

E Commerce Law In Europe And The Usa 1st Edition

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Investor jitters have knocked more than \$1.3 trillion off the total market value of e-commerce platform Alibaba ... head of the Beijing office of law firm WilmerHale. "What they are worried ...

This unique text deals with the most important legal areas for e-commerce related business in most of the member states in Europe as well as the USA. Topics that are dealt with include: contract law, consumer protection, intellectual property law, unfair competition, antitrust law, liability of providers, money transactions, privacy and data protection.

With the massive explosion of e-commerce, and especially the use of the Internet as a transnational and instant medium for business transactions, has come a whole range of new laws and regulations - and, inevitably, a minefield of accompanying uncertainties and potential pitfalls. So what exactly are the legal issues companies need to address, and what are their implications in real terms for the business world? Find the answers in this groundbreaking study undertaken for the European Commission within the framework of the ECLIP project. With a brief to provide practical help for businesses and e-commerce initiatives, this series of cutting-edge reviews examines and evaluates the special rules designed to regulate the Internet - both at a European and at national level in the Member States. It also explains the relevant technological developments and evaluates them against the legal background. This is an essential guide for legal and corporate practitioners alike, as well as software developers and the consultancy community internationally. A publication of the ECLIP network

For the last twenty years the European Union has been extremely active in the field of e-commerce. This important new book addresses the key pieces of EU legislation in the field of e-commerce, including the E-commerce Directive, the Services Directive, the Consumer Directive, the General Data Protection Regulation, and the eID Regulation. The latest in the Elgar Commentaries series, EU Regulation of E-Commerce is the first book to apply this well-established format to a dynamic and increasingly significant area of law.

This book outlines and analyses the legislative activity of the Union in terms of Internet and Electronic Commerce Law.

Since the second edition (2010) of this invaluable book – primary texts with expert article-by-article commentary on European data protection, e-commerce and information technology (IT) regulation, including analysis of case law – there has been a marked shift in regulatory focus. It can be said that, without knowing it, EU citizens have migrated from an information society to a digital single market to a data-driven economy. This thoroughly revised and updated third edition pinpoints, in a crystal-clear format, the meaning and application of currently relevant provisions enacted at the European and Member State levels, allowing practitioners and other interested parties to grasp the exact status of such laws, whether in force, under construction, controversial or proposed. Material has been rearranged and brought into line with the vibrant and constantly shifting elements in this field, with detailed attention to developments (most new to this edition) in such issues as the following: - cybersecurity; - privacy rights; - supply of digital content; - consumer rights in electronic commerce; - Geo-blocking; - open Internet; - contractual rules for online sale of (tangible) goods; - competition law in the IT sectors; - consumer online dispute resolution; - electronic signatures; and - reuse of public sector information. There is a completely new section on electronic identification, trust and security regulation, defining the trend towards an effective e-commerce framework protecting consumers and businesses accessing content or buying goods and services online. The contributors offer a very useful and practical review and analysis of the instruments, taking into account the fluidity and the transiency of the regulation of these very dynamic phenomena. This book will be quickly taken up by the myriad professionals – lawyers, officials and academics – engaged with data protection, e-commerce and IT on a daily basis.

Provides a quick and consolidated reference volume for lawyers to the most important European Union legislation for e-business activities.

This collection of essays by well known specialists in e-commerce and Internet law, drawn from both academe and practice, analyses recent crucial legislation which has created, for the first time, a legal regime governing European electronic commerce. The central focus is on the European Electronic Commerce Directive and its implementation in the UK since August 2002. The E-Commerce Directive develops a distinctive European strategy for regulating and promoting on-line business and the information society. Areas of the Directive analysed include contracting on-line, Internet service provider liability, consumer privacy including spam and 'cookies', country of origin regulation, and on-line alternative dispute resolution (ODR). Further chapters move beyond the Directive to discuss other important new laws in this domain, including the Privacy and Electronic Communications Directive, the Distance Selling Directives, the Electronic Money Directive, the Lawful Business regulations on employee surveillance, the disability discrimination rules affecting websites and the extension of VAT to on-line transactions. Both the European framework and the rules as implemented in the UK are examined and critiqued for how well they meet the needs of business and consumers.

The historic European Union Directive on Data Protection will take effect in October 1998. A key provision will prohibit transfer of personal information from Europe to other countries if they lack "adequate" protection of privacy. If enforced as written, the Directive could create enormous obstacles to commerce between Europe and other countries, such as the United States, that do not have comprehensive privacy statutes. In this book, Peter Swire and Robert Litan provide the first detailed analysis of the sector-by-sector effects of the Directive. They examine such topics as the text of the Directive, the tension between privacy laws and modern information technologies, issues affecting a wide range of businesses and other organizations, effects on the financial services sector, and effects on other prominent sectors with large transborder data flows. In light of the many and significant effects of the Directive as written, the book concludes with detailed policy recommendations on how to avoid a coming trade war with Europe. The book will be of interest to the wide range of individuals and organizations affected by the important new European privacy laws. More generally, the privacy clash discussed in the book will prove a major precedent for how electronic commerce and world data flows will be governed in the Internet Age.

EU data protection law is of great practical relevance for any company doing business in today's global information economy. This book provides a detailed and practical exposition of European data protection law in the context of the issues that arise in electronic commerce and dataprocessing. It analyses the relevant EU legislation and case-law, and makes particular reference to the EU Data Protection Directives as well as to the national regulatory systems in Europe and the US. Numerous examples are taken from practice, and advice is given on how the relevant data protectionlaws apply to and impact upon business in Europe, the US, and worldwide. Beginning with a detailed description of the legislative process, the book goes on to discuss the basic legal concepts underlying data protection law. It then focuses on how to determine whether EU law applies to particular electronic commerce and online activities, and how to transfer personal dataoutside Europe so as to comply with EU law. The book also includes a comprehensive analysis of how to deal with complex compliance challenges, including notification of databases, processing of employee data, privacy policies, and website compliance and standardization. The key legislative texts needed to deal with complex data protection issues are included in the appendices, along with forms and precedents, contact information for data protection authorities, and links to useful websites. The book is fully up-to-date with the amendments to the TelecommunicationsData Protection Directive passed in the summer of 2002.

This extensively revised and updated third edition of EU Internet Law offers a state of the art overview of the key areas of EU Internet regulation, as well as a critical evaluation of EU policy-making and governance in the field. It provides an in-depth analysis of the ways in which relevant legal instruments interact, as well as comparative discussions contrasting EU and US solutions.