

# 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**