

CONTENTS

Private International Law and International Civil Procedure

<i>John JA Burke</i> , Foreclosure of the Doctrine of <i>Forum Non Conveniens</i> under the Brussels I Regulation: Advantages and Disadvantages	121
<i>Giulia Sambugaro</i> , What “law” to choose for international contracts?	126
ECJ 8 May 2008 – <i>Ingenieurbüro Michael Weiss und Partner GbR v Industrie- und Handelskammer Berlin</i> – Regulation (EC) No 1348/2000 Article 8(1) – Translation	132
BGH (DE) 27 May 2008 – Lugano Convention Article 5(3) – Medical liability	138
Tribunal fédéral, 1 st Cour de droit civil (CH) 8 February 2008 – Lugano Convention Article 13(1) – Consumer contracts – Concept – Reciprocal obligations	138
Tribunal de Grande Instance of Paris, 3 rd Chamber, section 2 (FR) 16 May 2008 – <i>RueduCommerce v Carrefour Belgium</i> – Brussels I Regulation Article 5(3) – Trademark – Internet	138
Tribunal de Grande Instance of Paris, 3 rd Chamber, section 2 (FR) 16 May 2008 – <i>L’Oréal and others v ebay France and others</i> – Jurisdiction – Trademark – Internet	139
ECJ Reference for a preliminary ruling, lodged on 8 May 2008 – <i>Zuid-Chemie B.V. v Philipppo’s Mineralenfabriek N.V./S.A.</i> – Brussels I Regulation Article 5(3) – “Harm”	140
ECJ Reference for a preliminary ruling lodged on 21 April 2008 – <i>Draka NK Cables Ltd and others v Omnipol Ltd</i> – Brussels I Regulation Article 43(1) – Notion “Party”	140
ECJ Reference for a preliminary ruling lodged on 12 March 2008 – <i>SCT Industri Aktiebolag i likvidation v Alpenblume Aktiebolag</i> – Brussels I Regulation Article 1(2)	140
ECJ Reference for a preliminary ruling lodged on 14 January 2008 – <i>Roda Golf & Beach Resort SL</i> – Regulation (EC) No 1348/2000 Article 1 – Service by private persons	141
ECJ 11 July 2008 – <i>Inga Rinau</i> – “Brussels II bis” Regulation Article 11(8), 31(1), 40-42	141
OGH (AT) 8 May 2008 – The Hague Convention on International Child Protection Article 1 – International Jurisdiction – Custody decree – Protective measure	148
OGH (AT) 1 April 2008 – Hague Abduction Convention Article 13(1) (a)	148
BGH (DE) 29 May 2008 – Insolvency Regulation Articles 16, 17; EGIInsO (DE) Article 102(3) and (4) – Simultaneous proceedings – Stay of domestic proceedings – Primacy	149
ECJ Reference for a preliminary ruling from lodged on 9 April 2008 – <i>Finn Mejnertsen v Betina Mandal Barsoe</i> – Regulation (EC) No 1346/2000 Article 16	150
Court of Appeal (Civil Division) Queen’s Bench Division (UK) 3 April 2007 – <i>Halpern & Ors v Halpern & Anr</i> – 1980 Rome Convention Article 3, Article 1 – Concept of “law”	150
BGH (DE) 17 April 2008 – New York Convention of 10 June 1958 Article V	158

International and European Commercial and Company Law

BGH (DE) 4 March 2008 – EC Article 82 – Dominant position	158
---	-----

International and European Intellectual Property Law

ECJ 12 June 2008 – <i>O2 and others v Hutchison 3G UK Limited</i> – Directive 89/104/EEC Article 5(1); Directive 84/450/EEC, as amended by Directive 97/55/EC Article 3a(1)	159
ECJ 10 April 2008 – <i>adidas AG and others v Marca Mode CV and others</i> – Directive 89/104/EEC Articles 5(1)(b), 5(2) and 6(1)(b) – Trade marks	163

European Consumer Law

ECJ 10 July 2008 – <i>Emirates Airlines - Direktion für Deutschland v Diether Schenkel</i> – Regulation (EC) No 261/2004 Article 3(1)(a) – Carriage by air – Compensation	167
ECJ Reference for a preliminary ruling lodged on 22 May 2008 – <i>E. Friz GmbH v Carsten von der Heyden</i> – Council Directive 85/577/EEC Article 1(1), Article 5(2), Article 7	170

Law of the European Organisations

<i>Ass. iur. Wolfgang Tiede, Kiev and cand. iur. Jakob Schirmer, Greifswald</i> , Ius Commune Europae outside the EU? – The impact of European Law on legal systems outside the European Union using the example of Moldovan Energy Law	170
---	-----

International and European Criminal Law

ECJ 17 July 2008 – <i>Szymon Kozłowski</i> – Council Framework Decision 2002/584/JHA Article 4(6) – European arrest warrant – Ground for optional non-execution	175
---	-----

Information on Current Issues

The urgent preliminary ruling procedure: a new procedure in the area of freedom, security and justice	179
---	-----

New Publications	180
Table of Abbreviations	II
Conference Calendar	III
Masthead	IV