Contents

1	The	Effectiveness of the WIO Dispute Settlement System:	
	AS	tatistical Analysis	1
	Ari	e Reich	
	1	Introduction	2
	2	The Number of Cases over the Years	6
	3	Who Are the Users of the System?	7
	4	Is There a Correlation Between GDP and GNI per Capita	
		and Number of Complaints Filed?	15
	5	Is There a Higher Propensity for Poorer Countries to Settle?	17
	6	Compliance with DSB Rulings: What Is the Motivation	
		for Article 21.5 Procedures?	19
	7	Compliance with DSB Rulings: Who Complies	
		and Who Doesn't?	22
	8	How Long Do WTO Dispute Settlement Procedures Take?	26
	9	The Appellate Body's Inability to Remand a Case to the Panel	32
	10	Conclusion	38
	Ref	erences	41
2	D.		
2		cumentary Fraud Under the UCP: Revisiting an 'Exception m Exception' Principle	45
	2.7	slav Pejović	7.7
		3	45
	1	Introduction	46
	2	Principle of Autonomy and Risk of Fraud Under the UCP	47
	3	Risk of Fraud	48
	4	Fraud Exception Rule	48
	5	The United City Merchants Case	
	6	Analyses	50
	7	Comparative Law Overview	58
	8	Need to Regulate the Fraud	60
	9	Conclusion	61
	Re	ferences	62

3	A Transnational Consensus on Secured Transactions Law?	
	The 2016 UNCITRAL Model Law	63
	Catherine Walsh	
	1 Introduction	64
	2 General Challenges in Drafting Internationally Uniform Laws	66
	The Degree of Facial Consensus Achieved by the Model Law	74
	4 An Illusory or Real Consensus?	88
	References	89
4	Detailed Contract Regulations and the UPICC: Parallels	
	with National Law and Potential for Improvement:	
	The Example of Norwegian Law	91
	Giuditta Cordero-Moss	
	1 Introduction	92
	Why Is the Relationship Between the UPICC	
	and Detailed Contract Regulation an Issue?	93
	3 The Example of Norwegian Law	97
	4 The UPICC and Contract Terms	103
	5 Conclusion	109
	References	109
5	Consumer Law in the Digital Economy	111
	1 Introduction	112
	2 Conclusion of Contract	113
	3 Role of Online Platforms	119
	4 Consumer Data Protection	130
	5 Deterritorialization and the Enforcement of Rights	133
	6 Potential Solutions as Regards the Law of Digital Services	144
	References	149
6	Regulation Tomorrow: Strategies for Regulating	
	New Technologies	153
	Mark Fenwick, Wulf A. Kaal, and Erik P. M. Vermeulen	
	1 What Happens When Technology Is Faster than the Law?	153
	2 The "Pacing Problem"	154
	3 The Factual Basis of Regulation	156
	4 A "Post-Fact Society"?	163
	5 Three Strategies for Regulation Tomorrow	164
	6 Conclusion	171
	References	172
7	The Enforceability of Promises to Negotiate in Good Faith:	
	Rethinking Traditional Common Law Attitudes	175
	Mary Hiscock	
	1 Introduction	176
	2 Present State of Authority	177

	3	Indications of Change	178
	4	Position in Singapore and Hong Kong	181
	5	The Constituents of Good Faith Conduct	183
	6	What Is the Available Remedy for Breach?	184
	7	Conclusion	185
	Re	ferences	186
8	Co	ntinuing Representations and Strict Responsibility	
		Accuracy After Cramaso: Fact or (Legal) Fiction?	187
	Ric	ck Bigwood	
	1	Introduction	187
	2	Cramaso: The Facts, Litigation and Supreme Court Decision	192
	3	Reflections On What Cramaso Decided (and Did Not Decide?)	196
	4	The Unanswered Question: Is Innocently Unknown	
		and Unsuspected Supervening Falsification an 'Innocent	
		Misrepresentation'?	201
	5	Which Approach Should Be Followed: The Duty-To-	
		Communicate Approach or the Continuing-Representation	
		Approach, or Perhaps Neither?	209
	6	The Continuing-Representation Approach: Innocent	
		Misrepresentation by (Assumptive) Fiction	214
	7	Summary and Conclusion	219
	Re	ferences	221
Inc	lov		223