


Book: Marongiu Buonaiuti, Le obbligazioni non contrattuali nel diritto internazionale privato

Fabrizio Marongiu Buonaiuti (Univ. of Macerata) has recently published “Le  obbligazioni non contrattuali nel diritto internazionale privato” (Non-contractual Obligations in Private International Law) (Giuffrè, 2013). An abstract has been kindly provided by the author (the complete table of contents is available on the publisher’s website):

The volume deals with non-contractual obligations in private international law, addressing both issues related to jurisdiction and to conflict of laws.

As concerns jurisdiction, the volume discusses the problems posed by the application of the rules on jurisdiction in civil and commercial matters as contained in EC Regulation No. 44/2001 (s.c. “Brussels I”) to disputes concerning non-contractual obligations. Special attention is devoted to the specific rule of jurisdiction in matters of tort or delict under Article 5.3 of the said Regulation (to be replaced, without modifications as to the substance, by Article 7.2 of EU Regulation No. 1215/2012 providing for its recast) and to its coordination with the other rules of jurisdiction. The volume addresses also the more recent case law of the European Court of Justice concerning the application of the said rule to non-contractual obligations arising from activities performed through the Internet and implying violations either of privacy and personality rights or of intellectual property rights.

As concerns conflict of laws, the volume examines the rules contained in EC Regulation No. 864/2007 (s.c. “Rome II”) on the law applicable to non-contractual obligations, stressing parallelism and differences in respect of the solutions achieved as concerns jurisdiction under the Brussels I Regulation. Furthermore, the volume deals with the problems of coordination of the conflict of laws rules as contained in the Rome II Regulation with the rules contained in international conventions applicable in the field concerned, to which the Regulation grants priority. The volume finally addresses the domestic rules on conflict of laws as contained in Law No. 218 of 31 May 1995 providing for the

reform of the Italian system of private international law, which apply residually to non-contractual obligations not governed by the Regulation.

Title: “Le obbligazioni non contrattuali nel diritto internazionale privato”, by *Fabrizio Marongiu Buonaiuti*, Giuffrè (series: Pubblicazioni del Dipartimento di Giurisprudenza dell’Università degli Studi di Macerata, Nuova serie, vol. 139), Milano, 2013, X – 254 pages.

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