



Universiteit
Leiden
The Netherlands

Concurrence in European Private Law

Graaff, R. de

Citation

Graaff, R. de. (2020, September 9). *Concurrence in European Private Law*. Meijers-reeks. Eleven International Publishing. Retrieved from <https://hdl.handle.net/1887/136532>

Version: Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/136532>

Note: To cite this publication please use the final published version (if applicable).

Cover Page



Universiteit Leiden



The handle <http://hdl.handle.net/1887/136532> holds various files of this Leiden University dissertation.

Author: Graaff, R. de

Title: Concurrence in European Private Law

Issue Date: 2020-09-09

Treaties and Legislation

INTERNATIONAL TREATIES

CIV Uniform Rules

Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV), appendix to the Convention concerning International Carriage by Rail of 9 May 1980.

Montreal Convention

Convention for the Unification of Certain Rules for International Carriage by Air of 28 May 1999.

EUROPEAN UNION LAW

Primary law

TFEU

Consolidated Version of the Treaty on the Functioning of the European Union [2007] OJ C326/01.

TEU

Consolidated Version of the Treaty on European Union [2008] OJ C115/13.

The Charter

Charter of Fundamental Rights of the European Union [2012] OJ C326/02.

Declaration No. 17 concerning primacy

Declaration No. 17 concerning primacy [2007] OJ C115/344.

Explanations relating to the Charter

Explanations relating to the Charter of Fundamental Rights [2007] OJ C303/17.

Protocol No. 25 on the exercise of shared competence

Protocol No. 25 on the exercise of shared competence (annexed to the TFEU) [2008] OJ C115/307.

Protocol No. 27 on the internal market and competition

Protocol No. 27 on the internal Market and competition (annexed to the TFEU) [2008] OJ C115/309.

Secondary legislation

Directives

Directive 76/207/EEC (no longer in force)

Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions [1976] OJ L039/40.

Directive 84/450/EEC (no longer in force)

Council Directive 84/450/EEC of 10 September 1984 relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising [1984] OJ L250/17.

Directive 85/374/EEC

Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products [1985] OJ L2010/29.

Directive 85/577/EEC (no longer in force)

Council Directive 85/577/EEC of 20 December 1985 on the protection of consumers in respect of contracts negotiated away from business premises [1985] OJ L372/31.

Directive 86/653/EEC

Council Directive 86/653/EEC of 18 December 1986 on the coordination of the laws of the Member States relating to self-employed commercial agents [1986] OJ L382/17.

Directive 87/102/EEC (no longer in force)

Council Directive 87/102/EEC of 22 December 1986 for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit [1986] OJ L042/48.

Directive 90/314/EEC (no longer in force)

Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours [1990] OJ L158/59.

Directive 93/13/EEC

Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts [1993] OJ L95/29.

Directive 94/47/EC (no longer in force)

Directive 94/47/EC of the European Parliament and of the Council of 26 October 1994 on the protection of purchasers in respect of certain aspects on contracts relating to the purchase of the right to use immovable properties on a timeshare basis [1994] OJ L280/83.

Directive 95/46/EC (no longer in force)

Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data [1995] OJ L281/31.

Directive 96/9/EC

Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases [1996] OJ L77/20.

Directive 97/7/EC (no longer in force)

Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts [1997] OJ L144/19.

Directive 1999/44/EC

Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees [1999] OJ L171/12.

Directive 2000/31/EC

Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (*Directive on electronic commerce*) [2000] OJ L178/1.

Directive 2000/43/EC

Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin [2000] OJ L180/22.

Directive 2000/78/EC

Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation [2000] OJ L303/16.

Directive 2001/29/EC

Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society [2001] OJ L167/10.

Directive 2001/83/EC

Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use [2001] OJ L311/67.

Directive 2002/22/EC

Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (*Universal Service Directive*) [2002] OJ L108/51.

Directive 2002/65/EC

Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services [2002] OJ L271/16.

Directive 2003/88/EC

Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time [2003] OJ L299/9.

Directive 2004/48/EC

Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights [2004] OJ L157/45.

Directive 2005/29/EC

Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (*Unfair Commercial Practices Directive*) [2005] OJ L149/22.

Directive 2006/114/EC

Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising [2006] OJ L376/21.

Directive 2006/115/EC

Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property [2006] OJ L376/28.

Directive 2006/123/EC

Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market [2006] OJ L376/36.

Directive 2008/48/EC

Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC [2008] OJ L133/66.

Directive 2008/122/EC

Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts [2009] OJ L33/10.

Directive 2009/24/EC

Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs [2009] OJ L111/16.

Directive 2009/138/EC

Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (*Solvency II*) [2009] OJ L335/1.

Directive 2010/30/EU (no longer in force)

Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products [2010] OJ L153/1.

Directive 2011/7/EU

Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions [2011] OJ L48/1.

Directive 2011/83/EU

Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council [2011] OJ L304/64.

Directive 2014/17/EU

Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 [2014] OJ L60/34.

Directive 2014/104/EU

Directive 2014/104/EU of the European Parliament and of the Council of 26 November 2014 on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union [2014] OJ L349/1.

Directive 2015/2302/EU

Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC [2015] OJ L326/1.

Directive 2015/2366/EU

Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC [2015] OJ L337/35.

Directive 2016/943/EU

Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure [2016] OJ L157/1.

Directive 2017/1132/EU

Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law [2017] OJ L169/46.

Directive 2019/770/EU

Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services [2019] OJ L136/1.

Directive 2019/771/EU

Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, , amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC [2019] OJ L136/28.

Directive 2019/790/EU

Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC [2019] OJ L130/92.

Directive 2019/1152/EU

Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union [2019] OJ L186/105.

Directive 2019/2161/EU

Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 as regards the better enforcement and modernisation of Union consumer protection rules [2019] OJ L328/7.

*Regulations***Regulation (EC) 2100/94**

Council Regulation (EC) 2100/94 of 27 July 1994 on Community plant variety rights [1994] OJ L227/1.

Regulation (EC) 889/2002

Regulation (EC) 889/2002 of the European Parliament and of the Council of 13 May 2002 amending Council Regulation (EC) No 2027/97 on air carrier liability in the event of accidents [2002] OJ L140/2.

Regulation (EC) 1/2003

Council Regulation (EC) 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty [2002] OJ L1/1.

Regulation (EC) 139/2004

Council Regulation (EC) 139/2004 of 20 January 2004 on the control of concentrations between undertakings (*the EC Merger Regulation*) [2004] OJ L24/1.

Regulation (EC) 261/2004

Regulation (EC) 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 [2004] OJ L46/1.

Regulation (EC) 1107/2006

Regulation (EC) 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air [2006] OJ L204/1.

Regulation (EC) 1371/2007

Regulation (EC) 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations [2007] OJ L315/14.

Regulation (EC) 1008/2008

Regulation (EC) 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (Recast) [2008] OJ L293/3.

Regulation (EC) 169/2009

Council Regulation (EC) 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway [2009] OJ L61/1.

Regulation (EC) 392/2009

Regulation (EC) 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents [2009] OJ L131/24.

Regulation (EC) 906/2009

Commission Regulation (EC) 906/2009 of 28 September 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) [2009] OJ L256/31.

Regulation (EU) 1093/2010

Regulation (EU) 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC [2010] OJ L331/12.

Regulation (EU) 1177/2010

Regulation (EU) 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 [2010] OJ L334/1.

Regulation (EU) 181/2011

Regulation (EU) 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) 2006/2004 [2011] OJ L55/1.

Regulation (EU) 665/2013 (no longer in force)

Commission Delegated Regulation (EU) 665/2013 of 3 May 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of vacuum cleaners [2013] OJ L192/1.

Regulation (EU) 462/2013

Regulation (EU) 462/2013 of the European Parliament and of the Council of 21 May 2013 amending Regulation (EC) No 1060/2009 on credit rating agencies [2013] OJ L146/1.

Regulation (EU) 316/2014

Commission Regulation (EU) 316/2014 of 21 March 2014 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of technology transfer agreements [2014] OJ L93/17.

Regulation (EU) 655/2014

Regulation (EU) 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters [2014] OJ L189/59.

Regulation (EU) 910/2014

Regulation (EU) 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (eIDAS Regulation) [2014] OJ L257/73.

Regulation (EU) 2015/848

Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings [2015] OJ L141/19.

Regulation (EU) 2016/679

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (*General Data Protection Regulation*) [2016] OJ L119/1.

Regulation (EU) 2017/745

Regulation (EU) 2017/745 of the European Parliament and of the Council of 5 April 2017 on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC [2017] OJ L117/1.

Regulation (EU) 2017/1001

Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark [2017] OJ L154/1.

Regulation (EU) 2017/1128

Regulation (EU) 2017/1128 of the European Parliament and of the Council of 14 June 2017 on cross-border portability of online content services in the internal market [2017] OJ L168/1.

Regulation (EU) 2017/1369

Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU [2017] OJ L198/1.

Regulation (EU) 2019/1150

Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services [2019] OJ L186/57.

*Documents***Commission Notice 2004**

European Commission Notice, 'Guidelines on the effect on trade concept contained in Arts. 81 and 82 of the Treaty' [2004] OJ C101/81.

De Minimis Notice 2014

European Commission Notice, 'Notice on agreements of minor importance which do not appreciably restrict competition under Article 101(1) of the Treaty on the Functioning of the European Union (De Minimis Notice)' [2014] OJ C291/01.

Report of the Task Force on Subsidiarity, Proportionality and "Doing Less More Efficiently" 2018

Commission, 'Report of the Task Force on Subsidiarity, Proportionality and "Doing Less More Efficiently"', 10 July 2018.

NATIONAL LEGISLATIVE TEXTS AND PROPOSALS

*France***Loi n° 85-677**

Loi n° 85-677 du 5 juillet 1985 tendant à l'amélioration de la situation des victimes d'accidents de la circulation et à l'accélération des procédures d'indemnisation (Loi Badinter).

L'avant-projet de réforme du droit des obligations et du droit de la prescription

Avant-projet de réforme du droit des obligations et du droit de la prescription (avant-projet Catala), 22 September 2005, available via http://www.justice.gouv.fr/art_pix/RAPPORTCATALASEPTEMBRE2005.pdf (last accessed 15 November 2019).

Loi n° 2008-561

Loi n° 2008-561 du 17 juin 2008 portant réforme de la prescription en matière civile, JUSX0711031L.

Ordonnance n° 2016-131

Ordonnance n° 2016-131 du 10 février 2016 portant réforme du droit des contrats, du régime général et de la preuve des obligations, JUSC1522466R, available via www.legifrance.gouv.fr and via www.textes.justice.gouv.fr/art_pix/THE-LAW-OF-CONTRACT-2-5-16.pdf (translation into English by John Cartwright, Bénédicte Fauvarque-Cosson & Simon Whittaker, commissioned by the *Direction des affaires civiles et du sceau, Ministère de la Justice, France*) (last accessed 15 November 2019).

Projet de réforme du droit de la responsabilité civile 2017

Projet de réforme du droit de la responsabilité civile, 13 March 2017, available via www.justice.gouv.fr/publication/Projet_de_reforme_de_la_responsabilite_civile_13032017.pdf (last accessed 15 November 2019) and via www.textes.justice.gouv.fr/art_pix/reform_bill_on_civil_liability_march_2017.pdf (translation into English by Simon Whittaker, in consultation with Jean-Sébastien Borghetti, commissioned by the *Direction des affaires civiles et du sceau, Ministère de la Justice, France*) (last accessed 15 November 2019).

*The United Kingdom***Misrepresentation Act 1967**

Act of 22 March 1967 to amend the law relating to innocent misrepresentations and to amend sections 11 and 35 of the Sale of Goods Act 1893.

Civil Liability (Contribution) Act 1978

Act of 31 July 1978 to make new provision for contribution between persons who are jointly or severally, or both jointly and severally, liable for the same damage and in certain other similar cases where two or more persons have paid or may be required to pay compensation for the same damage; and to amend the law relating to proceedings against persons jointly liable for the same debt or jointly or severally, or both jointly and severally, liable for the same damage.

Contracts (Rights of Third Parties) Act 1999

Act of 11 November 1999 to make provision for the enforcement of contractual terms by third parties.

Case law

UNION COURTS

Judgments delivered by the Court of Justice of the European Union

- Case 26/62, *Van Gend & Loos v. Administratie der Belastingen*, ECLI:EU:C:1963:1.
- Case 6/64, *Flaminio Costa v. ENEL*, ECLI:EU:C:1964:66.
- Case 5/69, *Franz Völk v. Établissements J. Vervaecke*, ECLI:EU:C:1969:35.
- Case 11/70, *Internationale Handelsgesellschaft v. Einfuhr- und Vorratsstelle für Getreide und Futtermittel*, ECLI:EU:C:1970:114.
- Case 22/71, *Béguelin Import Co. and Others v. S.A.G.L. Import Export and Others*, ECLI:EU:C:1971:113.
- Case 6/72, *Europemballage Corporation and Continental Can Company v. Commission*, ECLI:EU:C:1973:22.
- Case 152/73, *Giovanni Maria Sotgiu v. Deutsche Bundespost*, ECLI:EU:C:1974:13.
- Case 167/73, *Commission v. France*, ECLI:EU:C:1974:35.
- Case 2/74, *Jean Reyners v. Belgium*, ECLI:EU:C:1974:68.
- Case 36/74, *Walrave and Koch v. Association Union Cycliste Internationale and Others*, ECLI:EU:C:1974:140.
- Case 43/75, *Gabrielle Defrenne v. Société Anonyme Belge de Navigation Aérienne Sabena*, ECLI:EU:C:1976:56.
- Case 13/76, *Gaetano Donà v. Mario Mantero*, ECLI:EU:C:1976:115.
- Case 27/76, *United Brands v. Commission*, ECLI:EU:C:1978:22.
- Case 33/76, *Rewe-Zentralfinanz and Rewe-Zentral v. Landwirtschaftskammer für das Saarland*, ECLI:EU:C:1976:188.
- Case 45/76, *Comet v. Produktschap voor Siergewassen*, ECLI:EU:C:1976:191.
- Case 85/76, *Hoffmann-La Roche v. Commission*, ECLI:EU:C:1979:36.
- Case 90/76, *Henry van Ameyde v. UCI*, ECLI:EU:C:1977:101.
- Case 5/77, *Carlo Tedeschi v. Denkavit Commerciale*, ECLI:EU:C:1977:144.
- Case 106/77, *Amministrazione delle Finanze dello Stato v. Simmenthal*, ECLI:EU:C:1978:49.
- Joined Cases 177 and 178/82, *Criminal proceedings against Jan van de Haar and Kaveka de Meern*, ECLI:EU:C:1984:144.
- Case 106/83, *Sermide v. Cassa Conguaglio Zucchero and Others*, ECLI:EU:C:1984:394.
- Case 251/83, *Eberhard Haug-Adrion v. Frankfurter Versicherungs-AG*, ECLI:EU:C:1984:397.
- Case 152/84, *Marshall v. Southampton and South-West Hampshire Area Health Authority (Teaching)*, ECLI:EU:C:1986:84.
- Joined Cases 209/84 to 213/84, *Asjes and Others*, ECLI:EU:C:1986:188.
- Case 66/85, *Deborah Laurie-Blum v. Land Baden-Württemberg*, ECLI:EU:C:1986:284.
- Case 118/85, *Commission v. Italy*, ECLI:EU:C:1987:283.
- Case 10/86, *VAG France v. Établissements Magne*, ECLI:EU:C:1986:502.
- Case 66/86, *Ahmed Saeed Flugreisen and Silver Line Reisebüro v. Zentrale zur Bekämpfung unlauteren Wettbewerbs*, ECLI:EU:C:1989:140.

- Case 186/87, *Ian William Cowan v. Le Trésor public*, ECLI:EU:C:1989:47.
- Case 305/87, *Commission v. Greece*, ECLI:EU:C:1989:218.
- Case 4/88, *Lambregts Transportbedrijf v. Belgian State*, ECLI:EU:C:1989:320.
- Case C-177/88, *Dekker v. Stichting Vormingscentrum voor Jong Volwassenen*, ECLI:EU:C:1990:383.
- Case C-49/89, *Corsica Ferries France v. Direction générale des douanes*, ECLI:EU:C:1989:649.
- Case C-234/89, *Stergios Delimitis v. Henninger Bräu*, ECLI:EU:C:1991:91.
- Case C-246/89, *Commission v. United Kingdom*, ECLI:EU:C:1991:375.
- Case C-10/90, *Maria Masgio v. Bundesknappschaft*, ECLI:EU:C:1991:107.
- Case C-17/90, *Pinaud Wieger v. Bundesanstalt für den Güterfernverkehr*, ECLI:EU:C:1991:416.
- Case C-41/90, *Klaus Höfner and Fritz Elser v. Macrotron*, ECLI:EU:C:1991:161.
- Case C-76/90, *Manfred Säger v. Denmemeyer & Co.*, ECLI:EU:C:1991:331.
- Case C-179/90, *Merci Convenzionali Porto di Genova v. Siderurgica Gabrielli*, ECLI:EU:C:1991:464.
- Case C-112/91, *Hans Werner v. Finanzamt Aachen-Innenstadt*, ECLI:EU:C:1993:27.
- Joined Cases C-159/91 and C-160/91, *Christian Poucet v. Assurances générales de France en Caisse mutuelle régionale du Languedoc-Roussillon and Daniel Pistre v. Cancaova*, ECLI:EU:C:1993:63.
- Joined Cases C-241/91 P and C-242/91 P, *Radio Telefís Éireann (RTE) and Independent Television Publications Ltd (ITP) v. Commission*, ECLI:EU:C:1995:98.
- Case C-330/91, *The Queen v. Inland Revenue Commissioners ex parte: Commerzbank AG*, ECLI:EU:C:1993:303.
- Case C-19/92, *Dieter Kraus v. Land Baden-Württemberg*, ECLI:EU:C:1993:125.
- Case C-37/92, *José Vanacker v. André Lesage*, ECLI:EU:C:1993:836.
- Case C-91/92, *Paola Faccini Dori v. Recreb Srl*, ECLI:EU:C:1994:292.
- Case C-379/92, *Matteo Peralta*, ECLI:EU:C:1994:296.
- Case C-393/92, *Gemeente Almelo and Others v. Energiebedrijf IJsselmij*, ECLI:EU:C:1994:171.
- Case C-408/92, *Smith and Others v. Avdel Systems*, ECLI:EU:C:1994:349.
- Case C-419/92, *Ingetraut Scholz v. Opera Universitaria di Cagliari and Cinzia Porcedda*, ECLI:EU:C:1994:62.
- Case C-1/93, *Halliburton Services v. Staatssecretaris van Financiën*, ECLI:EU:C:1994:127.
- Case C-43/93, *Raymond Vander Elst v. OMI*, ECLI:EU:C:1994:310.
- Case C-384/93, *Alpine Investments v. Minister van Financiën*, ECLI:EU:C:1995:126.
- Case C-415/93, *Union Royale Belge des Sociétés de Football Association ASBL v. Jean-Marc Bosman*, ECLI:EU:C:1995:463.
- Case C-55/94, *Reinhard Gebhard v. Consiglio dell'Ordine degli Avvocati e Procuratori di Milano*, ECLI:EU:C:1995:411.
- Case C-96/94, *Centro Servizi Spediporto v. Spedizioni Marittima del Golfo*, ECLI:EU:C:1995:308.
- Joined Cases C-140/94, C-141/94 and C-142/94, *DIP and Others v. Comune di Bassano del Grappa and Others*, ECLI:EU:C:1995:330.
- Case C-194/94, *CIA Security International v. Signalson and Securitel*, ECLI:EU:C:1996:172.
- Case C-226/94, *Grand Garage Albigeois and others v. Garage Massol*, ECLI:EU:C:1996:55.
- Case C-272/94, *Michel Guiot and Climatec*, ECLI:EU:C:1996:147.
- Case C-309/94, *Nissan and others v. Jean-Luc Dupasquier and others*, ECLI:EU:C:1996:57.

- Case C-333/94 P, *Tetra Pak International v. Commission*, ECLI:EU:C:1996:436.
- Case C-3/95, *Reisebüro Broede v. Gerd Sandker*, ECLI:EU:C:1996:487.
- Case C-29/95, *Eckehard Pastoors and Others*, ECLI:EU:C:1997:28.
- Case C-222/95, *Parodi v. Banque H. Albert de Bary et Cie*, ECLI:EU:C:1997:345.
- Joined Cases C-51/96 and C-191/97, *Christelle Deliège v. Ligue francophone de judo et disciplines associées ASBL and others*, ECLI:EU:C:2000:199.
- Joined Cases C-64/96 and C-65/96, *Land Nordrhein-Westfalen v. Kari Uecker and Vera Jacquet v. Land Nordrhein-Westfalen*, ECLI:EU:C:1997:285.
- Case C-67/96, *Albany International v. Stichting Bedrijfspensioenfonds Textielindustrie*, ECLI:EU:C:1999:430.
- Case C-122/96, *Stephen Austin Saldanha and MTS Securities Corporation v. Hiross Holding*, ECLI:EU:C:1997:458.
- Case C-131/96, *Carlos Mora Romero v. Landesversicherungsanstalt Rheinprovinz*, ECLI:EU:C:1997:317.
- Case C-176/96, *Jyri Lehtonen and Castors Braine v. FRBSB*, ECLI:EU:C:2000:201.
- Case C-230/96, *Cabour and Nord Distribution Automobile v. Armor*, ECLI:EU:C:1998:181.
- Case C-336/96, *Mr and Mrs Robert Gilly v. Directeur des Services Fiscaux du Bas-Rhin*, ECLI:EU:C:1998:221.
- Case C-350/96, *Clean Car Autoservice GmbH v. Landeshauptmann von Wien*, ECLI:EU:C:1998:205.
- Joined Cases C-369/96 and C-376/96, *Arblade (C-369/96) and Leloup (C-376/96)*, ECLI:EU:C:1999:575.
- Case C-389/96, *Aher-Waggon v. Federal Republic of Germany*, ECLI:EU:C:1998:357.
- Joined Cases C-395/96 P and C-396/96 P, *Compagnie Maritime Belge Transports and Others v. Commission*, ECLI:EU:C:2000:132.
- Case C-126/97, *Eco Swiss China Time v. Benetton International*, ECLI:EU:C:1999:269.
- Case C-311/97, *Royal Bank of Scotland v. Elliniko Dimosio (Greek State)*, ECLI:EU:C:1999:216.
- Case C-423/97, *Travel Vac v. Manuel José Antelm Sanchís*, ECLI:EU:C:1999:197.
- Joined Cases C-49/98, C-50/98, C-52/98 to C-54/98 and C-68/98 to C-71/98, *Finalarte and Others*, ECLI:EU:C:2001:564.
- Case C-55/98, *Skattministeriet v. Bent Vestergaard*, ECLI:EU:C:1999:533.
- Case C-165/98, *André Mazzoleni and Inter Surveillance Assistance*, ECLI:EU:C:2001:162.
- Joined Cases C-180/98 to C-184/98, *Pavel Pavlov and Others v. Stichting Pensioenfonds Medische Specialisten*, ECLI:EU:C:2000:428.
- Case C-190/98, *Volker Graf v. Filzmoser Maschinenbau*, ECLI:EU:C:2000:49.
- Case C-251/98, *C. Baars v. Inspecteur der Belastingen Particulieren*, ECLI:EU:C:2000:205.
- Case C-281/98, *Roman Angonese v. Cassa di Risparmio di Bolzano*, ECLI:EU:C:2000:296.
- Joined Cases C-397/98 and C-410/98, *Metallgesellschaft Ltd and Others (C-397/98), Hoechst and Hoechst UK (C-410/98) v. Commissioners of Inland Revenue and H.M. Attorney General*, ECLI:EU:C:2001:134.
- Case C-411/98, *Angelo Ferlini v. Centre Hospitalier de Luxembourg*, ECLI:EU:C:2000:530.
- Case C-443/98, *Unilever Italia v. Central Food*, ECLI:EU:C:2000:496.
- Case C-456/98, *Centrosteeel v. Adipol*, ECLI:EU:C:2000:402.
- Case C-467/98, *Commission v. Denmark ('Open Skies')*, ECLI:EU:C:2002:625.
- Case C-164/99, *Portugaia Construções*, ECLI:EU:C:2002:40.
- Case C-203/99, *Henning Veedfald v. Århus Amtskommune*, ECLI:EU:C:2001:258.

- Case C-268/99, *Aldona Malgorzata Jany and Others v. Staatssecretaris van Justitie*, ECLI:EU:C:2001:616.
- Case C-309/99, *Wouters and others v. Algemene Raad van de Nederlandse Orde van Advocaten*, ECLI:EU:C:2002:98.
- Case C-324/99, *DaimlerChrysler v. Land Baden-Württemberg*, ECLI:EU:C:2001:682.
- Case C-453/99, *Courage v. Crehan*, ECLI:EU:C:2001:465.
- Case C-465/99, *Ambulanz Glöckner v. Landkreis Südwestpfalz*, ECLI:EU:C:2001:577.
- Case C-481/99, *Georg Heininger and Helga Heininger v. Bayerische Hypo- und Vereinsbank*, ECLI:EU:C:2001:684.
- Case C-52/00, *Commission v. France*, ECLI:EU:C:2002:252.
- Case C-154/00, *Commission v. Greece*, ECLI:EU:C:2002:254.
- Case C-168/00, *Simone Leitner v. TUI Deutschland*, ECLI:EU:C:2002:163.
- Case C-224/00, *Commission v. Italy*, ECLI:EU:C:2002:185.
- Case C-279/00, *Commission v. Italy*, ECLI:EU:C:2002:89.
- Case C-100/01, *Ministre de l'Intérieur v. Aitor Oteiza Olazabal*, ECLI:EU:C:2002:712.
- Case C-322/01, *Deutscher Apothekerverband*, ECLI:EU:C:2003:664.
- Case C-387/01, *Harald Weigel and Ingrid Weigel v. Finanzlandesdirektion für Vorarlberg*, ECLI:EU:C:2004:256.
- Joined Cases C-397/01 to C-403/01, *Pfeiffer and others*, ECLI:EU:C:2004:584.
- Case C-289/02, *AMOK Verlags v. A & R Gastronomie*, ECLI:EU:C:2003:669.
- Case C-464/02, *Commission v. Denmark*, ECLI:EU:C:2005:546.
- Case C-134/03, *Viacom Outdoor v. Giotto Immobilier SARL*, ECLI:EU:C:2005:94.
- Case C-402/03, *Skov v. Bilka*, ECLI:EU:C:2006:6.
- Case C-95/04 P, *British Airways v. Commission*, ECLI:EU:C:2007:166.
- Case C-127/04, *Declan O'Byrne v. Sanofi Pasteur*, ECLI:EU:C:2006:93.
- Case C-144/04, *Werner Mangold v. Rüdiger Helm*, ECLI:EU:C:2005:709.
- Case C-168/04, *Commission v. Austria*, ECLI:EU:C:2006:595.
- Case C-244/04, *Commission v. Germany*, ECLI:EU:C:2006:49.
- Joined Cases C-295/04 to C-298/04, *Manfredi and Others*, ECLI:EU:C:2006:461.
- Case C-344/04, *IATA and ELFAA*, ECLI:EU:C:2006:10.
- Case C-433/04, *Commission v. Belgium*, ECLI:EU:C:2006:702.
- Case C-519/04 P, *David Meca-Medina and Igor Majcen v. Commission*, ECLI:EU:C:2006:492.
- Case C-40/05, *Kaj Lyyski v. Umeå universitet*, ECLI:EU:C:2007:10.
- Case C-178/05, *Commission v. Greece*, ECLI:EU:C:2007:317.
- Case C-341/05, *Laval un Partneri v. Svenska Byggnadsarbetareförbundet*, ECLI:EU:C:2007:809.
- Case C-380/05, *Centro Europa 7 v. Ministero delle Comunicazioni e Autorità per le garanzie nelle comunicazioni, Direzione generale per le concessioni e le autorizzazioni del Ministero delle Comunicazioni*, ECLI:EU:C:2008:59.
- Case C-429/05, *Max and Marie-Jeanne Rampion v. Franfinance*, ECLI:EU:C:2007:575.
- Case C-438/05, *International Transport Workers' Federation v. Viking Line*, ECLI:EU:C:2007:772.
- Case C-210/06, *Cartesio Oktató és Szolgáltató bt*, ECLI:EU:C:2008:723.
- Case C-212/06, *Government of the French Community and Walloon Government v. Flemish Government*, ECLI:EU:C:2008:178.
- Case C-250/06, *United Pan-Europe Communications Belgium and Others*, ECLI:EU:C:2007:783.
- Case C-413/06 P, *Bertelsmann and Sony Corporation of America v. Commission*, ECLI:EU:C:2008:392.
- Case C-49/07, *MOTOE v. Elliniko Dimosio*, ECLI:EU:C:2008:376.

- Case C-94/07, *Andrea Raccanelli v. Max-Planck-Gesellschaft zur Förderung der Wissenschaften*, ECLI:EU:C:2008:425.
- Case C-105/07, *Lammers & Van Cleeff v. Belgische Staat*, ECLI:EU:C:2008:24.
- Case C-205/07, *Lodewijk Gysbrechts v. Santurel Inter BVBA*, ECLI:EU:C:2008:730.
- Case C-222/07, *UTECA v. Administración General del Estado*, ECLI:EU:C:2009:124.
- Joined Cases C-261/07 and C-299/07, *VTB-VAB v. Total Belgium (C-261/07) and Galatea v. Sanoma Magazines Belgium (C-299/07)*, ECLI:EU:C:2009:244.
- Case C-269/07, *Commission v. Germany*, ECLI:EU:C:2009:527.
- Case C-350/07, *Kattner Stahlbau v. Maschinenbau- und Metall- Berufsgenossenschaft*, ECLI:EU:C:2009:127.
- Joined Cases C-402/07 and C-432/07, *Sturgeon v. Condor Flugdienst*, ECLI:EU:C:2009:716.
- Case C-555/07, *Küçükdeveci v. Swedex*, ECLI:EU:C:2010:21.
- Case C-91/08, *Wall v. Stadt Frankfurt am Main, Frankfurter Entsorgungs- und Service (FES)*, ECLI:EU:C:2010:182.
- Case C-271/08, *Commission v. Germany*, ECLI:EU:C:2010:426.
- Case C-285/08, *Leroy Somer v. Dalkia France and Ace Europe*, ECLI:EU:C:2009:351.
- Case C-304/08, *Zentrale zur Bekämpfung unlauteren Wettbewerbs v. Plus Warenhandelsgesellschaft*, ECLI:EU:C:2010:12.
- Case C-325/08, *Olympique Lyonnais v. Olivier Bernard and Newcastle United*, ECLI:EU:C:2010:143.
- Case C-358/08, *Aventis Pasteur v. OB*, ECLI:EU:C:2009:744.
- Case C-382/08, *Michael Neukirchinger v. Bezirkshauptmannschaft Grieskirchen*, ECLI:EU:C:2011:27.
- Case C-384/08, *Attanasio Group v. Comune di Carbognano*, ECLI:EU:C:2010:133.
- Case C-458/08, *Commission v. Portugal*, ECLI:EU:C:2010:692.
- Case C-467/08, *Padawan v. SGAE*, ECLI:EU:C:2010:620.
- Case C-484/08, *Caja de Ahorros y Monte de Piedad de Madrid v. Ausbanc*, ECLI:EU:C:2010:309.
- Case C-540/08, *Mediaprint Zeitungs- und Zeitschriftenverlag & Co. v. 'Österreich'-Zeitungsverlag*, ECLI:EU:C:2010:660.
- Case C-52/09, *Konkurrensverket v. TeliaSonera Sverige*, ECLI:EU:C:2011:83.
- Joined Cases C-65/09 and C-87/09, *Gebr. Weber (C-65/09) v. Jürgen Wittmer, and Ingrid Putz (C-87/09) v. Medianess Electronics*, ECLI:EU:C:2011:396.
- Case C-137/09, *Marc Michel Josemans v. Burgemeester van Maastricht*, ECLI:EU:C:2010:774.
- Case C-356/09, *Pensionsversicherungsanstalt v. Christine Kleist*, ECLI:EU:C:2010:703.
- Case C-379/09, *Maurits Casteels v. British Airways*, ECLI:EU:C:2011:131.
- Case C-76/10, *Pohotovost v. Iveta Korčkovská*, ECLI:EU:C:2010:685.
- Case C-83/10, *Aurora Sousa Rodríguez and Others v. Air France*, ECLI:EU:C:2011:652.
- Case C-209/10, *Post Danmark v. Konkurrencerådet*, ECLI:EU:C:2012:172.
- Case C-271/10, *VEWA v. Belgische Staat*, ECLI:EU:C:2011:442.
- Case C-282/10, *Maribel Domínguez v. Centre informatique du Centre Ouest Atlantique*, ECLI:EU:C:2012:33.
- Case C-288/10, *Wamo v. JBC and Modemakers Fashion*, ECLI:EU:C:2011:443.
- Case C-453/10, *Jana Pereničová and Vladislav Perenič v. SOS*, ECLI:EU:C:2012:144.
- Case C-495/10, *Centre hospitalier universitaire de Besançon v. Thomas Dutruieux and Caisse primaire d'assurance maladie du Jura*, ECLI:EU:C:2011:869.
- Case C-577/10, *Commission v. Belgium*, ECLI:EU:C:2012:814.
- Joined Cases C-581/10 and C-629/10, *Emeka Nelson and Others v. Deutsche Lufthansa AG (C-581/10), and TUI Travel and Others v. Civil Aviation Authority (C-629/10)*, ECLI:EU:C:2012:657.

- Case C-617/10, *Åklagaren v. Hans Åkerberg Fransson*, ECLI:EU:C:2013:105.
- Case C-84/11, *Marja-Liisa Susisalo, Olli Tuomaala, Merja Ritala*, ECLI:EU:C:2012:374.
- Case C-172/11, *Georges Erny v. Daimler*, ECLI:EU:C:2012:399.
- Case C-206/11, *Georg Köck v. Schutzverband gegen unlauteren Wettbewerb*, ECLI:EU:C:2013:14.
- Case C-399/11, *Stefano Melloni v. Ministerio Fiscal*, ECLI:EU:C:2013:107.
- Case C-475/11, *Kostas Konstantinides*, ECLI:EU:C:2013:542.
- Case C-488/11, *Asbeek Brusse v. Jahani*, ECLI:EU:C:2013:341.
- Case C-509/11, *ÖBB-Personenverkehr*, ECLI:EU:C:2013:613.
- Case C-628/11, *International Jet Management*, ECLI:EU:C:2014:171.
- Case C-657/11, *Belgian Electronic Sorting Technology v. Bert Peelaers and Visys*, ECLI:EU:C:2013:516.
- Case C-1/12, *Ordem dos Técnicos Oficiais de Contas v. Autoridade da Concorrência*, ECLI:EU:C:2013:127.
- Case C-32/12, *Soledad Duarte Hueros v. Autociba and Automóviles Citroën España*, ECLI:EU:C:2013:637.
- Case C-136/12, *Consiglio nazionale dei geologi v. Autorità garante della concorrenza e del mercato and Autorità garante della concorrenza e del mercato v. Consiglio nazionale dei geologi*, ECLI:EU:C:2013:489.
- Case C-176/12, *Association de médiation sociale*, ECLI:EU:C:2014:2.
- Case C-234/12, *Sky Italia v. Autorità per le Garanzie nelle Comunicazioni*, ECLI:EU:C:2013:496.
- Case C-265/12, *Citroën Belux v. FvF*, ECLI:EU:C:2013:498.
- Case C-327/12, *Ministero dello Sviluppo economico and Autorità per la vigilanza sui contratti pubblici di lavori, servizi e forniture v. SOA Nazionale Costruttori – Organismo di Attestazione*, ECLI:EU:C:2013:827.
- Case C-343/12, *Euronics Belgium v. Kamera Express*, ECLI:EU:C:2013:154.
- Case C-421/12, *Commission v. Belgium*, ECLI:EU:C:2014:2064.
- Case C-557/12, *Kone and others v. ÖBB-Infrastruktur*, ECLI:EU:C:2014:1317.
- Joined Cases C-184/13 to C-187/13, C-194/13, C-195/13 and C-208/13, *API — Anonima Petroli Italiana v. Ministero delle Infrastrutture e dei Trasporti and Ministero dello Sviluppo economico*, ECLI:EU:C:2014:2147.
- Case C-291/13, *Sotiris Papasavvas v. O Fileleftheros Dimosia Etairia and Others*, ECLI:EU:C:2014:2209.
- Case C-310/13, *Novo Nordisk Pharma*, ECLI:EU:C:2014:2385.
- Case C-470/13, *Generali-Providencia Biztosító v. Közbeszerzési Hatóság Közbeszerzési Döntőbizottság*, ECLI:EU:C:2014:2469.
- Joined Cases C-544/13 and C-545/13, *Abcur v. Apoteket and Farmaci*, ECLI:EU:C:2015:481.
- Case C-572/13, *Hewlett-Packard Belgium v. Reprobel*, ECLI:EU:C:2015:750.
- Case C-23/14, *Post Danmark v. Konkurrencerådet*, ECLI:EU:C:2015:651.
- Case C-95/14, *UNIC and Uni.co.pel*, ECLI:EU:C:2015:492.
- Case C-179/14, *Commission v. Hungary*, ECLI:EU:C:2016:108.
- Case C-198/14, *Valev Visnapuu v. Kihlakunnansyyttäjä*, ECLI:EU:C:2015:751.
- Case C-338/14, *Quenon v. Citibank and Citilife*, ECLI:EU:C:2015:795.
- Case C-345/14, *SIA 'Maxima Latvija' v. Konkurences padome*, ECLI:EU:C:2015:784.
- Case C-441/14, *Dansk Industri (DI), acting on behalf of Ajos A/S, v. Estate of Karsten Eigil Rasmussen*, ECLI:EU:C:2016:278.
- Case C-42/15, *Home Credit Slovakia v. Klára Bíróová*, ECLI:EU:C:2016:842.
- Case C-99/15, *Christian Liffers v. Producciones Mandarina and Mediaset España Comunicación*, ECLI:EU:C:2016:173.

- Case C-280/15, *Irina Nikolajeva v. Multi Protect*, ECLI:EU:C:2016:467.
- Case C-367/15, *Olawska Telewizja Kablowa v. Stowarzyszenie Filmowców Polskich*, ECLI:EU:C:2017:36.
- Case C-406/15, *Petya Milkova v. Izpalnitelen direktor na Agentsiata za privatizatsia i sledprivatizatsionen control*, ECLI:EU:C:2017:198.
- Case C-621/15, *Sanofi Pasteur and Others*, ECLI:EU:C:2017:484.
- Case C-6/16, *Eqiom and Enka v. Ministre des Finances et des Comptes publics*, ECLI:EU:C:2017:641.
- Case C-14/16, *Euro Park Service v. Ministre des Finances et des Comptes publics*, ECLI:EU:C:2017:177.
- Case C-48/16, *ERGO v. Alžbeta Barliková*, ECLI:EU:C:2017:377.
- Case C-49/16, *Unibet International v. Nemzeti Adó- és Vámhivatal Közpointi Hivatala*, ECLI:EU:C:2017:491.
- Joined Cases C-115/16, C-118/16, C-119/16 and C-299/16, *N Luxembourg 1 (C-115/16), X Denmark A/S (C-118/16), C Danmark I (C-119/16), Z Denmark ApS (C-299/16) v. Skatteministeriet*, ECLI:EU:C:2019:134.
- Joined Cases C-116/16 and C-117/16, *Skatteministeriet v. T Danmark (C-116/16), Y Denmark Aps (C-117/16)*, ECLI:EU:C:2019:135.
- Case C-251/16, *Edward Cussens, John Jennings, Vincent Kingston v. T.G. Brosnan*, ECLI:EU:C:2017:881.
- Case C-290/16, *Air Berlin & Co. v. Bundesverband der Verbraucherzentralen*, ECLI:EU:C:2017:523.
- Case C-295/16, *Europamur Alimentación*, ECLI:EU:C:2017:782.
- Case C-414/16, *Vera Egenberger v. Evangelisches Werk für Diakonie und Entwicklung*, ECLI:EU:C:2018:257.
- Joined Cases C-427/16 and C-428/16, *CHEZ Elektro Bulgaria v. Yordan Kotsev and FrontEx International v. Emil Yanakiev*, ECLI:EU:C:2017:890.
- Joined Cases C-569/16 and C-570/16, *Stadt Wuppertal v. Maria Elisabeth Bauer (C-569/16) and Volker Willmeroth v. Martina Broßonn (C-570/16)*, ECLI:EU:C:2018:871.
- Case C-619/16, *Sebastian W. Kreuziger v. Land Berlin*, ECLI:EU:C:2018:872.
- Case C-632/16, *Dyson v. BSH Home Appliances*, ECLI:EU:C:2018:599.
- Case C-684/16, *Max-Planck-Gesellschaft zur Förderung der Wissenschaften v. Tetsuji Shimizu*, ECLI:EU:C:2018:874.
- Joined Cases C-54/17 and C-55/17, *Autorità Garante della Concorrenza e del Mercato v. Wind Tre (C-54/17) and Vodafone Italia (C-55/17)*, ECLI:EU:C:2018:710.
- Case C-68/17, *IR v. JQ*, ECLI:EU:C:2018:696.
- Case C-109/17, *Bankia v. Juan Carlos Mari Merino and Others*, ECLI:EU:C:2018:735.
- Case C-122/17, *David Smith v. Patrick Meade and Others*, ECLI:EU:C:2018:631.
- Case C-193/17, *Cresco Investigation v. Markus Achatzi*, ECLI:EU:C:2019:43.
- Case C-287/17, *Česká pojišťovna v. WCZ*, ECLI:EU:C:2018:707.
- Case C-385/17, *Torsten Hein v. Albert Holzkamm & Co.*, ECLI:EU:C:2018:1018.
- Case C-595/17, *Apple Sales International and Others v. MJA*, ECLI:EU:C:2018:854.
- Case C-637/17, *Cogeco Communications v. Sport TV Portugal and Others*, ECLI:EU:C:2019:263.
- Case C-703/17, *Krah v. Universität Wien*, ECLI:EU:C:2019:850.
- Case C-724/17, *Vantaan kaupunki v. Skanska Industrial Solutions and Others*, ECLI:EU:C:2019:204.
- Case C-22/18, *TopFit and Daniele Biffi v. Deutscher Leichtathletikverband*, ECLI:EU:C:2019:497.
- Case C-131/18, *Vanessa Gambietz v. Erika Ziegler*, ECLI:EU:C:2019:306.
- Case C-292/18, *Petra Breyer and Heiko Breyer v. Sundair*, ECLI:EU:C:2018:997.

Case C-354/18, *Rusu and Rusu v. SC Blue Air – Airline Management Solutions*, ECLI:EU:C:2019:637.

Judgments delivered by the General Court of the European Union

- Case T-30/89, *Hilti AG v. Commission*, ECLI:EU:T:1991:70.
- Case T-51/89, *Tetra Pak Rausing v. Commission*, ECLI:EU:T:1990:41.
- Joined Cases T-68/89, T-77/89 and T-78/89, *Società Italiana Vetro and Others v. Commission* ('Flat Glass'), ECLI:EU:T:1992:38.
- Case T-65/98, *Van den Bergh Foods v. Commission*, ECLI:EU:T:2003:281.
- Joined Cases T-191/98 and T-212/98 to T-214/98, *Atlantic Container Line and others v. Commission*, ECLI:EU:T:2003:245.
- Case T-144/99, *Institute of Professional Representatives before the European Patent Office v. European Commission*, ECLI:EU:T:2001:105.
- Case T-168/01, *GlaxoSmithKline Services Unlimited v. Commission*, ECLI:EU:T:2006:265.
- Case T-155/04, *SELEX Sistemi Integrati v. Commission*, ECLI:EU:T:2006:387.
- Case T-23/09, *Conseil national de l'Ordre des pharmaciens (CNOP), Conseil central de la section G de l'Ordre national des pharmaciens (CCG) v. European Commission*, ECLI:EU:T:2010:452.
- Case T-712/14, *Confédération européenne des associations d'horlogers-réparateurs (CEAHR) v. Commission*, ECLI:EU:T:2017:748.
- Case T-452/15, *Andrei Petrov and Others v. European Parliament*, ECLI:EU:T:2017:822.
- Case T-618/15, *Udo Voigt v. European Parliament*, ECLI:EU:T:2017:821.

Opinions of the Court of Justice of the European Union

- Opinion 1/91 of the Court, *Draft agreement between the Community, on the one hand, and the countries of the European Free Trade Association, on the other, relating to the creation of the European Economic Area*, ECLI:EU:C:1991:490.
- Opinion 1/09 of the Court, *Draft agreement – Creation of a unified patent litigation system – European and Community Patents Court – Compatibility of the draft agreement with the Treaties*, ECLI:EU:C:2011:123.

Opinions of Advocates-General of the Court of Justice of the European Union

- Opinion A-G Lenz, Case 186/87, *Ian William Cowan v. Le Trésor public*, ECLI:EU:C:1988:526.
- Opinion A-G Van Gerven, C-128/92, ECLI:EU:C:1993:860 (*H.J. Banks & Co. Ltd v. British Coal Corporation*).
- Opinion A-G Van Gerven, Case C-132/92, *Birds Eye Walls Ltd. v. Friedel M. Roberts*, ECLI:EU:C:1993:868.
- Opinion A-G Lenz, Case C-415/93, *Union royale belge des sociétés de football association ASBL v. Jean-Marc Bosman*, ECLI:EU:C:1995:293.
- Opinion A-G Alber, Case C-423/97, *Travel Vac v. Manuel José Antelm Sanchís*, ECLI:EU:C:1998:576.
- Opinion A-G Saggio, Joined Cases C-240/98 to C-244/98, *Océano Grupo Editorial and Salvat Editores v. Rocío Murciano Quintero and Others*, ECLI:EU:C:1999:620.
- Opinion A-G Jacobs, Joined Cases C-264/01, C-306/01, C-354/01 and C-355/01, *AOK Bundesverband and Others v. Ichthyol-Gesellschaft Cordes and Others*, ECLI:EU:C:2003:304.
- Opinion A-G Poiares Maduro, Case C-205/03 P, *Federación Española de Empresas de Tecnología Sanitaria (FENIN)*, ECLI:EU:C:2005:666.

- Opinion A-G Colomer, Joined Cases C-468/06 to C-478/06, *Sot. Lélos kai Sia and Others v. GlaxoSmithKline AVEE Farmakeftikon Proionton, formerly Glaxowellcome AVEE*, ECLI:EU:C:2008:180.
- Opinion A-G Bot, Case C-628/11, *International Jet Management*, ECLI:EU:C:2013:279.
- Opinion A-G Mengozzi, Case C-657/11, *Belgian Electronic Sorting Technology v. Bert Peelaers and Visys*, ECLI:EU:C:2013:195.
- Opinion A-G Szpunar, Joined Cases C-544/13 and C-545/13, *Abcur v. Apoteket and Farmaci*, ECLI:EU:C:2015:136.
- Opinion A-G Campos Sánchez-Bordona, Joined Cases C-54/17 and C-55/17, *Autorità Garante della Concorrenza e del Mercato v. Wind Tre (C-54/17) and Vodafone Italia (C-55/17)*, ECLI:EU:C:2018:377.
- Opinion A-G Wahl, Case C-724/17, *Vantaan kaupunki v. Skanska Industrial Solutions and Others*, ECLI:EU:C:2019:100.
- Opinion A-G Tanchev, Case C-22/18, *TopFit and Daniele Biffi v. Deutscher Leichtathletikverband*, ECLI:EU:C:2019:181.

NATIONAL COURTS

France

Cour de Cassation

- Cass. req. 21 January 1890, D. 1891. 1. 380.
- Cass. Civ. 16 June 1896, S. 1897. I. 17, note Esmein (*Teffaine*).
- Cass. Civ. 21 November 1911, D. 1913. 1. 249, note Sarrut, S. 1912. 1. 73, note Lyon-Caen (*Compagnie générale transatlantique*).
- Cass. Civ. 22 January 1922, D. 1922. 1. 16; S. 1924. 1. 105, note Demogue.
- Cass. Req. 14 December 1926, D. 1927. 1. 105, note Josserand.
- Cass. Civ. 6 April 1927, D. 1927. 1. 201, note H. Mazeaud.
- Cass. ch. réun. 13 February 1930, D. 1930. 1. 57, S. 1930. 1. 121, note Esmein (*Jand'heur*).
- Cass. Civ. 20 May 1936, D. 1936. 1. 88, note E.P.; S. 1937. 1. 321, note Breton (*Mercier*).
- Cass. Civ. 6 March 1945, D. 1945. 1. 217.
- Cass. 1^e Civ. 19 July 1960, *Bull. civ.*, I. no. 408; *RTD civ.* 1961. 332, note J. Carbonnier.
- Cass. 3^e Civ. 11 February 1981, *Bull. civ.*, III, no. 31; D. 1981. IR. 440, note Ch. Larroumet.
- Cass. ass. plén. 29 March 1991, D. 1991. 324, comm. Larroumet, JCP 1991. II. 21673 (*Blieck*).
- Cass. 1^e Civ. 4 November 1992, *Bull. civ.* I, no. 276.
- Cass. 2^e Civ. 3 March 1993, no 91-17.677.
- Cass. 1^e Civ. 28 June 2012, no 10-28492.

Germany

Reichsgericht

- Reichsgericht 13 October 1916, RGZ, 88, 433.

Bundesgerichtshof

- BGH 28 April 1953, I ZR 47/52.
- BGH 23 March 1966, BGHZ 46, 140.

- BGH 23 March 1966, NJW 1967, 42.
- BGH 20 December 1966, BGHZ 46, 313.
- BGH 31 January 1967, BGHZ 47, 53.
- BGH 4 March 1971, BGHZ 55, 392.
- BGH 30 November 1972, NJW 1972, 475.
- BGH 24 May 1976, BGHZ 66, 315.
- BGH 24 November 1976, BGHZ 67, 359.
- BGH 20 November 1984, BGHZ 93, 23.
- BGH 8 January 1986, NJW 1986, 1608.
- BGH 17 March 1987, VI ZR 282/85.
- BGH 16 September 1987, VIII ZR 334/86.
- BGH 12 December 1991, I ZR 212/89.
- BGH 11 February 2004, VIII ZR 386/02.
- BGH 19 October 2004, X ZR 142/03.
- BGH 22 July 2014, KZR 27/13.
- BGH 16 May 2017, X ZR 120/15.

The Netherlands

Hoge Raad der Nederlanden

- HR 23 May 1856, *Weekblad van het Regt* 1852 (Kuyk/Kinker).
- HR 6 May 1892, W 6183 (Korf/Fhijnbeen).
- HR 31 January 1919, NJ 1919/161, note W.L.P.A. Molengraaff (*Lindebaum/Cohen*).
- HR 26 March 1920, NJ 1920/476 (*Curiel/Suriname*).
- HR 11 June 1926, NJ 1926/1049, note P. Scholten (*Canter Cremers/Otten*).
- HR 9 December 1955, NJ 1956/157, note L.E.H. Rutten (*Boogaard/Vesta*).
- HR 28 June 1957, NJ 1957/514, note L.E.H. Rutten (*Erba/Amsterdamsche Bank*).
- HR 15 May 1981, ECLI:NL:HR:1981:AG4187, NJ 1982/237, note B. Wachter (*Temi IV/Jan Heymans*).
- HR 27 February 1987, ECLI:NL:HR:1987:AG5547, NJ 1987/584 (*Van der Peijl/Erasmus College*).
- HR 6 April 1990, ECLI:NL:HR:1990:AD4737, NJ 1991/689, note C.J.H. Brunner (*Van Gend & Loos/Vitesse*).
- HR 19 February 1993, ECLI:NL:HR:1993:ZC0870, NJ 1994/290, note C.J.H. Brunner (*Gem. Groningen/Zuidema*).
- HR 6 December 1996, ECLI:NL:HR:1996:ZC2219, NJ 1997/398 (*Fortes/Smits*).
- HR 3 December 1999, ECLI:NL:HR:1999:AA3818, NJ 2000/235, note P.A. Stein (*Pratt & Whitney/Franssen*).
- HR 14 April 2000, ECLI:NL:HR:2000:AA5519, NJ 2000/489 (*HBS Trading/Spendax*).
- HR 27 April 2001, ECLI:NL:HR:2001:AB1335, NJ 2002/54, note C.J.H. Brunner (*Donkers/Scholten*).
- HR 14 June 2002, ECLI:NL:HR:2002:AE0659, NJ 2003/112 (*Bramer/Hofman Beheer*).
- HR 25 October 2002, ECLI:NL:HR:2002:AE7010, NJ 2004/556, note J. Hijma (*Bunink/Manege Nieuw Amstelland*).
- HR 15 November 2002, ECLI:NL:HR:2002:AE8194, NJ 2003/48, note J.B.M. Vranken (*A.V.O./Petri*).
- HR 21 April 2006, ECLI:NL:HR:2006:AW2582, NJ 2006/272 (*Inno/Sluis*).

- HR 2 March 2007, ECLI:NL:HR:2007:AZ3535, NJ 2007/240, note J.M.M. Maeijer (*Holding Nutsbedrijf Westland*).
- HR 15 June 2007, ECLI:NL:HR:2007:BA1414, NJ 2007/621, note K.F. Haak (*Fernhout/Essent*).
- HR 29 June 2007, ECLI:NL:HR:2007:AZ7617, NJ 2008/606, note J. Hijma (*Pouw/Visser*).
- HR 19 October 2007, ECLI:NL:HR:1990:AD4737, NJ 2007/565 (*Vodafone/ETC*).
- HR 23 November 2007, ECLI:NL:HR:2007:BB3733, NJ 2008/552-553, note H.J. Snijders (*Ploum/Smeets*).
- HR 11 October 2013, ECLI:NL:HR:2013:CA3765, NJ 2013/492 (*Vano/Foreburghstaete*).
- HR 13 June 2014, ECLI:NL:HR:2014:1385, NJ 2015/477, note J. Hijma (*Lindorff Purchase BV/Statia*).
- HR 12 February 2016, ECLI:NL:HR:2016:236, NJ 2017/282, note J. Hijma (*Lindorff BV/Nazier*).
- HR 17 November 2017, ECLI:NL:HR:2017:2902, NJ 2017/438 (*MBS Raad*).

The United Kingdom

House of Lords

- *Derry v. Peek* [1889] 14 App Cas 337 (HL).
- *Nocton v. Lord Ashburton* [1914] AC 932 (HL).
- *Donoghue v. Stevenson* [1932] AC 562 (HL).
- *United Australia Ltd v. Barclays Bank Ltd* [1941] AC 1 (HL).
- *Hedley Byrne & Co Ltd v. Heller & Partners Ltd* [1964] AC 465 (HL).
- *Henderson v. Merrett Syndicates Ltd (No. 1)* [1995] 2 AC 145 (HL).

Supreme Court

- *AIB Group (UK) v. Mark Redler & Co Solicitors* [2015] AC 1503 (UKSC).
- *MWB Business Exchange Centres Ltd v. Rock Advertising Ltd* [2018] 2 WLR 1603 (UKSC).

Privy Council

- *Tai Hing Cotton Mill Ltd v. Liu Chong Hing Bank Ltd* [1986] UKPC 5 (PC).
- *Tang Man Sit (Deceased) v. Capacious Investments Ltd* [1996] A.C. 514 (PC).

Court of Appeal

- *Joyce v. Sengupta* [1992] EWCA Civ 9.
- *Riyad Bank v. Ahli United Bank (UK) Plc* [2006] EWCA Civ 780 (CA).
- *Robinson v. PE Jones (Contractors) Ltd* [2011] EWCA Civ 9.
- *Wellesley Partners LLP v. Withers LLP* [2015] EWCA Civ 1146.

High Court

- *Joyce v. Sengupta* [1992] EWCA Civ 9.
- *Riyad Bank v. Ahli United Bank (UK) Plc* [2006] EWCA Civ 780 (CA).
- *Robinson v. PE Jones (Contractors) Ltd* [2011] EWCA Civ 9.
- *Wellesley Partners LLP v. Withers LLP* [2015] EWCA Civ 1146.

Literature

Aalto 2011

P. Aalto, *Public Liability in EU Law. Brasserie, Bergaderm and Beyond*, Oxford: Hart Publishing 2011.

Abid Mnif 2014

S. Abid Mnif, *L'option entre la responsabilité contractuelle et la responsabilité délictuelle*, Paris: L'Harmattan 2014.

Ackermann 2018

T. Ackermann, 'Sektorielles EU-Recht und allgemeine Privatrechtssystematik', *Zeitschrift für Europäisches Privatrecht* 2018, p. 741-781.

Alexy 2010

R. Alexy, *A Theory of Constitutional Rights (Theorie der Grundrechte 1986, translated by Julian Rivers)*, Oxford: Oxford University Press 2010.

Anagnostaras 2010

G. Anagnostaras, 'The Unfair Commercial Practices Directive in Context: From Legal Disparity to Legal Complexity?', *Common Market Law Review* 2010, p. 147-171.

Ancery & Krans 2019

A. Ancery & H.B. Krans, 'Consumer Protection and EU-Driven Judicial Activism in the Netherlands', in: A. Nylund & M. Strandberg, *Civil Procedure and Harmonisation of Law. The Dynamics of EU and International Treaties*, Cambridge: Intersentia 2019, p. 125-140.

Arens 1970

P. Arens, 'Zur Anspruchskonkurrenz bei mehreren Haftungsgründen', *Archiv für die civilistische Praxis* 1970, p. 392-425.

Arminjon, Nolde & Wolff 1951

P. Arminjon, B.E. Nolde & M. Wolff, *Traité de droit comparé*, Paris: L.G.D.J. 1951.

Atiyah 1979

P. Atiyah, *The Rise and Fall of Freedom of Contract*, Oxford: Oxford University Press 1979.

Austin 1880

J. Austin, *Lectures on Jurisprudence or the Philosophy of Positive Law (ed. by R. Campbell, first published in 1863)*, London: John Murray 1880.

Babayev 2016

R. Babayev, 'Private Autonomy at Union Level: On Article 16 CFREU and Free Movement Rights', *Common Market Law Review* 2016, p. 979-1006.

Babert 2002

G. Babert, *Le système de Planiol – Bilan d'un moment doctrinal*, Poitiers: Université de Poitiers 2002.

Bachmann 2010

T. Bachmann, *Die elektive Konkurrenz. Eine systematische Untersuchung der Gläubigerrechte bei Leistungsstörungen im BGB, CISG, in den PECL und im DCFR*, Berlin: Duncker & Humblot 2010.

Bakels 2009a

F.B. Bakels, 'Aspecten van samenloop (I)', *Weekblad voor Privaatrecht, Notariaat en Registratie* 2009, p. 337-346.

Bakels 2009b

F.B. Bakels, 'Aspecten van samenloop (II)', *Weekblad voor Privaatrecht, Notariaat en Registratie* 2009, p. 359-369.

Baldus 1999

C. Baldus, *Binnenkonkurrenz kaufrechtlicher Sachmängelansprüche nach Europarecht*, Baden-Baden: Nomos Verlagsgesellschaft 1999.

Baquero Cruz 1999

J. Baquero Cruz, 'Free Movement and Private Autonomy', *European Law Review* 1999, p. 603-620.

Baquero Cruz 2002

J. Baquero Cruz, *Between Competition and Free Movement. The Economic Constitutional Law of the European Community*, Oxford: Hart Publishing 2002.

Barker 2018

K. Barker, 'Private Law, Analytical Philosophy and the Modern Value of Wesley Newcomb Hohfeld: A Centennial Appraisal', *Oxford Journal of Legal Studies* 2018, p. 1-28.

Barnard 2001

C. Barnard, 'Fitting the remaining pieces into the goods and persons jigsaw?', *European Law Review* 2001, p. 35-59.

Barnard 2009

C. Barnard, 'Derogations, Justifications and the Four Freedoms: Is State Interest Really Protected?', in: C. Barnard & O. Odudu, *The Outer Limits of European Union Law*, Oxford: Hart Publishing 2009, p. 273-305.

Barnard 2016

C. Barnard, *The Substantive Law of the EU: the Four Freedoms*, Oxford: Oxford University Press 2016.

Bartels & Van Mierlo 2013

S.E. Bartels & A.I.M. Van Mierlo, *Mr. C. Assers Handleiding tot de beoefening van het Nederlands Burgerlijk Recht. 3. Vermogensrecht algemeen. Deel IV. Algemeen goederenrecht*, Deventer: Kluwer 2013.

Beale and others 2010

H. Beale and others, *Cases, Materials and Text on Contract Law (Ius Commune Casebooks for the Common Law of Europe)*, Oxford/Oregon: Hart Publishing 2010.

Beck 2012

G. Beck, *The Legal Reasoning of the Court of Justice of the EU*, Oxford: Hart Publishing 2012.

Bellissent 2001

J. Bellissent, *Contribution à l'analyse de la distinction des obligations de moyens et des obligations de résultat : À propos de l'évolution des ordres de responsabilité civile*, Paris: L.G.D.J. 2001.

Bénac-Schmidt 1983

F. Bénac-Schmidt, *Le contrat de promesse unilatérale de vente* Paris: L.G.D.J. 1983.

Bengoetxea 2012

J. Bengoetxea, 'Rights (And Obligations) in EU Law', in: E. Jones, A. Menon & S. Weatherill, *The Oxford Handbook of the European Union*, Oxford: Oxford University Press 2012, p. 734-746.

Bengoetxea & Jääskinen 2010

J. Bengoetxea & N. Jääskinen, 'Rights and Diverse Effects in EU Law: A Hohfeldian Approach to the Doctrine of Direct Effect of Directives', in: R. Banakar, *Rights in Context: Law and Justice in Late Modern Society*, Farnham: Ashgate Publishing 2010, p. 277-300.

Bentham 1970

J. Bentham, *Of Laws in General*, London: University of London, The Athlone Press 1970.

Bergel 2001

J.-L. Bergel, *Méthodologie juridique*, Paris: Presses Universitaires de France 2001.

Berger 1936

K. Berger, *Anspruchskonkurrenz ausserhalb des Verhältnisses von Vertrag und Delikt*, Bochum Langendreer: Heinrich Pöppinghaus 1936.

Bernard 1996

N. Bernard, 'Discrimination and Free Movement in EC Law', *International and Comparative Law Quarterly* 1996, p. 82-108.

Bezemer 2007

C.H. Bezemer, 'Samenloop van rechtsvorderingen: geboorte, jeugdijaren en volwassenheid van een leerstuk', in: I.S.J. Houben and others (eds.), *Samenloop*, Deventer: Kluwer 2007, p. 43-55.

Biemans 2011

J.W.A. Biemans, *Rechtsgevolgen van stille cessie*, Deventer: Kluwer 2011.

Birks 2000

P. Birks, 'Rights, Wrongs, and Remedies', *Oxford Journal of Legal Studies* 2000, p. 1-37.

Blackstone 1765

W. Blackstone, *Commentaries on the Laws of England (first edition)*, Oxford: Clarendon Press 1765.

Böhning 1973

W.R. Böhning, 'The Scope of the EEC System of Free Movement of Workers: A Rejoinder', *Common Market Law Review* 1973, p. 81-86.

Bonnet 1912

E. Bonnet, 'Responsabilité délictuelle et contrat', *Revue critique de législation et de jurisprudence* 1912, p. 418-437.

Borghetti 2010

J.S. Borghetti, 'La responsabilité du fait des choses, un régime qui a fait son temps', *Revue trimestrielle de droit civil* 2010, p. 1-40.

Borghetti 2016

J.S. Borghetti, 'L'avant-projet de réforme de la responsabilité civile. Vue d'ensemble de l'avant-projet', *Recueil Dalloz* 2016, p. 1386-1395.

Borghetti 2019

J.S. Borghetti, 'The Borderlines of Tort Law in France', in: M. Martín-Casals, *The Borderlines of Tort Law. Interactions with Contract Law*, Cambridge: Intersentia 2019, p. 131-169.

Boukema 1966

C.A. Boukema, *Civielrechtelijke samenloop*, Zwolle: W.E.J. Tjeenk Willink 1966.

Boukema 1992

C.A. Boukema, *Samenloop (Mon. Nieuw BW)*, Deventer: Kluwer 1992.

Bredimas 1978

A. Bredimas, *Methods of Interpretation and Community Law*, Oxford: North-Holland Publishing 1978.

Brouwer & Hage 2007

B. Brouwer & J. Hage, 'Basic Concepts of European Private Law', *European Review of Private Law* 2007, p. 3-26.

Brun 1931

A. Brun, *Rapports et domaines des responsabilités contractuelle et délictuelle*, Lyon: 1931.

Brun 2009

Ph. Brun, *Responsabilité civile extracontractuelle (2nd edition)*, Paris: LexisNexis 2009.

Brun 2010

Ph. Brun, 'De l'intertemporalité du principe de responsabilité du fait des choses. Et de quelques autres considérations sur ses prétendues répercussions négatives en droit des obligations', *Revue trimestrielle de droit civil* 2010, p. 487-497.

Brunner 1984

C.J.H. Brunner, *Beginselen van samenloop*, Arnhem: Gouda Quint 1984.

Bruns 1971

R. Bruns, 'Die Anspruchskonkurrenz im Zivilrecht. Eine Krebswucherung unserer Zivilistik?', *Juristische Schulung* 1971, p. 221-228.

Burrows 1998

A. Burrows, *Understanding the Law of Obligations: Essays on Contract, Tort and Restitution*, Oxford: Hart Publishing 1998.

Burrows 2004

A. Burrows, *Remedies for Torts and Breach of Contract (Third edition)*, Oxford: Oxford University Press 2004.

Burrows 2011

A. Burrows, 'Comparing Compensatory Damages in Tort and Contract: Some Problematic Issues', in: S. Degeling, J. Edelman & J. Goudkamp, *Torts in Commercial Law*, Sydney: Thomas Reuters 2011, p. 367-390.

Burrows 2013

A. Burrows (ed.), *English Private Law (3rd. edn.)*, Oxford: Oxford University Press 2013.

Burrows 2016

A. Burrows, *A Restatement of the English Law of Contract*, Oxford: Oxford University Press 2016.

Bussy-Dunaud 1988

F. Bussy-Dunaud, *Le concours d'actions en justice entre les mêmes parties. L'étendue de la faculté de choix du plaideur*, Paris: L.G.D.J. 1988.

Bydlinski 1991

F. Bydlinski, *Juristische Methodenlehre und Rechtsbegriff (Zweite, ergänzte Auflage)*, Wien: Springer 1991.

Capitant, Terré & Lequette 2015

H. Capitant, F. Terré & Y. Lequette, *Les grands arrêts de la jurisprudence civile (13th edition)*, Paris: Dalloz 2015.

Carbonnier 1961

J. Carbonnier, 'Jurisprudence en matière de droit civil. Contrats spéciaux', *Revue trimestrielle de droit civil* 1961, p. 332-341.

Carbonnier 1994

J. Carbonnier, *Droit civil – Tome 4 – Les Obligations (18th edition)*, Paris: PUF 1994.

Cartwright 1991

J. Cartwright, *Unequal Bargaining. A Study of Vitiating Factors in the Formation of Contracts*, Oxford: Oxford University Press 1991.

Cartwright 1996

J. Cartwright, 'Remoteness of Damage in Contract and Tort: A Reconsideration', *The Cambridge Law Journal* 1996, p. 488-514.

Cartwright 2017

J. Cartwright, *Misrepresentation, Mistake and Non-Disclosure (fourth edition)*, London: Sweet & Maxwell 2017.

Cartwright & Hesselink 2008

J. Cartwright & M.W. Hesselink, 'Conclusions', in: J. Cartwright & M.W. Hesselink, *Precontractual Liability in European Private Law*, Cambridge: Cambridge University Press 2008, p. 449-488.

Castermans 2012

A.G. Castermans, 'Partijautonomie tussen contract en onrechtmatige daad', *Ars Aequi* 2012, p. 859-868.

Castermans & De Graaff 2013

A.G. Castermans & R. De Graaff, 'Samenloop in een meerlagige rechtsorde. Verval en verjaring in het Europees contractenrecht', in: C.G. Breedveld-De Voogd and others (eds.), *Rechtsvinding in een meerlagige rechtsorde*, Deventer: Kluwer 2013, p. 43-65.

Castermans & De Graaff 2014

A.G. Castermans & R. De Graaff, 'The General Concept of Concurrence Applied to European Insolvency Law', in: B.P.A. Santen & D.H. Van Offeren, *Perspectives on International Insolvency Law: A Tribute to Bob Wessels*, Deventer: Kluwer 2014, p. 27-49.

Castermans & Krans 2009

A.G. Castermans & H.B. Krans, 'Samenloop en de toegang tot de rechter', in: A.G. Castermans and others (eds.), *Ex libris Hans Nieuwenhuis*, Deventer: Kluwer 2009, p. 155-170.

Castermans & Krans 2019

A.G. Castermans & H.B. Krans, *Samenloop (Mon. BW)*, Deventer: Wolters Kluwer 2019.

Conway 2012

G. Conway, *The Limits of Legal Reasoning and the European Court of Justice*, Cambridge: Cambridge University Press 2012.

Coppel 1994

J. Coppel, 'Rights, Duties and the End of *Marshall*', *The Modern Law Review* 1994, p. 859-879.

Craig & De Búrca 2015

P. Craig & G. De Búrca, *EU Law. Text, Cases and Materials (Sixth edition)*, Oxford: Oxford University Press 2015.

Cuyvers 2017

A. Cuyvers, 'The EU Common Market', in: E. Ugirashebuja and others (eds.), *East African Community Law. Institutional, Substantive and Comparative EU Aspects*, Leiden: Brill Nijhoff 2017, p. 293-302.

Davies 2003

G. Davies, *Nationality Discrimination in the European Internal Market*, The Hague: Kluwer Law International 2003.

Davies 2011

G. Davies, 'Discrimination and Beyond in European Economic and Social Law', *Maastricht Journal of European and Comparative Law* 2011, p. 7-28.

Davies 2018a

G. Davies, 'Interpretative Pluralism within EU Law', in: A. Avbelj & G. Davies, *Research Handbook on Legal Pluralism and EU Law* Edward Elgar 2018, p. 323-334.

Davies 2018b

P.S. Davies, 'Concurrent Liability: A Spluttering Revolution', in: S. Worthington, A. Robertson & G. Virgo, *Revolution and Evolution in Private Law*, Oxford: Hart Publishing 2018, p. 273-293.

De Búrca 2012

G. De Búrca, 'Sovereignty and the Supremacy Doctrine of the European Court of Justice', in: N. Walker, *Sovereignty in Transition*, Oxford: Hart Publishing 2012, p. 449-460.

De Graaff 2014a

R. De Graaff, *Something old, something new, something borrowed, something blue? Applying the general concept of concurrence on European sales law and international air law*, Den Haag / Leiden: Jongbloed 2014.

De Graaff 2014b

R. De Graaff, 'Vliegen onder Verdrag of Verordening? Samenloopleerstuk biedt sleutel tot evenwichtige oplossing', *Maandblad voor Vermogensrecht* 2014, p. 162-172.

De Graaff & Moron-Puech 2017

R. De Graaff & B. Moron-Puech, 'Le concours des responsabilités contractuelle et délictuelle. Réflexions comparatistes à l'occasion du projet de réforme du droit français de la responsabilité civil', *Revue de la Recherche Juridique: Droit Prospectif* 2017, p. 71-89.

De Graaff & Verheij 2017

R. De Graaff & D.J. Verheij, 'Europese verordeningen en Nederlands vermogensrecht', *Ars Aequi* 2017, p. 988-994.

De Graaff & Verheij 2019

R. De Graaff & D.J. Verheij, 'Regulating Private Law. The Rise of Regulations and their Impact on National Codifications', in: P. Popelier and others (eds.), *Law-making in Multi-level Settings. Legislative Challenges in Federal Systems and the European Union*, Baden-Baden: Nomos / Hart Publishing 2019, p. 273-288.

De Vos 2012

G.J.H. De Vos, 'Nelson, TUI en de wet van Sturgeon', *Tijdschrift Vervoer & Recht* 2012, p. 172-174.

De Vries 2008

S. De Vries, 'Case C-470/03, A.G.M.-COS.MET Srl v. Suomen valtio, Tarmo Lehtinen', *Common Market Law Review* 2008, p. 569-585.

De Witte 2011

B. De Witte, 'Direct Effect, Primacy and the Nature of the Legal Order', in: P. Craig & G. De Búrca, *The Evolution of EU Law*, Oxford: Oxford University Press 2011, p. 323-362.

De Witte & Smulders 2018

B. De Witte & B. Smulders, 'Sources of European Union Law', in: P.J. Kuijper and others (eds.), *The Law of the European Union*, Alphen aan den Rijn: Wolters Kluwer International 2018, p. 193-234.

Deakin, Johnston & Markesinis 2013

S. Deakin, S. Johnston & B. Markesinis, *Markesinis and Deakin's Tort Law (Seventh Edition)*, Oxford: Clarendon Press 2013.

Dedek 2010

H. Dedek, 'From Norms to Facts: The Realization of Rights in Common and Civil Private Law', *McGill Law Journal* 2010, p. 1-37.

Dempsey & Johansson 2010

P.S. Dempsey & S.O. Johansson, 'Montreal v. Brussels: The Conflict of Laws on the Issue of Delay in International Air Carriage', *Air & Space Law* 2010, p. 207-224.

Devroe, Cauffman & Bernitz 2017

W. Devroe, C. Cauffman & U. Bernitz, 'Competition Law', in: A.S. Hartkamp, C.H. Sieburgh & W. Devroe, *Cases, Materials and Text on European Law and Private Law*, Oxford: Hart 2017, p. 23-168.

Dietz 1934

R. Dietz, *Anspruchskonkurrenz bei Vertragsverletzung und Delikt*, Bonn / Köln: Ludwig Röhrscheid Verlag 1934.

Dietz 1962

R. Dietz, 'Das Problem der Konkurrenz von Schadensersatzansprüchen bei Vertragsverletzung und Delikt', in: H. Dölle, *Deutsche Landesreferate zum VI. Internationalen Kongreß für Rechtsvergleichung in Hamburg 1962*, Berlin: De Gruyter 1962, p. 181-205.

Dolezalek 1985

G. Dolezalek, *Repertorium manuscriptorum veterum Codicis Iustiniani*, Frankfurt am Main: Klostermann 1985.

Dougan 2000

M. Dougan, 'Minimum Harmonization and the Internal Market', *Common Market Law Review* 2000, p. 853-885.

Dougan 2007

M. Dougan, 'When Worlds Collide! Competing Visions of the Relationship Between Direct Effect and Supremacy', *Common Market Law Review* 2007, p. 931-963.

Dougan 2011

M. Dougan, 'The vicissitudes of life at the coalface: remedies and procedures for enforcing Union law before the national courts', in: P. Craig & G. De Búrca, *The Evolution of EU Law*, Oxford: Oxford University Press 2011, p. 407-438.

Dougan 2015

M. Dougan, 'Judicial Review of Member State Action under the General Principles and the Charter: Defining the "Scope of Union Law"', *Common Market Law Review* 2015, p. 1201-1245.

Drake 2006

S. Drake, 'Scope of Courage and the principle of "individual liability" for damages: further development of the principle of effective judicial protection by the Court of Justice', *European Law Review* 2006, p. 841-864.

Drielsma 1940

H.A. Drielsma, 'Beschouwingen over eenige wilsrechten in verband met art. 555 B.W.', *Weekblad voor Privaatrecht, Notariaat en Registratie* 1940, p. 313-315.

Drielsma 1946

H.A. Drielsma, 'Nog enige aantekeningen omtrent de wilsrechten', *Weekblad voor Privaatrecht, Notariaat en Registratie* 1946, p. 146-147, 153-155.

Drielsma 1975

H.A. Drielsma, 'De optierechten in het nieuwe vermogensrecht', *Nederlands Juristenblad* 1975, p. 491-494.

Dworkin 1977

R. Dworkin, *Taking Rights Seriously*, London: Gerald Duckworth & Co 1977.

Ebers 2016

M. Ebers, *Rechte, Rechtsbehelfe und Sanktionen im Unionsprivatrecht*, Tübingen: Mohr Siebeck 2016.

Edelman 2002

J. Edelman, *Gain-Based Damages. Contract, Tort, Equity and Intellectual Property*, Oxford: Hart Publishing 2002.

Edelman 2014

J. Edelman, 'Nocton v Lord Ashburton', in: C. Mitchell & P. Mitchell, *Landmark Cases in Equity*, Oxford: Hart Publishing 2014, p. 473-498.

Eichler 1963

H. Eichler, 'Die Konkurrenz der vertraglichen und deliktischen Haftung im deutschen Recht', *Archiv für die civilistische Praxis* 1963, p. 401-420.

Eilmansberger 2004

T. Eilmansberger, 'The relationship between rights and remedies in EC law: in search of the missing link', *Common Market Law Review* 2004, p. 1199-1246.

Eisele 1892

F. Eisele, 'Zur Lehre von der Klagenkonkurrenz', *Archiv für die civilistische Praxis* 1892, p. 327-405.

Ellis & Watson 2012

E. Ellis & P. Watson, *EU Anti-Discrimination Law (second edition)*, Oxford: Oxford University Press 2012.

Endemann 1903

F. Endemann, *Lehrbuch des Bürgerlichen Rechts. 1. Bd.*, Berlin: Heymann 1903.

Engström 2009

J. Engström, *The Europeanisation of Remedies and Procedures through Judge-made Law – Can a Trojan Horse Achieve Effectiveness?*, Florence: European University Institute 2009.

Enneccerus & Nipperdey 1952

L. Enneccerus & H.C. Nipperdey, *Allgemeiner Teil des bürgerlichen Rechts. I*, Tübingen: J.C.B. Mohr (Paul Siebeck) 1952.

Esmein 1900

A. Esmein, 'Le droit comparé et l'enseignement du droit', *Nouvelle revue historique de droit français et étranger* 1900, p. 489-498.

Esmein 1956

P. Esmein, 'La chute dans l'escalier', *JCP* 1956, I.1321.

Esser 1960

J. Esser, *Schuldrecht. Allgemeiner und besonderer Teil. Ein Lehrbuch*, Karlsruhe: C.F. Müller 1960.

Faure 2008

M. Faure, 'Towards a Maximum Harmonization of Consumer Contract Law?!?', *Maastricht Journal of European and Comparative Law* 2008, p. 433-445.

Faust 2017

F. Faust, 'Spezialität – ein überschätztes Prinzip', in: H.C. Grigoleit & J. Petersen, *Privatrechtsdogmatik im 21. Jahrhundert. Festschrift für Claus-Wilhelm Canaris zum 80. Geburtstag*, Berlin: Walter de Gruyter 2017, p. 479-507.

Frydrych 2017

D. Frydrych, 'Rights Modelling', *Canadian Journal of Law & Jurisprudence* 2017, p. 125-157.

Frydrych 2018

D. Frydrych, 'Hohfeld vs. the Legal Realists', *Legal Theory* 2018, p. 291-344.

Garde 2012

A. Garde, 'The Unfair Commercial Practices Directive. A Successful Example of Legislative Harmonisation?', in: P. Syrpis, *The Judiciary, the Legislature and the EU Internal Market*, Cambridge: Cambridge University Press 2012, p. 118-146.

Gassin 1961

R. Gassin, 'Lois spéciales et droit commun', *Recueil Dalloz* 1961, p. 91-98.

Georgiades 1968

A. Georgiades, *Die Anspruchskonkurrenz im Zivilrecht und Zivilprozeßrecht*, München: C.H. Beck 1968.

Giliker 2015

P. Giliker, 'The Transposition of the Consumer Rights Directive into UK Law: Implementing a Maximum Harmonization Directive', *European Review of Private Law* 2015, p. 5-28.

Gilliams 2000

H. Gilliams, 'Horizontale werking van richtlijnen: dogma's en realiteit', in: H. Cousy and others (eds.), *Liber Amicorum Walter van Gerven*, Deurne: Kluwer 2000, p. 223-245.

Gilmore 1974

G. Gilmore, *The Death of Contract*, Ohio: Ohio State University Press 1974.

Goldie-Genicon 2009

C. Goldie-Genicon, *Contribution à l'étude des rapports entre le droit commun et le droit spécial des contrats*, Paris: L.G.D.J. 2009.

Gormley 1986

L. Gormley, 'The Application of Community Law in the United Kingdom, 1976-1985', *Common market law review* 1986, p. 287-323.

Goudkamp 2013

J. Goudkamp, *Tort Law Defences*, Oxford: Hart Publishing 2013.

Grandmoulin 1892

J. Grandmoulin, *De l'Unité de la responsabilité, ou Nature délictuelle de la responsabilité pour violation des obligations contractuelles* (thesis, Rennes), Rennes: A. Le Roy 1892.

Graziadei 2008

M. Graziadei, 'Rights in the European Landscape: A Historical and Comparative Profile', in: S. Prechal & B. Van Roermund, *The Coherence of EU Law: The Search for Unity in Divergent Concepts*, Oxford: Oxford University Press 2008, p. 63-90.

Gruber 2004

U.P. Gruber, *Methoden des internationalen Einheitsrechts*, Tübingen: Mohr Siebeck 2004.

Gsell 2003

B. Gsell, *Substanzverletzung und Herstellung. Deliktsrechtlicher Eigentumsschutz für Material und Produkt*, Tübingen: Mohr Siebeck 2003.

Guest 1961

A.G. Guest, 'Tort or Contract?', *Malaya Law Review* 1961, p. 191-222.

Gyselen 1996

L. Gyselen, 'The Emerging Interface Between Competition Policy and Environmental Policy in the EC', in: J. Cameron, P. Demaret & D. Geradin, *Trade and the Environment: The Search for Balance*, London: Cameron May 1996, p. 242-260.

Hale 1713

M. Hale, *The History and Analysis of the Common Law of England*, London: Savoy 1713.

Hall 1991

S. Hall, 'Competition law as a shield: Euro-defences to breaches of intellectual property rights in the IT industry', *International Company and Commercial Law Review* 1991, p. 334-338.

Harris 2002

D. Harris, 'Concurrent liability in contract and tort', in: D. Harris, D. Campbell & R. Halson, *Remedies in Contract & Tort (Second edition)*, London: Butterworths 2002, p. 575-578.

Hart 1961

H.L.A. Hart, *The Concept of Law*, Oxford: Oxford University Press 1961.

Hart 1972

H.L.A. Hart, 'Bentham on Legal Powers', *The Yale Law Journal* 1972, p. 799-822.

Hartkamp 2011

A.S. Hartkamp, 'Samenloop in het Europese privaatrecht', in: Th.M. De Boer and others (eds.), *Strikwerda's Conclusies*, Deventer: Kluwer 2011, p. 153-169.

Hartkamp 2013

A.S. Hartkamp, 'The Concept of (Direct and Indirect) Horizontal Effect of EU Law: The Terminology of European Law Scholars and of Private Law Scholars Compared', in: U. Bernitz, X. Groussot & F. Schulyok, *General Principles of EU Law and European Private Law*, Alphen aan den Rijn: Kluwer Law International 2013, p. 189-197.

Hartkamp, Sieburgh & Devroe 2017

A.S. Hartkamp, C.H. Sieburgh & W. Devroe (eds.), *Cases, Materials and Text on European Law and Private Law*, Oxford: Hart Publishing 2017.

Hattenhauer 2011

C. Hattenhauer, *Einseitige private Rechtsgestaltung. Geschichte und Dogmatik*, Tübingen: Mohr Siebeck 2011.

Havu 2012

K. Havu, 'Horizontal Liability for Damages in EU Law – The Changing Relationship of EU and National Law', *European Law Journal* 2012, p. 407-426.

Hellwig 1900

K. Hellwig, *Anspruch und Klagrecht: Beiträge zum bürgerlichen und zum Prozessrecht*, Jena: Fischer 1900.

Hijma 2018

J. Hijma, 'Kooprijksvermindering', *Weekblad voor Privaatrecht, Notariaat en Registratie* 2018, p. 566-574.

Hilson & Downes 1999

C. Hilson & T.A. Downes, 'Making sense of rights: Community rights in E.C. law', *European Law Review* 1999, p. 121-138.

Hohfeld 1913a

W.N. Hohfeld, 'The Relations between Equity and Law', *Michigan Law Review* 1913, p. 537-571.

Hohfeld 1913b

W.N. Hohfeld, 'Some Fundamental Legal Conceptions as Applied in Judicial Reasoning', *Yale Law Journal* 1913, p. 16-59.

Hohfeld 1917

W.N. Hohfeld, 'Fundamental Legal Conceptions as Applied in Judicial Reasoning', *Yale Law Journal* 1917, p. 710-770.

Howard 2003

A. Howard, 'Competition Law Defences in Commercial Litigation: Intel v Via', *Competition Law Journal* 2003, p. 36-40.

Huber 2001

P. Huber, *Irrtumsanfechtung und Sachmängelhaftung. Eine Studie zur Konkurrenzfrage vor dem Hintergrund der internationalen Vereinheitlichung des Vertragsrechts*, Tübingen: Mohr Siebeck 2001.

Hutchison 2015

T. Hutchison, 'The Doctrinal Method: Incorporating Interdisciplinary Methods in Reforming the Law', *Erasmus Law Review* 2015, p. 130-138.

Jarvis 1995

M. Jarvis, 'The Sunday Trading Episode: in Defence of the Euro-Defence', *International and Comparative Law Quarterly* 1995, p. 451-465.

Jobard-Bachelier & Brémond 1999

M-N. Jobard-Bachelier & V. Brémond, 'De l'utilité du droit de la responsabilité pour assurer l'équilibre des intérêts des contractants', *Revue trimestrielle de droit commercial et de droit économique* 1999, p. 327-350.

Johnston & Unberath 2006

A. Johnston & H. Unberath, 'Law at, to or from the Centre? The European Court of Justice and the Harmonization of Private Law in the European Union', in: F. Cafaggi, *The Institutional Framework of European Private Law*, Oxford: Oxford University Press 2006, p. 149-190.

Jones & Sufrin 2016

A. Jones & B. Sufrin, *EU Competition Law. Text, Cases, and Materials*, Oxford: Oxford University Press 2016.

Juen 2016

E. Juen, *La remise en cause de la distinction entre la responsabilité contractuelle et la responsabilité délictuelle*, Paris: L.G.D.J. 2016.

Kamphuisen 1942

P.W. Kamphuisen, 'De adagia Lex specialis derogat generali en Exceptio est strictissimae interpretationis in ons huidige civiele recht', *Rechtsgeleerd Magazijn Themis* 1942, p. 309-356.

Kegel 2002

G. Kegel, *Vertrag und Delikt*, Köln / Berlin / Bonn / München: Carl Heymanns Verlag 2002.

Keirsbilck 2011

B Keirsbilck, *The New European Law of Unfair Commercial Practices and Competition Law*, Oxford: Hart Publishing 2011.

Keirse 2019

A.L.M. Keirse, 'The Borderlines of Tort Law in the Netherlands', in: M. Martín-Casals, *The Borderlines of Tort Law: Interactions with Contract Law*, Cambridge: Intersentia 2019, p. 331-381.

Kelsen 1945

H. Kelsen, *General Theory of Law and State*, Cambridge: Harvard University Press 1945.

Kelsen 1967

H. Kelsen, *Pure Theory of Law*, Berkeley: University of California Press 1967.

Kelsen 1990

H. Kelsen, 'On the Theory of Interpretation' (translated by B. Litschewski Paulson & S.L. Paulson), *Legal Studies* 1990, p. 127-135.

Kisch 1975

I. Kisch, 'Paul Scholten en de rechtsvinding', *Weekblad voor Privaatrecht, Notariaat en Registratie* 1975, p. 537-551.

Klein 1997

A. Klein, *Konkurrenz und Auslegung. Der deliktrechtliche Gehalt vertragsrechtlicher Normen*, Berlin: Duncker & Humblot 1997.

Kocourek 1920

A. Kocourek, 'The Hohfeld System of Fundamental Legal Concepts', *Illinois Law Review* 1920, p. 24-39.

Koffeman & Rijpma 2014

N.R. Koffeman & J.J. Rijpma, 'Free Movement Rights for Same-Sex Couples Under EU Law: What Role to Play for the CJEU?', in: D. Gallo, L. Paladini & P. Pustorino, *Same-Sex Couples before National, Supranational and International Jurisdictions*, Heidelberg: Springer 2014, p. 455-491.

Komninos 2002

A.P. Komninos, 'New Prospects for Private Enforcement of EC Competition Law: *Courage v. Crehan* and the Community Right to Damages', *Common Market Law Review* 2002, p. 447-487.

Koziol 2010

H. Koziol, *Grundfragen des Schadenersatzrechts*, Wien: Jan Sramek Verlag 2010.

Krans 1999

H.B. Krans, *Schadevergoeding bij wanprestatie*, Deventer: Kluwer 1999.

Krenn 2012

C. Krenn, 'A Missing Piece in the Horizontal Effect "Jigsaw": Horizontal Direct Effect and the Free Movement of Goods', *Common Market Law Review* 2012, p. 177-216.

Kumm 2005

M. Kumm, 'The Jurisprudence of Constitutional Conflict: Constitutional Supremacy in Europe before and after the Constitutional Treaty', *European Law Journal* 2005, p. 262-307.

Larenz 1962

K. Larenz, *Lehrbuch des Schuldrechts. 2. Besonderer Teil*, München: Beck 1962.

Larenz 1992

K. Larenz, *Methodenlehre der Rechtswissenschaft (zweite, neu bearbeitete Auflage)*, Berlin: Springer 1992.

Laroche 2014

H. Laroche, *Les concours de responsabilités civiles*, Tours: Université François – Rabelais de Tours 2014.

Last 1908

A. Last, *Anspruchskonkurrenz und Gesamtschuldverhältnis*, Breslau: Marcus 1908.

Lawson 1977

F.H. Lawson, *Many Laws: Selected Essays, Volume I*, Amsterdam: North-Holland Publishing Company 1977.

Leczykiewicz 2010

D. Leczykiewicz, 'Private Party Liability in EU Law: In Search of the General Regime', *Cambridge Yearbook of European Legal Studies* 2010, p. 257-282.

Leczykiewicz & Weatherill 2013

D. Leczykiewicz & S. Weatherill, 'Private Law Relationships and EU Law', in: D. Leczykiewicz & S. Weatherill, *The Involvement of EU Law in Private Law Relationships*, Oxford: Hart Publishing 2013, p. 1-8.

Leduc 2000

F. Leduc, 'Les rapports entre les différentes responsabilités du fait d'autrui', *Responsabilité Civile et Assurances* 2000, p. 18-26.

Lefebvre 1886

A.F. Lefebvre, 'De la responsabilité, délictuelle, contractuelle', *Revue critique de législation et de jurisprudence* 1886, p. 485-523.

Lefer 2016

C. Lefer, *Les droits potestatifs dans le contrat de travail*, Paris: Université Panthéon-Assas 2016.

Lenaerts & Corthaut 2006

K. Lenaerts & T. Corthaut, 'Of birds and hedges: the role of primacy in invoking norms of EU law', *European Law Review* 2006, p. 287-315.

Lent 1912

F. Lent, *Die Gesetzeskonkurrenz im bürgerlichen Recht und Zivilprozeß. Band I*, Leipzig: Deichert 1912.

Lerche 2007

H. Lerche, *Konkurrenz von Einheitsrecht und nationalem Privatrecht. Perspektiven für ein Europäisches Zivilgesetzbuch*, Hamburg: Kovac 2007.

Levy 1918

E. Levy, *Die Konkurrenz der Aktionen und Personen im klassischen römischen Recht. Erster Band*, Berlin: Verlag von Franz Vahlen 1918.

Levy 1922

E. Levy, *Die Konkurrenz der Aktionen und Personen im klassischen römischen Recht. Zweiter Band, erste Hälfte*, Berlin: Verlag von Franz Vahlen 1922.

Levy 1962

E. Levy, *Nachträge zur Konkurrenz der Aktionen und Personen*, Weimar: Böhlau Verlag 1962.

Lianos 2009

I. Lianos, 'Categorical Thinking in Competition Law', in: A. Ezrachi, *Article 82 EC. Reflections on its Recent Evolution*, Oxford: Hart Publishing 2009, p. 19-49.

Liebs 1972

D. Liebs, *Die Klagenkonkurrenz im römischen Recht. Zur Geschichte der Scheidung von Schadensersatz und Privatstrafe*, Göttingen: Vandenhoeck & Ruprecht 1972.

Lierman 2014

S. Lierman, 'Law as a Complex Adaptive System. The Importance of Convergence in a Multi-Layered Legal Order', *Maastricht Journal* 2014, p. 611-629.

Lock 2019

T. Lock, 'Rights and Principles in the EU Charter of Fundamental Rights', *Common Market Law Review* 2019, p. 1201-1226.

Madsen, Olsen & Šadl 2017

M.R. Madsen, H.P. Olsen & U. Šadl, 'Competing Supremacies and Clashing Institutional Rationalities: the Danish Supreme Court's Decision in the *Ajos* Case and the National Limits of Judicial Cooperation', *European Law Journal* 2017, p. 140-150.

MacCormick 1978

N. MacCormick, *Legal Reasoning and Legal Theory*, Oxford: Oxford University Press 1978.

Magnus 2019

U. Magnus, 'The Borderlines of Tort Law in Germany', in: M. Martín-Casals, *The Borderlines of Tort Law: Interactions with Contract Law*, Cambridge: Intersentia 2019, p. 171-211.

Maitland 1910

F.W. Maitland, *Equity, also The Forms of Action at Common Law (2nd edition)*, Cambridge: Cambridge University Press 1910.

Mak 2009

V. Mak, 'Review of the Consumer Acquis: Towards Maximum Harmonization?', *European Review of Private Law* 2009, p. 55-73.

Marchetti 2012

C. Marchetti, 'Legal Categories and Legal Terms in the Path towards a European Private Law: The Experiment of the DCFR', *European Review of Private Law* 2012, p. 1265-1276.

Markesinis 1987

B. Markesinis, 'An expanding tort law – the price of a rigid contract law', *Law Quarterly Review* 1987, p. 354-397.

Martín-Casals 2019a

M. Martín-Casals, 'The Borderlines of Tort Law. Comparative Report', in: M. Martín-Casals, *The Borderlines of Tort Law: Interactions with Contract Law*, Cambridge: Intersentia 2019, p. 711-845.

Martín-Casals 2019b

M. Martín-Casals (ed.), *The Borderlines of Tort Law: Interactions with Contract Law*, Cambridge: Intersentia 2019.

Martine 1957

E.N. Martine, *L'option entre la responsabilité contractuelle et la responsabilité délictuelle*, Paris: L.G.D.J. 1957.

Mataija 2016

M. Mataija, *Private Regulation and the Internal Market. Sports, Legal Services, and Standard Setting in EU Economic Law*, Oxford: Oxford University Press 2016.

Mauchle 2012

Y. Mauchle, 'Normenkonkurrenzen im Obligationenrecht – zugleich ein Beitrag zum Verhältnis von Irrtumsanfechtung und Sachmängelhaftung', *Aktuelle Juristische Praxis* 2012, p. 933-952.

Mauclair 2013

S. Mauclair, *Recherche sur l'articulation entre le droit commun et le droit spécial en droit de la responsabilité civile extracontractuelle*, Paris: L.G.D.J. 2013.

McDonnell 2018

A. McDonnell, 'Application and Enforcement of EU Law in the Member States', in: P.J. Kuijper and others (eds.), *The Law of the European Union*, Alphen aan den Rijn: Wolters Kluwer International 2018, p. 413-468.

Medicus 2007

D. Medicus, *Gesetzliche Schuldverhältnisse (5th edition)*, München: C.H. Beck 2007.

Medicus & Lorenz 2015

D. Medicus & S. Lorenz, *Schuldrecht I. Allgemeiner Teil*, München: C.H. Beck 2015.

Meijers 1948

E.M. Meijers, *Algemene leer van het burgerlijk recht. Deel I. De Algemene Begrippen van het Burgerlijk Recht*, Leiden: Universitaire Pers 1948.

Mellema-Kranenburg 1988

T.J. Mellema-Kranenburg, *De legitieme portie*, Deventer: Kluwer 1988.

Monti 2007

G. Monti, *EC Competition Law*, Cambridge: Cambridge University Press 2007.

Moréteau 2013

O. Moréteau, 'French Tort Law in the Light of European Harmonization', *Journal of Civil Law Studies* 2013, p. 760-801.

Moron-Puech 2018

B. Moron-Puech, 'Regard critique sur la consécration du dualisme des responsabilités contractuelle et extracontractuelle', *Tribonien* 2018, p. 64-82.

Mortelmans 2001

K. Mortelmans, 'Towards Convergence in the Application of the Rules on Free Movement and on Competition?', *Common Market Law Review* 2001, p. 613-649.

Mortelmans 2002

K. Mortelmans, 'The Relationship between the Treaty Rules and Community Measures for the Establishment and Functioning of the Internal Market – Towards a Concordance Rule', *Common Market Law Review* 2002, p. 1303-1346.

Muir 2019

E. Muir, 'The Essence of the Fundamental Right to Equal Treatment: Back to the Origins', *German Law Journal* 2019, p. 817-839.

Najjar 1967

I. Najjar, *Le droit d'option. Contribution à l'étude du droit potestatif et de l'acte unilatéral*, Paris: L.G.D.J. 1967.

Nazzini 2011

R. Nazzini, *The Foundations of European Union Competition Law. The Objective and Principles of Article 102*, Oxford: Oxford University Press 2011.

Neuner 2012

J. Neuner, *Allgemeiner Teil des bürgerlichen Rechts*, München: C.H. Beck 2012.

Nieuwenhuis 1982

J.H. Nieuwenhuis, *Anders en eender*, Deventer: Kluwer 1982.

Nieuwenhuis 1997

J.H. Nieuwenhuis, *De ramp op het pikmeer*, Deventer: Kluwer 1997.

Nieuwenhuis 2007a

J.H. Nieuwenhuis, *Confrontatie & Compromis. Recht, retoriek en burgerlijke moraal*, Deventer: Kluwer 2007.

Nieuwenhuis 2007b

J.H. Nieuwenhuis, 'They still rule us from their graves', *Weekblad voor Privaatrecht, Notariaat en Registratie* 2007, p. 1-6.

Odudu 2009

O. Odudu, 'Economic Activity as a Limit to Community Law', in: C. Barnard & O. Odudu, *The Outer Limits of European Union Law*, Oxford: Hart Publishing 2009, p. 225-243.

Odudu 2013

O. Odudu, 'EU Competition Law and Contract', in: D. Leczykiewicz & S. Weatherill, *The Involvement of EU Law in Private Law Relationships* Oxford: Hart Publishing 2013, p. 395-415.

Oliphant 2016

K. Oliphant (ed.), *The Liability of Public Authorities in Comparative Perspective*, Antwerpen: Intersentia 2016.

Oppenheimer 1994

A. Oppenheimer (ed.), *The Relationship Between European Community Law and National Law: The Cases. Volume 1*, Cambridge: Cambridge University Press 1994.

Oppenheimer 2003

A. Oppenheimer (ed.), *The Relationship Between European Community Law and National Law: The Cases. Volume 2*, Cambridge: Cambridge University Press 2003.

Pels Rijcken 1980

L.D. Pels Rijcken, 'Samenloop van contractuele en buitencontractuele aansprakelijkheid naar Nederlands recht', *Tijdschrift voor Privaatrecht* 1980, p. 1101-1138.

Planiol 1928

M. Planiol, *Traité élémentaire de droit civil. Tome premier*, Paris: L.G.D.J. 1928.

Pollaud-Dulian 1997

F. Pollaud-Dulian, 'De quelques avatars de l'action en responsabilité civile dans le droit des affaires', *Revue trimestrielle de droit commercial et de droit économique* 1997, p. 349-381.

Pollock 1887

F. Pollock, *The Law of Torts. A treatise on the principles of obligations arising from civil wrongs in the common law (1st edition)*, Philadelphia: The Blackstone Publishing Company 1887.

Pomart-Nomdedeo 2010

C. Pomart-Nomdedeo, 'Le régime juridique des droits potestatifs en matière contractuelle, entre unité et diversité', *Revue trimestrielle de droit civil* 2010, p. 209-227.

Popesco-Albota 1933

J. Popesco-Albota, *Le droit d'option: le problème des deux ordres de responsabilité civile, contractuelle et délictuelle*, Paris: Rousseau 1933.

Pothier 1773

R.J. Pothier, *Traité de Droit Civil, et de Jurisprudence Française. Tome I.*, Paris: Jean Debure 1773.

Poulton 1966

W.D.C. Poulton, 'Tort or Contract', *Law Quarterly Review* 1966, p. 346-370.

Pound 1959

R. Pound, *Jurisprudence. Volume IV*, St. Paul: West Publishing Company 1959.

Prechal & De Vries 2009

A.S. Prechal & S. De Vries, 'Seamless web of judicial protection in the internal market?', *European Law Review* 2009, p. 5-24.

Prechal 2000

S. Prechal, 'Does Direct Effect Still Matter?', *Common Market Law Review* 2000, p. 1047-1069.

Prechal 2004

S. Prechal, 'Equality of Treatment, Non-Discrimination and Social Policy: Achievements in Three Themes', *Common Market Law Review* 2004, p. 533-551.

Prechal 2005

S. Prechal, *Directives in EC Law (2nd edition)*, Oxford: Oxford University Press 2005.

Radošević 2013

S. Radošević, 'CJEU's Decision in *Nelson and Others* in Light of the Exclusivity of the Montreal Convention', *Air & Space Law* 2013, p. 95-110.

Rasmussen 1986

H. Rasmussen, *On Law and Policy in the European Court of Justice*, Dordrecht: Martinus Nijhoff Publishers 1986.

Reich 2007

N. Reich, 'Horizontal Liability in EC law: Hybridization of Remedies for Compensation in Case of Breaches of EC Rights', *Common Market Law Review* 2007, p. 705-742.

Robertson & Wang 2015

A. Robertson & J. Wang, 'The Assumption of Responsibility', in: K. Barker, R. Grantham & W. Swain, *The Law of Misstatements: 50 Years on from Hedley Byrne*, Oxford: Hart Publishing 2015, p. 49-82.

Rosas 2012

A. Rosas, 'The National Judge as EU Judge: Opinion 1/09', in: P. Cardonell, A. Rosas & N. Wahl, *Constitutionalising the EU Judicial System. Essays in Honour of Pernilla Lindh*, Oxford: Hart Publishing 2012, p. 105-121.

Rosenberg 1956

L. Rosenberg, *Die Beweislast, auf der Grundlage des Bürgerlichen Gesetzbuchs und der Zivilprozessordnung*, München: C.H. Beck 1956.

Rousseva 2010

E. Rousseva, *Rethinking Exclusionary Abuses in EU Competition Law*, Oxford: Hart Publishing 2010.

Ruffert 1997

M. Ruffert, 'Rights and Remedies in European Community Law: A Comparative View', *Common Market Law Review* 1997, p. 307-336.

Rupke 1914

G.W. Rupke, *Wilsrechten*, Amsterdam: A.H. Kruyt 1914.

Sainctelette 1884

C. Sainctelette, *De la responsabilité et de la garantie*, Paris: Chevalier-Marescq 1884.

Salmond 1902

J.W. Salmond, *Jurisprudence or the Theory of the Law*, London: Stevens & Haynes 1902.

Samuel 2014

G. Samuel, *An Introduction to Comparative Law Theory and Method*, Oxford: Hart Publishing 2014.

Sauzet 1883

M. Sauzet, 'De la responsabilité des patrons vis-à-vis des ouvriers dans les accidents industriels', *Revue critique de législation et de jurisprudence* 1883, p. 596-640.

Savatier 1951

R. Savatier, *Traité de la responsabilité civile en droit français civil, administratif, professionnel, procédural*, Paris: L.G.D.J. 1951.

Schepel 2012

H. Schepel, 'Constitutionalising the Market, Marketising the Constitution, and to Tell the Difference: On the Horizontal Application of the Free Movement Provisions in EU Law', *European Law Journal* 2012, p. 177-200.

Schlag 2015

P. Schlag, 'How To Do Things With Hohfeld', *Law and Contemporary Problems* 2015, p. 185-234.

Schlechtriem 1972

P.H. Schlechtriem, *Vertragsordnung und außervertragliche Haftung. Eine rechtsvergleichende Untersuchung zur Konkurrenz von Ansprüchen aus Vertrag und Delikt im französischen, amerikanischen und deutschen Recht*, Frankfurt am Main: Alfred Metzner Verlag 1972.

Schlosser 1982

P. Schlosser, 'Konkurrenzen im bilateralen Verhältnis', *JURA* 1982, p. 477-486.

Schmid 1996

C. Schmid, *Das Zusammenspiel von einheitlichem UN-Kaufrecht und nationalem Recht: Lückenfüllung und Normenkonkurrenz*, Berlin: Duncker & Humblot 1996.

Schmidt 2006

K. Schmidt, 'Anspruchskonkurrenz bei der gesetzlichen Organhaftung von Unternehmensleitern (§§ 93 AKTG, 43 GMBHG)', in: M. Stathopoulos and others (eds.), *Festschrift für Apostolos Georgiades zum 70. Geburtstag*, München: C.H. Beck 2006, p. 689-709.

Schmidt 1915

R. Schmidt, *Die Gesetzeskonkurrenz im bürgerlichen Recht*, München: Oskar Beck 1915.

Schnitzer 1961

A.F. Schnitzer, *Vergleichende Rechtslehre (2nd edition)*, Basel: Verlag für Recht und Gesellschaft 1961.

Scholten 1974

P. Scholten, *Algemeen Deel (Third Edition)*, Zwolle: W.E.J. Tjeenk Willink 1974.

Schoordijk 1964

H.C.F. Schoordijk, 'De toepasselijkheid van buitencontractuele diligentie-normen in contractuele verhoudingen', *Weekblad voor Privaatrecht, Notariaat en Registratie* 1964, p. 189-192, 201-205, 213-216.

Schütze 2006

R. Schütze, 'Supremacy Without Pre-Emption? The Very Slowly Emergent Doctrine of Community Pre-Emption', *Common Market Law Review* 2006, p. 1023-1048.

Seckel 1903

E. Seckel, 'Die Gestaltungsrechte des bürgerlichen Rechts', in: R.E. Koch, *Festgabe der Juristischen Gesellschaft zu Berlin zum 50 jährigen Dienstjubiläum ihres Vorsitzenden*, Berlin: Verlag von Otto Liebmann 1903, p. 205-253.

Serinet 1996

Y.-M. Serinet, *Les régimes comparés des sanctions de l'erreur, des vices cachés et de l'obligation de délivrance dans la vente*, Paris: Paris I 1996.

Sieburgh 2009

C.H. Sieburgh, 'Ich weiß nicht was soll es bedeuten. Europees recht en nationaal privaatrecht: voorrang en samenloop', in: A.G. Castermans and others (eds.), *Ex libris Hans Nieuwenhuis*, Deventer: Kluwer 2009, p. 239-267.

Sieburgh 2013

C.H. Sieburgh, 'A Method to Substantively Guide the Involvement of EU Law in Private Law Matters', *European Review of Private Law* 2013, p. 1165-1188.

Sieburgh 2015

C.H. Sieburgh, 'Waarom het Unierecht de invloed van grondrechten op het privaatrecht aanjaagt en versterkt', *Rechtsgeleerd Magazijn Themis* 2015, p. 3-13.

Siems 2014

M. Siems, *Comparative Law*, Cambridge: Cambridge University Press 2014.

Simpson 1981

A.W.B. Simpson, 'The Rise and Fall of the Legal Treatise: Legal Principles and the Forms of Legal Literature', *The University of Chicago Law Review* 1981, p. 632-679.

Smith 2004

C.E. Smith, 'De gevaren van de esthetiek voor de rechtswetenschap', in: E.F. Feteris and others (eds.), *In het licht van deze overwegingen*, Nijmegen: Ars Aequi Libri 2004, p. 149-159.

Smith 2016

L. Smith, 'Defences and the Disunity of Unjust Enrichment', in: A. Dyson, J. Goudkamp & F. Wilmot-Smith, *Defences in Unjust Enrichment*, Oxford: Hart Publishing 2016, p. 27-51.

Smits 2010

J.M. Smits, 'Full Harmonization of Consumer Law? A Critique of the Draft Directive on Consumer Rights', *European Review of Private Law* 2010, p. 5-14.

Snijders 1973

W. Snijders, 'Samenloop van wetsbepalingen in het Nieuw B.W.', in: *Speculum Lange-meijer*, Zwolle: W.E.J. Tjeenk Willink 1973, p. 453-471.

Snijders 1999

W. Snijders, 'Wilsrechten, in het algemeen en in het nieuwe erfrecht', *Weekblad voor Privaatrecht, Notariaat en Registratie* 1999, p. 558-565, 583-589, 601-608.

Spierings 2016

C. Spierings, *De eenzijdige rechtshandeling*, Deventer: Wolters Kluwer 2016.

Star Busmann 1972

C.W. Star Busmann, *Hoofdstukken van burgerlijke rechtsvordering (derde druk, bewerkt en herzien door L.E.H. Rutten, m.m.v. W.H. Ariëns)*, Haarlem: De Erven F. Bohn 1972.

Stevens 1996

J. Stevens, 'Election Between Alternative Remedies', *Restitution Law Review* 1996, p. 117-122.

Stevens 2007

R. Stevens, *Torts and Rights*, Oxford: Oxford University Press 2007.

Stuyck 2015

J. Stuyck, 'The Court of Justice and the Unfair Commercial Practices Directive', *Common Market Law Review* 2015, p. 721-752.

Suijling 1948

J.Ph. Suijling, *Inleiding tot het burgerlijk recht. Deel I. Algemene beginselen*, Haarlem: De Erven F. Bohn 1948.

Swaak & Van der Woude 2018

C.R.A. Swaak & M. Van der Woude, 'Competition Law and Policy', in: P.J. Kuijper and others (eds.), *The Law of the European Union*, Alphen aan den Rijn: Wolters Kluwer International 2018, p. 715-778.

Taylor 2019

A. Taylor, 'Concurrent Duties', *The Modern Law Review* 2019, p. 17-45.

Terré 2011

F. Terré, *Pour une réforme du droit de la responsabilité civile*, Paris: Dalloz 2011.

Timmermans 1979

C.W.A. Timmermans, 'Directives: their Effect within the National Legal Systems', *Common Market Law Review* 1979, p. 533-555.

Tobler 2005

C. Tobler, *Indirect Discrimination. A Case Study into the Development of the Legal Concept of Indirect Discrimination under EC Law*, Antwerpen – Oxford: Intersentia 2005.

Tobler 2013

C. Tobler, 'The Prohibition of Discrimination in the Union's Layered System of Equality Law: From Early Staff Cases to the *Mangold* Approach', in: A. Rosas, E. Levits & Y. Bot, *La cour de justice et la construction de l'Europe: Analyses et perspectives de 60 ans de jurisprudence / The Court of Justice and the construction of Europe: Analyses and perspectives on 60 years of case-law*, The Hague: Asser / Springer 2013, p. 443-467.

Tournafond 1989

O. Tournafond, 'Les prétendus concours d'actions et le contrat de vente', *Recueil Dalloz Sirey* 1989, p. 237-244.

Tricoire 2009

E. Tricoire, *Les concours d'action en matière immobilière*, Paris: L.G.D.J. 2009.

Tryfonidou 2014

A. Tryfonidou, 'The Notions of "Restriction" and "Discrimination" in the Context of the Free Movement of Persons Provisions: From a Relationship of Interdependence to one of (Almost Complete) Independence', *Yearbook of European Law* 2014, p. 385-416.

Twigg-Flesner 2011

C. Twigg-Flesner, "'Good-Bye Harmonisation by Directives, Hello Cross-Border only Regulation?' – A way forward for EU Consumer Contract Law', *European Review of Contract Law* 2011, p. 235-256.

Van Boom 2004

W.H. Van Boom, 'Pure Economic Loss. A Comparative Perspective', in: W.H. Van Boom, H. Koziol & C.A. Witting, *Pure Economic Loss*, Wien / New York: Springer 2004, p. 1-40.

Van Boom 2014

W.H. Van Boom, 'Is een telefoonabonnement met "gratis" toestel een overeenkomst van consumentenkrediet?', *Ars Aequi* 2014, p. 825-833.

Van Dam 2013

C.C. Van Dam, *European Tort Law (Second Edition)*, Oxford: Oxford University Press 2013.

Van den Bogaert 2002

S.C.G. Van den Bogaert, 'Horizontality: The Court Attacks?', in: C. Barnard & J. Scott, *The Law of the Single European Market: Unpacking the Premises*, Oxford: Hart 2002, p. 123-152.

Van den Bogaert 2005

S.C.G. Van den Bogaert, *Practical Regulation of the Mobility of Sportsmen in the EU Post Bosman*, The Hague: Kluwer Law International 2005.

Van den Bogaert 2010

S.C.G. Van den Bogaert, 'De zaak Bernard: het Hof van Justitie laat opleidingsvergoedingen toe in het voetbal', *Nederlands Tijdschrift voor Europees Recht* 2010, p. 265-272.

Van den Bogaert, Cuyvers & Antonaki 2018

S.C.G. Van den Bogaert, A. Cuyvers & I. Antonaki, 'Free Movement of Services, Establishment and Capital', in: P.J. Kuijper and others (eds.), *The Law of the European Union*, Alphen aan den Rijn: Wolters Kluwer International 2018, p. 539-586.

Van der Bruggen 2016

R. Van der Bruggen, 'European air passenger rights: Montreal's damage and Brussels's compensation', *European Transport Law* 2016, p. 585-602.

Van der Mei 2011

A.P. Van der Mei, 'The Outer Limits of the Prohibition of Discrimination on Grounds of Nationality: A Look through the Lens of Union Citizenship', *Maastricht Journal of European and Comparative Law* 2011, p. 62-85.

Van Gerven 1961

W. Van Gerven, 'Een nieuwe analyse van het begrip "Recht", – De "Juristic Conceptions" theorie', *Rechtskundig Weekblad* 1961, p. 2041-2052.

Van Gerven 1973

W. Van Gerven, *Beginnselen van Belgisch privaatrecht. Algemeen Deel*, Antwerpen / Utrecht: Standaard Wetenschappelijke Uitgeverij 1973.

Van Gerven 2000

W. Van Gerven, 'Of Rights, Remedies and Procedures', *Common Market Law Review* 2000, p. 501-536.

Van Gerven, Lever & Larouche 2000

W. Van Gerven, P. Lever & P. Larouche, *Tort Law (Common Law of Europe Casebooks)*, Oxford: Hart Publishing 2000.

Van Hoecke 1996

M. Van Hoecke, 'Hohfeld and Comparative Law', *International Journal for the Semiotics of Law* 1996, p. 185-201.

Van Hoecke 2015

M. Van Hoecke, 'Methodology of Comparative Legal Research', *Law and Method* 2015, p. 1-35.

Van Nispen 2018

C.J.J.C. Van Nispen, *Sancties in het vermogensrecht*, Deventer: Wolters Kluwer 2018.

Van Oven 1961

J.C. Van Oven, 'Lex specialis derogat legi generali', *Nederlands Juristenblad* 1961, p. 133-139 en 157-163.

Van Rossum 1995

M. Van Rossum, 'Concurrency of contractual and delictual liability in a European perspective', *European Review of Private Law* 1995, p. 539-559.

Vaquer 2009

A. Vaquer, 'Farewell to Windscheid? Legal Concepts Present and Absent from the Draft Common Frame of Reference (DCFR)', *European Review of Private Law* 2009, p. 487-512.

Veldhoen 2013

F. Veldhoen, 'Samenloop in het Europese privaatrecht. De verdringingsregel naast cumulatie, alternativiteit en exclusiviteit', *Weekblad voor Privaatrecht, Notariaat en Registratie* 2013, p. 367-374.

Verbruggen 2017

P. Verbruggen, 'The Impact of Free Movement of Goods and Services on Private Law Rights and Remedies', in: H-W. Micklitz & C.H. Sieburgh, *Primary EU Law and Private Law Concepts*, Cambridge: Intersentia 2017, p. 47-92.

Verheul 2017

E.F. Verheul, 'Overgang van wilsrechten bij contractsovername', *Weekblad voor Privaatrecht, Notariaat en Registratie* 2017, p. 489-496, 507-512.

Verheul 2018

E.F. Verheul, 'Overdraagbaarheid van contractuele wilsrechten', *Rechtsgeleerd Magazijn Themis* 2018, p. 84-94.

Viney 1994

G. Viney, 'Pour une interprétation modérée et raisonnée du refus d'option entre responsabilité contractuelle et responsabilité délictuelle', *McGill Law Journal* 1994, p. 813-827.

Viney 1995

G. Viney, *Introduction à la responsabilité (2nd edition)*, Paris: L.G.D.J. 1995.

Von Amsberg 1994

Y-G. Von Amsberg, *Anspruchskonkurrenz, Cumul und Samenloop. Eine rechtsvergleichende Untersuchung der Konkurrenz von Ersatzansprüchen aus Vertrag und Delikt im belgischen, niederländischen und deutschen Recht und ihrer Funktion in der Rechtsprechung*, Frankfurt am Main: Peter Lang 1994.

Von Bar, Clive & Schulte-Nölke 2009

C. Von Bar, E. Clive & H. Schulte-Nölke (eds.), *Principles, Definitions and Model Rules of European Private Law. Draft Common Frame of Reference*, Munich: Sellier European Law Publishers 2009.

Von Bar & Drobnig 2004

C. Von Bar & U. Drobnig, *The Interaction of Contract Law and Tort and Property Law in Europe*, München: Sellier European Law Publishers 2004.

Von Gierke 1917

O. Von Gierke, *Deutsches Privatrecht. Band III. Schuldrecht*, Leipzig: Duncker & Humblot 1917.

Von Savigny 1840a

F.C. Von Savigny, *System des heutigen römischen Rechts. Erster Band*, Berlin: Veit und Comp. 1840.

Von Savigny 1840b

F.C. Von Savigny, *System des heutigen Römischen Rechts. Zweiter Band*, Berlin: Veit und Comp. 1840.

Von Savigny 1841

F.C. Von Savigny, *System des heutigen römischen Rechts. Fünfter Band*, Berlin: Veit und Comp. 1841.

Von Tuhr 1918

A. Von Tuhr, *Der Allgemeine Teil des Deutschen Bürgerlichen Rechts*, München & Leipzig: Duncker & Humblot 1918.

Von Tuhr 1923

A. Von Tuhr, *Bürgerliches Recht. Allgemeiner Teil*, Berlin: Julius Springer 1923.

Vranken 1998

J.B.M. Vranken, 'De strijd om het nieuwe verrijgingsrecht. Literatuur versus rechtspraak', *Nederlands Juristenblad* 1998, p. 1495-1503.

Wandt 2017

M. Wandt, *Gesetzliche Schuldverhältnisse. Deliktsrecht, Schadensrecht, Bereicherungsrecht, GoA*, München: Franz Vahlen 2017.

Warner 2013

S. Warner, 'Is there a role for Euro-defences following *Sun v M-Tech?*', *Journal of Intellectual Property Law & Practice* 2013, p. 532-538.

Watson 1988

A. Watson, 'The Structure of Blackstone's Commentaries', *Yale Law Journal* 1988, p. 795-821.

Watson 1994

A. Watson, 'The Importance of "Nutshells"', *The American Journal of Comparative Law* 1994, p. 1-23.

Watterson 2003

S. Watterson, 'Alternative and Cumulative Remedies: What is the Difference?', *Restitution Law Review* 2003, p. 7-25.

Weatherill 2012

S. Weatherill, 'Maximum versus Minimum Harmonization: Choosing between Unity and Diversity in the Search for the Soul of the Internal Market', in: N. Nic Shuibhne & L.W. Gormley, *From Single Market to Economic Union: Essays in Memory of John A. Usher*, Oxford: Oxford University Press 2012, p. 175-199.

Weatherill 2013

S. Weatherill, 'On Overlapping Legal Orders: What is the "Purely Sporting" Rule?', in: S. Weatherill, *European Sports Law. Collected Papers*, The Hague: T.M.C. Asser Press 2013, p. 401-424.

Weatherill 2017

S. Weatherill, *The Internal Market as a Legal Concept*, Oxford: Oxford University Press 2017.

Weir 1984

T. Weir, 'Complex Liabilities', in: A. Tunc, *Encyclopedia of Comparative Law (Vol. XI Torts, Part 2)*, Dordrecht: Martinus Nijhoff Publishers 1984, p. 3-39.

Wendt 2013

I.E. Wendt, *EU Competition Law and Liberal Professions: an Uneasy Relationship?*, Leiden: Martinus Nijhoff Publishers 2013.

Whish & Bailey 2015

R. Whish & D. Bailey, *Competition Law (Eight Edition)*, Oxford: Oxford University Press 2015.

Whittaker 1995

S Whittaker, 'Privity of Contract and the Law of Tort: the French Experience', *Oxford Journal of Legal Studies* 1995, p. 327-370.

Whittaker 2009

S Whittaker, 'Unfair Contract Terms and Consumer Guarantees: the Proposal for a Directive on Consumer Rights and the Significance of Full Harmonisation', *European Review of Contract Law* 2009, p. 223-247.

Wiarda 1988

G.J. Wiarda, *Drie typen van rechtsvinding (Third Edition)*, Zwolle: W.E.J. Tjeenk Willink 1988.

Wiese 2017

V. Wiese, *Alternativität in Schuldverhältnissen*, Tübingen: Mohr Siebeck 2017.

Wilman 2016

F.G. Wilman, 'The End of the Absence? The Growing Body of EU Legislation on Private Enforcement and the Main Remedies It Provides For', *Common Market Law Review* 2016, p. 887-935.

Windscheid 1856

B. Windscheid, *Die Actio des römischen Civilrechts vom Standpunkte des heutigen Rechts*, Düsseldorf: Verlagshandlung von Julius Buddeus 1856.

Windscheid 1862

B. Windscheid, *Lehrbuch des Pandektenrechts*, Düsseldorf: 1862.

Windscheid & Kipp 1906

B. Windscheid & T. Kipp, *Lehrbuch des Pandektenrechts*, Frankfurt am Main: Rütten & Loening 1906.

Winfield 1931

P.H. Winfield, *The Province of the Law of Tort*, Cambridge: Cambridge University Press 1931.

Wollenschläger 2011

F. Wollenschläger, 'A New Fundamental Freedom beyond Market Integration: Union Citizenship and its Dynamics for Shifting the Economic Paradigm of European Integration', *European Law Journal* 2011, p. 1-34.

Zimmermann 1995

R. Zimmermann, 'Codification: history and present significance of an idea', *European Review of Private Law* 1995, p. 95-120.

Zimmermann 1996

R. Zimmermann, *The Law of Obligations. Roman Foundations of the Civilian Tradition*, Oxford: Oxford University Press 1996.

Zweigert & Kötz 1992

K. Zweigert & H. Kötz, *Introduction to Comparative Law (second edition, transl. by T. Weir)*, Oxford: Clarendon Press 1992.

