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Jackson and Powell on Professional Liability Roger Stewart, 2010-12-07 Written by a team from the Chartered Institute of Patent Attorneys this is the leading guide to patent law in the UK and is simply a must have for any practitioner advising on patents Full clause by clause commentary is provided by experts in the field on all the relevant patent legislation resulting in expert advice on patents to help clients in every industry from pharmaceuticals to computer software The commentary covers practice and procedure as well as reference to the applicable rules and case law developments Complete text of all relevant Patents Legislation including Patents Act Patents Rules and relevant sections of Copyright Patents and Designs Acts Commentary and analysis accompanies each section of each Act Recognised and respected lay out Full reproduction of the Section followed by the relevant rule followed by Commentary on the section followed by Practice under the section Written by leading patent practitioners with the CIPA hallmark of trusted authority a fully endorsed publication Extensive analysis of the case law as it relates to each section and provides a clear guide as to what the Courts have decided and why Sets out the Acts and related rules section by section with a detailed commentary on each Presents practical insight into the common technical and legal issues that can arise and shows how best to handle them Provides references to several thousands of key case decisions Brings together the work of 24 contributors selected from members of the Bar the Law Society and the patent attorney profession *Contributory Negligence in the Twenty-First Century* James Goudkamp, Donal Nolan, 2019-04-04 Despite the centrality of the contributory negligence doctrine in practice almost nothing is known about how it functions in reality The authors seeking to fill this deficit in understanding have undertaken a wide ranging empirical study of how the doctrine is handled by the courts They report their methodology and findings in this volume framing their discussion within the law of contributory negligence The study is based on 572 first instance decisions on contributory negligence from across the United Kingdom decided between 2000 and 2016 and 129 appellate decisions handed down in the same period The analysis considers the operation of the contributory negligence doctrine at first instance and on appeal and

in a range of contextual settings including road accidents accidents at work and professional negligence claims The authors also consider how the study can be used to inform future developments in this area of law Substantial appendices set out the key data on which the book is based enabling academics to utilize the dataset in their own research and allowing practitioners to compare their cases easily with previously decided claims

English and European Perspectives on Contract and Commercial Law Louise Gullifer, Stefan Vogenauer, 2014-10-23 The purpose of this book is to honour the influential and wide ranging work of Professor Hugh Beale It contains essays by twenty five very distinguished authors each of whom has worked with Professor Beale as a co author as a teaching colleague during his time as Law Commissioner of England and Wales or as part of the study groups working in Europe on contract and commercial law The essays reflect different aspects of Professor Beale s interests Some concentrate on English contract law either from a historical or a current perspective while others are focused on aspects of European contract law There are four essays looking at current issues relating to security and financing and as befits a former Law Commissioner three essays on law reform The essays in the final section discuss trends in transnational and European commercial law This book brings together the reflections of eminent writers from all over Europe on important issues facing contract and commercial law and will be of interest to all scholars and practitioners working in these areas

The Professional Salvor's Liability in the Law of Negligence and the Doctrine of Affirmative Damages Miso Mudric, 2013 The research in this book examines the issue of professional salvor s liability for damage caused due to negligent performance of salvage services Analysis is focused on the relevant international law 1989 Salvage Convention 1976 LLMC Convention and the 1992 CLC Convention the professional liability provisions of the chosen number of jurisdictions England Wales Germany France and the US the standard salvage contract forms the standard of care the relevant salvage case law the sanctions for poor or non performance and the methods of calculating the limitation of liability Series Writings on Maritime and Port Law Schriften zum See und Hafenrecht Vol 20

The Sharing Economy Maria Regina Redinha, Maria Raquel Guimarães, Francisco Liberal Fernandes, 2018-11-21 The sharing economy is just one of several possible expressions to designate the complex model of social and economic relationships based on the intensive use of digital technology Constant permutations and combinations allow these relationships to be established through the intervention of a third party making traditional contractual positions flexible in such a way that today s employee is tomorrow s entrepreneur or today s consumer is tomorrow s supplier of goods and services The current legal framework is in many respects unable to accommodate such big changes and new legal regulations are required where adaptation of the existing ones proves to be inadequate This book highlights where changes are needed and where adaptations are required with a particular focus on the Portuguese Spanish Italian British and Brazilian contexts For that four different approaches are undertaken namely the meta legal macro legal micro legal and transnational approaches The study that results from these different approaches enables readers to acquire a general view on the current legal problems arising from the sharing

economy and was a direct result of a research project of the Centre for Legal and Economic Research at the University of Porto funded by Funda o para a Ci ncia e Tecnologia

Construction Law, Costs and Contemporary Developments: Drawing the Threads Together Julian Bailey, 2018-11-15 Lord Justice Jackson's retirement in March 2018 concluded a career of almost 20 years on the bench His judicial career has seen a remarkable transformation of construction law construction law litigation and the litigation landscape more generally Drawing the Threads Together is a Festschrift which considers many of the important developments in these areas during the Jackson era The Festschrift discusses most of the leading construction cases decided by Lord Justice Jackson with subject matter including statutory adjudication fitness for purpose obligations consideration delays and extensions of time liquidated damages time bar provisions the prevention principle neighbour rights limitation clauses negligence good faith bonds and guarantees and concurrent duties of care It also includes a discussion of the background to the Jackson Review of Civil Litigation Costs 2009 2010 and its impact on litigation as well as considering the development of the Technology and Construction Court during and subsequent to Mr Justice Jackson's tenure as judge in charge of that court

Reforming Corporate Retail Investor Protection Diane Bugeja, 2019-12-12 The spate of mis selling episodes that have plagued the financial services industries in recent years has caused widespread detriment to investors Notwithstanding numerous regulatory interventions curtailing the incidence of poor investment advice remains a challenge for regulators particularly because these measures are taken in a fire fighting fashion without adequate consideration being given to the root causes of mis selling Against this backdrop this book focuses on the sale of complex investment products to corporate retail investors by drawing upon the widespread mis selling of interest rate hedging products IRHP in the UK and beyond It brings to the fore the relatively understudied field concerning the different degrees of investor protection mechanisms applicable to individual retail investors as opposed to corporate retail investors by taking stock of past regulatory reforms and forthcoming regulatory initiatives as well as more importantly the conclusions reached by the judiciary in IRHP mis selling claims The conclusions are particularly interesting corporate retail investors are in a vulnerable position when compared to individual retail investors The former are exposed to a heightened risk of mis selling meaning that regulatory intervention should be targeted accordingly The recommendations made as a result of these findings are further supported by insights emerging from behavioural law and economic theories This book is aimed at researchers lawyers and students with an interest in the financial regulation field who are keen to explore potential regulatory reforms to the investment services regime that address the root causes of mis selling and restore a level playing field amongst all retail investors

Anlageberatungshaftung in Europa Sophie Burchardi, 2020-04-20 Die MiFID II sieht auf europ ischer Ebene weitreichende Pflichten f r Anlageberater vor Die privatrechtliche Anlageberatungshaftung wird derzeit jedoch durch die nationalen Rechtsordnungen geregelt Die vorliegende Arbeit untersucht die Haftung von Anlageberatern im deutschen englischen und italienischen Recht Sie reflektiert die privatrechtlichen Auswirkungen der MiFID II und erw gt eine

weitergehende Rechtsangleichung *Financial Advice and Investor Protection* Booyesen, Sandra, 2021-12-07 This comprehensive book offers a rigorous analysis of the legal debates approaches and practice related issues surrounding financial advice and investor protection Despite widespread recognition of the importance of financial inclusion more broadly construed recent financial crises have highlighted deficits in retail investor protection this book informs the development of robust yet adaptable frameworks to protect investors including effective enforcement and dispute resolution

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