4th JOURNAL OF PRIVATE INTERNATIONAL LAW CONFERENCE

14-16 April 2011

The Conference has been accredited by the Ordine degli Avvocati di Milano (12 credits)

For registration to the Conference, please contact
Dr Giuseppe Serranò and Paola Carminati at jpil_2011@unimi.it

For further details:
Thursday 14 April 2011  
(Sala Rappresentanza, Sala Crociera, Sala Napoleonica)

14.00-15.45

Group 1 – Treatment of Foreign Law, Preliminary Questions, PIL Treaties

C. Aracriaga Montejano, The urgent need of harmonization of the application of foreign laws by national authorities in Europe

A. Gardella, Foreign law in member States’ courts and its relationship with European Union law

S. Giusti, The Preliminary Question in European Private International Law

S. Grozzi, An international convention on conflict of law: the path to Unia?

T. Kyselovská, Bidateral (Malilateral) Treaties on Legal Aid as Sources of Law in the European Judicial Area

Group 2 – Jurisdiction in civil and commercial cases

A. Armandt, Twenty five years of Spadiha

U. Genise, Jurisdiction in complex contracts under the Brussels I Regulation

J. Kramberger Škrl, A Jurisdiction over third party proceedings: Articles 6/2 and 6/5 of the Brussels I Regulation and the countries in-between

U. Mannheim, New Technology, new problems and new solutions - Private International Law and the Internet Revisited

Group 3 – Family law – Adults

J. Bong Barth, Family law in Europe: Should Civil Rights be Divorced from Questions of Status?

M. Harding, The public effect of marriage and the un-enforceable jurisdiction of the English Matrimonial Courts over the financial consequences of marriage

M. Melchert, An EU Regulation on the law applicable to registered partnerships

A. Sapota, What happened with Regulation Rome III? Sorcing the way for unifying the rules on applicable law in divorce matters

S. Shukancy, Long Marriage in a Globalized World: Choice of Law in Marriage and Divorce

16.15-18.00

Group 4 – General PIL

V. Macchi, A new bill of Polish private international law - double edged sword?

E. Tornese, Human Rights Protection in Private International Law: the role of access to justice

T. Ooms, Mandatory rules within the European legal system

T. Krasowski, Ever Growing Borders in the Ever Closer Union of the EU

Group 5 – Choice of Law in Contract

A. Drom, Interpreting Article 4(3) of the Rome I Regulation: Something Old, Something Borrowed or Something New?

M. Erkan, Examining the Overriding Mandatory Rules under the Rome I Regulation and the Turkish Private International Law Perspective

E. Lein, The Optimal Instrument for European Contract Law and the Conflict of Laws

W. Long, Mandatory Rules in Cross-Border Contracts: Is China Looking Towards the EU?

Group 6 – Recognition and enforcement of judgments

P. Mariani, The free movement of judgments in the European Union and the CMR

C. Nagy, Recognition and enforcement of US judgments involving punitive damages in Europe

W. Zhang, A Comparative Research on the Exequatur Procedure within the EU and China

G.R. Oporiluk, Application of the Brussels I Regulation and property disputes in Cyprus: reflections on the Orams case

14.00-15.45

Group 7 – Choice of Law in Tort/Delict

J. Papettas, Rome II, Intro-Community Cross Border Traffic Accidents and the Motor Insurance Directives

D. Kritokaplic, Potential impact on the US Speech Act: Influence of the Speech Act on Ongoing PIL Debate within EU and Third Countries

H. Roepers, Towards a European approach in cross-border infringement of personality rights

T. Thieue, The protection of personality rights against supranational assertions by mass-media

Group 8 – Family Law – children

P. Jimenez Blanco, The Charter of fundamental rights of the European Union and international child abduction

I. Kucina, K. Timms, P. Beaumont, Loopholes in the Brussels II bis Child Abduction Regime

A. Muñoz Fernández, Recognition of guardianships that were established abroad and preventive powers of attorneys granted abroad

V.S. Sabin, S. Šilber, Affiliation in surrogate motherhood in private international law perspective

M. Wells-Greco, Cross-border surrogacy and nationality: achieving full parent status

Group 9 – Competition Law and Intellectual Property

M. Donghi, EU competition law action: should private international law be relied upon by the EU in the European context?

P. Dinh via, The rule in Article 6 of the Rome II Regulation as a ‘clarification’ of general rule specified in Article 4

S. Neumann, The strengthening of intellectual property rights in European private international law: meeting the requirements of territoriality and private international law

B. Ubertazzi, Intellectual Property Rights, Exclusive (Subject-Matter) Jurisdiction, recognition of judgments and law enforcement

20.00 Conference Dinner

After Dinner Speaker: Hans van Loom, Secretary General of the Hague Conference on Private International Law

Friday 15 April 2011  
(Sala Crociera, Sala Napoleonica, Sala 40 posti)

09.00-10.30

Group 7 – Choice of Law in Tort/Delict

J. Papettas, Rome II, Intro-Community Cross Border Traffic Accidents and the Motor Insurance Directives

D. Kritokaplic, Potential impact on the US Speech Act: Influence of the Speech Act on Ongoing PIL Debate within EU and Third Countries

H. Roepers, Towards a European approach in cross-border infringement of personality rights

T. Thieue, The protection of personality rights against supranational assertions by mass-media

Group 8 – Family Law – children

P. Jimenez Blanco, The Charter of fundamental rights of the European Union and international child abduction

I. Kucina, K. Timms, P. Beaumont, Loopholes in the Brussels II bis Child Abduction Regime

A. Muñoz Fernández, Recognition of guardianships that were established abroad and preventive powers of attorneys granted abroad

V.S. Sabin, S. Šilber, Affiliation in surrogate motherhood in private international law perspective

M. Wells-Greco, Cross-border surrogacy and nationality: achieving full parent status

Group 9 – Competition Law and Intellectual Property

M. Donghi, EU competition law action: should private international law be relied upon by the EU in the European context?

P. Dinh via, The rule in Article 6 of the Rome II Regulation as a ‘clarification’ of general rule specified in Article 4

S. Neumann, The strengthening of intellectual property rights in European private international law: meeting the requirements of territoriality and private international law

B. Ubertazzi, Intellectual Property Rights, Exclusive (Subject-Matter) Jurisdiction, recognition of judgments and law enforcement

14.00-15.45

Theory of PIL and patry autonomy

R. Michaels, What Private International Law Is About

T. Kono, P. Jurčys, Institutional Perspective in Private International Law

M. Keyes, Party autonomy in private international law beyond international contracts

A. Mills, Party Autonomy in Non-Contractual Private International Law Disputes

15.45-16.15 Coffee break

16.15-18.00

Connecting Factors, Law Reform and Model Laws

E. Schousman, The connecting factor in private international law: neglected in theory, yet key to just solutions

I. Canon, Reform of Choice-of-Laws in Torts in the Israeli Legal System – A Normative Perspective and a Comparative Perspective

D.E. Childress III, Courts and the conflict of names in private international law

J.A. Moreno Rodriquez, M.M. Albernon, The Contribution of the Mexico City Convention to the Reflection on a New Soft Law Instrument on Choice of Law in International Contracts

20.00 Conference Dinner

After Dinner Speaker: Hans van Loom, Secretary General of the Hague Conference on Private International Law

Saturday 16 April 2011  
(Sala Napoleonica)

09.00-10.45

Characterisation, external relations in PIL, declining jurisdiction and choice of law in contract

G. Mahler, B. Rodger, The respective roles for the lex fori, the applicable law and autonomous/harmonised concepts in international private law, with particular focus on key aspects of the law of obligations

P. Montokov, M. Niederwiesa, Five Years after ECJ ‘Lugano II Opinion’ - Its Current Developments and Future Consequences

S. Pirl, The Canadian Codification of Forum Non Conveniens

G. Tu, Contractual Choice of Law in the People’s Republic of China: the Past, the Present and the Future

10.45-11.45 Coffee break

11.15-13.00

Lex mercatoria, arbitration and consumer protection

G. Gintimires Cante, Lex mercatoria, independent guarantees and non-state enforcement

L. Radicati di Broglio, Conflicts between arbitration and courts in the EU: free for all, harmonization or home country control?

S.I. Strong, Resolving mass legal disputes in the international sphere: are class arbitrations an option? Lessons from the United States and Canada

G. Buhl, Consumer Protection in Private International Law

13.00-14.00 Lunch break

14.00-15.30

Torts and Intellectual Property

I. Kunda, Overridding mandatory rules in intellectual property contracts

M. Lehmann, Where Do Pecuniary Damages Occur?

C.O. Garcia Castrillon, Private international law issues of non-contractual liability with special reference to environmental law claims

E. Rodriguez Pinao, The law applicable to intra-family tests

15.30-15.45 Coffee break

15.45-17.00

Family law, succession, nationality and Europeanisation of PIL

K. Timms, P. Beaumont, International Surrogacy Arrangements – An Urgent Need for a Legal Regulation at the International Level

T. Krueger, J. Verhellen, Dual nationality = double trouble?

J. Fitcham, The Cross-Border Recognition and Enforcement of Authentic Instruments in the proposed European Succession Regulation

L. Gillis, The Europeanisation of the Conflict of Laws and Third States: Scottish Perspectives

12.30-14.00 Lunch break