

Rules for the Transfer of Movables

A Candidate for European Harmonization or National Reforms?

Programme

Thursday, 15 February 2007

Introduction

- 9.00 – 9.45** Welcome Address by the Dean of the Faculty of Law,
Prof. Dr. Kurt Schmoller
Introduction to the Project “Transfer of Movables” (Organizational Framework, Basic Issues and Goals)
Prof. Dr. Brigitta Lurger (University of Graz, Austria)

Consensual System – Delivery System – Party Autonomy

- 9.45 – 10.15** Consensual System versus Delivery System – Advantages and Disadvantages
Prof. Dr. Vincent Sagaert (Universities of Leuven and Antwerp, Belgium)
- 10.15 – 10.45** Party Autonomy in Property Law – Can the Parties “Design” Their Transfer?
Kai Kullerkupp, LL.M. (University of Tartu, Estonia)
- 10.45 – 11.15** Discussion
- 11.15 – 11.30** Coffee break

Abstract or Causal System?

- 11.30 – 12.00** Abstract or Causal System – Advantages and Disadvantages of the two Solutions
Prof. Dr. Steven Bartels (University of Utrecht, the Netherlands)
- 12.00 – 12.30** Discussion
- 12.30 – 13.30** Lunch Break

Unitary Concept of Ownership – Functional Approach

- 13.30 – 14.00** The Scandinavian “Functional” Approach
Dr. Claes Martinson (Sweden)
- 14.00 – 14.15** Impulse Statement: Scepticism about the Functional Approach from a Unitary Perspective
Dr. Wolfgang Faber (University of Salzburg, Austria)
- 14.15 – 14.45** Relationship between Transfer Rules and Rules on Creditor’s Avoidance of Debtor’s Transactions
Dr. Caroline Cauffman (University of Leuven, Belgium)
- 14.45 – 15.15** Discussion
- 15.15 – 15.45** Coffee Break

Good Faith Acquisition

- 15.45 – 16.15** Protection of the Acquirer in Good Faith: If at all: how?
Prof. Dr. Arthur Salomons (University of Amsterdam, the Netherlands)
- 16.15 - 16.30** Impulse Statement: Good Faith Acquisition – Why at All?
Prof. Dr. Jose Caramelo Gomes (University of Lusiada, Portugal)
- 16.30 – 17.00** Discussion

Fiduciary Transfer of Ownership

- 17.00 – 17.30** Fiduciary Transfer of Movables
Selma de Groot, LL.M. (University of Amsterdam, the Netherlands)
- 17.30 – 18.00** Discussion

Friday, 16 February 2007

Obligatory and Proprietary Rights: Where to draw the Dividing Line – If At All?

- 9.00 – 9.30** Obligatory and Proprietary Rights: Where to draw the Dividing Line – If At All?
Dr. Eleanor Cashin Ritaine (Director of the Swiss Institute of Comparative Law, Lausanne, Switzerland)
- 9.30 – 10.00** The Principles of a so called “Genuine Law of Property“
PD Dr. Jens Thomas Füller (University of Berlin, Germany)
- 10.00 – 10.30** Intellectual Property Rights: 'Property' or 'Right'? – The Application of the Transfer Rules to Intellectual Property
Dr. Mary-Rose McGuire (University of Osnabrück, Germany)
- 10.30 – 11.00** Discussion
- 11.00 – 11.15** Coffee Break

Unification and National Reforms

- 11.15 – 11.35** Unification in the Field of Property Law from the Perspective of European Law
Prof. Dr. Jose Caramelo Gomes (University of Lusiada, Portugal)
- 11.35 – 11.55** Transfer of Ownership in Recent Reform Projects: Estonia
Kai Kullerkupp, LL.M. (University of Tartu, Estonia)
- 11.55 – 12.15** Transfer of Ownership in Current Reform Projects: Hungary
Dipl. Jur. Ferenc Szilagyi (University of Salzburg, Austria)
- 12.15 – 12.35** Content of Reform: Protection of Possession and Detention
Prof. Dr. Lubos Tichy (University of Prague, Czech Republic)
- 12.35 – 13.00** Discussion

Participation in the conference is free of charge. Registration is requested no later than 31 January. For all detailed information please see: www.uni-salzburg.at/oep/tom-conference