

1. Record Nr.	UNINA9910484377903321
Titolo	Varieties of European Economic Law and Regulation : Liber Amicorum for Hans Micklitz // edited by Kai Purnhagen, Peter Rott
Pubbl/distr/stampa	Cham : , : Springer International Publishing : , : Imprint : Springer, , 2014
ISBN	3-319-04903-8
Edizione	[1st ed. 2014.]
Descrizione fisica	1 online resource (883 p.)
Collana	Studies in European Economic Law and Regulation, , 2214-2037 ; ; 3
Disciplina	340.11
Soggetti	Law—Philosophy Law Political science Civil law Law—Europe International law Conflict of laws Theories of Law, Philosophy of Law, Legal History Political Science Civil Law European Law Public International Law Private International Law, International & Foreign Law, Comparative Law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references at the end of each chapters.
Nota di contenuto	About the Authors -- Table of Contents -- Foreword; Kai Purnhagen and Peter Rott.- Part I Foundations of (Private) Law.- 1 Three Views on Negotiation – An Essay Between Disciplines; Stefan Grundmann.- 2 Post-private law?; Martijn Hesselink.- 3 Non-State Law in the Hague Principles on Choice of Law in International Contracts—An Unconvincing Solution for an Unimportant Problem; Ralf Michaels.- 4 Optional Regulation of Standard Contract Terms; Florian Möslin.- 5 Law or Economics---Some Thoughts on Transnational Private Law; Leone Niglia.- 6 A “Competitive Contract Law”?; Karl Riesenhuber -- 7

The Horizontal Effect of Fundamental Rights in Private Law – On Actors, Vectors and Factors of Influence; Marek Safjan -- 8 European Regulatory Private Law: From Conflicts to Platforms; Yane Svetiev -- 9 On Law and Sorrow; Joseph HH Weiler -- 10 Free Movement of Legal Sources: The Use of Foreign Sources in Private Law in Europe; Thomas Wilhelmsson.- Part 2 EU Internal Market Regulation.- 11 New Economic Governance in the European Union: Another Constitutional Battleground?; Fabian Amtenbrink.- 12 Regulatory Coherence—A European Challenge; Roger Brownsword.- 13 Does private regulation foster European legal integration; Fabrizio Cafaggi -- 14 'Unity in Diversity'?! – A Conflicts-Law Re-Construction of Controversial Current Developments; Carola Glinski and Christian Joerges -- 15 The Virtue of Cassis de Dijon 25 years later – It Is Not Dead, It Just Smells Funny; Kai Purnhagen -- 16 Who Does What? On the Distribution of Competences among the European Union and the Member States; Jan Smits -- 17 Do we need 'consumer protection' for small businesses at the EU level?; Jules Stuyck -- 18 European social constitution: between solidarity and access justice; Kaarlo Tuori -- 19 Why there is no 'principle of mutual recognition' in EU law (and why that matters to consumer lawyers); Steven Weatherill.- 20 Internal market law and national language policies; Bruno de Witte.- Part 3 Competition and Intellectual Property Law.- 21 Competition law and consumer protection: On the necessity of a common consumer model; Thomas Ackermann -- 22 Cross-Border Collective Management of Copyright and the EU Services Directive; Josef Drexl -- 23 Patenting Coffee - IP protection and its impact on innovation in the coffee-capsule market; Reto Hilty and Peter Slowinski. - 24 Restitution of 'degenerate' art; Jürgen Säcker -- Part 4 Product Safety Law.- 25 Product Safety - A Model for EU Legislation and Reform; Geraint Howells.- 26 To the question of what should be and what is - Plans and Actuals; Roethe, Thomas.- 27 Standardisation prior to or instead of Information – a fundamental criticism of the (European) information model for financial and insurance products; Hans-Peter Schwintowski -- Part 5 Consumer Contract Law.- 28 Law and Choice in Consumer Contracts: Views from Law and Economics; Fernando Gomez and Juan José Ganuza -- 29 Against a New Architecture of Consumer Law – A Traditional View; Ewoud Hondius.- 30 The regulation of digital content B2C contracts in CESL; Marco Loos.- 31 CREDIT SCORING: Will Our Digital Identity Replace The Real Person?; Rainer Metz.- 32 Reflections on Hans Micklitz' plea for a 'Movable System' (of Consumer Law) – anything to learn from the experiences of Indian Consumer Law?; Norbert Reich.- 33 The Low-Income Consumer in European Private Law; Peter Rott.- 34 From the Kennedy message to full harmonising consumer law directives: a retrospect; Klaus Tonner.- 35 Contra Emptor Interpretation-Protecting Service Providers from EU law; Christopher Willet.- Part 6 Enforcement of Law.- 36 Towards a rapid claims settlement mechanism for disasters?; Michael Faure and Franziska Weber.- 37 Enforcement by the New European Supervisory Agencies: Quis Custodiet Ipsos Custodes?; Rob van Gestel and Thomas van Golen -- 38 Access to Justice and Public Interest Litigation: Getting nowhere quickly?; Laurence Gormley.- 39 Consumer Redress: Ideology and Empiricism; Christopher Hodges.- 40 On Beauty and Being Fair - The interaction of national and supranational judiciaries in the development of a European law on remedies; Chantal Mak -- 41 The Right to Refer to the European Court of Justice – Should it be Limited to the Courts of Last Instance?; Hannes Rösler -- 42 Procedural Theory in EU Law; Hanna Schebesta -- 43 Social Networks and Liability – the difficult triangle between network operators, users and third parties in German media law; Gerald Spindler.

---

## Sommario/riassunto

This is the first book to comprehensively analyze the work of Hans Micklitz, one of the leading scholars in the field of EU economic law. It brings together analysts, academic friends and critics of Hans Micklitz and results in a unique collection of essays that evaluate his work on European Economic Law and Regulation. The contributions discuss a wide range of Micklitz' work: from his theoretical work on private law beyond party autonomy, with a special focus on its regulatory function, to the illustration of how his work has built the basis for current solutions such as used in solving the financial crisis. The book is divided into sections covering foundations of private law, regulatory law, competition and intellectual property law, product safety law, consumer contract law and the enforcement of law. This book clearly shows the enormous impact of Hans Micklitz' work on the EU legal system in both scholarship and practice.

---