

# 1. INTERNATIONAL LAW

International convention dealing with PIL in civil and commercial matters take precedence over national law:

a) International (bilateral and multilateral) conventions (database ATRIO – *Archivio dei Trattati Internazionali Online*: [itra.esteri.it](http://itra.esteri.it))  
e.g. 1968 Brussels Convention; 1980 Rome Convention; 2007 Lugano Convention

b) *Commission Internationale de l'État Civil*: <http://ciec1.org>

c) Hague Conference on Private International Law (HCCH):  
[www.hcch.net](http://www.hcch.net)

# Switzerland's Private International Law Private International Law Statute Lugano Convention And Related Legislation

**Jean-Sylvestre Bergé, Stéphanie  
Francq, Miguel Gardenes Santiago**



## **Switzerland's Private International Law Private International Law Statute Lugano Convention And Related Legislation:**

**Switzerland's Private International Law** Pierre Karrer, Karl W. Arnold, Paolo Michele Patocchi, 1994-02-28 Although Switzerland's geographical situation places it in the very center of the European community it stands alone as a neutral nation with separate legislation and policies which are not governed from Brussels With respect to its neutrality and the critical importance of its centralized location it is imperative to those involved in European and international law to acquire a solid understanding of the laws which govern this land of majestic mountains and internationally renowned fame in contributing towards the effort to expedite solutions to various international arbitration have therefore been translated and included This revised edition of Switzerland's Private International Law offers legal professionals an insight into current Swiss legislation regarding all phases of private law In addition to arbitration law this publication addresses topics such as Intellectual Property Bankruptcy and Composition Obligations Companies Marriage Parent Child Relationships Guardianship and other Protective Measures Inheritance Law Real Rights Final Provisions and Lugano Convention with Annotations

Statutes and Conventions on Private International Law Great Britain, Jason Chuah, Richard Earle, 2004 A collection of legal materials relevant to the study of private international law Its chief emphasis is to provide a compact source of materials for students and lecturers for whom these materials may otherwise be quite difficult to obtain selection is very much based on the standard syllabus A Guide to Global Private International Law Paul Beaumont, Jayne

Holliday, 2022-05-05 This book provides a substantial overview of the discipline of private international law viewed from a global perspective The guide is divided into 4 key sections Theory Institutional and Conceptual Framework Issues Civil and Commercial Law apart from Family Law Family Law Each chapter is written by a leading expert's The chapters address specific areas aspects of private international law and consider the existing global solutions and the possibilities of improving creating them Where appropriate the chapters are co-authored by experts from different legal perspectives in order to achieve as balanced a picture as possible The range of contributions includes authors from Europe North America Latin America Africa Asia and Oceania An essential resource for academics practitioners and students alike **Switzerland's**

**Private International Law** Pierre A. Karrer, Karl W. Arnold, Paolo Michele Patocchi, 1994 **Yearbook of Private International Law** Petar Sarcevic, Andrea Bonomi, Paul Volken, 2006-06-30 The Yearbook of Private International Law is published by Sellier ELP in cooperation with the Swiss Institute of Comparative Law This annual publication provides analysis and information on private international law developments world wide The editors commission articles of enduring importance concerning the most significant trends in the field The Yearbook also devotes attention to the important work and research carried out in the context of the Hague Conference the Hague Academy the United Nations Commission on International Trade Law UNCITRAL and the International Institute for the Unification of Private Law UNIDROIT The

authority of the editors and the lasting nature of the works included make the Yearbook an integral addition to the libraries of international law scholars and practitioners Volume VII includes various topics such as Hague Convention of 30 June 2005 on Choice of Court Agreements General Problems of Private International Law in Modern Codifications De Lege Lata and De Lege Europea Ferenda Maintenance in Private International Law in the United States What's New In Latin American Private International Law International Subcontracting in EC Private International Law Recognition of Foreign Insolvency Proceedings National Reports from South Africa Ukraine Brazil and Italy Case Law Texts Materials and Recent Developments

Intellectual Property and Private International Law Toshiyuki Kono, 2012-06-29 Intellectual property and private international law was one of the subjects discussed at the 18th International Congress of Comparative Law held in Washington July 2010 This volume contains the General Report and 20 National Reports covering Canada US Japan Korea India and a number of European countries Austria France Germany UK Spain etc The General Report was prepared on the basis of National Reports The national reporters not only describe the existing legal framework but also provide answers for up to 12 hypothetical cases concerning international jurisdiction choice of law and recognition and enforcement of foreign judgments in multi state IP disputes Based on their answers the main differences between legal systems as well as the shortcomings of the cross border enforcement of IP rights are outlined in the General Report The Reports in this volume analyse relevant court decisions as well as recent legislative proposals such as the ALI CLIP Transparency Waseda and Korean Principles This book is therefore a significant contribution to the existing debate in the field and will be a valuable source of reference in shaping future developments in the cross border enforcement of IP rights in a global context

**International Agency and Distribution Law [2009] - III** Dennis Campbell, Dennis, Editor Campbell, 2009-08-12 2009 RELEASE International Agency and Distribution Law a three volume set with more than 1 800 pages examines countries in North and South America Asia and the Pacific the Middle East and Europe and their laws affecting the sale of goods through use of local agents and distributors addressing issues relating to distribution contracts employment tax liabilities liability for the acts of the agent and dispute resolution The reports are prepared by local business practitioners Order volumes I and II to complete the set The publication is replaced by updated volumes annually A 10% discount applies to a subscription for next year's update A 25% discount applies to a subscription for three years of updates Discounts are applied after purchase by rebate from publisher Institutional Arbitration Rolf A Schütze, 2013-04-05 International arbitration has become the preferred dispute resolution mechanism in cross border disputes In the course of time ad hoc arbitration where the parties have to create their own rules and procedures has increasingly been replaced by institutional arbitration where a specialised institution with a permanent organisation provides assistance and a set of practice proven rules The services and rules provided by the various institutions of arbitration differ In order to inform the potential parties and their counsels about the differences and to make the choice between the different arbitration regimes easier and to offer guidance through the

various provisions this book provides a comprehensive article by article commentary of rules of arbitration of 14 important arbitration institutions AAA American Arbitration Association CIEDAC China International Economic and Trade Arbitration DIAC Dubai International Arbitration Centre DIS German Institution of Arbitration ICC International Court of Arbitration ICSID International Centre for Settlement of Investment Disputes KLRCA Kuala Lumpur Regional Centre for Arbitration LCIA The London Court of International Arbitration MKAS Moscow International Commercial Arbitration Court SCC Stockholm Chamber of Commerce Arbitration SIAC Singapore International Arbitration Centre Swiss Rules UNCITRAL Rules Vienna Rules

*The Dutch Collective Settlements Act and Private International Law* Hélène van Lith, 2011 This book analyzes the relationship between private international law and collective settlements concluded for the benefit of foreign interested parties under the 2005 Dutch Collective Settlements Act or WCAM It examines aspects of international jurisdiction cross border notification representation of foreign interested parties international recognition and applicable law The principal object of this study is to assess the suitability of existing private international law instruments at the national European and international levels for the application of WCAM in transnational mass damage cases The WCAM provides for collective redress in mass damages on the basis of a settlement agreement concluded between one or more representative organizations and one or more allegedly liable parties for the benefit of a group of affected persons to whom damage was allegedly caused When a WCAM collective settlement is concluded by representative organizations for the benefit of foreign interested parties various aspects of private international law come into play These include aspects of international jurisdiction cross border notification recognition applicable law and representation of foreign interested parties The book analyzes all of these matters but focuses on the applicability of WCAM settlements to transnational mass damage cases involving interested parties domiciled outside the Netherlands It includes comparative observations in relation to jurisdictions such as the US and Canada that are familiar with collective or group actions based on an opt out mechanism like the WCAM procedure

**Swiss Law Bibliography** Anne M. Wildhaber, Urs Watter, Michele Bernasconi, Nedim Peter Vogt, 2005

**Switzerland Investment, Trade Laws, Regulations Handbook Volume 1 Strategic Information and Basic Laws** IBP, Inc., 2018-02-20 2011 Updated Reprint Updated Annually Switzerland Investment and Trade Laws and Regulations Handbook

**Corporations in Private International Law** Stephan Rammeloo, 2001 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 current EC 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 private international 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      **Intellectual Property and Private International Law** James J. Fawcett, Paul Torremans, 2011-02-17 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      **The European Private International Law of Employment** Uglješa Grušić, 2015-05-28 Uglješa Grušić examines the legal regulation of transnational employment relationships in the private international law of the European Union      ,      Australian Private International Law for the 21st Century Andrew Dickinson, Mary Keyes, Thomas John, 2014-11-20 A nation's prosperity depends not only on the willingness of its businesses to export goods and services and of its citizens and residents to travel to take advantage of opportunities overseas but also on the willingness of the businesses and citizens of other nations to cross the nation's borders to do business Economic expansion and parallel increases in tourism and immigration have brought Australians more frequently into contact with the laws and legal systems of other nations In particular in recent years trade with partners in the Asia Pacific Region has become increasingly important to the nation's future At the same time Australian courts are faced with a growing number of disputes involving foreign facts and parties In recognition of these developments and the need to ensure that the applicable rules meet the needs both of transacting parties and society the Attorney General's Department launched in 2012 a full review of Australian rules of private international law This collection examines the state and future of Australian private international law against the background of the Attorney General's review The contributors approach the topic from a variety of perspectives judge policy maker practitioner academic and with practical and theoretical insights as to operation of private international law rules in Australia and other legal systems This title is included in Bloomsbury Professional's International Arbitration online service

**Boundaries of European Private International Law** Jean-Sylvestre Bergé, Stéphanie Francq, Miguel Gardenes Santiago, 2015-04-22 European private international law is by now based mainly on a large body of uniform rules such as the Regulations Rome I Rome II Brussels I Brussels I bis This significant legislative output however does not take place in a vacuum Rules of private international law have been earlier and still are adopted at national international and even European level in scattered regulations and directives The recent plethora of private international law rules gives rise to issues of delineation and calls for some sort of ordering as gaps overlaps and contradictions become flagrant At the same time the resulting interactions can offer new insight ideas and even opportunities at a more theoretical level This book gathers a collection of essays resulting out of a series of international seminars held in Lyon Barcelona and Louvain la Neuve During those seminars young researchers selected in an open call for papers had the opportunity to discuss their views among themselves as well as with various specialists of the field such as more senior academics EU civil servants national experts and representatives of other international organisations The book offers the fresh views of those who will in the future shape the dialectic between the various sources of private international law and attempts to launch a discussion on the living

together of legal sources Two ranges of topics are addressed in the book firstly the relationship between EU private international law and national law substantial and procedural and or international law international instruments of private international law or of uniform substantive law and secondly the relationship between EU private international law and other aspects of EU law internal market rules of primary law harmonisation through secondary law and other pieces of legislation enacted in the realm of the area of freedom security and justice

Autonomy in International Contracts Peter Edward Nygh, 1999 One of the fundamental issues in private international law disputes is to determine which country's law will be used in the case of the parties going to court Peter Nygh discusses and explains this contentious issue

*Private International Law and Global Governance* Horatia Muir Watt, Diego P. Fernández Arroyo, 2014-12-18 Contemporary debates about the changing nature of law engage theories of legal pluralism political economy social systems international relations or regime theory global constitutionalism and public international law Such debates reveal a variety of emerging responses to distributional issues which arise beyond the Western welfare state and new conceptions of private transnational authority However private international law tends to stand aloof claiming process based neutrality or the apolitical nature of private law technique and refusing to recognize frontiers beyond those of the nation state As a result the discipline is paradoxically ill equipped to deal with the most significant cross border legal difficulties from immigration to private financial regulation which might have been expected to fall within its remit Contributing little to the governance of transnational non state power it is largely complicit in its unhampered expansion This is all the more a paradox given that the new thinking from other fields which seek to fill the void theories of legal pluralism peer networks transnational substantive rules privatized dispute resolution and regime collision have long been part of the daily fare of the conflict of laws The crucial issue now is whether private international law can or indeed should survive as a discipline This volume lays the foundations for a critical approach to private international law in the global era While the governance of global issues such as health climate and finance clearly implicates the law and particularly international law its private law dimension is generally invisible This book develops the idea that the liberal divide between public and private international law has enabled the unregulated expansion of transnational private power in these various fields It explores the potential of private international law to reassert a significant governance function in respect of new forms of authority beyond the state To do so it must shed a number of assumptions entrenched in the culture of the nation state but this will permit the discipline to expand its potential to confront major issues in global governance

**Choice of Law** Symeon Symeonides, 2016 Choice of Law provides an in depth sophisticated coverage of the choice of law part Conflicts Law or Private International Law in torts products liability contracts forum selection and arbitration clauses insurance statutes of limitation domestic relations property marital property and successions It also covers the constitutional framework and conflicts between federal law and foreign law The book explains the doctrinal and methodological foundations of choice of law and then focuses on its actual practice

examining not only what courts say but also what they do It identifies the emerging decisional patterns and extracts predictions about likely outcomes



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