

Understanding The Cisg In The Usa Third Edition

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The CISG governs contracts between parties from different member states. 5 For example, the CISG governs sales contracts between a Canadian seller and a United States buyer. 6 Contracting parties, though, can opt out of the CISG.

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As argued by Bernstein & Lookofsky, Understanding the CISG in Europe (The Hague 1997) p. 26, the use of Article 7(2) to determine the place of damages payment has no meaning unless the payment of damages is the relevant 'obligation' for German procedural purposes, which is not the case: in an action by a German buyer against an American seller seeking indemnification against possible third party personal injury claims, the relevant obligation is the seller's (Article 35) duty to deliver ...

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[For more current case annotated texts by this author, see Bernstein & Lookofsky, Understanding the CISG in Europe, 2d ed. (2003) and Lookofsky, Understanding the CISG in the USA, 2d ed. (2004).] excerpt from. The 1980 United Nations Convention on Contracts for the International Sale of Goods. Joseph Lookofsky Article 8

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This Article seeks to bring understanding where there is misunderstanding regarding effective exclusion of the CISG, including with respect to (i) the role in the analysis that a choice-of-law clause ought to play and (ii) the obligation under the CISG to consider extrinsic evidence to determine the parties' intent.

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