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Cheshire, North & Fawcett Private International Law Cheshire, North & Fawcett: Private International Law Cheshire, North and Fawcett Declining Jurisdiction in Private International Law Intellectual Property and Private International Law Human Rights and Private International Law Cheshire and North's Private International Law Corporations in Private International Law Private International Law in Commonwealth Africa Forum Shopping and Venue in Transnational Litigation Anti-Politics, Depoliticization, and Governance Conflict of Laws in Intellectual Property Substance and Procedure in Private International Law Private International Law Online Private International Law in the English Courts European Private International Law Private International Law, Indian and English The Conflict of Laws International Sale of Goods in the Conflict of Laws Civil Liability for Animals To Come and Go Like Magic Res Judicata, Estoppel, and Foreign Judgments Liberalism Agreements on Jurisdiction and Choice of Law Residence of Individuals Under Tax Treaties and EC Law Forum (Non) Conveniens in England The Conflict of Laws in India Party Autonomy in Contractual Choice of Law in China International Commercial Litigation Private International Law The Arrest of Ships in Private International Law Indian Private International Law International Private Law Party Autonomy in Private International Law Shares and Other Securities in the Conflict of Laws The Confluence of Public and Private International Law European Private International Law Freedom of Establishment and Private International Law for Corporations A Conflict of Laws Companion Private International Law and the Internet

The new edition of this well-established and highly regarded work has been fully updated to encompass the major changes and developments in the law, including the newly finalised Rome II Regulation. The book is invaluable for the practitioner as well as being one of the leading students' textbooks in the field. In this, the fourth edition of Private International Law and the Internet, Professor Dan Svantesson provides a detailed and insightful account of what has emerged as the most crucial current issue in private international law; that is, how the Internet affects and is affected by the five fundamental questions: When should a lawsuit be entertained by the courts? Which state's law should be applied? When should a court that can entertain a lawsuit decline to do so? How wide 'scope of jurisdiction' should be afforded to a court with jurisdiction over a dispute? And will a judgment

rendered in one country be recognized and enforced in another? Professor Svantesson identifies and investigates twelve characteristics of Internet communication that are relevant to these questions and then proceeds with a detailed discussion of what is required of modern private international law rules. Focus is placed on several issues that have far-reaching practical consequences in the Internet context, including the following: cross-border defamation; cross-border business contracts; cross-border consumer contracts; and cross-border intellectual property issues. A wide survey of private international law solutions encompasses insightful and timely analyses of relevant laws adopted in a variety of jurisdictions, including Australia, England, Hong Kong SAR, the United States, Germany, Sweden, and China, as well as in a range of international instruments. There is also a chapter on advances in geo-identification technologies and their special value for legal practice. The book concludes with two model international conventions, one on cross-border defamation and one on cross-border contracts, as well as a set of practical checklists to guide legal practitioners faced with cross-border matters within the discussed fields. Professor Svantesson's book brings together a wealth of research findings in the overlapping disciplines of law and technology that will be of particular utility to practitioners and academics working in this complex and rapidly changing field. His thoughtful analysis of the interplay of the developing Internet and private international law will also be of great value, as will the tools he offers with which to anticipate the future. Private International Law and the Internet provides a remarkable stimulus to continue working towards globally acceptable private international law rules for communication via the Internet. Usable both as a student textbook and as a general introduction for legal professionals, European Private International Law is designed to reflect the reality of legal practice throughout the EU. The private international law of the Member States is increasingly regulated by the EU, making private international law ever less 'national' and ever more EU based. Consequently, EU law in this area has penetrated national law to a very high degree, making it an essential area of study and an area of increasing importance to practising lawyers throughout the EU. This book provides a thorough overview of core European PIL, including the Brussels I, Rome I and Rome II Regulations (jurisdiction, applicable law for contracts and tort), while additional chapters deal with PIL and insolvency, freedom of establishment and corporate social responsibility. The rules by which a venue is selected and settled upon for the resolution of any given transnational dispute have fostered a complex, fascinating and burgeoning body of law of great commercial significance. As courts and legislatures seek to fashion sophisticated yet practicaljurisdictional responses to this issue, practitioners strive to maximize their clients' prospects of success by

securing their own preferred venue. For so long as different forums yield the prospect of different outcomes in the resolution of any given dispute, litigation about where to litigate isinevitable.Forum shopping is the province of plaintiffs and defendants alike. This book examines the fascinating competition to win the battle for venue in transnational litigation.It first identifies and analyses the pre-conditions and incentives for forum shopping. These serve to explain not only the frequent intensity of interlocutory litigation relating to questions of venue but also the reason why much transnational litigation settles once the issue of venue is resolved,in turn underlining the practical significance of the subject. The guiding principle of the 'natural forum' - the common law's conceptual response to disputed questions of venue - is subjected to detailed analysis and compared with the more orderly response of jurisdiction-regulating conventions,most successfully effected in EU Regulation 44/2001 and its progenitor, the Brussels Convention. Then the various techniques of what can be called 'reverse forum shopping' including the evolving law relating to anti-suit injunctions and its interplay with the concept of international judicialcomity are considered in detail. Finally, the book examines the role of, and the law relating to, jurisdiction and arbitration agreements in transnational litigation, including the manifold techniques by which parties seek to (and frequently do) extricate themselves from these forum-selectionarrangements. A compelling history of liberalism from the nineteenth century to today Liberalism dominates today's politics just as it decisively shaped the American and European past. This engrossing history of liberalism—the first in English for many decades—traces liberalism's ideals, successes, and failures through the lives and ideas of a rich cast of European and American thinkers and politicians, from the early nineteenth century to today. An enlightening account of a vulnerable but critically important political creed, Liberalism provides the vital historical and intellectual background for hard thinking about liberal democracy's future. When the law of a foreign country is selected or pleaded by a claimant or defendant, a question arises as to whether the issue pertains to substance, in which case it may be resolved by foreign law, or procedure, in which case it will be governed by the law of forum. This book examines the distinction between substance and procedure questions in private international law, and analyses where and whether each is appropriate. To do so, it examines previous attempts to define the scope of procedure in private international law, considers alternative choice of law methods for referring matters to the law of forum, and examines the influence of the doctrine of characterization on procedure. Substance and Procedure in Private International Law also provides detailed analysis of the decisional law in which the substance-procedure distinction has been employed, creating a clear assessment of its

application in various practical situations and providing valuable guidance for practitioners on how the distinction should be applied. The book also considers 'procedural' topics such as service of process and the taking of evidence abroad, in order to show how the application of forum law may further be limited by foreign laws. With a foreword by the Hon Sir Anthony Mason. Provides an unprecedented historical, theoretical and comparative analysis and appraisal of party autonomy in private international law. These issues are of great practical importance to any lawyer dealing with cross-border legal relationships, and great theoretical importance to a wide range of scholars interested in law and globalisation. Présentation de l'édition : This up-to-date treatment of an area of increasing importance provides an in-depth and clear analysis of the complexities of the subject. The newly revised edition of this highly regarded book provides a thorough account of all branches of Scots private law in their conflict of laws dimension. A noted feature of the subject, to which the book pays central attention, is the expanding influence of the EU legislative programme for civil justice, which affects the substance of the conflict rules of all European Member States. The Brussels I Recast regulation is given a full analysis in particular, as are Rome IV (wills and succession) and Rome III (choice of law in divorce). The book explains and analyses the rules of civil and commercial jurisdiction set out in the Brussels I Regulation, and the choice of law rules of the law of obligations contained in the new Rome I and Rome II Regulations. In family law, a full treatment is given of the rules pertaining to jurisdiction and recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, as contained in the Brussels II bis Regulation, including their interaction with the Hague Convention on International Child Abduction. The chapter on marriage is updated significantly to take account of same sex marriage legislation in Scotland and England. Full account is given of the conflict rules pertaining to property, in the various contexts of matrimonial and cohabiting relationships, lifetime transfers, insolvency and succession. The book is a thorough and accessible treatment of the theory and methodology employed in this branch of the law, and constitutes an immensely valuable source of information, for students of the subject and practitioners, about the changing content of this important area of the law." There is a mounting body of evidence pointing towards rising levels of public dissatisfaction with the formal political process. Depoliticization refers to a more discrete range of contemporary strategies that add to this growing trend towards anti-politics by either removing or displacing the potential for choice, collective agency, and deliberation. This book examines the relationship between these two trends as understood within the broader shift towards governance. It brings together a number of contributions from scholars who

have a varied range of concerns but who nevertheless share a common interest in developing the concept of depoliticization through their engagement with a set of theoretical, conceptual, methodological, and empirical questions. This volume explores these questions from a variety of different perspectives and uses a number of different empirical examples and case studies from both within the nation state as well as from other regional, global, and multi-level arenas. In this context, this volume examines the potential and limits of depoliticization as a concept and its position and contribution in the nexus between the larger and more established literatures on governance and anti-politics. Analysing the arrest of ships in English and Scots law in the light of the international conventions in the field this book examines the protective, security, and jurisdictional functions of arrest within the three classical domains of private international law: applicable law, jurisdiction, and the recognition and enforcement of foreign judgments. The new edition of this well-established and highly regarded work has been fully updated to encompass the major changes and developments in the law, including the newly finalised Rome II Regulation. The book is invaluable for the practitioner as well as being one of the leading students' textbooks in the field. Twelve-year-old Chili Sue Mahoney has never been outside of her small Appalachian town. Momma says Mercy Hill, Kentucky, is her “true home,” but Chili longs to see the world—to have the freedom to leave and to explore. So when Miss Matlock is brought in as the 7th grade substitute teacher, Chili and her classmate Willie Bright are thrilled. Everyone knows Miss Matlock has traveled around the globe. Why she’s come back to her childhood home after all this time is a mystery, but Chili and Willie are eager to befriend her despite the rumors. As the three spend time together, Chili learns about the jungles and deserts and cities of the world. But she also discovers that there’s more to Mercy Hill than she thought: beauty, in the people and places she’s known all her life, and secrets, sometimes where they’re least expected. Told in vignettes and set in 1970s Appalachia, To Come and Go Like Magic is a heartwarming and hopeful debut novel about family, friendship, and the meaning of home. Freedom of establishment is one of the four fundamental freedoms of the European Union. The principle is that natural persons who are European Union Citizens, and legal entities formed in accordance with the law of a Member State and having its registered office, central administration or principal place of business within the EU, may take up economic activity in any Member State in a stable and continuous form regardless of nationality or mode of incorporation. This book examines the way in which EU law has influenced how national courts in Europe assert jurisdiction in cross-border corporate disputes and insolvencies, and the mechanism which allows them to decide which

national law should apply to the substance of the dispute. The book also considers the potential for EU Member States to compete for devising national corporate and insolvency legislation that will attract incorporations or insolvencies. Central to the book is the concept of national choice of law. In considering the impact of freedom of establishment on private international law for corporations, the book uniquely analyses both corporate and insolvency law together, presenting the topic in the broadest possible sense. Importantly, the doctrine of abuse in corporate and insolvency law is covered, raising the question of 'forum shopping' and regulatory competition which underpins the intersection between freedom of establishment and private international law. Through examination of the most recent and leading judgments of the European Court of Justice in Centros and Cadbury Schweppes, the book derives certain conclusions as to the operation of the doctrine of abuse and the limits thereof in the context of freedom of establishment. Being the first in the field to examine the leading ECJ cases of Inspire Art, Sevic and Cartesio regarding the real seat doctrine, the book makes the judgment that there is no incompatibility as such between the doctrine and the freedom of establishment. Ultimately, the book analyses to what extent diversity in the corporate and insolvency laws of the Member States should be preserved, so as to encourage competition between jurisdictions in Europe. This book offers a restatement of European and English Private International Law as it applies in the English courts. Offering a new alternative to the traditionally approach of describing private international law as built on common law foundations, the author places European Regulations, and related statutory material, at the front and centre of the book, reorganising private international law according to the principles that the law is increasingly European anddecreasingly insular. The book provides a fresh start to the discipline for practitioners, with an approach to authority which is intended to be sufficient as well as manageable. A Conflict of Laws Companion brings together a group of expert authors to write essays in honour of Professor Adrian Briggs QC, his contributions as a teacher in the study of law, and his work in the conflict of laws. This book deals comprehensively with the problems raised by residence of individuals for tax purposes. It begins with an overview of residence of individuals in private international law, with a particular emphasis on general principles on residence and conflict of law rules. It then examines issues raised by residence of individuals in EC (non-tax) law. Individual country surveys provide in-depth analyses from a national viewpoint. The following countries are discussed: Australia, Austria, Belgium, Canada, France, Germany, Italy, Japan, Netherlands, Spain, Switzerland and United Kingdom. This book is the first one in English to focus in depth upon the private international law problems raised

by the sale of goods. It begins with the substantive law and practice, and uses this as the basis for a comparative and critical discussion of the private international law issues. Examples of the typical obligations of the buyer and seller are also provided. International Sale of Goods in the Conflict of Laws is a strong new addition to the Oxford Private International Law Series and covers everything from torts to e-commerce. Contracts of sale with a cross-border element are an everyday occurrence and one which is becoming ever more common with the advent of modern communications technology. For example, where, for jurisdictional purposes, is the place or performance of the obligation to pay for goods? Where software is sold over the Internet, is this a sale of goods contract and, if so, where are the goods delivered? Foreign judgments as to title raise complex questions as to enforcement, recognition and res judicata. As regards choice of law, sales-specific problems arise to a large extent from the interaction of contractual obligations and title matters which are central to the sale contract and the complex characterisation questions which ensue. They arise from the enactment in many countries of the Vienna Convention, from the complex inter-relationship between buyer, seller and third parties and from sales-specific domestic legislation which may be mandatory irrespective of the applicable law. The book is concerned not only with contractual disputes that can arise out of the international sale of goods but also with torts, such as conversion and negligent misstatement, that can arise out of this type of contract. Restitutionary and proprietary claims can also arise. Special attention is paid to both the jurisdictional and choice of law problems that occur in cases of business to business e-commerce. This classic textbook provides a thorough overview of European private international law. It is essential reading for private international law students who need to study the European perspective in order to fully get to grips the subject. Opening with foundational questions, it clearly explains the subject's central tenets: the Brussels I, Rome I and Rome II Regulations (jurisdiction, applicable law for contracts and tort). Additional chapters explore the Succession Regulation, private international law and insolvency, freedom of establishment, and the impact of PIL on corporate social responsibility. The new edition includes a new chapter on the Hague instruments and an opening discussion on the impact of Brexit. Drawing on the author's rich experience, the new edition retains the book's hallmarks of insight and clarity of expression ensuring it maintains its position as the leading textbook in the field. Examining the impact, both actual and potential, of human rights concerns on private international law as well as the oft overlooked topic of the impact of private international law on human rights, this work represents an invaluable resource for all those working or conducting research in these areas. Human Rights and Private International

Law is the first title to consider and analyse the numerous private international law cases discussing human rights concerns arising in the commercial law context, alongside high profile cases dealing with torture (Jones v. Kingdom of Saudi Arabia) and same sex marriage (Wilkinson v Kitzinger).The right to a fair trial is central to the intersection between human rights and private international law, and is considered in depth along with the right to freedom of expression; the right to respect for private and family life; the right to marry; the right to property; and the prohibition of discrimination on the ground of religion, sex, or nationality. Focussing on, though not confined to, the human rights set out in the ECHR, the work also examines the influence of human rights on private international law in countries which are not a party to the ECHR, such as Australia, Canada, New Zealand, and the United States. The forum (non) conveniens doctrine provides the basis for the discretionary exercise of jurisdiction by English courts in private international law disputes. London's pre-eminence as a centre for international commercial litigation has led to its frequent deployment in proceedings where parties disagree over where a case should be heard. The doctrine's significance is not limited to England but extends to many Commonwealth jurisdictions which have embraced it. This is the first book-length study devoted entirely to examining the forum (non) conveniens doctrine's past, present, and future from the perspective of the law in England. By offering a meticulous and critical analysis of relevant historical and contemporary sources in England and elsewhere, it seeks to fill gaps in relevant knowledge of the English forum (non) conveniens doctrine, and challenge certain views concerning its operation that have come to be regarded as representing the orthodoxy. In this respect, the book attempts to refine our understanding of the doctrine's historical development, evaluate its application in the years following its formal recognition in England, and examine the case for revising it, given the changing nature of international commercial litigation in recent decades. The book's ultimate objective is to act as an authoritative and comprehensive reference point for those with an interest in the forum (non) conveniens doctrine, more specifically, and cross-border private litigation, more generally. The principle of party autonomy in contractual choice of law is widely recognised in the law of most jurisdictions. It has been more than 30 years since party autonomy was first accepted in Chinese private international law. However, the legal rules provided in legislation and judicial interpretations concerning the application of the party autonomy principle are abstract and open-ended. Without a critical understanding of the party autonomy principle and appropriate interpretations of the relevant legal rules, judges have not exercised their discretionary power appropriately. The party autonomy principle has been applied in a way that

undermines its very purpose, that is, to protect the legitimate expectations of the parties and promote the predictability of outcomes in transnational commercial litigation. Jieying Liang addresses the question of how, when, and with what limitations, parties' choice of law clauses in an international commercial contract should be enforced by Chinese courts. This book compares the two golden ages of private international law (PIL): the first is the era of Story and Savigny in the nineteenth century, while the second comprises the last fifty years. The period between 1970 and 2020 has been one of rapid changes and dense legislative responses, exemplified by the adoption of over one hundred national PIL codifications and almost as many international or regional conventions and regulations. These instruments provide a rich source for this book's incisive and instructive comparisons and a fertile ground for a reliable assessment of the progress of PIL as a discipline. This book skillfully uncovers and meticulously documents the gradual—and largely unnoticed—transition of PIL from the idealism of the nineteenth century to the pragmatic eclecticism and pluralism of the twenty-first century. Private International Law Online is a dedicated analysis of the private international law framework in the European Union as it applies to online activities such as content publishing, selling and advertising goods through internet marketplaces, or offering services that are performed online.It provides an insight into the history of internet regulation, and examines the interplay between substantive regulation and private international law in a transaction space that is inherently independent from physical borders.Lutzi investigates the current legal framework of the European Union from two angles: first questioning how the rules of private international law affect the effectiveness of substantive legislation, and then considering how the resulting legal framework affects individual internet users. The bookaddresses recent judgments like the Court of Justice's controversial decision in Glawischnig-Piesczek v Facebook, and the potential consequences of global injunctions, including the adverse effects on freedom of speech and the challenges of coordinating different national laws with regard to onlineplatforms. It also considers the European Union's new Copyright Directive, and the way private international law affects the ability of instruments such as this to create a coherent legal framework for online activities in the European Union.Based on this discussion, Lutzi advocates an alternative approach and sets out how reform might provide a more effective framework, and develops individual elements of the approach to propose new rules and how those rules might adapt to accommodate more recent phenomena and technologies. An analysis of the relationship between private international law, examined from an international systemic perspective, and public international law. The new edition of this well-established and highly regarded work has been fully updated to encompass

the major changes and developments in the law, including coverage of the Recast Brussels I Regulation which came into force in 2015. The book is invaluable for the practitioner as well as being one of the leading students' textbooks in the field, giving comprehensive and accessible coverage of the basic principles of private international law. It offers students, teachers and practitioners not only a rigorous academic examination of the subject, but also a practical guide to the complex subject of private international law. Written by an expert team of academics, there is extensive coverage of commercial topics such as the jurisdiction of various courts and their limitations, stays of proceedings and restraining foreign proceedings, the recognition and enforcement of judgments, the law of obligations with respect to contractual and non-contractual obligations. There are also sections on the various aspects of family law in private international law, and the law of property, including the transfer of property, administration of estates, succession and trusts. This volume examines the protection and exploitation of intellectual property rights, along with international problems relating to which court has jurisdiction and which is the relevant law in foreign cases and judgments. This book provides an authoritative account of the evolution and application of private international law principles in India in civil commercial and family matters. Through a structured evaluation of the legislative and judicial decisions, the authors examine the private international law in the Republic and whether it conforms to international standards and best practices as adopted in major jurisdictions such as the European Union, the United Kingdom, the United States, India's BRICS partners - Brazil, Russia, China and South Africa and other common law systems such as Australia, Canada, New Zealand, and Nepal. Divided into 13 chapters, the book provides a contextualised understanding of legal transformation on key aspects of the Indian conflict-of-law rules on jurisdiction, applicable law and the recognition and enforcement of foreign judgments or arbitral awards. Particularly fascinating in this regard is the discussion and focus on both traditional and contemporary areas of private international law, including marriage, divorce, contractual concerns, the fourth industrial revolution, product liability, e-commerce, intellectual property, child custody, surrogacy and the complicated interface of 'Sharia' in the conflict-of-law framework. The book deliberates the nuanced perspective of endorsing the Hague Conference on Private International Law instruments favouring enhanced uniformity and predictability in matters of choice of court, applicable law and the recognition and enforcement of foreign judgments. The book's international and comparative focus makes it eminently resourceful for legislators, the judges of Indian courts and other interested parties such as lawyers and litigants when they are confronted with cross-border disputes that involve

an examination of India's private international law. The book also provides a comprehensive understanding of Indian private international law, which will be useful for academics and researchers looking for an in-depth discussion on the subject. A comprehensive analysis of liability for animals this book covers harm done by dangerous and straying animals including both dangerous and non-dangerous species. Including a separate chapter on special provisions relating to dogs it provides unique guidance from an internationally renowned legal scholar. The book takes account of the decisions of the courts which have applied, interpreted and explained the Animals Act 1971 over the past four decades including the House of Lords decision in Mirvahedy v Henley (2003). Liability for animals which are not members of a dangerous species but which, in the event, may have been proved to be dangerous is a matter of particular interest and concern. The book addresses matters such as harm done by animals in the course of hunting as well as decisions on a number of non-statutory aspects of the law of animals. The book includes the primary material of the Animals Act, 1971 making it a comprehensive point of reference on this subject. An earlier version of this book was published in 1972 just after the Animals Act 1971 came into force. Although the legislation has remained substantially unamended, there has been a steady flow of case law on the meaning and operation of the provisions of the Act. This clear and original book provides a much-needed analysis of the doctrines of res judicata and abuse of process as applied to foreign judgments recognized in England for their preclusive effect. In particular, it examines the four preclusive pleas which are encountered in practice, namely:(i) cause of action estoppel; (ii) issue estoppel; (iii) former recovery per section 34 of the Civil Jurisdiction and Judgments Act 1982; and (iv) the rule in Henderson v Henderson. So far as foreign judgments are concerned, the book examines separately the preclusive effects of foreign judgmentsrecognized according to the English common law and related statutory rules, and foreign judgments which the English courts are obliged to recognize under the Brussels and Lugano Conventions. It also includes a discussion of the preclusive effects of judgments recognized under the proposed HagueConvention on Jurisdiction and Foreign Judgments in civil and commercial matters.Although the complex and technical doctrines of res judicata and abuse of process are well known in the context of domestic judicial decisions, little has hitherto been written analysing how these doctrines apply when the judgment emanates from a foreign court. It is not surprising, therefore, thatthis area of law has been frequently confused and mis-applied. And yet the recognition of foreign judgments for preclusive purposes is an increasingly important area for practitioners and academics - especially for those interested in international commercial litigation, and not least given

theimportant treaty developments that are occurring. For these reasons, this book is a very timely work. Written with a practitioner focus, it includes extensive references to res judicata authorities in the United Kingdom, Australia and Canada. 'Agreements on Jurisdiction and Choice of Law' analyses the law and practice relating to the classification, drafting, validity and enforcement of contractual clauses relating to jurisdiction, choice of law, arbitration and other types of dispute resolution. The author examines the problems of choice of law relating to shares and other securities. Conflict of laws, or private international law, is an increasingly important subject of study due to growing movement and relocation of a large number of people from one jurisdiction to another for personal and professional reasons. Despite the existence of rules and principles, there is a general uncertainty on issues such as commercial transactions, personal law subjects, and laws relating to property. The Conflict of Laws in India not only lucidly examines the inter-territorial conflicts, but also lays a special emphasis on inter-personal disputes in the Indian context. This book is a detailed and up-to-date study of conflict of laws, and focuses on its three main areas: the law of obligations, law of property, and law of persons. The volume also evaluates the role of various international instruments and conventions, including The Hague Conventions on Private International Law in resolving international conflicts. The author provides fresh perspectives on the subject, and analyses its significance in the dynamic contemporary world. This second edition elaborates on recent developments in two areas of the subject, namely Muslim law and the law relating to guardianship. The Conflict of Laws in Intellectual Property (CLIP) Principles set out rules to resolve international disputes involving intellectual property rights, supplementing international and domestic law, as well as aiding lawyers to interpret the same. This work sets out the Principles alongside article-by-article analysis from authors of the Principles. The new edition has been substantially updated to offer an up-to-date and authoritative account of the law in this rapidly changing field. As well as general updating, the chapter on Torts has been completely rewritten and the growing importance of the law of restitution has led to the inclusion of a new separate chapter on the private international law aspects of this significant field of the law of obligations. The major developments in the law on jurisdiction and the recognition of foreign judgements have also been fully discussed. This book provides a much-needed analysis of this very important subject for company lawyers, including discussion of the principle of freedom of establishment, and focusing upon the key issue of determining where a corporation has its "seat" for legal purposes. A survey is given of currentEC law and of private international law developments in three 'incorporation' countries (Netherlands, England and Switzerland) and three 'real seat' countries

(Germany, France and Italy). Following on from entry into force of the Treaty of Amsterdam, an integrated approach of EC law and privateinternational law is advocated in order to develop instruments to facilitate cross-border company migration. Special attention is given to the 1998 EC Draft Proposal for a Fourteenth Company Law Directive on Cross-border Company Transfers. Written by one of the leading scholars of private international law, this third edition is an accessible introduction to the challenging area of the conflict of laws. Fully reconfigured to take into account the changes brought about by the European Regulations, Adrian Briggs' volume is an essential overview to the field. This carefully structured, practice-orientated textbook provides everything the law student needs to know about international commercial litigation. The strong comparative component provides a thought-provoking international perspective, while at the same time allowing readers to gain unique insights into litigation in English courts. Three important themes of the book analyse how the international element may call into question the power of the court to hear the case, whether it should exercise this power, whether foreign law applies, and whether the court should take into account any foreign judgement. Hartley provides the reader with extracts from leading cases and relevant legislation, together with an extensive reference library of further reading for those who wish to explore the topic in more detail, making this a valuable, single-source textbook. The title will benefit from a companion website, setting out all relevant case law developments for the students. A comprehensive and in-depth analysis of how courts in the countries of Commonwealth Africa decide claims under private international law. The subject of declining jurisdiction in private international law is one of enormous practical importance and academic interest. It is also a topic where a comparative approach is particularly revealing. This book contains the 17 national reports and the general report on the subject of`Rules for declining to exercise jurisdiction: Forum Non Conveniens, Lis Pendens'. The Reports were held in Athens/Delphi in August 1994. The list of nations for which a report has been prepared is as follows: Argentina, Brazil, Canada, Quebec, Finland, France, Germany, Great Britain, Greece,Israel, Italy, Japan, The Netherlands, New Zealand, Sweden, Switzerland, and USA.This book by bringing together all the reports on `Declining Jurisdiction' provides a unique insight into this topic, and, dealing as it does with a key aspect of private international law, fits very well into the Oxford series of monographs on private international law.

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