



International Distribution Institute

# Conclusive Remarks on the Inclusion/Exclusion of the CISG

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# Excluding the CISG leads to PIL Intricacies

- choice of law is only a resilient solution if and to the extent that it is permissible under all legal systems involved and is implemented in a legally effective manner
- limits to a choice of law made under Art. 3 Rome I Regulation:  
Art. 25(2), 23(2), 10(2), 12(2), 9, 21 Rome I Regulation
- choice of law by means of a GTC clause requires that the GTC have become part of the contract (battle of forms, Art. 10 par. 2 Rome I Regulation)