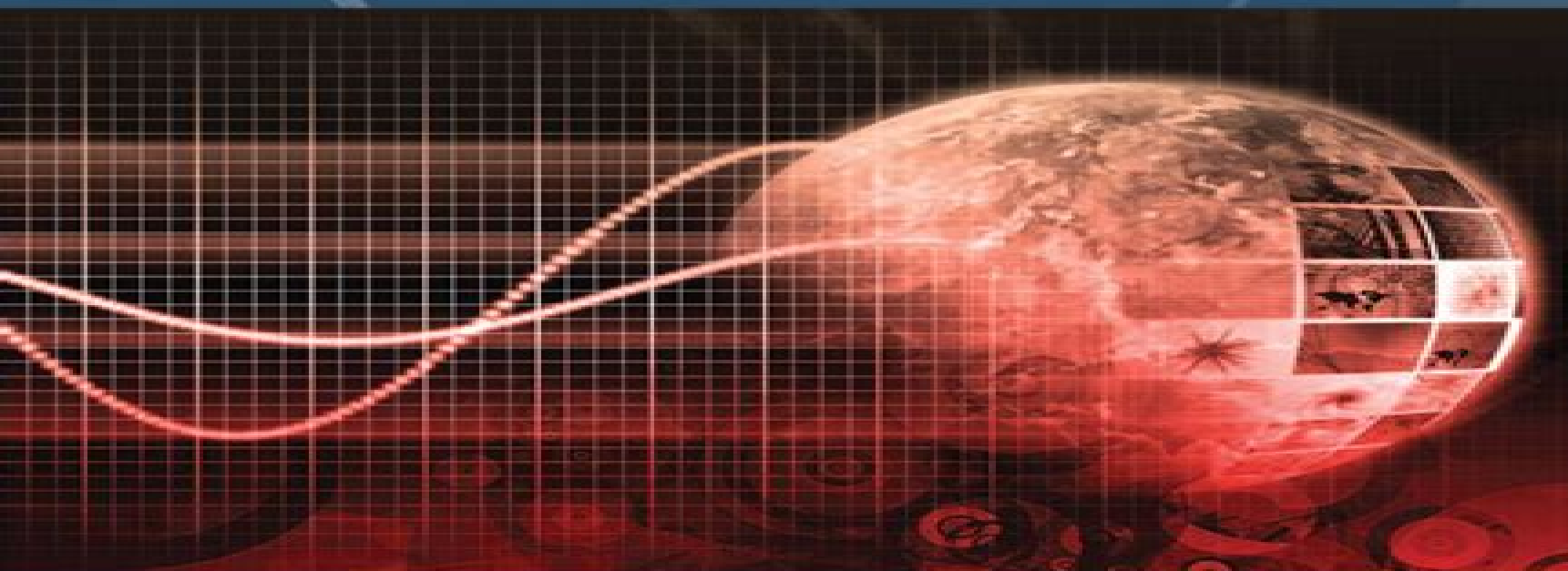


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Contractual Networks, Inter-Firm Cooperation and Economic Growth



Contractual Networks Inter Firm Cooperation And Economic Growth

Stefan Grundmann, Fabrizio Cafaggi



Contractual Networks Inter Firm Cooperation And Economic Growth:

Contractual Networks, Inter-firm Cooperation and Economic Growth Fabrizio Cafaggi, 2011-01-01 This insightful book presents a legal and economic analysis of inter firm cooperation through networks as an alternative to vertical integration. It examines comparatively various forms of collaboration ranging from consortia to multiparty joint ventures and from franchising to dealerships. Collaboration among firms of different sizes helps to overcome numerous weaknesses of the modern western industrial systems. It permits the governing of vertical disintegration without increasing fragmentation and transaction costs and allows firms to benefit from resource complementarities favoring division of labour. The contributing authors primarily focusing on Europe and the US address important ways in which legal systems provide a framework for inter firm coordination. It is clear from the analysis that significant obstacles to collaboration still remain and the authors call for legal reforms at European and Member States level.

Contract Governance Stefan Grundmann, Florian Möslin, Karl Riesenhuber, 2015-07-23 This book introduces and develops Contract Governance as a new approach to contract theory. While the concept of governance has already been developed in Williamson's seminal article, it has ironically not received much attention in general contract law theory. Indeed, Contract Governance appears to be an important and necessary complement to corporate governance and in fact as the second equally important pillar of governance research in the core of private law. With this in mind, Grundmann, Möslin and Riesenhuber provide a novel approach in setting an international and interdisciplinary research agenda for developing contract law scholarship. Contract Governance focuses particularly on the ways in which a governance perspective leads to research questions that have been neglected in traditional contract law scholarship and how, from a governance perspective, the questions are dealt with in a different manner and style. Combining substantive chapters and commentaries, this collection of essays addresses an array of topics including third party impact and contract governance problems in herd behaviour, governance of networks of contracts, governance in long term contractual relationships, contract governance and rule setting, and contract governance and political dimensions.

Business Networks Reloaded Peter Krebs, Stefanie Jung, 2017-05-15 Business networks are an important economic phenomenon of increasing practical importance throughout Europe. This volume examines business networks from an interdisciplinary perspective with many contributions dealing with a certain form of business network, the so-called cooperative or non-hierarchical. With regard to this specific form of cooperation, the volume presents new economic findings, proposes a definition, and discusses the governance structure of those networks. Moreover, this book explores whether the research results can also be applied to hierarchical centralized business networks. With medium-sized companies and all the more with large companies, business networks also pose the question of the compatibility with anti-trust law. This collection dedicates three contributions to this important question. They are complemented by chapters on liability of the network and its members towards third parties and contributions discussing duties of loyalty and the interpretation of agreements. Drawing

on new research from Italy Spain Germany and Norway this work illustrates the European legal perspective on business networks Networks of Collaborative Contracts for Innovation Pablo Marcello Baquero,2020-09-17 With the rise of automation and artificial intelligence the companies that will succeed in the future are those who operate under a constant state of innovation Not just that they will often need to ensure that they pursue open innovation This book explores the contractual basis for innovation examining the legal challenges raised by contracts to innovate Offering a dual perspective it takes an empirical approach to examine how agreements are structured to overcome the inherent uncertainty implicit in innovative activity It also presents a legal framework for contracts to innovate based on the duty of loyalty to the contractual network which could provide guidance to navigate the uncertainty of these relationships Megaregulation Contested Benedict Kingsbury,David M. Malone,Paul Mertenskötter,Richard B. Stewart,Thomas Streinz,Atsushi Sunami,2019-06-06 The Japan led Trans Pacific Partnership CPTPPA of 2018 is the most far reaching megaregional economic agreement in force with several major countries beyond its eleven negotiating countries also interested Still bearing the stamp of the original US involvement before the Trump era reversal TPP is the first instance of megaregulation a demanding combination of inter state economic ordering and national regulatory governance on a highly ambitious substantive and trans regional scale Its text and ambition have influenced other negotiations ranging from the Japan EU Agreement JEEPA and the US Mexico Canada Agreement USMCA to the projected Pan Asian Regional Comprehensive Economic Partnership RCEP This book provides an extensive analysis of TPP as a megaregulatory project for channelling and managing new pressures of globalization and of core critical arguments made against economic megaregulation from standpoints of development inequality labour rights environmental interests corporate capture and elite governance Specialized chapters cover supply chains digital economy trade facilitation intellectual property currency levels competition and state owned enterprises government procurement investment prescriptions for national regulation and the TPP institutions Country studies include detailed analyses of TPP related politics and approaches in Japan Mexico Brazil China India Indonesia and Thailand Contributors include leading practitioners and scholars in law economics and political science At a time when the WTO and other global scale institutions are struggling with economic nationalism and geopolitics and bilateral and regional agreements are pressed by public disagreement and incompatibility with digital and capital and value chain flows the megaregional ambition of TPP is increasingly important as a precedent requiring the close scrutiny this book presents

The Law and Governance of Decentralised Business Models Roger M Barker,Iris H-Y Chiu,2020-12-30 This book draws together themes in business model developments in relation to decentralised business models DBMs sometimes referred to as the sharing economy to systematically analyse the challenges to corporate and organisational law and governance DBMs include business networks the global supply chain public private partnerships the platform economy and blockchain based enterprises The law of organisational forms and governance has been slow in responding to changes and

reliance has been placed on innovations in contract law to support the business model developments. The authors argue that the law of organisations and governance can respond to changes in the phenomenon of decentralised business models driven by transformative technology and new socio economic dynamics. They argue that principles underlying the law of organisations and governance such as corporate governance are crucial to constituting facilitating and enabling reciprocity, mutuality, governance and redress in relation to these business models, the wealth creation of which subscribes to neither a firm nor market system. It is neither hierarchical nor totally decentralised and incorporates socio economic elements that are often enmeshed with incentives and relations. Of interest to academics, policymakers and legal practitioners, this book offers proposals for new thinking in the law of organisation and governance to advance the possibilities of a new socio economic future.

Key Initiatives in Corporate Social Responsibility Samuel O. Idowu, 2015-10-13. This book presents initiatives that were launched or are currently being pursued in the name of CSR and showcases how different dimensions of CSR, sustainability, ethics and governance can help to solve global challenges. Contributions by international experts from Australia to Bangladesh and from Nigeria to Spain address current issues in their respective country such as challenges faced by nations, initiatives launched in the name of CSR and attempts on the part of small and medium sized enterprises to promote CSR initiatives. This volume provides readers with in depth insights into CSR and important initiatives around the globe intended to encourage more responsible behavior.

Multiparty and Linked Contracts, Transport Logistics and the Uniform Transport Law Marta K. Kołacz, 2024-12-11. This book introduces legal aspects of business networks in logistics with the example of shippers co operation in cargo bundling, which is the practice of manufacturing and distributing companies shippers consolidating cargo before the engagement of a carrier. Shippers agree to co operate and to detect cargo matching opportunities before shipment. As a result, shippers can organize joint transportation yielding significant efficiency gains in both logistics and sustainability terms. However, the current legal framework is not adapted to co operation in cargo bundling. This book not only clarifies the operation of laws with the special focus on international uniform transport laws but also provides legal solutions facilitating legal certainty in co operation. It is the first comprehensive book on the legal aspects of shippers co operation in logistics, particularly liability issues in multiparty contracts, network contracts and long term contracts in the international carriage of goods domain. It is also the first providing an interpretative framework for transport conventions considering new business models and new technologies. Proposals are made for solutions at regulatory levels but also for contracts which are especially important because contractual solutions can facilitate shippers to enter co operation and help transport orchestrators operating through online platforms to prepare standard terms and conditions. The comparative part of the text features three jurisdictions: Poland, Germany and England, which offer readers an insight into how multiparty context in the carriage of goods operates at the crossroads of national laws and international transport conventions. This book is written for interested legal practitioners, policymakers, lobbying bodies, industry professionals.

logistics management of selling and producing companies and scholars It will also broadly appeal to those dealing with sustainable logistics and concepts such as sharing economy in logistics

The Organizational Contract Stefan Grundmann, Fabrizio Cafaggi, 2016-02-17 This book introduces and develops the paradigm of the organisational contract in European contract law Suggesting that a more radical distinction should be made between contracts which regulate single or spot exchanges and contracts that organize complex economic activities without creating a new legal entity the book argues that this distinction goes beyond that between spot and relational contracts because it focuses on the organizational dimension of contracting and its governance features Divided into six parts the volume brings together a group of internationally renowned experts to examine the structure of long term contractual cooperation networks of contracts knowledge exchange in long term contractual cooperation remedies and specific governance rules in long term relationships and the move towards legislation The book will be of value to academics and researchers in the areas of private law economic theory and sociology of law and organizational theory It will also be a useful resource for practitioners working in international contract law and international business transaction law

The Transformation of Enforcement Hans-W Micklitz, Andrea Wechsler, 2016-04-07 This insightful book considers the phenomenon of the transformation of enforcement in European economic law while adopting a distinct global perspective The editors identify and respond to the need for reflection on transformation processes in the area of enforcement by bringing together the leading international and European scholars in a variety of disciplines to share and compare experiences and learning in different areas of law Rooted in a wide and regulatory understanding of enforcement this book showcases the transformation of enforcement with reference to both European economic law especially transnational commercial law competition law intellectual property law consumer law and to the current context of significant global economic challenges Comparative perspectives facilitate the formation of a holistic perspective on enforcement that reaches beyond distinct theoretical accounts political agendas regulatory systems institutional patterns particular remedies industry sectors and stakeholder perspectives As the first comprehensive and comparative analysis of the enforcement of European economic law that reaches beyond closely confined areas of law it constitutes a crucial contribution to the theoretical and policy questions of how to design a coherent European enforcement architecture in accordance with essential principles and objectives of the EU economic order This unique study will have broad appeal By exploring enforcement transformations from a legal and a cross disciplinary perspective it will be essential reading for scholars practitioners and policymakers from different disciplines

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