

CONTENTS

European Harmonisation of Private Law

Georg Rasche, Prohibitions on assignment, a European civil code and business financing 133

International and European Commercial and Company Law

BGH (D) 31 October 2001 – CISG Articles 7, 8 – General terms – Inclusion in contract 141

International and European Business and Competition Law

ECJ 22 January 2002 – *Cisal di Battistello Venanzio & C. Sas v INAIL* – Articles 85, 86 and 90 EC Treaty – Classification of a body providing insurance against accidents at work as undertaking 143

European Intellectual Property Law

ECJ 23 April 2002 – *Boehringer Ingelheim KG and Others v Swingward Ltd and Dowelhurst Ltd* – Directive 89/104/EEC, Article 7(2); Articles 28 and 30 EC – Trade marks – Exhaustion of rights – Repackaging of the trade-marked product 147

ECJ 23 April 2002 – *Merck, Sharp & Dohme GmbH v Paranova Pharmazentika Handels GmbH* – First Council Directive 89/104/EEC Article 7(2) 152

ECJ 19 March 2002 – *Commission v Ireland* – Article 228(7) EC Treaty in conjunction with Article 5 of Protocol 28 to the EEA Agreement – Failure by a Member State – No adherence within the prescribed period to the Berne Convention 155

ECJ 14 May 2002 – *Hölterhoff v Freiesleben* – First Council Directive 89/104/EEC – Scope of the trade mark proprietor's exclusive right to the trade mark 156

European Consumer Protection Law

ECJ 25 April 2002 – *Commission v French Republic* – Directive 85/374/EEC Articles 9, 3(3) & 7 – Failure by a Member State to fulfil its obligations – Product liability – Incorrect transposition 158

ECJ (Fifth Chamber) 25 April 2002 – *Commission v Greece* – Council Directive 85/374/EEC Article 9(1) 161

ECJ 25 April 2002 – *González Sánchez v Medicina Asturiana SA* – Directive 85/374/EEC Article 13 – Approximation 163

ECJ 7 May 2002 (Fifth Chamber) – *Commission v Sweden* – Directive 93/13/EEC Article 3(3) – Unfair terms in consumer contracts 165

International and European Procedural Law

Stephan Kolmann, European international insolvency law – Council regulation (EC) No. 1346/2000 on insolvency proceedings 167

ECJ 19 February 2002 – *Besix SA v WABAG (Wasserreinigungsbau Alfred Kretzschmar GmbH & Co. KG) and Others* – Brussels Convention – Article 5(1) 177

ECJ 19 March 2002 – *Commission v Italian Republic* – Article 6 of the EC Treaty – Difference in treatment of persons contravening the highway code according to the place of registration of their vehicle – Proportionality 180

International and European Labour and Social Security Law

ECJ 19 March 2002 – *Lommers v Minister van Landbouw, Natuurbeheer en Visserij* – Directive 76/207/EEC – Article 2(1) & (4) – Equal treatment 183

The European Legal Profession

ECJ 7 March 2002 – *Commission v Italian Republic* – Directive 89/48/EEC, Articles 52 and 59 of the EC Treaty – Access to and practice of the profession of lawyer 186

Book Reviews / New Publications

Table of Abbreviations II

Conference Calendar III

Editorial IV