

Recueil De Jurisprudence Du Forum De L Assurance

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Reports of Judgments, Advisory Opinions and Orders/ Recueil des arrêts, avis consultatifs et ordonnances, Volume 17 (2017) Martinus Nijhoff Publishers

The protection and commercial exploitation of intellectual property rights such as patents, trade marks, designs and copyright are seldom confined to one country and the introduction of a foreign element inevitably raises potential problems of private international law, ranging from establishing which court has jurisdiction and which is the applicable law to securing the recognition and enforcement of foreign judgments. For example, will a foreign defendant be subject to the jurisdiction of the English courts if he induces his English distributor to infringe a patent in England? What law will apply to a trade mark licensing agreement made between a German company and a French company where the parties have not expressly chosen whose law governs their contract? And are an author's rights determined by the same law as that governing the issue of the

transferability of copyright? Although such issues are becoming increasingly important, a dearth of literature exists on the subject. Fawcett and Torremans remedy that neglect and provide a systematic and comprehensive analysis of the topic that will be welcomed by practitioners and scholars alike. From the authors' preface This book is concerned with the application of the rules of private international law to intellectual property cases. Private international lawyers have largely ignored this topic, and it has been left to intellectual property lawyers to discuss this. This is a pity. It is a topic which raises unique questions for the private international lawyer which deserve an answer, and at the same time tells us much about the rules of private international law that are being applied. The aim of the book is to fill this gap in the literature. The emphasis in the book is on private international law rather than on intellectual property law. Nonetheless, it is hoped that intellectual property lawyers will find much to interest them here Most of the book is taken up with a discussion of the relevant rules of private international law and their application in the context of intellectual property law. A major theme of the book is the extent to which there are special rules of private international law for this area and whether there should be such rules. Alternative private

international law solutions will be considered by looking at the law in other jurisdictions and, where appropriate, proposals will be put forward for a better solution This book is part of the Oxford Monographs in Private International Law series, the aim of which is to publish work of high quality and originality in a number of important areas of private international law. The series is intended for both scholarly and practitioner readers.

Recueil Des Cours, Collected Courses, 1972 Bloomsbury Publishing

This book aims to resolve the dilemma regarding whether armed intervention as a response to gross human rights violations is ever legally justified without Security Council authorisation. Thus far, international lawyers have been caught between giving a negative answer on the basis of the UN Charter's rules ('positivists'), and a 'turn to ethics', declaring intervention legitimate on moral grounds, while eschewing legal analysis ('moralists'). In this volume, a third solution is proposed. The idea is presented that many equitable principles may qualify as 'general principles of law recognised by civilised nations' - one of the three principal sources of international law (though a category that is often overlooked) - a conclusion based upon detailed research of both national

legal systems and international law. These principles, having normative force in international law, are then used to craft an equitable framework for humanitarian intervention. It is argued that the dynamics of their operation allow them to interact with the Charter and customary law in order to fill gaps in the existing legal structure and soften the rigours of strict law in certain circumstances. It is posited that many of the moralists' arguments are justified, albeit based upon firm legal principles rather than ethical theory. The equitable framework proposed is designed to provide an answer to the question of how humanitarian intervention may be integrated into the legal realm. Certainly, this will not mean an end to controversies regarding concrete cases of humanitarian intervention. However, it will enable the framing of such controversies in legal terms, rather than as a choice between the law and morality. '...has potential to become one of the most important books in public international law of the decade, or in a generation'. Martin Scheinin, Professor of Public International Law, European University Institute, Florence
Recueil des Cours, Collected Courses, Volume 252 (1995) Martinus Nijhoff Publishers
 The Academy is an institution for the study and teaching of public and private international law and related subjects. Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law. The courses deal with the theoretical and practical aspects of the subject, including legislation and case law. All courses at the Academy are, in principle, published in the language in which they were delivered in the "Collected Courses of the Hague Academy of International Law."

Revue Du Barreau Canadien Cambridge University Press

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Recueil Des Cours, Collected Courses, 1968 BRILL

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Human Rights Norms in 'Other' International Courts Brill Archive

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Recueil Des Cours, Collected Courses 1928 Martinus Nijhoff Publishers

L'année 2014 fut à nouveau riche en jurisprudence dans le domaine du droit des assurances et de la responsabilité. 0Les chroniqueurs de ce recueil ont épinglé avec soin les décisions les plus marquantes et illustrant les orientations actuelles de la jurisprudence, mais aussi celles, plus originales, qui adoptent une approche singulière, mais non moins intéressante. 0Le lecteur trouvera ainsi des notes d'observation traitant de sujets aussi variés que la responsabilité des avocats et son étendue, la notion d'accident privé, l'impact du changement de bénéficiaire d'une assurance vie sur la déductibilité des primes, les infections nosocomiales ou encore la question de la volonté dans le chef des malades mentaux et ses répercussions sur leur responsabilité. 0Le recours à certains modes de preuve comme les détectives privés suscite également un grand nombre d'interrogations soulignées dans le présent ouvrage. 0La matière des accidents du travail continue, elle aussi, à générer une jurisprudence abondante. 0Les commentateurs constatent notamment une résurgence de la théorie exigeant de l'événement soudain une certaine forme d'anormalité. De même, ils soulignent que la faute, normalement inopérante dans le cadre des accidents du travail, continue manifestement à jouer un rôle dans une partie de la jurisprudence. Ils relèvent aussi la volonté des assureurs-loi de maîtriser le coût de l'expertise entraînant des

demandes adressées au tribunal parfois surprenantes. 0Sont également abordées des questions plus classiques mais qui continuent à être débattues devant les prétoires telles que la présomption de causalité de l'article 7 de la loi du 10 avril 1971 et son renversement ou encore la notion d'accident sur le chemin du travail. 0Sans nul doute, cette nouvelle édition du Recueil intéressera tout praticien qui, de loin ou de près, est concerné par ces matières.

Recueil de jurisprudence Springer

Since the 1960s, the nature and the future of the European Union have been defined in legal terms. Yet, we are still in need of an explanation as to how this entanglement between law and EU polity-building emerged and how it was maintained over time. While most of the literature offers a disembodied account of European legal integration, Brokering Europe reveals the multifaceted roles Euro-lawyers have played in EU polity, notably beyond the litigation arena. In particular, the book points at select transnational groups of multipositioned legal entrepreneurs which have been in a situation to elevate the role of law in all sorts of EU venues. In doing so, it draws from a new set of intellectual resources (field theory) and empirical strategies only very recently mobilized for the study of the EU. Grounded on an extensive historical investigation, Brokering Europe provides a revised narrative of the 'constitutionalization of Europe'.

Recueil Des Cours - Collected Courses, 1960 Martinus Nijhoff Publishers

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Recueil Des Cours, Collected Courses 1977 Martinus Nijhoff Publishers

This book presents a collection of leading common law cases in private international law ranging from the 18th to the 21st century. The cases traverse issues of jurisdiction, choice of law and the recognition and enforcement of foreign judgments. Questions of marital validity, domicile, foreign immovable property and choice of law in contract are just some of the topics that this collection examines. The 'unusual factual situations' of some 18th- and 19th-century English cases also reveal compelling human interest stories and political controversies worthy of further exploration. Drawing on a diverse team of contributors, this edited collection showcases the research of eminent conflicts scholars together with emerging scholars from the United Kingdom, Australia, Canada, Ireland and South Africa.

Recueil Des Cours, 1989-V Edinburgh University Press

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An Equitable Framework for Humanitarian Intervention Routledge

This Volume contains the decisions rendered in 2017 in: Delimitation of the maritime boundary in the Atlantic Ocean and M/V "Norstar". Le présent volume contient les décisions rendues en 2017 dans : Délimitation de la frontière maritime dans l'océan Atlantique et Navire « Norstar ».

Recueil Des Cours/Collected Courses Martinus Nijhoff Publishers

A previously untold story of Jewish-Muslim relations in modern Morocco, showing how law facilitated Jews' integration into the broader Moroccan society in which they lived Morocco went through immense upheaval in the nineteenth and early twentieth centuries. Through the experiences of a single Jewish family, Jessica Marglin charts how the law helped Jews to integrate into Muslim society—until colonial reforms abruptly curtailed their legal mobility. Drawing on a broad range of archival documents, Marglin expands our understanding of contemporary relations

between Jews and Muslims and changes the way we think about Jewish history, the Middle East, and the nature of legal pluralism.

The Cornell Law Quarterly Martinus Nijhoff Publishers

Les droits des assurances, de la responsabilité, ou encore des accidents du travail donnent lieu à une pléthore de décisions de jurisprudence dans laquelle le praticien aura parfois bien du mal à séparer le bon grain de l'ivraie. C'est la tâche ardue à laquelle se sont attelés les membres du comité scientifique de ce recueil. Sur la base de plusieurs centaines de décisions, ces derniers ont établi une sélection des jugements et arrêts les plus marquants rendus au cours de l'année 2011 dans ces matières. En grande majorité inédites, ces décisions sont toutes commentées par un auteur spécialiste de la question, qui situe celle-ci dans les grands courants jurisprudentiels et les évolutions connues récemment dans la matière. Établi dans le prolongement du Forum de l'assurance, revue juridique spécialisée en droit des assurances et de la responsabilité, ce recueil constitue un outil précieux pour tous les praticiens de ces matières: avocats, magistrats, juristes d'entreprise, etc.0.

Brokering Europe Martinus Nijhoff Publishers

Responsabilités - Assurances - Accidents du travail L'année 2014 fut à nouveau riche en jurisprudence dans le domaine du droit des assurances et de la responsabilité. Les chroniqueurs de ce recueil ont épinglé avec soin les décisions les plus marquantes et illustrant les orientations actuelles de la jurisprudence, mais aussi celles, plus originales, qui adoptent une approche singulière, mais non moins intéressante. Le lecteur trouvera ainsi des notes d'observation traitant de sujets aussi variés que la responsabilité des avocats et son étendue, la notion d'accident privé, l'impact du changement de bénéficiaire d'une assurance vie sur la déductibilité des primes, les infections nosocomiales ou encore la question de la volonté dans le chef des malades mentaux et ses répercussions sur leur responsabilité. Le recours à certains modes de preuve comme les détectives privés suscite également un grand nombre d'interrogations soulignées dans le présent ouvrage. La matière des accidents du travail continue, elle aussi, à générer une jurisprudence abondante. Les commentateurs constatent notamment une résurgence de la théorie exigeant de l'événement soudain une certaine forme d'anormalité. De même, ils soulignent que la faute, normalement inopérante dans le cadre des accidents du travail, continue manifestement à jouer un rôle dans une partie de la jurisprudence. Ils relèvent aussi la volonté des assureurs-loi de maîtriser le coût de l'expertise entraînant des demandes adressées au tribunal parfois surprenantes. Sont également abordées des questions plus classiques mais qui continuent à être débattues devant les prétoires telles que la présomption de causalité de l'article 7 de la loi du 10 avril 1971 et son renversement ou encore la notion d'accident sur le chemin du travail. Sans nul doute, cette nouvelle édition du Recueil intéressera tout praticien qui, de loin ou de près, est concerné par ces matières. Un ouvrage écrit par des professionnels, pour des professionnels. À PROPOS DES ÉDITIONS ANTHEMIS Anthemis est une maison d'édition spécialisée dans l'édition professionnelle, soucieuse de mettre à la disposition du plus grand nombre de praticiens des ouvrages de qualité. Elle s'adresse à tous les professionnels qui ont besoin d'une information fiable en droit, en économie ou en médecine.

Jurisprudence de la Cour Internationale Bloomsbury Publishing

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Recueil des lois et arrêtés royaux de la Belgique Martinus Nijhoff Publishers

The Cornell Law Quarterly's contents are topical and intended to be of special relevance to those practicing law in New York State.

The Power of the International Court to Determine Its Own Jurisdiction Martinus Nijhoff Publishers

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the Academy are, in principle, published in the language in which they were delivered in the "Collected Courses of the" "Hague Academy of International Law." This volume contains: The Role of Substantive and Choice of Law Policies in the Formation and Application of Choice of Law Rules by L. BRILMAYER, Professor at New York University The Institution of the Trust in Civil and Common Law by D.W.M. WATERS, Professor at the University of Victoria, Canada. To access the abstract texts for this volume please click here [Jurisdiction and Arbitration Agreements in International Commercial Law](#) Cambridge University

Press

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