

1. Record Nr.	UNINA9910786314303321
Titolo	Coherence and fragmentation in European private law [[electronic resource] /] / edited by Pia Letto-Vanamo, Jan Smits
Pubbl/distr/stampa	Munich, : Sellier European Law Publishers, c2012
ISBN	3-86653-965-7
Descrizione fisica	1 online resource (184 p.)
Disciplina	346.24
Soggetti	Conflict of laws - European Union countries Law - European Union countries
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di contenuto	Front matter -- Preface -- Contents -- Introduction -- Coherence and Fragmentation in the Law of Contract / Smits, Jan -- Quasi-coherence by Harmonisation of EU Competition Law-related Damages Actions? / Havu, Katri -- Legal Coherence as a Prerequisite for a Single European Insurance Market / Norio-Timonen, Jaana -- Accommodating Intellectual Property in Competition Policy: Approaches for Advancing the Shared Goal of Innovation / Vesala, Juha -- From Coherent to Fragmented and Europeanized Nordic Marketing Law / Bärlund, Johan -- Coherence through Uniform Private International Law of Property / Juutilainen, Teemu -- Collision Between the Economic and the Social - What Has Private International Law Got to Do with It? / Liukkunen, Ulla -- Fragmentation and Coherence of Law - a Historical Approach / Letto-Vanamo, Pia -- Backmatter
Sommario/riassunto	Die Vorbereitungen laufen bereits viele Jahre, nun liegt er endlich vor: der Entwurf der Europäischen Kommission für ein Gemeinsames Europäisches Kaufrecht als Optionales Instrument. Beteiligte an den Vorarbeiten und wichtige Kritiker derselben setzen sich in diesem höchst empfehlenswerten Buch mit dem Kommissionsentwurf auseinander. Wie wird die Harmonisierung des europäischen Vertragsrechts durch den Entwurf vorangetrieben? Wie "schlägt" sich der Entwurf im Vergleich zum BGB, zum DCFR oder zu den Acquis-Principles? Beleuchtet werden insbesondere Irrtumsanfechtung, AGB-Kontrolle, allgemeines und besonderes Leistungsstörungenrecht beim

Kauf und bei verbundenen Dienstleistungen sowie übergreifende Fragestellungen zum Verbraucherrecht. Der Band wird abgerundet durch eine Synopse des Kommissionsentwurfs und der vorangegangenen Machbarkeitsstudie, in der die Entwicklung des Textes deutlich wird.

One of the most important characteristics of today's private law is that it increasingly flows from different sources: Next to national legislation and case law, it is also shaped by European and supranational sources and rapidly becoming a mixture of differently oriented rules and principles. This development can be described as one from coherence to fragmentation. The aim of the new book is to consider how this important shift has worked out in different subfields of the law like in contract and property law, in competition, insurance, marketing and private international law as well as in the law of intellectual property. This cross-disciplinary approach shows how pervasive legal fragmentation has become, and points out how to remedy the adverse effects it brings with it. The volume is therefore indispensable for anyone interested in how Europeanisation affects national private laws.
