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## Introduction

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# **14<sup>th</sup> Biennial Meeting of the International Academy of Commercial and Consumer Law**

## **Introduction**

**Louis F. Del Duca\***

From its beginning, the International Academy of Commercial and Consumer Law<sup>1</sup> has brought together the best legal minds from the major legal cultures of the world to address commercial and consumer areas of the law, and through its scholarly inquiry contribute to development of a more rational transnational legal order. Presently consisting of approximately 120 leading world scholars from 35 countries, it continues its tradition of Biennial Meetings at important legal and cultural centers around the world to address vital contemporary issues. Since 1983 the International Biennial Meetings of the Academy have been held around the world at the following leading educational institutions:

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\* Edward N. Polisher Distinguished Faculty Scholar, The Dickinson School of Law of the Pennsylvania State University.

1. <http://www.dsl.psu.edu/faculty/DelDuca/academy.cfm>

<b>Year</b>	<b>Place</b>	<b>Institutional Sponsor</b>	<b>Principal Institutional Hosts, Organizers, Directors, and Facilitators</b>
1983	Mexico City, Mexico	National Autonomous Univ. of Mexico	Miguel Acosta Romero Arcelia Quintana
1984	Castle Hofen, Austria	Univ. of Innsbruck	Heinrick Mayrhofer Donald King
1986	Boston, Massachusetts, USA	Harvard Law School	Hal Scott Boris Kozolchyk
1988	Melbourne, Australia	Univ. of Melbourne	David Allan Mary Hiscock David Harlan
1990	Oxford, England	Oxford Univ.	Ross Cranston Roy Goode
1992	Stockholm, Sweden	Univ. of Stockholm	Jan Ramberg Jan Helner Ulf Bernitz
1994	St. Louis, Missouri, USA	Saint Louis Univ.	Donald King
1996	Rama Gat, Israel	Bar Ilan Univ.	Shalom Lerner Jacob Ziegel Arie Reich
1998	Gold Coast, Australia	Bond Univ.	David Allan Mary Hiscock
2000	Carlisle, Pennsylvania, USA	Penn State Univ. The Dickinson School of Law	Louis Del Duca
2002	Hamburg, Germany	Max Planck Institute	Juergen Basedow Ulrich Drobnig
2004	Riga, Latvia	Riga Graduate School of Law (RGSL)	Norbert Reich
2006	Austin, Texas, USA	Univ. of Texas School of Law	Jay Westbrook Ross Cranston
2008	Bamberg, Germany	Univ of Bamberg School of Law	Jürgen Basedow Hans Micklitz

Included amongst its published proceedings are:

KING, Fred B. Rothman & Co., now William S. Hein & Co., Buffalo, N.Y. 1986 (2nd Biennial Meeting, held at Castle Hofen, University of Innsbruck, Austria)

1987 Ariz. J. Int'l Comp. L. 1 (1987)<sup>2</sup> (3rd Biennial Meeting, held at Harvard law School, Boston, Massachusetts, United States)

KING, ESSAYS ON COMPARATIVE COMMERCIAL AND CONSUMER LAW, Fred B. Rothman & Co. now William S. Hein & Co., Buffalo, N.Y. 1992 (4th Biennial Meeting, held at University of Melbourne, Melbourne, Australia)

CRANSTON AND GOODE, COMMERCIAL AND CONSUMER LAW: NATIONAL AND INTERNATIONAL DIMENSIONS, Clarendon Press, Oxford 1993 (5th Biennial Meeting held at Oxford University, Oxford, England)

39 St. Louis U. L.J. 719 (1995)<sup>3</sup>, (7th Biennial Meeting, held at Saint Louis University School of Law, St. Louis, Missouri, United States)

ZEIGEL, NEW DEVELOPMENTS IN INTERNATIONAL COMMERCIAL AND CONSUMER LAW, consulting editor Lerner, Hart Publishing, Oxford 1998 (8th Biennial Meeting, held at Bar Ilan University, Rama Gat, Israel)

106 Dick. L. Rev. 1 (2001)<sup>4</sup> (10th Biennial Meeting, held at Penn State Dickinson School of Law, Carlisle, Pennsylvania, United States)

22 Penn St. Int'l L. Rev 1 (2003)<sup>5</sup> (11th Biennial Meeting, held at the Max Planck Institute, Hamburg, Germany).

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2. <http://www.heinonline.org/HOL/Page?handle=hein.journals/ajicl1987&id=1&size=2&collection=journals&index=journals/ajicl>

3. <http://www.heinonline.org/HOL/Page?handle=hein.journals/stluj39&id=1&size=2&collection=journals&index=journals/stluj>

4. <http://heinonline.org/HOL/Page?handle=hein.journals/dlr106&id=1&size=2&collection=journals&index=journals/dlr>

5. <http://heinonline.org/HOL/Page?handle=hein.journals/psilr22&id=1&size=2&collection=journals&index=journals/psilr>

23 Penn St. Int'l L. Rev. 491 (2005)<sup>6</sup> (12th Biennial Meeting, held at the Riga Graduate School of Law, Riga, Latvia).

42 Tex. Int'l L.J. 369 (2006-2007)<sup>7</sup> (13th Biennial Meeting, held at the University of Texas Law School in Austin, Texas).

27 Penn St. Int'l L. Rev. 545 (2009) (14<sup>th</sup> Biennial Meeting, held at the University of Bamberg School of Law, Bamberg, Germany).

The 14<sup>th</sup> Biennial Meeting has spawned a timeframe in which new technologies and globalization have generated opportunities for expanded world commerce in an era of world-wide environmental, financial, commercial and human rights concerns. Simultaneously, regional and global political and economic organizations, and a plethora of treaties, legal guidelines, standard form contracts, and domestic legislation have emerged attempting to respond to new problems and opportunities for their creative resolution.

This special issue of the *Penn State International Law Review* publishes 17 papers presented at the 2008 14<sup>th</sup> Biennial Meeting of the International Academy of Commercial and Consumer Law. The topics addressed (with some papers listed more than once because of the multiple topics addressed), are as follows:

**Class Action Law – Zeigel**

**Consumer Law – Arroyo, Atamer, Barral, Del Duca, Kritzer, Micklitz, Nagel, Nakata, and Reich**

**Comparative Law – Arroyo, Atamer, Del Duca, Duggan, Geva, Harmathy, Hiscock, Kritzer, Micklitz, Nagel, and Ziegel**

**International Business – Arroyo, Atamer, Barral, Del Duca, Geva, Hiscock, Kritzer, Micklitz, Nagel, Nakata, Ramberg, Reich, and Westbrook**

**Insolvency – Westbrook**

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6. <http://heinonline.org/HOL/Page?handle=hein.journals/psilr23&id=1&size=2&collection=journals&index=journals/psilr>

7. <http://heinonline.org/HOL/Page?handle=hein.journals/tlj42&id=1&size=2&collection=journals&index=journals/tlj>

**International Investment – Hiscock****Payment Systems – Geva****Secured Lending/Securitization – Dahan, Duggan, Harmathy, Gedye, and Simpson****Transport Law – Ramberg**

Seven papers addressed the subject of consumer law. Individual papers focused on developments in Turkey, Japan, and class actions in Canada and an overview of developments in Latin America. Consumer contracting in e-commerce and proposed development of a soft law on Global Principles of International Consumer Contracts (GPICC) paralleling the already existing UNIDROIT Principles of International Commercial Contracts (UPICC) was also presented. As soft law, the GPICC could be voluntarily incorporated by parties into their business-consumer contracts in a manner comparable to voluntary incorporation by parties into their contract of the International Chamber of Commerce Incoterms.

Secured transactions also continue to be a major area of interest to members of the Academy. Papers were presented on developments in Austria, Hungary, Israel, and New Zealand. A paper on the related subject of insolvency examined barriers which exist to cooperation in multi-national insolvencies.

Payment transactions under the EU payment services directive comparing this system with the United States approach, emerging legal concepts of investment, and possible global unification of transport law also were topics addressed by individual papers.

Jurgen Basedow, President of the Academy and the Max Planck Institute for Private International Law presided over the 2008 14<sup>th</sup> Biennial Meeting. Hans Micklitz, President elect, then professor of law at the University of Bamberg School of Law and currently a professor at the European Institute in Fiesole, Italy, served as the program organizer hosted by the University of Bamberg University and the Max Planck Institute for Private and International Law. Ron Cumming of the University of Saskatchewan serves as Treasurer of the Academy.

