# LEX & FORUM Vol. 3/2024

**EDITORIAL**

In an increasingly globalized world—and especially within the framework of a unified market founded on economic freedom and the free movement and establishment of individuals and businesses—international sales have emerged as a cornerstone of the legal and economic order. They are not merely instruments for the acquisition of assets across borders; they also function as a key mechanism for fostering business growth and enhancing competitiveness through the expansion of commercial activity and client networks.

Given their fundamental role, international sales are subject to a broad and multi-layered legal framework at the international level. This complex regulatory landscape gives rise to a number of interpretative and practical challenges, particularly with regard to the interaction and prioritization of overlapping legal norms.

With these considerations in mind, our journal hosted an online event on 1 October 2025, aiming to shed light on the central legal issues surrounding international sales in the current international context. The scholarly contributions presented during that event are now published in this issue, enriched with doctrinal analysis and case law references, in the hope of contributing meaningfully to ongoing academic and professional discourse. It opens with a study by Professor *Michael Sturner,* Chair of Civil Law, Private & Procedural International Law and Comparative Law at the University of Konstanz and Judge at the Karlsruhe Court of Appeal, entitled "*The Right to Repair: A New Paradigm in EU Sales Law*". Judge *Dimitrios Koulaxizis* contributes an article examining "*The United Nations Convention on Contracts for the International Sale of Goods (CISG) in Relation to the Rome I Regulation on the Law Applicable to Contractual Obligations*"; Prof. *Anastasios Valtoudis*, Professor of Civil Law at the Aristotle University of Thessaloniki, addresses "*Issues Concerning the Preconditions for the Application of the CISG – Delimitation in Light of Directive 2019/771 and Articles 534 et seq. of the Greek Civil Code*"; Prof. *Eugenia Dacoronia*, Professor of Civil Law at the Faculty of Law of the University of Athens, offers a critical reflection on "*The UNIDROIT Principles of International Commercial Contracts – 30 Years On: Their Significance and Comparison with the Provisions of the Greek Civil Code*". The volume also includes the contribution of

Associate Professor of Civil Law at the Aristotle University of Thessaloniki *Timoleon Kosmidis,* who explores "*Natural Gas Supply: National Legislation and International Commercial Practice*".

The *Praefatio* of the issue hosts the valuable reflections of Professor *Silvia Marino* of the University of Insubria/Italy, on the complex issue of *lis pendens* and related actions in the context of family property disputes under European Union Private International Law ("Lis Pendens and Related Actions in European Union Private International Law on Family Property Issues").

The case law section features a number of significant judicial decisions. Notably, it includes the important judgment of the Court of Justice of the European Union (CJEU), 4 October 2024, C-633/22, *Real Madrid Club*, addressing *public policy* as a ground for refusing the enforcement of a foreign judgment on account of an infringement of freedom of the press (commented by *R. Tsertsidou*). Also presented is the ruling of the German Federal Court of Justice (BGH), 29 November 2023, VIII ZR 7/23, which deals with the application of domestic mandatory rules even in the presence of a contractual choice of law, where the contractual relationship lacks a substantial connection to a foreign legal system (commented by *N. Zaprianos*). From the Greek courts, this issue includes: Athens Court of First Instance, judgment no. 3155/2022, concerning the possibility of reviewing the parties' freedom to choose the competent court under the rule (Art. 281 grCC) prohibiting of abuse of rights (commented by *S. Karameros*); Athens Court of Appeal (Single-Member), judgment no. 2435/2024, concerning the recognition of a foreign adoption judgment issued in favor of a same-sex couple (commented by *M. Gerasopoulou*); and Piraeus Court of First Instance (Single-Member), judgments no. 3355/2023 and 11/2022, regarding the applicable law for the appointment of a special guardian to initiate a paternity challenge, pursuant to the 1996 Hague Convention (commented by *G.-A. Georgiadis*).

The scientific section of this issue includes a study by Associate Professor *V. Kourtis* (Aristotle University of Thessaloniki), entitled *"Issues of Intertemporal Law in Cross-Border Maintenance Claims within the European Area"*. It also features the academic contribution of Judges *P. Kapelouzos, St. Krassas, and M. Martinis*, submitted in the context of the *Themis Competition 2023*, under the title *"May I 'book' my forum delicti? Or else: The Objective Limits of Jurisdiction Clauses in Tort Cases"*. The issue concludes with the regular quarterly review of the CJEU's case law covering the period July–September 2024, edited by *A. Anthimos*.

Lex&Forum renews its scientific appointment with our readers for the next, 16th issue, with the central topic (Focus) on "*Cross-border matrimonial and registered partnership property regimes*".