



Die Vereinbarkeit von "antisuit injunctions" mit der EuGVVO (German Edition)

Kristin Walter

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Studienarbeit aus dem Jahr 2005 im Fachbereich Jura - Europarecht, Völkerrecht, Internationales Privatrecht, Note: 15 Notenpunkte, Universität Potsdam, Veranstaltung: Seminar "Diskussion aktueller Fragen des IPR, IZVR und Einheitsrechts", 48 Quellen im Literaturverzeichnis, Sprache: Deutsch, Abstract: Mit Urteil vom 27.04.2004 in der Rechtssache Gregory Paul Turner gegen Felix Ismail Grovit u.a. entschied der Europäische Gerichtshof nach einem Vorlagebeschluss durch das House of Lords vom 13.12.2001 über die Frage der Vereinbarkeit gerichtlicher Prozessführungsverbote (antisuitinjunctions) mit dem EuGVÜ: „Das Übereinkommen vom 27. September 1968 über die gerichtliche Zuständigkeit und die Vollstreckung gerichtlicher Entscheidungen in Zivil- und Handelssachen [...] steht der Verhängung eines Prozessführungsverbots, mit dem das Gericht eines Vertragsstaats einer Partei eines bei ihm anhängigen Verfahrens untersagt, eine Klage bei einem Gericht eines anderen Vertragsstaates einzureichen oder ein dortiges Verfahren weiterzubetreiben, auch dann entgegen, wenn diese Partei wider Treu und Glauben zu dem Zweck handelt, das bereits anhängige Verfahren zu behindern.“

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