIC. ALTERNATIVELY, ALL VOLUMES CAN BE READ TOGETHER FOR A COMPREHENSIVE OVERVIEW OF TRANSNATIONAL COMPARATIVE COMMERCIAL, FINANCIAL AND TRADE LAW.
- 2 [DALHUISEN ON TRANSNATIONAL COMPARATIVE, COMMERCIAL, FINANCIAL AND TRADE LAW VOLUME 3](#) Jan H Dalhuisen, 2019-06-13 THIS IS THE SEVENTH EDITION OF THE LEADING WORK ON TRANSNATIONAL AND COMPARATIVE COMMERCIAL, FINANCIAL, AND TRADE LAW, COVERING A WIDE RANGE OF COMPLEX TOPICS IN THE MODERN LAW OF INTERNATIONAL COMMERCE AND FINANCE. AS A GUIDE FOR STUDENTS AND PRACTITIONERS IT HAS PROVEN TO BE UNRIVALLED. THE WORK IS DIVIDED INTO THREE VOLUMES, EACH OF WHICH CAN BE USED INDEPENDENTLY OR AS PART OF THE COMPLETE WORK. VOLUME 3 DEALS WITH FINANCIAL PRODUCTS AND FINANCIAL SERVICES; THE STRUCTURE AND OPERATION OF BANKING AND OF THE CAPITAL MARKETS; THE ROLE OF MODERN COMMERCIAL AND INVESTMENT BANKS; AND FINANCIAL RISK, STABILITY AND REGULATION, INCLUDING THE FALLOUT FROM THE 2008 FINANCIAL CRISIS AND THE SUBSEQUENT REGULATORY RESPONSES IN THE US AND EUROPE. IN SECTIONS ON PRODUCTS AND SERVICES, THE BLOCKCHAIN AND ITS POTENTIAL ARE NOTED IN THE PAYMENT SYSTEM, IN THE CUSTODIAL HOLDINGS OF INVESTMENT SECURITIES, AND IN THE DERIVATIVE MARKETS. A SECTION ON REGULATION CRITICALLY REVIEWS THE NEED FOR MACRO-PRUDENTIAL SUPERVISION AND AN INDEPENDENT MACRO-PRUDENTIAL SUPERVISOR, THE ROLE OF RESOLUTION AUTHORITIES, THE OPERATION OF THE SHADOW BANKING SYSTEM, AND THE EXTRATERRITORIAL REACH AND INTERNATIONAL RECOGNITION OF FINANCIAL REGULATION. ALL THREE VOLUMES MAY BE PURCHASED SEPARATELY OR AS PART OF A SINGLE SET.
- 2 [MARKESINIS'S GERMAN LAW OF TORTS](#) BASIL S MARKESINIS, JOHN BELL, ANDR[us] JANSSEN, 2019-10-03 SINCE ITS FIRST APPEARANCE IN 1986, THIS MAGISTERIAL WORK HAS WON UNIFORM PRAISE FROM MANY OF THE WORLD'S LEADING COMPARATISTS. IT HAS BEEN ACCLAIMED BY SENIOR JUDGES AND HAS BEEN CITED BY THE COURTS OF MANY COUNTRIES. THIS NEW, SUBSTANTIALLY REWRITTEN AND SYSTEMATICALLY UPDATED FIFTH EDITION OF THE WORK, CONTAINS OVER 95 LEADING JUDGMENTS, MOST TRANSLATED IN THEIR ENTIRETY, ALONG WITH REFERENCES TO OVER 2,000 OTHER DECISIONS FROM GERMANY AND THE COMMON LAW WORLD. WHILE THE BOOK REMAINS AN IDEAL TOOL FOR TEACHING COMPARATIVE TORTS AND COMPARATIVE METHODOLOGY, THE FACT THAT IT HAS BEEN EXTENSIVELY REWRITTEN MAKES IT AN INDISPENSABLE SOURCE OF INSPIRATION FOR THOSE WITH A PROFESSIONAL INTEREST IN TORT LITIGATION AND TORT LAW REFORM. THIS EDITION HAS PAID PARTICULAR ATTENTION TO LIABILITY FOR INTERNET ACTIVITY, MEDICAL LIABILITY AND THE PROTECTION OF PERSONALITY RIGHTS AND PRIVATE LIFE.
- 2 [MONEY IN THE WESTERN LEGAL TRADITION](#) DAVID FOX, WOLFGANG ERNST, 2016-01-28 MONETARY LAW IS ESSENTIAL TO THE FUNCTIONING OF PRIVATE TRANSACTIONS AND INTERNATIONAL DEALINGS BY THE STATE: NEARLY EVERY LEGAL TRANSACTION HAS A MONETARY ASPECT. MONEY IN THE WESTERN LEGAL TRADITION PRESENTS THE FIRST COMPREHENSIVE ANALYSIS OF WESTERN MONETARY LAW, COVERING THE CIVIL LAW AND ANGLO-AMERICAN COMMON LAW LEGAL SYSTEMS FROM THE HIGH MIDDLE AGES UP TO THE MIDDLE OF THE 20TH CENTURY. WEAVING A DETAILED TAPESTRY OF THE CHANGING CONCEPTS OF MONEY AND PRIVATE TRANSACTIONS THROUGHOUT THE AGES, THE CONTRIBUTORS INVESTIGATE THE SPECIAL CONTRIBUTION MADE BY LEGAL SCHOLARS AND PRACTITIONERS TO OUR UNDERSTANDING OF MONEY AND THE LAWS THAT GOVERN IT. DIVIDED IN FIVE PARTS, THE BOOK BEGINS WITH THE COIN CURRENCY OF THE MIDDLE AGES, MOVING THROUGH THE INVENTION OF NOMINALISM IN THE EARLY MODERN PERIOD TO CASHLESS PAYMENT AND THE RISE OF THE BANKING SYSTEM AND PAPER MONEY, THEN CHARTING THE PROGRESSION TO FIAT MONEY IN THE MODERN ERA. EACH PART COMMENCES WITH AN OVERVIEW OF THE MONETARY ENVIRONMENT FOR THE HISTORICAL PERIOD WRITTEN BY AN ECONOMIC HISTORIAN OR NUMISMATIST. THESE ARE FOLLOWED BY CHAPTERS DESCRIBING THE LEGAL DOCTRINES OF EACH PERIOD IN CIVIL AND COMMON LAW. EACH SECTION CONTAINS EXAMPLES OF CONTEMPORARY LITIGATION OR STATUTE LAW WHICH ENGAGES WITH THE DISTINCTIVE ISSUES AFFECTING THE MONETARY LAW OF THE PERIOD. THIS INTERDISCIPLINARY APPROACH REVEALS THE DISTINCTIVE CONCEPTION OF MONEY PREVALENT IN EACH PERIOD, WHICH EITHER FACILITATED OR HAMPERED THE IMPLEMENTATION OF ECONOMIC POLICY AND THE OPERATION OF PRIVATE TRANSACTIONS.
- 2 [THE COMMON EUROPEAN SALES LAW IN CONTEXT](#) GERHARD DANNEMANN, STEFAN VOGENAUER, 2013-03-21 EUROPEAN CONTRACT LAW UNIFICATION PROJECTS HAVE RECENTLY ADVANCED FROM THE DRAFT COMMON FRAME OF REFERENCE (2009) TO A EUROPEAN COMMISSION PROPOSAL FOR AN OPTIONAL COMMON EUROPEAN SALES LAW (2011) WHICH IS TO FACILITATE CROSS-BORDER MARKETING. THIS BOOK INVESTIGATES FOR THE FIRST TIME HOW CESL AND DCFR RULES WOULD INTERACT WITH VARIOUS ASPECTS OF DOMESTIC LAW, REPRESENTED BY ENGLISH AND GERMAN LAW. NINETEEN CHAPTERS, CO-AUTHORED BY BRITISH AND GERMAN SCHOLARS, EXAMINE SUCH INTERFACE ISSUES FOR EG PRE-CONTRACTUAL RELATIONSHIPS, NOTIONS OF CONTRACT, FORMATION, INTERPRETATION, AND REMEDIES, EXTENDING TO NON-DISCRIMINATION, THIRD PARTIES, TRANSFERS OR RIGHTS, ASPECTS OF PROPERTY LAW, AND COLLECTIVE PROCEEDINGS. THEY GO BEYOND A CRITICAL ANALYSIS OF CESL AND DCFR RULES BY DEMONSTRATING WHERE AND HOW CESL RULES WOULD INTERACT WITH NEIGHBOURING AREAS OF ENGLISH AND GERMAN LAW BEFORE ENGLISH AND GERMAN COURTS, HOW DOMESTIC TRADITIONS MIGHT INFLUENCE THE APPLICATION, WHICH ASPECTS MIGHT MOTIVATE SELLERS AND BUYERS TO CHOOSE OR REJECT CESL, AND WHICH MIGHT SERVE AS MODEL FOR NATIONAL LEGISLATORS. THE FINDINGS ARE SUMMARIZED IN THE FINAL TWO CHAPTERS.
- 2 [NOVEL ASPECTS OF PTHrP PHYSIOPATHOLOGY](#) CLAUDIO LUPARELLO, 2007 THE IDEA OF THIS BOOK IS TO ATTEMPT TO PROVIDE AN APPROPRIATE GROUND FOR THE DISCUSSION OF MODERN PTHrP-RELATED ISSUES, AND FOR THE CONSIDERATION OF ATTENTIVE SPECULATION AND COMMENTS ON CURRENT WORK. IT IS DESIGNED TO INTERSECT ALL THE USUAL LINES OF DISCIPLINES, PROVIDING A SITE FOR PRESENTING PERTINENT INVESTIGATIONS AND FOR DISCUSSING CRITICAL QUESTIONS RELEVANT TO THE ENTIRE FIELD, THUS SEEKING TO DEVELOP A NEW FOCUS AND NEW PERSPECTIVES FOR ALL THOSE CONCERNED WITH PTHrP AND ITS PATHOBIOLOGY.
- 2 [NETWORKS AS CONNECTED CONTRACTS](#) GUNTHER TEUBNER, 2011-05-27 BUSINESS NETWORKS CONSIST OF SEVERAL INDEPENDENT BUSINESSES THAT ENTER INTO INTERRELATED CONTRACTS, CONFERRING ON THE PARTIES MANY OF THE BENEFITS OF CO-ORDINATION ACHIEVED THROUGH VERTICAL INTEGRATION IN A SINGLE FIRM, WITHOUT CREATING A SINGLE INTEGRATED BUSINESS SUCH AS A CORPORATION OR PARTNERSHIP. RETAIL FRANCHISES ARE ONE SUCH EXAMPLE OF A NETWORK, BUT THE MOST COMMON INSTANCE IS A CREDIT CARD TRANSACTION BETWEEN A CUSTOMER, RETAILER, AND THE ISSUER OF THE CARD. HOW SHOULD THE LAW ANALYSE THIS HYBRID ECONOMIC PHENOMENON? IT IS NEITHER EXACTLY A MARKET RELATIONSHIP - BECAUSE THAT OVERLOOKS THE CO-ORDINATION, RELATIONAL QUALITIES AND INTERDEPENDENCE OF THE CONTRACTS - NOR IS IT A TYPE OF BUSINESS ASSOCIATION OR COMPANY, SINCE IT LACKS A CENTRALISED CO-ORDINATING AUTHORITY THAT RECEIVES THE RESIDUAL PROFITS. THIS BOOK IS A TRANSLATION OF GUNTHER TEUBNER'S CLASSIC WORK ON NETWORKS, SETTING OUT HIS NOVEL LEGAL CONCEPT OF 'CONNECTED CONTRACTS'. IN IT HE EXPLAINS HOW THIS CONCEPT ADDRESSES THE PROBLEMS POSED BY NETWORKS, SUCH AS THE QUESTION WHETHER THE NETWORK AS A WHOLE CAN BE HELD LEGALLY RESPONSIBLE FOR DAMAGE THAT IT CAUSES TO THIRD PARTIES SUCH AS CUSTOMERS. A SUBSTANTIAL INTRODUCTION BY HUGH COLLINS EXPLAINS THE ANALYSIS OF NETWORKS IN THE CONTEXT OF GERMAN LAW AND THE SYSTEMS THEORY FROM WHICH TEUBNER APPROACHES THE TOPIC. THE INTRODUCTION ALSO EXPLORES HOW FAR THE CONCEPT OF CONNECTED CONTRACTS MIGHT ASSIST IN THE COMMON LAW WORLD, INCLUDING THE UK AND THE USA, TO ADDRESS THE SAME PROBLEMS THAT ARISE IN CASES INVOLVING NETWORKS. AS WELL AS MAKING A CONTRIBUTION TO COMPARATIVE LAW AND LEGAL THEORY, THE BOOK WILL BE OF INTEREST TO SCHOLARS INTERESTED IN CONTRACT LAW, COMMERCIAL LAW AND THE LAW OF BUSINESS ASSOCIATIONS.
- 2 [CONTRACT LAW IN INTERNATIONAL COMMERCIAL ARBITRATION](#) PETER SESTER, 2022-11-22 THE VAST BULK OF CLAIMS IN INTERNATIONAL COMMERCIAL ARBITRATION ARE CONTRACTUAL IN NATURE. VIEWED THROUGH THAT LENS, WHAT COMES TO OCCUPY CENTRE STAGE IN THE ARBITRATION OF DISPUTES IS THE CHOICE OF APPLICABLE CONTRACT LAW. THIS BOOK BREAKS NEW GROUND BY FOR THE FIRST TIME FOCUSING IN DEPTH ON THE CONTRACT LAW CHOSEN BY THE PARTIES TO BE APPLIED TO DISPUTES. THE AUTHOR USES A COMPARATIVE-INDUCTIVE METHODOLOGY TO ANALYSE WHY - ACCORDING TO STATISTICS OF THE INTERNATIONAL CHAMBER OF COMMERCE - ENGLISH, NEW YORK, AND SWISS CONTRACT LAW OUTPERFORM TRANSNATIONAL AND OTHER CONTRACT LAW REGIMES IN THE CHOICE-OF-LAW PROVISION OF BUSINESS CONTRACTS. HE FINDS THAT THESE THREE BODIES OF LAW SHARE A FIRM COMMITMENT TO ENFORCING THE CONTRACT AS WRITTEN, THUS PRIORITIZING CERTAINTY, STABILITY, AND PREDICTABILITY, AND CLEARLY RECOGNIZING THE PARTIES' RIGHT TO DETERMINE FOR THEMSELVES (AND HAVE ARBITRATORS AND COURTS RESPECT) CENTRAL ISSUES SUCH AS RISK ALLOCATION AND PRICE. STARTING FROM A DETAILED COMPARATIVE EXAMINATION OF TRADITIONAL AND CONTEMPORARY THEORIES OF CONTRACT, THE AUTHOR DEVELOPS A MINIMALIST APPROACH THAT IS ACCEPTABLE TO LAWYERS WITH A CIVIL OR COMMON LAW BACKGROUND AND THAT FACILITATES DEALMAKING BY PROVIDING A CLEAR SET OF HARD-EDGED RULES IN FOUR AREAS - FORMATION OF CONTRACTS, INVALIDITY AND PUBLIC POLICY, CONTRACT INTERPRETATION, AND DAMAGES FOR BREACH - AND SHOWING HOW EACH OF THE THREE CONTRACT REGIMES THAT ARE DOMINANT IN PRACTICE MANIFESTS HIS APPROACH. WITH ITS EMPHASIS ON PRAGMATIC ADJUDICATION GROUNDED ON FACTS AND CONSEQUENCES RATHER THAN ON CONCEPTUALISMS AND GENERALITIES, THE BOOK GREATLY ENHANCES THE ABILITY OF ARBITRATORS TO MAKE DECISIONS BASED ON LEGAL ARGUMENTS THAT FIT THE SETTING OF INTERNATIONAL COMMERCIAL ARBITRATION. IT IS SURE TO BECOME ESTABLISHED AS A TOOL TO ACHIEVE THE DEFINED OBJECTIVE OF FACILITATING CROSS-BORDER COMMERCIAL TRANSACTIONS AS WELL AS PROVIDING ARBITRATORS WITH A SET OF RULES FOR THE INTERPRETATION OF

CONTRACTUAL PROVISIONS AND THE QUANTIFICATION OF DAMAGES. ‘PETER SESTER CONFRONTS THE REALITY THAT DISPUTES IN COMMERCIAL ARBITRATION ARE OVERWHELMINGLY CONTRACT-BASED, AND PROPERLY DIRECTS OUR ATTENTION AWAY FROM THE CONTRACT BY WHICH THE PARTIES AGREED TO ARBITRATE TO THE CONTRACT BY REFERENCE TO WHICH THEY INTENDED THEIR DISPUTES TO BE ADJUDICATED. THIS IS A MOST WELCOME MOVE AND ONE THAT CANNOT HELP STIMULATE THOSE WHOSE INTERESTS ARE SIMILARLY SITUATED ON THE FRONTIER BETWEEN THE LAW OF ARBITRATION AND THE LAW OF INTERNATIONAL CONTRACTS.’ PROF. GEORGE A. BERMAN COLUMBIA UNIVERSITY, NEW YORK CITY ‘THIS IS A BOOK THAT IS NOT ONLY USEFUL BUT ALSO CLOSE TO MARKET EXPECTATIONS. ... SUMMING UP, I WOULD LIKE TO CONGRATULATE PETER SESTER FOR GIVING US A FREE-MARKET SOCIETY BOOK. HE PROVIDES HIS READERS WITH MUCH FOOD FOR THOUGHT AND A REMARKABLE ADMONITION NOT TO REPLACE THE PARTIES’ WORK WITH PUBLIC POLICY CONSIDERATIONS.’ PROF. DR PETER NOBEL EMERITUS UNIVERSITIES ST. GALLEN AND ZÜRICH, SWITZERLAND

INTERNATIONAL ENCYCLOPEDIA OF COMPARATIVE LAW RENÉ DAVID, 1975

INTERNATIONAL ENCYCLOPEDIA OF COMPARATIVE LAW VIKTOR KNAPP, 1983

CZECH (¶ CENTRAL EUROPEAN) YEARBOOK OF ARBITRATION - BORDERS OF PROCEDURAL AND SUBSTANTIVE LAW IN ARBITRAL PROCEEDINGS - 2013 ALEXANDER J. BLOHL, FILIP CERNÝ, NADĚJDA ROZEHNALOVÁ, 2013-03-01 THE CZECH YEARBOOKS PROJECT, FOR THE MOMENT MADE UP OF THE CZECH YEARBOOK OF INTERNATIONAL LAW® AND THE CZECH (¶ CENTRAL EUROPEAN) YEARBOOK OF ARBITRATION®, BEGAN WITH THE IDEA TO CREATE AN OPEN PLATFORM FOR PRESENTING THE DEVELOPMENT OF BOTH LEGAL THEORY AND LEGAL PRACTICE IN CENTRAL AND EASTERN EUROPE AND THE APPROXIMATION THEREOF TO READERS WORLDWIDE. THIS PLATFORM SHOULD SERVE AS AN OPEN FORUM FOR INTERESTED SCHOLARS, WRITERS, AND PROSPECTIVE STUDENTS, AS WELL AS PRACTITIONERS, FOR THE EXCHANGE OF DIFFERENT APPROACHES TO PROBLEMS BEING ANALYZED BY AUTHORS FROM DIFFERENT JURISDICTIONS, AND THEREFORE PROVIDING INTERESTING INSIGHT INTO ISSUES BEING DEALT WITH DIFFERENTLY IN MANY DIFFERENT COUNTRIES. THE CZECH (¶ CENTRAL EUROPEAN) YEARBOOK OF ARBITRATION®, THE YOUNGER TWIN PROJECT WITHIN THE CZECH YEARBOOKS, PRIMARILY FOCUSES ON THE PROBLEMATIC OF ARBITRATION FROM BOTH THE NATIONAL AND INTERNATIONAL PERSPECTIVE. THE USE OF ARBITRATION AS A METHOD OF DISPUTE RESOLUTION CONTINUES TO INCREASE IN IMPORTANCE. THROUGHOUT CENTRAL AND EASTERN EUROPE, ARBITRATION IS VIEWED AS BEING PROGRESSIVE, DUE TO ITS PRACTICAL ASPECTS, AND TO ITS MEETING THE NEEDS OF SPECIALISTS IN CERTAIN PRACTICE AREAS. CENTRAL AND EASTERN EUROPE, THE PRIMARY, BUT NOT EXCLUSIVE, FOCUS OF THIS PROJECT, IS STEEPED IN THE ROMAN TRADITION OF CONTINENTAL EUROPE, IN WHICH ARBITRATION IS BASED ON THE AUTONOMY OF THE PARTIES AND ON INFORMAL PROCEDURES. THIS CLASSICAL APPROACH IS SOMEWHAT DIFFERENT FROM THE PRINCIPLES ON WHICH THE SYSTEM OF ARBITRATION IN COMMON-LAW COUNTRIES IS BASED. DESPITE SIMILARITIES AMONG COUNTRIES IN THE REGION, ARBITRATION IN CENTRAL AND EASTERN EUROPE REPRESENTS A HIGHLY PARTICULARIZED AND FRAGMENTED SYSTEM. ONE SHORTCOMING IN THE USE OF ARBITRATION IN CENTRAL AND EASTERN EUROPE IS THE ABSENCE OF COMPARATIVE STANDARDS OR A BASELINE THAT WOULD FACILITATE THE IDENTIFICATION OF COMMONALITIES AND DIFFERENCES IN INDIVIDUAL COUNTRIES, AND HELP RESOLVE PROBLEMS THAT ARE COMMON THROUGHOUT THE REGION. THE CYARB® PROJECT AIMS TO ADDRESS THIS ISSUE AND PROVIDE A FORUM FOR COMPARISONS OF ARBITRATION PRACTICE AND DOCTRINE IN COUNTRIES WITHIN THE REGION, AND IN RELATION TO PRACTICES INTERNATIONALLY. IT SHEDS LIGHT ON BOTH PRACTICAL AND ACADEMIC ASPECTS WITHIN THESE COUNTRIES, AND COMPARES THOSE APPROACHES TO BROADER EUROPEAN AND INTERNATIONAL PRACTICES. THIS PROJECT WILL ALSO FOSTER A BROAD EXCHANGE OF LEGAL RESEARCH AND OTHER INFORMATION ON THE SUBJECT. THE THIRD VOLUME OF THE CYARB® FOCUSES ON THE BLURRY AREA WHICH BORDERS THE PROCEDURAL AND SUBSTANTIAL LAW. EDITORS, BEING MOTIVATED WITH AN ENDEAVOUR TO PROVIDE THE READERS WITH COMPLEX INSIGHT INTO THE PROBLEMATIC, INVITED AUTHORS OF CIVIL SAME AS COMMON LAW JURISDICTIONS TO PROVIDE THEIR INSIGHT AND ANALYSIS ON THE PROBLEMS OF I.E. MANDATORY PROVISIONS OF PROCEDURAL SAME AS SUBSTANTIVE LAW, ISSUES OF APPLICATION OF LAW IN ARBITRATION, ADJUDICATION ACCORDING TO THE EX AEQUO ET BONO PRINCIPLES, ISSUES OF THE BURDEN AND STANDARD OF PROOF AND OTHERS. THE ISSUES ARE PRESENTED ON HIGHLY COMPARATIVE BASIS PROVIDED MOSTLY BY PRACTITIONERS WHO ARE SIMULTANEOUSLY INVOLVED IN ACADEMIC ACTIVITIES. THE BOOK IS DIVIDED INTO FOUR SECTIONS. THE BACKBONE SECTIONS ENCOMPASS THE DOCTRINAL ARTICLES OF THE AUTHORS SAME AS CASE LAW ANALYSIS OF THE DOMESTIC COURTS FROM THE REGION RELATING TO THE TOPIC, COVERING THE CASE LAW OF CONSTITUTIONAL, GENERAL SAME AS ARBITRAL COURTS OF THE COUNTRIES FROM THE CENTRAL EUROPEAN REGION. THE REST OF THE BOOK COVERS THE NEWS IN THE ARBITRATION AREA SAME AS INTERESTING ARBITRATION EVENTS OR PUBLISHED ARTICLES AND BOOKS OF THE AUTHORS FROM THE REGION. THE NEW VOLUME OF THE THE CZECH (¶ CENTRAL EUROPEAN) YEARBOOK OF ARBITRATION® : BORDERS OF PROCEDURAL AND SUBSTANTIVE LAW IN ARBITRAL PROCEEDINGS (CIVIL VERSUS COMMON LAW PERSPECTIVES) BRINGS USEFUL RESOURCE FOR EVERYONE WHO IS DEALING WITH ARBITRATION IN ALL OF ITS ASPECTS, BE IT AN ACADEMIC, PRACTITIONER, LAW OR INTERNATIONAL RELATIONS STUDENT WHO SEEKS GLOBAL COMPENDIUM ON THE ISSUE INCLUDING AN OVERLAP TO ECONOMIC AND POLITIC ASPECTS OF THE PROBLEMATIC.

INTRODUCTION TO COMPARATIVE LAW KONRAD ZWEIGERT, HEIN KOTZ, 1992 THIS BOOK FIRST DISCUSSES THE NATURE OF COMPARATIVE LAW, ITS FUNCTIONS, AIMS, METHODS AND HISTORY, THEN SURVEYS THE MAIN FEATURES OF THE MAJOR LEGAL FAMILIES OF THE WORLD. EXTREMELY WELL WRITTEN, THIS TEXT OUTLINES ALL THE MAJOR LEGAL SYSTEMS OF THE WORLD AND DETAILS INDIVIDUAL AREAS OF LAW WITHIN THESE SYSTEMS. ITS PRIOR EDITION HAS BEEN HIGHLY REGARDED WORLD-WIDE SINCE ITS PUBLICATION AND WAS TRANSLATED INTO MANY LANGUAGES INCLUDING ITALIAN, JAPANESE AND RUSSIAN. THIS THIRD EDITION HAS BEEN UPDATED AND CONTAINS USEFUL NEW MATERIAL INCLUDING A CHAPTER ON JAPANESE LAW. IT HAS BEEN SKILLFULLY TRANSLATED FROM THE GERMAN BY TONY WEIR. A KEY RESOURCE, THIS TEXT PROVIDES THE FRAMEWORK FOR A STUDY OF COMPARATIVE LAW.

THE DEVELOPMENT OF TRAFFIC LIABILITY WOLFGANG ERNST, 2014-07-31 AN EXAMINATION OF THE LEGAL RESPONSES ACROSS WESTERN EUROPE TO THE PROBLEMS OF RAIL AND ROAD ACCIDENTS FROM 1850-2000.

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 (MIDDELLIJKE 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

EUROPEAN CONTRACT LAW HEIN KOTZ, 2017-10-13 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.

INTRODUCTION TO GERMAN LAW JOACHIM ZEKOLL, GERHARD WAGNER, 2018-11-28 IT IS THIRTEEN YEARS SINCE THE APPEARANCE OF THE SUCCESSFUL SECOND EDITION OF THIS CONVENIENT ENGLISH-LANGUAGE INTRODUCTION TO THE LAW OF GERMANY. THIS NEW EDITION COVERS ALL THE SIGNIFICANT CHANGES AND INNOVATIONS THAT HAVE OCCURRED DURING THAT PERIOD, ENCOMPASSING THE PERVASIVE IMPACTS OF EUROPEAN UNION LAW AND OF GLOBALIZATION, AS WELL AS THE GREATLY INCREASED ACTIVITY OF THE GERMAN LEGISLATURE IN EVERY AREA ADDRESSED IN THIS VOLUME. WITH FIFTEEN LUCID CHAPTERS WRITTEN BY ACADEMIC EXPERTS IN THEIR RESPECTIVE FIELDS OF LAW, AS WELL AS DETAILED BIBLIOGRAPHIES, THIS IS THE IDEAL STARTING POINT FOR RESEARCH WHENEVER A QUESTION OF GERMAN LAW MUST BE ANSWERED. THE AUTHORS CLEARLY EXPLAIN THE LEGAL CONCEPTS, CUSTOMS, AND RULES ARISING FROM SUCH BASIC ELEMENTS AS THE FOLLOWING: – CHARACTERISTIC PROBLEMS OF GERMAN LEGAL UNITY; – PRINCIPLES AND PRACTICES OF CONSTITUTIONAL LAW; – ADMINISTRATIVE LAW AND PROCEDURE; – THE GERMAN COMMERCIAL CODE; – FORMATION AND CONDUCT OF CORPORATIONS AND PARTNERSHIPS; – CONTRACTS; – TORT LIABILITY; – PROPERTY RIGHTS; – FAMILY LAW; – SUCCESSION AND INHERITANCE; – LABOR AND EMPLOYMENT; – ISSUES OF PRIVATE INTERNATIONAL LAW; – COURTS AND CIVIL PROCEDURE; – THE PENAL CODE AND CRIMINAL PROCEDURE. INTRODUCTION TO GERMAN LAW, THIRD EDITION PROVIDES AN AUTHORITATIVE DESCRIPTION OF ALL ISSUES LIKELY TO EMERGE IN THE COURSE OF NORMAL APPLICATION OF GERMAN LAW IN ANY CONTEXT.

THE GERMAN LAW OF OBLIGATIONS B. S. MARKESINIS, WERNER LORENZ, GERHARD DANNEMANN, 1997

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