

Contracting On The Internet - Jonas Vincentz

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No closing time regulations, no purchase stress, timesaving and uncomplicated ordering, comparable prices, detailed information and direct contact to the manufacturers, these are just some advantages the Internet offers. The number of people using the internet as a shopping platform is increasing steadily - in Germany already more than 28 million people now use the Internet frequently to make purchases.¹ This underlines the importance of legal matters on the electronic Highway and will contribute furthermore to the electronic drive on legal issues within the next years. All the more, it is important to strengthen the confidence of the consumer of the safety of so-called Internet contracts. This paper shall give a summary of issues concerning contracts on the Internet and its consistency with the norms of the BGB (German Civil Code). Commonly every manner of economic activity on the Internet is referred to as ecommerce. Nevertheless, one can distinguish these activities into so-called offline and online businesses. With offline business, solely the conclusion of the contract occurs electronically. An example would be the ordering of a book through the internet, however, it will still be delivered conventionally by mail. So this remains a simple sales contract with rare online-specific problems. With online business the whole performance including delivery will be conducted on the net. This presupposes when purchasing goods that the objects can be digitalized (e.g. software, music, electronic books etc.). Also in the field of services (e.g. the use of databases, Internet telephony, ticket booking, electronic trade of securities, etc.) online businesses occur. A special view will be given to the particularities of online auctions. Author: Vincentz, Jonas
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