

Private International Law of Contractual and Non-Contractual Obligations
Schedule with reading assignments, cases and materials
25/03/2015

Program	Date	Reading (Rules, Cases, Materials)
Part I: Introduction		
§ 1 Some basic notion of Private International Law	03/03/2015	M. <i>Bogdan</i> , Concise Introduction to EU Private International Law, second ed. 2012, p. 3-13
§ 2 Sources of PIL (contractual and non-contractual obligations)	04/03/2015/ 05/03/2015	Overview: Regulations Brussels I <i>bis</i> , Rome I, Rome II, CISG
Part II: Jurisdiction to adjudicate		
§ 3 General rule: Defendant's Domicile	05/03/2015	Art. 4 Brussels I <i>bis</i> , <i>Bogdan</i> , p.40-43
§ 4 Outline and Scope of the Regulation Brussels I <i>bis</i>	05/03/2015	Artt. 4-6 Brussels I <i>bis</i> , <i>Owusu v. Jackson</i> , C-281/02 (2005); <i>Bogdan</i> , p. 31-42
§ 5 Purpose and Grounds of Alternative Jurisdiction	05/03/2015	
§ 6 Matters relating to contracts	06/03/2015, 10/03/2015	Art. 7 No. 1 Brussels I <i>bis</i> <i>Car Trim</i> , C-371/08 (2010); <i>Tessili</i> , 12/74 (1976); <i>Custom v. Stawa</i> , C- 288/92 (1994); <i>de Bloos</i> , 14/76 (1976); <i>Engler</i> , C-27/02 (2005); <i>Bogdan</i> , p. 43-47
§ 7 Matters relating to torts	11/03/2015, 12/03/2015, 13/03/2015	Art. 7 No. 2 Brussels I <i>bis</i> ; <i>Mines de Potasse</i> , 21/76 (1976); <i>Tacconi</i> , C-334/00 (2002); <i>Shevill</i> , C-68/93 (1995); <i>eDate</i> , C-509/09 (2011); <i>Kalfelis</i> , 189/87 (1988); <i>Brogstetter</i> , C-

		548/12 (2014) <i>Zogg</i> , Accumulation of Contractual and Tortious Causes of Action under the Judgments Regulation, Journal of Private International Law 9 (2013), 39-76 Bogdan, p. 47-49
§ 8 Protective Contracts – Insurance, Consumers, Employment	17/03/2015	Structure of Artt. 10-15, 17-19, 20-23; Oldenbreit, C-463/06 (2007); Vorarlberger, C-347/08 (2009); Hotel Alpenhof, C-144/09 (2010); Emrek, C-218/12 (2013); Bogdan, p. 53-57
§ 9 Choice of Court Agreements (Art. 25 Brussels I <i>bis</i>)	18/03/2015	Art. 25 Brussels I <i>bis</i> ; Refcomp, C-543/10 (2013); <i>Ratkovic/Zgrabljicrotar</i> , Choice-of-Court Agreements under the Brussels I Regulation (Recast), Journal of Private International Law 9 (2013), 245-268; Bogdan, p. 62-65.
§ 10 Choice of Court Agreements in Consumer, Employment and Insurance Contracts	18/03/2015	Artt. 25 (4), 15,19, 23 Brussels I <i>bis</i>
§ 11 Choice of Court Agreements according to the 2005 Hague Convention	19/03/2015	Text of the Convention; (<i>Beaumont</i> , Hague Choice of Court Agreements Convention 2005: Background, Negotiations, Analysis and Current Status, JPIL 5 (2009), 125-159).

Part III: Parallel Proceedings		
§ 12 Risk of parallel proceedings and the need for coordination	20/03/2015	Artt. 29-34 Brussels I <i>bis</i> Gubisch v. Palumbo, 144/86 (1987); Bogdan, p. 67-70.
§ 13 First in time principle and negative declaratory actions	20/03/2015	Tatry, C-406/92 (1994); Gasser, C-116/02 (2003); Turner v. Grovit, C-159/02 (2004); Bogdan, p. 67-70.
§ 14 Particular issues	20/03/2015	Folien Fischer, C-133/11 (2012); <i>Zogg</i> , Accumulation of Contractual and Tortious Causes of Action under the Judgments Regulation, Journal of Private International Law 9 (2013), 39-76
Part IV: The Law Applicable to Cross-Border Contractual Obligations		
§ 15 Material scope and general issues of the Rome I Regulation	24/03/2015	Artt. 1, 2, 19, 20-25, 28 Rome I Regulation
§ 16 Freedom of choice	24/03/2015	Art. 3 Rome I Regulation
§ 17 Applicable law in the absence of choice	25/03/2015	Art. 4 Rome I Regulation
§ 18 Consumer contracts	25/03/2015	Art. 6 Rome I Regulation
§ 19 Formal validity	26/03/2015	Art. 11 Rome I Regulation
§ 20 Voluntary assignment and set-off	26/03/2015	Artt. 14, 17 Rome I Regulation
§ 21 Hague Principles on Choice of Law for International Contracts	27/03/2015	<i>Symeonides</i> , The Hague Principles on Choice of Law for International Contracts, American Journal of Comparative Law 61 (2013), 873-899

Part V: The Law Applicable to Cross- Border Non-Contractual Obligations		
§ 22 Material scope and general issues of the Rome II Regulation	31/03/2015	Artt. 1-3 Rome II Regulation
§ 23 The general rule in Art. 4 Rome II regarding torts	31/03/2015	Art. 4 Rome II Regulation
§ 24 Culpa in contrahendo (Art. 12 Rome II)	01/04/2015	Art. 12 Rome II Regulation
§ 25 Freedom of choice (Art. 14 Rome II)	01/04/2015	Art. 14 Rome II Regulation
§ 26 Torts under the national rules of Private International Law	02/04/2015 03/04/2015	