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Pier Giuseppe Monateri, Filippo Andrea Chiaves, Mauro Balestrieri

Contract Law in Italy Pier Giuseppe Monateri, Filippo Andrea Chiaves, Mauro Balestrieri, 2021-01-22 Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in Italy covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Italy will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.

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Table of Contents Arricchimento Senza Causa Prescrizione

1. Understanding the eBook Arricchimento Senza Causa Prescrizione
 - The Rise of Digital Reading Arricchimento Senza Causa Prescrizione

- Advantages of eBooks Over Traditional Books
- 2. Identifying Arricchimento Senza Causa Prescrizione
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
- 3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Arricchimento Senza Causa Prescrizione
 - User-Friendly Interface
- 4. Exploring eBook Recommendations from Arricchimento Senza Causa Prescrizione
 - Personalized Recommendations
 - Arricchimento Senza Causa Prescrizione User Reviews and Ratings
 - Arricchimento Senza Causa Prescrizione and Bestseller Lists
- 5. Accessing Arricchimento Senza Causa Prescrizione Free and Paid eBooks
 - Arricchimento Senza Causa Prescrizione Public Domain eBooks
 - Arricchimento Senza Causa Prescrizione eBook Subscription Services
 - Arricchimento Senza Causa Prescrizione Budget-Friendly Options
- 6. Navigating Arricchimento Senza Causa Prescrizione eBook Formats
 - ePub, PDF, MOBI, and More
 - Arricchimento Senza Causa Prescrizione Compatibility with Devices

- Arricchimento Senza Causa Prescrizione Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Arricchimento Senza Causa Prescrizione
 - Highlighting and Note-Taking Arricchimento Senza Causa Prescrizione
 - Interactive Elements Arricchimento Senza Causa Prescrizione
- 8. Staying Engaged with Arricchimento Senza Causa Prescrizione
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Arricchimento Senza Causa Prescrizione
- 9. Balancing eBooks and Physical Books Arricchimento Senza Causa Prescrizione
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Arricchimento Senza Causa Prescrizione
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Arricchimento Senza Causa Prescrizione
 - Setting Reading Goals Arricchimento Senza Causa Prescrizione
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Arricchimento Senza

Causa Prescrizione

- Fact-Checking eBook Content of Arricchimento Senza Causa Prescrizione
- Distinguishing Credible Sources

13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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