

ERA Conference on the Optional European Sales Law

On 9 and 10 February 2012, the European Law Academy will host a conference on the Optional European Sales Law in Trier, Germany. The objective of the conference is to discuss the Proposal for a Common European Sales Law, which was published by the EU Commission in October 2011. Registration and further information can be found on the ERA website. The program reads as follows:

Thursday, 9 February 2012

08:30 Arrival and registration

09:00 **Welcome**, *Angelika Fuchs*

Chair: *Hugh Beale*

I. SETTING THE SCENE

09:05 **The ongoing political debate**

- European Parliament: *Diana Wallis* Polish
- EU Presidency: *Aneta Wiewiórowska*
- Danish EU Presidency: *Morten Fogt*

09:45 **Discussion**

II. LEGAL CHALLENGES FOR THE CESL

10:00 **Legal basis, content and scope**

Christiane Wendehorst

10:20 **CESL and the conflict of laws**

Gilles Cuniberti

- CESL and Rome I
- How to fill the gaps? Set-off, assignment, representation and other issues

10:45 **Discussion**

11:00 Coffee break

Chair: *Diana Wallis*

III. CESL RULES FOR B2C SALES CONTRACTS

11:30 Pre-contractual information

Eric Clive

- Distance / off-premises contracts
- Contents and sanctions

11:50 Making a binding contract

Anna Veneziano

- Offer and acceptance
- Defects in consent
- Right of withdrawal

12:15 Discussion

12:30 Unfair contract terms: assessing unfairness

Friedrich Graf von Westphalen

12:50 Discussion

13:00 Lunch

Chair: *Friedrich Graf von Westphalen*

14:00 Obligations and remedies of the parties

Hugh Beale

- Consumer choices
- Requirements
- Prescription periods

14:25 Discussion

14:40 Goods, supply of digital content and provision of related services

Matthias Storme

15:00 Discussion

IV. WORKSHOP (with coffee & tea)

15:15 Life-cycle of a contract: a case study on the CESL in legal practice

Martin Schmidt-Kessel

17:00 End of the first conference day

19:00 Evening programme and dinner

Friday, 10 February 2012

Chair: *Anna Veneziano*

V. CONSUMER AND COMMERCIAL CONTRACTS

09:00 **Comparing B2C and B2B contracts**, *Dora Szentpaly-Kleis*

Ursula Pachl

- Which rules are different
- Why?

09:40 **What is required to make the optional instrument work in practice?**

Dirk Staudenmayer

10:00 **Discussion**

10:30 Coffee break

Chair: *Morten Midtgaard Fogt*

VI. PANEL DISCUSSION

11:00

B2C: Added value for consumers or cost driver for enterprises?

Hanne Melin

Bob Schmitz

B2B: What does the CESL offer to businesses?

Tina Sommer

Andreas Dietzel

13:00 **Lunch and end of the conference**