

LA PROTECTION DU DISTRIBUTEUR INTÉGRÉ EN DROIT FRANÇAIS ET ALLEMAND

François-Xavier Licari

*Professeur de
Claude Witz
Ancien professeur de
Michael Mortinek*



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La Protection Du Distributeur Integre Endroit Franais Et Allemand

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La Protection Du Distributeur Integre Endroit Franais Et Allemand:

Tulane Law Review ,1993 **Droit de la distribution. 4e éd.** Marie Malaurie-Vignal,2018-01-01 L ouvrage s int resse toutes les relations de distribution qu elles soient inscrites dans un rapport bilat ral fournisseur ou distributeur ou dans un rapport plus complexe le distributeur tant int gr dans un r seau Les contrats de distribution tudi s sont nombreux contrats de distribution int gr e contrat de r f rencement avec une centrale de r f rencement et d achat agent commercial commissionnaire courtier VRP g rant de succursale tous ces contrats s ajoute une profusion de r gles th orie g n rale des contrats droit des contrats sp ciaux on songe notamment la loi Doubin droit de la concurrence interne et europ en et le cas ch ant droit social droit commercial d s lors que le distributeur revendique le statut des baux commerciaux Par ailleurs les statuts et fonctions peuvent s imbriquer le distributeur pouvant ainsi jouir des avantages du salariat ou exercer tout la fois une mission de distributeur et de d positif En fin le distributeur est dans une position interm diaire entre le fournisseur et le consommateur L int r t du consommateur est une donn e essentielle du droit de la distribution L ouvrage porte principalement sur le droit fran ais r dig par Marie Malaurie Vignal Mais les auteurs ont pris le parti de s ouvrir au droit compar en retenant l Allemagne en raison des liens conomiques troits qui unissent les deux pays Dans une conomie europ enne voire mondiale cette comparaison peut tre fructueuse Les d veloppements de droit allemand ont t r dig s par Dominique Heintz Ce manuel est destin aux tudians en droit des deuxi me et troisi me cycles ainsi qu aux praticiens et juristes d entreprises *La protection du distributeur intgré en droit français et allemand* François-Xavier Licari,2002 LE CADRE JURIDIQUE DES CONTRATS DE CONCESSION ET DE FRANCHISE La nature juridique des contrats de concession et de franchise L application analogique des r gles de l agence commerciale aux contrats de concession exclusive et de franchise LA PROTECTION DU DISTRIBUTEUR INTEGRE LORS DE LA FORMATION DU CONTRAT La protection du consentement du distributeur int gr La protection du distributeur int gr contre les contrats injustes LA PROTECTION DU DISTRIBUTEUR INTEGRE LORS DE L EXECUTION DU CONTRAT Le prix dans le contrat d ex cution entre libert et contr le Le contr le des am nagements contractuels de l ex cution du contrat de concession ou de franchise LA PROTECTION DU DISTRIBUTEUR INTEGRE AU MOMENT DE LA CESSATION DU CONTRAT La protection du distributeur int gr par la reconnaissance de limites au droit de rompre le contrat La prise en compte du d s quilibre contractuel au travers des effets de la cessation du contrat **La protection des réseaux de distribution contre le commerce parallèle** André Thalmann,2001

Aprovisionamiento y stock en los contratos de distribución integrada Pablo Jarne Muñoz,2018-04-09 Los contratos de distribuci n comercial son una materia de constante actualidad como demuestra la fren tica actividad legislativa a la que hemos asistido en la ltima d cada A pesar de todo la doctrina y la jurisprudencia se han centrado tradicionalmente en las cuestiones de ndole m s t cnica asociadas al r gimen jur dico obligacional de las figuras que componen la categor a como puedan ser las relativas a los signos distintivos o a la clientela de la red La relaci n de suministro que vertebral estos

contratos demanda no obstante con urgencia un tratamiento adecuado siendo uno de los aspectos en los que más claramente se aprecia el desequilibrio inter partes y la existencia de prácticas abusivas Esta obra se plantea en consecuencia como una reconstrucción del proceso de aprovisionamiento en las redes de distribución integrada que pone de manifiesto los excesos que con frecuencia encontramos en el sector y que ofrece soluciones a la problemática del stock allí donde resulta posible Pablo Jarne es Doctor en Derecho mercantil por la Universidad de Zaragoza En el marco de sus estudios doctorales ha compaginado la docencia en la Facultad de Derecho de Zaragoza con la realización de diversas actividades en el ámbito del Derecho mercantil entre las que destacan el Máster en Derecho de la Distribución y el Diploma de Estudios Superiores Especializados en Derecho Económico ambos cursados en la Universidad de Montpellier Es autor de una quincena de artículos doctrinales centrados mayoritariamente en el sector de la distribución comercial y del consumo

Le code civil français en Alsace, en Allemagne et en Belgique, 2006 **Revue internationale de droit comparé**, 2002 La protection du distributeur intégré en droit français et allemand François-Xavier LICARI, 2002 **Franchise Encroachment - A (Alegada?) Opressão dos Franquiados, ou Requisito (Necessário?) de Cresci** Fernando Manuel Canas Gonçalves, 2021-01-01 Esta obra versa sobre o franchise encroachment um aspecto da relação de franquia com extrema importância Embora nos Estados Unidos da América seja considerada uma das mais relevantes questões relacionadas com o contrato de franquia recebeu até ao presente muito pouca atenção na doutrina jurídica portuguesa Analisa-se o conjunto diversificado de práticas implementadas pelo franquiador que na maior parte dos casos consiste na autorização dada por este para a abertura de uma nova unidade da rede ou na abertura de uma unidade explorada directamente pelo franquiador dentro do mercado de um franquiado existente e se tal constitui uma actuação ilícita por parte do franquiador em relação aos respectivos franquiados e em que casos ocorre tal ilícito ou se tal aumento é necessário para o crescimento do específico sistema de franquia

Répertoire de droit commercial, 1972 **La protection du distributeur intégré en droit français et allemand** François-Xavier Licari, 2000 La recherche entreprise vise non seulement identifier les institutions du droit civil dont l'objet est de compenser le déséquilibre inhérent à la relation contractuelle de distribution intégrée mais aussi proposer des solutions aux questions qui sont restées jusqu'aujourd'hui sans réponse À de nombreux égards la comparaison avec le droit allemand s'avère fructueuse La qualification des contrats de concession et de franchise n'est que par la doctrine française est au centre de notre étude L'assimilation des contrats de distribution intégrée au louage d'ouvrage permet de proposer l'application analogique du droit de l'agence commerciale et ainsi de forger un régime primaire de la distribution intégrée et l'insister de ce qui est pratique en Allemagne depuis plusieurs décennies Une approche chronologique conduit repérer les différentes sources de déséquilibre qui se manifestent au moment de la formation et de l'extinction de la relation contractuelle Des questions aussi variées que l'information précontractuelle du distributeur par le maître du réseau les clauses de détermination ou de modification unilatérale de l'objet les clauses abusives dans les contrats conclus entre professionnels

ou encore l'indemnité de client le sont examinées la lumière du droit allemand et d'une conception matérielle de la liberté contractuelle. Un usage plus dynamique des clauses générales du droit civil art 1134 al 3 et 1382 c Civ Serait fondé. Ainsi la responsabilité aquilienne pourrait remédier au cas où le chef de réseau abuserait de l'institution de la liberté contractuelle pour imposer des clauses déraisonnables son partenaire. La fonction complétive de la bonne foi autoriserait l'élargissement des devoirs incombant au chef de réseau afin de rééquilibrer l'économie du contrat sans pour autant nier l'essence des contrats de distribution, contrats de subordination et non d'intérêt commun.

Deutsche Nationalbibliographie und Bibliographie der im Ausland erschienenen deutschsprachigen Veröffentlichungen, 2004 **Les Livres disponibles**, 2002. La liste exhaustive des ouvrages disponibles publiés en langue française dans le monde. La liste des éditeurs et la liste des collections de langue française **Livres de France**, 2002 Livres hebdo, 2002 **Deutsche Nationalbibliografie**, 2004-07

Groupes de sociétés en Afrique (Les). Droit, pouvoir et dépendance économique SAKHO Abdoulaye, 2010-11-12. Pendant de nombreuses années l'auteur a fréquenté les mandecins de la tradition africaine. L'Afrique des guirlandes c'est la place que tient la mandecine ancienne de l'Afrique dans la tradition qui continue de nos jours mais aussi celle qu'elle occupe dans les glises indépendantes. **La Gazette du Palais**, 1994 Les réseaux de distribution Laurence Amiel-Cosme, 1995 Recueil Dalloz Sirey, 1994

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