Mark Fenwick • Stefan Wrbka Editors

Flexibility in Modern Business Law

A Comparative Assessment



Contents

Regulation	3
Mark Fenwick and Stefan Wrbka	
Part I The Perspective of the Lawmaker	
The Potential and Limits of Teleological Reduction Shown with the Example of the Austrian Warranty Regime	15
The Austrian Civil Law Company as an Example of a Successful	37
Company	37
From the Boardroom to the Corner Store: Globalization, Law and Economic Organization	49
The Novelist's Artistic Freedom v. His Protagonist's Rights of Personality: A Comparison Between German and U.SAmerican Law	69
Part II The Perspective of the Regulator	
Delayed Leniency Applications: The Unfortunate But Predictable Outcome of the Flexible Leniency Policies Under the Chinese	
Antimonopoly Law	91
Investor-State Arbitration: A Tale of Endless Obstacles?	123

vi Contents

Part III The Perspective of Business	
The New Corporate Criminal Law and Transnational Legal Risk Mark Fenwick	149
Consumer Credit Law in the European Union and Japan: A Comparative Study	173
'Plan-Like Architectures' for Mutual Trust in the Cloud Marcelo Corrales	199
Index	227