

Catalogue 2016

Books for Legal Scholars and Practitioners



Editorial

Dear customer,

In 2016, among others, four important titles will be published: Early this year, taking into account the latest developments and amendments of migration law, the fundamentally revised and updated commentary on EU Immigration and Asylum Law by Hailbronner/Thym will be available. Following, the comprehensive commentary on State Aid edited by Franz Jürgen Säcker and Frank Montag and the long awaited, unique commentary on the United Nations Convention on the Law of the Seas by Alexander Proelss will be published. Moreover, the horizontal commentary on Maritime Law by Jessen/Werner covering various interconnected areas of law, will join the family of Brussels Commentaries.

Finally, several books like the 'Corporate Law of the World, by Wegen, Spahlinger and Barth as well as the handbook on 'European Distribution Law, by Flohr and Martinek, already to be published last year, will become available.

Wilhelm Warth

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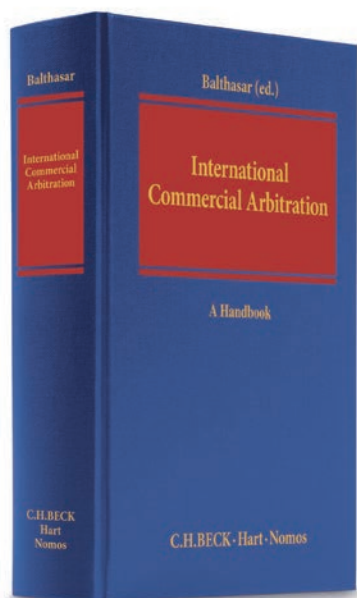
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Hardback
742 pp, 2016
€ 200.00
ISBN 978-3-406-66444-1



Dr Stephan Balthasar is a leading practitioner in arbitration and member of the legal team of Allianz SE; the authors are experienced practitioners in arbitration from the countries covered by this Handbook.

International Commercial Arbitration

A Handbook

Edited by
Stephan Balthasar

This Guide comprises international conventions, country reports and comparative analysis. It is meant to provide an overview on the global framework of international commercial arbitration, in particular the New York Convention, and gives a comprehensive insight into the laws of international arbitration for the world's most important jurisdictions in the arena of international arbitration:

Austria, Belgium, Brazil, China, England and Wales, France, Germany, Hong Kong, India, Netherlands, Russia, Singapore, Spain, Sweden, Switzerland, and the United States of America.

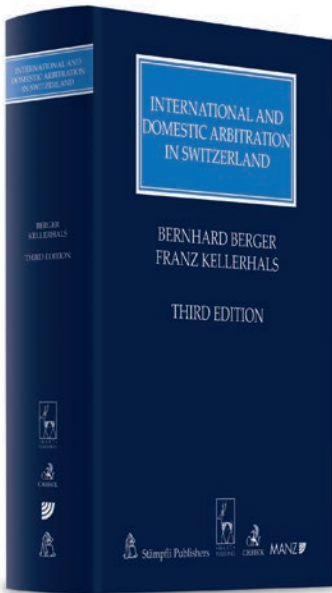
The book is divided into three parts:

- 1. Introduction on best practices in international arbitration
- 2. International conventions and treaties
- 3. country reports

The country reports focus on international arbitration, and, where applicable, point to specific rules applying to domestic arbitration in a specific jurisdiction.

Each country report follows a uniform structure on the following line:

- I. Introduction
- II. The Arbitration Agreement
- III. The Arbitral Tribunal and the Conduct of the Proceedings



Hardback
883 pp, 2015
€ 298.00
ISBN 978-3-406-67820-2



Dr Bernhard Berger is Attorney at Law and Associate Lecturer at the University of Berne; **Dr Franz Kellerhals** is Attorney at Law and Honorary Professor of the University of Berne.

International and Domestic Arbitration in Switzerland

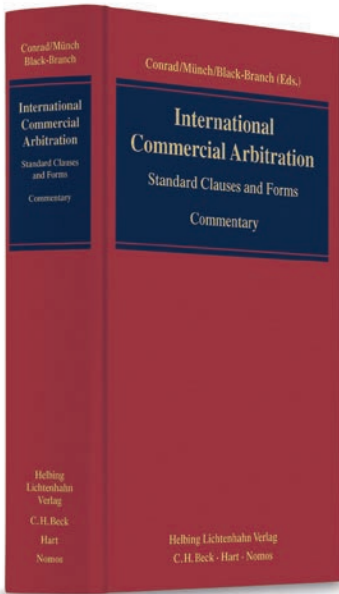
3rd Edition

Edited by
Bernhard Berger
and **Franz Kellerhals**

The previous editions of this book have established themselves among the leading authorities on Swiss arbitration law. This fully revised and amended third edition provides up-to-date information on the law and practice of international and domestic arbitration in Switzerland.

The book provides a comprehensive analysis of all relevant aspects of international and domestic arbitration in Switzerland, addressing all major issues, including the concept and sources of arbitration, arbitrability, the arbitration agreement, competence-competence and the autonomy of the arbitration agreement, the arbitral tribunal, the arbitral procedure, the arbitral award, setting aside proceedings against the award and the enforcement of arbitral awards, including the recognition and enforcement of foreign arbitral awards.

Frequently referred to by the Swiss Federal Supreme Court in its case law, the book is an indispensable tool for legal scholars conducting an in-depth analysis of a controversial issue. At the same time, it is an invaluable and user-friendly source of information and reference for arbitration practitioners in Switzerland and abroad.



Hardback
913 pp, 2013
€ 320.00
ISBN 978-3-406-64858-8



Nicole Conrad is professor of law and a practicing lawyer in Zug, Switzerland. **Peter Münch** is professor of commercial law in Winterthur, Switzerland. **Jonathan Black-Branch** is professor of international and comparative law at the University of Bedfordshire. The authors are practicing lawyers, university professors and international experts in arbitration.

International Commercial Arbitration

Standard Clauses and Forms Commentary

Edited by
Nicole Conrad,
Peter Münch,
and **Jonathan Black-Branch**

This comprehensive book provides the full range of clauses, forms and documents needed by practitioners from the beginning of arbitral proceedings right through to the issuing of the arbitral award, the handbook is an indispensable working guide for practitioners. It contains insightful commentaries and offers insider information and know-how regarding arbitration in specific countries, including the Asian countries which are becoming important players in the field of international arbitration. Written by renowned experts in the field, the handbook will assist practitioners – be they lawyers, counsel or arbitrators – in the practical area of arbitral proceedings.

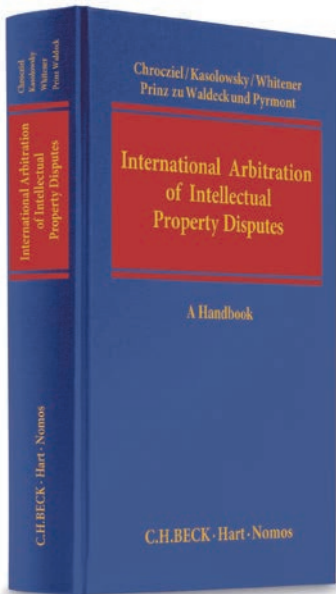
The handbook covers the following countries and arbitration rules: UNCITRAL ■ ICC ■ WIPO ■ VIAC (Austria) ■ CIETAC (China) ■ DIAC (Dubai) ■ LCIA (England & Wales) ■ DIS (Germany) ■ HKIAC (Hong Kong) ■ ICA (India) ■ KLRCA (Malaysia) ■ SIAC (Singapore) ■ SCC (Sweden) ■ Swiss Rules (Switzerland)

‘... Solid academic foundation and practical relevance provide the vest prerequisite for a permanent place in the libraries of all practitioners engaged in international commercial arbitration.’

Dr Jürgen Kloweit, ZKM – Zeitschrift für Konfliktmanagement
6/2013, 195

‘... An essential guide for practitioners in the field of International Commercial Arbitration with valuable insights in many legal orders around the globe.’

Apostolos Anthimos, Armenopouōs 2014, p. 2012



Hardback
 Approx. 500 p.,
 Approx. 250 EUR
 ISBN 978-3-406-69421-9



The authors are highly regarded lawyers in a leading international law firm.

They are specialized in litigation and international arbitration.

The editors **Dr Peter Chrocziel**, **Dr Boris Kasolowsky** and **Wolrad Prinz zu Waldeck und Pyrmont** are partners; **Robert Whitener** is principal associate in Freshfields Bruckhaus Deringer in Frankfurt and Munich.

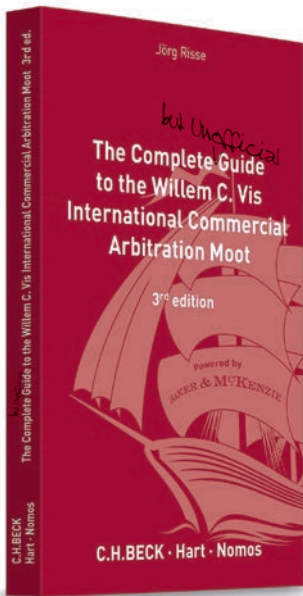
International Arbitration of Intellectual Property Disputes

A Handbook

Edited by
Peter Chrocziel,
Boris Kasolowsky,
Wolrad Prinz zu Waldeck und Pyrmont
 and **Robert Whitener**

Intellectual property (IP) rights are key assets for most international firms, particularly those in the pharmaceutical, technological and entertainment industries. The modern demand for these firms' IP raises important questions as to how best it can be protected in a cross-border context. These questions have spurred an increasing interest in the arbitral process for the resolution of complex multi-jurisdictional disputes.

To this extent, the handbook offers guidance into the world of IP arbitration for practitioners and businesses. It covers topics which are key to understanding the role of arbitration in protecting IP rights, including: the benefits of arbitrating IP disputes, arbitrability of IP-related disputes, the legal framework for arbitrating IP disputes, confidentiality of the arbitration proceedings, considerations for drafting the arbitration agreement, considerations for the conduct of the arbitration proceedings, remedies for IP rights violations, the enforceability of arbitration awards affecting IP rights, the submission of standard-essential patent disputes (FRAND disputes) to arbitration, and IP-related international investment arbitration.



Paperback
210 pp, 2015
€ 35.00*
ISBN 978-3-406-68028-1



Dr Jörg Risse and his co-authors **Dr Markus Altenkirch**, **Dr Ragnar Herbst**, **Dr Annette Keilmann**, and **Dr Lisa Reiser** are practicing law with **Baker & McKenzie**; they are experienced specialists in the field of arbitration and litigation.

* Special prices available for Moot participants.

The Complete (but Unofficial) Guide to the Willem C. Vis International Commercial Arbitration Moot

3rd Edition

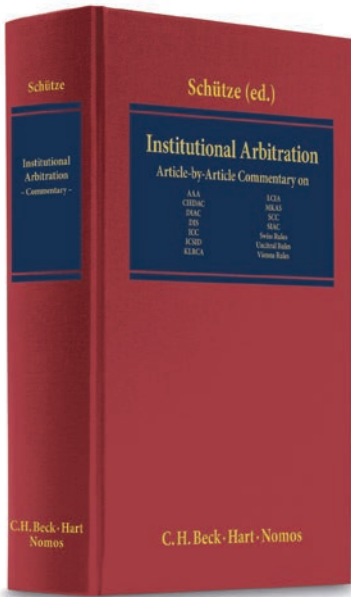
Edited by
Jörg Risse

Eleven teams of student participants attended the first Willem C. Vis International Arbitration Moot in 1993/1994. Twenty years later 290 teams from 67 countries plus a huge number of coaches and arbitrators gathered in what is now considered one of the largest international arbitration events in the world. The cases dealt with are based on an international sales transaction governed by CISG, including procedural issues of arbitration.

The book is meant for participants of the Vis Moot. It provides the reader with step-by-step practical advice in order to maximize his or her Vis Moot experience. It explains registration and offers tips on finding and organizing the team, analyzing the case, writing memoranda, presenting the case in the oral pleadings, and organizing the trips to Vienna or Hong Kong. Any student contemplating to take part in the so-called 'Moot Experience' will find the information needed to make the Vis Moot a real lifetime experience.

Contents:

- Chapter 1 – *The Vis Moot: A Lifetime Experience*
- Chapter 2 – *The Vis Moot: Facts and Figures*
- Chapter 3 – *How to Start*
- Chapter 4 – *How to Write Effective Memoranda*
- Chapter 5 – *How to Present Your Case before the Arbitral Tribunal*
- Chapter 6 – *Seven Days in Vienna and Hong Kong*
- Chapter 7 – *Where to Go from Here*
- Chapter 8 – *Views from Around the World*
- Bibliography
- Annex: Vis Moot Rules as of the 20th Moot 2013/2014



Hardback
1,510 pp, 2013
€ 329.00
ISBN 978-3-406-63311-9



Dr Rolf A. Schütze is a senior partner in the Stuttgart-based law firm Thümmel Schütze & Partner, professor of law at the University of Tübingen, as well as an experienced international arbitrator. The authors are practicing lawyers and international experts in arbitration from Germany, Austria and Switzerland.

Institutional Arbitration

A Commentary

Edited by
Rolf A. Schütze

This book provides a comprehensive article-by-article commentary of rules of arbitration of 14 important arbitration institutions:

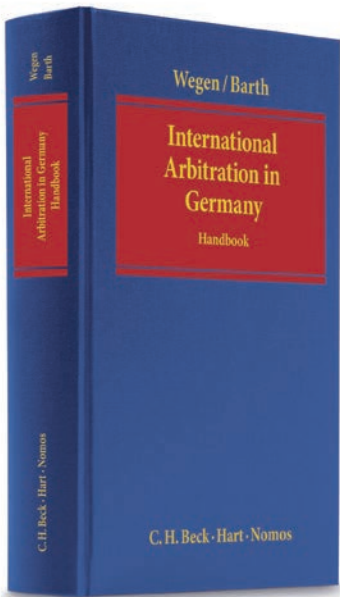
AAA (American Arbitration Association) ■ CIETAC (China International Economic and Trade Arbitration Centre) ■ DIAC (Dubai International Arbitration Centre) ■ DIS (German Institution of Arbitration) ■ ICC (International Court of Arbitration) ■ ICSID (International Centre for Settlement of Investment Disputes) ■ 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

'... It would be worthwhile to make room for it on your bookshelf whether you are an academic, practitioner or worker in connection with institutional arbitration. Ultimately, it will provide parties and their counsels with a strong basis on which to base their choice of institution.'

Olivia Staines in: Association for International Arbitration Newsletter, 'In Touch'

'... Schützes' commentary will set up new standards within the international discussion on international arbitration...'

Arian Nazari-Khanachayi in: dierezensenten.blogspot.de



Hardback

Approx. 300 pp, 2016

Approx. € 180.00

ISBN 978-3-406-63417-8



Dr Gerhard Wegen is a partner with Gleiss Lutz in Stuttgart, and professor of law at the University of Tübingen. He has an outstanding track record advising international clients in all aspects of cross-border M&A projects. He is also one of Germany's leading arbitration lawyers as well as an arbitrator.

Dr Marcel Barth is managing partner of the Hanover branch of Price Waterhouse Coopers; he is an experienced German arbitration lawyer acting as counsel and as arbitrator.

International Arbitration in Germany

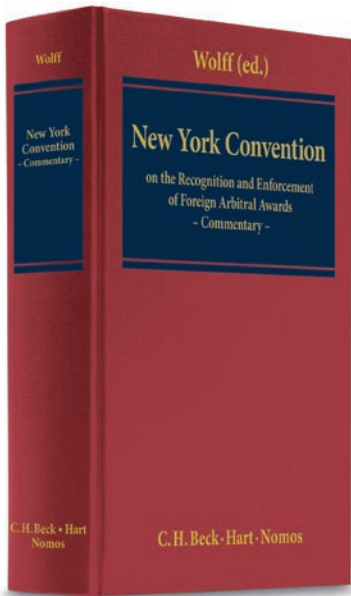
A Handbook

**Gerhard Wegen,
and Marcel Barth**

This handbook deals with arbitration cases in Germany or cases governed by German law, both ad-hoc and institutional.

The handbook covers the following issues:

- Introduction
- Legal framework for international arbitration in Germany
- Considering arbitration for disputes in Germany (Advantages of international arbitration; German institutional vs. ad-hoc arbitration; preparing for dispute in Germany)
- The arbitration agreement (Formation, scope, effect, amendment, and termination of the arbitration agreement)
- The arbitral tribunal (Jurisdiction; party autonomy; constitution of arbitral tribunal; contractual relationship between the arbitrators; rights of arbitrators; challenge of arbitrators; replacement of arbitrators)
- The arbitral procedure (The governing laws; place of arbitration and location of hearings; language of the arbitral proceedings; commencement of the arbitral proceedings; pleadings; oral hearing; default of a party; interim measures; state court assistance of arbitration; termination of arbitral proceedings)
- The arbitral award (Applicable substantive law; the making of the award; content and form; delivery; types of awards; legal effect; publication; correction, and interpretation of award)
- Settlement (Private settlement without award; award on agreed terms)



Hardback
677 pp, 2012
€ 185.00
ISBN 978-3-406-61610-5



Dr Reinmar Wolff is Assistant Professor at the University of Marburg and practicing lawyer as well as an experienced arbitrator. The authors are specialists in arbitration and related matters.

Authors: Dr Christian Borris LL.M., Cologne; Dr Bernd Ehle, LL.M., Geneva; Todd J. Fox, LL.M., New York; Rudolf Hennecke, Cologne; Dr Angela Kölbl, Erlangen; Dr Christoph Liebscher, Vienna; Dr David Quinke, LL.M., Düsseldorf; Dr Maxi Scherer, London; Dr Stephan Wilske, LL.M., Stuttgart; Dr, Marburg.

New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards Commentary

Edited by
Reinmar Wolff

Given the New York Convention's global relevance, it follows that the potential 'users' of the Convention are in need of guidance as to how to apply it. The primary target groups are lawyers seeking (or defending against) recognition and enforcement of foreign arbitral awards worldwide, state court judges applying the Convention in recognition proceedings, and in-house lawyers in large and/or multinational enterprises dealing with transnational dispute resolution.

'... No doubt, this commentary will become a standard reference book for both academics and practitioners in the field of arbitration ...'

Dr Klaus Sachs, Munich, NJW 2013, 519.

'The present commentary is a most useful tool for all practitioners as well as for courts and academics. It definitely belongs into the library of all professionals ...'

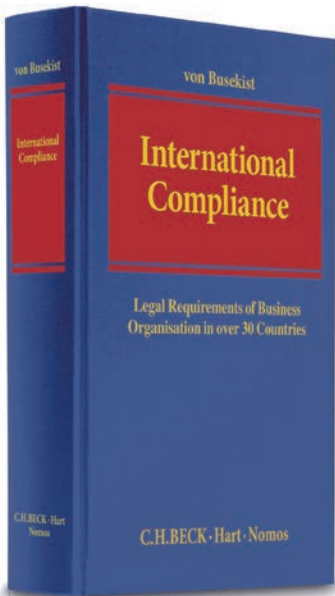
Georg von Segesser, in ASA Bulletin 01/2013

'... a great asset to students and young professionals involved in the field of international commercial arbitration ...'

Yaroslava Sorokhтей, in: Association for International Arbitration Newsletter, June 2013

'With this new commentary, ... both practitioners and academics alike are now provided with an up-to-date, comprehensive and reliable analysis of the legal issues involved in recognizing and enforcing arbitral awards under the New York Convention ...'

Dennis Solomon, in: European Yearbook of International Economic Law 2014



Hardback
 Approx. 700 pp, 2016
 Approx. € 250.00
 ISBN 978-3-406-66859-3



Dr Konstantin von Busekist, is partner in KPMG, Cologne, and head of KPMG LAW Compliance Practice worldwide. He has published numerous articles and is lecturer at the Mercator Business School of the University Duisburg-Essen. The authors are experienced advisers and lawyers in international law firms.

International Compliance

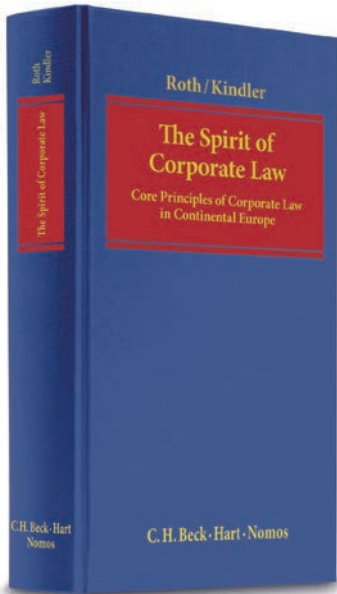
Legal Requirements of Business Organisation in 30 Countries

Edited by
Konstantin von Busekist

Compliance violations by and within businesses have now assumed international proportions. At the same time, the responsibility of both local and corporate management to prevent compliance violations has increased all over the world. Within this context, this book provides an international review of effective compliance regulations.

Lawmakers in the applicable economic areas are increasingly regulating the legal frameworks of business operations in areas such as corruption, antitrust law, data protection, money laundering, foreign trade law or customs in a stricter way, with more severe legal consequences, and imposing more barriers on international operations.

With respect to 30 jurisdictions, international experts answer important questions such as: What are the liabilities of a business, manager or shareholder in a given country and how can they defend themselves? What are the major areas of law and threats they should take account of and how are they enforced? In addition, our experts provide useful tips for foreign shareholders and compliance or legal departments regarding the issues they should pay special attention to.



Hardback
220 pp, 2013
€ 85.00
ISBN 978-3-406-65511-1



Dr Günter H. Roth is a former professor of law at the University of Innsbruck.

Dr Peter Kindler is professor of law at the Ludwigs-Maximilian-University Munich.

The Spirit of Corporate Law

Core Principles of Corporate Law in Continental Europe

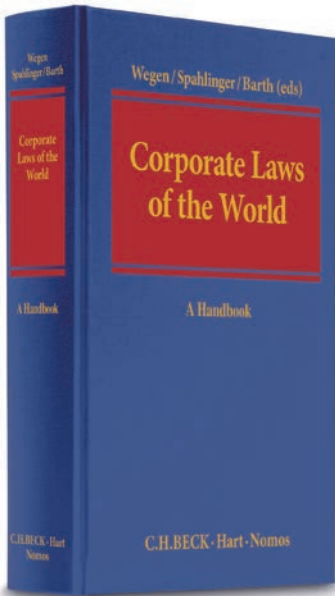
Günter H. Roth,
and Peter Kindler

Reading the Company Law Action Plan of the European Commission (issued on 21 May 2003) one cannot help having the impression that European company law policy has a certain focus on listed companies and will try to enhance their efficiency by way of state competition if possible, and by harmonisation only if need be. The same is true under the new Action Plan on European company law and corporate governance (issued on 12 December 2012).

This book, to the contrary, is first of all based on the fact that throughout Europe only a small number of corporations are listed at all – the reality of corporate law is dominated by small and medium-size enterprises. Therefore legal standards pertaining to control transactions or investor protection and other topics of capital market law are not part of the core principles of corporate law. The question is not how to protect best the interests of shareholders but rather the interests of all parties affected by a firm's activities, including its creditors and other third parties. The book is focusing on the perspective of key jurisdictions in continental Europe.

'... (offers) a careful and very detailed comparative analysis of corporate law by distinguishing four main regulatory areas: the legal capital mechanism, corporate governance, minority protection strategies, and external control (such as annual audit and disclosure requirement).'

Frederico M. Mucciarelli, in: *European Business Organization Law Review*, 15, 2014



Hardback
 Approx. 2,000 pp, 2016
 Approx. € 350.00
 ISBN 978-3-406-60322-8



Dr Gerhard Wegen is a partner in Gleiss Lutz in Stuttgart, Professor of Law at the University of Tübingen, and one of Germany's leading arbitration lawyers.

Dr Andreas Spahlinger is a partner in Gleiss Lutz, Stuttgart; he heads the firm's restructuring practice.

Dr Marcel Barth is managing partner of the Hanover branch of Price Waterhouse Coopers.

The authors work for well-known international law firms and are experts on the company law of their respective countries.

Corporate Laws of the World

A Handbook

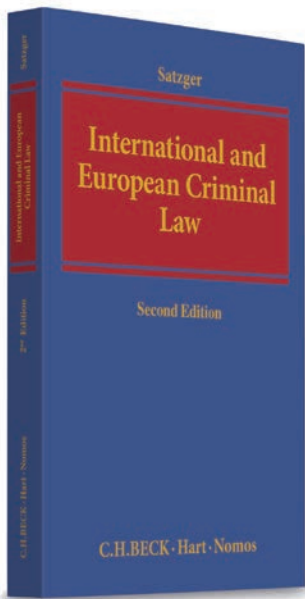
Edited by
Gerhard Wegen,
Andreas Spahlinger,
 and **Marcel Barth**

This handbook covers the corporate law of about 50 jurisdictions worldwide: Australia, Austria, Belgium, Brazil, Bulgaria, Canada, China, Croatia, Cyprus, Czech Republic, Denmark, European Union, Estonia, Finland, France, Germany, Greece, Great Britain, Hong Kong, Hungary, India, Ireland, Israel, Italy, Japan, Korea, Latvia, Liechtenstein, Luxemburg, Malaysia, Malta, Mexico, Netherlands, Poland, Portugal, Romania, Russian Federation, Serbia, Singapore, Slovakia, Slovenia, Spain, South Africa, Sweden, Switzerland, Turkey, United Arab Emirates, USA/General, USA/California, USA/Delaware, USA/New York.

Each country report will be about 40 pages, following a common structure:

- Private companies with limited liability
- Public companies

Regarding the companies the authors, by following a common questionnaire, cover all the relevant issues from foundation to liquidation and winding-up of a company.



Paperback
 Approx. 340 pp, 2016
 Approx. € 85.00
 ISBN 978-3-406-69475-2



Dr Helmut Satzger is Professor of German, European and International Criminal Law at the Ludwig-Maximilians-University Munich.

International and European Criminal Law

2nd Edition

Helmut Satzger

In the wake of increasing globalisation, criminal law has become an internationalised subject. This revised and updated second edition highlights the most important aspects of European and international criminal law in order to provide the reader with a comprehensive, concise and solid introduction to this modern field of law.

Focus is laid on:

- Rules determining the exercise of jurisdiction
- ‘European Criminal Law’ dealing with the question if and how far the EU may create or harmonise criminal law
- Evolution of European Criminal Procedure Law
- Ne bis in idem-principle
- Guarantees under the European Convention of Human Rights
- Principles of International Criminal Law
- Procedures and substantive law of the International Criminal Court (ICC)

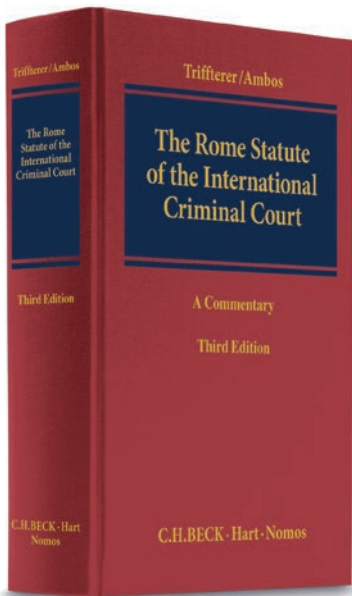
Praise for the first edition:

‘... it manages to give a good overview without being unduly long. The book is most definitely worth a read even for those with more specific interests in the topics covered, and it will serve well as a textbook...’

Annika Suominen, in: EuCLR 1/2014, p. 88

‘This book is both an outstanding and demanding presentation of international criminal law and its current developments and trends caused by globalisation.’

Landeskriminalblatt Niedersachsen 01/2013



Hardback
2,391 pp, 2016
€ 370.00
ISBN 978-3-406-64854-0



Dr Otto Triffterer (†) was Professor Emeritus at the University of Salzburg, **Dr. Kai Ambos** is Chair of Criminal Law, Criminal Procedure, Comparative Law and International Criminal Law at the University of Göttingen and Judge at the Provincial Court (Landgericht) of Lower Saxony in Göttingen. More than 50 eminent authors from all-over the world have contributed to this commentary.

The Rome Statute of the International Criminal Court

A Commentary

3rd Edition
Edited by
Otto Triffterer,
and **Kai Ambos**

In this thoroughly revised and up-dated third edition of their Commentary, the editors and a number of eminent legal practitioners and scholars in the field of international criminal law give a detailed article-by-article analysis of the Statute adopted by the Assembly of States Parties in 2002, include a comprehensive analysis of the Crime of aggression (Articles 8bis, 15bis and 15ter)

From reviews of the 2nd edition:

'Clearly written by experts in the field, skillfully edited, the commentary will prove indispensable to any serious scholar or practitioner of international criminal law.'

German Yearbook of International Law 2009

'...indispensable for both academic international lawyers and practitioners, whether at public service or in private practice.'

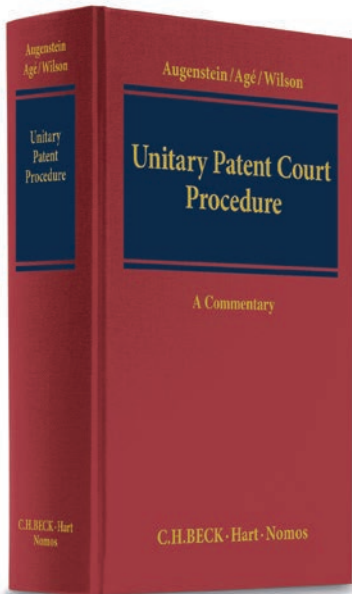
Alexander Orakhelashvili, European Journal of International Law, Vol 20, No 2, April 2009

'the 'Triffterer' is still the best commentary on the ICC available on the market at this time and will be useful for practitioners.'

Koninklijke Brill, International Criminal Law Review 9-2009

'The editor's well-crafted format facilitates ease of reference-designed with the busy reader in mind, given the Herculean nature of this incredibly comprehensive book...'

American Society of International Law Newsletter, Issue 39, May 09



Hardback
 Approx. 1,000 pp, 2016
 Approx. € 300.00
 ISBN 978-3-406-64859-5



The general editors and authors are experienced patent specialists from the UK, France and Germany, working for renowned law practices: **Sabine Agé, Christof Augenstein, Matthias Brandi-Dohrn, Emmanuel Gougé, Andreas Ha-berl, Alexander Haertel, Miriam Kiefer, Tim Powell, Konstantin Schallmoser, Tim Whitfield, and Alex Wilson.**

Unitary Patent Court Procedure

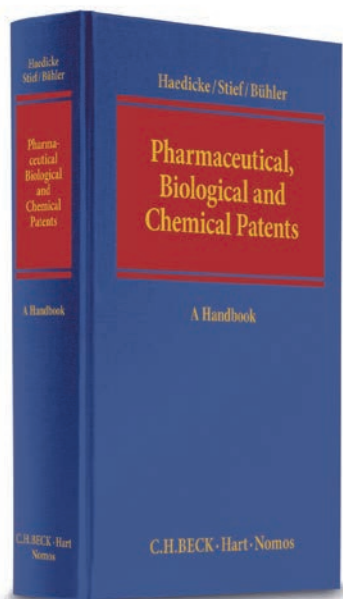
A Commentary

Edited by
**Christof Augenstein,
 Sabine Agé,
 and Alex Wilson**

Forty years after the first discussions began with a view to creating a single European patent, 25 EU Member States (with the exception of Italy, Spain and Croatia) approved three instruments creating a European Patent with unitary effect. One of the instruments is the Agreement on a Unified Patent Court, signed on 19 February 2013. The Agreement provides for a 'Unified Patent Court' (UPC) as a single court consisting of a Court of First Instance and a Court of Appeal. The court will have exclusive jurisdiction both in infringement and revocation proceedings. By this, the new court system provides a less complex and less expensive alternative to the current situation where patent cases have to be tried in each EU Member State separately.

This commentary is focussed on the procedure of the Unitary Patent Court, and covers:

- A. Overview
- B. Infringement and defences
- C. Proceedings and the UPC
 - Part I. Ch. I-III, including Statutes of the UPC
 - Part II. Financial provisions
 - Part III. Ch. I. General provisions Ch. II. Languages of proceedings Ch. III. Proceedings before the Court Ch. IV. Powers of the Court Ch. V. Appeals Ch. VI. Decisions
 - Part IIIa. Implementation and operation of Agreement



Hardback
 Approx. 1,500 pp, 2016
 Approx. € 330.00
 ISBN 978-3-406-64855-7



Dr Maximilian Haedicke holds a chair in IP law at the University of Freiburg, Germany, and is judge at the Düsseldorf Regional Court of Appeal.

Dr Marco Stief, LL.M. and **Dr Dirk Bühler** are patent attorneys and partners in Maiwald Patentanwälte in Munich, Germany.

Pharmaceutical, Biological and Chemical Patents

A Handbook

Edited by
Maximilian Haedicke,
Marco Stief,
 and **Dirk Bühler**

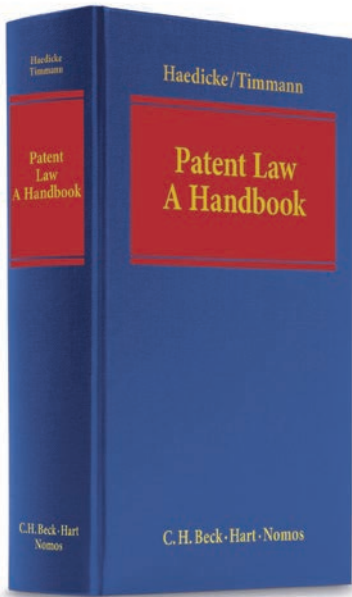
The topic of pharmaceutical, biological and chemical patents is a special matter within European and German patent law. There are several structural alterations, like polymorphism and enantiomerism, leading to a derivative of a substance that is comprised in the prior art. This gives rise to the question under what circumstances such alterations can be novel and in which cases they are included in the state of the art. But even if a substance is prior art, a new medical use of it can be patented, as such medical use patents are politically intended to promote medical research.

On the other hand, it is unclear how to deal with natural occurrences of a substance in terms of its accessibility and bioethics.

It must also be understood how different identifications of a substance and the resulting patents interrelate with each other, i.e. how their scopes of protection are defined. This is problematic especially because of the absolute substance protection, which includes all conceivable uses and methods.

The past decisions of the ECJ as regards broccoli- and tomato-patents, as well as embryonic stem cells have highlighted the importance of this field of law.

Most of the proceedings regarding pharmaceutical, biological and chemical patents are held in German courts. The German jurisprudence is also of importance to the subject matter, as it has often been the basis for decisions of the ECJ. Thus, German case law is used to illustrate the comments.



Hardback
1,164 pp, 2014
€ 330.00
ISBN 978-3-406-65074-1



This handbook is edited by **Dr Maximilian Haedicke**, Professor of IP law at the University of Freiburg and judge at the Düsseldorf Regional Court of Appeal; **Dr Henrik Timmann** is patent litigator in Düsseldorf.

The authors are patent attorneys, patent litigators, and judges with a deep knowledge in patent law in Germany, Europe and worldwide.

Patent Law

A Handbook on European and German Patent Law

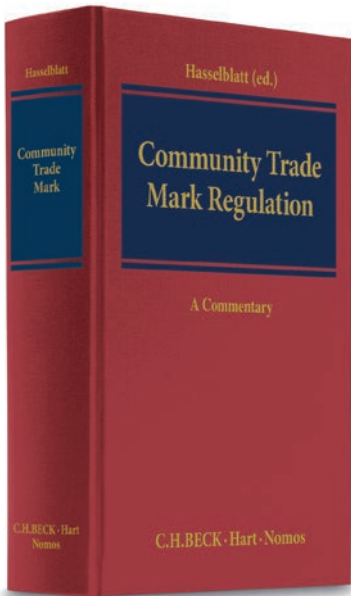
Edited by
Maximilian Haedicke,
and **Henrik Timmann**

This handbook presents a comprehensive view of substantive patent law in a European and international context. German patent law is used as an example of a mature patent law regime. The handbook covers the following subjects:

- Introduction
- Invention and their amenability to patent protection
- Ownership
- Patent transfer and licensing
- Grant and rejection of patents
- Interpretation and scope of protection of patents
- Chemical and biological inventions
- Use of a patent
- Defences
- Legal consequences of patent infringement
- European Patent and European Patent Court
- Other proceedings and claims in patent cases
- The law of utility models
- The supplementary protection certificate

'In light of the recent establishment of a Unified Patent Court, this handbook gains momentum and serves as a detailed and reliable tool for the anticipated renaissance of Patent Law.'

Apostolos Anthimos, in: Armenopoulos, 2014, 10



Hardback
1,625 pp, 2015
€ 370.00*
ISBN 978-3-406-65587-6



Dr **Gordian Hasselblatt** is partner in the Cologne office of CMS Hasche Sigle and professor for IP Law both in the US and Germany. The authors are trade mark specialists from all over Europe.

Community Trade Mark Regulation

A Commentary

Edited by
Gordian Hasselblatt

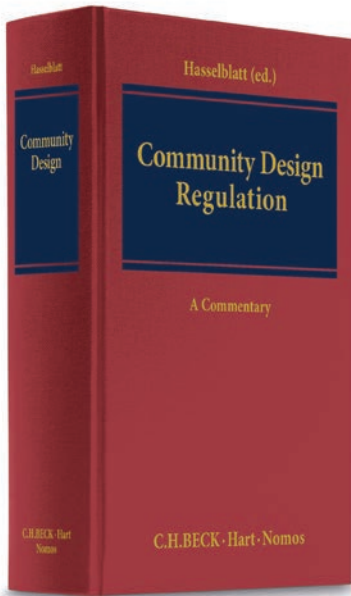
The Council Regulation (EC) No 207/2009 on the Community trade mark (CTMR) gives the proprietor a uniform right to undistorted use of a trade mark throughout the European Union. The trade mark will be obtained in a single procedure from the Office for Harmonization in the Internal Market (OHIM) in Alicante; and by that the application procedure will be made simpler and less expensive. It is fair to say: the CTM has proven to be a success story.

This commentary gives a detailed article-by-article analysis of the provision of the Regulation and its enforcement in each Member State of the European Union. Wherever feasible, the commentary provides an account of specific bibliography, gives a historical overview, shows the main features and principles underlying the provision, and analyses each paragraph with due regard to the case law of the European courts and the supreme courts of the Member States.

In principle, the book is divided into five parts:

- Commentary
- Measures under Enforcement Directive 2004/48/EC
- Litigation in EU Member States
- Annexes
- Table of cases

* A package price of € 598.00 will be offered to purchasers of both commentaries on the CTMR and the CDR.



Hardback
1,040 pp, 2015
€ 300.00*
ISBN 978-3-406-65588-3



Dr **Gordian Hasselblatt** is partner in the Cologne office of CMS Hasche Sigle and professor for Intellectual Property Law both in the US and Germany. The authors are design specialists from all over Europe.

Community Design Regulation

A Commentary

Edited by
Gordian Hasselblatt

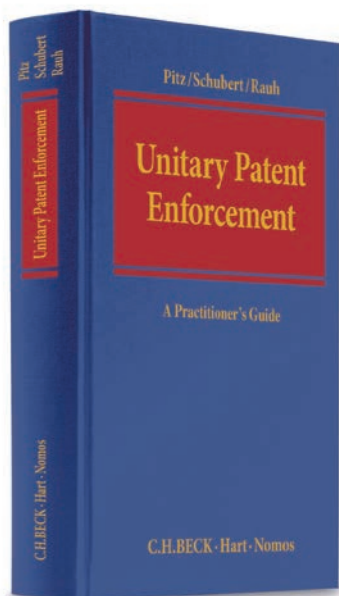
Council Regulation (EC) No 6/2002 on Community designs (CDR) protects the appearance of a design against counterfeiting and piracy, be it registered or unregistered. The right is applicable throughout the European Union. The registered design will be obtained in a single procedure from the Office for Harmonization in the Internal Market (OHIM) in Alicante.

This commentary gives a detailed article-by-article analysis of the provision of the Regulation and its enforcement in each Member State of the European Union. Wherever feasible, the commentary provides an account of specific bibliography, gives a historical overview, shows the main features and principles underlying the provision, and analyses each paragraph with due regard to the case law of the European courts and the supreme courts of the Member States.

In principle, the book is divided into five parts:

- Commentary
- Measures under Enforcement Directive 2004/48/EC
- Litigation in EU Member States
- Annexes
- Table of cases

* A package price of € 598.00 will be offered to purchasers of both commentaries on the CTMR and the CDR.



Hardback
 Approx. 250 pp, 2016
 Approx. € 150.00
 ISBN 978-4-406-69456-1



Dr Johannes Pitz, Dr Thure Schubert
 and **Dr Georg Andreas Rauh** are
 experienced practitioners working as
 litigators for Vossius & Partner.

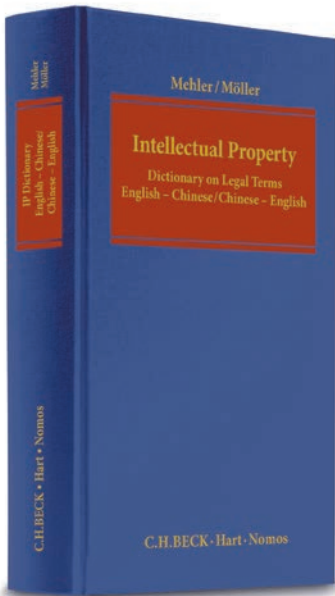
Unitary Patent Enforcement

A Practitioner's Guide

Edited by
Johannes Pitz,
Thure Schubert and
Georg Andreas Rauh

Forty years after the first discussions began with a view to creating a single European patent, 25 EU Member States (with the exception of Italy, Spain and Croatia) approved three instruments creating a European Patent with unitary effect. One of the instruments is the Agreement on a Unified Patent Court, signed on 19 February 2013. The Agreement provides for a 'Unified Patent Court' (UPC) as a single court consisting of a Court of First instance and a Court of Appeal. The court will have exclusive jurisdiction both in infringement and revocation proceedings. So it will provide a less complex and cheaper alternative to the current situation where patent cases have to be tried in each EU Member State separately. Quite probably, the first cases will be tried 2017.

This book guides through the procedures before the UPC both with respect to substantial aspects of the unitary patent, in particular the scope of protection, as well as the procedural enforceability of the Unitary Patent. In the absence of relevant case law, the authors relate to the enforcement practices in the Member States.



Hardback

Approx. 700 pp, 2016

Approx. € 200.00

ISBN 978-3-406-66654-4



Dr **Klaus Mehler** is physicist and practising patent attorney in Wiesbaden;

Dr **Stefan Möller** graduated from the Ludwigs Maximilians-University Munich and the Beijing Language and Culture University. He works as a translator in the field of patents and as a consultant for China-related business.

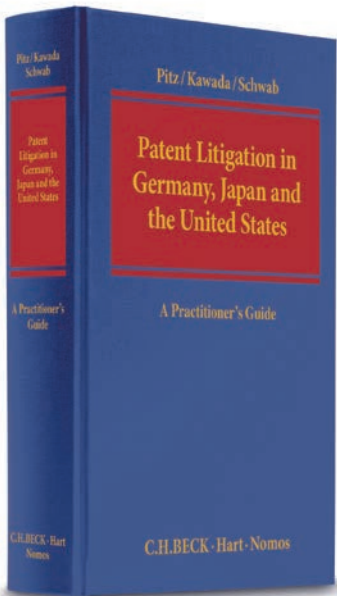
Intellectual Property Dictionary on Legal Terms

English-Chinese/Chinese-English

**Klaus Mehler,
and Stefan Möller**

Over the last one or two decades the exchange of goods and services between the industrialised countries and China has increased rapidly. It has become one of the main sources of growth both in Europe and the US. As a consequence, intellectual property rights have inevitably become crucial for free and undistorted trade. The creation and protection of patents, trade marks and industrial designs is now one of the main areas both of consultation as well as cross-border litigation and arbitration.

In order to help practitioners and their staff to understand and use English and Chinese IP terms correctly, this dictionary provides a glossary of about 2400 terms giving the meaning in English and Chinese both in Chinese characters and Pinyin transcription. A detailed introduction facilitates search by radicals. An annex shows in bilingual form the most relevant forms, cover sheets, statutes etc.



Hardback
228 pp, 2015
€ 200.00
ISBN 978-3-406-65075-8



Dr Johannes Pitz is attorney at law and patent litigator in Munich.

Atsushi Kawada is attorney at law, patent and trade mark attorney as well as lecturer of patent law in Tokyo.

Jeffrey A. Schwab is patent attorney who specialises in IP litigation, licensing, ADR and advertising law, New York.

Patent Litigation in Germany, Japan and the United States

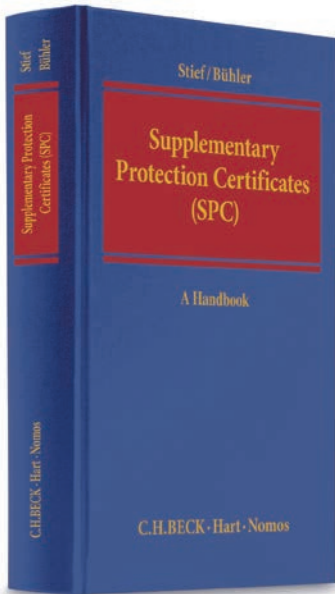
A Practitioner's Guide

**Johannes Pitz, Atsushi Kawada,
and Jeffrey A. Schwab**

This book gives a systematic comparative overview on characteristic principles of patent enforcement proceedings in the US, Japan and Germany, i.e. the major jurisdictions where patent holders might seek for legal remedies in parallel proceedings.

Content overview

- Survey
- Matter of infringement
- Fact finding
- Claims of the patent holder and objections of the infringer
- Pre-procedural measures
- Infringement proceedings
- Procedural principles



Hardback
259 pp, 2016
€ 190.00
ISBN 978-3-406-64856-4



Dr Marco Stief, LL.M., and Dr Dirk Bühler are patent attorneys and partners in **Maiwald Patentanwälte** in Munich, Germany.

Supplementary Protection Certificates (SPC)

A Handbook

**Marco Stief,
and Dirk Bühler**

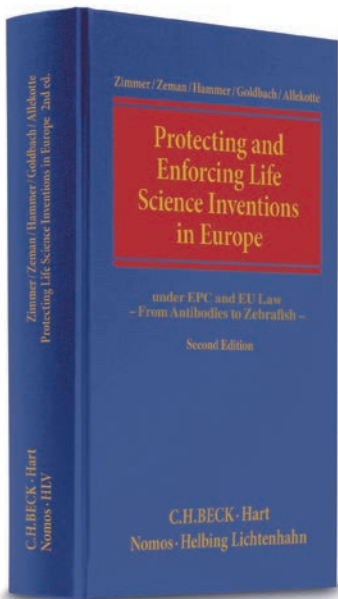
The supplementary protection certificates prolong the term of patents for pharmaceutical products for a maximum of five additional years, i.e. the certificate becomes effective at a time when the respective pharmaceutical is widely known on the market and thus generates the maximum revenue, which explains the enormous economic value of the SPC.

The SPC's legal bases are two European Regulations. The SPC is based upon European or national patents.

SPCs protect some of the most valuable products in the pharmaceutical industry where each day of additional protection may be worth millions of Euro. At the same time, the requirements for obtaining such protection, the scope of protection, etc. are highly disputed and have been the subject of numerous decisions of the ECJ.

There is only limited detailed literature on SPCs, not reflecting the economic relevance SPCs have obtained in recent years.

German jurisprudence on SPCs is of special importance, as this has often been the basis for decisions of the ECJ. Further, the German market is one of the leading markets for pharmaceuticals and thus for SPCs. Consequently, German case law is used to illustrate the comments.



Hardback
472 pp, 2015
€ 199.00
ISBN 978-3-406-47351-7



Franz-Josef Zimmer, Steven M Zeman, Jens Hammer and Klara Goldbach are patent attorneys, European Patent Attorneys and European Trade Mark Attorneys in Munich.
Bernd Allekotte is Attorney at Law in Munich.

Protecting and Enforcing Life Science Inventions in Europe

under EPC and EU Law
– From Antibodies to Zebrafish –

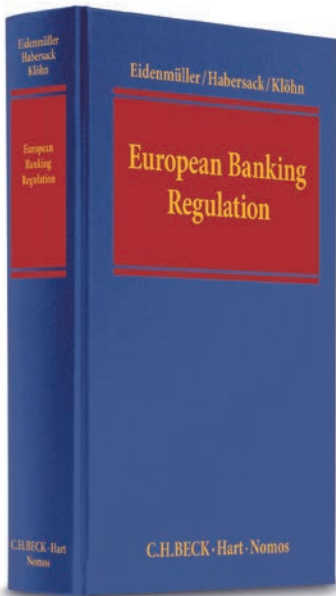
2nd Edition

Franz-Josef Zimmer, Steven M. Zeman, Jens Hammer, Klara Goldbach, and Bernd Allekotte

Both legislators and the Boards of Appeal of the European Patent Office have invested considerable effort over the last two decades to adjust the law and practice governing life science inventions to the rapidly changing technological landscape. This book provides an introduction to life science patent practice and jurisdiction in Europe according to PCT, EPC and secondary EU law.

Its aim is to help experts and corporations in the field of life sciences to convert their research into protective, enforceable rights in Europe. It conveys a sense of the requirements for patentability and the issues influencing patent enforcement by presenting illustrative examples of relevant decisions and claims. Thus, while clearly addressing patent professionals, the book serves as a starting point for readers requiring general guidance as to the factors influencing patent protection for life science inventions, and examples of claim language used.

Where the first edition focused primarily on biotechnological subject matter, the second edition addresses the broader field of life sciences. It also includes a new chapter on the enforcement of patent rights throughout Europe and an outline of the forthcoming Unitary Patent and Unified Patent Court system.



Hardback

Approx. 300 pp, 2016

Approx. EUR 90.00

ISBN 978-3-406-68032-8



Dr Horst Eidenmüller is Chair for Commercial Law at the University of Oxford and Professorial Fellow at St. Hugh's College, Oxford; **Dr. Mathias Habersack** and **Dr Lars Klöhn** are Professors of Civil and Corporate Law at the Ludwig-Maximilian-University of Munich.

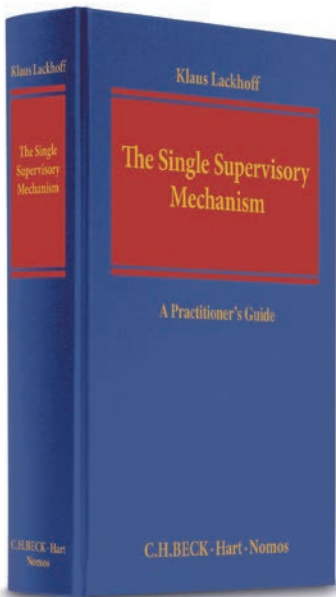
European Banking Regulation

A Handbook

Edited by
Horst Eidenmüller,
Mathias Habersack and
Lars Klöhn

Since the financial crisis, the field of banking regulation has seen an unprecedented wave of regulatory reform throughout the world. In Europe, the focus is on the creation of a Eurozone Banking Union which consists of three major components: a single bank supervisory mechanism, a common bank crisis management and resolution system, and a uniform system of deposit insurance. Those efforts have been supported by rules on the corporate governance of banks, especially on executive compensation, by a structural reform of the financial derivatives market and through other regulatory acts. This regulatory tsunami raises a number of questions: Why do banks need special regulation besides their obvious systemic importance for the financial system? How effective will the European single bank supervisory mechanism be? Does the common bank crisis management and resolution system successfully tackle the moral hazard problem of running a bank that is 'too big to fail'? Do the new rules on executive compensation mitigate this problem? How much safer will deposits be after the reformed system of financial deposits, and what are the costs?

These and other questions were addressed at an international conference held in Munich in July 2014. This book is a report on the outcome of that conference.



Hardback
 Approx. 300 pp., 2016
 Approx. € 150.00
 ISBN 978-3-406-68033-5



Dr Klaus Lackhoff heads the market abuse department of the ECB. Previously, he has been working in a leading law firm in the banking supervisory team.

The Single Supervisory Mechanism (SSM)

A Practitioner's Guide

Klaus Lackhoff

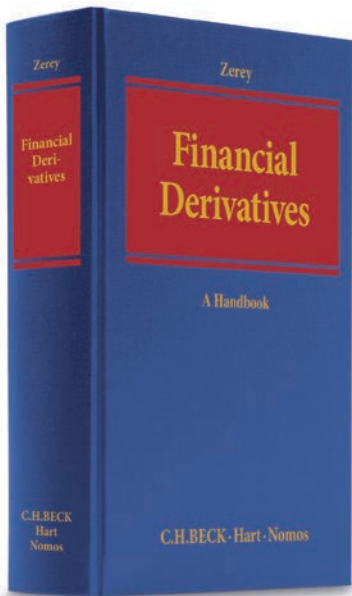
With the SSM a single supervisor for significant banks in the euro area and the participating Member States is newly established and will become operative for the first time in November 2014. This is a major shift in the European supervisory architecture.

The Single Supervisory Mechanism Regulation (SSMR) and the so called Framework Regulation of the ECB (FR) are the legal instruments which establish the institutional and operational skeleton for the SSM becoming operative in November 2014.

Banks (significant and such which might become significant), regulators (including the ECB), scholars and interested parties will look at the functioning of the SSM and will therefore be interested in such a book.

Content overview:

- A. Introduction
- B. Purpose of the SSM and basic functioning
- C. Fundamental legal questions
- D. Determining the significance of credit institutions
- E. The supervision of significant credit institutions by the ECB
- F. The functions of the ECB in connection with the supervision of less significant credit institutions
- G. Common procedures
- H. Close cooperation
- J. The SSM and the role of EBA
- K. Supervisory fees



Hardback
 Approx. 1.100 pp, 2016
 Approx. € 290.00
 ISBN 978-3-406-69535-3



The authors are more than 30 leading experts from law firms, auditing companies, rating agencies and universities which have contributed their expertise and experience to this handbook.

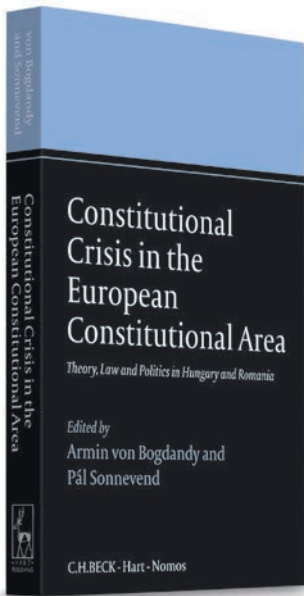
Financial Derivatives

A Handbook

Edited by
 Jean-Claude Zerey

The financial crisis has resulted in significant changes in the trading of financial derivatives. In particular, these affect regulatory and accounting requirements. To this extent, the handbook provides an in-depth review of these changes specifically oriented at the needs of lawyers and accountants as well as legal officers of insurance and capital investment companies. The following issues are addressed:

- Supervisory and not risk related requirements regarding indebtedness, stress-tested liquidity and consideration of CVA-risks as well as changes in the calculation of market risks and the division of the global counterparty risk
- Clearing of OTC-derivatives including regulatory and insolvency issues
- Accounting according to German Trade Law and IRFS
- Application of BRRD and SAG rules on derivatives
- Credit Default Swaps and secured refinancing according to ISDA 2014 Credit Derivative Definitions
- Compliance with aspects of civil law effectiveness and liability as well as regulatory requirements
- Risk management from the banking perspective including counterparty risk management and CVA-steering
- Derivatives on energy and goods also in relation to regulatory requirements stemming from EMIR, REMIT and MiFiD
- Legal situation in Luxemburg, Austria and Switzerland



Softcover
365 pp, 2015
€ 90.00
ISBN 978-3-406-67799-1

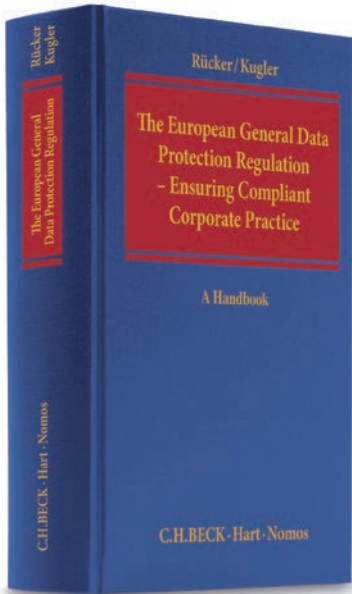


Armin von Bogdandy is Director at the Max Planck Institute for Comparative Public Law and International Law, Heidelberg. Pál Sonnevend is Vice Dean for international relations of the Faculty of Law of ELTE, Budapest. With contributions by László Sólyom, Pál Sonnevend, András Jakab, Lóránt Csink, Kim Lane Scheppele, Gábor Polyák, Bogdan Iancu, Cosmina Tanasoiu, Frank Hoffmeister, Armin von Bogdandy, Carlino Antpöhler, Johanna Dickschen, Simon Hentrei, Matthias Kottmann, Maja Smrkolj, Christoph Grabenwarter, Mahulena Hofmann, Joakim Nergelius, Matthias Hartwig, Tilmann Altwicker, Catherine Dupré.

Constitutional Crisis in the European Constitutional Area

Edited by
Armin von Bogdandy
and Pál Sonnevend

The concept of a European Constitutional Area has been used in legal scholarship to describe a common space of constitutionalism where national and international constitutional guarantees interact to maintain the common constitutional values of Europe. This concept has not yet been tested in a case where the constitutional order of a Member State of the European Union seems to develop systemic deficiencies. The present volume aims to assess recent constitutional developments in Hungary and Romania, as well as the interplay of national, international and European constitutionalism which react to the loopholes in national constitutions. Accordingly, a core part of the volume is an in-depth analysis of the situation in Hungary and Romania. Based on that, the volume offers an account of the different reaction mechanisms of the European Union and of the Council of Europe. Beyond a detailed stock-taking of these mechanisms, their legal and political frameworks are explored, as well as different ways to extend their reach. In this way, the volume contributes to a little studied aspect of European constitutionalism.



Hardback

Approx. 300 pp, 2016

Approx. € 190.00

ISBN 978-3-406-69536-0



Both authors are leading practitioners at Noerr LLP specialised in information technology law and data protection law.

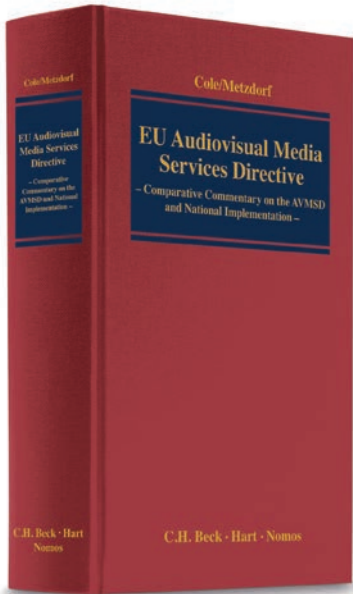
The European General Data Protection Regulation – Ensuring compliant corporate practice

A Handbook

by Daniel Rücker
and Tobias Kugler

The European General Data Protection Regulation introduces a uniform data protection legislation which will apply directly in all EU Member States and which will also have to be observed by numerous companies outside the EU who have business in the EU. The handbook clearly and concisely addresses the key changes resulting from the Regulation and the requirements it places on typical business processes and rapidly spreading new technologies, also by using practically relevant examples. The handbook therefore provides the ideal basis for all international companies affected by the Regulation to review their existing business processes and ensure that new processes and business models are in line with these new data protection requirements. To this extent, the handbook focuses on the following issues:

- Scope and logic of the General Data Protection Regulation and remaining areas regulated at national level
- Mandatory data protection impact assessment
- Appointment of a data protection officer
- Transfer of personal data to third countries
- Cloud computing, outsourcing
- Advertising and data protection
- Profiling and big data analysis
- Requirements placed on IT security
- Information and reporting obligations
- Data breach notifications
- Rights of persons affected
- Liability and sanctions for data protection breaches



Hardback
 Approx. 1,200 pp, 2016
 Approx. € 198.00
 ISBN 978-3-406-65092-5



Dr. Mark D. Cole is Associate Professor of Law (specialized in the law of the new information technologies, media and communications law) at the Faculty of Law, Economics and Finance of the University of Luxembourg since 2007; he has published widely in the field of European Media Law. Jenny Metzdorf is research assistant of Professor Cole at the Faculty of Law, Economics and Finance of the University of Luxembourg; he holds a Masters degree in European Law.

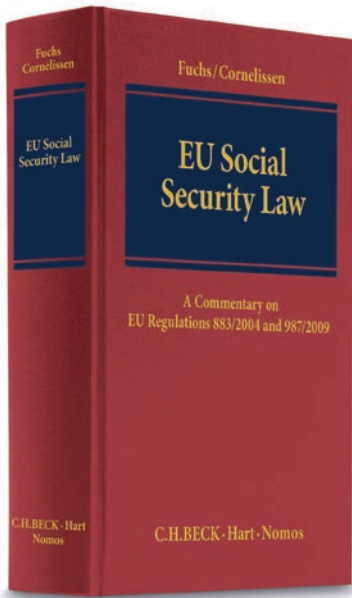
The EU Audiovisual Media Services Directive

Comparative Commentary on the AVMSD and National Implementation

Edited by
 Mark D. Cole,
 and Jenny Metzdorf

The European audiovisual industry is one of the most dynamic markets in the European Union. The Audiovisual Media Services Directive is the bedrock of the EU's audiovisual and media policies. It regulates diverse aspects for providers of television broadcasting and on-demand services and entered into force in December 2007. Due to the volatility of a market facing convergence of media and important policy choices, for instance whether to allow product placement, Member States have struggled with the transposition of this Directive.

This completely new commentary employs an innovative approach: Based on English translations, the study systematically examines the national implementing measures of the 28 Member States. It sets out, article-by-article, the original provisions contained in the Directive before analyzing domestic transpositions. National measures are grouped in order to reveal similarities and differences and examined for compliance with the Directive. This comparative perspective contributes to the discussions on reforms of the Directive or the EU's approach to new media services. The commentary therefore constitutes a unique reference point for regulatory authorities, media entities, academics in teaching and research, as well as lawyers and political interest groups working in the field of media law.



Hardback
570 pp, 2015
€ 178.00
ISBN 978-3-406-68473-9



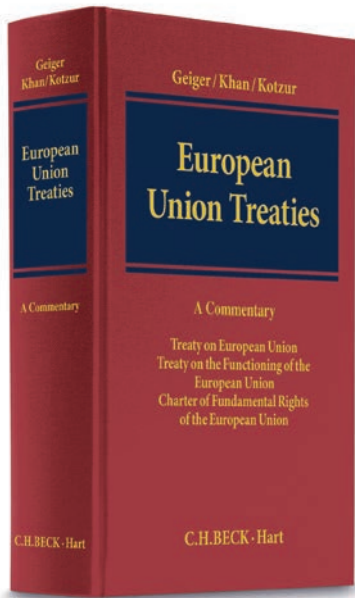
The authors of the Commentary are an international team consisting of university professors, a former member of the European Commission, a high-ranking civil servant in the German Ministry of Labour and Social Affairs and a presiding judge of a high German Social Court. They have all been active in the field of social security coordination for more than 30 years.

EU Social Security Law

A Commentary

Edited by
Maximilian Fuchs
and **Rob Cornelissen**

Social security coordination is a central pillar of the European Union. At the right time, the new commentary reflects the political relevance of social security coordination law within Europe-wide debates about immigration caused by the new Member States and the given social benefits to their immigrants. Article-by-article the new commentary deals with the coordination law as it is laid down in Regulation (EC) No. 883/2004 and its Implementing Regulation (EC) No. 987/2009. In addition, it encompasses accompanying legislation such as Regulation (EEC) No. 7/79 and extends to social security coordination established in specific agreements between the EU and non-EU countries like Switzerland and Turkey. A further part of the Commentary deals with the decisions of the Administrative Commission that play an important role in the application of these regulations. Special emphasis is placed on the overarching case law of the Court of Justice of the EU. Moreover, important legal literature has been taken into account in order to underpin the functioning of social security coordination and its contribution to offering solutions.



Hardback
1,316 pp, 2015
€ 250.00
ISBN 978-3-406-62877-1



Dr Rudolf Geiger is a former judge at the Bavarian Court of Appeal in Munich and Professor Emeritus of European and Public International Law at the University of Leipzig.

Dr. Daniel-Erasmus Khan is Professor of European and Public International Law at the Bundeswehr University Munich.

Dr. Markus Kotzur is Professor of Public International Law and European Law at the University of Hamburg.

European Union Treaties

Treaty of the European Union

Treaty on the Functioning of the European Union

Charter of Fundamental Rights of European Union

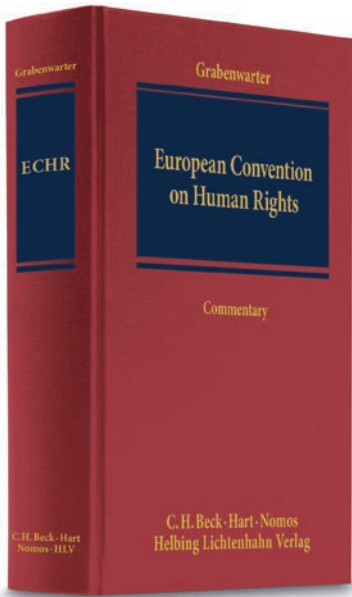
A Commentary

Rudolf Geiger,
Daniel-Erasmus Khan,
and Markus Kotzur

This is the new revised English edition of a Commentary on the basic European Treaties which has already very successfully gone through five editions written in German. It comprises concise article-by-article comments on the Treaty of the European Union and the Treaty on the Functioning of the EU in their latest versions, supplemented by the Charter of Fundamental Rights (including the comments of the European Convent's Presidency) and the Treaty Protocols. The authors, all of them specialists in European Law, provide a compact overview of the European primary law and also refer to the relevant secondary law. They give introductions to the particular legal areas and attach particular importance to the current case law of the European Court of Justice.

In this book the Treaties are analysed article-by-article consistently using a common systematic, beginning with the norm's text, a list of specific literature, and followed by an overview and a concise analysis of the norm. Focus is laid on the jurisdiction of the Court of Justice of the European Union.

The Commentary caters for the needs of both beginners in the field of European law and more experienced practitioners in need of some kind of reassurance.



Hardback
574 pp, 2014
€ 190.00
ISBN 978-3-406-60321-1



Dr Dr Christoph Grabenwarter is Professor of Public and International Law at the Vienna University of Economics and Business, judge at the Austrian Constitutional Court, and the Austrian member of the Venice Commission on 'Democracy through Law'. Professor Grabenwarter has published widely in the field of international and European business law, and public international law, with a focus on human rights.

European Convention on Human Rights

Commentary

Christoph Grabenwarter

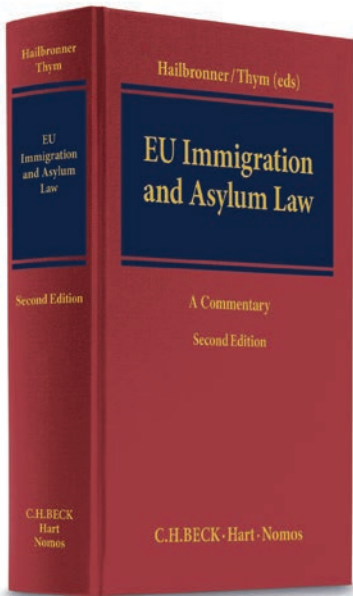
The European Convention on Human Rights (ECHR) entered into force on 3 September, 1953, with binding effect on all member states of the Council of Europe. It grants the people of Europe a number of fundamental rights and freedoms: right to life, prohibition of torture, prohibition of slavery and forced labour, right to liberty and security, right to a fair trial, no punishment without law, right to respect for private and family life, freedom of thought, conscience and religion, freedom of expression, freedom of assembly and association, right to marry, right to an effective remedy, prohibition of discrimination; plus some more by additional protocols to the Convention.

Any person who feels that his or her rights are being violated under the ECHR by the authorities in one of the Member States can bring the case to the European Court of Human Rights, established under the Convention. The States are bound by the Court's decisions.

Professor Grabenwarter's commentary systematically deals with the Convention, article-by-article, including development, scope, relevant case-law and literature.

'... The analysis is rich and takes place in a structured manner, allowing the reader to navigate easily through the different issues which arise under the Articles of the Convention.'

Dr Charilaos Nikolaidis, Academy of Transparency of Human Rights



Hardback
 Approx. 1,500 pp, 2016
 Approx. € 300.00
 ISBN 978-3-406-66653-7



Dr Kay Hailbronner is Professor Emeritus of law at the University of Konstanz; Dr Daniel Thym holds the chair of Public, European and International Public Law at the University of Konstanz. The editors and contributors are renowned specialists for immigration and asylum law working in academia or practice across Europe.

EU Immigration and Asylum Law

A Commentary
 Second Edition

Edited by
 Kay Hailbronner,
 and Daniel Thym

Including latest
 amendments

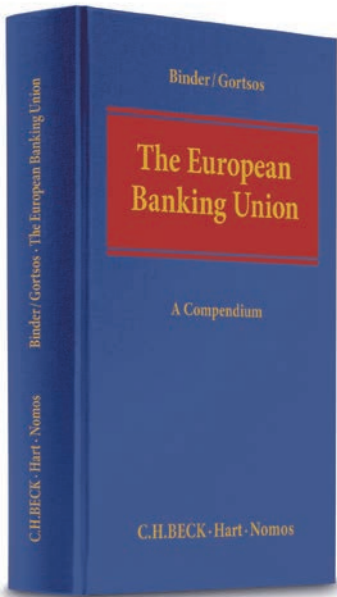
National rules on immigration and asylum have been transformed in recent years. EU Directives and Regulations, including the relevant case law of the European Court of Justice, become ever more important – both for those working in ministries, immigration authorities, national courts, academia, non-governmental organisations and as practicing lawyers. They may benefit from the fundamentally revised and amended second edition, which focuses on core legislation, incl. the

- Asylum Qualification Directive
- Asylum Procedure and Reception Directives
- Dublin III Regulation
- Border Code, Visa and Frontex Regulations
- Family Reunion Directive
- Blue Card Directive
- Long Term Residents' Directive
- Return Directive

Praises for the 1st edition:

'... the book reviewed proves to be a real encyclopaedia on EU migration law, whose primary aim according to the preface is describing the content of existing European legislation, identifying potential interpretation issues, and providing arguments, for applying such rules. ... Compared with other publications on European migration law, this publication is to be considered as an important book of reference, not only for researchers, but also for lawyers, NGOs, and officers working in this field.'

As to the first edition: Evelien Brouwer, Common Market Law Review 48(5)



Softcover
 384 pp, 2016
 € 79.00
 ISBN 978-3-406-68704-4



Dr Binder is Professor of Law at the Eberhard-Karls-Universität, Tübingen.

Dr Christos Gortsov is Associate Professor of Law at the Panteion University of Athens as well as visiting Professor at the University of Athens and the University of Saarland.

The European Banking Union

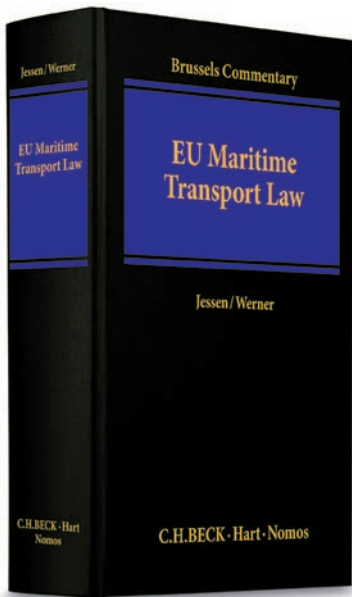
A Compendium

Edited by
 Jens-Hinrich Binder,
 and Christos Gortsov

The creation of the European Banking Union and the transfer of supervisory and resolution powers from the Member States to the European level has drastically changed the institutional setting for banking supervision within the Eurozone. Against this backdrop, the book combines a collection of the legal instruments pertaining to the Banking Union with introductory chapters on the policy background and relevant institutional and substantive issues, including procedural matters and questions of legal redress. It thus offers a straightforward access to the relevant policy and substantive issues, which will be of help for practitioners, academics and students. Both editors have published on the relevant aspects before and combine the perspectives of different jurisdictions.

Content overview:

- The European Banking Union – Rationale and key policy issues
- The two main pillars of the European Banking Union: the legal framework in a 'nutshell'
- legal acts of the SSM
- legal acts of the SRM



Hardback
 Approx. 1,500 pp, 2016
 Approx. € 300,00
 ISBN 978-3-406-66718-3



Dr Henning Jessen is professor for the law of the sea and maritime law and Member of the Institute of the Law of the Sea and of Maritime Law, University of Hamburg. Michael Jürgen Werner is a renowned practitioner in the field of European transport law and partner in the Brussels office of the law firm Norton Rose LLP. The authors are experts from various European countries with great experience in European and international shipping law.

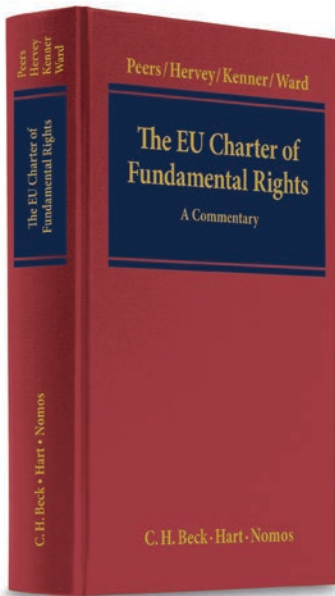
Brussels Commentary on EU Maritime Transport Law

Edited by
 Henning Jessen,
 and Michael Jürgen Werner

Waterborne transport is of crucial importance within the European Union. Almost 90% of the EU external freight trade and 40% of the intra EU-exchanges are carried by sea. With respect to its significant coastline, the environmental aspects of shipping transport services have to be considered carefully within the EU. Each year, the European ports have to cope with more than 400 million passengers. Thus, the shipping sector is also an important employer.

The Brussels Commentary on EU Shipping Law provides a comprehensive article-by-article analysis of the relevant regulations and directives of the shipping sector. It covers the following issues:

- Access
- Regulatory
- Environment
- Health and Safety
- Consumer protection
- Carriage of goods and passengers
- Means of transport
- Competition
- State aid
- Infrastructure
- Labour
- Litigation



Hardback
 1,865 pp, 2015
 € 270.00
 ISBN 978-3-406-65499-2



Steve Peers is Professor of EU Law at the University of Essex.

Tamara Hervey is Professor of European Law at Sheffield University.

Jeff Kenner is Professor of EU Law at the University of Nottingham.

Angela Ward is a *Référéndaire* in the Chambers of Advocate General Niilo Jääskinen at the Court of Justice of the European Union, and adjunct Professor in EU and Human Rights Law at University College Dublin, and a Visiting Professor in the Law Faculty of Birkbeck College, University of London.

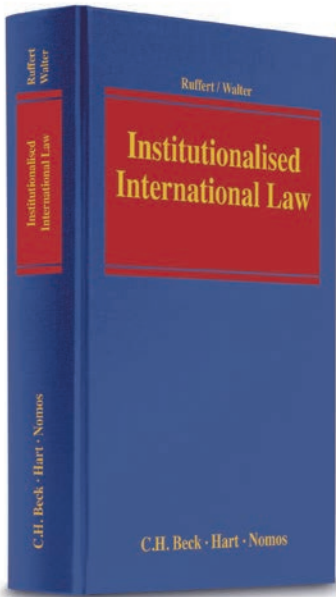
The EU Charter of Fundamental Rights

A Commentary

Edited by
Steve Peers,
Tamara Hervey,
Jeff Kenner,
 and **Angela Ward**

The Charter of Fundamental Rights of the European Union enshrines the key political, social and economic rights of EU citizens and residents in EU law. In its present form it was approved in 2000 by the European Parliament, the Council of Ministers and the European Commission. However its legal status remained uncertain until the entry into force of the Treaty of Lisbon in December 2009. The Charter obliges the EU to act and legislate consistently with the Charter, and enables the EU's courts to strike down EU legislation which contravenes it. The Charter applies to EU Member States when they are implementing EU law but does not extend the competences of the EU beyond the competences given to it in the treaties.

This Commentary on the Charter, the first in English, written by experts from several EU Member States, provides an authoritative but succinct statement of the how the Charter impacts upon EU, domestic and international law. Following the conventional article-by-article approach, each Commentator offers an expert view of how each article is either already being interpreted in the courts, or is likely to be interpreted. Each commentary is referenced to the case law and is augmented with extensive references to further reading. Six cross-cutting introductory chapters explain the Charter's institutional anchorage, its relationship to the Fundamental Rights Agency, its interaction with other parts of international human rights law, the enforcement mechanisms, extra-territorial scope, and the all-important 'Explanations'.



Hardback
 338 pp, 2015
 € 98.00
 ISBN 978-3-406-63426-0

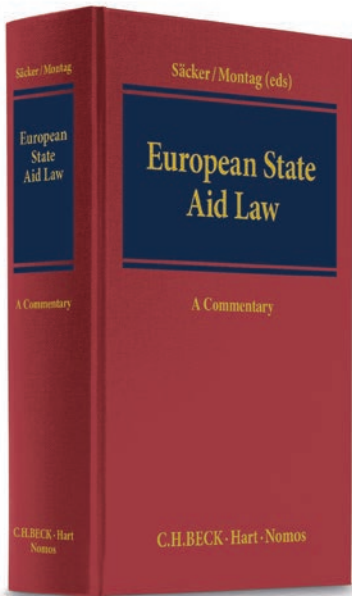


Dr Matthias Ruffert is Professor of Public, European and International Law at the Friedrich-Schiller-University Jena and Judge at the Thüringer Oberverwaltungsgericht, Weimar (higher administrative court of Thuringia); Dr Christian Walter is Professor of Public Law and International Law at the Ludwig Maximilians-University Munich.

Institutionalised International Law

Edited by
 Matthias Ruffert,
 and Christian Walter

This textbook, first published in German, explains and analyses not only the structures of international organisations in general, but it focuses upon the interplay between the creation of institutional structures and important substantive areas of public international law. In the first and second parts of the book the general aspects of the law of international organisations are surveyed, and in the third part international security, human rights protection, economy, development and environmental protection are analysed in terms of the interplay between substantive and institutional law. This part is built on the assumption that the law of international organisations needs to be studied 'in action', i.e. by looking at highly institutionalised areas of international law as a way of analysing the mutual influences between institutional and substantive international law. This is the first book on international law to bring together institutional and substantive aspects in a comparable manner. It is aimed at students of the law of international organisations, the social sciences and practitioners in the field of international institutions.



Hardback
1,774 pp, 2016
Approx. € 350.00
ISBN 978-3-406-60326-6



This commentary is edited by Professor Franz Jürgen Säcker, Berlin and Dr Frank Montag, Berlin.

The authors are experts in the field of European competition and state aid law.

European State Aid Law

A Commentary

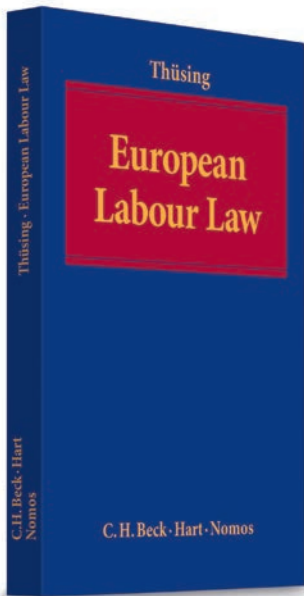
Edited by
Franz Jürgen Säcker
and Frank Montag

The regulation of state aid belongs to the core areas of European Union law. Without the general prohibition of state subsidies to undertakings competitiveness would be distorted and the benefits of the internal market would be put in jeopardy.

This book deals systematically article-by-article with the basic principles, the proceedings, and the implementation of state aid law with the rules regulating state aid in specific sectors.

Content Overview:

- Part I Introduction
- Part II Article 107 TFEU
- Part III Services of General Economic Interest (SGEI)
- Part IV Commission Regulation (EU) No 651/2014
- Part V Rescue and Restructuring Aid
- Part VI Financial Transfer and Transactions
- Part VII Tax Matters
- Part VIII Rules for Examining Aid in Specific Sectors
- Part IX Article 108 TFEU
- Part X Council Regulation (EC) No 659/1999
- Part XI Article 109 TFEU
- Part XII Judicial Protection at EU-Level



Softcover
230 pp, 2013
€ 79.00
ISBN 978-3-406-65047-5



Dr Gregor Thüsing is Professor of Labour Law and Social Security Law at the University of Bonn.

European Labour Law

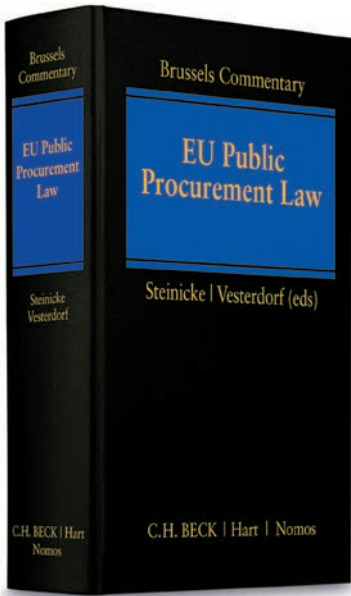
Gregor Thüsing

At the beginning of labour law the development of European Law and social security law were of little significance. They only played a very minor role in the founding treaties of the European Communities as their aim was primarily to harmonise economic, not social conditions. 50 years after the Rome Treaties, the situation is completely different: There is more and more awareness that the only way to further develop European Law and the European Union as a whole is by not only getting rid of competitive constraints but also by making the citizens of Europe aware of its social dimension.

Now is therefore a good time for an outline of European labour law. This textbook was written mainly with students in mind that are specialising in labour law but it also gives practising labour lawyers an overview of the most important regulations and judgment issues.

Content Overview:

- § 1 Basics
- § 2 Freedom of movement for workers
- § 3 Protection against discrimination
- § 4 Precarious employment
- § 5 Transfer of undertakings
- § 6 Protection against collective redundancies
- § 7 Working time
- § 8 Proof of employment terms
- § 9 Posting of workers
- § 10 Employee representation and unions
- § 11 International labour law
- § 12 How to find the law?



Hardback

Approx. 1,200 pp, 2016

Approx. € 300,00

ISBN 978-3-406-66719-0



Dr Michael Steinicke is Professor of European Union law at Aarhus University.

He is a prolific writer having published numerous books and articles on public procurement, EU law and competition law.

Dr Peter L. Vesterdorf is senior consultant with Publicure, Copenhagen, and affiliated with Public Affairs Group, a lobbyist firm in Copenhagen. He has written a number of books and articles mainly on European law.

The authors are specialists of procurement law including scholars and experienced practitioners from a number of EU Member States.

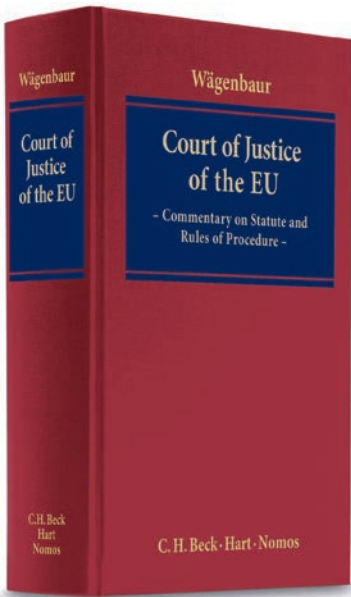
Brussels Commentary on EU Public Procurement Law

Edited by
Michael Steinicke,
and Peter Leif Vesterdorf

Procurement in the public sector is accountable for up to 20% of the European Union GDP. The regulation of public spending is therefore of great importance not only for the purpose of opening the internal market for suppliers to the public sector from all over the European Union, but also for all public entities and potential suppliers who are relying on the rules for entering into contracts.

This book is the first comprehensive analysis covering all the areas of procurement. It combines the advantages of a traditional article-by-article commentary with a horizontal systematic presentation of the laws and policies underlying public procurement in the EU. By means of cross-references it enables the reader to understand the system and interaction between the different directives on procurement.

The commentary is based on the European Union legal framework and is not focusing on the national transposition of the rules and will therefore be useful in all Member States.



Hardback
995 pp, 2013
€ 199.00
ISBN 978-3-406-60325-9



Bertrand Wägenbauer is one of the leading EU litigators who has pleaded more than 300 cases before the European jurisdictions in Luxembourg. He has published numerous articles in legal journals and is co-author of a commentary on EU competition law.

Court of Justice of the EU

Commentary on Statute and Rules of Procedure

Bertrand P. Wägenbauer

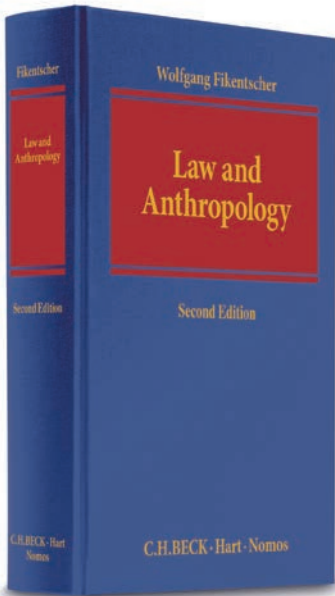
This Commentary provides for a comprehensive overview of the procedural rules of the EU Courts in Luxembourg. The substantive aspects of the legal remedies at the Court of Justice, the General Court and the Civil Service Tribunal are laid down in the primary legislation, as amended by the Lisbon Treaty, while the procedural aspects are detailed in the Statute of the Court of Justice as well as the Rules of Procedure of the Court of Justice and the General Court. This Commentary discusses European procedural rules article by article, taking due account of the established case-law of the Court, thus enabling the reader to navigate quickly and easily through the complex rules of procedure and to orientate him or herself quickly in cases brought before the EU Courts. The Commentary also covers the important ‘Instructions’ and ‘Practical Guidelines’ of the Court.

‘... It can therefore be said that B. Wägenbauer has resolved this task, and the work is worthy of recommendation in every respect.’

Luke Augustyniak, in: *Europejski Przegląd Sądowy* Nr 6/2014

‘... – the virtue of this book is in its comprehensive and systematic exposition of a complex and important system of rules. ...As such, this book presents, at the very least, a platform for further research, as well as a useful resource for scholars and practitioners alike.’

Ross Carrick, in: *EdinLR* Vol 17 pp 445-447



Hardback
579 pp, 2016
€ 170.00
ISBN 978-3-406-65907-2



Wolfgang Fikentscher (1928–2015) was professor of law at the University of Munich, External Scientific Member of the MPI for Foreign and International Patent, Copyright and Competition Law, Fellow of the Bavarian Academy of Sciences and Humanities and Chair of the Academy's Committee for Cultural Anthropological Studies. He was a prolific writer in the fields of comparative law, IP, ethnology and anthropology.

Law and Anthropology

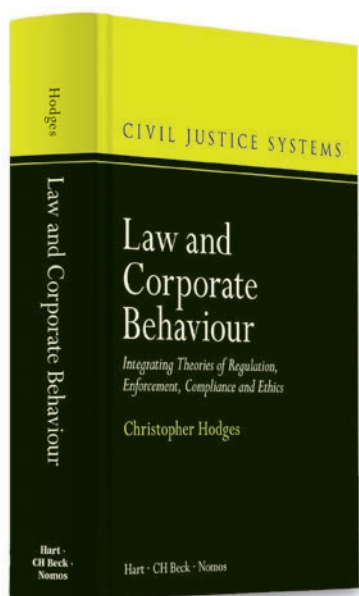
Second Edition

Wolfgang Fikentscher

This treatise is one of the first systematic presentations of the entire field of law and anthropology in its second supplemented edition. The book combines cultural with behavioral and theoretical with practical 'applied' approaches. It also introduces into history and literature of cultural anthropology focusing on law with occasional forays into economy, political science, and religion.

Content Survey:

- Part One: Anthropology of law in general
 - Ch. 1: Anthropology of law as a science
 - Ch. 2: History, schools, and names
 - Ch. 3: Concepts
 - Ch. 4: Social norms
 - Ch. 5: Theories of culture and cultures
 - Ch. 6: Analyses in cultural anthropology
 - Ch. 7: Biological anthropology in its relation to the anthropology of law
- Part Two: The sub-disciplines of anthropology of law
 - Ch. 8: Kinship patterns. Other anthropological aspects of family and gender
 - Ch. 9: Societal order, personhood, and human rights
 - Ch. 10: Reciprocity, exchange, gifts, contracting, trust
 - Ch. 11: Possession, ownership, probate; market and non-market economies; antitrust; cultural property and heritage of mankind
 - Ch. 12: Torts, crimes, sanctions. Witchcraft and related issues
 - Ch. 13: Jurisdiction. Procedure and dispute settlement. Conflicts of law
- Part Three: The legal anthropology of ethnic groups, and applied anthropology of law
 - Ch. 14: Native American law
 - Ch. 15: Other ethnic groups. The international law of indigenous peoples. Global human rights
 - Ch. 16: Applied anthropology of law



Hardback
832 pp, 2015
€ 110.00
ISBN 978-3-406-68934-5



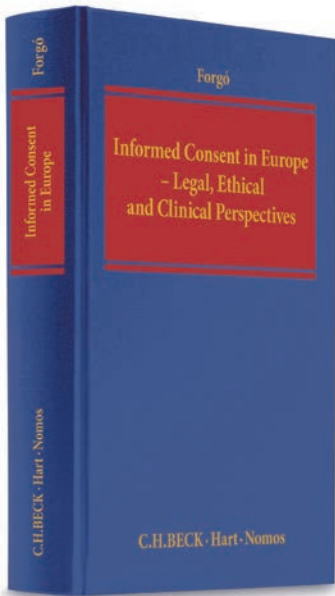
Christopher Hodges is head of the CMS Research Programme on Civil Justice Systems am Centre for Socio-Legal Studies, University of Oxford, as well as Erasmus Professor for the Fundamentals of Private Law at the Erasmus University in Rotterdam.

Law and Corporate Behaviour

Integrating Theories of Regulation, Enforcement, Compliance and Ethics

Christopher Hodges

Professor Hodges investigates mechanisms to control corporate activity in theory and practice alike. Its focus lies on pivotal theories such as that of deterrence as well as results of empiric studies on responsive regulatory systems and behavioural analysis. These various approaches will be further illustrated with examples from private enforcement through civil actions brought in the USA, public enforcement of European competition law by the European Commission and the most recent reform efforts in the UK towards a public enforcement of regulatory law. To this extent, behavioural analysis, so far, has only had little effect on the theory of law enforcement. The author takes this as a starting point and consistently examines those European regulatory regimes in which behavioural analysis has been taken into account. To conclude, the author offers a proposal on how to apply a holistic model to maximize compliant behaviour within large organisations.



Hardback
 Approx. 300 pp, 2016
 Approx. € 120.00
 ISBN 978-3-406-64857-1



Dr Nikolaus Forgó is Professor at the University of Hannover and Director of the Institute for Legal Informatics. The authors are well-known academics and practitioners in medicine, law and ethics.

Informed Consent in Europe – Legal, Ethical and Clinical Perspectives

A Handbook

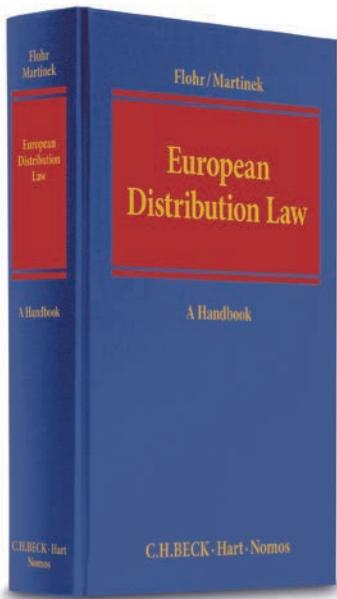
Edited by
 Nikolaus Forgó

Informed consent is intrinsically connected to a person's autonomy. Consent is a process to allow the patient (or data subject) to express her or his wishes and choices in an informed and autonomous way.

In order to fulfil its role as a mechanism to protect the patient, it is thus of crucial importance that the informed consent procedure is as concise, precise, clear and personalised as possible.

European regulatory documents obliging to obtain informed consent seem to connect the same ethical and legal idea to very different legal requirements. The different legal concepts might boost the tendency that consent is not so much seen as a means to protect the patient's autonomy but more as a cumbersome procedure needed to shrink liabilities and protect the physician.

This book – based on research undertaken in an FP-7 project – gives an overview on the concept of informed consent as well as current and upcoming issues of getting, giving and managing informed consent, also taking into consideration the new EU data protection regime.



Hardback
 Approx. 1,500 pp, 2016
 Approx. € 300.00
 ISBN 978-3-406-60327-3



Dr Eckhard Flohr practices law in Germany and Austria and is part-time professor specialising in the law of distribution.

Dr Michael Martinek is professor of law at the University of Saarbrücken.

The authors are practitioners and legal scholars from Germany, France, Sweden, Spain, UK, and Switzerland, specialising in distribution issues.

European Distribution Law

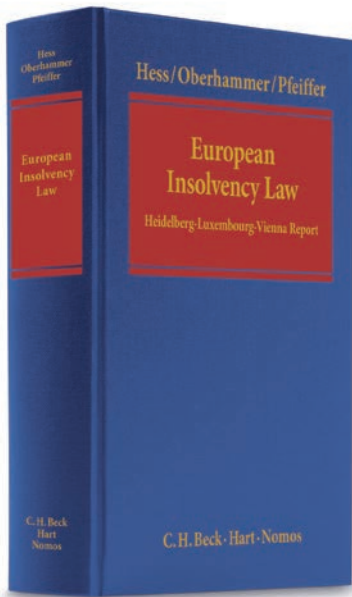
A Handbook

Edited by
Eckhard Flohr,
 and **Michael Martinek**

This handbook covers the European law of distribution, i.e. the law resulting from European primary and secondary legislation in the interpretation of the European courts and the supreme courts of the European member states, and common principles of European or international distribution law. The national laws of distribution are covered in so far they illustrate the implementation of European law, or when they are of outstanding importance for the distribution practice within the European Community. The focus is on the supranational EU law relevant for distribution and services, constituting the *acquis communautaire* in the Member States.

The book is divided in two parts:

- A) General (Sales agency agreements; General good faith principles; Competition law; Unfair competition; Consumer protection law; Distribution law and labour law; Electronic distribution; Conflicts of law; Alternative dispute resolution; Aspects of taxation concerning distribution)
- B) Distribution Agreements in detail (Commercial distribution agreements; Distribution agreements; Franchise agreements; Licence and merchandising agreements)



Hardback
1,266 pp, 2014
€ 150.00
ISBN 978-3-406-65501-2



The general reporters are:

Professor Burkhard Hess (Luxembourg, Heidelberg), Dr Christian Koler (Vienna), Dr. Björn Lankemann (Heidelberg/Luxembourg), Dr Robert Magnus (Heidelberg), Professor Paul Oberhammer (Vienna/London/St. Gallen), Professor Thomas Pfeiffer (Heidelberg), Professor Andreas Piekenbrock (Heidelberg), Michael Slonina (Vienna).

European Insolvency Law

Heidelberg-Luxembourg-Vienna Report

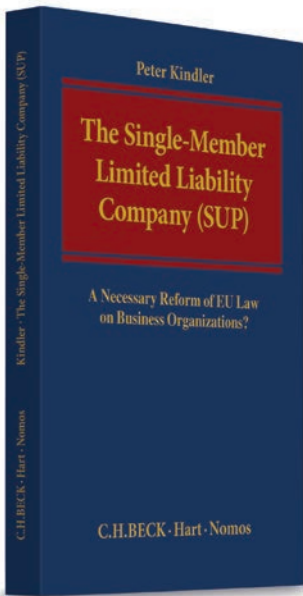
Edited by
Burkhardt Hess,
Paul Oberhammer,
and **Thomas Pfeiffer**

Regulation No 1346/2000 of 29 May 2000 (EIR) has become the cornerstone of European insolvency law. The Regulation, which is directly applicable in all Member States, forms the instrument for cross-border collective insolvencies in the European Union.

Paving the way for a new European insolvency law, the Heidelberg-Vienna-Luxembourg Report carries out a comprehensive legal and empirical examination of the insolvency laws and the insolvency practices in the Member States. Based on thorough analyses the reporters evaluate the Regulation and provide recommendations for its revision.

'In summary, this is a useful work which details a necessary phase in the renovation of the EIR and provides a snapshot of the state of European domestic law and jurisprudence in the way they have responded to the framework set out in the EIR and the problems of its implementation. The highlights of this text are clearly the extensive analysis, the summaries of national reports, the very useful summaries of the jurisprudence and the bibliography for further research, which underline its great utility. An index to the analysis and table of abbreviations used are also included in the work. For these reasons, this work should appeal to anyone interested in European insolvency, whether academic, judge, practitioner or policy-maker.'

Paul J. Omar, in: *International Company and Commercial Law Review*, Volume 25, Issue 8, 2014



Softcover
 Approx. 160 pp, 2016
 Approx. € 40.00
 ISBN 978-3-406-68887-4



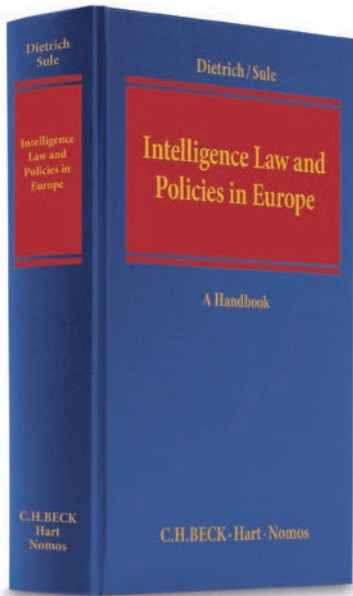
Dr. Peter Kindler is Professor of Corporate Law and Private International Law at the Ludwig-Maximilian-University of Munich.

The Single-Member Limited Liability Company (SUP)

A necessary reform of EU law on business organizations?

Peter Kindler

This book analyses the single-member limited liability company (Societas Unius Personae, SUP) proposed by the European Commission (COM[2014] 212). It concludes that the proposal has two serious weaknesses, namely the online formation with an unsafe proof of identity and the insufficient protection of creditors. To these are added the missed parallelism with applicable insolvency law because of the adoption of the incorporation theory as a connecting factor and – from a German perspective – the risk that the SUP be used as a tool for avoiding employees' codetermination. Furthermore, the SUP is largely unsuitable as a building block for corporate groups due to the non-regulation of the single-member's right to issue instructions and of directors' liability: as long as the right to issue instructions follows the non-harmonised laws of the Member State in which the SUP is registered and its exercise is possible only under the Damocles' sword of liability under national law, group parent companies have little incentive to run their subsidiaries in other EU countries as SUPs. The author proposes several improvements of the text.



Hardback
 Approx. 800 pp.
 Approx. € 200.00
 ISBN 978-3-406-69455-4



Dr Jan-Hendrik Dietrich is professor at the Federal University of Administrative Science; **Dr Satish Sule** works for the European Commission: The authors are Dr Christian von Buttler (NATO); Dr Jana Gajdosova (FRA), Professor Ian Leigh (Durham University); Dr Julian Siegel (European Commission); Carly Nyst (Privacy International); and Eric King (Privacy International)

Intelligence Law and Policies in Europe

A Handbook

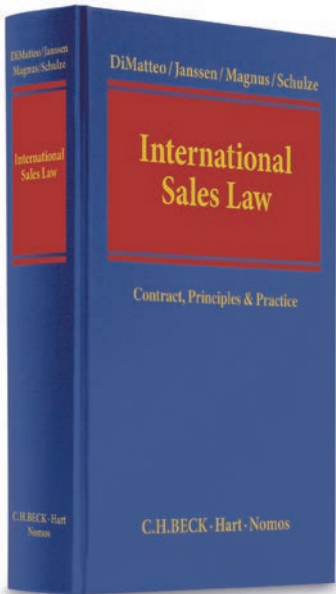
Edited by
Jan-Hendrik Dietrich
 and **Satish Sule**

Activities of intelligence agencies have recently moved into the focus of public critical review all over Europe. The publication of the Snowden documents revealed a surveillance practice of unknown extent. Intelligence surveillance no longer focuses on state organizations or political decision-makers alone; technical innovation rather allows an unprovoked mass surveillance of individual communication. In view of this development, the media and politicians have demanded legal limitations of such practices. This handbook takes into account the various facets of intelligence activities in Europe spanning from chapters on intelligence operations to intelligence cooperation within different policies in Europe, within the EU and without (e.g. NATO).

The handbook covers:

- Part 1 Introduction
- Part 2 The European Intelligence Agenda
- Part 3 European Intelligence Cooperation
- Part 4 European Intelligence and the Rule of Law
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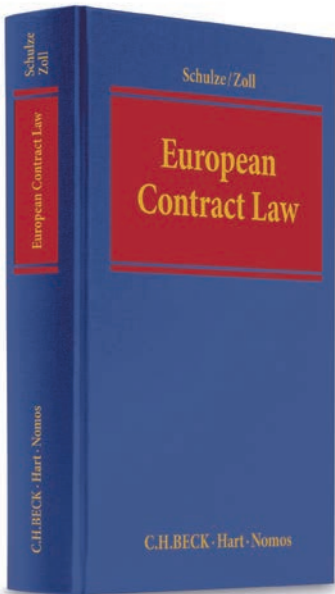
The authors are leading international sales law scholars from 23 countries.

International Sales Law

Contract, Principles & Practice

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Larry DiMatteo,
André Janssen,
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This handbook brings together the top international sales law scholars from twenty-three countries to review the Convention on Contracts for International Sale of Goods (CISG) and its role in the unification of global sales law. To this extent, it provides a systematic and practice-oriented analysis of the rules, subject-matter and terminology. It is suitable for academia, practitioners and advanced students allowing for a comprehensive and profound overview of the relevant international and national provisions also considering practical issues and soft-law. In particular, the international and comparative approach can be seen by taking into account the rules on International Sale of Goods (CISG), Principles of European Private Law (PECL), Principles of International Commercial Contracts (UNIDROIT) and the proposal of a Common European Sales Law. Moreover, it provides an overview of the differences of sales law in common and civil law as well as between several major legal systems.



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Dr Reiner Schulze is Professor of Law at the University of Munster;
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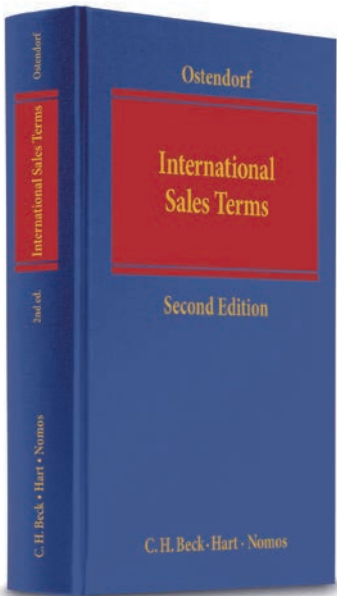
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Nowadays EU law lies at the core of the Member States' civil and trade law. Thus European contract law has a growing influence on civil law throughout the EU. Even though its relevance cannot be overstated, in particular when it comes to consumer protection, it still is a rather unknown area of law. The book provides fundamental information about the content, methods and objectives of European legislation in the field of contract law and explains the interaction between the legislator, judges, and academics during the creation of European contract law. It particularly attempts to show European contract law's characteristics as supranational law as well as the innovative features by means of traditional concepts in contract law. Above all, the book strives to guide jurists along an often unfamiliar path and to promote an understanding of the characteristics of a new legal development.

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Dr Patrick Ostendorf is Professor of Commercial Law at the University of Applied Studies, Bielefeld, and Of Counsel in the law firm Orth Kluth in Düsseldorf.

International Sales Terms

2nd Edition

Patrick Ostendorf

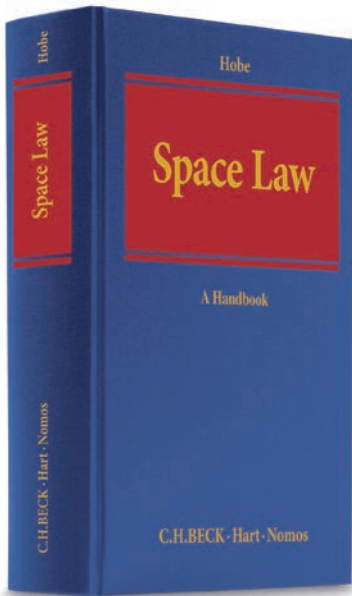
This is a concise introduction guide to international sales terms, providing a guide for drafting typical sales agreement clauses. The main part of the book contains the annotated international sales terms and conditions (inter alia Terms of Payment, Retention of Title, Delivery, Transfer of Risk, Conformity of the Contract Goods and Remedies in case of Non-conformity, Confidentiality, Limitation of Liability, Termination, Governing Law and Arbitration Clause).

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Apostolos Anthimos, in: Armenopoulos 2014, p. 2012 et seq



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The author is a professor of public and international law at the University of Köln and director of the Institute of Air and Space Law. He has published numerous books and articles on air and space law.

Space Law

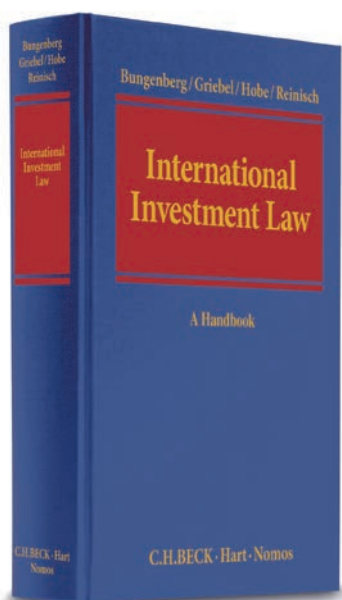
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Human activities in outer space will become ever more important because of increasing commercial activities such as space tourism, civilian and military activities, especially satellite launches, all the way to a potential future mining of extraterrestrial commodities stemming from celestial bodies.

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Moreover, the book contains various pictorial presentations, references to the relevant literature of every chapter as well as short summaries of each chapter facilitating a quick orientation and easy approach to this area of law.



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International Investment Law

A Handbook

Edited by
 Marc Bungenberg,
 Jörn Griebel,
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 and August Reinisch

The purpose of the handbook is to provide practitioners and legal scholars with a comprehensive overview and a systematic assessment of the relevant cases and issues in the field of international investment law. 'International Investment law' thus aims at giving both a first overview as well as a detailed insight into all aspects of investment law. The handbook provides a thorough legal analysis of arbitral jurisprudence and identifies emerging trends and developments.

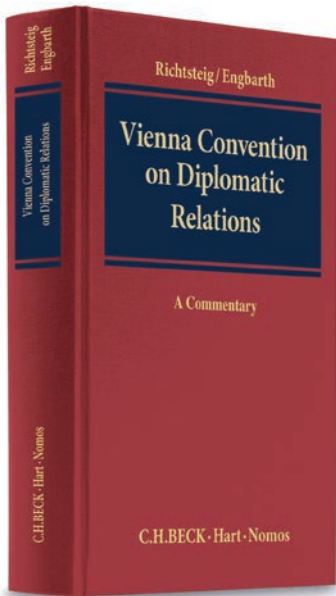
This book will be of crucial importance to investors, legal practitioners, and scholars. Further, it will answer the call for a comprehensive academic study of crucial developments, such as the increasing role of European Union Law or the rising impact of multilateral approaches on the system of international investment law.

Dr Marc Bungenberg is Professor of Public Law, European Law, Public International Law, and International Economic Law at the University of Siegen.

Dr Jörn Griebel is assistant professor at and manager of the International Investment Law Centre Cologne.

Dr Stephan Hobe is professor and a director of the International Investment Law Centre Cologne and a member of the ICSID Panel of Arbitrators.

Dr August Reinisch is Professor of International and European Law and head of the section for international law and international relations at the University of Vienna.



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Dr Michael Richtsteig is a retired Consul General; **Daniel Engbarth** is Research Fellow at the University of Bonn and lecturer in media law and data protection.

Vienna Convention on Diplomatic Relations

A Commentary

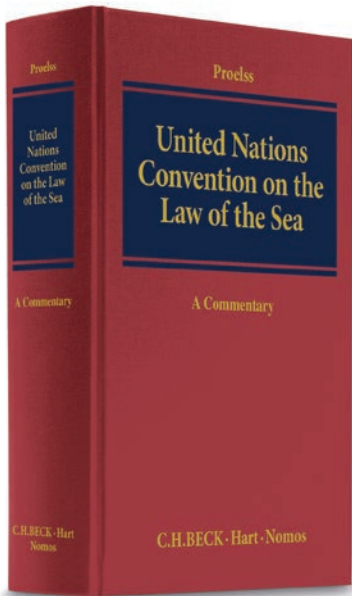
**Michael Richtsteig
and Daniel Engbarth**

The Vienna Convention on Diplomatic Relations of 1961 (VCDR) is the cornerstone of the relationship between sovereign states. It outlines the principles of diplomatic law and codifies the rules for the exchange and treatment of diplomats as well as their staff. In the meantime about 190 states have ratified the Convention.

The VCDR consists of 53 articles, defining, for instance, the diplomatic mission, the agrément, the declaration of a diplomat to be persona non grata, the privileges of diplomats in person, of their families and their premises, the freedom to gather information and to communicate etc.

This Commentary covers the VCDR article-by-article, giving a historical overview, followed by a concise commentary of the relevant law and its implementation in the diplomatic and consular practice taking into consideration the wording of the Convention as well as its practical implementation on the basis of harsh political reality. Considering the professional background of the author, a certain focus is laid on the practice of the German Foreign Office, however, without neglecting the relevant practice of other states.

This commentary serves both the needs of practitioners and academics alike.



Hardback
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Alexander Proelss is Professor of Public International Law at the University of Trier, specialising in the law of the sea. The authors are renowned experts on the law of the sea from all over the world.

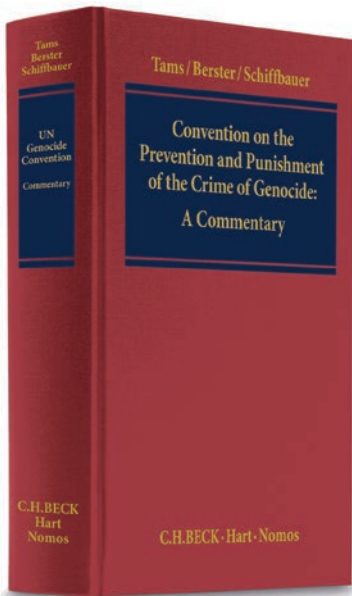
United Nations Convention on the Law of the Sea

A Commentary

Edited by
Alexander Proelss

The United Nations Convention on the Law of the Sea (UNCLOS) entered into force in 1994. Meanwhile, it has been ratified by about 160 states, including all the Member states of the EU and the EU itself. The Convention defines the rights and duties of states with regard to the use of the seas. UNCLOS consolidates customary international law and various conventions previously adopted by the international community. This Treaty, the most comprehensive ever concluded, is often referred to as ‘the constitution for the seas’. The commentary employs a systematic methodology whereby each provision is examined and analysed element by element. The issue of the suitability of the Convention to deal with the challenges facing the modern law of the sea, such as the exploration and exploitation of non-mineral resources or the protection of the marine environment in general, occupies a central editorial focus of this work.

The commentary deals with all the provisions of the Convention article-by-article.



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Dr Christian J. Tams is Professor of International Law at the University of Glasgow. He has published widely on various aspects of international law and has been involved in litigation on questions of genocide before the International Court of Justice.

Dr Lars Berster is senior research fellow and lecturer in law, **Dr Björn Schiffbauer** is research fellow, both in the Institute of German and International Criminal Law of the University of Cologne.

Convention on the Prevention and Punishment of the Crime of Genocide

A Commentary

**Christian J. Tams,
Lars Berster,
and Björn Schiffbauer**

The 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide ('Genocide Convention') has a special standing in international law, as well as in international politics. For 60 years the crime of genocide has been recognised as the most horrendous crime in international law, famously designated the 'crime of crimes'. On the occasion of the 60th anniversary of its adoption the UN High Commissioner for Human Rights stated that 'genocide is the ultimate form of discrimination'. In the same context the chief prosecutor at the International Criminal Court described the Genocide Convention as a 'visionary and founding text for the Court'. The Convention has influenced the subsequent development of many different areas of international law. For example, the 1951 Advisory Opinion on the Genocide Convention enabled the International Court of Justice to shape the modern regime of reservations to treaties. More recently the prohibition against genocide has become a crucial pillar of international criminal law, with genocide being one of the core crimes falling under the jurisdiction of the UN ad hoc tribunals, the Extraordinary Chambers in the Courts of Cambodia, and the permanent International Criminal Court since the 1990s.

In this work the provisions of the Convention are analysed article-by-article, including abundant practice and jurisprudence. Distinct sections on cross-cutting issues of general importance complement the analysis.



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The authors are leading practitioners in the field of procedural law and arbitration proceedings working with Gleiss Lutz, a renowned German law firm.

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The authors are partners of the internationally operating law firm Hengeler Mueller and are experts in the field of Mergers & Acquisitions. They advise and represent both German and international companies in the area of commercial law.

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