



International Commercial Litigation

Richard Fentiman

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The legal framework of cross-border commercial disputes is important and complex in practice, but it is increasingly difficult to discern the subject's structure and assumptions. This book is a definitive account of the law and practice of international commercial disputes in the English courts, which summarizes the present state of the law, and articulates its underlying principles. It is intended to be accessible to non-specialist practitioners.

The book offers an account of the subject which is comprehensive, yet also concise and highly focused, designed to reflect the perceptions and concerns of practitioners. A feature of the book is its emphasis on evolving areas of practice, and issues of difficulty. Such topics as the developing law of cross-border injunctions, and the relationship between national and community law are extensively explored. Where the law is uncertain or controversial, the rival arguments are examined and assessed. The emphasis is on the solution of current (or future) problems, in addition to explaining contested issues. It is as much concerned with the impact of litigation on cross-border transactions - including prospective planning and risk-avoidance - as it is with dispute resolution. It examines the scope of party choice, and the legal risks associated with cross-border business. Consideration is given as to how these risks might be avoided or reduced by planning or agreement, by adopting particular business structures, or by opting for alternative forms of dispute resolution.

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