Cross-border Transactions of Intermediated Securities
A Comparative Analysis in Substantive Law and Private International Law

This work aims to analyse substantive and conflict of laws rules regarding intermediated securities in a comparative way. For this purpose, it examines major jurisdictions’ rules for intermediated securities and the intermediated securities holding systems, such as the rules of the German, US, Korean, Japanese and Swiss systems, as well as the relevant EU regimes and initiatives. Above all, it analyses the two international instruments related to intermediated securities, i.e. the Geneva Securities Convention and the Hague Securities Convention. Through a functional comparative approach based upon legal traditions of the various jurisdictions, this book provides readers theoretical and practical information on intermediated securities and their national and international aspects.

Features
- The first monograph comprehensively addressing legal issues arising from the Geneva Securities Convention
- Issue-by-issue reform proposals for the German and Korean intermediated systems
- Detailed discussion of the recently reformed intermediated systems, the Japanese and Swiss systems
- Clear figures for better understanding of the legal issues
- Numerous, in-depth references on the relevant issues
- Practical information for practitioners and participants in the financial industry

Fields of interests
Financial Law/Fiscal Law; Private International Law, International & Foreign Law, Comparative Law; Civil Law

Target groups
Research

Product category
Monograph

Innovation Law and Policy in the European Union
Towards Horizon 2020

The book aims at providing a critical view of the innovation policy in Europe and a review of the legal instruments used by the European institutions to achieve the goals of increasing the overall competitiveness of the system by fostering innovation-based economic activities. An overview of the current institutional framework of Europe in light of the announced policy plan of Europe 2020 is offered. Furthermore, the consistency of the innovation policy with the goal of competitiveness is checked with respect to four main topics, such as the community patent, the transfer of technology (particularly as far as climate-related technologies are concerned), standardization, and the digital agenda.

Features
- The most up-to-date and comprehensive picture of innovation policy in Europe
- A new approach that blends arguments of law and economics
- Provides empirical findings on each topic dealt with
- Provides concrete policy suggestions and a roadmap for multi-level governance of innovation in the EU
- The first comprehensive text on innovation policy after the launch of the EU 2020 strategy

Contents
Introduction: the new meanings of innovation.- Innovation in Europe: taking stock.- Key policies.- Tomorrow’s innovation policy.

Fields of interest
Private International Law, International & Foreign Law, Comparative Law; Social Policy; Social Sciences, general

Target groups
Research

Product category
Graduate/Advanced undergraduate textbook

Due April 2012

2012. X, 500 p. 11 illus. in color. Hardcover
- € (D) 181,85 | € (A) 186,94 | sFr 226,50
- € 169,95 | £153.00
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2012. Approx. 70 p. (SpringerBriefs in Law) Softcover
- * € (D) 53,45 | € (A) 54,95 | sFr 66,50
- € 49,95 | £44.99
ISBN 978-3-642-27499-2

Does International Trade Need a Doctrine of Transnational Law?

Some Thoughts at the Launch of a European Contract Law

This paper looks at the current status and role of specific commercial contract law both national and international in view of recent European contract law reform. It reviews the value and necessity of a special and separate contract law for merchants in a global market and discusses critically the terminology, doctrine and objectives which this law is based upon. For a long time the choice of transnational law rules which are often non-state law has been marginalised and made impossible in state court proceedings. The new Common European Sales Law circumvents this problem by proposing to be used as national law. International practice in commercial dispute settlement may therefore still remain at the forefront of promoting and moulding the use of transnational contract law.

Features
- A timely review of the drafting process at the first release of the new European Common Sales Law
- Reviews the international legal framework for a new European Contract Law
- Sets out the role and importance of commercial contract law in todays’ integrating legal world
- Provides a review of recent literature on the choice of law aspects of transnational contract law
- Explains the necessity of a proper doctrine of transnational contract law
- Outlines possible limitations and problems for the use of transnational commercial contract law

Fields of interest
Private International Law, International & Foreign Law, Comparative Law

Target groups
Research

Product category
Monograph
Civil Litigation in a Globalising World

Contents

Fields of interests
Dispute Resolution, Mediation, Arbitration; Private International Law, International & Foreign Law, Comparative Law; Fundamentals of Law

Target groups
Research

Product category
Contributed volume

Due February 2012

2012. IX, 387 p. 2 illus. Hardcover

* € (D) 106,95 | € (A) 109,95 | sFr 133,50
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Is There a Court for Gaza?
A Test Bench for International Justice

Contents

Fields of interests
Dispute Resolution, Mediation, Arbitration; Sources and Subjects of International Law, International Organizations; Fundamentals of Law

Target groups
Research

Product category
Contributed volume

Due January 2012

2012. XX, 285 p. Hardcover

* € (D) 106,95 | € (A) 109,95 | sFr 133,50
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The European Union and Member State Territories: A New Legal Framework Under the EU Treaties

Contents
General introduction.- General introduction to original Art 227 TEC.- Art 227(1): territorial scope of the TEC.- Art 227(2): Algeria, French DOMs.- Art 227(3): Overseas Countries and Territories (OCTs).- Art 227(4) – European Member State Territories for whose external relations a Member State is responsible.- General introduction to Art 299 TEC.- Art 299(1): territorial Scope of the TEC (as compared with 1957 version).- Article 299 (2): the Outermost Regions.- Article 299 (3): Overseas Countries and Territories.- Article 299(4): European Member State territories for whose external relations a Member State is responsible – Gibraltar.- Art 299 (5): Aland Islands.- Art 299 (6): Faroe Islands, SBAs in Cyprus, Channel Islands and Isle of Man.- Summary of main changes to Article 299 TEC since 1957.- Adequacy of Article 299 as a legal framework for EU/Member State territories relations.- The Lisbon Treaty and the European Constitution on Article 299: a comparison.- Proposed new model EU Treaties framework for relations between the EU and Member State Territories.

Fields of interests
European Law; Public International Law

Target groups
Research

Product category
Monograph

Due January 2012

2012. XIX, 604 p. 3 illus., 1 in color. Hardcover

* € (D) 181,85 | € (A) 186,94 | sFr 226,50
* € 169,95 | £153.00

Secular Religion
A Polemic against the Misinterpretation of Modern Social Philosophy, Science and Politics as „New Religions“

Despite reworking and rewriting „Secular Religion“ for about ten years Hans Kelsen finally withdrew the text from printing in 1964. After long and careful consideration the Hans Kelsen-Institut has now decided to lift the veil on Kelsen’s somewhat mysterious last book and to bring „Secular Religion“ to a wider public.

Features
▶ A to date unpublished Hans Kelsen manuscript from 1964 ▶ An excellent contribution to the current discussion ▶ Absolutely indispensable

Contents
Introductionary Remarks - Editorial Remarks - Preface - Introduction - Chapter I The Search for Parallelisms and Its Dangers - Chapter II Doctrine of Progress and Eschatology - Chapter III Joachim of Flora’s and St. Augustine’s Theologies of History - Chapter IV Gnosticism - Chapter V Hobbes’s Leviathan - Chapter VI The Philosophy of the Enlightenment - Chapter VII Hume’s Empiricism and Kant’s Transcendental Philosophy - Chapter VIII Saint-Simon’s “New Religion” and Proudhon’s Social Theory - Chapter IX Marx’s Economic Interpretation of History - Chapter XI Nietzsche the Christian - Chapter XII Nietzsche the Metaphysician - Chapter XIII Modern Science - Chapter XIV Modern Politics - Conclusion - Bibliography - Index of Subjects - Index of Names.

Fields of interests
Theories of Law, Philosophy of Law, Legal History; Law, general; Fundamentals of Law

Target groups
Research

Product category
Handbook

Lex Sportiva: What is Sports Law?

The important theme “What is Sports Law?” was the topic of the international Conference on “The Concept of Lex Sportiva Revisited”, which took place in Jakarta in late 2010. Academics and practitioners are still in debate to agree on this concept as is evident in this book.

Features
▶ Key contributions on Lex Sportiva ▶ Written by leading academics and practitioners in the field ▶ Important reference for all those involved in Sports Law issues

Contents

Fields of interest
Law, general

Target groups
Research

Product category
Contributed volume

Due January 2012

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