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Electronic Commerce and International Private Law

A Study of Electronic Consumer
Contracts

Lorna E. Gillies

Annals and the Law

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Jens Fejø, Ruth Nielsen, Thomas Riis



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Electronic Commerce and International Private Law Lorna E. Gillies, 2016-04-29 Electronic Commerce and International Private Law examines the maximization of consumer protection via the consumer's jurisdiction and law. It discusses the proposition that a new connecting factor be used to improve the efficiency of juridical protection for consumers who contract with foreign sellers by electronic means and offers recommendations as to how to amend existing jurisdiction and choice of law rules to provide a basis for the consumer to sue in his own jurisdiction and for the law of the consumer's domicile to apply. The book will be a valuable resource for academics, students and practitioners working in the areas of international private law, electronic commerce law and consumer law. [E-Commerce Law in Europe and the USA](#) Gerald Spindler, Fritjof Börner, 2002-03-06 This unique text deals with the most important legal areas for e-commerce related business in most of the member states in Europe as well as the USA. Topics that are dealt with include contract law, consumer protection, intellectual property law, unfair competition, antitrust law, liability of providers, money transactions, privacy and data protection. *EU Law and Private International Law* Jan-Jaap Kuipers, 2011-11-25 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. *The Internet and Dispute Resolution* Norman Solovay, Cynthia K. Reed, 2003 The Internet and Dispute Resolution: Untangling the Web shows you how ODR works and how it's already transforming dispute resolution in both business-to-business and business-to-consumer transactions.

Electronic Consumer Contracts in the Conflict of Laws Zheng Sophia Tang, 2009-09-09 The application of private international law to electronic consumer contracts raises new complex and controversial questions. It is new because consumer protection was not a private international law concern until very recently and e-commerce only became an important commercial activity within the last ten years. E-consumer contracts generate original questions which have not been considered under traditional private international law theories. It is complex because it has to deal both with difficulties raised by consumer contracts and the challenges of e-commerce. Reasonable resolutions to consumer contracts may prove inappropriate in e-commerce while effective approaches to resolving private international law problems in e-commerce may be improper for consumer contracts. It is controversial because it concerns the conflicting interests of consumers and businesses in a fast-moving commercial environment; a fair balance is therefore hard to achieve. Without proper solutions provided by private international law, consumers will not be confident about purchasing online and businesses will face unreasonable risk and participation costs in e-commerce. Updated and properly designed private international law rules are essential to the further development of e-commerce. This book aims to provide an answer to the urgent requirement for legal certainty, security and justice in e-consumer contracts. It is primarily concerned with existing approaches to jurisdiction and choice of law issues in e-consumer contracts in the European Community and England but some typical approaches in other

jurisdictions are also examined Based on the analysis and the comparative study of the existing law the book seeks to provide a proposal as to what the law should be in order to provide certainty to both parties to provide reasonable protection to consumers and to promote the development of e commerce

International Perspectives on Consumers' Access to Justice Charles E. F. Rickett, Thomas G. W. Telfer, 2003-03-20 Consumer protection law in the age of globalisation poses new challenges for policy makers This book highlights the difficulties of framing regulatory responses to the problem of consumers access to justice in the new international economy The growth of international consumer transactions in the wake of technological change and the globalisation of markets suggests that governments can no longer develop consumer protection law in isolation from the international legal arena Leading scholars consider the broader theme of access to justice from socio legal law and economics perspectives Topics include standard form contracts the legal challenges posed by mass infections such as mad cow disease and CJD ombudsman schemes class actions alternative dispute resolution consumer bankruptcy conflict of laws and cross border transactions This book demonstrates that advancing and achieving access to justice for consumers proves to be a challenging and sometimes elusive task

Which Law, which Forum? Pia Naarajärvi, Jussi V. Koivisto, 2002 **Electronic Consumer Contracts in the Conflict of Laws** Zheng Sophia Tang, 2015-10-22 The second edition of this highly recommended work addresses the interaction between conflict of laws dispute resolution electronic commerce and consumer contracts In addition it identifies specific difficulties that conflicts lawyers and consumer lawyers encounter in electronic commerce and proposes original approaches to balance the conflict of interest between consumers access to justice and business efficiency The European Union has played a leading role in this area of law and its initiatives are fully explored It pays particular attention to the most recent development in collective redress and alternative online dispute resolution By adopting multiple research methods including a comparative study of the EU and US approach historical analysis of protective conflict of laws doctrinal analysis of legal provisions and economic analysis of law it provides the most comprehensive examination of frameworks in cross border consumer contracts

Cyberlaw for Global E-business: Finance, Payments and Dispute Resolution Kubota, Takashi, 2007-12-31 Examines cyberlaw topics such as cybercrime and risk management electronic trading systems of securities digital currency regulation jurisdiction and consumer protection in cross border markets and international bank transfers

Research Handbook on EU Internet Law Andrej Savin, Jan Trzaskowski, 2014-09-26 This innovative book provides an overview of the latest developments and controversies in European Internet law It is grouped in sections that correspond to the most disputed areas looking consecutively at policy and governance copyright private in

E-Commerce: Law and Jurisdiction: Comparative Law Yearbook of International Business - Special Dennis Campbell, 2003-02-01 The special issue of the Comparative Law Yearbook of International Business deals with the very topical subject of e commerce This is an area that has seen an explosion of interest in recent years but since the increase in the use of the Internet as a vehicle for conducting business

transactions has been so rapid the law has again fallen behind particularly in the areas of regulation and jurisdiction The situation is changing however with the introduction of both national and international legislation dealing with issues and relating to inter alia data protection privacy electronic signatures consumer protection and morality The authors in this volume provide commentaries on the most recent developments in various jurisdictions including the approach of the European Union to the problems raised by e commerce They discuss the difficulties in relation to jurisdiction arising from the global nature of Internet and the possibilities for dispute resolution between multi national parties to an electronic transaction The topic is obviously one that will require much attention in the coming years and one which will need strict regulation if electronic commerce is destined to become the trading medium of the future

The Regulatory Function of European Private Law Fabrizio Cafaggi, Horatia Muir Watt, 2009-01-01 In twelve topical papers written by renowned experts in distinct areas of the law the reader will find out how private law and private international law instruments can serve public policy goals such as the protection of the environment product safety or services of general economic interest and how these instruments interact with regulation in the proper sense A must for those who want to explore the borderline if it exists between public and private law in the EU Jules Stuyck Leuven University Belgium In the context of the current debate on the desirability and process of forming European private law EPL this book considers one fundamental question addressing its descriptive and normative dimension does and should EPL pursue regulatory objectives beyond market integration The editors argue that because national categories are of little help in grasping the characteristics of a multi level regulatory system it is necessary to link three perspectives private law regulation and conflict of laws This book explores this interaction in four distinct fields product liability environmental protection public utilities and e commerce The results show that EPL is highly regulatory and that the implications of this change have not been adequately considered by institutions and by scholars The Regulatory Function of European Private Law will be of great interest to academics of law as well as to private and public lawyers and European policymakers

Legal Aspects of Electronic Commerce Jens Fejøl, Ruth Nielsen, Thomas Riis, 2001 Based on papers presented at an international seminar held in K ge Denmark on 27 28 April 2001 Preface

Conflict of Laws and the Internet Pedro de Miguel Asensio, 2020-04-24 The ubiquity of the Internet contrasts with the territorial nature of national legal orders This book offers a comprehensive analysis of jurisdiction choice of law and enforcement of judgments issues concerning online activities in the areas in which private legal relationships are most affected by the Internet It provides an in depth study of EU Law in this particularly dynamic field with references to major developments in other jurisdictions Topics comprise information society services data protection defamation copyright trademarks unfair competition and contracts including consumer protection and alternative dispute resolution

Frontier Computing Jason C. Hung, Neil Y. Yen, Jia-Wei Chang, 2020-02-25 This book gathers the proceedings of the 9th International Conference on Frontier Computing held in Kyushu Japan on July 9 12 2019 and provides comprehensive coverage of the

latest advances and trends in information technology science and engineering It addresses a number of broad themes including communication networks business intelligence and knowledge management web intelligence and related fields that inspire the development of information technology The respective contributions cover a wide range of topics database and data mining networking and communications web and internet of things embedded systems soft computing social network analysis security and privacy optical communication and ubiquitous pervasive computing Many of the papers outline promising future research directions and the book will benefit students researchers and professionals alike Further it offers a useful reference guide for newcomers to the field

Consumer Trust in Electronic Commerce Ronald Bruin,2002-08-28 This multi disciplinary book provides insight in how to establish consumer trust in electronic commerce It goes into detail on a broad variety of consumer trust criteria with regard to the security and reliability of electronic consumer transactions what information must be provided to consumers how to create a legally binding contract online confidence in electronic payments the resolution of disputes what law applies to the electronic consumer contract which body is entitled to settle the dispute and personal data protection By means of these criteria it is assessed into what extent consumer trust is ensured by the application of a public key infrastructure which supports cryptographic services such as electronic signatures and encryption An assessment is also made on the European Union cryptography policy and the European Union policy on consumer protection in electronic commerce In addition a wide range of co regulation and self regulation initiatives within the European Union and Northern America are assessed Finally this book provides a consumer trust framework which learns that various ingredients at different levels are required to build consumer trust in electronic commerce As such it clarifies the roles and responsibilities of government industry and consumer organisations businesses as well as consumers themselves

Legal Aspects of an E-commerce Transaction Andrea Schulz (Ph.D.),2006 The contributions contained in these conference proceedings illustrate how the existing and future regulatory framework operates for online business transactions *Legal Aspects of an E Commerce Transaction* examines various national and international laws and treaties as well as European Community law The book looks at self regulatory codes of conduct elaborated by business organizations relating to advertising spam competition and the use of intellectual property rights to the conclusion of online contracts and their performance Additionally post contractual issues dispute resolution and taxation are discussed and their interaction is examined Rules on electronic payment electronic invoicing and the taxation of electronic business transactions are equally addressed

Legal Risk Management in Electronic Commerce Jan Trzaskowski,2005 *Selected Legal Issues of E-Commerce* Toshiyuki Kono,Christoph Paulus,Harry Rajak,2002-08-28 So rapid have been the developments of e commerce that it is now frequently said that this is the future of any commerce and that it carries the potential for enormous growth at least for the business to business B2B sector This text covers some important legal issues arising in e commerce

E-commerce Law and Practice in Europe Ian Walden,Julia Hörnle,2001-04-27 With the massive explosion of e commerce

and especially the use of the Internet as a transnational and instant medium for business transactions has come a whole range of new laws and regulations and inevitably a minefield of accompanying uncertainties and potential pitfalls So what exactly are the legal issues companies need to address and what are their implications in real terms for the business world Find the answers in this groundbreaking study undertaken for the European Commission within the framework of the ECLIP project With a brief to provide practical help for businesses and e commerce initiatives this series of cutting edge reviews examines and evaluates the special rules designed to regulate the Internet both at a European and at national level in the Member States It also explains the relevant technological developments and evaluates them against the legal background This is an essential guide for legal and corporate practitioners alike as well as software developers and the consultancy community internationally A publication of the ECLIP network

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